

117TH CONGRESS
2D SESSION

S. 4020

To require balanced budgets in concurrent resolutions on the budget, to establish limits on the waiver of budget points of order, and to prevent appropriations in excess of the amount authorized to be appropriated.

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2022

Mr. BRAUN (for himself, Mr. SCOTT of Florida, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on the Budget

A BILL

To require balanced budgets in concurrent resolutions on the budget, to establish limits on the waiver of budget points of order, and to prevent appropriations in excess of the amount authorized to be appropriated.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fight Inflation
5 Through Balanced Budgets Act”.

1 **SEC. 2. POINT OF ORDER AGAINST BUDGET RESOLUTIONS**
 2 **THAT DO NOT INCLUDE A BALANCED BUDG-**
 3 **ET.**

4 (a) POINT OF ORDER.—It shall not be in order in
 5 the Senate to consider a concurrent resolution on the
 6 budget that does not reduce the deficit to zero on or before
 7 the end of the 9th fiscal year after the budget year.

8 (b) WAIVER AND APPEAL.—Subsection (a) may be
 9 waived or suspended in the Senate only by an affirmative
 10 vote of two-thirds of the Members, duly chosen and sworn.
 11 An affirmative vote of two-thirds of the Members of the
 12 Senate, duly chosen and sworn, shall be required to sus-
 13 tain an appeal of the ruling of the Chair on a point of
 14 order raised under subsection (a).

15 **SEC. 3. LIMITS ON WAIVER OF BUDGET POINTS OF ORDER.**

16 (a) DEFINITION.—In this section, the term “budget
 17 point of order” means a point of order under the Congres-
 18 sional Budget and Impoundment Control Act of 1974 (2
 19 U.S.C. 621 et seq.), the Balanced Budget and Emergency
 20 Deficit Control Act of 1985 (2 U.S.C. 900 et seq.), the
 21 Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et
 22 seq.), a concurrent resolution on the budget, or this Act.

23 (b) PROHIBITION ON WAIVING MULTIPLE POINTS OF
 24 ORDER.—In the Senate, it shall not be in order to move
 25 to waive more than 1 budget point of order with respect
 26 to a bill, joint resolution, motion, amendment, amendment

1 between the Houses, or conference report as part of a sin-
 2 gle motion, including a motion to waive all applicable
 3 budget points of order.

4 (c) PROHIBITION ON PREEMPTIVE WAIVERS.—In the
 5 Senate, it shall not be in order to move to waive or sus-
 6 pend a budget point of order with respect to a bill, joint
 7 resolution, motion, amendment, amendment between the
 8 Houses, or conference report unless the budget point of
 9 order has been specifically raised by a Senator.

10 (d) NO WAIVER.—It shall not be in order to move
 11 to waive or suspend this section.

12 **SEC. 4. POINT OF ORDER AGAINST APPROPRIATIONS IN EX-**
 13 **CESS OF THE AMOUNT AUTHORIZED TO BE**
 14 **APPROPRIATED.**

15 (a) POINT OF ORDER.—

16 (1) IN GENERAL.—In the Senate, it shall not be
 17 in order to consider a provision in a bill, joint resolu-
 18 tion, motion, amendment, amendment between the
 19 Houses, or conference report that would cause the
 20 total amount of funds appropriated for a program,
 21 project, or activity to exceed the amount authorized
 22 to be appropriated in statute for the program,
 23 project, or activity for the fiscal year. For purposes
 24 of this paragraph, if there is not an authorization of
 25 appropriations in statute for a program, project, or

1 activity for a fiscal year, the amount authorized to
2 be appropriated shall be \$0.

3 (2) POINT OF ORDER SUSTAINED.—If a point
4 of order is made by a Senator against a provision
5 described in paragraph (1), and the point of order
6 is sustained by the Chair, that provision shall be
7 stricken from the measure and may not be offered
8 as an amendment from the floor.

9 (b) FORM OF THE POINT OF ORDER.—A point of
10 order under subsection (a)(1) may be raised by a Senator
11 as provided in section 313(e) of the Congressional Budget
12 Act of 1974 (2 U.S.C. 644(e)).

13 (c) CONFERENCE REPORTS.—When the Senate is
14 considering a conference report on, or an amendment be-
15 tween the Houses in relation to, a bill or joint resolution,
16 upon a point of order being made by any Senator pursuant
17 to subsection (a)(1), and such point of order being sus-
18 tained, such material contained in such conference report
19 or House amendment shall be stricken, and the Senate
20 shall proceed to consider the question of whether the Sen-
21 ate shall recede from its amendment and concur with a
22 further amendment, or concur in the House amendment
23 with a further amendment, as the case may be, which fur-
24 ther amendment shall consist of only that portion of the
25 conference report or House amendment, as the case may

1 be, not so stricken. Any such motion in the Senate shall
2 be debatable. In any case in which such point of order
3 is sustained against a conference report (or Senate amend-
4 ment derived from such conference report by operation of
5 this subsection), no further amendment shall be in order.

6 (d) SUPERMAJORITY WAIVER AND APPEAL.—In the
7 Senate, this section may be waived or suspended only by
8 an affirmative vote of three-fifths of the Members, duly
9 chose and sworn. An affirmative vote of three-fifths of
10 Members of the Senate, duly chosen and sworn shall be
11 required to sustain an appeal of the ruling of the Chair
12 on a point of order raised under this section.

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