
law or rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section.⁶⁷ The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only

⁶⁶(...continued)

the Balanced Budget Act of 1997, subsection (e) read:

(e) DETERMINATION OF LEVELS. — For purposes of this section, the levels of new budget authority, budget outlays, new entitlement authority, and revenue for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

Since enactment of section 10113(a) the Balanced Budget Act of 1997, Pub. L. No. 105-33, 111 Stat. 251, 687-88 (Aug. 5, 1997), section 312(a) addresses determinations by the Budget Committees.

⁶⁷ For examples of general points of order, see, *e.g.*, 139 CONG. REC. S7926, S7928 (daily ed. June 24, 1993) (Packwood point of order under subsection (b)(1)(A) against scattered committee-reported language regarding childhood immunizations and tax-return-preparer standards; sustained without vote as to most provisions challenged); 141 CONG. REC. S16,026, S16,049-53 (daily ed. Oct. 27, 1995) (Exon point of order under subsection (b)(1)(A) and other subparagraphs against 49 provisions; Domenici motion to waive for some of the provisions rejected 53-46; point of order sustained against 46 provisions, which were stricken; not sustained against 3 provisions, which remained in bill); *id.* at S17,315-27 (daily ed. Nov. 17, 1995) (Exon point of order under subsections (b)(1)(A) and (b)(1)(D) against sections 8001 and 13301 of the bill as proposed by the conference report on application of antitrust rule to provider-sponsored organizations (Medicare Plus) and exemption of physician office laboratories; Abraham motion to waive rejected 54-45; point of order sustained); 142 CONG. REC. S8423-24 (daily ed. July 22, 1996), *id.* at S8506-09 (daily ed. July 23, 1996) (Exon point of order under subsections (b)(1)(A), (b)(1)(C), and (b)(1)(D) raised July 22 against 25 provisions; Domenici motion to waive on 3 provisions for which the point of order applied under subsection (b)(1)(A) — on a family cap for welfare benefits rejected 42-57, on allowing delivery of social services through religious charities approved 67-32, on abstinence education programs rejected 52-46; point of order sustained July 23 against 23 provisions, which were stricken from the bill, not sustained against 1 provision, which remained in the bill, and waived for 1 provision, which remained in the bill); 143 CONG. REC. S6320 (daily ed. June 25, 1997) (Daschle point of order apparently under subsection (b)(1)(C) against sec. 5713 (“No Waiver Required for Provider Selectivity”), sec. 5833 (“Clarifying Provision Relating to Base Periods”), and sec. 5987 (repealing various provisions of education laws) of the Finance Committee-reported bill; no motion to waive; point of order sustained).

Even before enactment of subsection (e), the Senate frequently addressed extraneous matter in reconciliation bills in an omnibus fashion, usually by unanimous consent. *See, e.g.*, 127 CONG. REC. 13,209-11 [S6664-66] (1981); Senate Precedent PRL19810622-001 (June 22, 1981) (LEGIS, Rules database); ALAN S. FRUMIN, RIDDICK’S SENATE PROCEDURE 624 (1992) (omnibus leadership amendment); 135 CONG. REC. S13,349-57 (daily ed. Oct. 13, 1989); ALAN S. FRUMIN, RIDDICK’S SENATE PROCEDURE 624 (1992) (same); 136 CONG. REC. S15,771 (daily ed. Oct. 18, 1990); ALAN S. FRUMIN, RIDDICK’S SENATE PROCEDURE 625 (1992) (two Metzbaum points of order considered en bloc, without objection). For debate on the omnibus leadership amendments, see *infra* note 69.