

BUDGET SCOREKEEPING REPORT

Mr. President, I rise to submit to the Senate the budget scorekeeping report for November 2020. This is my fourth scorekeeping report since I filed the deemed budget resolution for fiscal year (FY) 2021 on May 4, 2020, as required by the Bipartisan Budget Act of 2019 (BBA19). The report compares current-law levels of spending and revenues with the amounts agreed to in BBA19. In the Senate, this information is used to determine whether budgetary points of order lie against pending legislation. The Republican staff of the Budget Committee and the Congressional Budget Office (CBO) prepared this report pursuant to section 308(b) of the Congressional Budget Act (CBA). The information included in this report is current through November 6, 2020.

Since I filed the last scorekeeping report on September 10, 2020, two measures with significant enforceable budgetary effects have been enacted. The first measure, the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159), continued funding for all 12 annual appropriations bills through December 11, 2020, and extended or modified numerous surface transportation, health care, nutrition and commodities, veterans' health and benefits, and immigration programs and policies. The authorizing non-emergency provisions of the bill, which were scored to the Finance (Division C), Agriculture (Division D), and Veterans' Affairs (Division E) committees, would increase the deficit by \$97.6 billion in FY 2021, \$7.1 billion over FY 2021-2025, and \$8.4 billion over FY 2021-2030. The bill passed the Senate by a vote of 84-10.

The second measure, the Extension of the Caribbean Basin Economic Recovery Act (P.L. 116-164), extended preferential duty treatment for certain apparel items produced in the Caribbean Basin through FY 2030. It also extended the date through which certain customs user fees and merchandise processing fees may be collected from September 30, 2029 to October 21, 2029. CBO estimated the bill would decrease revenue by \$299 million over the FY 2021-2030 period, but the fee extensions would reduce direct outlays by \$435 million in FY 2030. On net, the bill would reduce deficits by \$136 million over the FY 2021-2030 budget window. This bill cleared the Senate by unanimous consent and was charged to the Finance Committee.

Budget Committee Republican staff prepared Tables A-D.

Table A provides the amount by which each Senate authorizing committee exceeds or falls below its allocations for budget authority and outlays under the FY 2021 deemed

budget resolutions. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. As the table shows, five committees are currently out of compliance with their allocations. The Finance Committee's FY 2021 breach is the largest for this recording period and primarily stems from Division C, Title V of P.L. 116-159, which provided accelerated and advanced payments to Medicare providers. CBO estimated that these advanced payments would be recouped in future years.

Table B provides the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in sections 312 and 314 of the CBA. Appropriations for FY 2021, displayed in this table, show that the Appropriations Committee is currently compliant with spending limits for FY 2021. As of this filing, no full-year annual appropriations bills have been enacted and figures displayed represent advanced and permanent appropriations previously provided as well as full-year anomalies from the most recently enacted continuing resolution. Notably, P.L. 116-159 provided a full-year annual appropriation of \$13 million for costs associated with the upcoming presidential inauguration in January. This appropriation is categorized as nonsecurity and has been charged to the Financial Services and General Government subcommittee.

Table C displays figures related to the limit on the use of changes in mandatory programs (CHIMPs) in appropriations bills. This \$15 billion CHIMP limitation for FY 2021 is found in Section 207 of BBA19. The Appropriations Committee is currently in compliance with this limit.

Table D provide the amount of budget authority enacted for FY 2021 that has been designated as either for an emergency or for overseas contingency operations (OCO) pursuant to Section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. Funding that receives either of these designations results in cap adjustments to enforceable discretionary spending limits. There are no limits on either emergency or OCO spending; however, any senator may challenge the designation with a point of order to strike the designation on the floor. No new budget authority with either of these designations has been enacted for FY 2021.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables which I will use to enforce budget totals approved by Congress.

For FY 2021, CBO annualizes the effects of the last continuing resolution, which provides funding through December 11, 2020. For the enforcement of budgetary aggregates under Section 311 of the CBA, the Budget Committee historically excludes temporary funding. As such, the current law levels, which exclude the temporary effects of the continuing resolution, are \$1,079.0 billion and \$569.6 billion in budget authority and outlays, respectively, below allowable levels (Tables 1 and 2). This spending room will be spent down as regular appropriations bills are enacted for the budget year. Revenues exceed assumed levels by \$267 million, \$1.4 billion, and \$2.8 billion over the FY 2021, FY 2021-2025, and FY 2021-2030 periods, respectively. Social Security levels are at the levels assumed by the FY 2021 deemed budget.

CBO's report also provides information needed to enforce the Senate Pay-As-You-Go (PAYGO) rule (Table 3). This rule is enforced under section 4106 of the 2018 budget resolution. The Senate PAYGO scorecard currently shows enacted deficit increases in every enforceable window. The largest debit on the scorecard is \$17.1 billion over the FY 2020-2030 period. The deficit increases caused by the authorizing provisions of the most recently enacted continuing resolution were excluded from the PAYGO scorecard pursuant to a direction in that law.

This submission also includes a table tracking the Senate's budget enforcement activity on the floor since the enforcement filing on May 4, 2020. No points of order have been raised since my September report.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that this statement and the accompanying tables be printed in the RECORD.

SENATE AUTHORIZING COMMITTEES

Enacted Direct Spending Above (+) or Below (-) Budget Resolutions

TABLE A

[In Millions of dollars]

[In Millions of dollars]		2021	2021 - 2025	2021 - 2030
Agriculture, Nutrition, and Forestry	Budget Authority	8,418	10,002	12,089
	Outlays	8,261	9,676	11,462
Armed Services	Budget Authority	0	0	0
	Outlays	0	0	0
Banking, Housing, and Urban Affairs	Budget Authority	0	4	21
	Outlays	0	4	21
Commerce, Science, and Transportation	Budget Authority	0	0	0
	Outlays	0	0	0
Energy and Natural Resources	Budget Authority	2,820	14,420	19,410
	Outlays	310	5,870	17,280
Environment and Public Works	Budget Authority	0	0	0
	Outlays	0	0	0
Finance	Budget Authority	89,738	373	-432
	Outlays	89,644	-1,116	-435
Foreign Relations	Budget Authority	0	0	0
	Outlays	0	0	0
Homeland Security and Governmental Affairs	Budget Authority	0	0	0
	Outlays	0	0	0
Judiciary	Budget Authority	0	0	0
	Outlays	0	0	0
Health, Education, Labor, and Pensions	Budget Authority	0	0	0
	Outlays	0	0	0
Rules and Administration	Budget Authority	0	0	0
	Outlays	0	0	0
Intelligence	Budget Authority	0	0	0
	Outlays	0	0	0
Veterans' Affairs	Budget Authority	13	-86	7
	Outlays	13	-86	7
Indian Affairs	Budget Authority	0	0	0
	Outlays	0	0	0
Small Business	Budget Authority	0	0	0
	Outlays	0	0	0
TOTAL	Budget Authority	100,989	24,713	31,095
	Outlays	98,228	14,348	28,335

This table is current through November 6, 2020.

Each authorizing committee's initial allocation can be found in the Senate Budget Committee Chairman's *Congressional Record* filing on September 9, 2019. Initial allocations for the 2021, 2021-2025, and 2021-2030 periods can be found in the Chairman's May 4, 2020 filing.



SENATE APPROPRIATIONS COMMITTEE

Enacted Regular Discretionary Appropriations v. Statutory Discretionary Limits

TABLE B

[In Millions of dollars]

Statutory Discretionary Limits	2021	
	SECURITY	NONSECURITY
Enacted Regular Discretionary Appropriations	671,500	626,500
Agriculture and Rural Development	0	7
Commerce, Justice and Science	0	0
Defense	45	0
Energy and Water Development	0	0
Financial Services and General Government	0	13
Homeland Security	0	9
Interior and Environment	0	0
Labor, Health and Human Services and Education	0	24,679
Legislative Branch	0	1
Military Construction and Veterans Affairs	0	83,233
State and Foreign Operations	0	0
Transportation, Housing and Urban Development	0	4,400
<i>CURRENT LEVEL TOTAL</i>	45	112,342
Total Enacted Above (+) or Below (-) Statutory Limits	-671,455	-514,158

This table is current through November 6, 2020.



SENATE APPROPRIATIONS COMMITTEE

Changes in Mandatory Spending Programs (CHIMPS)

[In Millions of dollars]

TABLE C

CHIMPS Limit FY 2021	15,000
Enacted Appropriations	
Agriculture and Rural Development	0
Commerce, Justice and Science	0
Defense	0
Energy and Water Development	0
Financial Services and General Government	0
Homeland Security	0
Interior and Environment	0
Labor, Health and Human Services and Education	0
Legislative Branch	0
Military Construction and Veterans Affairs	0
State and Foreign Operations	0
Transportation, Housing and Urban Development	0
<i>CURRENT LEVEL TOTAL</i>	0
Total CHIMPS Above (+) or Below (-) Budget Resolution	-15,000

This table is current through November 6, 2020.



SENATE APPROPRIATIONS COMMITTEE

FY 2021 Enacted Emergency and Overseas Contingency Operations

[In Millions of dollars]

TABLE D

	EMERGENCY		OVERSEAS CONTINGENCY OPERATIONS	
	SECURITY	NONSECURITY	SECURITY	NONSECURITY
<i>CURRENT LEVEL TOTAL</i>	0	0	0	0

This table is current through November 6, 2020.

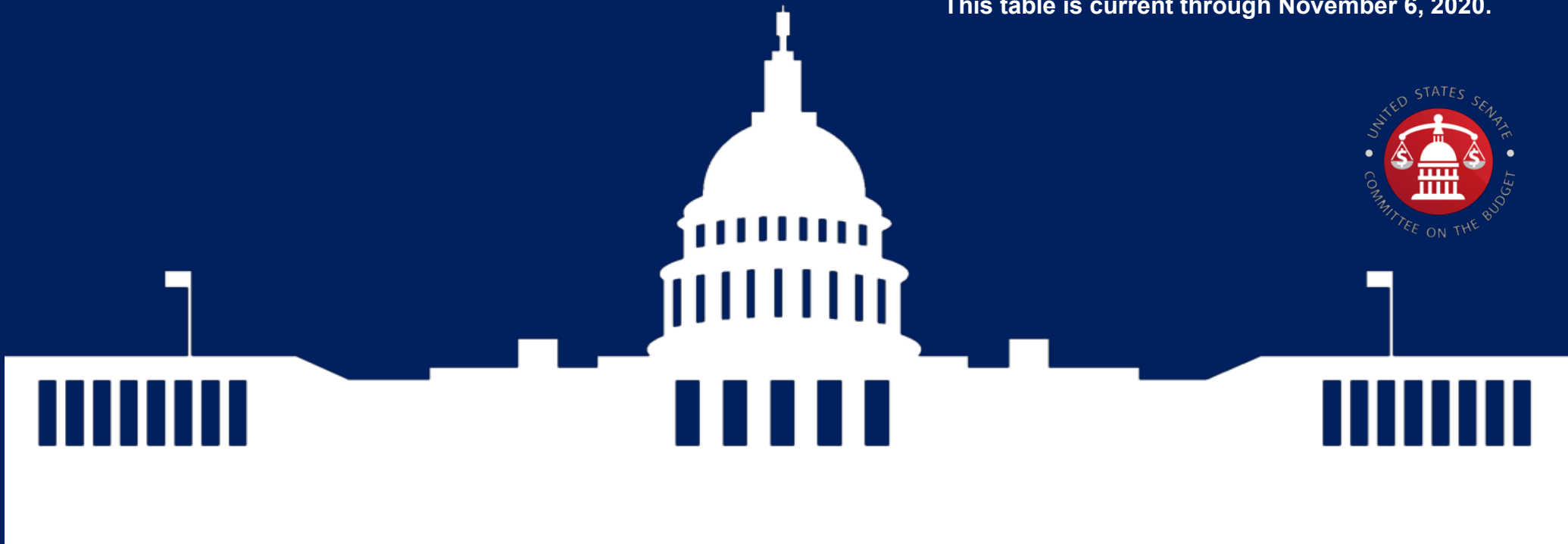


Table 1.

**SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR
FISCAL YEAR 2021, AS OF NOVEMBER 6, 2020**

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (-) Resolution
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ON-BUDGET			
Budget Authority	3,832.2	4,032.8	200.6
Outlays	4,008.8	4,152.6	143.8
Revenues	2,800.4	2,800.6	0.3
OFF-BUDGET			
Social Security Outlays ^a	1,016.3	1,016.3	0.0
Social Security Revenues	1,001.1	1,001.1	0.0

SOURCE: Congressional Budget Office.

- a. Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

Table 2.**SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2021, AS OF NOVEMBER 6, 2020**

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted ^{a, b, c}			
Revenues	n.a.	n.a.	2,800,378
Permanents and other spending legislation	2,509,325	2,416,968	n.a.
Authorizing and Appropriation legislation	0	811,012	0
Offsetting receipts	-1,029,908	-1,030,145	n.a.
Total, Previously Enacted	1,479,417	2,197,835	2,800,378
Enacted Legislation			
Authorizing Legislation			
Paycheck Protection Program Flexibility Act of 2020 (P.L. 116-142) ^c	—	—	—
Emergency Aid for Returning Americans Affected by Coronavirus Act (P.L. 116-148) ^c	—	—	—
Great American Outdoors Act (P.L. 116-152)	2,820	310	—
The Ryan Kules and Paul Benne Specially Adaptive Housing Improvement Act of 2019 (P.L. 116-154)	11	11	—
Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159) ^c	98,158	97,907	282
Extension of the Caribbean Basin Economic Recovery Act (P.L. 116-164)	—	—	-15
Subtotal, Authorizing Legislation	100,989	98,228	267
Appropriation Legislation			
Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159) ^d	13	124	—
Subtotal, Appropriation Legislation	13	124	0
Continuing Resolution			
Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159) ^{a, b}	1,279,551	713,351	0
Entitlements and Mandatories	1,172,808	1,143,371	0
Total Current Level ^{b, c}	4,032,778	4,152,588	2,800,645
Total Senate Resolution ^c	3,832,200	4,008,797	2,800,378
Current Level Over Senate Resolution	200,578	143,791	267
Current Level Under Senate Resolution	n.a.	n.a.	n.a.
Memorandum			
Revenues, 2021-2030			
Senate Current Level ^c	n.a.	n.a.	35,726,855
Senate Resolution	n.a.	n.a.	35,724,078
Current Level Over Senate Resolution	n.a.	n.a.	2,777
Current Level Under Senate Resolution	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

n.a. = not applicable; P.L. = public law; — = excluded from current level.

Continued

SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2021, AS OF NOVEMBER 6, 2020

Continued

(In millions of dollars)

- a. Sections 1001-1004 of the 21st Century Cures Act (P.L. 114-255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—be excluded from estimates for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) and the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act). Therefore, the amounts shown in this report do not include \$474 million in budget authority and \$732 million in estimated outlays.
- b. For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the aggregate spending and revenue levels for 2021 published in the *Congressional Record* on May 4, 2020, by the Chairman of the Senate Committee on the Budget pursuant to section 205 of the Bipartisan Budget Act of 2019 (P.L. 116-37) do not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current level report do not include those items.
- c. Current level excludes budgetary effects designated as an emergency pursuant to section 4112 of H.Con.Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018. As a result, this report excludes \$68,534 million in budget authority, \$72,977 million in outlays, and all revenue effects stemming from legislation enacted before the Chair of the Senate Committee on the Budget published aggregate spending and revenues for fiscal year 2021 in the *Congressional Record* on May 4, 2020. It also excludes the budgetary effects of other laws, enacted this session, which were designated as emergency requirements in accordance with section 4112 of H.Con.Res 71. Those amounts are as follows:

	Budget Authority	Outlays	Revenues
Paycheck Protection Program Flexibility Act of 2020 (P.L. 116-142)	0	0	-8,091
Emergency Aid for Returning Americans Affected by Coronavirus Act (P.L. 116-148)	1	1	0
Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159)	-50	-39	0
Total	-49	-38	-8,091

- d. Includes the budgetary effects of nontemporary provisions that were included in division A of the Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159).
- e. Section 205 of the Bipartisan Budget Act of 2019 requires the Chair of the Senate Committee on the Budget to publish the aggregate spending and revenue levels for fiscal year 2021; those aggregate levels were first published in the *Congressional Record* on May 4, 2020. The Chair of the Senate Committee on the Budget has the authority to revise the budgetary aggregates for the budgetary effects of certain revenue and spending measures pursuant to the Congressional Budget Act of 1974 and H.Con.Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, as updated by the Bipartisan Budget Act of 2019:

	Budget Authority	Outlays	Revenues
Original Aggregates Printed on May 4, 2020:	3,832,200	4,008,705	2,800,378
Revisions:			
Adjustment for Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159)	0	92	0
Revised Senate Resolution	3,832,200	4,008,797	2,800,378

Table 3.**SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF NOVEMBER 6, 2020**

(In millions of dollars)

	2020	2021	2020-2025	2020-2030
Beginning Balance ^a	0	0	0	0
Enacted Legislation ^{b,c}				
Paycheck Protection Program Flexibility Act of 2020 (H.R. 7010, P.L. 116-142) ^d	—	—	—	—
Uyghur Human Rights Policy Act of 2020 (S. 3744, P.L. 116-145)	*	*	*	*
Emergency Aid for Returning Americans Affected by Coronavirus Act (S. 4091, P.L. 116-148) ^d	—	—	—	—
Hong Kong Autonomy Act (H.R. 7440, P.L. 116-149)	0	0	-1	-7
A bill to extend the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes (S. 4148, P.L. 116-150)	*	*	*	*
The Great American Outdoors Act (H.R. 1957, P.L. 116-152)	0	310	5,870	17,280
The Ryan Kules and Paul Benne Specially Adaptive Housing Improvement Act of 2019 (H.R. 3504, P.L. 116-154)	1	11	-93	0
Safeguarding America's First Responders Act of 2020 (S. 3607, P.L. 116-157)	*	*	*	*
Continuing Appropriations Act, 2021 and Other Extensions Act (H.R. 8337, P.L. 116-159) ^e	*	*	*	*
Extension of the Caribbean Basin Economic Recovery Act (H.R. 991, P.L. 116-164)	0	15	80	-136
Merrill's Marauders Congressional Gold Medal Act (S. 743, P.L. 116-170)	0	*	*	*
Defending the Integrity of Voting Systems Act (S. 1321, P.L. 116-179)	0	*	*	*
America's Conservation Enhancement Act (S. 3051, P.L. 116-188)	0	*	*	*
A bill to amend the Klamath Basin Water Supply Enhancement Act of 2000 to make certain technical corrections. (S. 3758), P.L. 116-191)	0	*	*	*
	<u>1</u>	<u>336</u>	<u>5,856</u>	<u>17,137</u>
Impact on Deficit	1	336	5,856	17,137
Total Change in Outlays	1	321	5,781	16,866
Total Change in Revenues	0	-15	-75	-271

Source: Congressional Budget Office.

* = between -\$500,000 and \$500,000; — = excluded from PAYGO scorecard.

- On May 4, 2020, the Chairman of the Senate Committee on the Budget reset the Senate's Pay-As-You-Go Scorecard to zero for all fiscal years.
- The amounts shown represent the estimated effect of the public laws on the deficit.
- Excludes off-budget amounts.
- All amounts in this Act are designated as emergency requirements pursuant to section 4112 (a) of H.Con.Res. 71 (115th Congress).
- The budgetary effects of division B and each succeeding division of this Act are excluded from the Senate's PAYGO Scorecard pursuant to section 4501 of that act. The remaining amounts in division A are insignificant.

Enforcement Report of Points of Order Raised Since the FY 2021 Enforcement Filing

<u>Vote</u>	<u>Date</u>	<u>Measure</u>	<u>Violation</u>	<u>Motion to Waive</u>	<u>Result</u>
118	June 15, 2020	S.Amdt. #1617, Great American Outdoors Act, to H.R. 1957	4106(a)-Senate-Pay-As-You-Go Violation ¹	Sen. Gardner (R-CO)	68-30, waived

1. Senator Enzi raised a point of order against the measure pursuant to section 4106(a) of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018, because the amendment would increase on-budget deficits.