

achieve, shall it be in order<sup>357</sup> to offer to such resolution an amendment relating to such goals,<sup>358</sup> and such amendment shall be in order<sup>359</sup> only if it also proposes to alter such estimates, amounts, and levels in germane<sup>360</sup> fashion in order to be consistent with the goals proposed in such amendment.

§ 305(b)(5)

**(5) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed 3, not counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution.**<sup>361</sup>



<sup>357</sup> Congressional Budget Act prohibitions are not self-enforcing, and require points of order from the floor for their enforcement. *Cf. supra* note 293 (regarding section 303(a)).

<sup>358</sup> An amendment is subject to points of order under the Congressional Budget Act even if the Senate has specified by unanimous consent that the amendment is one of the amendments in order and the yeas and nays have been ordered. *Cf. supra* note 295 (regarding section 303(a)).

<sup>359</sup> *Id.*

<sup>360</sup> For a discussion of germaneness, see *supra* note 352.

<sup>361</sup> Compare the similar provisions for control and division of time on motions generally in paragraph (2), which provide for time for the minority leader under certain circumstances. *See supra* p. 125.

Despite the legislative language of this paragraph and paragraph (2), the Chair once responded to an inquiry that time for debate on a motion to recommit during consideration of a reconciliation bill was controlled by and evenly divided between the mover of the recommittal motion and the majority leader. 128 CONG. REC. S8705 (1982); Senate Precedent PRL19820720-003 (July 20, 1982) (LEGIS, Rules database) (inquiry by Majority Leader Baker during debate on the Reconciliation Tax Act of 1982). As section 310(e)(1) applies the provisions of section 305(b)(5) (not to mention the parallel, less specific provisions of section 305(b)(2)) to reconciliation bills, section 305(b)(5) indicates that the Chair should have responded that time was to be equally divided between, and controlled by, the mover and the manager of the reconciliation bill.