

INDEX TO PRECEDENTS

Adjournment

- presidential budget message received during, §§ 3.1, 3.3
- section 309 points of order, restrictions under, §§ 5.19, 5.20
- section 310(f) points of order, restrictions under, §§ 21.16–21.18

Allocations

- adjustment authority, in general, §§ 4, 11
- adjustment authority, triggered by special order, § 4.2
- breach of section 302(a) allocation, increase in new budget authority causing, § 11.1
- breach of section 302(b) allocation, failure to trigger adjustment authority causing, §§ 11.14, 11.15
- breach of section 302(b) allocation, improper offset causing, §§ 11.7–11.9
- breach of section 302(b) allocation, increase in new budget authority causing, § 11.3
- breach of section 302(b) allocation, Senate amendment providing new budget authority causing, § 11.21
- breach of section 302(b) allocation, relationship to “rise and report” point of order, § 11.23
- breach of special allocation, § 11.4
- breach of section 302(b) allocation, striking rescission causing, § 11.11
- “deeming” resolutions, § 17
- establishing, authority provided by concurrent resolution on the budget, § 18.5
- establishing, authority provided by “deeming” special order in the absence of a concurrent resolution on the budget, §§ 17.2, 17.5, 17.6, 18.1, 18.3
- establishing, authority provided by optional component of concurrent resolution on the budget, § 4

- establishing, authority provided by separate order, § 18.2
- establishing, authority provided by special order “self-executing” adoption of budget enforcement resolution, § 17.3
- establishing, authority provided by unanimous consent, subsequent to adoption of concurrent resolution on the budget, § 18.6
- former section 602(a) allocations, in general, §§ 11, 18.4
- former section 603, authority to revise allocations pursuant to, § 18.4
- joint statement of managers accompanying conference report on concurrent resolution, Congressional Budget Act requirement for inclusion of allocations in, § 18
- motion to commit bill with instructions to report “forthwith” an amendment exceeding section 302(a) allocation, violates section 302(f), § 11.17
- motion to concur in Senate amendment exceeding section 302(a) allocation, violates section 302(f), § 11.19
- motion to concur in Senate amendment, with further House amendment exceeding section 302(b) allocation, violates section 302(f), § 11.20
- motion to recommit, applicability of section 302(c) to, §§ 11.24, 11.25
- motion to recommit with instructions to report “forthwith” an amendment exceeding section 302(a) allocation, violates 302(f), § 11.18
- motion to recommit with instructions to report “forthwith” an amendment exceeding section 302(b) allocation, violates 302(f), § 11.16
- optional components of concurrent resolutions on the budget, authority to adjust allocations contained in, § 4

Ch. 41 DESCHLER–BROWN–JOHNSON–SULLIVAN PRECEDENTS

- reserve funds, relationship to, § 4
 - revising, authority provided by former section 603, § 18.4
 - revising, authority provided by separate order to reflect new committee organization, § 18.9
 - revising, authority provided by special order, § 18.7
 - revising, authority provided by unanimous consent, § 18.6
 - “rise and report” point of order for section 302(b) allocation breach, § 11.23
 - section 302(a) allocations, in general, § 11
 - section 302(b) allocations, in general, § 11
 - section 302(c) points of order, applicability to amendments, § 11.26
 - section 302(c) points of order, effect of waiver, § 11.26
 - section 302(c) points of order, in general, § 11
 - section 302(c) point of order, precursor, § 4
 - section 302(f) point of order, in general, § 11, see **Section 302**
 - section 308 committee reports, comparison of new budget authority contained in measure to existing allocations, § 7
 - section 401(b)(2) referrals due to allocation breach, § 11, see **Section 302** and **Section 401(b)(2) referrals**
 - suballocations, requirement for dividing section 302(a) allocations, § 11
- Amendments**
- allocation adjustment authority, amendments triggering, §§ 11.14, 11.15
 - amendment guidelines, concurrent resolution on the budget, § 5.5
 - amendment process, concurrent resolution on the budget, in general, § 5
 - authorizations, amendments providing do not engage section 303(a), § 9
 - baseline for evaluation, marginal effect of amendment on bill, section 303(a), § 9.10
 - Committee on Rules, authority to recommend amendments to achieve goals of reconciliation directives, §§ 19, 21.5
 - directed scorekeeping provisions, amendment containing, relationship to section 306 points of order, § 16.2
 - earmark point of order, applicability to amendments between Houses, § 31.4
 - “emergency spending,” amendment designated as, relationship to section 306 points of order, § 16.1
 - expanding entitlement eligibility, applicability to section 303(a) points of order, § 9.7
 - former section 602, amendment causing allocation breach by striking contingency, § 11.10
 - germaneness, amendment permanently raising the debt ceiling to a bill provided a temporary increase, § 29.1
 - House CUTGO rule, applicability to amendments, § 25.3
 - House PAYGO, “self-executed” amendments curing violations, § 22
 - increasing or decreasing revenues, amendment providing violates section 303(a), §§ 9.5, 9.6
 - “mathematical consistency,” amendments to concurrent resolutions on the budget to achieve, §§ 5.9, 5.10
 - motion to concur in Senate amendments, applicability to section 302(f) points of order, §§ 11.19, 11.20
 - offsetting allocation breaches, §§ 11.6–11.9
 - parliamentary inquiries regarding amendments made pursuant to section 305(a), § 5.8

public debt level in concurrent resolution on the budget, restrictions on amendments changing, §§ 5, 29

recede and concur in Senate amendment, unanimous consent obtained despite section 302(f) violation, § 11.21

restoring provisions proposed to be cut, amendment providing violates section 303(a), § 9.9

Rule XVIII clause 10 prohibition of consideration of amendments to concurrent resolution on the budget changing level of public debt, § 26

Rule XXI clause 9(c) point of order, inapplicability to special orders “self-executing” amendments allegedly containing earmarks, § 31.6

section 303, applicability to, §§ 9.1, 9.4, 9.5

section 315, relationship to, § 15

special order structuring amendment process for concurrent resolution on the budget, in general, §§ 5, 5.2

striking rescission by amendment, held to provide new budget authority, § 11.11

unanimous consent to submit amendments to concurrent resolution on the budget, § 5.6

unfunded mandate point of order, applicability to amendments, § 30.6

waiver by unanimous consent, against motion to concur in Senate amendment in violation of section 311, § 10.7

waiving all points of order against amendments made in order by special order, § 8.1

Appropriations process

“emergency” amounts, appropriations designated as, §§ 1, 4, 11

in general, §§ 1, 6

section 307, relationship to, § 6

section 307, revisions by the Balanced Budget and Emergency Deficit Control Act of 1985, § 6

section 309, relationship to, § 6

section 401(b)(2) referrals, relationship to, § 6

timeline of congressional budget process, relationship to, § 2

Authorizations

appropriations, distinguished from, § 1

former section 402(a), restrictions on authorization measures pursuant to, § 14

in general, § 1

section 303(a), mere authorizations do not violate, §§ 9.2, 9.3

section 401(a), mere authorizations do not violate, § 12.2

Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings)

Bowsher v. Synar decision, effect of ruling, § 26

direct spending, definition used in House PAYGO analysis, § 24.3

emergency designations, relationship to section 306, § 16

“Fazio exception,” codification of, § 10

in general, § 1

layover requirements for concurrent resolutions on the budget, changes to, § 5

section 302(c) points of order, creation of, § 11

section 302(f) points of order, creation of, § 11

section 310(f), revisions to, § 19

section 311, revisions to, § 10

section 401, revisions to, § 12

section 402(a), revisions to, § 14

sequestration, in general, § 26

Baselines

amendment, proper baseline for evaluation, section 303(a), § 9.10

Ch. 41 DESCHLER–BROWN–JOHNSON–SULLIVAN PRECEDENTS

Borrowing authority

definition, § 1

Budget Act, see **Congressional Budget and Impoundment Control Act of 1974**

Budget and Accounting Act of 1921

in general, § 1

Budget authority

definition, § 1

Budget, Committee on the, see **Committee on the Budget**

Budget, concurrent resolution on, see **Concurrent resolutions on the budget**

Budget Control Act of 2011 (BCA of 2011)

discretionary spending caps, in general, § 1

“emergencies,” treatment of funds designated as, in general, § 4

in general, §§ 1, 11

public debt limit, relationship to, § 29

revisions to section 314 of Congressional Budget Act, in general, § 11

revisions to section 314 of Congressional Budget Act relating to section 302(f) of Congressional Budget Act, § 11

sequestration under, § 26

Budget Enforcement Act of 1990 (BEA of 1990)

“emergencies,” treatment of funds designated as, in general, § 4

former section 602, in general, § 11

former section 606(d)(2), in general, § 11

in general, §§ 1, 11

pay-as-you-go procedure, creation of, §§ 1, 22

section 306, revisions to, § 16

section 310, revisions to, § 19

section 401(a), revisions to, § 12

sequestration under, § 26

Budget Enforcement Act of 1997 (BEA of 1997)

Budget Enforcement Act of 1990, revisions to, § 10

“emergencies,” treatment of funds designated as, in general, § 4

in general, §§ 1, 5, 15

section 302(c), revisions to, § 11

section 310, revisions to, § 19

section 312(a), revisions to, § 7

section 314, creation of, § 11

section 401, revisions to, § 14

section 401(b), revisions to, § 13

section 401(b)(2) referral procedure, revisions to, § 11

sequestration under, § 26

Budgetary enforcement, in absence of concurrent resolution on the budget,

budget enforcement resolution, special order providing “self-executed” adoption of, § 17.3

committee allocations pursuant to section 302, § 18

“deeming” resolutions, in general, § 17

Canceling budget authority

deferrals, see **Deferrals**

rescissions, see **Rescissions**

sequestration, see **Sequestration**

Committees, role of

Committee on the Budget, in general, § 7, see **Committee on the Budget**

estimates as to budgetary effect of legislation, Committee on the Budget provides authoritative guidance on pursuant to section 312(a), § 7

in general, § 7

jurisdiction with regard to budget matters, § 7

Rule XXIX clause 4, authoritative guidance from Committee on the Budget regarding budgetary impact provided by chairman, §§ 7, 9.12, 10, 11, 22

- section 301(h), Committee on the Budget required to consult with legislative committees on concurrent resolution on the budget pursuant to, § 7
- section 308, requirements for committee reports pursuant to, § 7
- section 312(a), budgetary estimates provided by Committee on the Budget pursuant to, § 7
- views and estimates, House committees' required submission of, § 7
- Committee on the Budget** see also **Committees, role of**
- authoritative guidance as to budgetary estimates, §§ 7, 11
- chairman, authority provided by concurrent resolution on the budget to establish section 302(a) allocations, § 18.5
- chairman, authority provided by former section 603 to establish section 602 allocations, § 18.4
- chairman, authority provided by separate order on opening day to establish section 302(a) allocations, § 18.2
- chairman, authority provided by special order to establish section 302(a) allocations, § 17.5
- chairman, estimates as to budgetary levels pursuant to Rule XXIX clause 4 may be provided by, § 7
- chairman, objection to unanimous-consent request to alter procedures for consideration of concurrent resolution on the budget made by, § 5.7
- concurrent resolution on the budget, responsibilities regarding formulation, in general, §§ 4, 7
- directed scorekeeping provisions, relationship of section 306 to, § 16.2
- discharge of unreported concurrent resolution on the budget by special order, relationship to section 306, § 16.3
- “emergency” designations, jurisdiction over, § 16
- “emergency” designations, relationship of section 306 to, § 16.1
- estimates as to budgetary levels provided by, §§ 7, 11
- in general, §§ 1, 7
- membership, § 7
- reconciliation legislation, report filed from the floor as privileged, § 21.1
- reconciliation legislation, requirement to accept legislative committee submissions and compile into omnibus measure, § 19
- section 301, requirements in general, § 7
- section 301(h), legislative committee consultation on concurrent resolution on the budget pursuant to, § 7
- section 301(e), reports and hearings on concurrent resolution on the budget required by, § 4
- section 302(a) allocations, chairman of Committee on the Budget authorized to establish, §§ 17.5, 18.2, 18.4, 18.5
- section 302(a) allocations, chairman of Committee on the Budget authorized by separate order to revise, § 18.9
- section 303(a) points of order, estimates of budgetary levels provided by Committee on the Budget not dispositive under, § 9.11
- section 306, restrictions on measures dealing with matter within the jurisdiction of Committee on the Budget pursuant to, § 16
- section 308, in general, § 7
- section 312(a), budgetary estimates provided by Committee on the Budget pursuant to, § 7
- term limits, in general, § 7
- unfunded mandates, provision of cost estimates regarding, § 30.2

Ch. 41 DESCHLER—BROWN—JOHNSON—SULLIVAN PRECEDENTS

Committee on Rules, see **Special orders**

authority to make in order amendments achieving goals of reconciliation directives, § 21.5

authority to recommend emergency waivers of former section 402(a), § 14

authority to waive Congressional Budget Act points of order, § 8

consideration of concurrent resolutions on the budget by special order reported from, § 5

“deeming” resolutions in the absence of a concurrent resolution on the budget reported from, § 17

jurisdiction, § 7

membership, relationship to that of Committee on the Budget, § 7

referral of concurrent resolutions on the budget to, § 7

section 301(c), referral of concurrent resolution on the budget changing any rule of the House required by, § 7

section 310(d), authority to make in order amendments achieving goals of reconciliation directives provided by, § 21.5

Concurrent resolutions on the budget

altering procedures for consideration, unanimous consent objected to by chairman of Committee on the Budget, § 5.7

amendment guidelines, statement by member of Committee on Rules, § 5.5

amendment process on, in general, § 5

amendments to concurrent resolutions on the budget to achieve “mathematical consistency,” §§ 5.9, 5.10

budgetary enforcement in the absence of a concurrent resolution on the budget, § 17, see **“Deeming” resolutions**

Committee on the Budget, responsibilities in formulating concurrent resolution on the budget, § 7, see **Committee on the Budget**

conference report on concurrent resolution on the budget, authorization for chair of Committee on the Budget to establish section 302 allocations contained in, § 18.5

conference reports on concurrent resolution on the budget, consideration of pursuant to section 305, § 5

consideration of, § 5, see **Consideration**

content, mandatory components set out by section 301(a) of the Congressional Budget Act, § 4

content, optional components set out by section 301(b) of the Congressional Budget Act, § 4

debate on, pursuant to section 305, § 5

debate on, structured by special order, § 5

discharge of unreported concurrent resolution on the budget from Committee on the Budget, by special order, § 16.3

in general, §§ 1, 4

layover requirements, § 5

“mathematical consistency,” amendments to achieve, §§ 5.9, 5.10

motion to strike resolving clause, applicability to concurrent resolution on the budget, § 5.11

optional components, “adjustment” authorities, § 4

optional components, altering existing budget points of order, § 4

optional components, authority to establish committee allocations, § 4

optional components, creation of new points of order, § 4

optional components, credit budgets, § 4

- optional components, emergency amounts, § 4
- optional components, reconciliation directives, § 4
- optional components, requiring analysis of budgetary data, § 4
- optional components, reserve funds, § 4
- optional components, revisions to prior concurrent resolutions on the budget, § 4
- optional components, Senate procedure, § 4
- optional components, senses of Congress, § 4
- optional components, treatment of “off-budget” amounts, § 4
- public debt level contained in concurrent resolution on the budget, restrictions on amendments proposing to change, §§ 5, 29
- recommittal of conference report on concurrent resolution on the budget, by “hereby” special order, § 5.12
- reconciliation directives in a concurrent resolution on the budget, compartmentalized into three separate measures, § 20.1
- reconciliation directives in a concurrent resolution on the budget, containing programmatic detail, § 20.3
- reconciliation directives in a concurrent resolution on the budget, framed as spending limits, § 20.2
- reconciliation legislation, consideration prior to adoption of concurrent resolution on the budget, §§ 21.6, 21.7
- Rule XX clause 10, automatic vote on concurrent resolution on the budget by the yeas and nays pursuant to, § 5
- Rule XXI clause 5(b) (formerly clause 5(c)), inapplicability to concurrent resolutions on the budget, § 5.17
- Rule XXI clause 7, restriction on concurrent resolutions on the budget containing reconciliation directives proposing a net increase in direct spending, §§ 5, 19, 22
- submission of amendments for printing, unanimous consent to extend deadline, § 5.6
- voting on concurrent resolution on the budget, pursuant to section 305, § 5
- Conference reports**
- appointment of conferee to reconciliation bill, by unanimous consent, § 21.11
- authority to go conference, by special order, § 5
- conferees on concurrent resolution on the budget reported in disagreement, motion to dispose Senate amendments proceeds under hour rule, § 5.15
- conference report on concurrent resolution on the budget “deemed” effective for Congressional Budget Act purposes in the absence of a final concurrent resolution on the budget, § 17.4
- consideration of conference reports to concurrent resolution on the budget, § 5
- establishing section 302 allocations, authority contained in conference report on concurrent resolution on the budget, § 18.5
- filing of conference report on reconciliation legislation, vacated by special order, § 21.13
- motion to instruct conferees on concurrent resolution on the budget, availability, in general, § 5
- recommittal of conference report on concurrent resolution on the budget, by “deeming” special order, § 5.13
- recommittal of conference report on concurrent resolution on the budget, by “hereby” special order, § 5.12
- reconciliation legislation, conference reports on, in general, § 19
- unfunded mandates point of order, applicability to conference reports, § 30.5

Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act)

Balanced Budget and Emergency Deficit Control Act of 1985, revisions made by, §§ 1, 5, 10, 11, 12, 14, 19, see **Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings)**

Budget Control Act of 2011, revisions made by, §§ 1, 11, see **Budget Control Act of 2011 (BCA of 2011)**

Budget Enforcement Act of 1990, revisions made by, §§ 1, 11, 12, 16, 19, 22, see **Budget Enforcement Act of 1990 (BEA of 1990)**

Budget Enforcement Act of 1997, revisions made by, §§ 1, 7, 10, 11, 13, 14, 15, 19, see **Budget Enforcement Act of 1997 (BEA of 1997)**

Congressional Budget Office, creation of, § 1

former section 402(a), § 14, see **Former Section 402(a)**

former section 602, § 11, see **Former section 602**

Impoundment Control Act, see **Impoundment Control Act of 1974** in general, § 1

layover requirements for concurrent resolutions on the budget contained in, relationship to House rules, § 5.3

second annual concurrent resolution on the budget, former requirement, § 1

section 300, §§ 1, 2

section 301, § 1, see **Section 301**

section 302, § 11, see **Section 302**

section 302(f), §§ 1, 11, see **Section 302**

section 303, §§ 1, 9, see **Section 303**

section 304, §§ 1, 4, see **Section 304**

section 305, § 5, see **Section 305**

section 306, § 16, see **Section 306**

section 307, see **Section 307**

section 308, §§ 6, see **Section 308**

section 309, see **Section 309**

section 310, §§ 1, see **Reconciliation, Section 310**

section 311, §§ 1, 10, see **Section 311**

section 312, see **Section 312**

section 313, “the Byrd rule”, see **Section 313**

section 314, § 14, see **Section 314**

section 315, § 15, see **Section 315**

section 401(a), § 12, see **Section 401(a)**

section 401(b), § 13, see **Section 401(b)**

section 904, § 8, see **Section 904**

unfunded mandates, Part B of Title IV, §§ 1, 30

Congressional Budget Office (CBO)

creation, § 1

estimates from, Chair may rely on to maintain scorekeeping consistency, § 9.12

in general, § 1

incorporating by reference a complete CBO estimate in a previous committee report on similar bill, § 7.1

parliamentary inquiries concerning CBO cost estimates, properly addressed by debate, § 30.1

unfunded mandates, publication of CBO cost estimate regarding, § 30.2

Consideration

amendment process for concurrent resolution on the budget, structured by special order, § 5.2

concurrent resolution on the budget, consideration by special order, § 5

concurrent resolution on the budget, consideration by unanimous consent, § 5

concurrent resolution on the budget, consideration pursuant to section 305 procedures, § 5

- conference report on concurrent resolutions on the budget, consideration pursuant to section 305, § 5
- conference report on reconciliation legislation, consideration by special order, § 21.12
- congressional disapproval of presidential deferrals, consideration by unanimous consent, § 28.1
- debt limit legislation, consideration by special order, §§ 29.2–29.4
- layover requirements, relationship of section 305 procedures to House rules, § 5.3
- privilege for consideration, concurrent resolution on the budget, §§ 5, 5.1
- question of consideration, certain points of order decided by, §§ 22, 30, 31
- reconciliation directives, point of order against consideration of concurrent resolution on the budget containing certain, § 5
- reconciliation legislation, consideration by special order, § 21.4
- reconciliation legislation, consideration by unanimous consent, §§ 21.2, 21.3
- rules of the House relating to consideration of concurrent resolution on the budget, § 5
- section 305 procedures, in general, § 5
- Cost estimates**
- authoritative guidance as to cost of legislation provided by Committee on the Budget, §§ 7, 11
- chairman of Committee on the Budget, authority to provide cost estimates of legislation, §§ 7, 11
- Congressional Budget Office, in general, § 1, see **Congressional Budget Office (CBO)**
- parliamentary inquiries concerning CBO cost estimates, properly addressed by debate, § 30.1
- Rule XXIX clause 4, authority for chairman of Committee on the Budget to provide estimates pursuant to, § 7
- section 308, applicability to “self-executed” amendments, § 7.2
- section 308, incorporating CBO cost estimates by reference, § 7.1
- section 308, requirements for inclusion of cost estimates in committee reports, § 7
- section 312(a), budgetary estimates provided by Committee on the Budget pursuant to, § 7
- unfunded mandates, publication of CBO cost estimate regarding, § 30.2
- Debate**
- amendments to concurrent resolution on the budget, § 5
- concurrent resolution on the budget, debate, in general, § 5
- conference report on concurrent resolution on the budget filed in disagreement, motion to dispose Senate amendments proceeds under hour rule, § 5.15
- earmarks, § 31.8
- Humphrey-Hawkins debate, §§ 5, 5.4
- parliamentary inquiries concerning cost estimates by Congressional Budget Office, properly addressed by debate, § 30.1
- question of consideration, debate under, §§ 22, 30, 31
- section 305, limits under, § 5
- special order structuring debate time on concurrent resolution on the budget, in general, § 5
- unfunded mandate point of order debate, §§ 30.11, 30.12
- Debt Limit**
- Budget Control Act of 2011, relationship to, §§ 1, 11, 29, see **Budget Control Act of 2011**

Ch. 41 DESCHLER–BROWN–JOHNSON–SULLIVAN PRECEDENTS

Committee on Ways and Means, requirement to submit views and estimates to Committee on the Budget regarding level of public debt, § 7

concurrent resolution on the budget, level of public debt required to be included in, §§ 1, 4

consideration of debt limit legislation, by special order, §§ 29.2–29.4

consideration of debt limit legislation, by unanimous consent, § 29.5

consideration of debt limit legislation, in general, § 29

“Gephardt rule,” § 29, see **“Gephardt rule”**

germaneness, temporary and permanent increases in the debt limit, § 29.1

in general, § 29

parliamentary inquiries regarding operation of the “Gephardt rule,” § 29.7

reconciliation directives, changes to debt limit contained in, § 29

Rule XVIII clause 10(c) prohibition of consideration of amendment to concurrent resolution on the budget changing level of public debt, § 26

section 301, requirement to include level of public debt in concurrent resolution on the budget pursuant to, §§ 1, 4

section 303, restrictions on changes to level of public debt, § 9

veto message of debt limit legislation, referral, § 29.6

“Deeming” resolutions

allocations, special orders establishing in the absence of a concurrent resolution on the budget, §§ 18.1, 18.3

allocations, special order revising in the absence of a concurrent resolution on the budget, § 18.7

budget enforcement resolution, special order “self-executing” adoption of, § 17.3

disengaging the “Gephardt rule”, § 29
in general, § 17

separate orders, extension of provisions in “deeming” resolution by, § 17

special orders “deeming” House-adopted concurrent resolution on the budget effective for Congressional Budget Act purposes, §§ 17.1–17.6

Deferrals

City of New Haven, Conn. v. United States decision, § 26

congressional disapproval of presidential deferrals, consideration by unanimous consent, § 28.1

Impoundment Control Act, procedures under, § 26

in general, § 26

rescissions, conversion to deferrals, § 27.3

Earmarks

correcting incomplete disclosure reports, by unanimous consent, § 31.9

debate, § 31.8

disclosure requirement, in general, § 31
in general, § 31

offset, unauthorized contract authority contained in an earmark cannot be used for, § 11.8

parliamentary inquiries regarding, § 31.3

Rule XXI clause 9(a) points of order, applicability to amendments between the Houses, § 31.4

Rule XXI clause 9(a) points of order, applicability to unreported measures, § 31.1

Rule XXI clause 9(a) points of order, cognizability, § 31.2

Rule XXI clause 9(a) points of order, timeliness, § 31.7

Rule XXI clause 9(c) points of order, applicability to “self-executed” amendments, § 31.6

- Rule XXI clause 9(c) points of order, applicability to special orders containing earmark disclosure waivers, § 31.5
- Elastic clause**
in general, § 4
- Executive communications**
presidential budget submission as, § 3.3
- “Fazio exception”**
Balanced Budget and Emergency Deficit Control Act of 1985, codification contained in, § 10
Budget Enforcement Act of 1990, broken cross-reference, § 11
codification, § 10
in general, §§ 10, 11
procedural provision in concurrent resolution on the budget operating in similar manner, prior to codification, § 10.9
section 302(f), relationship to, § 11
section 311(a), relationship to, § 10
- Former section 402(a)**
amendments, applicability to, § 14.1
Balanced Budget and Emergency Deficit Control Act of 1985, repeal contained in, § 14
Committee on Rules, former authority to recommend emergency waivers, § 14
deadline, unanimous consent obtained to have reports considered as having met, § 14.2
exception for Senate companion measures, § 14
in general, § 14
- Former section 602**
allocations pursuant to, § 11
breach of section 602(a) allocation, striking proviso conditioning new spending on future appropriation causing, § 11.10
- Budget Enforcement Act of 1990, creation contained in, § 11
Budget Enforcement Act of 1997, repeal contained in, § 11
“Fazio exception,” relationship to, § 11
in general, § 11
section 302 allocations, relationship to, § 11
section 302(f) points of order, relationship to, § 11
section 603, authority of chairman of Committee on the Budget to establish allocations pursuant to, §§ 11, 18.4
- Germaneness**
amendment germane to bill providing temporary extension of government borrowing authority that permanently raised the statutory ceiling on public debt, § 29.1
concurrent resolutions on the budget, requirement that amendments be germane, § 5
congressional budget process, proposals to modify, § 1
directed scorekeeping language, § 22
Impoundment Control Act, § 26
- “Gephardt rule,”** see also **Debt limit**
adoption of concurrent resolution on the budget, relationship to, § 29
debt limit, relationship to, § 29
“deeming ” resolutions, §§ 17, 29, see **“Deeming ” resolutions**
disabling, § 17.3
in general, § 29
parliamentary inquiries regarding, § 29.7
repeal, § 29
- Gramm-Rudman-Hollings,** see **Balanced Budget and Emergency Deficit Control Act of 1985**
- House CUTGO rule**
amendments, applicability to, § 25.3

Ch. 41 DESCHLER—BROWN—JOHNSON—SULLIVAN PRECEDENTS

direct spending, applicability to, § 22
estimates as to budgetary levels provided by the Committee on the Budget, § 22

timeliness of points of order under, § 25.1

House PAYGO rule, relationship to, § 22

in general, §§ 1, 22

motion to recommit, applicability to, § 25.2

reconciliation directives, not CUTGO complaint, Rule XXI clause 7 point of order against concurrent resolution on the budget containing, § 22

House PAYGO rule

direct spending contained in appropriation acts, inapplicability to, § 24.3

emergency designations, question of consideration required to be put on measures containing, § 22

House CUTGO rule, relationship to, § 22

in general, §§ 1, 22

motion to recommit, applicability to, § 24.4

question of consideration, inadvertent omission, § 24.1

question of consideration, required for measures containing emergency designations, §§ 22, 24.2

Impoundment Control Act of 1974

Congressional Budget Act of 1974, relationship to, §§ 1, 26

deferrals, see **Deferrals**

in general, § 26

rescissions, see **Rescissions**

Line item vetoes

Clinton v. New York decision, § 26

in general, § 26

Motions

adjourn, see **Adjournment**

concur in Senate amendments, applicability of section 302(f) to, §§ 11.19, 11.20

disposing of Senate amendments, motions debated under the hour rule when conference report filed in disagreement, § 5

intervening motions, relationship to motions to reconsider vote on question of consideration with respect to unfunded mandates, § 30.14

previous question, Congressional Budget Act providing for automatic ordering of, § 5

previous question, moved on deferral disapproval resolutions, § 28.1

previous question, relationship to amendments offered to achieve “mathematical consistency,” §§ 5, 5.9

previous question, special orders for the consideration of concurrent resolutions on the budget ordering, § 5

recommit, motion to, see **Recommit, motion to**

reconsider, as applied to question of consideration with respect to unfunded mandates, § 30.14

“rise and report,” point of order against in Committee of the Whole where allocation is breached, § 11.23

strike an unfunded mandate pursuant to former Rule XVIII clause 11, § 30.13

strike resolving clause, application to concurrent resolution on the budget, § 5.11

unfunded mandates, former motion to strike, §§ 30, 30.14

New entitlement authority, see **Section 401(b)**

Parliamentary inquiries

amendment procedure under section 305(a) of the Congressional Budget Act, § 5.8

CBO cost estimates as to unfunded mandates, questions properly addressed by debate, § 30.1

- division of the question for voting, operation with respect to concurrent resolution on the budget, § 5.18
- earmarks, disclosure requirements, § 31.3
- earmarks, timeliness, § 31.7
- “Fazio exception,” § 10.9
- “Gephardt rule,” operation of, § 29.7
- Humphrey-Hawkins debate, § 5.4
- Rule XXI clause 5(b) (former clause 5(c)), inapplicability to concurrent resolutions on the budget, § 5.17
- section 308, operation of with respect to “self-executed” amendments, § 7.2
- unfunded mandates point of order, debate time pursuant to, § 30.6
- Pay-As-You-Go procedures**
- Budget Enforcement Act of 1990, creation by, §§ 1, 22
- House CUTGO rule, see **House CUTGO rule**
- House PAYGO rule, see **House PAYGO rule**
- in general, §§ 1
- section 301(b), concurrent resolution on the budget may contain pursuant to, § 4
- sequestration, relationship to, §§ 22, 26
- Statutory Pay-As-You-Go, see **Statutory Pay-As-You-Go Act**
- Points of order**
- altering existing points of order in optional components of concurrent resolutions on budget, § 4
- creation of new points of order in optional components of concurrent resolutions on budget, § 4
- enforcement of Congressional Budget Act points of order in the absence of a concurrent resolution on the budget, § 17
- former Section 402(a), § 14, see **Section 401(a)**
- House CUTGO rule, §§ 22, 25, see **House CUTGO rule**
- House PAYGO rule, §§ 22, 24, see **House PAYGO rule**
- question of consideration, certain points of order decided by, §§ 22, 30, 31
- section 302, § 1, see **Section 302**
- section 302(c), § 11, see **Section 302**
- section 303, §§ 1, 9, see **Section 303**
- section 306, § 16, see **Section 306**
- section 311, §§ 1, 10 see **Section 311**
- section 315, § 15, see **Section 315**
- section 401(a), § 12, see **Section 401(a)**
- section 401(b), see **Section 401(b)**
- section 425, see **Unfunded Mandates Reform Act of 1995**
- section 426, see **Unfunded Mandates Reform Act of 1995**
- “rise and report,” point of order against motion in Committee of the Whole where allocation is breached, § 11.23
- Statutory Pay-As-You-Go Act, §§ 22, 23, see **Statutory Pay-As-You-Go Act**
- unfunded mandates, see **Unfunded Mandates Reform Act of 1995**
- waivers of statutory rulemaking, authority of House to provide, § 8
- Presidential budget submissions**
- adjournment, budget submission made during, §§ 3.1, 3.3
- appropriations process, relationship to, § 2
- executive communication, budget submission as, § 3.3
- in general, § 3
- incomplete budget submission, § 3.4
- presidential message, budget submission as, §§ 3.1, 3.2
- section 300, relationship to, § 2
- waiving statutory deadline for President’s budget submission, by unanimous consent, §§ 3.5, 3.6

Ch. 41 DESCHLER—BROWN—JOHNSON—SULLIVAN PRECEDENTS

Privilege

- concurrent resolution on the budget, in general, § 5
- concurrent resolution on the budget, reconciliation directives affecting privilege of, § 5.1
- reconciliation legislation, in general, § 19
- reconciliation legislation, report filed as privileged, § 21.1

Process, timeline

- in general, § 2

Public debt, see also Debt limit

- Rule XVIII clause 10(c), restriction on changing the level of public debt contained in a concurrent resolution on the budget, § 5
- section 301(a), level of public debt in the concurrent resolution on the budget required by, § 4
- section 303, restriction on changing level of public debt contained in, § 9

Recommit, motion to

- concurrent resolution on the budget, inapplicability to, § 5
- conference report on a concurrent resolution on the budget, inapplicability to, § 5
- conference report on a concurrent resolution on the budget, recommittal to existing conference by special order, §§ 5.12, 5.13
- House CUTGO rule, applicability to, § 25.2
- House PAYGO rule, applicability to, § 24.4
- reconciliation directives, instructions to promptly comply with, § 20.5
- reconciliation legislation, applicability to, § 19
- section 302(c) points of order, applicability to, §§ 11.24, 11.25
- section 302(f) points of order, applicability to, §§ 11.16–11.18

- section 303, applicability to, § 9.6
- unfunded mandates point of order, applicability to, § 30.7
- waivers, effect on section 303 points of order, § 9.4

Reconciliation directives

- Committee on the Budget, responsibilities regarding committee submissions in response to reconciliation directives, § 19
- Committee on Rules, authority to recommend amendments to achieve goals of reconciliation directives, §§ 19, 21.5
- concurrent resolution on the budget, reconciliation directives affecting privilege of, § 5.1
- deadline for committee submissions, extension by unanimous consent, § 20.4
- direct spending, restriction on concurrent resolutions on the budget containing reconciliation directives that would cause a net increase in, §§ 5, 19, 22
- House CUTGO rule, relationship to, § 22
- in general, §§ 4, 19
- legislation reported pursuant to, §§ 19, 21, see **Reconciliation legislation**
- motion to recommit, to promptly report recommendations in accordance with reconciliation directives, § 20.5
- multiple measures, reconciliation directives proposing, § 20.1
- optional components of concurrent resolutions on budget, § 4
- programmatic detail, budgetary goals in reconciliation directives providing, § 20.3
- Rule XXI clause 7, restriction on concurrent resolutions on the budget containing reconciliation directives proposing a net increase in direct spending, §§ 5, 19, 22

section 301(b), authority to include reconciliation directives in concurrent resolution on the budget pursuant to, §§ 4, 19

section 310(d), authority for Committee on Rules to recommend amendments to achieve goals of reconciliation directives pursuant to, §§ 19, 21.5

spending limits, budgetary goals in reconciliation directives framed as, § 20.2

Reconciliation legislation

appointment of conferees, by unanimous consent, § 21.11

Committee on Rules, authority to recommend amendments to achieve goals of reconciliation directives, §§ 19, 21.5

consideration, by unanimous consent, §§ 21.2, 21.3

consideration, in general, § 21

consideration of conference report on, by special order, § 21.12

consideration of “spending” reconciliation legislation, by special order, § 21.4

consideration, prior to final adoption of concurrent resolution on the budget, by special order, §§ 21.6, 21.7

directives, in general, § 20, see **Reconciliation directives**

enrollment of, §§ 21.14, 21.15

in general, § 19

report on, filed as privileged, § 21.1

Rule XXI clause 4, applicability to, § 21.8

Rule XXI clause 5, applicability to, §§ 21.9, 21.10

section 310(d), authority for Committee on Rules to recommend amendments to achieve goals of reconciliation directives pursuant to, §§ 19, 21.5

section 310(f) points of order, §§ 21.16–21.18

vacating filing of conference report on, by special order, § 21.13

Referrals

allocation breach, referrals under section 401(b)(2) caused by, §§ 11, 11.27–11.31

Committee on Rules, concurrent resolution on the budget sequentially referred to, § 7

jurisdiction of standing committees regarding budget matters, § 7

presidential budget message, to Committee on Appropriations, § 3

section 301(c), concurrent resolution on the budget referred to Committee on Rules pursuant to, § 7

section 306, relationship to, § 16

section 401(b)(2), referral process under, §§ 11, 11.27–11.31

veto message of debt limit legislation, to Committee on Ways and Means, § 29.6

Rescissions

deferrals, conversion to, § 27.3

Impoundment Control Act, expedited procedures under, § 26

in general, § 26

offsetting proposals to restore rescinded funds, § 27.2

Rule XXI clause 2, exception to, § 27.1

striking rescission held to provide new budget authority in violation of section 302(f), § 11.11

striking rescission held to provide new budget authority in violation of section 311(a), § 10.3

Rules of the House

amendments to concurrent resolutions on the budget, restrictions, § 5

committee responsibilities regarding budgetary matters, § 7

concurrent resolution on the budget, consideration of, §§ 5, 7

Ch. 41 DESCHLER—BROWN—JOHNSON—SULLIVAN PRECEDENTS

- earmark disclosure requirements, § 31
 - “Gephardt rule”, §§ 4, 29
 - House PAYGO rule, §§ 22, 24
 - House CUTGO rule, §§ 22, 25
 - layover requirements for concurrent resolutions on the budget, relationship to those contained in Congressional Budget Act, § 5.3
 - public debt level, restrictions on amendments to concurrent resolutions on the budget changing, § 5
 - reconciliation directives, restrictions as to increases in direct spending, §§ 5, 19, 22
 - Rule XVIII clause 10(a), concurrent resolution on the budget considered as read and open for amendment pursuant to, § 5
 - Rule XVIII clause 10(b), restrictions on amendments to concurrent resolutions on the budget pursuant to, § 5
 - Rule XVIII clause 10(c), restriction on changing the level of public debt contained in a concurrent resolution on the budget, § 5
 - Rule XX clause 10, automatic vote on concurrent resolution on the budget by the yeas and nays pursuant to, § 5
 - Rule XXI clause 2, rescission exception to, § 27.1
 - Rule XXI clause 7, restriction on concurrent resolutions on the budget containing reconciliation directives proposing a net increase in direct spending, §§ 5, 19, 22
 - Rule XXI clause 8, application of Congressional Budget Act points of order to unreported measures pursuant to, § 7
 - Rule XXI clause 9, disclosure requirements for earmarks pursuant to, § 31
 - section 308 incorporated into the rules of the House, § 7
 - statutory rulemaking, relationship to and effect of waivers, § 8
 - unreported measures, application of Congressional Budget Act points of order to, § 7
 - views and estimates, requirement for committees to submit regarding budgetary matters within their respective jurisdictions, § 7
 - vote on concurrent resolution on the budget, requirement to conduct by the yeas and nays, § 5
- Second concurrent resolution on the budget**
- Balanced Budget and Emergency Deficit Control Act of 1985, repeal of requirement for, § 1
 - in general, §§ 1, 4, 19
 - section 310(f), relationship to, § 21.6
- Section 300**
- timetable of congressional budget process under, §§ 1, 2
- Section 301**
- committees of the House, Committee on the Budget required to consult with in formulating concurrent resolution on the budget, § 7
 - Committee on the Budget, responsibilities regarding formulation of concurrent resolution on the budget, § 4
 - Committee on Rules, requirement for referral of concurrent resolution on the budget changing rules of the House, § 7
 - “elastic clause,” § 4
 - enrollment delay provision authorized by, § 4
 - in general, § 4
 - mandatory components, concurrent resolution on the budget, § 4
 - optional components, concurrent resolution on the budget, § 4
 - pay-as-you-go procedures authorized by, § 4

public debt, requirement for inclusion on concurrent resolution on the budget, §§ 4, 29
 reconciliation directives, in general, § 19

Section 302

allocations, in general, §§ 11, 18, see **Allocations**
 allocation adjustment authority, in general, §§ 4, 11
 breach of section 302(a) allocation, increase in new budget authority causing, § 11.1
 breach of section 302(b) allocation, failure to trigger adjustment authority causing, §§ 11.14, 11.15
 breach of section 302(b) allocation, improper offset causing, §§ 11.7–11.9
 breach of section 302(b) allocation, increase in new budget authority causing, § 11.3
 breach of section 302(b) allocation, Senate amendment providing new budget authority causing, § 11.21
 breach of section 302(b) allocation, striking rescission causing, § 11.11
 breach of section 302(b) allocation, relationship to “rise and report” point of order, § 11.23
 breach of special allocation, § 11.4
 establishing section 302 allocations in the absence of a concurrent resolution on the budget, §§ 17, 18, see **Allocations**
 “Fazio exception,” relationship to, §§ 10, 10.9, 11
 former section 602(a) allocations, relationship to, §§ 11, 18.4
 former section 603, authority to revise allocations pursuant to, § 18.4
 former section 606(d), exception to section 302(f) points of order, § 11
 in general, § 11

joint statement of managers accompanying conference report on concurrent resolution, Congressional Budget Act requirement for inclusion of allocations in, § 18
 motion to commit bill with instructions to report “forthwith” an amendment exceeding section 302(a) allocation, violates section 302(f), § 11.17
 motion to concur in Senate amendment exceeding section 302(a) allocation, violates section 302(f), § 11.19
 motion to concur in Senate amendment, with further House amendment exceeding section 302(b) allocation, violates section 302(f), § 11.20
 motion to recommit, applicability of section 302(c) to, §§ 11.24, 11.25
 motion to recommit with instructions to report “forthwith” an amendment exceeding section 302(a) allocation, violates section 302(f), § 11.18
 motion to recommit with instructions to report “forthwith” an amendment exceeding section 302(b) allocation, violates section 302(f), § 11.16
 optional components of concurrent resolutions on the budget, authority to adjust allocations contained in, § 4
 reserve funds, relationship to, § 4
 revising section 302 allocations, § 18, see **Allocations**
 “rise and report” point of order for section 302(b) allocation breach, § 11.23
 section 302(c) points of order, applicability to amendments, § 11.26
 section 302(c) points of order, effect of waiver, § 11.26
 section 302(c) points of order, in general, § 11
 section 302(f), in general, § 11, see **Allocations**
 section 302(f), application to outlays, § 11.5

Ch. 41 DESCHLER–BROWN–JOHNSON–SULLIVAN PRECEDENTS

section 311, relationship to, §§ 10, 11
section 314, relationship to, § 11
section 401(b)(2) referrals, relationship to, §§ 11, 11.27–11.31, see **Section 401(b)(2) referrals**

Section 303

amendments, applicability to, § 9.1
appropriations process, relationship to, § 9
authorizations, inapplicability to, §§ 9.2, 9.3
baselines, amendment evaluated as to marginal effect on measure, § 9.10
concurrent resolution on the budget, applicability prior to adoption of, § 9
economic assumptions, determination of section 303(a) points of order may include, § 9.13
entitlement authority, amendment expanding violates section 303(a), § 9.7
entitlement authority, amendment restoring provisions proposed to be cut violates section 303(a), § 9.9
estimates as to budgetary levels not dispositive of points of order under, § 9.11
estimates as to budgetary levels used merely to maintain scorekeeping consistency, § 9.12
in general, § 9
section 303(b) exception, in general, § 9
outlays, applicability in Senate only, § 9
“out-years,” inapplicability to spending in, §§ 9, 9.8
revenues, amendment proposing an increase or decrease, application to, § 9.5
separate order expanding application, § 9
unreported measures, inapplicability to, § 9.6
unreported measures, coverage under Rule XXI clause 8, § 9

waivers, effect of, §§ 9.4, 10.8

Section 304

in general, §§ 1, 4
revisions to concurrent resolutions on the budget authorized by, § 4

Section 305

amendment process, concurrent resolution on the budget, §§ 5, 5.5–5.10
appeals, § 5
Committee of the Whole, requirement for consideration of concurrent resolution on the budget in, § 5
conference reports on concurrent resolution on the budget, consideration of, § 5
debate, concurrent resolution on the budget, section 305 parameters, § 5.4
economic goals, germane amendments to concurrent resolutions on the budget permitted, § 5
Humphrey-Hawkins debate, § 5.4
in general, § 5
layover requirements for concurrent resolutions on the budget, relationship to House rules, § 5.3
“mathematical consistency,” amendments offered to concurrent resolutions on the budget to achieve, §§ 5.9, 5.10
motions to dispose of Senate amendments when conferees report in disagreement, section 305 procedures inapplicable to, § 5.15
parliamentary inquiries regarding amendments offered pursuant to section 305(a), § 5.8
previous question on concurrent resolution on the budget, considered as ordered, § 5
privilege of concurrent resolution on the budget, effect of reconciliation directives, § 5.1
privilege of concurrent resolutions on the budget, in general, § 5

section 305(d) point of order, withdrawal of, § 5.16

voting procedures, concurrent resolution on the budget, § 5

Section 306

Committee on the Budget, requirement to report or be discharged from consideration of measures dealing with matters within the jurisdiction of, § 16

discharge from committee, special order so providing does not violate section 306, § 16.3

“emergency spending,” relationship to section 306 of amendments designating funds as, §§ 16.1, 16.2

in general, § 16

jurisdiction of Committee on the Budget, relationship to, §§ 7, 16

separate order interpreting the term “resolution,” §§ 7, 16

Statutory Pay-As-You-Go Act of 2010, relationship to, §§ 16, 22

waiver by special order, § 16

waiver by suspension of rules, § 8.2

Section 307

appropriations process, relationship to, § 6

Balanced Budget and Emergency Deficit Control Act of 1985 revisions, § 6

in general, § 6

Section 308

committee reports, requirement that certain budgetary information be included in, § 7

Committee on the Budget, status reports on budgetary levels required to be provided by, § 10

Congressional Budget Office, required statement from, § 7

cost estimate complying with requirements, § 7.1

in general, §§ 7, 10

rules of the House, requirements incorporated into, § 7

“self-executed” amendments, inapplicability to, § 7.2

Section 309

adjournment, restrictions on, § 5

appropriations process, relationship to, § 6

waiver by special order, § 5.19

waiver by unanimous consent, §§ 5.20, 21.17

waiver, implicit, § 21.18

Section 310, see Reconciliation

adjournment, restrictions on, §§ 19, 21.16–21.18

amendments to reconciliation legislation, requirement of budget neutrality, § 19

Committee on the Budget, responsibilities regarding committee submissions responding to reconciliation directives, § 19

Committee on Rules, authority to make in order additional amendments responding to reconciliation directives, § 19

expedited procedures in the Senate, § 19

in general, § 19

public debt increase, relationship to, § 29

section 310(f) points of order, §§ 21.16–21.18

Section 311

allocations, §§ 10, 11, see **Allocations**

applicability, in general, § 10

applicability in Senate, in general, § 10

breach, provisions constituting, § 10.1

breach, provisions not constituting, § 10.2

Balanced Budget and Emergency Deficit Control Act of 1985, revisions made by, § 10

Ch. 41 DESCHLER–BROWN–JOHNSON–SULLIVAN PRECEDENTS

Budget Enforcement Act of 1990, revisions made by, § 10

“Fazio exception,” codification of, § 10

“Fazio exception,” precursor contained in a concurrent resolution on the budget, § 10.9

in general, § 10

offsetting proposals to restore rescinded funds, § 27.2

rejection of legislation, applicability, § 10.4

Rule XXI clause 8, unreported measures subject to section 311 pursuant to, § 10

Rule XXIX clause 4, budgetary estimates provided by chair of Committee on the Budget pursuant to, §§ 7, 10

section 308(a) reports, in general, § 10

section 312(a) authority to provide estimates, applicability, § 10

striking a rescission held to provide new budget authority, § 10.3

timeliness, in general, § 10

waiver by special order, against amendments, § 8.1

waiver by special order, against consideration but not amendments, §§ 10.6, 10.8

waiver by special order, selective, § 10.5

waiver by unanimous consent, against motion to concur in Senate amendment in violation of section 311, § 10.7

waivers, in general, § 10

unreported measures, applicability, § 10

Section 312

Committee on the Budget, budgetary estimates as to the effect of legislation to be provided by, § 7

estimates of budgetary levels, authority for Committee on the Budget to provide, § 7

former section 311(b), relationship to, § 7

Rule XXIX clause 4, relationship to, §§ 7, 10

Section 313

“Byrd Rule”, in general, § 19

extraneous provisions, in general, § 19

reconciliation process, relationship to, § 19

Section 314

adjustment authority under, §§ 11, 11.14

allocations, relationship to, § 11

Budget Control Act of 2011, revisions made by, § 11

discretionary spending caps under, § 26
“emergencies,” amounts designated as, §§ 11, 16.1

in general, § 11

Section 315

in general, § 15

Section 401(a)

appropriations process, new spending must be subject to, § 12

credit authority, relationship to, § 12

in general, § 12

provisions constituting new spending authority, §§ 12.2, 12.3

section 401(c) exception, § 12

section 504(b), relationship to, § 12

unreported measures, inapplicability to, § 12.1

Section 401(b)

amendments held to constitute new entitlement authority, §§ 13.1, 13.3

Budget Enforcement Act of 1997, revisions made by, § 13

conference reports, applicability, § 13.3

current fiscal year, definition, § 13

entitlement authority, applicability to, § 13

in general, § 13

- motion to concur in Senate amendments, applicability, § 13.2
 section 401(c) exception, § 13
- Section 401(b)(2) referrals**
 allocations, relationship to, § 11
 appropriations process, relationship to, § 6
 Budget Enforcement Act of 1997, revisions made by, § 11
 calendars, authority to remove from for sequential referral, § 11
 in general, §§ 11, 11.27–11.31
 section 401(c) exception, § 11
- Section 425** see **Unfunded Mandates Reform Act of 1995**
- Section 426** see **Unfunded Mandates Reform Act of 1995**
- Section 904**
 rulemaking, exercise in, § 8
 in general, § 8
 suspension of rules, effect on points of order, § 8.2
 waiver by special order, § 8.1
 waiver by suspension of rules, § 8.2
- Senate**
 amendments between Houses, applicability of earmark point of order to, § 31.4
 “Byrd Rule”, section 313, in general, § 19
 concurrent resolution on the budget, requirement to be passed by both Houses, § 1
 “deeming ” resolutions, inapplicability to Senate procedures, § 17
 earmark point of order, inapplicability to amendments between the Houses, § 31.4
 former section 402(d), exception for Senate companion measures, § 14
 motion to concur in Senate amendment exceeding section 302(b) allocation, violates section 302(f), § 11.19
- motion to concur in Senate amendment with further House amendment exceeding aggregate total budget authority, violates section 311(a), § 10.1
 motion to concur in Senate amendment with further House amendment exceeding section 302(a) allocation, violates section 302(f), § 11.20
 motion to concur in Senate amendment providing new entitlement authority becoming effective during the current fiscal year, violates section 401(b), § 13.2
 motion to dispose of Senate amendments to concurrent resolution on the budget when conferees report in disagreement, debate proceeds under the hour rule, § 5.15
 offsetting proposals to restore rescinded funds, effect on Senate points of order, § 27.2
 optional components, Senate procedures, concurrent resolutions on the budget, § 4
 outlays, section 303(a) points of order in the Senate applied to, § 9
 recede and concur in Senate amendment, unanimous consent obtained despite section 302(f) violation, § 11.21
 reconciliation process, expedited procedures in Senate, § 19
 section 303, applicability in Senate, in general, § 9
 section 306, applicability in Senate, in general, § 16
 section 311, applicability in Senate, in general, § 10
 section 313, the “Byrd Rule”, in general, § 19
 Senate Budget Committee, creation of, § 1
 Statutory Pay-As-You-Go Act, applicability to amendments between the Houses, § 22

Ch. 41 DESCHLER–BROWN–JOHNSON–SULLIVAN PRECEDENTS

waiving section 306, section 904(c) of Congressional Budget Act requirements, § 16

waiving section 311, section 904(c) of Congressional Budget Act requirements, § 10

waiving section 313, section 904(c) of Congressional Budget Act requirements, § 19

Separate orders

allocations, authority to establish, §§ 18, 18.2

allocations, authority to revise, § 18.9

authorities carried forward in “deeming” resolutions, § 17

“deeming” resolutions, authorities carried forward by separate order, § 17

entitlement authority, Federal pay excluded from definition of, § 13

mandatory spending, point of order against increasing, § 22

“resolution,” interpretation of the term under section 306, § 16

“rise and report” point of order, continuation of, § 11.23

section 303(a), text to be evaluated when measure considered by special order, §§ 9, 15

section 306, interpretation of the term “resolution” under, § 16

Sequestration

Balanced Budget and Emergency Deficit Control Act of 1985, procedures under, § 26

Bowsher v. Synar decision, effect of, § 26

Budget Control Act of 2011, procedures under, §§ 1, 26, 29

Budget Enforcement Act of 1990, procedures under, § 26

Budget Enforcement Act of 1997, procedures under, § 26

directive to Committee on the Budget to replace sequestration procedures, § 26

in general, §§ 1, 26

Office of Management and Budget, responsibilities of, § 26

presidential sequestration orders, jurisdiction over, § 7

Statutory Pay-As-You-Go Act, procedures under, §§ 22, 26

Special orders

amendment “deemed” to have been offered pursuant to procedural provision in concurrent resolution on the budget, by special order, § 4.2

amendment process for concurrent resolution on the budget, structured by special order, §§ 5, 5.2

authority to go to conference on concurrent resolution on the budget, by special order, § 5

concurrent resolution on the budget, consideration by special order, in general, § 5

debate on concurrent resolution on the budget, structured by special order, § 5

debt limit legislation, consideration by special order, §§ 29.2–29.4

“deeming” resolutions, § 17

discharge of Committee on the Budget of unreported concurrent resolution on the budget, special order providing for, § 16.3

filing of conference report on reconciliation legislation, special order vacating, § 21.13

“Gephardt rule”, disabling by special order, § 17.3

layover requirements of the Congressional Budget Act, waiver by special order, relationship to House rules, § 5.3

recommittal of conference report on concurrent resolution on the budget, by “deeming” special order, § 5.13

- recommittal of conference report on concurrent resolution on the budget, by “hereby” special order, § 5.12
- reconciliation legislation, conference report on considered by special order, § 21.12
- reconciliation legislation, consideration by special order, § 21.4
- reconciliation legislation, consideration by special order prior to adoption of concurrent resolution on the budget, § 21.6
- “rise and report” point of order, special order establishing, § 11.23
- Rule XXI clause 9(c) point of order against certain special orders, §§ 31.5, 31.6
- section 302(a) allocations, established by special order, § 18.3
- section 302(a) allocation, revised by special order, § 18.7
- “self-executing” special order, curing House PAYGO violations, § 22
- “self-executing” special order, providing for adoption of amendments to reconciliation legislation, § 21.5
- “self-executing” special order, providing for adoption of budget enforcement resolution, § 17.3
- “self-executing” special orders, relationship to earmark point of order pursuant to Rule XXI clause 9(c), § 31.6
- “self-executing” special orders, relationship to section 306, § 16
- “self-executing” special orders, relationship to section 308 requirements, § 7.2
- “self-executing” special orders, relationship to section 315, § 15
- separate order evaluating section 303(a) points of order against text made in order by special order, § 9
- unfunded mandate point of order, applicability to “hereby” special order, § 30.9
- waiver of earmark point of order, restriction on special orders providing, pursuant to Rule XXI clause 9(c), § 31
- waiver of pay-as-you-go rules by special order, in general, § 21
- waiver of section 303(a) points of order, by special order, in general, § 9
- waiver of section 309, by special order, § 5.19
- waiver of section 311, by special order, §§ 8.1, 10.6
- waivers against consideration of concurrent resolution on the budget, in general, § 5
- Spending**
- appropriation process, in general, §§ 1, 6
- authorizations, appropriations distinguished from, § 1
- direct spending, in general, § 1
- discretionary spending, in general, § 1
- entitlement spending, in general, § 1
- House PAYGO Rule, inapplicability to spending provided by appropriation acts, § 24.3
- mandatory spending, in general, § 1
- reconciliation legislation causing an increase in net direct spending, prohibition on, § 19
- rescissions, in general, §§ 26, 27
- “pending” reconciliation bill, consideration by special order, § 21.4
- Statutory Pay-As-You-Go Act of 2010 (Stat-Paygo)**
- amendments between the Houses, applicability to, § 2
- direct spending, applicability to, § 22
- discretionary spending, inapplicability to, § 22
- emergency designations under, in general, §§ 16, 22, 23
- in general, §§ 1, 22

Ch. 41 DESCHLER—BROWN—JOHNSON—SULLIVAN PRECEDENTS

question of consideration, legislation containing emergency designations subject to, §§ 22, 23.1

question of consideration, omission of, § 24.1

question of consideration, waiver by suspension of rules, § 23.3

question of consideration, waiver by unanimous consent, § 23.2

section 306, relationship to, §§ 16, 22
sequestration, § 26

Suspension of the rules

waiver of question of consideration under Statutory Pay-As-You-Go Act, § 23.3

waiver of statutory rulemaking, in general, § 8

waiver of statutory rulemaking (section 306), § 8.2

waiver of statutory rulemaking (section 311), § 8.1

waiver of statutory rulemaking (former section 402(a)), § 14

Timeline of budget process

appropriations process, relationship to, § 6

presidential submission, see **Presidential budget submissions**

section 300, sets out nonmandatory timetable, § 2

Timeliness

earmark point of order, § 31.7

House CUTGO rule, raising points of order under, § 25.1

section 303, raising points of order under, § 9

section 311, raising points of order under, § 10

unfunded mandate points of order, § 30.10

Unanimous consent

appointment of conferee to reconciliation bill, by unanimous consent, § 21.11

concurrent resolution directing Clerk to make certain corrections to enrollment of reconciliation legislation, adopted by unanimous consent, § 21.15

concurrent resolution on the budget, consideration by unanimous consent, § 5

congressional disapproval of presidential deferrals, consideration by unanimous consent, § 28.1

consideration of adjournment resolution implicitly waiving sections 309 and 310(f), by unanimous consent, § 21.18

correcting incomplete disclosure reports, by unanimous consent, § 31.9

debt limit legislation, consideration by unanimous consent, § 29.5

enrollment of measure ordered by unanimous consent, notwithstanding certain procedural provisions of concurrent resolution on the budget, § 4.3

extension of deadline for submission of amendments to concurrent resolution on the budget, by unanimous consent, § 5.6

extension of deadline for submission of recommendations contemplated by reconciliation directives, by unanimous consent, § 20.4

extension of sequential referral pursuant to section 401(b)(2), by unanimous consent, § 11.29

filing reports to meet requirements of former section 402(a), permission granted by unanimous consent, § 14.2

objection by chairman of Committee on the Budget to unanimous consent to waive certain House rules for offering amendments to concurrent resolution on the budget, § 5.7

- recede and concur in Senate amendment, unanimous consent obtained despite section 302(f) violation, § 11.21
- reconciliation legislation, consideration by unanimous consent, §§ 21.2, 21.3
- section 302(a) allocations, authority to revise granted by unanimous consent, § 18.6
- section 302(a) allocations, established by unanimous consent, § 18.6
- special order by unanimous consent making in order consideration of resolution providing for adjournment notwithstanding section 309, § 5.20
- waiver by unanimous consent, against motion to concur in Senate amendment in violation of section 311, § 10.7
- waiver of question of consideration required by Statutory Pay-As-You-Go Act, by unanimous consent, § 23.2
- waiver of sections 309 and 310(f), by unanimous consent, § 21.17
- waiver of statutory printing requirements, joint resolution providing considered by unanimous consent, § 21.14
- Unfunded mandates, see Unfunded Mandates Reform Act of 1995**
- definitions, § 30
- in general, § 30
- Unfunded Mandates Reform Act of 1995**
- amendments, applicability to, § 30.6
- bills, applicability to, § 30.3
- conference reports, applicability to, § 30.5
- Congressional Budget Office estimates, publication by Committee on the Budget when received, § 30.2
- debate pursuant to, §§ 30.11, 30.12
- “hereby” special orders, applicability to, § 30.9
- in general, § 1
- intervening motions, relationship to motions to reconsider vote on question of consideration with respect to unfunded mandates, § 30.14
- joint resolutions, applicability to, § 30.4
- motion to recommit, applicability to, § 30.7
- motion to strike an unfunded mandate, former rule XVII clause 11, § 30.13
- parliamentary inquiries concerning cost estimates by Congressional Budget Office, properly addressed by debate, § 30.1
- question of consideration, points of order decided by, § 30
- special orders containing waiver of unfunded mandate point of order, cognizability, §§ 30.8, 30.9
- timeliness, § 30.10
- Unreported bills and amendments thereto**
- amendments to unreported measures, applicability under section 303(a), § 9.6
- Congressional Budget Act points of order, relationship to, in general, §§ 7, 12.1
- discharge from committee, special order providing for, § 16.3
- parliamentary inquiries regarding, § 12.1
- Rule XXI clause 8, extension of coverage of certain Congressional Budget Act points of order to unreported measures pursuant to, §§ 7, 9, 10, 11, 16
- Rule XXI clause 9, applicability to, § 31.1
- Voting**
- concurrent resolution on the budget, in general, § 5
- division of the question for voting, applicability to concurrent resolutions on the budget, § 5.18

Ch. 41 DESCHLER–BROWN–JOHNSON–SULLIVAN PRECEDENTS

“Gephardt” rule, relationship of vote on concurrent resolution on the budget to vote on debt limit bill, § 29

Rule XX clause 10, requirement for automatic vote on concurrent resolutions on the budget by the yeas and nays pursuant to, § 5

three-fifths vote required by Rule XXI clause 5(b) (formerly clause 5(c)), inapplicability to concurrent resolutions on the budget, § 5.17

Waivers

amendments, waiver of points of order against bill does not extend to, §§ 9.4, 10.8, 11.26

implicit waiver of sections 309 and 310(f), by consideration of adjournment resolution by unanimous consent, § 21.18

layover requirements, waiver of Congressional Budget Act requirements does not waive applicable House rule, § 5.3

Rule XXI clause 9(c) point of order, restrictions on waivers in special orders, §§ 31, 31.5

Rule XXI clause 9(c) point of order, restrictions on waivers in special orders, application to “self-executing” special orders, § 31.6

pay-as-you-go rules, waiver by special order, in general, § 22

section 306, waiver by suspension of rules, § 8.2

section 309 requirements, waiver by special order, § 5.19

section 309 and 310(f) requirements, waiver by unanimous consent, § 21.17

section 311 points of order, waiver by special order, §§ 8.1, 10.6

selective waivers, by special order, § 10.5

special order providing for consideration of concurrent resolutions on budget, waiving rules or orders of House, in general, § 5

statutory rulemaking, waiver by special order, § 8.1

statutory rulemaking, waiver by suspension of rules, § 8.2

statutory rulemaking, waiver, in general, § 8

unanimous-consent request to waive certain House rules for offering amendments to concurrent resolution on the budget, objection by chairman of Committee on the Budget, § 5.7

Withdrawal

rescissions, presidential withdrawal and conversion to deferrals, § 27.3

section 302(f) point of order, § 11.22

section 305(d) point of order, § 5.16