

BUDGET SCOREKEEPING REPORT

Mr. President, I rise to submit to the Senate the budget scorekeeping report for February 2020. This is my fourth scorekeeping report since I filed the deemed budget resolution for fiscal year 2020 on September 9, 2019, 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 February 21, 2020.

Since I filed the last scorekeeping report on January 15, 2020, only one measure was enacted with significant budgetary effects. On January 29, 2020, the president signed H.R. 5430, the United States-Mexico-Canada Agreement (USMCA) Implementation Act, into law. The measure implemented the USMCA and affected both revenue and spending. According to CBO, the USMCA Implementation Act will decrease direct spending outlays by \$74 million over ten years and increase revenues by nearly \$3 billion over the same period. Direct spending effects are largely attributable to the Act's provisions related to the dairy industry, while revenues are expected to increase due to higher receipts from tariffs on motor vehicles and parts. The USMCA Implementation Act also included \$843 million in discretionary appropriations, designated as emergency spending, for federal agencies to execute the agreement.

Budget Committee Republican staff prepared Tables A-D.

Table A gives the amount by which each Senate authorizing committee exceeds or falls below its allocations for budget authority and outlays under the fiscal year 2020 deemed budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. Legislation enacted since the enactment of BBA19 has resulted in six authorizing committees being in breach of their allocations. The direct spending effects of the USMCA Implementation Act were credited to the Finance Committee, which continues to violate its allocation over all enforceable periods. In total authorizing committees have breached outlay limitations by more than \$29 billion over the 2020 through 2029 period.

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. The table shows that the Appropriations Committee is compliant with spending limits for current the fiscal year. Those limits for regular discretionary spending are \$666.5 billion for accounts in the defense category and \$621.5 billion for accounts in the nondefense category of spending.

The 2018 budget resolution contained points of order limiting the use of changes in mandatory programs (CHIMPs) in appropriations bills. Table C, which tracks the CHIMP limit of \$15 billion for 2020, shows the Appropriations Committee has complied with the CHIMP limit for this fiscal year.

Table D provides the amount of budget authority enacted for 2020 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 is no limit on either emergency or overseas contingency operations spending; however, any senator may challenge the designation with a point of order to strike the designation on the floor. The addition of \$843 million in emergency-designated funds from P.L. 116-113 brings total emergency and OCO spending to \$88.9 billion for the 2020 appropriations cycle.

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.

CBO provided a spending and revenue report for 2020 (Table 1), which helps enforce aggregate spending levels in budget resolutions under CBA section 311. The current level is now in excess of allowable levels by \$15.4 billion for budget authority and \$1.7 billion for outlays in 2020. Details on 2020 levels can be found in CBO's second table.

Current-law revenues are currently below enforceable levels for all enforcement periods. Revenues are currently \$34.4 billion, \$150 billion, and \$383.2 billion lower than assumed in the deemed budget resolution for 2020, 2020 through 2024, and 2020 through 2029, respectively.

Social Security spending levels are consistent with the budget resolution's figures for 2020; however, Social Security revenue levels are \$15 million below assumed levels.

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 an enacted deficit decrease of \$984 million in 2020, but enacted deficit increases of \$361 million and \$2.2 billion over the 2019-2024 and 2019-2029 periods, respectively. The deficit effects of the USMCA Implementation Act do not include the amounts designated as supplemental appropriations because those amounts are recorded as discretionary spending, which is not recorded on the Senate's PAYGO scorecard.

This submission also includes a table tracking the Senate's budget enforcement activity on the floor since the enforcement filing on September 9, 2019. Since my last filing, one point of order was raised. On January 16, 2020, Senator Toomey raised a point of order against the emergency designations in the supplemental appropriations title of the USMCA Implementation Act. That point of order was waived by a vote of 78-21.

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

FY 2020 Enacted Direct Spending

TABLE A

Above (+) or Below (-) FY 2020 Budget Resolution

[In Millions of dollars]		2020	2020 - 2024	2020 - 2029
Agriculture, Nutrition, and Forestry	Budget Authority	0	0	0
	Outlays	0	0	0
Armed Services	Budget Authority	32	1,972	5,637
	Outlays	35	1,972	5,637
Banking, Housing, and Urban Affairs	Budget Authority	169	2,260	5,402
	Outlays	169	2,246	5,402
Commerce, Science, and Transportation	Budget Authority	7	7	7
	Outlays	7	7	7
Energy and Natural Resources	Budget Authority	0	0	0
	Outlays	0	0	0
Environment and Public Works	Budget Authority	8,058	38,589	77,069
	Outlays	415	683	1,130
Finance	Budget Authority	8,161	14,280	17,226
	Outlays	6,496	13,968	17,266
Foreign Relations	Budget Authority	2	2	2
	Outlays	37	37	37
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	-720	-400	0
	Outlays	-997	-835	-435
Rules and Administration	Budget Authority	0	0	0
	Outlays	0	0	0
Veterans' Affairs	Budget Authority	0	0	0
	Outlays	0	0	0
Intelligence	Budget Authority	0	0	0
	Outlays	0	0	0
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	15,709	56,710	105,343
	Outlays	6,162	18,078	29,044

This table is current through February 21, 2020.

Each authorizing committee's initial allocation can be found in the Senate Budget Committee Chairman's *Congressional Record* filing on September 9, 2019.



SENATE APPROPRIATIONS COMMITTEE

FY 2020 Enacted Regular Discretionary Appropriations v. Statutory Discretionary Limits

TABLE B

[In Millions of dollars]

	SECURITY	NONSECURITY
Statutory Discretionary Limits	666,500	621,500
Enacted Regular Discretionary Appropriations		
Agriculture and Rural Development	0	23,493
Commerce, Justice and Science	5,695	64,980
Defense	622,522	143
Energy and Water Development	24,250	24,093
Financial Services and General Government	35	23,793
Homeland Security	2,383	48,085
Interior and Environment	0	35,989
Labor, Health and Human Services and Education	0	183,042
Legislative Branch	0	5,049
Military Construction and Veterans Affairs	11,315	92,171
State and Foreign Operations	0	46,685
Transportation, Housing and Urban Development	300	73,977
CURRENT LEVEL TOTAL	666,500	621,500
Total Enacted Above (+) or Below (-) Statutory Limits	0	0

This table is current through February 21, 2020.



SENATE APPROPRIATIONS COMMITTEE

Changes in Mandatory Spending Programs (CHIMPS): FY 2020 Enforceable Limit v. FY 2020 Enacted

TABLE C

[In Millions of dollars]

CHIMPS Limit	15,000
Enacted Appropriations	
Agriculture and Rural Development	0
Commerce, Justice and Science	5,737
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	9,263
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>	15,000
Total CHIMPS Above (+) or Below (-) Budget Resolution	0

This table is current through February 21, 2020.



SENATE APPROPRIATIONS COMMITTEE

FY 2020 Enacted Emergency and Overseas Contingency Operations

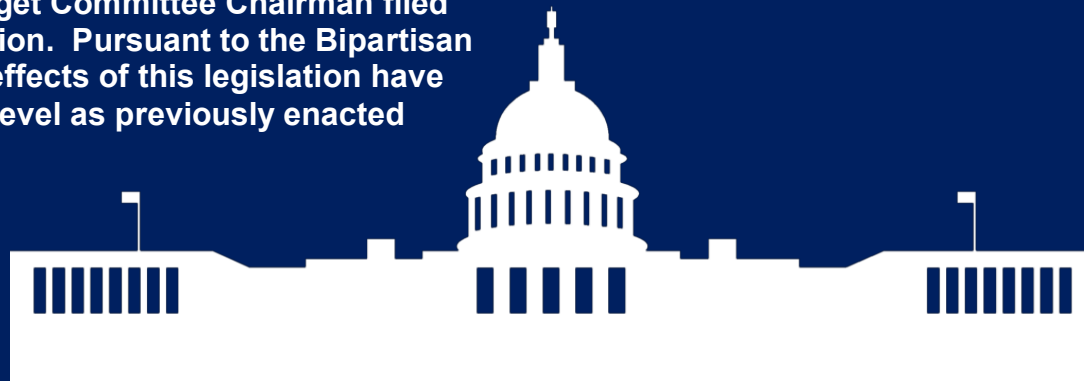
[In Millions of dollars]

TABLE D

	EMERGENCY		OVERSEAS CONTINGENCY OPERATIONS	
	SECURITY	NONSECURITY	SECURITY	NONSECURITY
Additional Supplemental Appropriations for Disaster Relief Act, 2019 (P.L.116-20)	0	8	0	0
Consolidated Appropriations Act, 2020 (P.L.116-93)	1,771	0	70,855	0
Further Consolidated Appropriations Act, 2020 (P.L.116-94)	6,229	535	645	8,000
United States – Mexico – Canada Agreement Implementation Act (P.L. 116-113)	0	843	0	0
<i>CURRENT LEVEL TOTAL</i>	8,000	1,386	71,500	8,000

The Additional Supplemental Appropriations for Disaster Relief Act, 2019 was enacted after the publication of CBO's May 2019 baseline but before the Senate Budget Committee Chairman filed the FY 2020 deemed budget resolution. Pursuant to the Bipartisan Budget Act of 2019, the budgetary effects of this legislation have been incorporated into the current level as previously enacted funds.

This table is current through February 21, 2020.





CONGRESSIONAL BUDGET OFFICE
U.S. Congress
Washington, DC 20515

Phillip L. Swagel, Director

February 26, 2020

Honorable Mike Enzi
Chairman
Committee on the Budget
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The enclosed report shows the effects of Congressional action on the fiscal year 2020 budget and is current through February 21, 2020. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the *Congressional Record* on September 9, 2019, pursuant to section 204 of the Bipartisan Budget Act of 2019 (Public Law 116-37).

Since our last letter dated January 15, 2020, the Congress has cleared, and the President has signed, the United States-Mexico-Canada Agreement Implementation Act (P.L. 116-113). That Act has significant effects on budget authority and outlays in fiscal year 2020.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Swagel', followed by a long horizontal line.

Phillip L. Swagel

Enclosure

cc: Honorable Bernie Sanders
Ranking Member

Table 1.**SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR
FISCAL YEAR 2020, AS OF FEBRUARY 21, 2020**

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (-) Resolution
ON-BUDGET			
Budget Authority	3,817.0	3,832.3	15.4
Outlays	3,733.4	3,735.1	1.7
Revenues	2,740.5	2,706.1	-34.4
OFF-BUDGET			
Social Security Outlays ^a	961.2	961.2	0.0
Social Security Revenues	940.4	940.4	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 2020, AS OF FEBRUARY 21, 2020**
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted ^{a,b}			
Revenues	n.a.	n.a.	2,740,538
Permanents and other spending legislation	2,397,769	2,309,887	n.a.
Authorizing and Appropriation legislation	0	595,528	0
Offsetting receipts	-954,573	-954,573	n.a.
Total, Previously Enacted	1,443,196	1,950,842	2,740,538
Enacted Legislation			
Authorizing Legislation			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. B, P.L. 116-59)	693	667	0
Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Div. B, P.L. 116-69)	8,058	415	0
Women's Suffrage Centennial Commemorative Coin Act (P.L. 116-71)	-2	-2	0
Fostering Undergraduate Talent by Unlocking Resources for Education Act (P.L. 116-91)	-720	-997	0
National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92)	32	35	1
Further Consolidated Appropriations Act, 2020 (Div. I-K, M-Q, P.L. 116-94)	8,360	6,720	-34,449
United States-Mexico-Canada Agreement Implementation Act (P.L. 116-113)	-19	-9	0
Subtotal, Authorizing Legislation	16,402	6,829	-34,448
Appropriation Legislation ^{a,b}			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. A, P.L. 116-59) ^c	0	128	0
Consolidated Appropriations Act, 2020 (P.L. 116-93)	884,979	530,980	0
Further Consolidated Appropriations Act, 2020 (Div. A-H, P.L. 116-94) ^d	1,585,345	1,239,739	0
United States-Mexico-Canada Agreement Implementation Act (Title IX, P.L. 116-113)	843	334	10
Subtotal, Appropriation Legislation	2,471,167	1,771,181	10
Total, Enacted Legislation	2,487,569	1,778,010	-34,438
Entitlements and Mandatories	-98,431	6,242	0
Total Current Level ^b	3,832,334	3,735,094	2,706,100
Total Senate Resolution ^c	3,816,965	3,733,409	2,740,538
Current Level Over Senate Resolution	15,369	1,685	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	34,438
Memorandum			
Revenues, 2020-2029			
Senate Current Level	n.a.	n.a.	34,464,133
Senate Resolution ^c	n.a.	n.a.	34,847,317
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	383,184

Source: Congressional Budget Office.

n.a. = not applicable; P.L. = public law.

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 \$567 million in budget authority and \$798 million in estimated outlays.

b. For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does 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. Section 124 of the Continuing Appropriations Act, 2020 (division A of P.L. 116-59), appropriated funding for the Ukraine Security Assistance Initiative (within the jurisdiction of the Subcommittee on Defense) and designated those amounts as funding for overseas contingency operations. That provision took effect upon enactment on September 27, 2019.

Continued

**SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET
SPENDING AND REVENUES FOR FISCAL YEAR 2020, AS OF DECEMBER 21, 2020**

(In millions of dollars)

Continued

- d. In consultation with the House and Senate Committees on the Budget and the Office of Management and Budget, rescissions of emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Further Consolidated Appropriations Act, 2020 (Division H, P.L. 116-94)	-7	0	0

- e. Section 204 of the Bipartisan Budget Act of 2019 requires the Chairman of the Senate Committee on the Budget to publish the aggregate spending and revenue levels for fiscal year 2020; those aggregate levels were first published in the *Congressional Record* on September 9, 2019. The Chairman 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.

	Authority	Outlays	Revenues
Original Aggregates printed on September 9, 2019:	3,703,553	3,680,696	2,740,538
Revisions:			
Adjustment for P.L. 116-59, Continuing Appropriations Act, 2020, and Health Extenders Act of 2019	693	795	0
Adjustment for P.L. 116-69, Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019	4,750	4,050	0
Adjustment for P.L. 116-93, Consolidated Appropriations Act, 2020, and P.L. 116-94, Further Consolidated Appropriations Act, 2020	107,126	47,534	0
Adjustment for P.L. 116-113, United States-Mexico-Canada Agreement Implementation Act	843	334	0
Revised Senate Resolution	3,816,965	3,733,409	2,740,538

Table 3.

SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF FEBRUARY 21, 2020

(In millions of dollars)

	2020	2019-2024	2019-2029
Beginning Balance ^a	0	0	0
Enacted Legislation ^{b,c}			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (H.R. 4378, P.L. 116-59) ^d	n.a.	n.a.	n.a.
Christa McAuliffe Commemorative Coin Act of 2019 (S.239, P.L. 116-65)	0	0	0
Hidden Figures Congressional Gold Medal Act (H.R. 1396, P.L. 116-68)	*	*	*
Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (H.R. 3055, P.L. 116-69) ^e	—	—	—
Women's Suffrage Centennial Commemorative Coin Act (H.R. 2423, P.L. 116-71)	-2	0	0
Preventing Animal Cruelty and Torture Act (H.R. 724, P.L. 116-72)	*	*	*
Hong Kong Human Rights and Democracy Act of 2019 (S. 1838, P.L. 116-76)	*	*	*
An act to amend section 442 of title 18, United States Code, to exempt certain interests in mutual funds, unit investment trusts, employee benefit plans, and retirement plans from conflict of interest limitations for the Government Publishing Office. (H.R. 5277, P.L. 116-78)	*	*	*
Fostering Undergraduate Talent by Unlocking Resources for Education Act (H.R. 5363, P.L. 116-91)	-997	-835	-435
National Defense Authorization Act for Fiscal Year 2020 (S. 1790; P.L. 116-92)	34	1,975	5,645
Futher Consolidated Appropriations Act, 2020 (H.R. 1865, P.L. 116-94) ^f	—	—	—
Virginia Beach Strong Act (H.R. 4566, P.L. 116-98)	*	*	*
Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act (S. 216, P.L. 116-100)	*	*	*
Grant Reporting Efficiency and Agreements Transparency Act of 2019 (H.R. 150, P.L. 116-103)	*	*	*
TRACED Act (S. 151, P.L. 116-105)	*	*	*
Preventing Illegal Radio Abuse Through Enforcement Act (H.R. 583, P.L. 116-109)	*	*	*
President George H.W. Bush and First Spouse Barbara Bush Coin Act (S. 457, P.L. 116-112)	*	*	*
United States-Mexico-Canada Agreement Implementation Act (H.R. 5430, P.L. 116-113)	-19	-779	-3,044
	-984	361	2,166
Impact on Deficit	-984	361	2,166
Total Change in Outlays	-973	1,068	5,128
Total Change in Revenues	11	707	2,962

Source: Congressional Budget Office.

n.a. = not applicable; P.L. = public law; — = excluded from PAYGO scorecard; * = between -\$500,000 and \$500,000.

- On September 9, 2019, 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.
- The budgetary effects of division B of this act are excluded from the Senate's PAYGO scorecard, pursuant to sec. 1701(b) of the act. The budgetary effects of division A were fully incorporated into the PAYGO ledger pursuant to the authority provided to the Chairman of the Senate Budget Committee in section 3005 of H.Con.Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018. The Chairman exercised that authority through filing an adjustment in the *Congressional Record* on September 26, 2019.

SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF FEBRUARY 2, 2020

Continued

- e. The budgetary effects of division B of this act are excluded from the Senate's PAYGO scorecard, pursuant to sec. 1801(b) of the act.
- f. The budgetary effects of this act are excluded from the Senate's PAYGO scorecard, pursuant to section 1001 of Title X of division I of the act.

Enforcement Report of Points of Order Raised Since the FY 2020 Enforcement Filing

<u>Vote</u>	<u>Date</u>	<u>Measure</u>	<u>Violation</u>	<u>Motion to Waive</u> ¹	<u>Result</u>
399	December 17, 2019	Conference Report to Accompany S. 1790, the National Defense Authorization Act for Fiscal Year 2020	3101-long-term deficits ²	Sen. Inhofe (R-OK)	82-12, waived
414	December 19, 2019	H.R. 1865, the Further Consolidated Appropriations Act, 2020	3101-long-term deficits ³	Sen. Shelby (R-AL)	64-30, waived
13	January 16, 2020	H.R. 5430, the United States-Mexico-Canada Agreement Implementation Act	314(e)-emergency designation ⁴	Sen. Grassley (R-IA)	78-21, waived

1. All motions to waive were offered pursuant to section 904 of the Congressional Budget Act of 1974.

2. Senator Enzi raised a 3101(b) point of order against the conference report because the legislation would increase on-budget deficits by more than \$5 billion in each of the four consecutive 10-year periods beginning in 2030.

3. Senator Enzi raised a 3101(b) point of order against the bill because the legislation would increase on-budget deficits by more than \$5 billion in at least one of the four consecutive 10-year periods beginning in 2030.

4. Senator Toomey raised a 314(e) point of order against the emergency designation on page 233, lines 4 through 8, of the bill.