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**CONSOLIDATED OMNIBUS BUDGET RECONCILIATION  
ACT OF 1985**

Public Law 99-272, 100 Stat. 82, 390; April 7, 1986;  
H.R. 3128 (99<sup>th</sup> Congress)

**TITLE XX – MISCELLANEOUS PROVISIONS****SEC. 20001. MISCELLANEOUS PROVISIONS.**

(a) When the Senate is considering a reconciliation bill or a reconciliation resolution pursuant to section 310 of the Congressional Budget Act of 1974, upon a point of order being made by any Senator against material extraneous to the instructions to a committee which is contained in any title or provision of the bill or resolution or offered as an amendment to the bill or resolution, and the point of order is sustained by the Chair, any part of said title or provision that contains material extraneous to the instructions to said Committee as defined in subsection (d) shall be deemed stricken from the bill and may not be offered as an amendment from the floor. An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section, as well as to waive or suspend the provisions of this subsection.

(b) No motion to waive or suspend the requirement of section 305(b)(2) of the Congressional Budget Act of 1974, as it relates to germaneness with respect to a reconciliation bill or resolution, shall be agreed to unless supported by an affirmative vote of three-fifths of the Members, duly chosen and sworn, which super-majority shall be required to successfully appeal the ruling of the Chair on a point of order raised under that section, as well as to waive or suspend the provisions of this subsection.

(c) This section shall become effective on the date of

enactment of this title and shall remain in effect until January 2, 1987.

(d)(1)(A) Except as provided in paragraph (2), a provision of a reconciliation bill or reconciliation resolution considered pursuant to section 310 of the Congressional Budget Act of 1974 shall be considered extraneous if such provision does not produce a change in outlays or revenues, including changes in outlays and revenues brought about by changes in the terms and conditions under which outlays are made or revenues are required to be collected; (B) any provision producing an increase in outlays or decrease in revenues shall be considered extraneous if the net effect of provisions reported by the Committee reporting the title containing the provision is that the Committee fails to achieve its reconciliation instructions; (C) a provision that is not in the jurisdiction of the Committee with jurisdiction over said title or provision shall be considered extraneous; (D) a provision shall be considered extraneous if it produces changes in outlays or revenues which are merely incidental to the non-budgetary components of the provision.

(2) A provision shall not be considered extraneous under (1)(A) above if: (A) it is designed to mitigate the direct effects clearly attributable to a provision changing outlays or revenues and both provisions together produce a net reduction in the deficit; (B) it will result in a substantial reduction in outlays or a substantial increase in revenues during fiscal years after the fiscal years covered by the reconciliation bill or reconciliation resolution; (C) a reduction of outlays or an increase in revenues is likely to occur as a result of the provision, in the event of new regulations authorized by the provision or likely to be proposed, court rulings on pending litigation, or relationships between economic indices and stipulated statutory triggers pertaining to the provision, other than the regulations, court rulings or relationships currently projected by the Congressional Budget Office for scorekeeping purposes;

(D) such provision will be likely to produce a significant reduction in outlays or increase in revenues but, due to insufficient data, such reduction or increase cannot be reliably estimated .

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### HOUSE BUDGET COUNSEL NOTES

#### Summary Information on the Consolidated Omnibus Budget Reconciliation Act of 1985

*Sponsor:* Rep. Rostenkowski, Dan [D-IL-8]  
*Introduced:* July 31, 1985  
*Committees:* House  
Education and Labor;  
Energy and Commerce;  
Judiciary;  
Ways and Means  
Senate  
Finance  
*Committee Reports:* H. Rept. 99-241 Part 1;  
H. Rept. 99-241 Part 2;  
H. Rept. 99-241 Part 3;  
H. Rept. 99-453 (Conference Report)  
*Enacted:* April 7, 1986  
*Public Law 99-272*

#### Legislative History

H.R. 3128, (H.R. 3500, S. 1730)

#### *House Reports:*

No. 99-241, Pt. 1 (Comm. on Ways and Means)  
No. 99-241, Pt. 2 (Comm. on Education and Labor)  
No. 99-241, Pt. 3 (Comm. on the Judiciary)  
No. 99-300 accompanying H.R. 3500 (Comm. on the Budget)  
No. 99-453 (Comm. of Conference)

*Senate Reports:*

No. 99-146 accompanying S. 1730 (Comm. on the Budget)  
*Congressional Record, Vol. 131 (1985):*

Oct. 15, 16, 22-24; Nov. 12-14, S. 1730 considered in Senate.

Oct. 31, H.R. 3128 considered and passed House.

Nov. 14, considered and passed Senate, amended, in lieu of S.  
1730.

Dec. 5, House agreed to Senate amendment with amendment.

Dec. 19, Senate agreed to conference report. House rejected  
conference report; receded and concurred in Senate  
amendment with amendment. Senate concurred in  
House amendment with amendment.

*Congressional Record, Vol. 132 (1986):*

Mar. 6, House concurred in Senate amendment with amend-  
ment.

Mar. 14, Senate concurred in House amendment with amend-  
ment.

Mar. 18, House disagreed to Senate amendment. Senate insist-  
ed on its amendment.

Mar. 20, House concurred in Senate amendment.