

The Budget Reconciliation Process: Timing of Legislative Action

name redacted

Specialist on Congress and the Legislative Process

February 23, 2016

Congressional Research Service

7-....

www.crs.gov

RL30458

Summary

The *budget reconciliation process* is an optional procedure under the Congressional Budget Act of 1974 that operates as an adjunct to the annual budget resolution process. The chief purpose of the reconciliation process is to enhance Congress's ability to change current law in order to bring revenue and spending levels into conformity with the policies of the budget resolution. Accordingly, reconciliation may be the most potent budget enforcement tool available to Congress for a large portion of the budget.

Reconciliation is a two-stage process in which reconciliation instructions are included in the budget resolution directing the appropriate committees to develop legislation achieving the desired budgetary outcomes, and the resultant legislation (usually incorporated into an omnibus bill) is considered under expedited procedures in the House and Senate.

Reconciliation was first used by the House and Senate in calendar year 1980 for FY1981. As an optional procedure, it has not been used every year. Since 1980, 20 reconciliation measures have been enacted into law, and four have been vetoed. Most recently, President Obama vetoed the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 on January 8, 2016.

Under a revised timetable in effect since FY1987, the annual budget resolution is scheduled for final adoption by the House and Senate by April 15. The current timetable prescribes June 15 as the deadline for completing action on any required reconciliation legislation, but there is no explicit requirement to that effect.

The record of experience with reconciliation legislation over the period since 1980 indicates considerable variation in the time needed to process such measures from the date the reconciliation instructions take effect (upon final adoption of the budget resolution) until the resultant reconciliation legislation is approved or vetoed by the President. The interval for the 24 reconciliation measures ranged from a low of 27 days (for the Omnibus Budget Reconciliation Act of 1990) to a high of 384 days (for the Tax Increase Prevention and Reconciliation Act of 2005). On average, completing the process took about five months (155 days), well beyond the two months contemplated by the timetable in the 1974 Congressional Budget Act.

With regard to the use of reconciliation by congressional session, action was completed on 11 such measures during the first session and on 13 such measures during the second session. The time taken to initiate and conclude the reconciliation process has varied greatly. In some cases, reconciliation measures were enacted or vetoed before the end of August. On the other hand, the reconciliation process can be lengthy and drawn out: In some instances reconciliation measures were not enacted or vetoed until the following calendar year.

This report will be updated as developments warrant.

Contents

| | |
|--|---|
| Overview of the Budget Reconciliation Process | 1 |
| Timing of Legislative Action..... | 4 |
| Time of Year That Reconciliation Is Scheduled to Occur | 4 |
| Overall Record of Experience | 5 |
| Adoption of Reconciliation Instructions | 6 |
| House and Senate Action on Omnibus Reconciliation Legislation..... | 9 |

Figures

| | |
|--|---|
| Figure 1. Major Stages of the Reconciliation Process | 2 |
| Figure 2. Number of Days Needed to Process Reconciliation Acts | 6 |

Tables

| | |
|---|----|
| Table 1. Budget Resolutions and Resultant Reconciliation Acts: FY1981-Present | 2 |
| Table 2. Dates of Enactment or Veto of Reconciliation Measures by Session of Congress | 7 |
| Table 3. Adoption of Reconciliation Instructions in Budget Resolutions Since FY1981..... | 8 |
| Table 4. Dates of House and Senate Action on Reconciliation Legislation (Since FY1981)..... | 10 |

Contacts

| | |
|----------------------------------|---|
| Author Contact Information | 1 |
| Acknowledgments | 1 |

The budget reconciliation process has been one of the chief tools used by Congress since 1980 to implement major changes in budget policy. Following a brief overview of the budget reconciliation process, this report provides information on the timing of House and Senate action on reconciliation measures.

Overview of the Budget Reconciliation Process

Under the Congressional Budget and Impoundment Control Act of 1974 (P.L. 93-344, as amended), the House and Senate are required to adopt at least one budget resolution each year.¹ The budget resolution, which takes the form of a concurrent resolution and is not sent to the President for his approval or veto, serves as a congressional statement in broad terms regarding appropriate revenue, spending, and debt policies, as well as a guide to the subsequent consideration of legislation implementing such policies at agency and programmatic levels. Budget resolution policies are enforced through a variety of mechanisms, including points of order.² The House and Senate Budget Committees, which were created by the 1974 act, exercise exclusive jurisdiction over budget resolutions and are responsible for monitoring their enforcement.

In developing a budget resolution, the House and Senate Budget Committees rely on baseline budget projections prepared by the Congressional Budget Office (CBO). A budget resolution typically reflects many different assumptions regarding legislative action expected to occur during a session that would cause revenue and spending levels to be changed from baseline amounts. However, most revenue and direct spending³ occurs automatically each year under permanent law. Therefore, if the committees with jurisdiction over the revenue and direct spending programs do not report legislation to carry out the budget resolution policies by amending existing law, revenue and direct spending for these programs will likely continue without change.

The *budget reconciliation process* is an optional procedure that operates as an adjunct to the budget resolution process.⁴ The chief purpose of the reconciliation process is to enhance Congress's ability to change current law to bring revenue and spending levels into conformity with the policies of the budget resolution. Accordingly, reconciliation is probably the most potent budget enforcement tool available to Congress for a large portion of the budget.

Reconciliation is a multi-stage process. First, reconciliation instructions are included in the budget resolution directing the appropriate committees to develop legislation achieving the desired budgetary outcomes. The instructed committees submit their legislative recommendations

¹ Toward the beginning of the modern congressional budget process (which began in 1975 for FY1976), the House and Senate met this requirement every year. Beginning in the late 1990s, however, Congress often did not agree on a budget resolution. This has occurred nine times: 1998 (for FY1999), 2002 (for FY2003), 2004 (for FY2005), 2006 (for FY2007), 2010 (for FY2011), 2011 (for FY2012), 2012 (for FY2013), 2013 (for FY2014), and 2014 (for FY2015). For background information on budget resolutions, see CRS Report RL30297, *Congressional Budget Resolutions: Historical Information*, by (name redacted)

² The congressional budget process, and its enforcement procedures, are discussed in more detail in CRS Report 98-721, *Introduction to the Federal Budget Process*, coordinated by (name redacted) .

³ *Direct spending* is generally provided in substantive law under the jurisdiction of the legislative committees, in contrast to *discretionary spending*, which is provided in annual appropriations acts under the jurisdiction of the House and Senate Appropriations Committees. Most direct spending programs are entitlements, such as Social Security, Medicare, federal civilian and military retirement, and unemployment compensation.

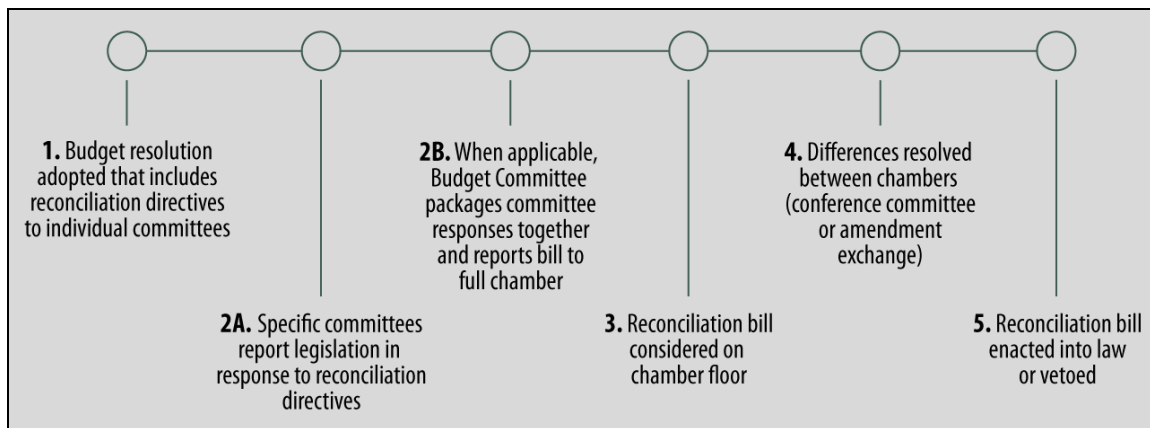
⁴ For more information, see CRS Report R44058, *The Budget Reconciliation Process: Stages of Consideration*, by (name redacted) and (name redacted)

to their respective Budget Committees by the deadline prescribed in the budget resolution. The Budget Committees then incorporate them into an omnibus budget reconciliation bill without making any substantive revisions.

The second step involves consideration of the resultant reconciliation legislation by the House and Senate under expedited procedures. Among other things, debate in the Senate on any reconciliation measure is limited to 20 hours (and 10 hours on a conference report), and amendments must be germane. The House Rules Committee typically sets limitations on debate and the offering of amendments during consideration of reconciliation measures in the House.

In cases where only one committee has been instructed, the process allows that committee to report its reconciliation legislation directly to its parent chamber, thus bypassing the Budget Committee. In some years, budget resolutions included reconciliation instructions that afforded the House and Senate the option of considering two or more different reconciliation bills. Once the reconciliation legislation called for in the budget resolution has been approved or vetoed by the President, the process is concluded. Congress cannot develop another reconciliation bill in the wake of a veto without first adopting another budget resolution containing reconciliation instructions.

Figure 1. Major Stages of the Reconciliation Process



Source: Congressional Research Service.

Reconciliation was first used by the House and Senate during the administration of President Jimmy Carter in calendar year 1980 for FY1981.⁵ As an optional procedure, it has not been used every year. Since FY1981, 20 omnibus reconciliation measures have been enacted into law, and four have been vetoed (see **Table 1**).

Table 1. Budget Resolutions and Resultant Reconciliation Acts: FY1981-Present

| Fiscal Year | Budget Resolution | Resultant Reconciliation Act(s) | Date Enacted |
|-------------|-------------------|--|--------------|
| 1981 | H.Con.Res. 307 | Omnibus Reconciliation Act of 1980 (P.L. 96-499) | 12/05/80 |

⁵ The Senate considered a revenue-reduction bill for FY1976 (H.R. 5559) under reconciliation procedures in December 1975. It was initiated under a second budget resolution for that fiscal year and was not considered to be a reconciliation bill in the House. The bill did not become law. This report presents data on the timing of action on reconciliation measures initiated in conjunction with budget resolutions scheduled for adoption in the spring and thus excludes Senate consideration of H.R. 5559 in 1975.

| Fiscal Year | Budget Resolution | Resultant Reconciliation Act(s) | Date Enacted |
|--------------------|--------------------------|--|------------------------|
| 1982 | H.Con.Res. 115 | Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) | 08/13/81 |
| 1983 | S.Con.Res. 92 | Tax Equity and Fiscal Responsibility Act of 1982 (P.L. 97-248) | 09/03/82 |
| | | Omnibus Budget Reconciliation Act of 1982 (P.L. 97-253) | 09/08/82 |
| 1984 | H.Con.Res. 91 | Omnibus Budget Reconciliation Act of 1983 (P.L. 98-270) | 04/18/84 |
| 1986 | S.Con.Res. 32 | Consolidated Omnibus Budget Reconciliation Act of 1985 (P.L. 99-272) | 04/07/86 |
| 1987 | S.Con.Res. 120 | Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509) | 10/21/86 |
| 1988 | S.Con.Res. 93 | Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203) | 12/22/87 |
| 1990 | H.Con.Res. 106 | Omnibus Budget Reconciliation Act of 1989 (P.L. 101-239) | 12/19/89 |
| 1991 | H.Con.Res. 310 | Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508) | 11/05/90 |
| 1994 | H.Con.Res. 64 | Omnibus Budget Reconciliation Act of 1993 (P.L. 103-66) | 08/10/93 |
| 1996 | H.Con.Res. 67 | Balanced Budget Act of 1995 | 12/06/95 (vetoed) |
| 1997 | H.Con.Res. 178 | Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) | 08/22/96 |
| 1998 | H.Con.Res. 84 | Balanced Budget Act of 1997 (P.L. 105-33) | 08/05/97 |
| | | Taxpayer Relief Act of 1997 (P.L. 105-34) | 08/05/97 |
| 2000 | H.Con.Res. 68 | Taxpayer Refund and Relief Act of 1999 (H.R. 2488) | 09/23/99 (vetoed) |
| 2001 | H.Con.Res. 290 | Marriage Tax Relief Reconciliation Act of 2000 (H.R. 4810) | 08/05/00 (vetoed) |
| 2002 | H.Con.Res. 83 | Economic Growth and Tax Relief Reconciliation Act of 2001 (P.L. 107-16) | 06/07/01 |
| 2004 | H.Con.Res. 95 | Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27) | 05/28/03 |
| 2006 | H.Con.Res. 95 | Deficit Reduction Act of 2005 (P.L. 109-171) | 02/08/06 |
| | | Tax Increase Prevention and Reconciliation Act of 2005 (P.L. 109-222) | 05/17/06 |
| 2008 | S.Con.Res. 21 | College Cost Reduction and Access Act of 2007 (P.L. 110-84) | 09/27/07 |
| 2010 | S.Con.Res. 13 | Health Care and Education Reconciliation Act of 2010 (P.L. 111-152) | 03/30/2010 |
| 2016 | S.Con.Res. 11 | Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 | 01/08/2016 (vetoed) |

Source: Prepared by the Congressional Research Service.

In some years, reconciliation was proposed by one or both chambers but not activated. The FY1999 budget resolution passed by the House (H.Con.Res. 284, 105th Congress), for example, included reconciliation directives to nine House committees, but the Senate-passed budget resolution (S.Con.Res. 86) did not contain reconciliation directives. Ultimately, the House and Senate did not reach final agreement on the FY1999 budget resolution, and reconciliation procedures were not used that year. Similarly, the FY2013 budget resolution agreed to by the House (H.Con.Res. 112, 112th Congress) contained reconciliation directives to six House committees. Although the House and Senate did not come to agreement on a budget resolution, the six specified House committees submitted their reconciliation language to the House Budget

Committee by the specified deadline, and the House passed H.R. 5652, the Sequester Replacement Reconciliation Act. The House was able to develop and consider H.R. 5652 as a reconciliation measure because the budget resolution passed by the House was “deemed” enforceable by the House as if the Senate had agreed to it (H.Res. 614, 112th Congress).⁶ Because Congress had not agreed to the underlying budget resolution, the House reconciliation bill, H.R. 5652, was not considered a reconciliation measure in the Senate and, therefore, was not eligible for consideration in the Senate under reconciliation procedures.

From 1980 into the 1990s, reconciliation was used to reduce the deficit through reductions in mandatory spending, revenue increases, or a combination of the two. Reconciliation has also been used, however, to reduce revenues and, in a few instances, to increase spending levels in particular areas.⁷ In 2006, reconciliation was used to reduce mandatory spending and revenues, yielding a net increase in the deficit.⁸ In the first session of the 110th Congress, the Senate adopted a rule prohibiting the use of reconciliation in a manner that would increase the deficit or reduce the surplus, but this point of order was repealed in 2015.⁹ The House adopted a similar rule at the beginning of the 110th Congress but amended the rule at the beginning of the 112th Congress to prohibit the use of reconciliation in a manner that would cause a net increase in direct spending (House Rule XXI, Clause 7).¹⁰

With regard to spending reductions, the reconciliation process for the most part has applied to mandatory spending programs and not discretionary spending programs (which are subject to other budget enforcement procedures).¹¹ In some years, the reconciliation process has been used to increase the statutory debt limit (which is typically addressed through different procedures). In 2000, efforts were made in the reconciliation process to reduce the debt held by the public.¹²

Timing of Legislative Action

Time of Year That Reconciliation Is Scheduled to Occur

As originally framed, the 1974 Congressional Budget Act required the adoption of two budget resolutions each year. By May 15 of each year, the House and Senate were scheduled to complete action on a budget resolution setting advisory targets. By September 15, just before the beginning of the fiscal year on October 1, the two chambers were scheduled to adopt a budget resolution setting binding limits. It was contemplated that reconciliation would be used in conjunction with the second budget resolution as a device to make any “last minute” changes in pending legislation

⁶ For more information, see CRS Report RL31443, *The “Deeming Resolution”: A Budget Enforcement Tool*, by (name redacted).

⁷ See CRS Report RS22098, *Deficit Impact of Reconciliation Legislation Enacted in 1990, 1993, 1997, and 2006*, by (name redacted) (out of print; available from CRS).

⁸ See CRS Report RL33132, *Budget Reconciliation Legislation in 2005-2006 Under the FY2006 Budget Resolution*, by (name redacted) (out of print; available from CRS).

⁹ The rule was initially included in Section 202 of the FY2008 budget resolution, S.Con.Res. 21 (110th Congress), and was repealed in Section 3204 of the FY2016 budget resolution, S.Con.Res. 11 (114th Congress).

¹⁰ This rule was also included in the rules for the 113th and 114th Congresses.

¹¹ See CRS Report RS22277, *Savings in Mandatory Outlays in Selected Reconciliation Acts*, by (name redacted) (out of print; available from CRS).

¹² For more information on this topic, see CRS Report RL30714, *Congressional Action on Revenue and Debt Reconciliation Measures in 2000*, by (name redacted) (out of print; available from CRS); and CRS Report RS21519, *Legislative Procedures for Adjusting the Public Debt Limit: A Brief Overview*, by (name redacted).

or current law necessary to bring the budget resolution policies to fruition. The 1974 act prescribed a 10-day period to accomplish reconciliation, requiring that the process be concluded by September 25.

After several years' experience with the congressional budget process, congressional leaders realized that reconciliation could not be used to make major changes in revenue and direct spending laws and still fit within such a compressed time frame and occur so late in the session. Therefore, when the House and Senate first employed reconciliation in 1980, it was initiated in the first budget resolution, which was adopted in the late spring. The following year, reconciliation was again used in connection with the first budget resolution. Shortly thereafter, the House and Senate abandoned altogether the practice of adopting a second budget resolution.

These changes in congressional practice were formally incorporated into the 1974 Congressional Budget Act several years later under amendments made by the Balanced Budget and Emergency Deficit Control Act of 1985 (Title II of P.L. 99-177). The changes, which first took effect for FY1987 and still remain in effect, require the annual adoption of only one budget resolution and authorize the inclusion of any reconciliation instructions in it. The deadline for the adoption of the budget resolution was advanced by one month to April 15. Under the revised timetable, two months are allowed for reconciliation. Congress established a deadline of June 15 for the completion of action on any required reconciliation legislation.¹³ To enforce this deadline in the House, a prohibition against the consideration of a July adjournment resolution if reconciliation is not completed was placed in Section 310(f) of the 1974 Act. The Senate has no comparable provision.

Overall Record of Experience

The record of experience with reconciliation legislation over the period covering 1980 to the present indicates considerable variation in the time needed to process such measures from the date the reconciliation instructions take effect (upon final adoption of the budget resolution) until the resultant reconciliation legislation is approved or vetoed by the President. As **Figure 2** shows, the processing interval for the 20 enacted and four vetoed reconciliation measures ranged from a low of 27 days (for the Omnibus Budget Reconciliation Act of 1990) to a high of 384 days (for the Tax Increase Prevention and Reconciliation Act of 2006). On average, completing the process took about five months (155 days), well beyond the two months contemplated by the timetable in the 1974 Congressional Budget Act.

With regard to the use of reconciliation by congressional session, Congress has not ostensibly favored one session over the other. As **Table 2** shows, action on 11 such measures was completed during the first session and on 13 such measures during the second session. It should be noted, however, that six of the measures (the Omnibus Budget Reconciliation Act of 1983; the Consolidated Omnibus Budget Reconciliation Act of 1985; the Deficit Reduction Act of 2005; the Tax Increase Prevention, Reconciliation Act of 2005; the Healthcare and Education Reconciliation Act of 2010; and the Restoring Americans' Healthcare Freedom Reconciliation Act of 2015) were enacted (or vetoed) between January and May of the second session and were from reconciliation directives included in the prior session.

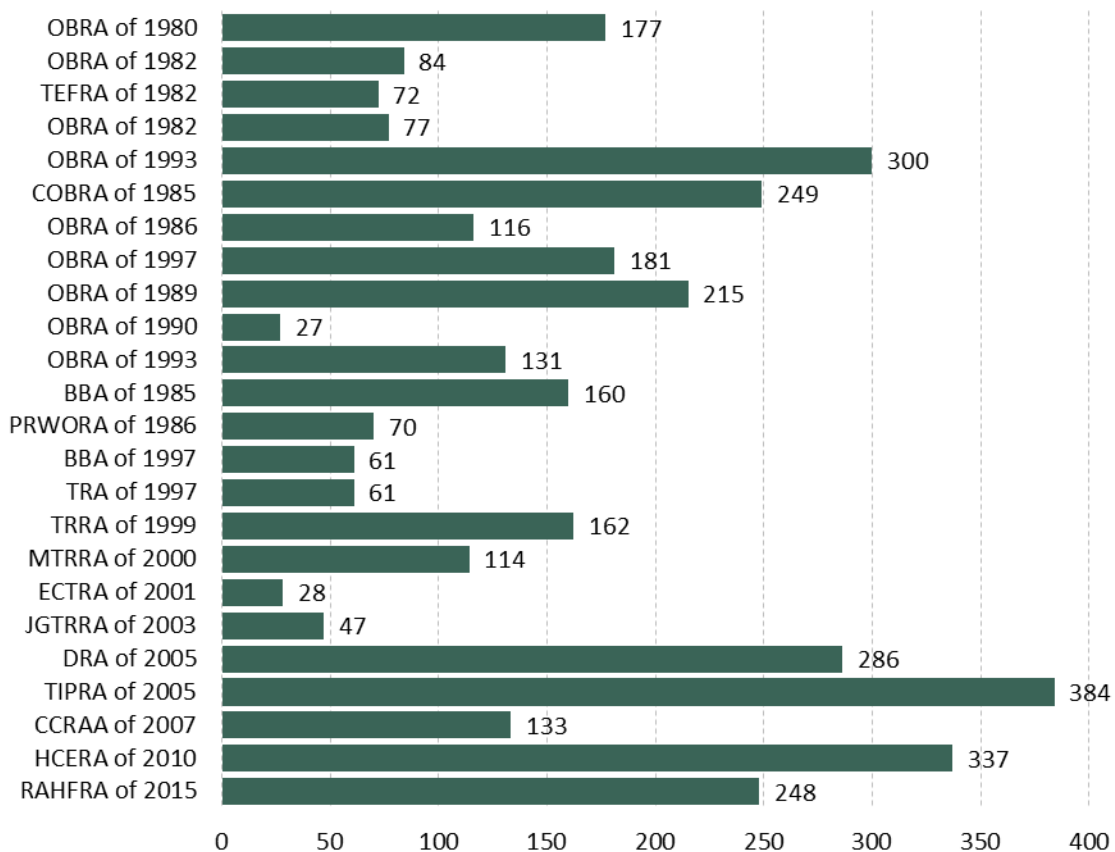
¹³ An explicit requirement that Congress complete action on any necessary reconciliation measure was established in Section 310(f) of the 1974 Congressional Budget Act by Section 201(b) (at 99 Stat. 1040) of the 1985 Balanced Budget Act. Section 13210(2) of the Budget Enforcement Act of 1990 (Title XIII of P.L. 101-508) deleted this requirement from Section 310(f) but left unchanged the reference to the deadline in the general timetable set forth in Section 300.

Congress and the President have shown the ability to initiate the reconciliation process and conclude it reasonably early in the same session: In the case of eight bills (for seven different years), reconciliation measures were enacted or vetoed before the end of August. On the other hand, the reconciliation process can be lengthy and drawn out: In four instances, reconciliation measures were not enacted or vetoed until December, and in six other instances, they carried over until the following year.

Adoption of Reconciliation Instructions

During the period covering from 1980 to the present, Congress adopted 21 budget resolutions containing reconciliation instructions (see **Table 3**). The House and Senate adopted four of these budget resolutions (for FY1994, FY2000, FY2001, and FY2004) on time, but the others were adopted behind schedule. As **Table 3** shows, most of the budget resolutions that contained reconciliation instructions were adopted in April, May, or June, but one was adopted as late as August and another in October. During years when reconciliation was used, budget resolutions were adopted, on average, about 47 days after the prescribed deadline.

Figure 2. Number of Days Needed to Process Reconciliation Acts



Source: Prepared by the Congressional Research Service.

Notes: The “number of days” refers to the interval from adoption of the budget resolution to the enactment or veto of the reconciliation act.

ORA = Omnibus Reconciliation Act;

OBRA = Omnibus Budget Reconciliation Act;

TEFRA = Tax Equity and Fiscal Responsibility Act;

COBRA = Consolidated Omnibus Budget Reconciliation Act;
 PRWORA = Personal Responsibility and Work Opportunity Reconciliation Act;
 BBA = Balanced Budget Act;
 TRA = Taxpayer Relief Act;
 TRRA = Taxpayer Refund and Relief Act;
 MTRRA = Marriage Tax Relief Reconciliation Act;
 EGTRRA = Economic Growth and Tax Relief Reconciliation Act;
 JGTRRA = Jobs and Growth Tax Relief Reconciliation Act;
 DRA = Deficit Reduction Act;
 TIPRA = Tax Increase Prevention and Reconciliation Act;
 CCRAA = College Cost Reduction and Access Act;
 HCERA=Health Care and Education Reconciliation Act; and
 RAHFRA= Restoring Americans' Healthcare Freedom Reconciliation Act of 2015.

Table 2. Dates of Enactment or Veto of Reconciliation Measures by Session of Congress

| Congress | First Session | Second Session |
|---------------------------------|----------------------|--|
| 96 th | — | 12/05/80 |
| 97 th | 08/13/81 | 09/03/82 09/08/82 |
| 98 th | — | 04/18/84 ^a |
| 99 th | — | 04/07/86 ^a 10/21/86 |
| 100 th | 12/22/87 | — |
| 101 st | 12/19/89 | 11/05/90 |
| 102 nd | — | — |
| 103 rd | 08/10/93 | — |
| 104 th | 12/06/95 (vetoed) | 08/22/96 |
| 105 th | 08/05/97 08/05/97 | — |
| 106 th | 09/23/99 (vetoed) | 08/05/00 (vetoed) |
| 107 th | 06/07/01 | — |
| 108 th | 05/28/03 | — |
| 109 th | — | 02/08/06 ^a 05/17/06 ^a |
| 110 th | 09/27/07 | — |
| 111 th | — | 03/30/10 ^a |
| 114 th | — | 01/08/2016 (vetoed) |
| Total Number of Measures | 11 | 13 |

Source: Prepared by the Congressional Research Service.

a. Measure carried over from the prior year.

Table 3. Adoption of Reconciliation Instructions in Budget Resolutions Since FY1981

| Fiscal Year | Budget Resolution | Date Adopted | Number of Days After Deadline ^a | Initial Deadline for Committee Submissions |
|-------------|-------------------|--------------|--|--|
| 1981 | H.Con.Res. 307 | 06/12/80 | 58 | June 20 |
| 1982 | H.Con.Res. 115 | 05/21/81 | 36 | June 12 |
| 1983 | S.Con.Res. 92 | 06/23/82 | 69 | August 1 (House) July 20 (Senate) |
| 1984 | H.Con.Res. 91 | 06/23/83 | 69 | July 22 |
| 1986 | S.Con.Res. 32 | 08/01/85 | 108 | September 27 |
| 1987 | S.Con.Res. 120 | 06/27/86 | 73 | July 25 |
| 1988 | S.Con.Res. 93 | 06/24/87 | 70 | July 28 |
| 1990 | H.Con.Res. 106 | 05/18/89 | 33 | July 15 |
| 1991 | H.Con.Res. 310 | 10/09/90 | 177 | October 15 |
| 1994 | H.Con.Res. 64 | 04/01/93 | 0 | May 14 (House) June 18 (Senate) |
| 1996 | H.Con.Res. 67 | 06/29/95 | 75 | September 22 |
| 1997 | H.Con.Res. 178 | 06/13/96 | 59 | June 13/21 (House/Senate) July 18/24 (House/Senate) Sept. 6/18 (House/Senate) |
| 1998 | H.Con.Res. 84 | 06/05/97 | 51 | June 13 June 14/20 (House/Senate) |
| 2000 | H.Con.Res. 68 | 04/14/99 | 0 | July 16 (House) July 23 (Senate) |
| 2001 | H.Con.Res. 290 | 04/13/00 | 0 | July 14 (first bill) September 13 (second bill) |
| 2002 | H.Con.Res. 83 | 05/10/01 | 25 | May 18 |
| 2004 | H.Con.Res. 95 | 04/11/03 | 0 | May 8 |
| 2006 | H.Con.Res. 95 | 04/28/05 | 13 | September 16 (first bill) September 23 (second bill) September 30 (third bill) |
| 2008 | S.Con.Res. 21 | 05/17/07 | 32 | September 10 |
| 2010 | S.Con.Res. 13 | 04/27/09 | 12 | October 15 |
| 2016 | S.Con.Res. 11 | 05/05/2015 | 20 | July 24 |

Source: Prepared by the Congressional Research Service.

- a. Beginning with FY1987, the deadline for the adoption of the budget resolution was changed to April 15. Prior to that fiscal year, the deadline was May 15.

Timely adoption of the budget resolution can facilitate timely enactment of reconciliation legislation, just as tardy adoption of the budget resolution can delay completion of the reconciliation process. For example, the FY2002 budget resolution was adopted only 25 days after the deadline, and the reconciliation process for that year was completed in another 28 days (compared to the average of 155 days). Conversely, the FY1986 budget resolution was adopted 108 days after the deadline, and the reconciliation process took another 249 days to complete.

Nonetheless, timely or tardy adoption of a budget resolution does not necessarily ensure that the reconciliation process will proceed quickly or slowly. For example, in two of the years that the budget resolution was adopted on time (FY1994 and FY2000), 131 days and 161 days, respectively, were taken to complete action on reconciliation legislation. In 2005, the FY2006 budget resolution was adopted only 13 days behind schedule, but the second of two reconciliation measures generated thereunder was not enacted into law until 384 days later.

Another factor that can affect how quickly or slowly reconciliation legislation is processed is the amount of time given to committees to prepare their reconciliation recommendations. As **Table 3** indicates, the initial deadline for committee submissions, included in the budget resolution, ranged from about one week to over five months after adoption of the budget resolution. The longer deadlines were used largely to accommodate the August recess. In some cases, the submission deadline was extended one or more times.¹⁴

House and Senate Action on Omnibus Reconciliation Legislation

As indicated previously, the House and Senate together completed action on 24 different budget reconciliation bills since 1980; 20 of them were enacted into law, and four were vetoed. (The text of one or more other measures considered separately was sometimes incorporated later into an omnibus budget reconciliation bill.) On occasion, one chamber has considered reconciliation legislation that was not considered by the other chamber. During the second session of the 106th Congress, for example, the House and Senate passed the Marriage Tax Relief Reconciliation Act of 2000, but it was vetoed by President Clinton. The House passed five other reconciliation measures during the session, but the Senate did not act on any of them.¹⁵

Table 4 provides information on the dates of initial consideration by the House and Senate of these 24 measures, as well as the dates that the two chambers acted on the relevant conference reports. As the table shows, the Senate devoted more than twice as many days (81 days) to initial consideration of these measures than did the House (33 days). Initial Senate consideration of these measures ranged from two to eight days, while House consideration took one or two days, except in 1989 (when the House considered the Omnibus Budget Reconciliation Act of 1989 for six days).

Of the 155 days needed (on average) to develop, consider, and enact into law (or veto) a reconciliation bill, about half were required to secure initial passage in the House and Senate. The remaining days were taken up by conference meetings, adoption of the conference report, enrollment of the legislation, and consideration and approval by the President.

¹⁴ For more information, see CRS Report R41151, *Budget Reconciliation Process: Timing of Committee Responses to Reconciliation Directives*, by (name redacted).

¹⁵ For more information on these measures, see CRS Report RL30714, *Congressional Action on Revenue and Debt Reconciliation Measures in 2000*, by (name redacted) (out of print); available from the author; *ibid*.

Table 4. Dates of House and Senate Action on Reconciliation Legislation (Since FY1981)

| Fiscal Year | Reconciliation Act | Bill Numbers | House Action | | Senate Action | |
|-------------|--|-----------------------------------|----------------------|--|--|--|
| | | | Initial | Conference | Initial | Conference |
| 1981 | Omnibus Reconciliation Act of 1980 | H.R. 7765 S. 2885 S. 2939 | 09/04/80 | 12/03/80 | 06/30/80 07/23/80 09/17/80 | 12/03/80 |
| 1982 | Omnibus Budget Reconciliation Act of 1981 | H.R. 3982 S. 1377 | 06/25/81 06/26/81 | 07/31/81 | 06/22/81 06/23/81 06/24/81 06/25/81 07/13/81 | 08/13/81 |
| 1983 | Tax Equity and Fiscal Responsibility Act of 1982 | H.R. 4961 | 12/15/81 | 08/19/82 | 07/19/82 07/20/82 07/21/82 07/22/82 07/23/82 | 08/19/82 |
| | Omnibus Budget Reconciliation Act of 1982 | H.R. 6955 S. 2774 | 08/10/82 | 08/17/82 08/18/82 | 08/04/82 08/05/82 08/11/82 | 08/18/82 |
| 1984 | Omnibus Budget Reconciliation Act of 1983 | H.R. 4169 S. 2062 | 10/25/83 | — | 11/16/83 11/18/83 04/05/84 | — |
| 1986 | Consolidated Omnibus Budget Reconciliation Act of 1985 | H.R. 3500 H.R. 3128 S. 1730 | 10/24/85 10/31/85 | 12/05/85 12/19/85 12/20/85 03/06/86 03/18/86 03/20/86 | 10/15/85 10/16/85 10/22/85 10/23/85 10/24/85 11/12/85 11/13/85 11/14/85 | 12/19/85 12/20/85 03/14/86 03/18/86 |
| 1987 | Omnibus Budget Reconciliation Act of 1986 | H.R. 5300 S. 2706 | 09/24/86 | 10/17/86 | 09/19/86 09/20/86 09/25/86 | 10/17/86 |
| 1988 | Omnibus Budget Reconciliation Act of 1987 | H.R. 3545 S. 1920 | 10/29/87 | 12/21/87 | 12/09/87 12/10/87 | 12/22/87 |

| Fiscal Year | Reconciliation Act | Bill Numbers | House Action | | Senate Action | |
|-------------------|---|----------------------|--|----------------------|--|----------------------|
| | | | Initial | Conference | Initial | Conference |
| 1990 | Omnibus Budget Reconciliation Act of 1989 | H.R. 3299 S. 1750 | 09/26/89 09/27/89 09/28/89 10/03/89 10/04/89 10/05/89 | 11/21/89 | 10/12/89 10/13/89 | 11/21/89 |
| 1991 | Omnibus Budget Reconciliation Act of 1990 | H.R. 5835 S. 3209 | 10/16/90 | 10/26/90 | 10/17/90 10/18/90 | 10/27/90 |
| 1994 | Omnibus Budget Reconciliation Act of 1993 | H.R. 2264 S. 1134 | 05/27/93 | 08/05/93 | 06/23/93 06/24/93 | 08/06/93 |
| 1996 | Balanced Budget Act of 1995 | H.R. 2491 S. 1357 | 10/25/95 10/26/95 | 11/17/95 11/20/95 | 10/25/95 10/26/95 10/27/95 10/28/95 | 11/17/95 |
| 1997 | Personal Responsibility and Work Opportunity Reconciliation Act of 1996 | H.R. 3734 S. 1956 | 07/18/96 | 07/31/96 | 07/18/96 07/19/96 07/22/96 07/23/96 | 08/01/96 |
| 1998 | Balanced Budget Act of 1997 | H.R. 2015 S. 947 | 06/25/97 | 07/30/97 | 06/23/97 06/24/97 06/25/97 | 07/31/97 |
| | Taxpayer Relief Act of 1997 | H.R. 2014 S. 949 | 06/26/97 | 07/31/97 | 06/25/97 06/26/97 06/27/97 | 07/31/97 |
| 2000 | Taxpayer Refund and Relief Act of 1999 | H.R. 2488 S. 1429 | 07/22/99 | 08/05/99 | 07/28/99 07/29/99 07/30/99 | 08/05/99 |
| 2001 ^a | Marriage Tax Relief Reconciliation Act of 2000 | H.R. 4810 S. 2839 | 07/12/00 | 07/20/00 | 07/14/00 07/17/00 07/18/00 | 07/20/00 07/21/00 |
| 2002 | Economic Growth and Tax Relief Reconciliation Act of 2001 | H.R. 1836 | 05/16/01 | 05/26/01 | 05/17/01 05/21/01 05/22/01 05/23/01 | 05/26/01 |

| Fiscal Year | Reconciliation Act | Bill Numbers | House Action | | Senate Action | |
|-------------|--|----------------------|-----------------------|----------------------|--|----------------------------------|
| | | | Initial | Conference | Initial | Conference |
| 2004 | Jobs and Growth Tax Relief Reconciliation Act of 2003 | H.R. 2 S. 1054 | 05/09/03 | 05/22/03 | 05/14/03 05/15/03 | 05/23/03 |
| 2006 | Deficit Reduction Act of 2005 | H.R. 4241 S. 1932 | 11/17/05 11/18/05 | 12/19/05 02/01/06 | 10/31/05 11/01/05 11/02/05 11/03/05 | 12/19/05 12/20/05 12/21/05 |
| | Tax Increase Prevention and Reconciliation Act of 2005 | H.R. 4297 S. 2020 | 12/08/05 | 05/10/06 | 11/17/05 11/18/05 | 05/11/06 |
| 2008 | College Cost Reduction and Access Act of 2007 | H.R. 2669 | 07/11/07 | 09/07/07 | 07/18/07 07/19/07 07/20/07 | 09/06/07 09/07/07 |
| 2010 | Health Care and Education Reconciliation Act of 2010 | H.R. 4872 | 03/21/10 ^b | | 03/23/2010 03/24/2010 03/25/2010 | |
| 2016 | Restoring Americans' Healthcare Freedom Reconciliation Act of 2015 | H.R. 3762 | 10/23/15 | | 12/1/2015 12/2/2015 12/3/2015 | |

Source: Prepared by the Congressional Research Service.

- a. The House passed five other reconciliation measures for FY2001, but the Senate did not act on any of them. For more information on these measures, see CRS Report RL30714, *Congressional Action on Revenue and Debt Reconciliation Measures in 2000*, by (name redacted) (out of print; available from the author).
- b. On March 25, 2010, the House considered the reconciliation bill with Senate amendments. The House and Senate did not go to conference.
- c. On January 6, 2015, the House considered the reconciliation bill with Senate amendments. The House and Senate did not go to conference,

Author Contact Information

(name redacted)
Specialist on Congress and the Legislative Process
{redacted-@crs.loc.gov}-....

Acknowledgments

This report was originally written by (name redacted), formerly a Specialist in American National Government at CRS.

EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted names, phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.