
House, which, upon receiving all such recommendations,⁴⁴ shall report to its House reconciliation legisla-

⁴⁴ This language imposes upon the Budget Committee the duty to report promptly when it receives "all such recommendations." Thus, the Budget Committee may include in reconciliation legislation material reported to it after the deadline in the budget resolution's reconciliation instructions, so long as the Budget Committee has not yet reported by the time the tardy committee reports. *See* 135 CONG. REC. S12,589 (daily ed. Oct. 4, 1989) (statement of Budget Committee Chairman Sasser). The Chairman of the Budget Committee has put it this way:

RECONCILIATION QUESTIONS

Mr. SASSER. Mr. President. The distinguished Republican leader gave notice yesterday of his intent to propound four parliamentary inquiries of the Chair regarding the reconciliation process pursuant to the Congressional Budget Act of 1974. I rise today to address these inquiries from the perspective of the Committee on the Budget.

First, the Republican leader asks: "Can the Senate Budget Committee incorporate into the reconciliation bill, pursuant to the congressional budget resolution, material which was reported after August 4, 1989?"

Mr. President, from the perspective of the Committee on the Budget, the answer is "Yes." Let me quote from the controlling statute, section 310(b) of the Congressional Budget Act: "the Committee on the Budget, . . . upon receiving all such recommendations, shall report to its House reconciliation legislation."

Two things are worth noting about this statutory requirement. First, it is mandatory. The statute says the Budget Committee "shall" report. Second, it only comes into effect upon the happening of a contingency: "[U]pon receiving all such recommendations." The mandatory requirement for the Budget Committee to report only ripens when all instructed committees have reported.

Now what happens if the deadline for reporting reconciliation arrives and all committees have not reported? In this situation, we have to fall back on the Standing Rules of the Senate. Rule 25(e)(2) gives the Committee on the Budget jurisdiction over "matters required to be reported by it under titles III and IV of the Congressional Budget Act of 1974." Now the reconciliation legislation is a "matter . . . under title III." It is a creature of section 310 of the Budget Act.

Under this rule, in the absence of specific constraints, the Budget Committee has jurisdiction over the reconciliation bill just as other committees have jurisdiction over other bills within their jurisdiction. Thus, after the

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