

Public Law 96-78
96th Congress

An Act

To provide for a temporary increase in the public debt limit, and to amend the Rules of the House of Representatives to make possible the establishment of the public debt limit in the future as a part of the congressional budget process.

Sept. 29, 1979

[H.R. 5369]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Public debt limit, temporary increase; establishment as part of congressional budget process. 31 USC 757b note.

TITLE I—TEMPORARY INCREASE IN PUBLIC DEBT LIMIT;
EXCEPTION TO INTEREST RATE CEILING ON BONDS

SEC. 101. (a) During the period beginning on the date of the enactment of this Act and ending on May 31, 1980, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) shall be temporarily increased by \$479,000,000,000.

(b) Effective on the date of the enactment of this Act, the first section of the Act of April 2, 1979, entitled "An Act to provide for a temporary increase in the public debt limit, and for other purposes" (Public Law 96-5), is hereby repealed.

Repeal.

Ante, p. 8.

SEC. 102. The last sentence of the second paragraph of the first section of the Second Liberty Bond Act (31 U.S.C. 752) is amended by striking out "\$40,000,000,000" and inserting in lieu thereof "\$50,000,000,000".

TITLE II—ESTABLISHMENT OF PUBLIC DEBT LIMIT AS PART
OF CONGRESSIONAL BUDGET PROCESS

SEC. 201. (a) The Rules of the House of Representatives are amended by adding at the end thereof the following new rule:

"RULE XLIX

"ESTABLISHMENT OF STATUTORY LIMIT ON THE PUBLIC DEBT

"1. Upon the adoption by the Congress (under section 301, 304, or 310 of the Congressional Budget Act of 1974) of any concurrent resolution on the budget setting forth as the appropriate level of the public debt for the period to which such concurrent resolution relates an amount which is different from the amount of the statutory limit on the public debt that would otherwise be in effect for such period, the enrolling clerk of the House of Representatives shall prepare an engrossment of a joint resolution, in the form prescribed in clause 2, increasing or decreasing the statutory limit on the public debt by an amount equal to the difference between such limit and such appropriate level. The vote by which the conference report on the concurrent resolution on the budget was agreed to in the House (or by which the concurrent resolution itself was adopted in the House, if there is no conference report) shall be deemed to have been a vote in favor of such joint resolution upon final passage in the House of Representatives. Upon the engrossment of such joint resolution it shall be

31 USC 1322, 1325, 1331.

deemed to have passed the House of Representatives and been duly certified and examined; the engrossed copy shall be signed by the Clerk and transmitted to the Senate for further legislative action; and (upon final passage by both Houses) the joint resolution shall be signed by the presiding officers of both Houses and presented to the President for his signature (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

"2. The matter after the resolving clause in any joint resolution described in clause 1 shall be as follows: 'During the period beginning and ending _____, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) shall be temporarily increased [or decreased] by \$ _____ (and any other provision of law providing for a temporary increase [or decrease] in such limit shall not apply).'; with the first two blanks being filled with the beginning and ending dates of the fiscal year or other period to which the concurrent resolution on the budget just agreed to relates, and with the third blank being filled with a dollar figure equal to the difference between the statutory limit on the public debt as set forth in section 21 of the Second Liberty Bond Act and the appropriate level of the public debt as set forth in such concurrent resolution.

31 USC 757b.

"3. The report of the Committee on the Budget of the House of Representatives accompanying any concurrent resolution on the budget under section 301(d) of the Congressional Budget Act of 1974, as well as the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget, shall contain a clear statement of the effect under this rule that the adoption by both the House and the Senate of such concurrent resolution in the form in which it is being reported (and the adoption of the joint resolution thereupon prepared and enrolled under clause 1) would have upon the statutory limit on the public debt. It shall not be in order in the House of Representatives at any time to consider or adopt any concurrent resolution on the budget (or agree to any conference report thereon) if at that time the report accompanying such concurrent resolution (or the joint statement accompanying such conference report) does not comply with the requirements of this clause.

31 USC 1322.

"4. Nothing in this rule shall be construed as limiting or otherwise affecting the power of the House of Representatives or the Senate to consider and pass a bill which (without regard to the procedures under clause 1) changes the statutory limit on the public debt most recently established under this rule or otherwise; and the rights of Members and committees of the House with respect to the introduction, consideration, and reporting of any such bill shall be determined as though this rule had not been adopted.

"Statutory limit
on the public
debt."
31 USC 774.

"5. As used in this rule, the term 'statutory limit on the public debt' means the maximum face amount of obligations issued under authority of the Second Liberty Bond Act and obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury), determined under section 21 of such Act after the application of the second sentence thereof, which may be outstanding at any one time."

31 USC 757b.

(b)(1) Clause 1(v)(5) of rule X of the Rules of the House of Representatives is amended by inserting "(subject to the last sentence of clause 4(g) of this rule)" after "United States".

(2) Clause 4(g) of rule X of the Rules of the House of Representatives is amended by adding at the end thereof the following new sentence: "The views and estimates submitted by the Committee on Ways and Means under the preceding sentence shall include a specific recom-

mentation, made after holding public hearings, as to the appropriate level of the public debt which should be set forth in the concurrent resolution on the budget referred to in such sentence and serve as the basis for an increase or decrease in the statutory limit on such debt under the procedures provided by rule XLIX.”

(c) Clause 8 of rule XXIII of the Rules of the House of Representatives is amended—

(1) by inserting “(except to the extent that the amendment involved is limited by the third sentence of this clause)” after “mathematically consistent”; and

(2) by adding at the end thereof the following new sentence: “It shall not be in order in the House or in a Committee of the Whole to consider an amendment to a concurrent resolution on the budget, or any amendment to an amendment thereto, which changes the amount of the appropriate level of the public debt set forth in the concurrent resolution as reported; except that the amendments to achieve mathematical consistency which are permitted under section 305(a)(6) of the Congressional Budget Act of 1974 may include an amendment, offered by or at the direction of the Committee on the Budget, to adjust the amount of such level to reflect any changes made in the other figures contained in the resolution.”

31 USC 1326.

SEC. 202. The first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) is amended by inserting before the period at the end thereof the following: “, subject to any increases or decreases in such limit which may from time to time be provided by law (through the congressional budget process as described in rule XLIX of the Rules of the House of Representatives or otherwise)”.

SEC. 203. The amendments made by this title shall apply with respect to concurrent resolutions on the budget for fiscal years beginning on or after October 1, 1980.

31 USC 757b
note.

Approved September 29, 1979.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-472, pt. 1 (Comm. on Ways and Means).

CONGRESSIONAL RECORD, Vol. 125 (1979):

Sept. 26, considered and passed House.

Sept. 28, considered and passed Senate.