
this Act and sections 258(a)(4)(C), 258A(b)(3)(C)(i), 258B(f)(1), 258B(h)(1), 258B(h)(3), 258C(a)(5), and 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.⁹⁶⁸

⁹⁶⁷(...continued)

1990). The error has no effect on the supermajority required for waiver of section 310(g), however, as the Budget Enforcement Act also mistakenly failed to repeal section 271(b) of Gramm-Rudman-Hollings, which also sets forth a supermajority requirement for waiving section 310(g). *See infra* note 968.

Note that this subsection does not apply to provisions of the Impoundment Control Act having functions similar to those of the provisions of the Congressional Budget Act listed here. *Compare, e.g.,* section 1017(d)(2) *infra* pp. 399-400 ("No amendment that is not germane to the provisions of a rescission bill shall be received.") with section 305(b)(2) *supra* pp. 124-136 ("No amendment that is not germane to the provisions of such concurrent resolution [on the budget] shall be received.").

⁹⁶⁸ That is, 60 Senators, no matter how many Senators are present and voting.

Section 275(b) of Gramm-Rudman-Hollings provides that this sentence will expire on September 30, 1995, when Gramm-Rudman-Hollings expires. *See infra* p. 691.

Section 13208(a)(1) of the Budget Enforcement Act amended subsection (c) to read as it does now. *See infra* p. 728. Congress intended this last sentence of subsection (c) to supersede section 271(b) of Gramm-Rudman-Hollings (*see infra* p. 671), although when section 13208 of the Budget Enforcement Act (*see infra* pp. 728-729) added this sentence, it mistakenly did not repeal section 271(b) of Gramm-Rudman-Hollings. To the extent that direct conflicts exist, however, this later-enacted language takes precedence over that of section 271(b). Section 271(b) provides:

(b) OTHER WAIVERS AND SUSPENSIONS IN THE SENATE. — Sections 301(i), 302(c), 302(f), 304(b), 310(d), 310(g), and 311(a) of the Congressional Budget Act of 1974 may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn. This subsection shall not apply to any joint resolution reported or discharged pursuant to section 254(a) of this joint resolution.

See infra p. 671.

Section 271(a) of Gramm-Rudman-Hollings added section 904(c) to the Congressional Budget Act in the first place. *See infra* p. 671. Before enactment of the Budget Enforcement Act, section 904(c) read as follows:

(c) Sections 305(b)(2) and 306 of this Act may be waived or sus-
(continued...)