the concurrent resolution, except that in the event the manager of the concurrent resolution is in favor of any such amendment, motion, or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. No amendment[351] that is not germane[352] to

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[351] 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)).

[352] In summary, an amendment is germane *only* if it:

■ strikes a provision,

■ changes a number or date,

■ states purely precatory language (such as findings, a sense of the Senate, or a sense of the Congress) within the jurisdiction of the Budget Committee (or in application to reconciliation, some reporting committee), or

■ otherwise does not add any new subject matter or expand the existing subject matter.

The Chair uses precedents regarding germaneness under unanimous consent agreements to interpret this provision of the Congressional Budget Act, which uses the language used in unanimous consent agreements in the usual form. 127 CONG. REC. S3148 (1981); Senate Precedent PRL19810401-001 (Apr. 1, 1981) (LEGIS, Rules database) (for the debate in this precedent, see *infra* note 353).

Recently, the Parliamentarian has modified the definition of germaneness, to some degree returning to older precedents. Consequently, in order to ensure that one has a correct understanding of the current law of germaneness, one must consult the Parliamentarian as particular cases arise. For more on the subject of germaneness of amendments, see ALAN S. FRUMIN, RIDDICK'S SENATE PROCEDURE 854-62 (1992). In *Riddick's Senate Procedure*, the Parliamentarian spells out some general guidelines:

> Although the precedents of the Senate with respect to germaneness of amendments reflect various conclusions, it has generally been understood that germaneness is more restrictive than relevancy. However, in order to be germane, an amendment must at least be relevant. Therefore, while a simple restriction on the effect of a measure would generally be germane, a restriction subject to an irrelevant contingency would not be germane.

> The Senate usually imposes a germaneness requirement when it decides to limit debate on a proposal. In this sense, the Senate enters into a contract whereby it promises to bring a measure to a vote in exchange for a

(continued...)