

The Reconciliation Process: Frequently Asked Questions

March 6, 2025

Congressional Research Service

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R48444



R48444

March 6, 2025

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The Reconciliation Process: Frequently Asked Questions

When Congress adopts a budget resolution, it establishes budgetary goals for the years covered in the resolution. In some cases, it is necessary to change existing revenue, direct spending, or debt-limit laws to achieve those goals. One method Congress may use to consider such legislation is through reconciliation—an expedited process made available under Section 310 of the Congressional Budget Act of 1974 (the Budget Act). A distinctive feature of reconciliation is that debate time is limited in the Senate, which means cloture (and its requisite three-fifths majority vote) is not necessary to reach a vote on final passage.

Reconciliation is a two-phase process. In the first phase, the House and Senate adopt a budget resolution containing reconciliation directives to one or more committees (also referred to as reconciliation instructions). There are three types of reconciliation directives: to change laws providing for spending, to change laws providing for revenues, and to change the public debt limit.

In the second phase, the named committees respond with recommended changes in law within their jurisdictions consistent with their directives in the budget resolution. No more than one reconciliation bill may include provisions in response to each type of instruction in one budget resolution, for a maximum of three reconciliation bills. In practice, Congress has generally combined the reconciliation submissions from every committee into a single, omnibus reconciliation measure.

Once a reconciliation bill is on a chamber’s calendar, the House and Senate consider it under the rules and expedited procedures enumerated in the Budget Act. Any differences between the House and Senate are resolved via conference committee or an exchange of amendments between the two chambers, or one chamber may adopt the reconciliation legislation of the other without any changes.

The contents of a reconciliation bill are constrained by several rules—most notably, Section 313 of the Budget Act, known as the Senate’s Byrd rule. This provision prohibits the inclusion of matter in a reconciliation bill that is extraneous to the purpose of reconciliation and a committee’s directives. The Byrd rule establishes six tests used to identify extraneous matter. A point of order made under the Byrd rule is surgical—if sustained, the offending matter is stricken from the text but the rest of the measure remains before the Senate.

In the Senate, a reconciliation bill enjoys certain privileges unavailable to most other bills and resolutions: it is not required to lie over one day before it can be considered, and the motion to proceed is not debatable. Pursuant to the Budget Act, debate on a reconciliation bill is limited to 20 hours (10 hours for a conference report), which means cloture is not required to reach a final vote. Once all debate time has expired in the Senate, consideration may continue during a period referred to as “vote-aroma.” In the House, consideration is typically structured by a special rule reported from the House Rules Committee, which sets the terms for debate and may permit specified amendments to be offered from the floor.

The reconciliation process can be time consuming. Of the 23 reconciliation bills enacted into law since 1980, the length of time between adoption of a congressional budget resolution and enactment of the resulting reconciliation bill ranged from 28 to 385 days, with an average of 152 days.

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1. What is reconciliation?

When Congress adopts a budget resolution, it establishes budgetary goals for the years covered in the resolution.¹ In some cases, it is necessary to change existing revenue, direct spending, or debt-limit laws to achieve those goals—to *reconcile* current law with the fiscal objectives of the budget resolution. One method Congress may use to consider such legislation is reconciliation—an expedited process made available under Section 310² of the Congressional Budget Act of 1974 (the Budget Act). A distinctive feature of reconciliation is that debate time in the Senate is limited, which means cloture (and its requisite three-fifths majority vote) is not necessary to reach a vote on final passage.

Because reconciliation renders cloture unnecessary, it has become a frequent vehicle for advancing major fiscal policy legislation. It has been used to reform entitlement programs (1996), create new ones (2010), balance the federal budget (1997), and enact broad-based tax reform (2001, 2003, and 2017). In most years, the principal focus of reconciliation has been deficit reduction, but in some years—most recently in 2017 and 2021—reconciliation has increased the deficit.

In current practice, when Congress adopts a budget resolution, it typically includes reconciliation directives. Of the 11 budget resolutions adopted since the 107th Congress, one—for FY2009 (S.Con.Res. 70, 110th Congress,)—did not include reconciliation directives.³ Since its first use in 1980, Congress has considered 28 reconciliation bills—23 have been enacted into law, four have been vetoed, and one did not pass the Senate (see **Table A-1**).

2. What are the necessary steps in the reconciliation process?

Reconciliation is a two-phase process. In the first phase, the House and Senate adopt the same budget resolution containing reconciliation directives (also referred to as reconciliation “instructions”) to one or more committees. In the second phase, the named committees respond with recommended changes in law within their jurisdictions consistent with their directives in the budget resolution. The committees that receive the directives vote to submit their reconciliation recommendations to the Budget Committees of their respective chamber. Those committees then assemble and report out the reconciliation bill without any substantive changes.⁴ The House and Senate may then consider the measure under the expedited procedures enumerated in the Budget Act.

3. What are reconciliation directives?

Reconciliation directives (also known as reconciliation *instructions*) are a necessary step, if Congress seeks to exercise the expedited procedures enumerated in the Budget Act. They serve as the roadmap for the resultant reconciliation legislation by naming the committees expected to contribute legislative text and instructing them to report legislation that achieves a budgetary outcome. Specifically, reconciliation directives contain the following information:

¹ For more information on the congressional budget resolution, see CRS Report R48284, *The Congressional Budget Resolution: Frequently Asked Questions*, by Tori Gorman.

² 2 U.S.C. §641.

³ As a result, the reconciliation process was not an option for Congress under the FY2009 budget resolution.

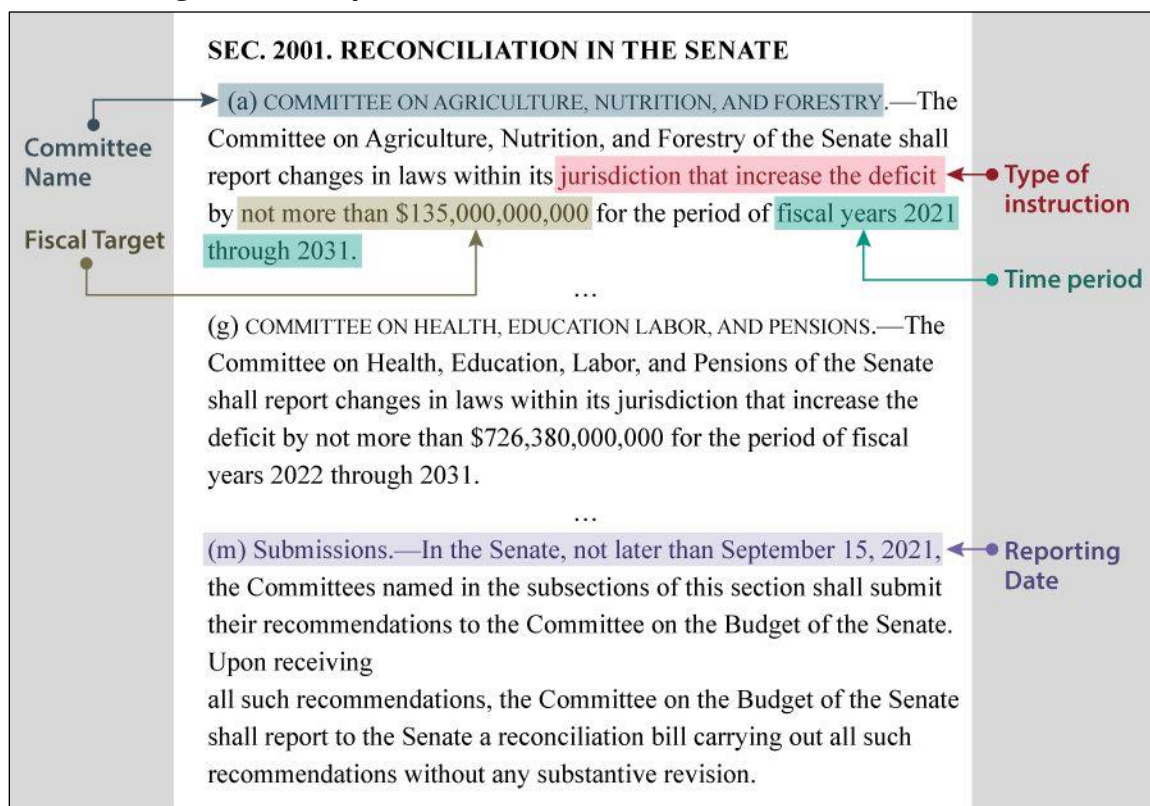
⁴ Section 310(b)(2). When only one committee receives reconciliation directives, it may report the measure directly to its chamber as it would legislation considered under regular order.

- **Committee name:** Reconciliation directives identify the specific committees that are expected to draft language to be included in reconciliation legislation. If a committee is not instructed, matter in that committee’s jurisdiction cannot be included in the resulting reconciliation bill.
- **Type of instruction:** The Budget Act allows for three types of directives to committees. Specifically, committees are to report changes in laws within their jurisdictions relating to: (1) spending, (2) revenues, and (3) the amount of the statutory debt limit. A fourth instruction—to change the deficit—is interpreted as a combination of both revenue and spending instructions. Two committees—the House Ways and Means and Senate Finance Committees—may receive instructions relating to revenues or the statutory debt limit. Any committee in the House or Senate with jurisdiction over programmatic spending may receive instructions relating to spending or the deficit. However, House rules currently prohibit directives in a budget resolution that would permit the resulting reconciliation measure to increase direct spending (on net).⁵
- **Fiscal target:** A reconciliation directive tasks the named committee with a budgetary goal—a specific dollar amount. How a committee complies with its directives in the budget resolution can affect the consideration of the reconciliation bill in the Senate. Recent practice has been to attach qualifiers such as *no more than*, *no less than*, *at least*, or *at most* to a committee’s fiscal target—effectively establishing a ceiling or a floor rather than an exact amount—in order to provide committees with maximum flexibility in complying with their directives.
- **Time period:** Reconciliation directives instruct a committee to achieve its fiscal target by a certain date or within a specific time period. Directives may specify a single year or a period of years, or both. In keeping with the goal of providing committees with maximum flexibility to draft their policy recommendations, recent practice has been to mirror the time period covered by the budget resolution.
- **Reporting date:** If committees report after this date, the Budget Act does not include any enforcement mechanism to coerce a committee to act, nor is a reconciliation bill penalized if committees miss this reporting date. However, the chairs of the House and Senate Budget Committees are not required to wait for a committee that has not yet submitted its text. Both chambers have procedures for filing an empty title, if needed (see Question 4).

Reconciliation directives cannot dictate the policy choices a committee must adopt to comply with its fiscal target. In general, a committee may report any matter within its jurisdiction, subject to the content restrictions imposed by the reconciliation process.

An example of a reconciliation directive to a committee is provided in **Figure 1**. For more information on reconciliation directives, see CRS Report R41186, *Reconciliation Directives: Components and Enforcement*, by Megan S. Lynch and CRS Report R41151, *Budget Reconciliation Process: Timing of Committee Responses to Reconciliation Directives*, by Megan S. Lynch.

⁵ “It shall not be in order to consider a concurrent resolution on the budget, or an amendment thereto, or a conference report thereon that contains reconciliation directives under section 310 of the Congressional Budget Act of 1974 that specify changes in law such that the reconciliation legislation reported pursuant to such directives would cause an increase in net direct spending (as the term is defined in clause 10) for the period covered by such concurrent resolution.” Rule XXI, clause 7, *Rules of the House of Representatives*, 119th Congress, January 16, 2025.

Figure 1. Example of a Reconciliation Directive to a Committee

Source: S.Con.Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022.

4. What happens if a committee does not comply with its reconciliation directive?

Once the budget resolution is adopted, committees that receive reconciliation directives begin developing legislation within their jurisdictions to satisfy their instructions. Often, this is an iterative process as drafters respond to the estimated budgetary effects of their draft language and the content constraints imposed by the rules of reconciliation.

There is no enforcement mechanism to require a committee to comply with its directives by the date specified in its instructions. In practice, committees have responded to their directives after the dates specified without penalty.

A committee may choose not to respond to its reconciliation directives at all. This may happen for a variety of reasons: the committee may have been unable to find majority support for any legislative changes; the priorities of Congress may have shifted in response to recent events; or there may have been political or strategic reasons not to respond.

If a committee does not report legislation, or such legislation is not in compliance with its instructions, the Budget Act provides methods to move forward with reconciliation legislation. In these instances, legislative language that falls within the non-compliant committee's jurisdiction can be added to a reconciliation bill during floor consideration that would bring the legislation into compliance with its reconciliation instructions.

In the House, Section 310(d)(5) of the Budget Act provides that the House Rules Committee may make in order amendments to a reconciliation bill that would bring a committee's legislative text into compliance with its directives.

In the Senate, current practice permits a Senator to offer a motion to recommit the reconciliation bill to the non-compliant committee with instructions that it report back the measure "forthwith" (immediately) with an amendment that would bring the committee's legislative text into compliance with its directive. If the motion is agreed to, the text of the aforementioned amendment is immediately before the body for consideration and amendment. In this case, however, the content of the resulting amendment is constrained only by the jurisdiction of the non-compliant committee and its directive. Subject matter within the committee's jurisdiction that the chair may wish to avoid or protect could be open to amendment.

5. Are there restrictions on the content of a reconciliation bill?

The reconciliation directives in a budget resolution establish the budgetary and jurisdictional boundaries of the resultant reconciliation bill. The Budget Act provides points of order that, if raised by a Member and sustained by the Presiding Officer, help ensure that a reconciliation measure complies with these boundaries.

Points of order that apply in both the House and Senate:

- **Amendments to reconciliation legislation cannot increase the deficit.** Section 310(d) prohibits the consideration of amendments to reconciliation legislation that would cause a net increase in the deficit for the fiscal years covered by the reconciliation instruction. In the House, the budgetary effects of an amendment are determined relative to the levels in the underlying reconciliation bill. In the Senate, the budgetary effects of an amendment are determined relative to the levels in the reconciliation instructions. This point of order, if raised and sustained, ends consideration of the amendment.
- **Reconciliation legislation cannot amend the Social Security program.** Section 310(g) prohibits the consideration of reconciliation legislation that recommends changes to Title II of the Social Security Act (the retirement, survivors, and disability programs).⁶ This point of order, if raised and sustained, immediately ends consideration of a reconciliation bill by sending it back to committee.

Points of order that apply in the Senate only:

- **Matter in reconciliation legislation cannot be extraneous.** Section 313, also known as the Byrd rule,⁷ prohibits the inclusion of matter in a reconciliation measure that is "extraneous to the instructions to a committee." It is intended to restrict the content of a reconciliation bill to only those changes in spending and revenue laws law within the committees' jurisdictions that are necessary to bring Federal fiscal policy into compliance with the levels agreed to in the associated the budget resolution. This point of order is surgical—if raised and sustained, the offending matter is struck, but the rest of the text remains before the Senate for consideration.
- **Amendments to reconciliation legislation must be germane.** In general, the Standing Rules of the Senate do not impose subject matter limitations on

⁶ Second-order changes in payroll tax revenue or Social Security benefits resulting from changes in taxable income do not violate this point of order.

⁷ Named after its principal sponsor, Sen. Robert C. Byrd (D-WV), who served in the Senate for over 50 years.

amendments to legislation. There are exceptions, however.⁸ Section 310(e) of the Budget Act prohibits consideration in the Senate of non-germane amendments to reconciliation legislation, thereby limiting the ability of Senators to expand the scope of changes recommended by committees through amendments offered on the Senate floor. This point of order, if raised and sustained, ends consideration of the amendment.

The rules of the House and Senate are not self-enforcing—a Member must raise a point of order during consideration while the measure containing the possible violation is pending.⁹ In addition, points of order can be waived. In the House, a special rule governing consideration of a reconciliation bill, if adopted, may pre-emptively waive points of order that lie against the reconciliation bill or its consideration. In the Senate, a motion to waive any of these points of order requires the affirmative vote of three-fifths of Senators, duly chosen and sworn (60 Members in a Senate with no more than one vacancy).¹⁰

6. What is the Byrd rule?

Section 313 of the Budget Act¹¹—also known as the “Byrd rule”—is intended to limit the content of a reconciliation bill to only those changes necessary to align federal spending and revenue laws with the levels adopted in the associated budget resolution. To accomplish this, the Byrd rule establishes a point of order against extraneous matter and sets forth six tests used to identify offending provisions.

Definition of extraneous matter

Under subsection (b)(1) of the Byrd rule, a provision is considered extraneous in the Senate if it meets one or more of the following:

1. It does not produce a change in outlays or revenues, including changes resulting from a change in the “terms and conditions” under which outlays are made or revenues are collected (e.g., a change in the definition of *qualified beneficiaries* or a change in the definition of a person or entity subject to a tax);
2. It produces an increase in outlays or a decrease in revenues when the instructed committee is not in compliance with its reconciliation directives;
3. It is outside of the jurisdiction of the committee that submitted the title or provision for inclusion in the reconciliation measure;
4. It produces a change in outlays or revenues that is merely incidental to the non-budgetary components of the provision;
5. It would increase the deficit in any fiscal year beyond the years covered by the reconciliation measure; and

⁸ Circumstances under which the Senate may impose subject matter restrictions on amendment: by invoking cloture under Rule XXII, under the terms of a unanimous consent agreement, or when it is required by the provisions of a statute governing the consideration of a measure (such as the Budget Act).

⁹ If a curative amendment is pending, a point of order is not ripe to offer.

¹⁰ For more on points of order see CRS Report R47413, *Points of Order in the Congressional Budget Process*, by James V. Saturno and Megan S. Lynch; CRS Report 98-306, *Points of Order, Rulings, and Appeals in the Senate*, by Valerie Heitshusen; and CRS Report 98-307, *Points of Order, Rulings, and Appeals in the House of Representatives*, by Valerie Heitshusen 98-307.

¹¹ 2 U.S.C. §644.

6. It would amend Title II of the Social Security Act (the Old-Age, Survivors, and Disability Insurance program).

Application and enforcement of the Byrd rule

Unlike most points of order in the Budget Act, violations of the Byrd rule do not prevent the consideration of a reconciliation bill. Instead, because the text of the Byrd rule uses terms such as *matter*, *part*, *provision*, and *material*, it is applied surgically, and points of order identify language that may be in violation of the rule. Points of order have been raised against a subtitle, a section, a line, or a single word. If a point of order under this section is sustained, only the matter in question is stricken, and the remainder of the reconciliation bill remains before the Senate for further consideration.

A Senator may raise a point of order that includes one or multiple potential violations of the Byrd rule in the pending measure. However, the Presiding Officer rules on each potential violation separately. Some, all, or none may be sustained. Prior to the Presiding Officer ruling, a motion to waive the point of order can be made with respect to some or all of the potential violations and requires the affirmative vote of three-fifths of the Senate, duly chosen and sworn (60 Members in a Senate with no more than one vacancy).

In recent practice, reconciliation legislation to be considered in the Senate has received pre-emptive scrutiny by the Senate Parliamentarian in conjunction with Senate staff.¹² This tradition, known as a “Byrd bath” or “Byrd scrub,” allows for the identification of legislative text that would violate the Byrd rule in advance of its consideration on the floor. It also provides an opportunity to redraft or prepare curative amendments. For this reason, there are few formal precedents on Byrd rule violations.

For more information on the Byrd rule see CRS Report RL30862, *The Budget Reconciliation Process: The Senate’s “Byrd Rule,”* by Bill Heniff Jr.

7. What is the role of the Senate Parliamentarian in the reconciliation process?

As the Senate’s expert on the chamber’s rules, precedents, and practices, the Senate Parliamentarian advises the Presiding Officer on the floor regarding the Senate’s rules, including the Byrd rule.

Off the floor, the Parliamentarian consults with Senators and their staff, to include the pre-emptive scrutiny of legislative language that, if included in reconciliation legislation, might violate applicable rules, including the Byrd rule.

A reconciliation bill from the House undergoes similar review by the Senate Parliamentarian. Although certain rules of reconciliation apply only in the Senate (e.g., the Byrd rule), in drafting reconciliation legislation, the House is generally mindful of the Senate’s constraints to ensure the House product does not contain provisions that would imperil its privileged consideration in the Senate.

¹² For more information on the role of the Senate Parliamentarian, see CRS Report RS20544, *The Office of the Parliamentarian in the House and Senate*, by Valerie Heitshusen.

8. What does it mean for a reconciliation bill to be privileged?

In the Senate, a reconciliation bill enjoys certain privileges unavailable to other bills and resolutions. Some are enumerated in the Budget Act, and some have been established by precedent. Specifically

- A reconciliation bill is not required to lie over one day before it can be considered on the floor—it may be considered on the same day it is reported out of committee.
- The motion to proceed to a reconciliation bill is not debatable. As a consequence, the Senate is not required to invoke cloture on the motion to proceed before it can vote on the motion itself.

The privilege of a reconciliation bill can be vulnerable. On several occasions, successive Senate Parliamentarians have advised that the inclusion of certain provisions in a House-passed reconciliation bill were sufficiently violative that, if transmitted to the Senate, would cause the measure to lose its privilege and be considered under the standing rules of the Senate—to include Rule XXII (cloture).¹³ For example, the Senate Parliamentarian has advised that to have privilege in the Senate, a House-passed reconciliation bill

- Must follow the process for generating reconciliation legislation as enumerated in the Budget Act.
- Cannot contain any matter outside the jurisdiction of any instructed Senate committee.
- Cannot contain matter that would create or amend a fast-track procedure.
- Cannot include provisions that produce outlay effects when a committee's directive is to produce a change in revenues.¹⁴

9. Which chamber initiates consideration of a reconciliation bill?

Although either chamber may originate a budget resolution (the first phase of the reconciliation process), a reconciliation bill that includes revenue provisions must originate in the House—and is so identified by the bill's H.R. number. This is attributable to Article I, Section 7, clause 1, of the U. S. Constitution (the Origination Clause) which requires all revenue legislation to originate in the House.¹⁵

10. What are the rules for considering a reconciliation bill on the floor?

The Budget Act prescribes the rules for considering a reconciliation bill on the floor in the House and Senate. Over time, practices have emerged that also influence how a reconciliation bill is considered in each chamber.

¹³ A discussion of occasions when such advice was proffered appears in U.S. Congress, Senate Budget Committee, *The Congressional Budget Process*, committee print, 117th Cong., 2nd sess., December 2022, S. Prt. 117-23, pp. 483-499.

¹⁴ For example, legislative text that creates or amends a refundable tax credit would have both revenue and outlay effects and hence would violate a revenue-only directive.

¹⁵ For more on revenue legislation and the Origination Clause, see CRS Report R46558, *The Origination Clause of the U.S. Constitution: Interpretation and Enforcement*, by James V. Saturno.

In the House

In recent practice, consideration of reconciliation measures in the House has been governed by special rules reported from the House Rules Committee. These special rules establish the duration of general debate and specify which amendments (if any) may be offered. In recent years, these rules have permitted one to three hours of debate, with time equally divided and controlled by the majority and minority floor managers. The number of amendments made in order through the special rule has always been limited, and in some instances no amendments have been permitted.

In the Senate

Section 310(e) of the Budget Act provides that the procedures governing consideration of a reconciliation bill in the Senate are the same as those as for a budget resolution (which are provided in Section 305 of the Budget Act). There is one exception: debate time on a reconciliation bill is limited to 20 hours (10 hours for a conference report). This means

- The motion to proceed to a reconciliation bill is not debatable (i.e., cloture is not required to end debate and reach a vote on adoption).
- The 20 hours of debate time is equally divided between the majority and minority.
- The number of amendments to a reconciliation bill is not restricted, but they must be germane and conform to other requirements in Sections 310(d) and 313 of the Budget Act.
- Debate time on any first-degree amendment is limited to no more than two hours, equally divided between the mover and the manager of the reconciliation bill. Debate on any second-degree amendment, debatable motion, or appeal is limited to one hour. Time spent in a quorum call during consideration of an amendment counts against this limit.
- All time spent in discussion on the floor during this period (on the reconciliation bill or on any amendment, motion, or appeal) counts toward the 20-hour debate limit. Time spent conducting votes does not.

In practice, the Senate often relies on a series of unanimous consent agreements to structure the consideration of amendments to a reconciliation bill. These agreements typically specify which amendments will be offered, how much debate time will be allocated, and whether the vote threshold will be different from a simple majority (a quorum being present). These consent agreements may also specify how much of the 20-hour debate time will be accounted for each day. Once all debate time has expired, but before a vote on final passage, a Senate practice known as a “vote-arama” typically ensues.

11. What is a “vote-arama”?

Section 305 of the Budget Act—which governs consideration of reconciliation bill (as well as a budget resolution)—specifies a limit on *debate*, but not *consideration*. As a consequence, even after debate time has expired, Senators may continue to offer and decide additional amendments, but they cannot debate them.

Debate vs. consideration

In Senate rules, the term *debate* encompasses only the time allowed for discussion, whereas the term *consideration* includes debate time plus any time necessary to dispense with nondebateable actions such as motions, appeals, points of order, and votes. For example, the Senate’s cloture

rule (Rule XXII), once invoked, limits *consideration* of a matter to 30 hours, after which the Senate must dispose of any pending matter and proceed immediately to a final vote. Because the Budget Act already limits debate on a reconciliation bill, cloture is not necessary to end debate, but neither the Budget Act nor Senate rules provide structure for the period between the expiration of debate time and a final vote on the reconciliation bill. *Vote-arama* is the colloquial term used to describe the Senate's structure of legislative activity during this period.

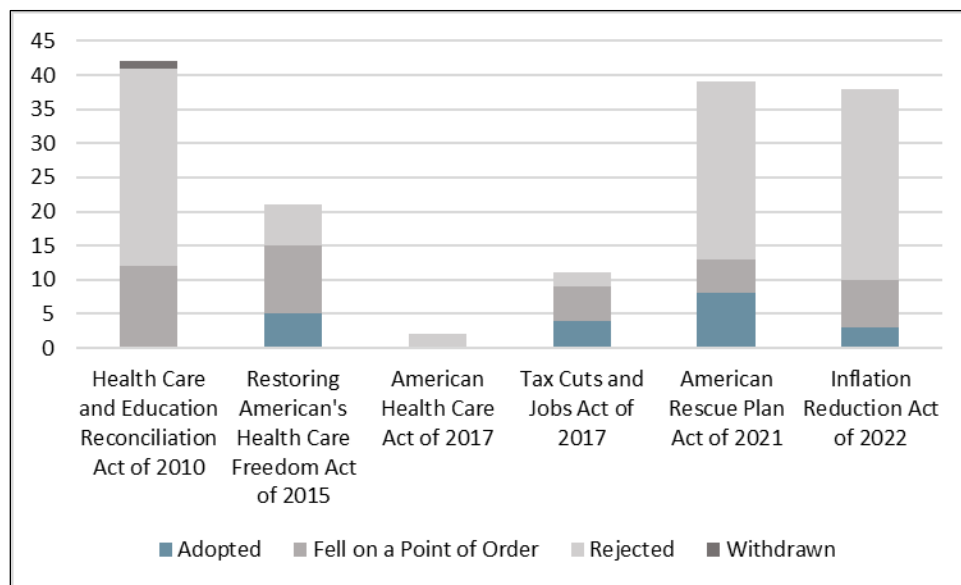
Structuring a vote-arama

During a vote-arama, the Senate typically uses unanimous consent agreements to make tranches of amendments in order and to set the parameters for their consideration—usually two minutes to identify and briefly summarize the amendment, evenly divided between sides, followed by a vote. This frequently results in a series of extended, back-to-back (or “stacked”) votes. This process continues, usually without break, until there are no further amendments to be considered.

Number of amendments considered during a vote-arama

Because there is no limit on the number of amendments that can be offered to a reconciliation bill, the volume of amendments considered during vote-arama can vary. Moreover, amendments can be disposed of via roll call vote, a point of order (or motion to waive), voice vote, or unanimous consent, or they can be offered and withdrawn (and no vote occurs). See **Figure 2**.

Figure 2. Number and Disposition of Amendments to Reconciliation Legislation During a Vote-arama, 2000-2022



Source: Information compiled from Congress.gov and the *Congressional Record*.

12. How do the House and Senate address disagreements in a reconciliation bill?

When the House and Senate adopt different versions of a reconciliation bill, they must resolve their differences before it can be presented to the President. Agreement can be accomplished one

of three ways: by conference committee, by an exchange of amendments, or by one chamber passing the reconciliation legislation of the other without any change (see **Table 1**).¹⁶

Conference committee

Section 310(e) of the Budget Act provides for the consideration of a conference report to a reconciliation bill under the same rules as a conference report on a budget resolution in Section 305.

In the Senate, Section 305(c) limits debate on a conference report to 10 hours, equally divided, and debate on any motion or appeal is limited to one hour. By precedent, this time includes the motions or other actions necessary for resolving differences with the House, such as those for going to conference prescribed in Senate Rule XXVIII. Consideration of a conference report may also be structured by a unanimous consent agreement.

Section 305(a)(6) provides for consideration of a conference report in the House. In practice, however, the chamber uses a special rule, reported by the Rules Committee and agreed to by the House, to structure debate. Typically, such a rule limits debate to one hour, equally divided, and waives all points of order against the contents of the conference report or its consideration.

Exchange of amendments (amendments between houses)

Rather than request a conference, the House and Senate may choose to exchange amendments instead. For example, the Senate may take up a House-originated reconciliation bill (H.R. 1), replace some or all of the text with its own preferred language, and send it back to the House. The House could then take up the Senate-amended reconciliation bill (H.R. 1, as amended), amend it further, and send it back to the Senate. A similar exchange could occur with a Senate-originated reconciliation bill. The Senate's 10-hour debate limit on the conference report to a reconciliation bill also applies to amendments between the houses.

Table 1. Method of Resolving Differences in Reconciliation Legislation Since 2000

Reconciliation Bill	Method of Resolving Differences
<i>Marriage Tax Relief Reconciliation Act of 2000</i> (H.R. 4810) ^a	Conference committee
Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107-16)	Conference committee
Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27)	Conference committee
Deficit Reduction Act of 2005 (P.L. 109-171)	Conference report was defeated in the Senate on a point of order. The Senate adopted a substitute amendment which was agreed to by the House
Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109-222)	Conference committee
College Cost Reduction and Access Act of 2007 (P.L. 110-84)	Conference committee
Health Care and Education Reconciliation Act of 2010 (P.L. 111-152)	House agreed to the Senate's substitute amendment without amendment

¹⁶ For more on methods for resolving differences, see CRS Report 98-696, *Resolving Legislative Differences in Congress: Conference Committees and Amendments Between the Houses*, by Elizabeth Rybicki.

Reconciliation Bill	Method of Resolving Differences
<i>Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 (H.R. 3762)</i> ^b	House agreed to the Senate's substitute amendment without amendment
Tax Cuts and Jobs Act of 2017 (P.L. 115-97)	Conference report was defeated in the Senate on a point of order. The Senate adopted a substitute amendment which was agreed to by the House
American Rescue Plan Act of 2021 (P.L. 117-2)	House agreed to the Senate's substitute amendment without amendment
Inflation Reduction Act of 2022 (P.L. 117-169)	House agreed to the Senate's substitute amendment without amendment

Source: Information compiled from Congress.gov.

Notes:

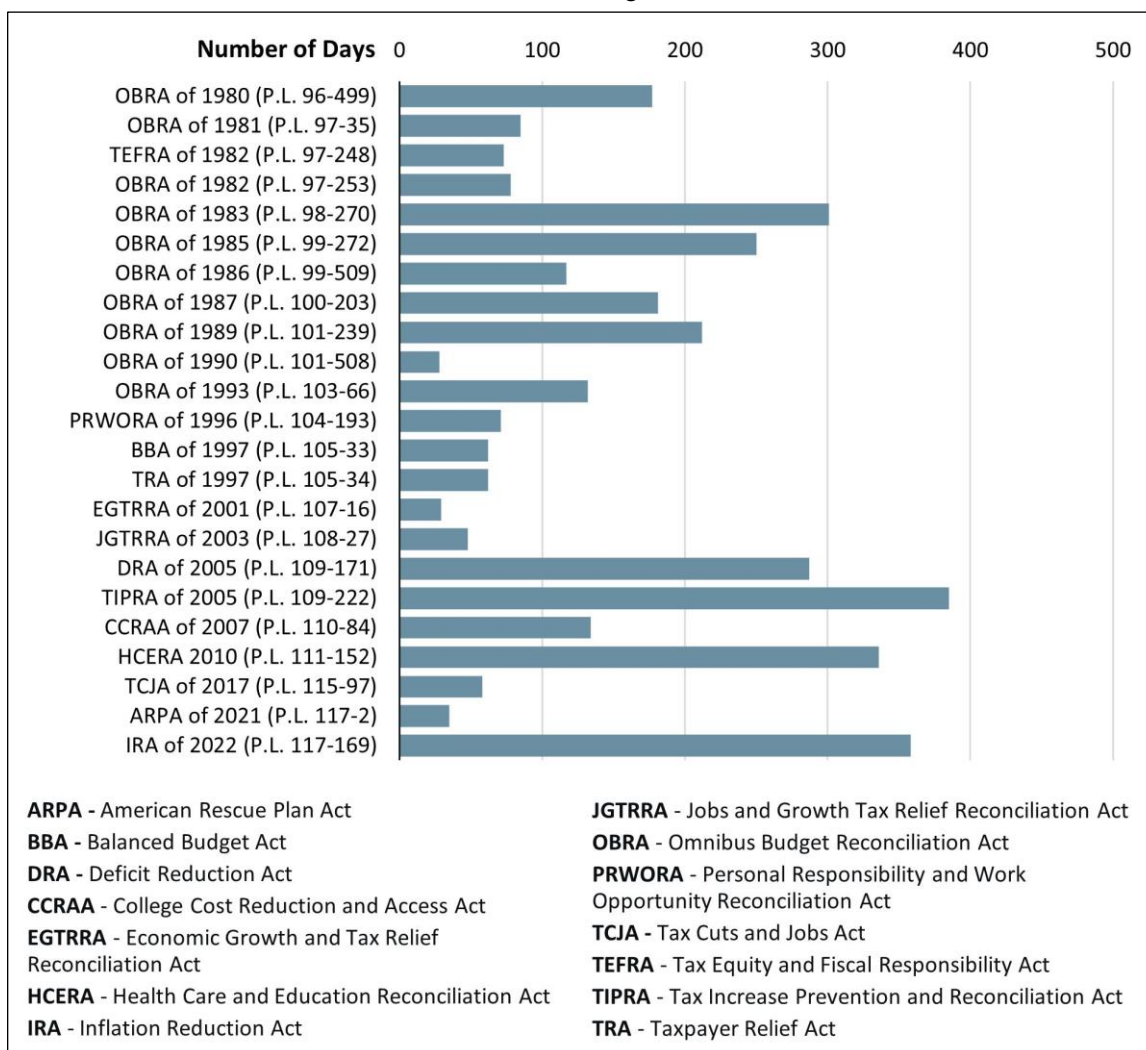
- a. The Marriage Tax Relief Reconciliation Act of 2000 (H.R. 4810) was vetoed by President Clinton on August 5, 2000. A House vote to override the President's veto did not achieve the requisite two-thirds vote threshold.
- b. The Restoring American's Healthcare Freedom Reconciliation Act of 2015 (H.R. 3762) was vetoed by President Obama on January 8, 2016. A House vote to override the President's veto did not achieve the requisite two-thirds vote threshold.

13. How long does it typically take to complete a reconciliation bill?

The formal process of compiling and considering a reconciliation bill begins once Congress has adopted a budget resolution containing reconciliation directives, but the informal planning and drafting process may start months in advance. Of the 23 reconciliation bills enacted into law, the average length of time between adoption of a congressional budget resolution with reconciliation instructions and enactment of the resulting reconciliation bill was 152 days, and the range varied from 28 to 385 days (see **Figure 3**).

Figure 3. Number of Days to Complete Action on a Reconciliation Bill

Number of days after Congress adopts the same budget resolution and enactment of the resultant reconciliation legislation



Source: Information compiled from Congress.gov.

For more information on this topic, see CRS Report RL30458, *The Budget Reconciliation Process: Timing of Legislative Action*, by Megan S. Lynch.

14. Is there a limit to the number of reconciliation bills a Congress may consider?

Section 310 of the Budget Act provides for three types of reconciliation instructions for each budget resolution: to change revenues, to change spending, and to change the amount of the debt limit. The Senate Parliamentarian has advised that no more than one reconciliation bill can include provisions in response to each type of instruction, such that a single budget resolution could generate a maximum of three reconciliation bills: one each containing only revenue

provisions, only spending provisions, or only a change in the statutory debt limit.¹⁷ In recent practice, these have been combined into a single omnibus reconciliation bill.

Because the House and Senate may consider more than one budget resolution during the two sessions of each Congress, it is possible to consider multiple reconciliation bills over this period. Six different Congresses have considered multiple reconciliation bills—97th, 101st, 104th, 106th, 115th, and 117th—but not all were enacted into law (see **Table 2**). In the 115th and the 117th Congresses, multiple reconciliation measures were considered within the same session of Congress.

Table 2. Consideration of Multiple Reconciliation Measures within a Congress

Congress	Budget Resolution	Date Adopted	Resultant Reconciliation Act(s)	Date Enacted
97 th Congress (1981-1982)				
1 st sess.	H.Con.Res. 115	05/21/1981	Omnibus Reconciliation Act of 1981 (P.L. 97-35)	08/13/1981
2 nd sess.	S.Con.Res. 92	06/23/1982	Tax Equity and Fiscal Responsibility Act of 1982 (P.L. 97-248)	09/03/1982
			Omnibus Reconciliation Act of 1982 (P.L. 97-253)	09/08/1982
101 st Congress (1989-1990)				
1 st sess.	H.Con.Res. 106	05/22/1989	Omnibus Budget Reconciliation Act of 1989 (P.L. 101-239)	12/19/1989
2 nd sess.	H.Con.Res. 310	10/09/1990	Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508)	11/05/1990
104 th Congress (1996-1996)				
1 st sess.	H.Con.Res. 67	06/29/1995	<i>Balanced Budget Act of 1995 (Vetoed)</i>	—
2 nd sess.	H.Con.Res. 178	06/13/1996	Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193)	08/22/1996
106 th Congress (1999-2000)				
1 st sess.	H.Con.Res. 68	04/16/1999	<i>Taxpayer Refund and Relief Act of 1999 (Vetoed)</i>	—
2 nd sess.	H.Con.Res. 290	04/13/2000	<i>Marriage Tax Relief Reconciliation Act of 2000 (Vetoed)</i>	—
115 th Congress (2017-2018)				
1 st sess.	S.Con.Res. 3	01/13/2017	<i>American Health Care Act of 2017</i>	—
	H.Con.Res. 71	10/26/2017	Tax Cuts and Jobs Act (P.L. 115-97)	12/22/2017
2 nd sess.	—	—	—	—
117 th Congress (2021-2022)				
1 st sess.	S.Con.Res. 5	02/05/2021	American Rescue Plan Act of 2021 (P.L. 117-2)	03/11/2021
	S.Con.Res. 14	08/24/2021	Inflation Reduction Act of 2022 (P.L. 117-169)	08/16/2022
2 nd sess.	—	—	—	—

Source: Information compiled from the *Congressional Record* and Congress.gov.

¹⁷ U.S. Congress, Senate Budget Committee, *The Congressional Budget Process*, committee print, 117th Cong., 2nd sess., S.Prt. 117-23 (Washington: GPO, 2022), p. 483.

Appendix.

Table A-1. Reconciliation Legislation Considered by Congress, 1980-2024

	Reconciliation Act	Public Law Number	Statutes-at-Large Citation	Date Enacted or Vetoed
1	Omnibus Reconciliation Act of 1980	P.L. 96-499	94 Stat. 2599-2695	12-05-1980
2	Omnibus Reconciliation Act of 1981	P.L. 97-35	95 Stat. 357-933	08-13-1981
3	Tax Equity and Fiscal Responsibility Act of 1982	P.L. 97-248	96 Stat. 324-707	09-03-1982
4	Omnibus Reconciliation Act of 1982	P.L. 97-253	96 Stat. 763-807	09-08-1982
5	Omnibus Reconciliation Act of 1983	P.L. 98-270	98 Stat. 157-162	04-18-1984
6	Consolidated Omnibus Budget Reconciliation Act of 1985	P.L. 99-272	100 Stat. 82-391	04-07-1986
7	Omnibus Budget Reconciliation Act of 1986	P.L. 99-509	100 Stat. 1874-2078	10-21-1986
8	Omnibus Budget Reconciliation Act of 1987	P.L. 100-203	101 Stat. 1330, 1-472	12-22-1987
9	Omnibus Budget Reconciliation Act of 1989	P.L. 101-239	103 Stat. 2106-2491	12-19-1989
10	Omnibus Budget Reconciliation Act of 1990	P.L. 101-508	104 Stat. 1388, 1-630	11-05-1990
11	Omnibus Budget Reconciliation Act of 1993	P.L. 103-66	107 Stat. 312-685	08-10-1993
12	<i>Balanced Budget Act of 1995</i>	—	(H.R. 2491, vetoed)	12-06-1995
13	Personal Responsibility and Budget Reconciliation Act of 1996	P.L. 104-193	110 Stat. 2105-2355	08-22-1996
14	Balanced Budget Act of 1997	P.L. 105-33	111 Stat. 251-787	08-05-1997
15	Taxpayer Relief Act of 1997	P.L. 105-34	111 Stat. 788-1103	08-05-1997
16	<i>Taxpayer Refund and Relief Act of 1999</i>	—	(H.R. 2488, vetoed)	09-23-1999
17	<i>Marriage Tax Relief Reconciliation Act of 2000</i>	—	(H.R. 4810, vetoed)	08-05-2000
18	Economic Growth and Tax Relief Reconciliation Act of 2001	P.L. 107-16	115 Stat. 38-150	06-07-2001
19	Jobs and Growth Tax Relief Reconciliation Act of 2003	P.L. 108-27	117 Stat. 752-768	05-28-2003
20	Deficit Reduction Act of 2005	P.L. 109-171	120 Stat. 4-184	02-08-2006
21	Tax Increase Prevention and Reconciliation Act of 2005	P.L. 109-222	120 Stat. 345-373	05-17-2006
22	College Cost Reduction and Access Act of 2007	P.L. 110-84	121 Stat. 784-822	09-27-2007
23	Health Care and Education Reconciliation Act of 2010	P.L. 111-152	124 Stat. 1029-1083	03-30-2010
24	<i>Restoring Americans' Healthcare Freedom Reconciliation Act of 2015</i>	—	(H.R. 3762, vetoed)	01-08-2016
25	<i>American Health Care Act of 2017</i>	—	(H.R. 1628) ^a	—
26	Tax Cuts and Jobs Act ^b	P.L. 115-97	131 Stat. 2054-2238	12-22-2017
27	American Rescue Plan Act of 2021	P.L. 117-2	135 Stat. 4-245	03-11-2021
28	Inflation Reduction Act of 2022 ^c	P.L. 117-169	136 Stat. 1818-2090	08-16-2022

Source: Information compiled from the *Congressional Record* and Congress.gov.

Notes: Budget reconciliation measures in italics either were vetoed or did not pass the Senate.

- a. On July 28, 2017, H.R. 1628 was returned to the Senate Calendar after an amendment (no. 667) in the nature of a substitute offered by Senate Majority Leader Mitch McConnell was rejected by a vote of 49-51. See *Congressional Record*, daily edition, vol. 163 (July 27, 2017), pp. S4399-S4415. No further action was taken on H.R. 1628 during the 115th Congress.
- b. This short title, included in the conference report to the reconciliation act (H.Rept. 115-466, H.R. 1), was stricken on a point of order under the Byrd rule. As a result, the official title of the measure as enacted is “An Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018.”
- c. This short title, which was included in a substitute amendment (no. 5194, as modified) that was adopted by voice vote, was stricken on a point of order under the Byrd rule. As a result, the official title of the measure as enacted is “An Act to provide for reconciliation pursuant to title II of S.Con.Res. 14.”

Table A-2. Congressional Budget Resolutions and Resultant Reconciliation Bills

For Fiscal Year	Budget Resolution	Date Adopted	Resultant Reconciliation Act(s)	Date Enacted
1981	H.Con.Res. 307	06/12/1980	Omnibus Reconciliation Act of 1980 (P.L. 96-499)	12/05/1980
1982	H.Con.Res. 115	05/21/1981	Omnibus Reconciliation Act of 1981 (P.L. 97-35)	08/13/1981
1983	S.Con.Res. 92	06/23/1982	Tax Equity and Fiscal Responsibility Act of 1982 (P.L. 97-248)	09/03/1982
			Omnibus Reconciliation Act of 1982 (P.L. 97-253)	09/08/1982
1984	H.Con.Res. 91	06/23/1983	Omnibus Reconciliation Act of 1983 (P.L. 98-270)	04/18/1984
1986	S.Con.Res. 32	08/01/1985	Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272)	04/07/1986
1987	S.Con.Res. 120	06/27/1986	Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509)	10/21/1986
1988	H.Con.Res. 93	06/25/1987	Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203)	12/22/1987
1990	H.Con.Res. 106	05/22/1989	Omnibus Budget Reconciliation Act of 1989 (P.L. 101-239)	12/19/1989
1991	H.Con.Res. 310	10/09/1990	Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508)	11/05/1990
1994	H.Con.Res. 64	04/01/1993	Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66)	08/10/1993
1996	H.Con.Res. 67	06/29/1995	<i>Balanced Budget Act of 1995 (H.R. 2491)^a</i>	—
1997	H.Con.Res. 178	06/13/1996	Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193)	08/22/1996
1998	H.Con.Res. 84	06/05/1997	Balanced Budget Act of 1997 (P.L. 105-33)	08/05/1997
			Taxpayer Relief Act of 1997 (P.L. 105-34)	08/05/1997

For Fiscal Year	Budget Resolution	Date Adopted	Resultant Reconciliation Act(s)	Date Enacted
2000	H.Con.Res. 68	04/16/1999	<i>Taxpayer Refund and Relief Act of 1999 (H.R. 2488)</i> ^b	—
2001	H.Con.Res. 290	04/13/2000	<i>Marriage Tax Relief Reconciliation Act of 2000 (H.R. 4810)</i> ^c	—
2002	H.Con.Res. 83	05/10/2001	Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107-16)	06/07/2001
2004	H.Con.Res. 95	04/11/2003	Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27)	05/28/2003
2006	H.Con.Res. 95	04/28/2005	Deficit Reduction Act of 2005 (P.L. 109-171) Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109-222)	02/08/2006 05/17/2006
2008	S.Con.Res. 21	05/17/2007	College Cost Reduction and Access Act of 2007 (P.L. 110-84)	09/27/2007
2010	S.Con.Res. 13	04/29/2009	Health Care and Education Reconciliation Act of 2010 (P.L. 111-152)	03/30/2010
2016	S.Con.Res. 11	05/06/2015	<i>Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 (H.R. 3762)</i> ^d	—
2017	S.Con.Res. 3	01/13/2017	<i>American Health Care Act of 2017 (H.R. 1628)</i> ^e	—
2018	H.Con.Res. 71	10/26/2017	Tax Cuts and Jobs Act (P.L. 115-97)	12/22/2017
2021	S.Con.Res. 5	02/05/2021	American Rescue Plan Act of 2021 (P.L. 117-2)	03/11/2021
2022	S.Con.Res. 14	08/24/2021	Inflation Reduction Act of 2022 (P.L. 117-169)	08/16/2022

Source: Information compiled from the *Congressional Record* and Congress.gov.

Notes:

- a. The Balanced Budget Act of 1995 (H.R. 2491) was vetoed by President Clinton on December 6, 1995.
- b. The Taxpayer Refund and Relief Act of 1999 (H.R. 2488) was vetoed by President Clinton on September 15, 1999.
- c. The Marriage Tax Relief Reconciliation Act of 2000 (H.R. 4810) was vetoed by President Clinton on August 5, 2000. A House vote to override the President's veto did not achieve the requisite two-thirds vote threshold.
- d. The Restoring American's Healthcare Freedom Reconciliation Act of 2015 (H.R. 3762) was vetoed by President Obama on January 8, 2016. A House vote to override the President's veto did not achieve the requisite two-thirds vote threshold.
- e. The American Health Care Act of 2017 (H.R. 1628) failed to pass the Senate on July 28, 2017.

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Acknowledgments

CRS colleagues Jim Saturno, Bill Heniff, Megan Lynch, Elizabeth Rybicki, Jim Specht, and Mari Lee provided expert guidance and contributions to this report.

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