

106TH CONGRESS
1ST SESSION

S. RES. 8

Amending rule XVI of the Standing Rules of the Senate relating to
amendments to general appropriation bills.

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 1999

Mr. LOTT (for Mr. STEVENS and Mr. BYRD) submitted the following
resolution which was referred to the Committee on Rules and Administration

RESOLUTION

Amending rule XVI of the Standing Rules of the Senate
relating to amendments to general appropriation bills.

1 *Resolved*, That rule XVI of the Standing Rules of the
2 Senate is amended to read as follows:

3 “RULE XVI

4 “APPROPRIATIONS AND AMENDMENTS TO

5 APPROPRIATIONS BILLS

6 “1. On a point of order made by any Senator, no
7 amendments shall be received to any appropriations bill
8 the effect of which will be to increase an appropriation
9 already contained in the bill, or to add a new item of ap-
10 propriation, unless it be made to carry out the provisions

1 of some existing law, or treaty stipulation, or act or resolu-
2 tion previously passed by the Senate during that session;
3 or unless the same be moved by direction of the Committee
4 on Appropriations or of a committee of the Senate having
5 legislative jurisdiction of the subject matter, or proposed
6 in pursuance of an estimate submitted in accordance with
7 law.

8 “2. The Committee on Appropriations shall not re-
9 port an appropriations bill or an appropriations bill con-
10 taining amendments to such bill proposing new or general
11 legislation, or any restriction on the expenditure of the
12 funds appropriated which proposes a limitation not au-
13 thorized by law if such restriction is to take effect or cease
14 to be effective upon the happening of a contingency, and
15 if any such appropriations bill is reported to the Senate,
16 a point of order may be made against the bill, and if the
17 point is sustained, the bill shall be recommitted to the
18 Committee on Appropriations. This paragraph may be
19 waived only by the affirmative vote of those Senators
20 present and voting. No debate shall be allowed on a motion
21 to waive the application of this paragraph. No appeal from
22 a ruling of the Chair under this paragraph shall negate
23 its future application unless the Senate specifically
24 amends this paragraph.

1 “3. All amendments to appropriations bills moved by
2 direction of a committee having legislative jurisdiction of
3 the subject matter proposing to increase an appropriation
4 already contained in the bill, or to add new items of appro-
5 priation, shall, at least one day before they are considered,
6 be referred to the Committee on Appropriations, and when
7 actually proposed to the bill no amendment proposing to
8 increase the amount stated in such amendment shall be
9 received on a point of order made by any Senator.

10 “4. (a) Upon a point of order made by any Senator
11 against a provision of legislation contained in an amend-
12 ment to an appropriations bill, and if the point of order
13 is sustained by the Chair, any such Senate amendment
14 shall fall. This subparagraph may be waived only by the
15 affirmative vote of those Senators present and voting. No
16 debate shall be allowed on a motion to waive the applica-
17 tion of this subparagraph. No appeal from a ruling of the
18 Chair under this subparagraph shall negate its future ap-
19 plication unless the Senate specifically amends this sub-
20 paragraph.

21 “(b) No amendment not germane or relevant to the
22 subject matter contained in the bill shall be received; nor
23 shall any amendment to any item or clause of such bill
24 be received which does not directly relate thereto; nor shall
25 any restriction on the expenditure of the funds appro-

1 priated which proposes a limitation not authorized by law
2 be received if such restriction is to take effect or cease
3 to be effective upon the happening of a contingency; and
4 all questions of germaneness or relevancy of amendments
5 under this rule, when raised, shall be ruled upon by the
6 Presiding Officer, unless the provisions of this subpara-
7 graph are waived by a majority of the Senate. All proceed-
8 ings dealing with germaneness or relevancy shall be de-
9 cided without debate; and any such amendment or restric-
10 tion to an appropriations bill may be laid on the table
11 without prejudice to the bill.

12 “5. On a point of order made by any Senator, no
13 amendment, the object of which is to provide for a private
14 claim, shall be received to any appropriations bill, unless
15 it be to carry out the provisions of an existing law or a
16 treaty stipulation, which shall be cited on the face of the
17 amendment.

18 “6. When a point of order is made against any re-
19 striction on the expenditure of funds appropriated in an
20 appropriations bill on the ground that the restriction vio-
21 lates this rule, the rule shall be construed strictly and, in
22 case of doubt, in favor of the point of order.

23 “7. Every report on appropriations bills filed by the
24 Committee on Appropriations shall identify with particu-
25 larity each recommended amendment which proposes an

1 item of appropriation which is not made to carry out the
2 provisions of an existing law, a treaty stipulation, or an
3 act or resolution previously passed by the Senate during
4 that session.

5 “8. On a point of order made by any Senator, no ap-
6 propriations bill or amendment thereto shall be received
7 or considered if it contains a provision reappropriating un-
8 expended balances of appropriations; except that this pro-
9 vision shall not apply to appropriations in continuation of
10 appropriations for public works on which work has com-
11 menced.

12 “9. A motion to proceed to an appropriations bill
13 shall, when it is otherwise in order, be nondebatable.

14 “10. (a) When the Senate is considering a conference
15 report or an amendment between Houses on an appropria-
16 tions bill, upon a point of order being made by any Sen-
17 ator against any legislative provision or provisions extra-
18 neous to the provisions that were committed to conference
19 in disagreement between the Houses, and if the point of
20 order is sustained in whole or in part by the Chair, such
21 legislative provision or provisions on such appropriations
22 bill shall be stricken from the conference report or the
23 amendment between Houses. Such point of order may be
24 made notwithstanding the fact that another point of order

1 under this paragraph has been made against the same
2 conference report.

3 “(b) Matters to be considered extraneous are any sig-
4 nificant legislative provision not addressed in either ver-
5 sion of the bill committed to the conference or any appro-
6 priations bill not committed to the conference, but such
7 legislative provision shall not be considered extraneous if
8 it qualifies, limits, or authorizes spending contained in the
9 bill. Any vetoed appropriations bill or modifications there-
10 of shall not be considered extraneous nor shall any provi-
11 sion providing funds pursuant to an authorizing bill
12 passed after the appropriations bill.

13 “(c) If any such point of order is sustained, such leg-
14 islative material contained in such conference report or
15 amendment between Houses shall be stricken, and the
16 Senate shall proceed, without intervening action or mo-
17 tion, to consider the question of whether the Senate shall
18 recede from its amendment and concur with a further
19 amendment, or concur in the House amendment with a
20 further amendment, as the case may be, which further
21 amendment shall consist of only that portion of the con-
22 ference report or amendment between Houses not so
23 stricken. In any case in which such point of order is sus-
24 tained against a conference report (or Senate amendment
25 derived from such conference report by operation of this

1 subparagraph), no further amendment shall be in order.
2 However, an amendment between Houses against which
3 a point of order was sustained under this subparagraph
4 shall if otherwise amendable, remain amendable.

5 “(d) This paragraph may be waived only by an af-
6 firmative vote of three-fifths of the Senators duly chosen
7 and sworn. Debate on a motion to waive the provisions
8 of this paragraph shall be limited to 2 hours. Any appeal
9 from a ruling of the Chair under this paragraph shall re-
10 quire an affirmative vote of three-fifths of the Senators
11 duly chosen and sworn to overturn such ruling of the
12 Chair. No appeal from a ruling of the Chair under this
13 paragraph shall negate its future application unless the
14 Senate specifically amends this paragraph.”.

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