

Mark R Warner

AMENDMENT NO. _____ Calendar No. _____

Purpose: To create a point of order against reconciliation legislation during any period in which there is litigation pending against the President or another Federal officer alleging a violation of certain provisions of title 5, United States Code.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. Con. Res. 7**AMENDMENT N^o 0113**By Warner

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Viz:

- 1 At the appropriate place in title IV, add the following:
- 2 **SEC. 4 ____ . POINT OF ORDER AGAINST RECONCILIATION**
- 3 **LEGISLATION DURING PENDENCY OF CER-**
- 4 **TAIN LITIGATION.**
- 5 (a) POINT OF ORDER.—It shall not be in order in
- 6 the Senate to consider a reconciliation bill or a reconcili-
- 7 ation resolution pursuant to section 310 of the Congres-
- 8 sional Budget and Impoundment Control Act of 1974 (2
- 9 U.S.C. 644), or an amendment to, conference report on,

1 or amendment between the Houses in relation to such a
2 bill or resolution, during any period in which there is liti-
3 gation pending against the President or another Federal
4 officer alleging a violation of section 1202 or 1211 of title
5 5, United States Code.

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