

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.¹⁷⁵⁵ This subsection shall not apply to any joint resolution reported or discharged pursuant to section 254(a)¹⁷⁵⁶ of this joint resolution.¹⁷⁵⁷

§ 271(c) **(c) APPEALS OF RULINGS. — An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn,¹⁷⁵⁸ shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under section 301(i),¹⁷⁵⁹ 302(c),¹⁷⁶⁰ 302(f),¹⁷⁶¹ 304(b),¹⁷⁶²**

¹⁷⁵⁴ (...continued)

¹⁷⁵⁴ See *supra* pp. 178-192.

¹⁷⁵⁵ That is, 60 Senators, no matter how many Senators are present and voting.

¹⁷⁵⁶ This reference should be to section 258(a). The Budget Enforcement Act moved this discussion from section 254(a) ("Special Procedures in the Event of a Recession") to section 258(a) ("Procedures in the Event of a Low Growth Report") (*see supra* pp. 619-627), but neglected to change this reference.

¹⁷⁵⁷ Section 13208(a)(1) of the Budget Enforcement Act (*see infra* p. 728) amended section 904(c) of the Congressional Budget Act (*see supra* p. 361) to address many of the matters addressed by this subsection. Congress meant for section 904(c) of the Congressional Budget Act to supersede this subsection, although when section 13208 of the Budget Enforcement Act (*see infra* pp. 728-729) added the material to section 904(c), it mistakenly did not repeal this subsection. To the extent that direct conflicts exist, however, the later-enacted language of section 904(c) of the Congressional Budget Act takes precedence over that of this subsection. Section 904(c) of the Congressional Budget Act provides:

(c) WAIVER. — Sections 305(b)(2), 305(c)(4), 306, 904(c), and 904(d) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn. Sections 301(i), 302(c), 302(f), 310(d)(2), 310(f), 311(a), 313, 601(b), and 606(c) of 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.

See supra p. 361

¹⁷⁵⁸ That is, 60 Senators, no matter how many Senators are present and voting.

¹⁷⁵⁹ *See supra* pp. 82-87.