

committee having jurisdiction⁴³⁸ to recommend such change; or

§ 310(a)(4)

(4) specify and direct any combination of the matters described in paragraphs (1),⁴³⁹ (2),⁴⁴⁰ and (3) (including a direction to achieve deficit reduction).⁴⁴¹

⁴³⁸ Rule XXV of the Standing Rules of the Senate provides (in relevant part):

(i) Committee on Finance, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Bonded debt of the United States, except as provided in the Congressional Budget Act of 1974.

STANDING RULES OF THE SENATE Rule XXV(i)(1) (1992).

⁴³⁹ See *supra* p. 159.

⁴⁴⁰ See *supra* p. 160.

⁴⁴¹ Section 13207(d) of the Budget Enforcement Act added the parenthetical "(including a direction to achieve deficit reduction)" so as to remove all doubt that a budget resolution may instruct a committee to achieve unspecified deficit reduction — through reductions of either revenues or outlays, at the committee's option. See *infra* p. 726.

The Chair will not look to the effect of reconciliation instructions, only to their form. See *supra* note 133.

Reconciliation instructions may not specify that the reporting committee must achieve its savings from certain types of programs or raise its revenues in specific ways. 128 CONG. REC. S5506 (1982); Senate Precedent PRL19820519-002 (May 19, 1982) (LEGIS, Rules database) (inquiries of Sen. Dole); 131 CONG. REC. S5863 (1985); Senate Precedent PRL19850509-007 (May 9, 1985) (LEGIS, Rules database) (inquiry of Sen. Helms regarding amendment by Sen. Bradley).

Nonetheless, pursuant to this paragraph and section 301(b)(4) (the "elastic clause," see *supra* p. 60), budget resolutions have regularly instructed committees to achieve savings in categories not specifically enumerated in the listing in section 310(a). For example, budget resolutions regularly specify the amount by which reporting committees must reduce "outlays." Similarly, budget resolutions regularly distinguish between spending as defined in section 401(c)(2)(C) and other spending. In several instances, as well, the Senate has passed budget resolutions that have included reconciliation instructions that specify increases in "contributions." See S. Con. Res. 30, 101st Cong., 1st Sess., §§ 6(b), 6(c), 6(j) (continued...)