

EXTRANEOUS MATTER IN RECONCILIATION LEGISLATION⁵⁵⁶

§ 313(a) **SEC. 313.**⁵⁵⁷ (a) **IN GENERAL.**⁵⁵⁸ — When the Senate is considering a reconciliation bill or a reconciliation resolution⁵⁵⁹ pursuant to section 310,⁵⁶⁰ (whether that bill or reso-

⁵⁵⁵(...continued)

sent back to committee instead of the calendar, so that the committee may then take corrective action to improve the bill." H.R. CONF. REP. No. 101-964, 101st Cong., 2d Sess. 1170 (1990), *reprinted in* 1990 U.S.C.A.N. 2374, 2875.

⁵⁵⁶ Section 13214(b)(2)(A) of the Budget Enforcement Act added the heading here. *See infra* p. 742.

⁵⁵⁷ Section 313 is codified as amended at 2 U.S.C. § 644 (Supp. IV 1992). This section is often called "the Byrd Rule," after its principal sponsor, Senator Robert C. Byrd of West Virginia.

Section 13214(b)(1) of the Budget Enforcement Act (*see infra* p. 742) transferred this section here from section 20001 of the Consolidated Omnibus Budget Reconciliation Act of 1985, Pub. L. No. 99-272, § 20001, 100 Stat. 82, 390-91 (Apr. 7, 1986), *as amended by* the Omnibus Budget Reconciliation Act of 1986, Pub. L. No. 99-509, § 7006, 100 Stat. 1874, 1949-1950 (Oct. 21, 1986), *and as amended by* the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987, Pub. L. No. 100-119, § 205, 101 Stat. 754, 784-85 (Sept. 29, 1987). For legislative history of this section, see *infra* note 616 (at the end of the section). For an excellent discussion of the section, see ROBERT KEITH & EDWARD DAVIS, *THE SENATE'S "BYRD RULE" AGAINST EXTRANEOUS MATTER IN RECONCILIATION MEASURES* (July 9, 1993) (Cong. Res. Serv. rep. no. 93-642 GOV).

⁵⁵⁸ Section 13214(a)(1)(A) of the Budget Enforcement Act inserted the heading "IN GENERAL. —" here. *See infra* p. 740.

⁵⁵⁹ Section 310(b) defines "reconciliation resolution." *See supra* pp. 163-166.

⁵⁶⁰ *See supra* pp. 158-177. Section 310 sets forth the reconciliation process in the context of Congress's annual cycle of concurrent resolutions on the budget. For other budget process legislation dealing with reconciliation, see section 300, *supra* p. 47 (budget timetable, including that for reconciliation); section 301(b)(2) & (3), *supra* pp. 58-60 (empowering budget resolutions to include reconciliation instructions, as well as a provision providing for delayed enrollment of legislation pending completion of reconciliation); section 305, *supra* pp. 120-142 (procedures for budget resolutions and reconciliation bills); section 604, *infra* pp. 325-327 (providing an optional reconciliation process in the House
(continued...))