

Some Background

How is a budget resolution enforced?

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A. Spending and revenue targets set in the annual budget resolution are enforced by points of order, which any member of Congress may raise against legislation inconsistent with those targets.

The House and Senate budget committees are responsible for calculating whether spending and revenue targets are being met. A House or Senate member may raise a point of order against a bill or an amendment if it violates the spending and revenue regulations contained in the most recent budget resolution or if it violates other budget laws and rules. If a point of order is sustained, the bill or amendment is ineligible for consideration.

In the House, the rules committee often reports a so-called special rule that sets aside one or more points of order. The House then votes on adoption of the special rule, which needs only a simple majority to pass.

The House rules committee also determines what amendments can be offered during the budget resolution debate. Because the rules committee has immense power, the House budget committee has less influence in enforcing the budget resolution than its Senate counterpart.

In the Senate, if a point of order is lodged against a bill or an amendment, a supermajority vote of 60 senators is needed to overcome it. The chair of the House or the Senate budget committee, often with the concurrence of the ranking member, may threaten to lodge a point of order against a legislative initiative that seriously violates the budget resolution or an established budget rule, but this step may just start a bargaining process. Eventually, the member pushing the initiative may settle for a less egregious violation in return for withdrawing the threatened point of order.

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