

said title or provision that contains material extraneous to the instructions to said Committee as defined in subsection (b)²³ shall be deemed stricken from the bill and may not be offered as an amendment from the floor.²⁴

§ 313(b)(1)(A) **(b)²⁵ EXTRANEOUS PROVISIONS.²⁶ — (1)(A) Except as**

²²(...continued)
offending language falls.

Mr. BYRD. I say any part of the bill that is not within the jurisdiction of the reporting committee would fall.

Mr. JOHNSTON. You can take out that part and in effect rewrite the bill by striking sentences, clauses, subsections.

Mr. BYRD. That are not within the jurisdiction of the reporting committee.

131 CONG. REC. S14,034 (daily ed. Oct. 24, 1985).

²³ See *infra* pp. 8-50. Section 13214(b)(4)(B) of the Budget Enforcement Act changed this reference from (d) to (b) to conform with the redesignation of subsection (d) as subsection (b) made by section 13214(b)(2)(C) of the Budget Enforcement Act.

²⁴ Section 13214(b)(2)(B) of the Budget Enforcement Act repealed what used to be the last sentence of subsection (a), which read as follows:

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.

Section 904(d) supersedes this sentence by listing sections 313 and 904(d) among those sections for which 60 Senators must vote affirmatively to sustain an appeal.

²⁵ Section 13214(b)(2)(C) of the Budget Enforcement Act redesignated as subsection (b) what used to be subsection (d). Section 13214(b)(2)(B) of the Budget Enforcement Act repealed what used to be subsection (b), which read as follows:

(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.

Section 904(c) supersedes this old subsection (b) by listing sections 313 and 904(c) among those sections requiring 60 Senators to waive. For an early example of a motion to waive this section see, *e.g.*, 132 CONG. REC. S13,047 (daily ed. Sept. 19, 1986).

²⁶ Section 13214(a)(2) of the Budget Enforcement Act inserted the heading “EXTRANEOUS PROVISIONS. —” here.

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