

³⁵⁴(...continued)

If the concurrent resolution on the budget for a fiscal year has been adopted, a point of order will lie against an amendment of the House to an amendment of the Senate to an appropriations bill, if that amendment increases outlays at a time when the appropriate level of outlays for that fiscal year has been breached, and the effect of sustaining such a point of order is that the amendment of the House is no longer before the Senate, but retains its status as a House message at the desk.

STATEMENT OF FACT

On March 13, 1986, the Senate was considering the conference report in disagreement on H.J.Res. 534, making urgent supplemental appropriations for the Department of Agriculture (relative to the Commodity Credit Corporation), which was accompanied by an amendment of the House to the amendment of the Senate reported in disagreement. The Senator from Texas (Mr. Gramm) moved to waive section 311 of the Budget Act of 1974, as amended by the Balanced Budget and Emergency Deficit Control Act of 1985 (the Gramm-Rudman-Hollings Act), and after that motion was defeated and the conference report agreed to, the following occurred:

Mr. GRAMM. Mr. President, I raise a point of order under section 311, as amended by the Balanced Budget and Emergency Deficit Control Act, that the amendment of the House to the amendment of the Senate will exceed the appropriate level of budget authority and outlays set forth in the concurrent resolution on the budget for fiscal year 1986 and, therefore, is not in order.

The PRESIDING OFFICER (Mr. Tribble of Virginia).
The point of order is well taken.

Mr. Cochran of Mississippi appealed the ruling of the chair, and Mr. Domenici of New Mexico successfully moved to table that appeal, 61 yeas, 33 nays.

Shortly thereafter, the majority leader (Mr. Dole of Kansas) made the following inquiry which, with the response of the Chair (Mr. Pressler of South Dakota), is as follows:

Mr. DOLE. Mr. President, a parliamentary inquiry.
What is the status of the conference report?

The PRESIDING OFFICER. The conference report was agreed to. The House message is no longer before the Senate.

(continued...)