

have not been enrolled.<sup>445</sup>

§ 310(c)(1)

(c) COMPLIANCE WITH RECONCILIATION DIRECTIONS.<sup>446</sup>

<sup>445</sup> Pursuant to this paragraph and section 301(b)(3) (*see supra* p. 59), reconciliation provisions in a budget resolution may direct the development of a reconciliation resolution. Such a reconciliation resolution could direct the Clerk of the House or the Secretary of the Senate to revise certain bills on which enrollment has been delayed pursuant to a budget resolution provision requiring delayed enrollment. Section 301(b)(3) provides for delayed enrollment provisions. *See supra* p. 59 & note 154. Congress has not included this reconciliation resolution procedure in any budget resolution.

<sup>446</sup> If a committee fails to comply with the reconciliation instructions in the budget resolution, it is in order for any Senator to offer a motion to recommit the reconciliation bill with instructions to report back forthwith with an amendment — which need not be germane — that achieves those savings. Senate Precedent PRL19810617-001 (June 17, 1981) (LEGIS, Rules database); *see also* SENATE COMM. ON THE BUDGET, OMNIBUS RECONCILIATION ACT OF 1981, S. REP. No. 97-139, 97th Cong., 1st Sess. 11 (1981); SENATE COMM. ON THE BUDGET, OMNIBUS RECONCILIATION ACT OF 1982, S. REP. No. 97-504, 97th Cong., 2d Sess. 6 (1982); SENATE COMM. ON THE BUDGET, OMNIBUS RECONCILIATION ACT OF 1983, S. REP. No. 98-300, 98th Cong., 1st Sess. 5 (1983); SENATE COMM. ON THE BUDGET, CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985, S. REP. No. 99-146, 99th Cong., 1st Sess. 5 (1985); SENATE COMM. ON THE BUDGET, SIXTH OMNIBUS BUDGET RECONCILIATION ACT, 1986, S. REP. No. 99-348, 99th Cong., 2d Sess. 5 (1986). Thus, failure to comply causes the offending committee to lose the protection of the requirement of section 305(b)(2) (*see supra* p. 126 & note 352) that amendments be germane and may mean that another Senator will write the offending committee's provisions on the floor. For the parallel enforcement mechanism in the House, *see* section 310(d)(5) *infra* p. 172.

If a committee submits its reconciliation recommendations to the Budget Committee after the deadline that the budget resolution sets forth for submitting recommendations to the Budget Committee, and the Budget Committee nonetheless includes the tardy committee's reconciliation recommendations in the reconciliation legislation that it reports, this extraordinary remedy is not available to remedy the failure of the committee to comply with the deadline. *See* 135 CONG. REC. S12,589 (daily ed. Oct. 4, 1989) (statement of Budget Committee Chairman Sasser). For excerpts of the statement cited, *see supra* note 444.

As long as a preponderance of its subject matter has a budgetary impact, a reconciliation bill may contain non-budgetary amendments to substantive law, and still be protected under the Congressional Budget Act. 127 CONG. REC. S6664 (1981); Senate Precedent PRL19810622-001 (June 22, 1981) (LEGIS, Rules database) (statement of Majority Leader Baker).