

H. Res. 1151

In the House of Representatives, U. S.,

June 8, 2022.

Resolved,

SECTION 1. BUDGET MATTERS.

(a) **FISCAL YEAR 2023.**—For the purpose of enforcing the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) for fiscal year 2023, the allocations, aggregates, and other budgetary levels provided for in subsection (b) shall apply in the House of Representatives in the same manner as for a concurrent resolution on the budget for fiscal year 2023 with appropriate budgetary levels for fiscal year 2023 and for fiscal years 2024 through 2032.

(b) **COMMITTEE ALLOCATIONS, AGGREGATES, AND LEVELS.**—The chair of the Committee on the Budget shall submit a statement for publication in the Congressional Record as soon as practicable containing—

(1) committee allocations for the Committee on Appropriations for fiscal year 2023 for new discretionary budget authority of \$1,602,901,000,000 and the outlays flowing therefrom, and for current law mandatory budg-

et authority and outlays, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633);

(2) for all committees other than the Committee on Appropriations, committee allocations for fiscal year 2023 and for the period of fiscal years 2023 through 2032 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 302 of the Congressional Budget Act of 1974 (2 U.S.C. 633);

(3) aggregate spending levels for fiscal year 2023 in accordance with the allocations established under paragraphs (1) and (2), for the purpose of enforcing section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 642); and

(4) aggregate revenue levels for fiscal year 2023 and for the period of fiscal years 2023 through 2032 consistent with the most recent baseline of the Congressional Budget Office, as adjusted, to the extent practicable, for the budgetary effects of any provision of law enacted during the period beginning on the date such

baseline is issued and ending on the date of submission of such statement, for the purpose of enforcing section 311 of the Congressional Budget Act of 1974 (2 U.S.C. 642).

(c) ADJUSTMENTS.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b)—

(1) to reflect changes resulting from the Congressional Budget Office’s updates to its baseline for fiscal years 2023 through 2032;

(2) upon the enactment of a bill or joint resolution providing for a change in concepts or definitions; or

(3) for any bill, joint resolution, amendment, or conference report by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods: fiscal year 2023 to fiscal year 2027 or fiscal year 2023 to fiscal year 2032.

(d) APPLICABILITY OF SECTION 251 ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.—Except as expressly provided otherwise, the adjustments provided by section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)) shall not apply to allocations, aggregates, and other budgetary levels established pursuant to this resolution.

(e) EMERGENCY REQUIREMENTS.—(1) If a bill, joint resolution, amendment, or conference report contains a provision providing new budget authority and outlays or reducing revenue, and a designation of such provision as an emergency requirement, the chair of the Committee on the Budget shall not count the budgetary effects of such provision for any purpose in the House.

(2)(A) A proposal to strike a designation under paragraph (1) shall be excluded from an evaluation of budgetary effects for any purpose in the House.

(B) An amendment offered under subparagraph (A) that also proposes to reduce each amount appropriated or otherwise made available by the pending measure that is not required to be appropriated or otherwise made available shall be in order at any point in the reading of the pending measure.

(f) ADJUSTMENT FOR DISASTER RELIEF.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making discretionary appropriations for fiscal year 2023 specifies an amount that Congress designates as being for disaster relief, the adjustment for fiscal year 2023 shall be the total of such

appropriations for fiscal year 2023 designated as being for disaster relief, but not to exceed the total of—

(A) the average over the previous 10 fiscal years (excluding the highest and lowest fiscal years) of the sum of the funding provided for disaster relief (as that term is defined on the date immediately before March 23, 2018);

(B) 5 percent of the total appropriations provided in the previous 10 fiscal years, net of any rescissions of budget authority enacted in the same period, with respect to amounts provided for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and designated by the Congress as an emergency; and

(C) the cumulative net total of the unused carryover for fiscal year 2018 and all subsequent fiscal years, where the unused carryover for each fiscal year is calculated as the sum of the amounts in subparagraphs (A) and (B) less the enacted appropriations for that fiscal year that have been designated as being for disaster relief.

(2) DEFINITION.—As used in this subsection, the term “disaster relief” means activities carried out pursuant to a determination under section 102(2) of the Rob-

ert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)).

(g) ADJUSTMENT FOR WILDFIRE SUPPRESSION.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making discretionary appropriations for fiscal year 2023 specifies an amount for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture or the Department of the Interior, then the adjustment shall be the additional new budget authority specified in such measure as being for wildfire suppression operations for fiscal year 2023, but shall not exceed \$2,550,000,000.

(2) DEFINITIONS.—As used in this subsection, the terms “additional new budget authority” and “wildfire suppression operations” have the meanings specified in subclauses (I) and (II), respectively, of section 251(b)(2)(F)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(F)(ii)(I) and (II)).

(h) ADJUSTMENT FOR HEALTH CARE FRAUD AND ABUSE CONTROL.—The chair of the Committee on the Budget

et may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making discretionary appropriations for fiscal year 2023 specifies an amount for the health care fraud abuse control program at the Department of Health and Human Services (75–8393–0–7–571), then the adjustment shall be the additional new budget authority specified in such measure for such program for fiscal year 2023, but shall not exceed \$576,000,000.

(2) DEFINITION.—As used in this subsection, the term “additional new budget authority” means the amount provided for fiscal year 2023, in excess of \$323,000,000, in a bill, joint resolution, amendment, or conference report making discretionary appropriations and specified to pay for the costs of the health care fraud and abuse control program.

(i) ADJUSTMENT FOR CONTINUING DISABILITY REVIEWS AND REDETERMINATIONS.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making discretionary appropriations for fiscal year 2023 specifies an amount for continuing disability reviews under titles II and XVI of the Social Security Act (42 U.S.C. 401 et seq., 1381 et seq.), for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys, then the adjustment shall be the additional new budget authority specified in such measure for such expenses for fiscal year 2023, but shall not exceed \$1,511,000,000.

(2) DEFINITIONS.—As used in this subsection—

(A) the term “continuing disability reviews” means continuing disability reviews under sections 221(i) and 1614(a)(4) of the Social Security Act (42 U.S.C. 421(i), 1382c(a)(4)), including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity;

(B) the term “redetermination” means redetermination of eligibility under sections 1611(c)(1) and 1614(a)(3)(H) of the Social Security Act (42 U.S.C. 1382(c)(1), 1382c(a)(3)(H)); and

(C) the term “additional new budget authority” means the amount provided for fiscal year 2023, in excess of \$288,000,000, in a bill, joint resolution, amendment, or conference report and specified to pay for the costs of continuing disability reviews, redeterminations, co-operative disability investigation units, and fraud prosecutions under the heading “Limitation on Administrative Expenses” for the Social Security Administration.

(j) ADJUSTMENT FOR REEMPLOYMENT SERVICES AND ELIGIBILITY ASSESSMENTS.—The chair of the Committee on the Budget may adjust the allocations, aggregates, and other budgetary levels included in the statement referred to in subsection (b) as follows:

(1) IN GENERAL.—If a bill, joint resolution, amendment, or conference report making discretionary appropriations for fiscal year 2023 specifies an amount for grants to States under section 306 of the Social Security Act (42 U.S.C. 506) for claimants of regular compensation, as defined in such section, including those who are profiled as most likely to exhaust their benefits, then the

adjustment shall be the additional new budget authority specified in such measure for such grants for fiscal year 2023, but shall not exceed \$258,000,000.

(2) DEFINITIONS.—As used in this subsection, the term “additional new budget authority” means the amount provided for fiscal year 2023, in excess of \$117,000,000, in a bill, joint resolution, amendment, or conference report making discretionary appropriations and specified to pay for grants to States under section 306 of the Social Security Act (42 U.S.C. 506) for claimants of regular compensation, as defined in such section, including those who are profiled as most likely to exhaust their benefits.

(k) BUDGETARY TREATMENT OF ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(1)), section 13301 of the Budget Enforcement Act of 1990 (2 U.S.C. 632 note), and section 2009a of title 39, United States Code, the statement filed pursuant to subsection (b) shall include in an allocation under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) to the Committee on Appropriations of amounts for the discretionary adminis-

trative expenses of the Social Security Administration and the United States Postal Service.

(2) SPECIAL RULE.—For purposes of enforcing section 302(f) of the Congressional Budget Act of 1974 (2 U.S.C. 633(f)), estimates of the level of total new budget authority and total outlays provided by a measure shall include any discretionary amounts described in paragraph (1).

SEC. 2. APPLICATION.

(a) BUDGETARY ADJUSTMENTS.—The chair of the Committee on the Budget may make appropriate budgetary adjustments of new budget authority and the outlays flowing therefrom pursuant to the adjustment authorities provided by section 1.

(b) APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS, AGGREGATES, AND OTHER BUDGETARY LEVELS.—

(1) APPLICATION.—Any adjustments of allocations, aggregates, and other budgetary levels made pursuant to this resolution shall—

(A) apply while that measure is under consideration;

(B) take effect upon the enactment of that measure; and

(C) be published in the Congressional Record as soon as practicable.

(2) EFFECT OF CHANGED ALLOCATIONS, AGGREGATES, AND OTHER BUDGETARY LEVELS.—Revised adjustments of allocations, aggregates, and other budgetary levels resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) as the adjustments of allocations, aggregates, and other budgetary levels contained in this resolution.

(3) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution, adjustments of allocations, aggregates, and other budgetary levels shall be determined on the basis of estimates made by the chair of the Committee on the Budget.

SEC. 3. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), any general appropriation bill or bill or joint resolution continuing appropriations, or amendment thereto or conference report thereon, may not provide an advance appropriation.

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, activities, or accounts identified in lists submitted for printing in the Congressional Record by the chair of the Committee on the Budget—

(1) for fiscal year 2024, under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$28,852,000,000 in new

budget authority, and for fiscal year 2025, accounts separately identified under the same heading; and

(2) for fiscal year 2024, under the heading “Veterans Accounts Identified for Advance Appropriations”.

(c) DEFINITION.—The term “advance appropriation” means any new discretionary budget authority provided in a general appropriation bill or bill or joint resolution continuing appropriations for fiscal year 2023, or any amendment thereto or conference report thereon, that first becomes available following fiscal year 2023.

SEC. 4. EXPIRATION.

The provisions of this resolution shall expire upon the adoption of a concurrent resolution on the budget for fiscal year 2023 by the House of Representatives and the Senate.

Attest:

Clerk.