

***In the House of Representatives, U. S.,***

*August 1, 2011.*

*Resolved*, That the bill from the Senate (S. 365) entitled “An Act to make a technical amendment to the Education Sciences Reform Act of 2002.”, do pass with the following:

**AMENDMENT:**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the*  
3 *“Budget Control Act of 2011”.*

4 (b) *TABLE OF CONTENTS.*—*The table of contents for*  
5 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. Severability.*

**TITLE I—TEN-YEAR DISCRETIONARY CAPS WITH SEQUESTER**

*Sec. 101. Enforcing discretionary spending limits.*

*Sec. 102. Definitions.*

*Sec. 103. Reports and orders.*

*Sec. 104. Expiration.*

*Sec. 105. Amendments to the Congressional Budget and Impoundment Control Act of 1974.*

*Sec. 106. Senate budget enforcement.*

**TITLE II—VOTE ON THE BALANCED BUDGET AMENDMENT**

*Sec. 201. Vote on the balanced budget amendment.*

*Sec. 202. Consideration by the other House.*

**TITLE III—DEBT CEILING DISAPPROVAL PROCESS**

*Sec. 301. Debt ceiling disapproval process.*

*Sec. 302. Enforcement of budget goal.*

*TITLE IV—JOINT SELECT COMMITTEE ON DEFICIT REDUCTION*

*Sec. 401. Establishment of Joint Select Committee.*

*Sec. 402. Expedited consideration of joint committee recommendations.*

*Sec. 403. Funding.*

*Sec. 404. Rulemaking.*

*TITLE V—PELL GRANT AND STUDENT LOAN PROGRAM CHANGES*

*Sec. 501. Federal Pell grants.*

*Sec. 502. Termination of authority to make interest subsidized loans to graduate and professional students.*

*Sec. 503. Termination of direct loan repayment incentives.*

*Sec. 504. Inapplicability of title IV negotiated rulemaking and master calendar exception.*

1 **SEC. 2. SEVERABILITY.**

2       *If any provision of this Act, or any application of such*  
 3 *provision to any person or circumstance, is held to be un-*  
 4 *constitutional, the remainder of this Act and the applica-*  
 5 *tion of this Act to any other person or circumstance shall*  
 6 *not be affected.*

7 **TITLE I—TEN-YEAR DISCRE-**  
 8 **TIONARY CAPS WITH SEQUES-**  
 9 **TER**

10 **SEC. 101. ENFORCING DISCRETIONARY SPENDING LIMITS.**

11       *Section 251 of the Balanced Budget and Emergency*  
 12 *Deficit Control Act of 1985 is amended to read as follows:*

13 **“SEC. 251. ENFORCING DISCRETIONARY SPENDING LIMITS.**

14       **“(a) ENFORCEMENT.—**

15               **“(1) SEQUESTRATION.—***Within 15 calendar days*  
 16 *after Congress adjourns to end a session there shall be*  
 17 *a sequestration to eliminate a budget-year breach, if*  
 18 *any, within any category.*

1           “(2) *ELIMINATING A BREACH.*—*Each non-exempt*  
2           *account within a category shall be reduced by a dollar*  
3           *amount calculated by multiplying the enacted level of*  
4           *sequestrable budgetary resources in that account at*  
5           *that time by the uniform percentage necessary to*  
6           *eliminate a breach within that category.*

7           “(3) *MILITARY PERSONNEL.*—*If the President*  
8           *uses the authority to exempt any personnel account*  
9           *from sequestration under section 255(f), each account*  
10           *within subfunctional category 051 (other than those*  
11           *military personnel accounts for which the authority*  
12           *provided under section 255(f) has been exercised) shall*  
13           *be further reduced by a dollar amount calculated by*  
14           *multiplying the enacted level of non-exempt budgetary*  
15           *resources in that account at that time by the uniform*  
16           *percentage necessary to offset the total dollar amount*  
17           *by which outlays are not reduced in military per-*  
18           *sonnel accounts by reason of the use of such authority.*

19           “(4) *PART-YEAR APPROPRIATIONS.*—*If, on the*  
20           *date specified in paragraph (1), there is in effect an*  
21           *Act making or continuing appropriations for part of*  
22           *a fiscal year for any budget account, then the dollar*  
23           *sequestration calculated for that account under para-*  
24           *graphs (2) and (3) shall be subtracted from—*

1           “(A) the annualized amount otherwise  
2           available by law in that account under that or  
3           a subsequent part-year appropriation; and

4           “(B) when a full-year appropriation for  
5           that account is enacted, from the amount other-  
6           wise provided by the full-year appropriation for  
7           that account.

8           “(5) LOOK-BACK.—If, after June 30, an appro-  
9           priation for the fiscal year in progress is enacted that  
10          causes a breach within a category for that year (after  
11          taking into account any sequestration of amounts  
12          within that category), the discretionary spending lim-  
13          its for that category for the next fiscal year shall be  
14          reduced by the amount or amounts of that breach.

15          “(6) WITHIN-SESSION SEQUESTRATION.—If an  
16          appropriation for a fiscal year in progress is enacted  
17          (after Congress adjourns to end the session for that  
18          budget year and before July 1 of that fiscal year) that  
19          causes a breach within a category for that year (after  
20          taking into account any prior sequestration of  
21          amounts within that category), 15 days later there  
22          shall be a sequestration to eliminate that breach with-  
23          in that category following the procedures set forth in  
24          paragraphs (2) through (4).

25          “(7) ESTIMATES.—

1           “(A) *CBO ESTIMATES.*—As soon as prac-  
2           *ticable after Congress completes action on any*  
3           *discretionary appropriation, CBO, after con-*  
4           *sultation with the Committees on the Budget of*  
5           *the House of Representatives and the Senate,*  
6           *shall provide OMB with an estimate of the*  
7           *amount of discretionary new budget authority*  
8           *and outlays for the current year, if any, and the*  
9           *budget year provided by that legislation.*

10           “(B) *OMB ESTIMATES AND EXPLANATION*  
11           *OF DIFFERENCES.*—Not later than 7 calendar  
12           *days (excluding Saturdays, Sundays, and legal*  
13           *holidays) after the date of enactment of any dis-*  
14           *cretionary appropriation, OMB shall transmit a*  
15           *report to the House of Representatives and to the*  
16           *Senate containing the CBO estimate of that leg-*  
17           *islation, an OMB estimate of the amount of dis-*  
18           *cretionary new budget authority and outlays for*  
19           *the current year, if any, and the budget year*  
20           *provided by that legislation, and an explanation*  
21           *of any difference between the 2 estimates. If dur-*  
22           *ing the preparation of the report OMB deter-*  
23           *mines that there is a significant difference be-*  
24           *tween OMB and CBO, OMB shall consult with*  
25           *the Committees on the Budget of the House of*

1            *Representatives and the Senate regarding that*  
2            *difference and that consultation shall include, to*  
3            *the extent practicable, written communication to*  
4            *those committees that affords such committees the*  
5            *opportunity to comment before the issuance of*  
6            *the report.*

7            “(C) *ASSUMPTIONS AND GUIDELINES.—*  
8            *OMB estimates under this paragraph shall be*  
9            *made using current economic and technical as-*  
10           *sumptions. OMB shall use the OMB estimates*  
11           *transmitted to the Congress under this para-*  
12           *graph. OMB and CBO shall prepare estimates*  
13           *under this paragraph in conformance with*  
14           *scorekeeping guidelines determined after con-*  
15           *sultation among the Committees on the Budget of*  
16           *the House of Representatives and the Senate,*  
17           *CBO, and OMB.*

18           “(D) *ANNUAL APPROPRIATIONS.—For pur-*  
19           *poses of this paragraph, amounts provided by*  
20           *annual appropriations shall include any discre-*  
21           *tionary appropriations for the current year, if*  
22           *any, and the budget year in accounts for which*  
23           *funding is provided in that legislation that re-*  
24           *sult from previously enacted legislation.*

1       “(b) *ADJUSTMENTS TO DISCRETIONARY SPENDING*  
2 *LIMITS.*—

3               “(1) *CONCEPTS AND DEFINITIONS.*—*When the*  
4 *President submits the budget under section 1105 of*  
5 *title 31, United States Code, OMB shall calculate and*  
6 *the budget shall include adjustments to discretionary*  
7 *spending limits (and those limits as cumulatively ad-*  
8 *justed) for the budget year and each outyear to reflect*  
9 *changes in concepts and definitions. Such changes*  
10 *shall equal the baseline levels of new budget authority*  
11 *and outlays using up-to-date concepts and definitions,*  
12 *minus those levels using the concepts and definitions*  
13 *in effect before such changes. Such changes may only*  
14 *be made after consultation with the Committees on*  
15 *Appropriations and the Budget of the House of Rep-*  
16 *resentatives and the Senate, and that consultation*  
17 *shall include written communication to such commit-*  
18 *tees that affords such committees the opportunity to*  
19 *comment before official action is taken with respect to*  
20 *such changes.*

21               “(2) *SEQUESTRATION REPORTS.*—*When OMB*  
22 *submits a sequestration report under section 254(e),*  
23 *(f), or (g) for a fiscal year, OMB shall calculate, and*  
24 *the sequestration report and subsequent budgets sub-*  
25 *mitted by the President under section 1105(a) of title*

1       31, *United States Code*, shall include adjustments to  
2       *discretionary spending limits (and those limits as ad-*  
3       *justed) for the fiscal year and each succeeding year,*  
4       *as follows:*

5               “(A) *EMERGENCY APPROPRIATIONS; OVER-*  
6       *SEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON*  
7       *TERRORISM.—If, for any fiscal year, appropria-*  
8       *tions for discretionary accounts are enacted*  
9       *that—*

10               “(i) *the Congress designates as emer-*  
11       *gency requirements in statute on an account*  
12       *by account basis and the President subse-*  
13       *quently so designates, or*

14               “(ii) *the Congress designates for Over-*  
15       *seas Contingency Operations/Global War on*  
16       *Terrorism in statute on an account by ac-*  
17       *count basis and the President subsequently*  
18       *so designates,*

19       *the adjustment shall be the total of such appro-*  
20       *priations in discretionary accounts designated as*  
21       *emergency requirements or for Overseas Contin-*  
22       *gency Operations/Global War on Terrorism, as*  
23       *applicable.*

24               “(B) *CONTINUING DISABILITY REVIEWS AND*  
25       *REDETERMINATIONS.—(i) If a bill or joint reso-*



1            *lution making appropriations for a fiscal year is*  
2            *enacted that specifies an amount for continuing*  
3            *disability reviews under titles II and XVI of the*  
4            *Social Security Act and for the cost associated*  
5            *with conducting redeterminations of eligibility*  
6            *under title XVI of the Social Security Act, then*  
7            *the adjustments for that fiscal year shall be the*  
8            *additional new budget authority provided in*  
9            *that Act for such expenses for that fiscal year,*  
10           *but shall not exceed—*

11                    *“(I) for fiscal year 2012, \$623,000,000*  
12                    *in additional new budget authority;*

13                    *“(II) for fiscal year 2013,*  
14                    *\$751,000,000 in additional new budget au-*  
15                    *thority;*

16                    *“(III) for fiscal year 2014,*  
17                    *\$924,000,000 in additional new budget au-*  
18                    *thority;*

19                    *“(IV) for fiscal year 2015,*  
20                    *\$1,123,000,000 in additional new budget*  
21                    *authority;*

22                    *“(V) for fiscal year 2016,*  
23                    *\$1,166,000,000 in additional new budget*  
24                    *authority;*

1           “(VI) for fiscal year 2017,  
2 \$1,309,000,000 in additional new budget  
3 authority;

4           “(VII) for fiscal year 2018,  
5 \$1,309,000,000 in additional new budget  
6 authority;

7           “(VIII) for fiscal year 2019,  
8 \$1,309,000,000 in additional new budget  
9 authority;

10           “(IX) for fiscal year 2020,  
11 \$1,309,000,000 in additional new budget  
12 authority; and

13           “(X) for fiscal year 2021,  
14 \$1,309,000,000 in additional new budget  
15 authority.

16           “(ii) As used in this subparagraph—

17           “(I) the term ‘continuing disability re-  
18 views’ means continuing disability reviews  
19 under sections 221(i) and 1614(a)(4) of the  
20 Social Security Act;

21           “(II) the term ‘redetermination’ means  
22 redetermination of eligibility under sections  
23 1611(c)(1) and 1614(a)(3)(H) of the Social  
24 Security Act; and

1           “(III) the term ‘additional new budget  
2           authority’ means the amount provided for a  
3           fiscal year, in excess of \$273,000,000, in an  
4           appropriation Act and specified to pay for  
5           the costs of continuing disability reviews  
6           and redeterminations under the heading  
7           ‘Limitation on Administrative Expenses’  
8           for the Social Security Administration.

9           “(C) HEALTH CARE FRAUD AND ABUSE  
10          CONTROL.—(i) If a bill or joint resolution mak-  
11          ing appropriations for a fiscal year is enacted  
12          that specifies an amount for the health care  
13          fraud abuse control program at the Department  
14          of Health and Human Services (75–8393–0–7–  
15          571), then the adjustments for that fiscal year  
16          shall be the amount of additional new budget au-  
17          thority provided in that Act for such program  
18          for that fiscal year, but shall not exceed—

19                 “(I) for fiscal year 2012, \$270,000,000  
20                 in additional new budget authority;

21                 “(II) for fiscal year 2013,  
22                 \$299,000,000 in additional new budget au-  
23                 thority;

1           “(III) for fiscal year 2014,  
2           \$329,000,000 in additional new budget au-  
3           thority;

4           “(IV) for fiscal year 2015,  
5           \$361,000,000 in additional new budget au-  
6           thority;

7           “(V) for fiscal year 2016, \$395,000,000  
8           in additional new budget authority;

9           “(VI) for fiscal year 2017,  
10          \$414,000,000 in additional new budget au-  
11          thority;

12          “(VII) for fiscal year 2018,  
13          \$434,000,000 in additional new budget au-  
14          thority;

15          “(VIII) for fiscal year 2019,  
16          \$454,000,000 in additional new budget au-  
17          thority;

18          “(IX) for fiscal year 2020,  
19          \$475,000,000 in additional new budget au-  
20          thority; and

21          “(X) for fiscal year 2021, \$496,000,000  
22          in additional new budget authority.

23          “(i) As used in this subparagraph, the  
24          term ‘additional new budget authority’ means  
25          the amount provided for a fiscal year, in excess

1           of \$311,000,000, in an appropriation Act and  
2           specified to pay for the costs of the health care  
3           fraud and abuse control program.

4           “(D) *DISASTER FUNDING.*—

5           “(i) *If, for fiscal years 2012 through*  
6           *2021, appropriations for discretionary ac-*  
7           *counts are enacted that Congress designates*  
8           *as being for disaster relief in statute, the*  
9           *adjustment for a fiscal year shall be the*  
10          *total of such appropriations for the fiscal*  
11          *year in discretionary accounts designated*  
12          *as being for disaster relief, but not to exceed*  
13          *the total of—*

14                  “(I) *the average funding provided*  
15                  *for disaster relief over the previous 10*  
16                  *years, excluding the highest and lowest*  
17                  *years; and*

18                  “(II) *the amount, for years when*  
19                  *the enacted new discretionary budget*  
20                  *authority designated as being for dis-*  
21                  *aster relief for the preceding fiscal year*  
22                  *was less than the average as calculated*  
23                  *in subclause (I) for that fiscal year,*  
24                  *that is the difference between the en-*  
25                  *acted amount and the allowable adjust-*

1                   *ment as calculated in such subclause*  
2                   *for that fiscal year.*

3                   “(ii) OMB shall report to the Commit-  
4                   tees on Appropriations and Budget in each  
5                   House the average calculated pursuant to  
6                   clause (i)(II), not later than 30 days after  
7                   the date of the enactment of the Budget  
8                   Control Act of 2011.

9                   “(iii) For the purposes of this subpara-  
10                  graph, the term ‘disaster relief’ means ac-  
11                  tivities carried out pursuant to a deter-  
12                  mination under section 102(2) of the Robert  
13                  T. Stafford Disaster Relief and Emergency  
14                  Assistance Act (42 U.S.C. 5122(2)).

15                  “(iv) Appropriations considered dis-  
16                  aster relief under this subparagraph in a  
17                  fiscal year shall not be eligible for adjust-  
18                  ments under subparagraph (A) for the fiscal  
19                  year.

20                  “(c) *DISCRETIONARY SPENDING LIMIT.*—As used in  
21                  this part, the term ‘discretionary spending limit’ means—

22                         “(1) with respect to fiscal year 2012—

23                                 “(A) for the security category,  
24                                 \$684,000,000,000 in new budget authority; and

1           “(B) for the nonsecurity category,  
2           \$359,000,000,000 in new budget authority;

3           “(2) with respect to fiscal year 2013—

4           “(A) for the security category,  
5           \$686,000,000,000 in new budget authority; and

6           “(B) for the nonsecurity category,  
7           \$361,000,000,000 in new budget authority;

8           “(3) with respect to fiscal year 2014, for the dis-  
9           cretionary category, \$1,066,000,000,000 in new budg-  
10          et authority;

11          “(4) with respect to fiscal year 2015, for the dis-  
12          cretionary category, \$1,086,000,000,000 in new budg-  
13          et authority;

14          “(5) with respect to fiscal year 2016, for the dis-  
15          cretionary category, \$1,107,000,000,000 in new budg-  
16          et authority;

17          “(6) with respect to fiscal year 2017, for the dis-  
18          cretionary category, \$1,131,000,000,000 in new budg-  
19          et authority;

20          “(7) with respect to fiscal year 2018, for the dis-  
21          cretionary category, \$1,156,000,000,000 in new budg-  
22          et authority;

23          “(8) with respect to fiscal year 2019, for the dis-  
24          cretionary category, \$1,182,000,000,000 in new budg-  
25          et authority;

1           “(9) with respect to fiscal year 2020, for the dis-  
2           cretionary category, \$1,208,000,000,000 in new budg-  
3           et authority; and

4           “(10) with respect to fiscal year 2021, for the  
5           discretionary category, \$1,234,000,000,000 in new  
6           budget authority;

7           as adjusted in strict conformance with subsection (b).”.

8           **SEC. 102. DEFINITIONS.**

9           Section 250(c) of the *Balanced Budget and Emergency*  
10          *Deficit Control Act of 1985* is amended as follows:

11           (1) Strike paragraph (4) and insert the following  
12          new paragraph:

13           “(4)(A) The term ‘nonsecurity category’ means  
14          all discretionary appropriations not included in the  
15          security category defined in subparagraph (B).

16           “(B) The term ‘security category’ includes discre-  
17          tionary appropriations associated with agency budg-  
18          ets for the Department of Defense, the Department of  
19          Homeland Security, the Department of Veterans Af-  
20          fairs, the National Nuclear Security Administration,  
21          the intelligence community management account (95-  
22          0401-0-1-054), and all budget accounts in budget  
23          function 150 (international affairs).

24           “(C) The term ‘discretionary category’ includes  
25          all discretionary appropriations.”.



1           (2) *In paragraph (8)(C), strike “the food stamp*  
2 *program” and insert “the Supplemental Nutrition*  
3 *Assistance Program”.*

4           (3) *Strike paragraph (14) and insert the fol-*  
5 *lowing new paragraph:*

6           “(14) *The term ‘outyear’ means a fiscal year one*  
7 *or more years after the budget year.”.*

8           (4) *At the end, add the following new para-*  
9 *graphs:*

10           “(20) *The term ‘emergency’ means a situation*  
11 *that—*

12                   “(A) *requires new budget authority and*  
13 *outlays (or new budget authority and the outlays*  
14 *flowing therefrom) for the prevention or mitiga-*  
15 *tion of, or response to, loss of life or property, or*  
16 *a threat to national security; and*

17                   “(B) *is unanticipated.*

18           “(21) *The term ‘unanticipated’ means that the*  
19 *underlying situation is—*

20                   “(A) *sudden, which means quickly coming*  
21 *into being or not building up over time;*

22                   “(B) *urgent, which means a pressing and*  
23 *compelling need requiring immediate action;*

24                   “(C) *unforeseen, which means not predicted*  
25 *or anticipated as an emerging need; and*

1                   “(D) temporary, which means not of a per-  
2                   manent duration.”.

3 **SEC. 103. REPORTS AND ORDERS.**

4           Section 254 of the *Balanced Budget and Emergency*  
5 *Deficit Control Act of 1985* is amended as follows:

6           (1) In subsection (c)(2), strike “2002” and insert  
7           “2021”.

8           (2) At the end of subsection (e), insert “This re-  
9           port shall also contain a preview estimate of the ad-  
10          justment for disaster funding for the upcoming fiscal  
11          year.”.

12          (3) In subsection (f)(2)(A), strike “2002” and in-  
13          sert “2021”; before the concluding period insert “, in-  
14          cluding a final estimate of the adjustment for disaster  
15          funding”.

16 **SEC. 104. EXPIRATION.**

17          (a) *REPEALER*.—Section 275 of the *Balanced Budget*  
18 *and Emergency Deficit Control Act of 1985* is repealed.

19          (b) *CONFORMING CHANGE*.—Sections 252(d)(1),  
20 254(c), 254(f)(3), and 254(i) of the *Balanced Budget and*  
21 *Emergency Deficit Control Act of 1985* shall not apply to  
22 *the Congressional Budget Office*.

1 **SEC. 105. AMENDMENTS TO THE CONGRESSIONAL BUDGET**  
 2 **AND IMPOUNDMENT CONTROL ACT OF 1974.**

3 (a) *ADJUSTMENTS.*—Section 314 of the Congressional  
 4 Budget Act of 1974 is amended as follows:

5 (1) Strike subsection (a) and insert the following:

6 “(a) *ADJUSTMENTS.*—After the reporting of a bill or  
 7 joint resolution or the offering of an amendment thereto or  
 8 the submission of a conference report thereon, the chairman  
 9 of the Committee on the Budget of the House of Representa-  
 10 tives or the Senate may make appropriate budgetary ad-  
 11 justments of new budget authority and the outlays flowing  
 12 therefrom in the same amount as required by section 251(b)  
 13 of the Balanced Budget and Emergency Deficit Control Act  
 14 of 1985.”.

15 (2) Strike subsections (b) and (e) and redesignate  
 16 subsections (c) and (d) as subsections (b) and (e), re-  
 17 spectively.

18 (3) At the end, add the following new sub-  
 19 sections:

20 “(d) *EMERGENCIES IN THE HOUSE OF REPRESENTA-*  
 21 *TIVES.*— (1) In the House of Representatives, if a reported  
 22 bill or joint resolution, or amendment thereto or conference  
 23 report thereon, contains a provision providing new budget  
 24 authority and outlays or reducing revenue, and a designa-  
 25 tion of such provision as an emergency requirement pursu-  
 26 ant to 251(b)(2)(A) of the Balanced Budget and Emergency

1 *Deficit Control Act of 1985, the chair of the Committee on*  
2 *the Budget of the House of Representatives shall not count*  
3 *the budgetary effects of such provision for purposes of title*  
4 *III and title IV of the Congressional Budget Act of 1974*  
5 *and the Rules of the House of Representatives.*

6       “(2)(A) *In the House of Representatives, if a reported*  
7 *bill or joint resolution, or amendment thereto or conference*  
8 *report thereon, contains a provision providing new budget*  
9 *authority and outlays or reducing revenue, and a designa-*  
10 *tion of such provision as an emergency pursuant to para-*  
11 *graph (1), the chair of the Committee on the Budget shall*  
12 *not count the budgetary effects of such provision for pur-*  
13 *poses of this title and title IV and the Rules of the House*  
14 *of Representatives.*

15       “(B) *In the House of Representatives, a proposal to*  
16 *strike a designation under subparagraph (A) shall be ex-*  
17 *cluded from an evaluation of budgetary effects for purposes*  
18 *of this title and title IV and the Rules of the House of Rep-*  
19 *resentatives.*

20       “(C) *An amendment offered under subparagraph (B)*  
21 *that also proposes to reduce each amount appropriated or*  
22 *otherwise made available by the pending measure that is*  
23 *not required to be appropriated or otherwise made available*  
24 *shall be in order at any point in the reading of the pending*  
25 *measure.*

1       “(e) *ENFORCEMENT OF DISCRETIONARY SPENDING*  
 2 *CAPS.*—*It shall not be in order in the House of Representa-*  
 3 *tives or the Senate to consider any bill, joint resolution,*  
 4 *amendment, motion, or conference report that would cause*  
 5 *the discretionary spending limits as set forth in section 251*  
 6 *of the Balanced Budget and Emergency Deficit Control Act*  
 7 *to be exceeded.”.*

8       (b) *DEFINITIONS.*—*Section 3 of the Congressional*  
 9 *Budget and Impoundment Control Act of 1974 is amended*  
 10 *by adding at the end the following new paragraph:*

11               “(11) *The terms ‘emergency’ and ‘unanticipated’*  
 12 *have the meanings given to such terms in section*  
 13 *250(c) of the Balanced Budget and Emergency Deficit*  
 14 *Control Act of 1985.”.*

15       (c) *APPEALS FOR DISCRETIONARY CAPS.*—*Section*  
 16 *904(c)(2) of the Congressional Budget Act of 1974 is amend-*  
 17 *ed by striking “and 312(c)” and inserting “312(c), and*  
 18 *314(e)”.*

19 **SEC. 106. SENATE BUDGET ENFORCEMENT.**

20       (a) *IN GENERAL.*—

21               (1) *For the purpose of enforcing the Congres-*  
 22 *sional Budget Act of 1974 through April 15, 2012, in-*  
 23 *cluding section 300 of that Act, and enforcing budg-*  
 24 *etary points of order in prior concurrent resolutions*  
 25 *on the budget, the allocations, aggregates, and levels*

1        *set in subsection (b)(1) shall apply in the Senate in*  
2        *the same manner as for a concurrent resolution on the*  
3        *budget for fiscal year 2012 with appropriate budg-*  
4        *etary levels for fiscal years 2011 and 2013 through*  
5        *2021.*

6            *(2) For the purpose of enforcing the Congres-*  
7        *sional Budget Act of 1974 after April 15, 2012, in-*  
8        *cluding section 300 of that Act, and enforcing budg-*  
9        *etary points of order in prior concurrent resolutions*  
10       *on the budget, the allocations, aggregates, and levels*  
11       *set in subsection (b)(2) shall apply in the Senate in*  
12       *the same manner as for a concurrent resolution on the*  
13       *budget for fiscal year 2013 with appropriate budg-*  
14       *etary levels for fiscal years 2012 and 2014 through*  
15       *2022.*

16        *(b) COMMITTEE ALLOCATIONS, AGGREGATES, AND*  
17        *LEVELS.—*

18            *(1) As soon as practicable after the date of enact-*  
19        *ment of this section, the Chairman of the Committee*  
20        *on the Budget shall file—*

21            *(A) for the Committee on Appropriations,*  
22            *committee allocations for fiscal years 2011 and*  
23            *2012 consistent with the discretionary spending*  
24            *limits set forth in this Act for the purpose of en-*

1       *forcing section 302 of the Congressional Budget*  
2       *Act of 1974;*

3               *(B) for all committees other than the Com-*  
4       *mittee on Appropriations, committee allocations*  
5       *for fiscal years 2011, 2012, 2012 through 2016,*  
6       *and 2012 through 2021 consistent with the Con-*  
7       *gressional Budget Office's March 2011 baseline*  
8       *adjusted to account for the budgetary effects of*  
9       *this Act and legislation enacted prior to this Act*  
10       *but not included in the Congressional Budget Of-*  
11       *fice's March 2011 baseline, for the purpose of en-*  
12       *forcing section 302 of the Congressional Budget*  
13       *Act of 1974;*

14               *(C) aggregate spending levels for fiscal years*  
15       *2011 and 2012 and aggregate revenue levels for*  
16       *fiscal years 2011, 2012, 2012 through 2016, 2012*  
17       *through 2021 consistent with the Congressional*  
18       *Budget Office's March 2011 baseline adjusted to*  
19       *account for the budgetary effects of this Act and*  
20       *legislation enacted prior to this Act but not in-*  
21       *cluded in the Congressional Budget Office's*  
22       *March 2011 baseline, and the discretionary*  
23       *spending limits set forth in this Act for the pur-*  
24       *pose of enforcing section 311 of the Congressional*  
25       *Budget Act of 1974; and*

1           (D) levels of Social Security revenues and  
2 outlays for fiscal years 2011, 2012, 2012 through  
3 2016, and 2012 through 2021 consistent with the  
4 Congressional Budget Office’s March 2011 base-  
5 line adjusted to account for the budgetary effects  
6 of this Act and legislation enacted prior to this  
7 Act but not included in the Congressional Budget  
8 Office’s March 2011 baseline, for the purpose of  
9 enforcing sections 302 and 311 of the Congres-  
10 sional Budget Act of 1974.

11           (2) Not later than April 15, 2012, the Chairman  
12 of the Committee on the Budget shall file—

13           (A) for the Committee on Appropriations,  
14 committee allocations for fiscal years 2012 and  
15 2013 consistent with the discretionary spending  
16 limits set forth in this Act for the purpose of en-  
17 forcing section 302 of the Congressional Budget  
18 Act of 1974;

19           (B) for all committees other than the Com-  
20 mittee on Appropriations, committee allocations  
21 for fiscal years 2012, 2013, 2013 through 2017,  
22 and 2013 through 2022 consistent with the Con-  
23 gressional Budget Office’s March 2012 baseline  
24 for the purpose of enforcing section 302 of the  
25 Congressional Budget Act of 1974;



1           (C) aggregate spending levels for fiscal years  
2           2012 and 2013 and aggregate revenue levels for  
3           fiscal years 2012, 2013, 2013–2017, and 2013–  
4           2022 consistent with the Congressional Budget  
5           Office’s March 2012 baseline and the discre-  
6           tionary spending limits set forth in this Act for  
7           the purpose of enforcing section 311 of the Con-  
8           gressional Budget Act of 1974; and

9           (D) levels of Social Security revenues and  
10          outlays for fiscal years 2012 and 2013, 2013–  
11          2017, and 2013–2022 consistent with the Con-  
12          gressional Budget Office’s March 2012 baseline  
13          budget for the purpose of enforcing sections 302  
14          and 311 of the Congressional Budget Act of  
15          1974.

16       (c) *SENATE PAY-AS-YOU-GO SCORECARD.*—

17           (1) *Effective on the date of enactment of this sec-*  
18           *tion, for the purpose of enforcing section 201 of S.*  
19           *Con. Res. 21 (110th Congress), the Chairman of the*  
20           *Senate Committee on the Budget shall reduce any bal-*  
21           *ances of direct spending and revenues for any fiscal*  
22           *year to 0 (zero).*

23           (2) *Not later than April 15, 2012, for the pur-*  
24           *pose of enforcing section 201 of S. Con. Res. 21*  
25           *(110th Congress), the Chairman of the Senate Com-*

1        *mittee on the Budget shall reduce any balances of di-*  
2        *rect spending and revenues for any fiscal year to 0*  
3        *(zero).*

4            *(3) Upon resetting the Senate paygo scorecard*  
5        *pursuant to paragraph (2), the Chairman shall pub-*  
6        *lish a notification of such action in the Congressional*  
7        *Record.*

8        *(d) FURTHER ADJUSTMENTS.—*

9            *(1) The Chairman of the Committee on the*  
10        *Budget of the Senate may revise any allocations, ag-*  
11        *gregates, or levels set pursuant to this section to ac-*  
12        *count for any subsequent adjustments to discretionary*  
13        *spending limits made pursuant to this Act.*

14            *(2) With respect to any allocations, aggregates,*  
15        *or levels set or adjustments made pursuant to this sec-*  
16        *tion, sections 412 through 414 of S. Con. Res. 13*  
17        *(111th Congress) shall remain in effect.*

18        *(e) EXPIRATION.—*

19            *(1) Subsections (a)(1), (b)(1), and (c)(1) shall*  
20        *expire if a concurrent resolution on the budget for fis-*  
21        *cal year 2012 is agreed to by the Senate and House*  
22        *of Representatives pursuant to section 301 of the Con-*  
23        *gressional Budget Act of 1974.*

24            *(2) Subsections (a)(2), (b)(2), and (c)(2) shall*  
25        *expire if a concurrent resolution on the budget for fis-*

1        *cal year 2013 is agreed to by the Senate and House*  
2        *of Representatives pursuant to section 301 of the Con-*  
3        *gressional Budget Act of 1974.*

4        ***TITLE II—VOTE ON THE BAL-***  
5        ***ANCED BUDGET AMENDMENT***

6        ***SEC. 201. VOTE ON THE BALANCED BUDGET AMENDMENT.***

7        *After September 30, 2011, and not later than December*  
8        *31, 2011, the House of Representatives and Senate, respec-*  
9        *tively, shall vote on passage of a joint resolution, the title*  
10       *of which is as follows: “Joint resolution proposing a bal-*  
11       *anced budget amendment to the Constitution of the United*  
12       *States.”.*

13       ***SEC. 202. CONSIDERATION BY THE OTHER HOUSE.***

14       *(a) HOUSE CONSIDERATION.—*

15                *(1) REFERRAL.—If the House receives a joint*  
16        *resolution described in section 201 from the Senate,*  
17        *such joint resolution shall be referred to the Com-*  
18        *mittee on the Judiciary. If the committee fails to re-*  
19        *port the joint resolution within five legislative days,*  
20        *it shall be in order to move that the House discharge*  
21        *the committee from further consideration of the joint*  
22        *resolution. Such a motion shall not be in order after*  
23        *the House has disposed of a motion to discharge the*  
24        *joint resolution. The previous question shall be consid-*  
25        *ered as ordered on the motion to its adoption without*

1 *intervening motion except twenty minutes of debate*  
2 *equally divided and controlled by the proponent and*  
3 *an opponent. If such a motion is adopted, the House*  
4 *shall proceed immediately to consider the joint resolu-*  
5 *tion in accordance with paragraph (3). A motion to*  
6 *reconsider the vote by which the motion is disposed of*  
7 *shall not be in order.*

8 (2) *PROCEEDING TO CONSIDERATION.*—*After the*  
9 *joint resolution has been referred to the appropriate*  
10 *calendar or the committee has been discharged (other*  
11 *than by motion) from its consideration, it shall be in*  
12 *order to move to proceed to consider the joint resolu-*  
13 *tion in the House. Such a motion shall not be in*  
14 *order after the House has disposed of a motion to pro-*  
15 *ceed with respect to the joint resolution. The previous*  
16 *question shall be considered as ordered on the motion*  
17 *to its adoption without intervening motion. A motion*  
18 *to reconsider the vote by which the motion is disposed*  
19 *of shall not be in order.*

20 (3) *CONSIDERATION.*—*The joint resolution shall*  
21 *be considered as read. All points of order against the*  
22 *joint resolution and against its consideration are*  
23 *waived. The previous question shall be considered as*  
24 *ordered on the joint resolution to its passage without*  
25 *intervening motion except two hours of debate equally*

1        *divided and controlled by the proponent and an oppo-*  
2        *nent and one motion to limit debate on the joint reso-*  
3        *lution. A motion to reconsider the vote on passage of*  
4        *the joint resolution shall not be in order.*

5        *(b) SENATE CONSIDERATION.—(1) If the Senate re-*  
6        *ceives a joint resolution described in section 201 from the*  
7        *House of Representatives, such joint resolution shall be re-*  
8        *ferred to the appropriate committee of the Senate. If such*  
9        *committee has not reported the joint resolution at the close*  
10       *of the fifth session day after its receipt by the Senate, such*  
11       *committee shall be automatically discharged from further*  
12       *consideration of the joint resolution and it shall be placed*  
13       *on the appropriate calendar.*

14       *(2) Consideration of the joint resolution and on all de-*  
15       *batable motions and appeals in connection therewith, shall*  
16       *be limited to not more than 20 hours, which shall be divided*  
17       *equally between the majority and minority leaders or their*  
18       *designees. A motion further to limit debate is in order and*  
19       *not debatable. An amendment to, or a motion to postpone,*  
20       *or a motion to proceed to the consideration of other busi-*  
21       *ness, or a motion to recommit the joint resolution is not*  
22       *in order. Any debatable motion or appeal is debatable for*  
23       *not to exceed 1 hour, to be divided equally between those*  
24       *favoring and those opposing the motion or appeal. All time*  
25       *used for consideration of the joint resolution, including time*

1 *used for quorum calls and voting, shall be counted against*  
 2 *the total 20 hours of consideration.*

3       (3) *If the Senate has voted to proceed to a joint resolu-*  
 4 *tion, the vote on passage of the joint resolution shall be*  
 5 *taken on or before the close of the seventh session day after*  
 6 *such joint resolution has been reported or discharged or im-*  
 7 *mediately following the conclusion of consideration of the*  
 8 *joint resolution, and a single quorum call at the conclusion*  
 9 *of the debate if requested in accordance with the rules of*  
 10 *the Senate.*

11                   ***TITLE III—DEBT CEILING***  
 12                   ***DISAPPROVAL PROCESS***

13 ***SEC. 301. DEBT CEILING DISAPPROVAL PROCESS.***

14       (a) *IN GENERAL.*—*Subchapter I of chapter 31 of sub-*  
 15 *title III of title 31, United States Code, is amended—*

16               (1) *in section 3101(b), by striking “or otherwise”*  
 17 *and inserting “or as provided by section 3101A or*  
 18 *otherwise”;* and

19               (2) *by inserting after section 3101 the following:*

20 ***“§ 3101A. Presidential modification of the debt ceiling***

21       ***“(a) IN GENERAL.—***

22               ***“(1) \$900 BILLION.—***

23                       ***“(A) CERTIFICATION.—If, not later than***  
 24 *December 31, 2011, the President submits a*  
 25 *written certification to Congress that the Presi-*

1           *dent has determined that the debt subject to limit*  
2           *is within \$100,000,000,000 of the limit in sec-*  
3           *tion 3101(b) and that further borrowing is re-*  
4           *quired to meet existing commitments, the Sec-*  
5           *retary of the Treasury may exercise authority to*  
6           *borrow an additional \$900,000,000,000, subject*  
7           *to the enactment of a joint resolution of dis-*  
8           *approval enacted pursuant to this section. Upon*  
9           *submission of such certification, the limit on debt*  
10           *provided in section 3101(b) (referred to in this*  
11           *section as the ‘debt limit’) is increased by*  
12           *\$400,000,000,000.*

13           “(B) *RESOLUTION OF DISAPPROVAL.*—*Con-*  
14           *gress may consider a joint resolution of dis-*  
15           *approval of the authority under subparagraph*  
16           *(A) as provided in subsections (b) through (f).*  
17           *The joint resolution of disapproval considered*  
18           *under this section shall contain only the lan-*  
19           *guage provided in subsection (b)(2). If the time*  
20           *for disapproval has lapsed without enactment of*  
21           *a joint resolution of disapproval under this sec-*  
22           *tion, the debt limit is increased by an additional*  
23           *\$500,000,000,000.*

24           “(2) *ADDITIONAL AMOUNT.*—

1           “(A) *CERTIFICATION.*—If, after the debt  
2           limit is increased by \$900,000,000,000 under  
3           paragraph (1), the President submits a written  
4           certification to Congress that the President has  
5           determined that the debt subject to limit is with-  
6           in \$100,000,000,000 of the limit in section  
7           3101(b) and that further borrowing is required  
8           to meet existing commitments, the Secretary of  
9           the Treasury may, subject to the enactment of a  
10          joint resolution of disapproval enacted pursuant  
11          to this section, exercise authority to borrow an  
12          additional amount equal to—

13                 “(i) \$1,200,000,000,000, unless clause  
14                 (ii) or (iii) applies;

15                 “(ii) \$1,500,000,000,000 if the Archi-  
16                 vist of the United States has submitted to  
17                 the States for their ratification a proposed  
18                 amendment to the Constitution of the  
19                 United States pursuant to a joint resolution  
20                 entitled ‘Joint resolution proposing a bal-  
21                 anced budget amendment to the Constitu-  
22                 tion of the United States’; or

23                 “(iii) if a joint committee bill to  
24                 achieve an amount greater than  
25                 \$1,200,000,000,000 in deficit reduction as



1           *provided in section 401(b)(3)(B)(i)(II) of*  
 2           *the Budget Control Act of 2011 is enacted,*  
 3           *an amount equal to the amount of that def-*  
 4           *icit reduction, but not greater than*  
 5           *\$1,500,000,000,000, unless clause (ii) ap-*  
 6           *plies.*

7           “(B) *RESOLUTION OF DISAPPROVAL.—Con-*  
 8           *gress may consider a joint resolution of dis-*  
 9           *approval of the authority under subparagraph*  
 10           *(A) as provided in subsections (b) through (f).*  
 11           *The joint resolution of disapproval considered*  
 12           *under this section shall contain only the lan-*  
 13           *guage provided in subsection (b)(2). If the time*  
 14           *for disapproval has lapsed without enactment of*  
 15           *a joint resolution of disapproval under this sec-*  
 16           *tion, the debt limit is increased by the amount*  
 17           *authorized under subparagraph (A).*

18           “(b) *JOINT RESOLUTION OF DISAPPROVAL.—*

19           “(1) *IN GENERAL.—Except for the*  
 20           *\$400,000,000,000 increase in the debt limit provided*  
 21           *by subsection (a)(1)(A), the debt limit may not be*  
 22           *raised under this section if, within 50 calendar days*  
 23           *after the date on which Congress receives a certifi-*  
 24           *cation described in subsection (a)(1) or within 15 cal-*  
 25           *endar days after Congress receives the certification de-*

1        *scribed in subsection (a)(2) (regardless of whether*  
2        *Congress is in session), there is enacted into law a*  
3        *joint resolution disapproving the President’s exercise*  
4        *of authority with respect to such additional amount.*

5            *“(2) CONTENTS OF JOINT RESOLUTION.—For the*  
6        *purpose of this section, the term ‘joint resolution’*  
7        *means only a joint resolution—*

8            *“(A)(i) for the certification described in*  
9        *subsection (a)(1), that is introduced on Sep-*  
10       *tember 6, 7, 8, or 9, 2011 (or, if the Senate was*  
11       *not in session, the next calendar day on which*  
12       *the Senate is in session); and*

13           *“(ii) for the certification described in sub-*  
14       *section (a)(2), that is introduced between the*  
15       *date the certification is received and 3 calendar*  
16       *days after that date;*

17           *“(B) which does not have a preamble;*

18           *“(C) the title of which is only as follows:*  
19       *‘Joint resolution relating to the disapproval of*  
20       *the President’s exercise of authority to increase*  
21       *the debt limit, as submitted under section 3101A*  
22       *of title 31, United States Code, on*  
23       *\_\_\_\_\_’ (with the blank containing the*  
24       *date of such submission); and*

1           “(D) the matter after the resolving clause of  
2           which is only as follows: ‘That Congress dis-  
3           approves of the President’s exercise of authority  
4           to increase the debt limit, as exercised pursuant  
5           to the certification under section 3101A(a) of  
6           title 31, United States Code.’

7           “(c) *EXPEDITED CONSIDERATION IN HOUSE OF REP-*  
8 *RESENTATIVES.*—

9           “(1) *RECONVENING.*—Upon receipt of a certifi-  
10          cation described in subsection (a)(2), the Speaker, if  
11          the House would otherwise be adjourned, shall notify  
12          the Members of the House that, pursuant to this sec-  
13          tion, the House shall convene not later than the sec-  
14          ond calendar day after receipt of such certification.

15          “(2) *REPORTING AND DISCHARGE.*—Any com-  
16          mittee of the House of Representatives to which a  
17          joint resolution is referred shall report it to the House  
18          without amendment not later than 5 calendar days  
19          after the date of introduction of a joint resolution de-  
20          scribed in subsection (a). If a committee fails to re-  
21          port the joint resolution within that period, the com-  
22          mittee shall be discharged from further consideration  
23          of the joint resolution and the joint resolution shall be  
24          referred to the appropriate calendar.

1           “(3) *PROCEEDING TO CONSIDERATION.*—After  
2           each committee authorized to consider a joint resolu-  
3           tion reports it to the House or has been discharged  
4           from its consideration, it shall be in order, not later  
5           than the sixth day after introduction of a joint resolu-  
6           tion under subsection (a), to move to proceed to con-  
7           sider the joint resolution in the House. All points of  
8           order against the motion are waived. Such a motion  
9           shall not be in order after the House has disposed of  
10          a motion to proceed on a joint resolution addressing  
11          a particular submission. The previous question shall  
12          be considered as ordered on the motion to its adoption  
13          without intervening motion. The motion shall not be  
14          debatable. A motion to reconsider the vote by which  
15          the motion is disposed of shall not be in order.

16          “(4) *CONSIDERATION.*—The joint resolution shall  
17          be considered as read. All points of order against the  
18          joint resolution and against its consideration are  
19          waived. The previous question shall be considered as  
20          ordered on the joint resolution to its passage without  
21          intervening motion except two hours of debate equally  
22          divided and controlled by the proponent and an oppo-  
23          nent. A motion to reconsider the vote on passage of  
24          the joint resolution shall not be in order.

25          “(d) *EXPEDITED PROCEDURE IN SENATE.*—

1           “(1) *RECONVENING.*—Upon receipt of a certifi-  
2           cation under subsection (a)(2), if the Senate has ad-  
3           jourled or recessed for more than 2 days, the majority  
4           leader of the Senate, after consultation with the mi-  
5           nority leader of the Senate, shall notify the Members  
6           of the Senate that, pursuant to this section, the Sen-  
7           ate shall convene not later than the second calendar  
8           day after receipt of such message.

9           “(2) *PLACEMENT ON CALENDAR.*—Upon intro-  
10          duction in the Senate, the joint resolution shall be im-  
11          mediately placed on the calendar.

12          “(3) *FLOOR CONSIDERATION.*—

13                 “(A) *IN GENERAL.*—Notwithstanding Rule  
14                 XXII of the Standing Rules of the Senate, it is  
15                 in order at any time during the period begin-  
16                 ning on the day after the date on which Congress  
17                 receives a certification under subsection (a) and,  
18                 for the certification described in subsection  
19                 (a)(1), ending on September 14, 2011, and for  
20                 the certification described in subsection (a)(2),  
21                 on the 6th day after the date on which Congress  
22                 receives a certification under subsection (a) (even  
23                 though a previous motion to the same effect has  
24                 been disagreed to) to move to proceed to the con-  
25                 sideration of the joint resolution, and all points

1           *of order against the joint resolution (and against*  
2           *consideration of the joint resolution) are waived.*  
3           *The motion to proceed is not debatable. The mo-*  
4           *tion is not subject to a motion to postpone. A*  
5           *motion to reconsider the vote by which the mo-*  
6           *tion is agreed to or disagreed to shall not be in*  
7           *order. If a motion to proceed to the consideration*  
8           *of the resolution is agreed to, the joint resolution*  
9           *shall remain the unfinished business until dis-*  
10          *posed of.*

11           “(B) *CONSIDERATION.*—*Consideration of*  
12           *the joint resolution, and on all debatable motions*  
13           *and appeals in connection therewith, shall be*  
14           *limited to not more than 10 hours, which shall*  
15           *be divided equally between the majority and mi-*  
16           *nority leaders or their designees. A motion fur-*  
17           *ther to limit debate is in order and not debat-*  
18           *able. An amendment to, or a motion to postpone,*  
19           *or a motion to proceed to the consideration of*  
20           *other business, or a motion to recommit the joint*  
21           *resolution is not in order.*

22           “(C) *VOTE ON PASSAGE.*—*If the Senate has*  
23           *voted to proceed to a joint resolution, the vote on*  
24           *passage of the joint resolution shall occur imme-*  
25           *diately following the conclusion of consideration*

1           *of the joint resolution, and a single quorum call*  
 2           *at the conclusion of the debate if requested in ac-*  
 3           *cordance with the rules of the Senate.*

4           “(D) *RULINGS OF THE CHAIR ON PROCE-*  
 5           *DURE.—Appeals from the decisions of the Chair*  
 6           *relating to the application of the rules of the*  
 7           *Senate, as the case may be, to the procedure re-*  
 8           *lating to a joint resolution shall be decided with-*  
 9           *out debate.*

10          “(e) *AMENDMENT NOT IN ORDER.—A joint resolution*  
 11         *of disapproval considered pursuant to this section shall not*  
 12         *be subject to amendment in either the House of Representa-*  
 13         *tives or the Senate.*

14          “(f) *COORDINATION WITH ACTION BY OTHER*  
 15         *HOUSE.—*

16                 “(1) *IN GENERAL.—If, before passing the joint*  
 17         *resolution, one House receives from the other a joint*  
 18         *resolution—*

19                         “(A) *the joint resolution of the other House*  
 20                         *shall not be referred to a committee; and*

21                         “(B) *the procedure in the receiving House*  
 22                         *shall be the same as if no joint resolution had*  
 23                         *been received from the other House until the vote*  
 24                         *on passage, when the joint resolution received*

1           *from the other House shall supplant the joint res-*  
2           *olution of the receiving House.*

3           “(2) *TREATMENT OF JOINT RESOLUTION OF*  
4           *OTHER HOUSE.—If the Senate fails to introduce or*  
5           *consider a joint resolution under this section, the joint*  
6           *resolution of the House shall be entitled to expedited*  
7           *floor procedures under this section.*

8           “(3) *TREATMENT OF COMPANION MEASURES.—If,*  
9           *following passage of the joint resolution in the Senate,*  
10          *the Senate then receives the companion measure from*  
11          *the House of Representatives, the companion measure*  
12          *shall not be debatable.*

13          “(4) *CONSIDERATION AFTER PASSAGE.—(A) If*  
14          *Congress passes a joint resolution, the period begin-*  
15          *ning on the date the President is presented with the*  
16          *joint resolution and ending on the date the President*  
17          *signs, allows to become law without his signature, or*  
18          *vetoed and returns the joint resolution (but excluding*  
19          *days when either House is not in session) shall be dis-*  
20          *regarded in computing the appropriate calendar day*  
21          *period described in subsection (b)(1).*

22          “(B) *Debate on a veto message in the Senate*  
23          *under this section shall be 1 hour equally divided be-*  
24          *tween the majority and minority leaders or their des-*  
25          *ignees.*



1           “(5) *VETO OVERRIDE.*—*If within the appro-*  
2           *prate calendar day period described in subsection*  
3           *(b)(1), Congress overrides a veto of the joint resolution*  
4           *with respect to authority exercised pursuant to para-*  
5           *graph (1) or (2) of subsection (a), the limit on debt*  
6           *provided in section 3101(b) shall not be raised, except*  
7           *for the \$400,000,000,000 increase in the limit pro-*  
8           *vided by subsection (a)(1)(A).*

9           “(6) *SEQUESTRATION.*—*(A) If within the 50-cal-*  
10           *endar day period described in subsection (b)(1), the*  
11           *President signs the joint resolution, the President al-*  
12           *lows the joint resolution to become law without his*  
13           *signature, or Congress overrides a veto of the joint*  
14           *resolution with respect to authority exercised pursu-*  
15           *ant to paragraph (1) of subsection (a), there shall be*  
16           *a sequestration to reduce spending by*  
17           *\$400,000,000,000. OMB shall implement the seques-*  
18           *tration forthwith.*

19           “(B) *OMB shall implement each half of such se-*  
20           *questration in accordance with section 255, section*  
21           *256, and subsections (c), (d), (e), and (f) of section*  
22           *253 of the Balanced Budget and Emergency Deficit*  
23           *Control Act of 1985, and for the purpose of such im-*  
24           *plementation the term ‘excess deficit’ means the*  
25           *amount specified in subparagraph (A).*

1       “(g) *RULES OF HOUSE OF REPRESENTATIVES AND*  
 2 *SENATE.*—*This subsection and subsections (b), (c), (d), (e),*  
 3 *and (f) (other than paragraph (6)) are enacted by Con-*  
 4 *gress—*

5               “(1) *as an exercise of the rulemaking power of*  
 6 *the Senate and House of Representatives, respectively,*  
 7 *and as such it is deemed a part of the rules of each*  
 8 *House, respectively, but applicable only with respect*  
 9 *to the procedure to be followed in that House in the*  
 10 *case of a joint resolution, and it supersedes other rules*  
 11 *only to the extent that it is inconsistent with such*  
 12 *rules; and*

13               “(2) *with full recognition of the constitutional*  
 14 *right of either House to change the rules (so far as re-*  
 15 *lating to the procedure of that House) at any time,*  
 16 *in the same manner, and to the same extent as in the*  
 17 *case of any other rule of that House.”.*

18       (b) *CONFORMING AMENDMENT.*—*The table of sections*  
 19 *for chapter 31 of title 31, United States Code, is amended*  
 20 *by inserting after the item relating to section 3101 the fol-*  
 21 *lowing new item:*

“3101A. *Presidential modification of the debt ceiling.*”.

22 **SEC. 302. ENFORCEMENT OF BUDGET GOAL.**

23       (a) *IN GENERAL.*—*The Balanced Budget and Emer-*  
 24 *gency Deficit Control Act of 1985 is amended by inserting*  
 25 *after section 251 the following new section:*

1 **“SEC. 251A. ENFORCEMENT OF BUDGET GOAL.**

2       *“Unless a joint committee bill achieving an amount*  
 3 *greater than \$1,200,000,000,000 in deficit reduction as pro-*  
 4 *vided in section 401(b)(3)(B)(i)(II) of the Budget Control*  
 5 *Act of 2011 is enacted by January 15, 2012, the discre-*  
 6 *tionary spending limits listed in section 251(c) shall be re-*  
 7 *vised, and discretionary appropriations and direct spend-*  
 8 *ing shall be reduced, as follows:*

9           *“(1) REVISED SECURITY CATEGORY; REVISED*  
 10 *NONSECURITY CATEGORY.—(A) The term ‘revised se-*  
 11 *curity category’ means discretionary appropriations*  
 12 *in budget function 050.*

13           *“(B) The term ‘revised nonsecurity category’*  
 14 *means discretionary appropriations other than in*  
 15 *budget function 050.*

16           *“(2) REVISED DISCRETIONARY SPENDING LIM-*  
 17 *ITS.—The discretionary spending limits for fiscal*  
 18 *years 2013 through 2021 under section 251(c) shall be*  
 19 *replaced with the following:*

20           *“(A) For fiscal year 2013—*

21           *“(i) for the security category,*  
 22 *\$546,000,000,000 in budget authority; and*

23           *“(ii) for the nonsecurity category,*  
 24 *\$501,000,000,000 in budget authority.*

25           *“(B) For fiscal year 2014—*

1           “(i) for the security category,  
2           \$556,000,000,000 in budget authority; and

3           “(ii) for the nonsecurity category,  
4           \$510,000,000,000 in budget authority.

5           “(C) For fiscal year 2015—

6           “(i) for the security category,  
7           \$566,000,000,000 in budget authority; and

8           “(ii) for the nonsecurity category,  
9           \$520,000,000,000 in budget authority.

10          “(D) For fiscal year 2016—

11          “(i) for the security category,  
12          \$577,000,000,000 in budget authority; and

13          “(ii) for the nonsecurity category,  
14          \$530,000,000,000 in budget authority.

15          “(E) For fiscal year 2017—

16          “(i) for the security category,  
17          \$590,000,000,000 in budget authority; and

18          “(ii) for the nonsecurity category,  
19          \$541,000,000,000 in budget authority.

20          “(F) For fiscal year 2018—

21          “(i) for the security category,  
22          \$603,000,000,000 in budget authority; and

23          “(ii) for the nonsecurity category,  
24          \$553,000,000,000 in budget authority.

25          “(G) For fiscal year 2019—

1           “(i) for the security category,  
2           \$616,000,000,000 in budget authority; and

3           “(ii) for the nonsecurity category,  
4           \$566,000,000,000 in budget authority.

5           “(H) For fiscal year 2020—

6           “(i) for the security category,  
7           \$630,000,000,000 in budget authority; and

8           “(ii) for the nonsecurity category,  
9           \$578,000,000,000 in budget authority.

10          “(I) For fiscal year 2021—

11          “(i) for the security category,  
12          \$644,000,000,000 in budget authority; and

13          “(ii) for the nonsecurity category,  
14          \$590,000,000,000 in budget authority.

15          “(3) CALCULATION OF TOTAL DEFICIT REDUC-  
16          TION.—OMB shall calculate the amount of the deficit  
17          reduction required by this section for each of fiscal  
18          years 2013 through 2021 by—

19                 “(A) starting with \$1,200,000,000,000;

20                 “(B) subtracting the amount of deficit re-  
21          duction achieved by the enactment of a joint  
22          committee bill, as provided in section  
23          401(b)(3)(B)(i)(II) of the Budget Control Act of  
24          2011;

1           “(C) reducing the difference by 18 percent  
2           to account for debt service; and

3           “(D) dividing the result by 9.

4           “(4) *ALLOCATION TO FUNCTIONS.*—On January  
5           2, 2013, for fiscal year 2013, and in its sequestration  
6           preview report for fiscal years 2014 through 2021  
7           pursuant to section 254(c), OMB shall allocate half of  
8           the total reduction calculated pursuant to paragraph  
9           (3) for that year to discretionary appropriations and  
10          direct spending accounts within function 050 (defense  
11          function) and half to accounts in all other functions  
12          (nondefense functions).

13          “(5) *DEFENSE FUNCTION REDUCTION.*—OMB  
14          shall calculate the reductions to discretionary appro-  
15          priations and direct spending for each of fiscal years  
16          2013 through 2021 for defense function spending as  
17          follows:

18                 “(A) *DISCRETIONARY.*—OMB shall cal-  
19                 culate the reduction to discretionary appropria-  
20                 tions by—

21                         “(i) taking the total reduction for the  
22                         defense function allocated for that year  
23                         under paragraph (4);

1                   “(ii) multiplying by the discretionary  
2                   spending limit for the revised security cat-  
3                   egory for that year; and

4                   “(iii) dividing by the sum of the dis-  
5                   cretionary spending limit for the security  
6                   category and OMB’s baseline estimate of  
7                   nonexempt outlays for direct spending pro-  
8                   grams within the defense function for that  
9                   year.

10                  “(B) *DIRECT SPENDING*.—OMB shall cal-  
11                  culate the reduction to direct spending by taking  
12                  the total reduction for the defense function re-  
13                  quired for that year under paragraph (4) and  
14                  subtracting the discretionary reduction cal-  
15                  culated pursuant to subparagraph (A).

16                  “(6) *NONDEFENSE FUNCTION REDUCTION*.—  
17                  OMB shall calculate the reduction to discretionary  
18                  appropriations and to direct spending for each of fis-  
19                  cal years 2013 through 2021 for programs in non-  
20                  defense functions as follows:

21                  “(A) *DISCRETIONARY*.—OMB shall cal-  
22                  culate the reduction to discretionary appropria-  
23                  tions by—

1           “(i) taking the total reduction for non-  
2           defense functions allocated for that year  
3           under paragraph (4);

4           “(ii) multiplying by the discretionary  
5           spending limit for the revised nonsecurity  
6           category for that year; and

7           “(iii) dividing by the sum of the dis-  
8           cretionary spending limit for the revised  
9           nonsecurity category and OMB’s baseline  
10          estimate of nonexempt outlays for direct  
11          spending programs in nondefense functions  
12          for that year.

13          “(B) *DIRECT SPENDING*.—OMB shall cal-  
14          culate the reduction to direct spending programs  
15          by taking the total reduction for nondefense func-  
16          tions required for that year under paragraph (4)  
17          and subtracting the discretionary reduction cal-  
18          culated pursuant to subparagraph (A).

19          “(7) *IMPLEMENTING DISCRETIONARY REDUC-*  
20          *TIONS*.—

21                 “(A) *FISCAL YEAR 2013*.—On January 2,  
22                 2013, for fiscal year 2013, OMB shall calculate  
23                 and the President shall order a sequestration, ef-  
24                 fective upon issuance and under the procedures  
25                 set forth in section 253(f), to reduce each account



1           *within the security category or nonsecurity cat-*  
2           *egory by a dollar amount calculated by multi-*  
3           *plying the baseline level of budgetary resources*  
4           *in that account at that time by a uniform per-*  
5           *centage necessary to achieve—*

6                     “(i) *for the revised security category,*  
7                     *an amount equal to the defense function dis-*  
8                     *cretionary reduction calculated pursuant to*  
9                     *paragraph (5); and*

10                    “(ii) *for the revised nonsecurity cat-*  
11                    *egory, an amount equal to the nondefense*  
12                    *function discretionary reduction calculated*  
13                    *pursuant to paragraph (6).*

14                    “(B) *FISCAL YEARS 2014–2021.—On the date*  
15                    *of the submission of its sequestration preview re-*  
16                    *port for fiscal years 2014 through 2021 pursuant*  
17                    *to section 254(c) for each of fiscal years 2014*  
18                    *through 2021, OMB shall reduce the discre-*  
19                    *tionary spending limit—*

20                    “(i) *for the revised security category by*  
21                    *the amount of the defense function discre-*  
22                    *tionary reduction calculated pursuant to*  
23                    *paragraph (5); and*

24                    “(ii) *for the revised nonsecurity cat-*  
25                    *egory by the amount of the nondefense func-*

1            *tion discretionary reduction calculated pur-*  
2            *suant to paragraph (6).*

3            “(8) *IMPLEMENTING DIRECT SPENDING REDUC-*  
4            *TIONS.—On the date specified in paragraph (4) dur-*  
5            *ing each applicable year, OMB shall prepare and the*  
6            *President shall order a sequestration, effective upon*  
7            *issuance, of nonexempt direct spending to achieve the*  
8            *direct spending reduction calculated pursuant to*  
9            *paragraphs (5) and (6). When implementing the se-*  
10           *questration of direct spending pursuant to this para-*  
11           *graph, OMB shall follow the procedures specified in*  
12           *section 6 of the Statutory Pay-As-You-Go Act of 2010,*  
13           *the exemptions specified in section 255, and the spe-*  
14           *cial rules specified in section 256, except that the per-*  
15           *centage reduction for the Medicare programs specified*  
16           *in section 256(d) shall not be more than 2 percent for*  
17           *a fiscal year.*

18           “(9) *ADJUSTMENT FOR MEDICARE.—If the per-*  
19           *centage reduction for the Medicare programs would*  
20           *exceed 2 percent for a fiscal year in the absence of*  
21           *paragraph (8), OMB shall increase the reduction for*  
22           *all other discretionary appropriations and direct*  
23           *spending under paragraph (6) by a uniform percent-*  
24           *age to a level sufficient to achieve the reduction re-*  
25           *quired by paragraph (6) in the non-defense function.*

1           “(10) *IMPLEMENTATION OF REDUCTIONS.*—Any  
2           *reductions imposed under this section shall be imple-*  
3           *mented in accordance with section 256(k).*

4           “(11) *REPORT.*—On the dates specified in para-  
5           *graph (4), OMB shall submit a report to Congress*  
6           *containing information about the calculations re-*  
7           *quired under this section, the adjusted discretionary*  
8           *spending limits, a listing of the reductions required*  
9           *for each nonexempt direct spending account, and any*  
10          *other data and explanations that enhance public un-*  
11          *derstanding of this title and actions taken under it.”.*

12          *(b) CONFORMING AMENDMENT.*—The table of contents  
13          *set forth in section 250(a) of the Balanced Budget and*  
14          *Emergency Deficit Control Act of 1985 is amended by in-*  
15          *serting after the item relating to section 251 the following:*

*“Sec. 251A. Enforcement of budget goal.”.*

16       **TITLE IV—JOINT SELECT COM-**  
17       **MITTEE ON DEFICIT REDUC-**  
18       **TION**

19       **SEC. 401. ESTABLISHMENT OF JOINT SELECT COMMITTEE.**

20       *(a) DEFINITIONS.*—In this title:

21           *(1) JOINT COMMITTEE.*—The term “joint com-  
22           *mittee” means the Joint Select Committee on Deficit*  
23           *Reduction established under subsection (b)(1).*

24           *(2) JOINT COMMITTEE BILL.*—The term “joint  
25           *committee bill” means a bill consisting of the pro-*

1        *posed legislative language of the joint committee rec-*  
2        *ommended under subsection (b)(3)(B) and introduced*  
3        *under section 402(a).*

4        *(b) ESTABLISHMENT OF JOINT SELECT COMMITTEE.—*

5            *(1) ESTABLISHMENT.—There is established a*  
6        *joint select committee of Congress to be known as the*  
7        *“Joint Select Committee on Deficit Reduction”.*

8            *(2) GOAL.—The goal of the joint committee shall*  
9        *be to reduce the deficit by at least \$1,500,000,000,000*  
10       *over the period of fiscal years 2012 to 2021.*

11           *(3) DUTIES.—*

12            *(A) IN GENERAL.—*

13            *(i) IMPROVING THE SHORT-TERM AND*  
14        *LONG-TERM FISCAL IMBALANCE.—The joint*  
15        *committee shall provide recommendations*  
16        *and legislative language that will signifi-*  
17        *cantly improve the short-term and long-*  
18        *term fiscal imbalance of the Federal Gov-*  
19        *ernment.*

20            *(ii) RECOMMENDATIONS OF COMMIT-*  
21        *TEES.—Not later than October 14, 2011,*  
22        *each committee of the House of Representa-*  
23        *tives and the Senate may transmit to the*  
24        *joint committee its recommendations for*  
25        *changes in law to reduce the deficit con-*

1                    *sistent with the goal described in paragraph*  
2                    *(2) for the joint committee’s consideration.*

3                    *(B) REPORT, RECOMMENDATIONS, AND LEG-*  
4                    *ISLATIVE LANGUAGE.—*

5                    *(i) IN GENERAL.—Not later than No-*  
6                    *vember 23, 2011, the joint committee shall*  
7                    *vote on—*

8                    *(I) a report that contains a de-*  
9                    *tailed statement of the findings, conclu-*  
10                    *sions, and recommendations of the*  
11                    *joint committee and the estimate of the*  
12                    *Congressional Budget Office required*  
13                    *by paragraph (5)(D)(ii); and*

14                    *(II) proposed legislative language*  
15                    *to carry out such recommendations as*  
16                    *described in subclause (I), which shall*  
17                    *include a statement of the deficit re-*  
18                    *duction achieved by the legislation over*  
19                    *the period of fiscal years 2012 to 2021.*

20                    *Any change to the Rules of the House of*  
21                    *Representatives or the Standing Rules of the*  
22                    *Senate included in the report or legislative*  
23                    *language shall be considered to be merely*  
24                    *advisory.*

1                   (ii) *APPROVAL OF REPORT AND LEGIS-*  
2                   *LATIVE LANGUAGE.*—*The report of the joint*  
3                   *committee and the proposed legislative lan-*  
4                   *guage described in clause (i) shall require*  
5                   *the approval of a majority of the members*  
6                   *of the joint committee.*

7                   (iii) *ADDITIONAL VIEWS.*—*A member*  
8                   *of the joint committee who gives notice of an*  
9                   *intention to file supplemental, minority, or*  
10                   *additional views at the time of final joint*  
11                   *committee vote on the approval of the report*  
12                   *and legislative language under clause (ii)*  
13                   *shall be entitled to 3 calendar days in*  
14                   *which to file such views in writing with the*  
15                   *staff director of the joint committee. Such*  
16                   *views shall then be included in the joint*  
17                   *committee report and printed in the same*  
18                   *volume, or part thereof, and their inclusion*  
19                   *shall be noted on the cover of the report. In*  
20                   *the absence of timely notice, the joint com-*  
21                   *mittee report may be printed and trans-*  
22                   *mitted immediately without such views.*

23                   (iv) *TRANSMISSION OF REPORT AND*  
24                   *LEGISLATIVE LANGUAGE.*—*If the report and*  
25                   *legislative language are approved by the*

1           *joint committee pursuant to clause (ii), then*  
2           *not later than December 2, 2011, the joint*  
3           *committee shall submit the joint committee*  
4           *report and legislative language described in*  
5           *clause (i) to the President, the Vice Presi-*  
6           *dent, the Speaker of the House of Represent-*  
7           *atives, and the majority and minority*  
8           *Leaders of each House of Congress.*

9                   *(v) REPORT AND LEGISLATIVE LAN-*  
10            *GUAGE TO BE MADE PUBLIC.—Upon the ap-*  
11            *proval or disapproval of the joint committee*  
12            *report and legislative language pursuant to*  
13            *clause (ii), the joint committee shall*  
14            *promptly make the full report and legisla-*  
15            *tive language, and a record of the vote,*  
16            *available to the public.*

17            *(4) MEMBERSHIP.—*

18                    *(A) IN GENERAL.—The joint committee*  
19            *shall be composed of 12 members appointed pur-*  
20            *suant to subparagraph (B).*

21                    *(B) APPOINTMENT.—Members of the joint*  
22            *committee shall be appointed as follows:*

23                          *(i) The majority leader of the Senate*  
24            *shall appoint three members from among*  
25            *Members of the Senate.*

1           (ii) *The minority leader of the Senate*  
2           *shall appoint three members from among*  
3           *Members of the Senate.*

4           (iii) *The Speaker of the House of Rep-*  
5           *resentatives shall appoint three members*  
6           *from among Members of the House of Rep-*  
7           *resentatives.*

8           (iv) *The minority leader of the House*  
9           *of Representatives shall appoint three mem-*  
10          *bers from among Members of the House of*  
11          *Representatives.*

12          (C) *CO-CHAIRS.—*

13           (i) *IN GENERAL.—There shall be two*  
14           *Co-Chairs of the joint committee. The ma-*  
15           *jority leader of the Senate shall appoint one*  
16           *Co-Chair from among the members of the*  
17           *joint committee. The Speaker of the House*  
18           *of Representatives shall appoint the second*  
19           *Co-Chair from among the members of the*  
20           *joint committee. The Co-Chairs shall be ap-*  
21           *pointed not later than 14 calendar days*  
22           *after the date of enactment of this Act.*

23           (ii) *STAFF DIRECTOR.—The Co-Chairs,*  
24           *acting jointly, shall hire the staff director of*  
25           *the joint committee.*



1           (D) *DATE.*—Members of the joint committee  
2 shall be appointed not later than 14 calendar  
3 days after the date of enactment of this Act.

4           (E) *PERIOD OF APPOINTMENT.*—Members  
5 shall be appointed for the life of the joint com-  
6 mittee. Any vacancy in the joint committee shall  
7 not affect its powers, but shall be filled not later  
8 than 14 calendar days after the date on which  
9 the vacancy occurs, in the same manner as the  
10 original designation was made. If a member of  
11 the joint committee ceases to be a Member of the  
12 House of Representatives or the Senate, as the  
13 case may be, the member is no longer a member  
14 of the joint committee and a vacancy shall exist.

15       (5) *ADMINISTRATION.*—

16           (A) *IN GENERAL.*—To enable the joint com-  
17 mittee to exercise its powers, functions, and du-  
18 ties, there are authorized to be disbursed by the  
19 Senate the actual and necessary expenses of the  
20 joint committee approved by the co-chairs, sub-  
21 ject to the rules and regulations of the Senate.

22           (B) *EXPENSES.*—In carrying out its func-  
23 tions, the joint committee is authorized to incur  
24 expenses in the same manner and under the  
25 same conditions as the Joint Economic Com-

1            *mittee is authorized by section 11 of Public Law*  
2            *79–304 (15 U.S.C. 1024 (d)).*

3            (C) *QUORUM.*—*Seven members of the joint*  
4            *committee shall constitute a quorum for purposes*  
5            *of voting, meeting, and holding hearings.*

6            (D) *VOTING.*—

7            (i) *PROXY VOTING.*—*No proxy voting*  
8            *shall be allowed on behalf of the members of*  
9            *the joint committee.*

10            (ii) *CONGRESSIONAL BUDGET OFFICE*  
11            *ESTIMATES.*—*The Congressional Budget Of-*  
12            *fice shall provide estimates of the legislation*  
13            *(as described in paragraph (3)(B)) in ac-*  
14            *cordance with sections 308(a) and 201(f) of*  
15            *the Congressional Budget Act of 1974 (2*  
16            *U.S.C. 639(a) and 601(f))(including esti-*  
17            *mates of the effect of interest payment on*  
18            *the debt). In addition, the Congressional*  
19            *Budget Office shall provide information on*  
20            *the budgetary effect of the legislation beyond*  
21            *the year 2021. The joint committee may not*  
22            *vote on any version of the report, rec-*  
23            *ommendations, or legislative language un-*  
24            *less such estimates are available for consid-*  
25            *eration by all members of the joint com-*

1                    *mittee at least 48 hours prior to the vote as*  
2                    *certified by the Co-Chairs.*

3                    *(E) MEETINGS.—*

4                    *(i) INITIAL MEETING.—Not later than*  
5                    *45 calendar days after the date of enact-*  
6                    *ment of this Act, the joint committee shall*  
7                    *hold its first meeting.*

8                    *(ii) AGENDA.—The Co-Chairs of the*  
9                    *joint committee shall provide an agenda to*  
10                   *the joint committee members not less than*  
11                   *48 hours in advance of any meeting.*

12                   *(F) HEARINGS.—*

13                   *(i) IN GENERAL.—The joint committee*  
14                   *may, for the purpose of carrying out this*  
15                   *section, hold such hearings, sit and act at*  
16                   *such times and places, require attendance of*  
17                   *witnesses and production of books, papers,*  
18                   *and documents, take such testimony, receive*  
19                   *such evidence, and administer such oaths as*  
20                   *the joint committee considers advisable.*

21                   *(ii) HEARING PROCEDURES AND RE-*  
22                   *SPONSIBILITIES OF CO-CHAIRS.—*

23                   *(I) ANNOUNCEMENT.—The Co-*  
24                   *Chairs of the joint committee shall*  
25                   *make a public announcement of the*

1            *date, place, time, and subject matter of*  
2            *any hearing to be conducted, not less*  
3            *than 7 days in advance of such hear-*  
4            *ing, unless the Co-Chairs determine*  
5            *that there is good cause to begin such*  
6            *hearing at an earlier date.*

7            (II) *WRITTEN STATEMENT.—A*  
8            *witness appearing before the joint com-*  
9            *mittee shall file a written statement of*  
10           *proposed testimony at least 2 calendar*  
11           *days before the appearance of the wit-*  
12           *ness, unless the requirement is waived*  
13           *by the Co-Chairs, following their deter-*  
14           *mination that there is good cause for*  
15           *failure to comply with such require-*  
16           *ment.*

17           (G) *TECHNICAL ASSISTANCE.—Upon writ-*  
18           *ten request of the Co-Chairs, a Federal agency*  
19           *shall provide technical assistance to the joint*  
20           *committee in order for the joint committee to*  
21           *carry out its duties.*

22           (c) *STAFF OF JOINT COMMITTEE.—*

23           (1) *IN GENERAL.—The Co-Chairs of the joint*  
24           *committee may jointly appoint and fix the compensa-*  
25           *tion of staff as they deem necessary, within the guide-*

1        *lines for employees of the Senate and following all ap-*  
2        *plicable rules and employment requirements of the*  
3        *Senate.*

4            (2) *ETHICAL STANDARDS.—Members on the joint*  
5        *committee who serve in the House of Representatives*  
6        *shall be governed by the ethics rules and requirements*  
7        *of the House. Members of the Senate who serve on the*  
8        *joint committee and staff of the joint committee shall*  
9        *comply with the ethics rules of the Senate.*

10        (d) *TERMINATION.—The joint committee shall termi-*  
11        *nate on January 31, 2012.*

12        **SEC. 402. EXPEDITED CONSIDERATION OF JOINT COM-**  
13            **MITTEE RECOMMENDATIONS.**

14        (a) *INTRODUCTION.—If approved by the majority re-*  
15        *quired by section 401(b)(3)(B)(ii), the proposed legislative*  
16        *language submitted pursuant to section 401(b)(3)(B)(iv)*  
17        *shall be introduced in the Senate (by request) on the next*  
18        *day on which the Senate is in session by the majority leader*  
19        *of the Senate or by a Member of the Senate designated by*  
20        *the majority leader of the Senate and shall be introduced*  
21        *in the House of Representatives (by request) on the next*  
22        *legislative day by the majority leader of the House or by*  
23        *a Member of the House designated by the majority leader*  
24        *of the House.*

1           (b) *CONSIDERATION IN THE HOUSE OF REPRESENTA-*  
2 *TIVES.—*

3           (1) *REFERRAL AND REPORTING.—Any committee*  
4 *of the House of Representatives to which the joint*  
5 *committee bill is referred shall report it to the House*  
6 *without amendment not later than December 9, 2011.*  
7 *If a committee fails to report the joint committee bill*  
8 *within that period, it shall be in order to move that*  
9 *the House discharge the committee from further con-*  
10 *sideration of the bill. Such a motion shall not be in*  
11 *order after the last committee authorized to consider*  
12 *the bill reports it to the House or after the House has*  
13 *disposed of a motion to discharge the bill. The pre-*  
14 *vious question shall be considered as ordered on the*  
15 *motion to its adoption without intervening motion ex-*  
16 *cept 20 minutes of debate equally divided and con-*  
17 *trolled by the proponent and an opponent. If such a*  
18 *motion is adopted, the House shall proceed imme-*  
19 *diately to consider the joint committee bill in accord-*  
20 *ance with paragraphs (2) and (3). A motion to recon-*  
21 *sider the vote by which the motion is disposed of shall*  
22 *not be in order.*

23           (2) *PROCEEDING TO CONSIDERATION.—After the*  
24 *last committee authorized to consider a joint com-*  
25 *mittee bill reports it to the House or has been dis-*

1        *charged (other than by motion) from its consider-*  
2        *ation, it shall be in order to move to proceed to con-*  
3        *sider the joint committee bill in the House. Such a*  
4        *motion shall not be in order after the House has dis-*  
5        *posed of a motion to proceed with respect to the joint*  
6        *committee bill. The previous question shall be consid-*  
7        *ered as ordered on the motion to its adoption without*  
8        *intervening motion. A motion to reconsider the vote*  
9        *by which the motion is disposed of shall not be in*  
10       *order.*

11            (3) *CONSIDERATION.—The joint committee bill*  
12        *shall be considered as read. All points of order*  
13        *against the joint committee bill and against its con-*  
14        *sideration are waived. The previous question shall be*  
15        *considered as ordered on the joint committee bill to its*  
16        *passage without intervening motion except 2 hours of*  
17        *debate equally divided and controlled by the pro-*  
18        *ponent and an opponent and one motion to limit de-*  
19        *bate on the joint committee bill. A motion to recon-*  
20        *sider the vote on passage of the joint committee bill*  
21        *shall not be in order.*

22            (4) *VOTE ON PASSAGE.—The vote on passage of*  
23        *the joint committee bill shall occur not later than De-*  
24        *cember 23, 2011.*

25            (c) *EXPEDITED PROCEDURE IN THE SENATE.—*

1           (1) *COMMITTEE CONSIDERATION.*—A joint com-  
2           mittee bill introduced in the Senate under subsection  
3           (a) shall be jointly referred to the committee or com-  
4           mittees of jurisdiction, which committees shall report  
5           the bill without any revision and with a favorable  
6           recommendation, an unfavorable recommendation, or  
7           without recommendation, not later than December 9,  
8           2011. If any committee fails to report the bill within  
9           that period, that committee shall be automatically  
10          discharged from consideration of the bill, and the bill  
11          shall be placed on the appropriate calendar.

12          (2) *MOTION TO PROCEED.*—Notwithstanding  
13          Rule XXII of the Standing Rules of the Senate, it is  
14          in order, not later than 2 days of session after the  
15          date on which a joint committee bill is reported or  
16          discharged from all committees to which it was re-  
17          ferred, for the majority leader of the Senate or the  
18          majority leader's designee to move to proceed to the  
19          consideration of the joint committee bill. It shall also  
20          be in order for any Member of the Senate to move to  
21          proceed to the consideration of the joint committee bill  
22          at any time after the conclusion of such 2-day period.  
23          A motion to proceed is in order even though a pre-  
24          vious motion to the same effect has been disagreed to.  
25          All points of order against the motion to proceed to



1     *the joint committee bill are waived. The motion to*  
2     *proceed is not debatable. The motion is not subject to*  
3     *a motion to postpone. A motion to reconsider the vote*  
4     *by which the motion is agreed to or disagreed to shall*  
5     *not be in order. If a motion to proceed to the consid-*  
6     *eration of the joint committee bill is agreed to, the*  
7     *joint committee bill shall remain the unfinished busi-*  
8     *ness until disposed of.*

9             (3) *CONSIDERATION.—All points of order against*  
10     *the joint committee bill and against consideration of*  
11     *the joint committee bill are waived. Consideration of*  
12     *the joint committee bill and of all debatable motions*  
13     *and appeals in connection therewith shall not exceed*  
14     *a total of 30 hours which shall be divided equally be-*  
15     *tween the Majority and Minority Leaders or their*  
16     *designees. A motion further to limit debate on the*  
17     *joint committee bill is in order, shall require an af-*  
18     *firmative vote of three-fifths of the Members duly cho-*  
19     *sen and sworn, and is not debatable. Any debatable*  
20     *motion or appeal is debatable for not to exceed 1*  
21     *hour, to be divided equally between those favoring and*  
22     *those opposing the motion or appeal. All time used for*  
23     *consideration of the joint committee bill, including*  
24     *time used for quorum calls and voting, shall be count-*  
25     *ed against the total 30 hours of consideration.*

1           (4) *NO AMENDMENTS.*—*An amendment to the*  
 2           *joint committee bill, or a motion to postpone, or a*  
 3           *motion to proceed to the consideration of other busi-*  
 4           *ness, or a motion to recommit the joint committee*  
 5           *bill, is not in order.*

6           (5) *VOTE ON PASSAGE.*—*If the Senate has voted*  
 7           *to proceed to the joint committee bill, the vote on pas-*  
 8           *sage of the joint committee bill shall occur imme-*  
 9           *diately following the conclusion of the debate on a*  
 10          *joint committee bill, and a single quorum call at the*  
 11          *conclusion of the debate if requested. The vote on pas-*  
 12          *sage of the joint committee bill shall occur not later*  
 13          *than December 23, 2011.*

14          (6) *RULINGS OF THE CHAIR ON PROCEDURE.*—  
 15          *Appeals from the decisions of the Chair relating to the*  
 16          *application of the rules of the Senate, as the case may*  
 17          *be, to the procedure relating to a joint committee bill*  
 18          *shall be decided without debate.*

19          (d) *AMENDMENT.*—*The joint committee bill shall not*  
 20          *be subject to amendment in either the House of Representa-*  
 21          *tives or the Senate.*

22          (e) *CONSIDERATION BY THE OTHER HOUSE.*—

23               (1) *IN GENERAL.*—*If, before passing the joint*  
 24               *committee bill, one House receives from the other a*  
 25               *joint committee bill—*

1           (A) *the joint committee bill of the other*  
 2           *House shall not be referred to a committee; and*

3           (B) *the procedure in the receiving House*  
 4           *shall be the same as if no joint committee bill*  
 5           *had been received from the other House until the*  
 6           *vote on passage, when the joint committee bill re-*  
 7           *ceived from the other House shall supplant the*  
 8           *joint committee bill of the receiving House.*

9           (2) *REVENUE MEASURE.—This subsection shall*  
 10          *not apply to the House of Representatives if the joint*  
 11          *committee bill received from the Senate is a revenue*  
 12          *measure.*

13          (f) *RULES TO COORDINATE ACTION WITH OTHER*  
 14          *HOUSE.—*

15               (1) *TREATMENT OF JOINT COMMITTEE BILL OF*  
 16               *OTHER HOUSE.—If the Senate fails to introduce or*  
 17               *consider a joint committee bill under this section, the*  
 18               *joint committee bill of the House shall be entitled to*  
 19               *expedited floor procedures under this section.*

20               (2) *TREATMENT OF COMPANION MEASURES IN*  
 21               *THE SENATE.—If following passage of the joint com-*  
 22               *mittee bill in the Senate, the Senate then receives the*  
 23               *joint committee bill from the House of Representa-*  
 24               *tives, the House-passed joint committee bill shall not*  
 25               *be debatable. The vote on passage of the joint com-*

1        *mittee bill in the Senate shall be considered to be the*  
 2        *vote on passage of the joint committee bill received*  
 3        *from the House of Representatives.*

4            (3) *VETOES.*—*If the President vetoes the joint*  
 5        *committee bill, debate on a veto message in the Senate*  
 6        *under this section shall be 1 hour equally divided be-*  
 7        *tween the majority and minority leaders or their des-*  
 8        *ignees.*

9            (g) *LOSS OF PRIVILEGE.*—*The provisions of this sec-*  
 10        *tion shall cease to apply to the joint committee bill if—*

11            (1) *the joint committee fails to vote on the report*  
 12        *or proposed legislative language required under sec-*  
 13        *tion 401(b)(3)(B)(i) not later than November 23,*  
 14        *2011; or*

15            (2) *the joint committee bill does not pass both*  
 16        *Houses not later than December 23, 2011.*

17        **SEC. 403. FUNDING.**

18        *Funding for the joint committee shall be derived in*  
 19        *equal portions from—*

20            (1) *the applicable accounts of the House of Rep-*  
 21        *resentatives; and*

22            (2) *the contingent fund of the Senate from the*  
 23        *appropriations account “Miscellaneous Items”, subject*  
 24        *to the rules and regulations of the Senate.*

1 **SEC. 404. RULEMAKING.**

2 *The provisions of this title are enacted by Congress—*

3 *(1) as an exercise of the rulemaking power of the*  
 4 *House of Representatives and the Senate, respectively,*  
 5 *and as such they shall be considered as part of the*  
 6 *rules of each House, respectively, or of that House to*  
 7 *which they specifically apply, and such rules shall su-*  
 8 *persede other rules only to the extent that they are in-*  
 9 *consistent therewith; and*

10 *(2) with full recognition of the constitutional*  
 11 *right of either House to change such rules (so far as*  
 12 *relating to such House) at any time, in the same*  
 13 *manner, and to the same extent as in the case of any*  
 14 *other rule of such House.*

15 **TITLE V—PELL GRANT AND STU-**  
 16 **DENT LOAN PROGRAM**  
 17 **CHANGES**

18 **SEC. 501. FEDERAL PELL GRANTS.**

19 *Section 401(b)(7)(A)(iv) of the Higher Education Act*  
 20 *of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)) is amended—*

21 *(1) in subclause (II), by striking*  
 22 *“\$3,183,000,000” and inserting “\$13,183,000,000”;*  
 23 *and*

24 *(2) in subclause (III), by striking “\$0” and in-*  
 25 *serting “\$7,000,000,000”.*

1 **SEC. 502. TERMINATION OF AUTHORITY TO MAKE INTEREST**  
 2 **SUBSIDIZED LOANS TO GRADUATE AND PRO-**  
 3 **FESSIONAL STUDENTS.**

4 *Section 455(a) of the Higher Education Act of 1965*  
 5 *(20 U.S.C. 1087e(a)) is amended by adding at the end the*  
 6 *following new paragraph:*

7 *“(3) TERMINATION OF AUTHORITY TO MAKE IN-*  
 8 *TEREST SUBSIDIZED LOANS TO GRADUATE AND PRO-*  
 9 *FESSIONAL STUDENTS.—*

10 *“(A) IN GENERAL.—Subject to subpara-*  
 11 *graph (B) and notwithstanding any provision of*  
 12 *this part or part B, for any period of instruction*  
 13 *beginning on or after July 1, 2012—*

14 *“(i) a graduate or professional student*  
 15 *shall not be eligible to receive a Federal Di-*  
 16 *rect Stafford loan under this part; and*

17 *“(ii) the maximum annual amount of*  
 18 *Federal Direct Unsubsidized Stafford loans*  
 19 *such a student may borrow in any aca-*  
 20 *demie year (as defined in section 481(a)(2))*  
 21 *or its equivalent shall be the maximum an-*  
 22 *annual amount for such student determined*  
 23 *under section 428H, plus an amount equal*  
 24 *to the amount of Federal Direct Stafford*  
 25 *loans the student would have received in the*  
 26 *absence of this subparagraph.*

1           “(B) *EXCEPTION.*—Subparagraph (A) shall  
 2           not apply to an individual enrolled in course  
 3           work specified in paragraph (3)(B) or (4)(B) of  
 4           section 484(b).”.

5 **SEC. 503. TERMINATION OF DIRECT LOAN REPAYMENT IN-**  
 6           **CENTIVES.**

7           Section 455(b)(8) of the Higher Education Act of 1965  
 8           (20 U.S.C. 1087e(b)(8)) is amended—

9           (1) in subparagraph (A)—

10           (A) by amending the header to read as fol-  
 11           lows: “(A) *INCENTIVES FOR LOANS DISBURSED*  
 12           *BEFORE JULY 1, 2012.*—”; and

13           (B) by inserting “with respect to loans for  
 14           which the first disbursement of principal is made  
 15           before July 1, 2012,” after “of this part”;

16           (2) in subparagraph (B), by inserting “with re-  
 17           spect to loans for which the first disbursement of  
 18           principal is made before July 1, 2012” after “repay-  
 19           ment incentives”; and

20           (3) by adding at the end the following new sub-  
 21           paragraph:

22           “(C) *NO REPAYMENT INCENTIVES FOR NEW*  
 23           *LOANS DISBURSED ON OR AFTER JULY 1, 2012.*—  
 24           Notwithstanding any other provision of this  
 25           part, the Secretary is prohibited from author-

1            *izing or providing any repayment incentive not*  
2            *otherwise authorized under this part to encour-*  
3            *age on-time repayment of a loan under this part*  
4            *for which the first disbursement of principal is*  
5            *made on or after July 1, 2012, including any re-*  
6            *duction in the interest or origination fee rate*  
7            *paid by a borrower of such a loan, except that*  
8            *the Secretary may provide for an interest rate*  
9            *reduction for a borrower who agrees to have pay-*  
10           *ments on such a loan automatically electroni-*  
11           *cally debited from a bank account.”.*

12 **SEC. 504. INAPPLICABILITY OF TITLE IV NEGOTIATED**  
13                            **RULEMAKING AND MASTER CALENDAR EX-**  
14                            **CEPTION.**

15            *Sections 482(c) and 492 of the Higher Education Act*  
16            *of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the*  
17            *amendments made by this title, or to any regulations pro-*  
18            *mulgated under those amendments.*

Attest:

*Clerk.*





112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 365**

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**AMENDMENT**