



February 3, 2021

Key Vote NO on President Biden's Partisan Budget Resolution, S.Con.Res. 5

On behalf of our activist community, I urge you to contact your senators and ask them to vote NO on President Joe Biden's blatantly partisan budget, S.Con.Res. 5. The entire purpose of S.Con.Res. 5 is to force legislation through Congress on party lines. Although the nascent Biden administration has had a message of "unity," the use of budget reconciliation means that bipartisanship is being cast aside to advance a partisan agenda.

Budget reconciliation is a special, fast-track legislative process tied to a budget resolution that instructs specific committees to produce legislation tied directly to revenues, direct outlays, and/or the statutory limit on the debt held by the public. The process begins with the passage of a budget resolution with reconciliation instructions to committees to make changes based on certain dollar amounts.

Legislation that is produced from this process is given privilege in the Senate. This means the normal 60-vote cloture threshold to limit debate does not apply. Budget reconciliation cannot be used to make changes to Social Security. Policy changes that do not directly impact revenues and outlays risk the legislation losing its privileged status in the Senate. This is known as the "Byrd Rule," named after Sen. Robert Byrd (D-W.Va.), laid out as federal statute in 2 U.S.C. 644.

The Biden administration and congressional Democrats plan to use budget reconciliation for a \$1.9 trillion proposal that's framed as another round of COVID-19 relief. However, this proposal comes only weeks after Congress attached a COVID-19 relief bill to the omnibus. President Biden's proposal includes another, larger round of direct payments, an increase in unemployment benefits, a bailout of state and local governments, and an increase in the minimum wage to \$15 per hour.

Although much of the spending that President Biden wants to ram through Congress on a partisan basis can be done within the confines of budget reconciliation, other elements have traditionally not been allowed in budget reconciliation. Increasing the minimum wage is an example of a provision that shouldn't be used in budget reconciliation. However, far-left Democrats have expressed a

willingness to shatter long-held precedent by using their narrow partisan majority in the Senate to overrule the “Byrd Rule.”

FreedomWorks will count the vote on S.Con.Res. 5 when calculating our 2021 Congressional Scorecard and reserves the right to score any related votes or amendments and weigh any votes. The scorecard is used to determine eligibility for the FreedomFighter Award, which recognizes members of the House and Senate who consistently vote to support economic freedom and individual liberty.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Brandon', with a stylized, flowing script.

Adam Brandon
President, FreedomWorks