

paragraph shall be in order during the consideration of such resolution if such amendment would be in order but for the fact that it would be held to be non-germane on the basis that the instruction constitutes new matter.

(7) “Day” defined

For purposes of paragraphs (1), (2), and (3), the term “day” shall mean any calendar day on which the Senate is in session.

(b) Procedures

(1) In general

Except as provided in paragraph (2), in the Senate the provisions of sections 636 and 641 of this title for the consideration of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration of resolutions, and reconciliation bills and reconciliation resolutions reported under this paragraph and conference reports thereon.

(2) Limit on debate

Debate in the Senate on any resolution reported pursuant to subsection (a)(2) of this section, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to 10 hours.

(3) Limitation on amendments

Section 641(d)(2) of this title shall apply to reconciliation bills and reconciliation resolutions reported under this subsection.

(4) Bills and resolutions received from the House

Any bill or resolution received in the Senate from the House, which is a companion to a reconciliation bill or reconciliation resolution of the Senate for the purposes of this subsection, shall be considered in the Senate pursuant to the provisions of this subsection.

(5) “Resolution” defined

For purposes of this subsection, the term “resolution” means a simple, joint, or concurrent resolution.

(Pub. L. 99-177, title II, §258C, as added Pub. L. 101-508, title XIII, §13101(g), Nov. 5, 1990, 104 Stat. 1388-600.)

§ 908. Repealed. Pub. L. 105-33, title X, § 10210, Aug. 5, 1997, 111 Stat. 711

Section, Pub. L. 99-177, title II, §258, as added Pub. L. 100-119, title I, §105(a), Sept. 29, 1987, 101 Stat. 778, related to modification of Presidential order.

§ 909. Repealed. Pub. L. 101-508, title XIII, § 13212, Nov. 5, 1990, 104 Stat. 1388-621

Section, Pub. L. 100-119, title II, §202, Sept. 29, 1987, 101 Stat. 784, prohibited counting as savings transfer of Government actions from one year to another.

SUBCHAPTER II—OPERATION AND REVIEW

§ 921. Transferred

CODIFICATION

Section, Pub. L. 99-177, title II, §273, Dec. 12, 1985, 99 Stat. 1098, which related to revenue estimates, was redesignated as section 201(g) of Pub. L. 93-344 by section 13202(b) of Pub. L. 101-508 and is classified to section 601(f) of this title.

§ 922. Judicial review

(a) Expedited review

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any order that might be issued pursuant to section 904 of this title violates the Constitution.

(2) Any Member of Congress, or any other person adversely affected by any action taken under this title,¹ may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief concerning the constitutionality of this title.¹

(3) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory and injunctive relief on the ground that the terms of an order issued under section 904 of this title do not comply with the requirements of this title.¹

(4) A copy of any complaint in an action brought under paragraph (1), (2), or (3) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(5) Any action brought under paragraph (1), (2), or (3) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives to intervene in an action brought under paragraph (1), (2), or (3) without the necessity of adopting a resolution to authorize such intervention.

(b) Appeal to Supreme Court

Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1), (2), or (3) of subsection (a) of this section shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1), (2), or (3) of subsection (a) of this section shall be issued by a single Justice of the Supreme Court.

(c) Expedited consideration

It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a) of this section.

(d) Noncompliance with sequestration procedures

(1) If it is finally determined by a court of competent jurisdiction that an order issued by

¹ See References in Text note below.