

109TH CONGRESS
2^D SESSION

H. R. 5667

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of discretionary budget authority, promote fiscal responsibility, reinstate Pay-As-You-Go rules, require responsible use of reconciliation procedures, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2006

Mr. SPRATT introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committees on Rules and Standards of Official Conduct, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of discretionary budget authority, promote fiscal responsibility, reinstate Pay-As-You-Go rules, require responsible use of reconciliation procedures, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Deficit Reduction and
3 Effective Legislative Line Item Veto Act of 2006”.

4 **TITLE I—LEGISLATIVE LINE**
5 **ITEM VETO**

6 **SEC. 101. LEGISLATIVE LINE ITEM VETO.**

7 (a) IN GENERAL.—Title X of the Congressional
8 Budget and Impoundment Control Act of 1974 (2 U.S.C.
9 621 et seq.) is amended by striking all of part B (except
10 for sections 1016 and 1013, which are redesignated as sec-
11 tions 1018 and 1019, respectively) and part C and insert-
12 ing the following:

13 “PART B—LEGISLATIVE LINE ITEM VETO

14 “LINE ITEM VETO AUTHORITY

15 “SEC. 1011. (a) PROPOSED CANCELLATIONS.—With-
16 in 10 calendar days after the enactment of any bill or joint
17 resolution providing any discretionary budget authority or
18 targeted tax benefit, the President may propose, in the
19 manner provided in subsection (b), the cancellation of any
20 dollar amount of such discretionary budget authority or
21 targeted tax benefit. Except for emergency spending, if the
22 10 calendar-day period expires during a period where ei-
23 ther House of Congress stands adjourned sine die at the
24 end of a Congress or for a period greater than 10 calendar
25 days, the President may propose a cancellation under this
26 section and transmit a special message under subsection

1 (b) on the first calendar day of session following such a
2 period of adjournment.

3 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

4 “(1) SPECIAL MESSAGE.—

5 “(A) IN GENERAL.—The President may
6 transmit to the Congress a special message pro-
7 posing to cancel any dollar amounts of discre-
8 tionary budget authority or targeted tax bene-
9 fits.

10 “(B) CONTENTS OF SPECIAL MESSAGE.—

11 Each special message shall specify with respect
12 to the discretionary budget authority proposed
13 or targeted tax benefits to be canceled—

14 “(i) the dollar amount of discretionary
15 budget authority (that OMB, after con-
16 sultation with CBO, estimates to increase
17 budget authority or outlays as required by
18 section 1016(9)) or the targeted tax ben-
19 efit that the President proposes be can-
20 celed;

21 “(ii) any account, department, or es-
22 tablishment of the Government to which
23 such discretionary budget authority is
24 available for obligation, and the specific
25 project or governmental functions involved;

1 “(iii) the reasons why such discre-
2 tionary budget authority or targeted tax
3 benefit should be canceled;

4 “(iv) to the maximum extent prac-
5 ticable, the estimated fiscal, economic, and
6 budgetary effect (including the effect on
7 outlays and receipts in each fiscal year) of
8 the proposed cancellation;

9 “(v) to the maximum extent prac-
10 ticable, all facts, circumstances, and con-
11 siderations relating to or bearing upon the
12 proposed cancellation and the decision to
13 effect the proposed cancellation, and the
14 estimated effect of the proposed cancella-
15 tion upon the objects, purposes, or pro-
16 grams for which the discretionary budget
17 authority or the targeted tax benefit is
18 provided;

19 “(vi) a numbered list of cancellations
20 to be included in an approval bill that, if
21 enacted, would cancel discretionary budget
22 authority or targeted tax benefits proposed
23 in that special message; and

24 “(vii) if the special message is trans-
25 mitted subsequent to or at the same time

1 as another special message, a detailed ex-
2 planation why the proposed cancellations
3 are not substantially similar to any other
4 proposed cancellation in such other mes-
5 sage.

6 “(C) DUPLICATIVE PROPOSALS PROHIB-
7 ITED.—The President may not propose to can-
8 cel the same or substantially similar discre-
9 tionary budget authority or targeted tax benefit
10 more than one time under this Act.

11 “(D) MAXIMUM NUMBER OF SPECIAL MES-
12 SAGES.—The President may not transmit to the
13 Congress more than one special message under
14 this subsection related to any bill or joint reso-
15 lution described in subsection (a).

16 “(E) PROHIBITION ON PRESIDENTIAL
17 ABUSE OF PROPOSED CANCELLATIONS.—Nei-
18 ther the President nor any other executive
19 branch official shall condition the inclusion or
20 exclusion or threaten to condition the inclusion
21 or exclusion of any proposed cancellation in any
22 special message under this section on any vote
23 cast or to be cast by any Member of either
24 House of Congress.

25 “(2) ENACTMENT OF APPROVAL BILL.—

1 “(A) DEFICIT REDUCTION.—Amounts of
2 discretionary budget authority or targeted tax
3 benefits which are canceled pursuant to enact-
4 ment of a bill as provided under this section
5 shall be dedicated only to reducing the deficit or
6 increasing the surplus.

7 “(B) ADJUSTMENT OF LEVELS IN THE
8 CONCURRENT RESOLUTION ON THE BUDGET.—
9 Not later than 5 days after the date of enact-
10 ment of an approval bill as provided under this
11 section, the chairs of the Committees on the
12 Budget of the Senate and the House of Rep-
13 resentatives shall revise allocations and aggre-
14 gates and other appropriate levels under the ap-
15 propriate concurrent resolution on the budget to
16 reflect the cancellation, and the applicable com-
17 mittees shall report revised suballocations pur-
18 suant to section 302(b), as appropriate.

19 “(C) ADJUSTMENTS TO STATUTORY LIM-
20 ITS.—After enactment of an approval bill as
21 provided under this section, the Office of Man-
22 agement and Budget shall revise applicable lim-
23 its under the Balanced Budget and Emergency
24 Deficit Control Act of 1985, as appropriate.

25 “PROCEDURES FOR EXPEDITED CONSIDERATION

26 “SEC. 1012. (a) EXPEDITED CONSIDERATION.—

1 “(1) IN GENERAL.—The majority leader of each
2 House or his designee shall (by request) introduce
3 an approval bill as defined in section 1016 not later
4 than the fifth day of session of that House after the
5 date of receipt of a special message transmitted to
6 the Congress under section 1011(b) .

7 “(2) CONSIDERATION IN THE HOUSE OF REP-
8 RESENTATIVES.—

9 “(A) REFERRAL AND REPORTING.—Any
10 committee of the House of Representatives to
11 which an approval bill is referred shall report it
12 to the House without amendment not later than
13 the seventh legislative day after the date of its
14 introduction. If a committee fails to report the
15 bill within that period or the House has adopt-
16 ed a concurrent resolution providing for ad-
17 journment sine die at the end of a Congress, it
18 shall be in order to move that the House dis-
19 charge the committee from further consider-
20 ation of the bill. Such a motion shall be in
21 order only at a time designated by the Speaker
22 in the legislative schedule within two legislative
23 days after the day on which the proponent an-
24 nounces his intention to offer the motion. Such
25 a motion shall not be in order after a committee

1 has reported an approval bill with respect to
2 that special message or after the House has dis-
3 posed of a motion to discharge with respect to
4 that special message. The previous question
5 shall be considered as ordered on the motion to
6 its adoption without intervening motion except
7 twenty minutes of debate equally divided and
8 controlled by the proponent and an opponent. If
9 such a motion is adopted, the House shall pro-
10 ceed immediately to consider the approval bill
11 in accordance with subparagraph (B). A motion
12 to reconsider the vote by which the motion is
13 disposed of shall not be in order.

14 “(B) PROCEEDING TO CONSIDERATION.—

15 After an approval bill is reported or a com-
16 mittee has been discharged from further consid-
17 eration, or the House has adopted a concurrent
18 resolution providing for adjournment sine die at
19 the end of a Congress, it shall be in order to
20 move to proceed to consider the approval bill in
21 the House. Such a motion shall be in order only
22 at a time designated by the Speaker in the leg-
23 islative schedule within two legislative days
24 after the day on which the proponent announces
25 his intention to offer the motion. Such a motion

1 shall not be in order after the House has dis-
2 posed of a motion to proceed with respect to
3 that special message. There shall be not more
4 than 5 hours of general debate equally divided
5 and controlled by the proponent and an oppo-
6 nent of the bill. After general debate, the bill
7 shall be considered as read for amendment
8 under the five-minute rule. Only one motion to
9 rise shall be in order, except if offered by the
10 manager. No amendment to the bill is in order,
11 except any Member if supported by 99 other
12 Members (a quorum being present) may offer
13 an amendment striking the reference number or
14 numbers of a cancellation or cancellations from
15 the bill. Consideration of the bill for amend-
16 ment shall not exceed one hour excluding time
17 for recorded votes and quorum calls. No amend-
18 ment shall be subject to further amendment, ex-
19 cept pro forma amendments for the purposes of
20 debate only. At the conclusion of the consider-
21 ation of the bill for amendment, the Committee
22 shall rise and report the bill to the House with
23 such amendments as may have been adopted.
24 The previous question shall be considered as or-
25 dered on the bill and amendments thereto to

1 final passage without intervening motion. A mo-
2 tion to reconsider the vote on passage of the bill
3 shall not be in order.

4 “(C) SENATE BILL.—An approval bill re-
5 ceived from the Senate shall not be referred to
6 committee.

7 “(3) CONSIDERATION IN THE SENATE.—

8 “(A) MOTION TO PROCEED TO CONSIDER-
9 ATION.—A motion to proceed to the consider-
10 ation of a bill under this subsection in the Sen-
11 ate shall not be debatable. It shall not be in
12 order to move to reconsider the vote by which
13 the motion to proceed is agreed to or disagreed
14 to.

15 “(B) LIMITS ON DEBATE.—Debate in the
16 Senate on a bill under this subsection, and all
17 amendments and debatable motions and appeals
18 in connection therewith (including debate pur-
19 suant to subparagraph (D)), shall not exceed
20 10 hours, equally divided and controlled in the
21 usual form.

22 “(C) APPEALS.—Debate in the Senate on
23 any debatable motion or appeal in connection
24 with a bill under this subsection shall be limited

1 to not more than 1 hour, to be equally divided
2 and controlled in the usual form.

3 “(D) AMENDMENTS.—During consider-
4 ation under this subsection, any Member of the
5 Senate may move to strike any proposed can-
6 cellation or cancellations of budget authority or
7 targeted tax benefit, as applicable, if supported
8 by 15 other Members.

9 “(E) MOTION TO LIMIT DEBATE.—A mo-
10 tion in the Senate to further limit debate on a
11 bill under this subsection is not debatable.

12 “(F) MOTION TO RECOMMIT.—A motion to
13 recommit a bill under this subsection is not in
14 order.

15 “(G) CONSIDERATION OF THE HOUSE
16 BILL.—

17 “(i) IN GENERAL.—If the Senate has
18 received the House companion bill to the
19 bill introduced in the Senate prior to the
20 vote on the Senate bill, then the Senate
21 may consider, and the vote may occur on,
22 the House companion bill.

23 “(ii) PROCEDURE AFTER VOTE ON
24 SENATE BILL.—If the Senate votes on the
25 bill introduced in the Senate, then imme-

1 diately following that vote, or upon receipt
2 of the House companion bill, the House
3 bill if identical to the Senate bill shall be
4 deemed to be considered, read the third
5 time, and the vote on passage of the Sen-
6 ate bill shall be considered to be the vote
7 on the bill received from the House.

8 “(b) AMENDMENTS AND DIVISIONS PROHIBITED.—
9 Except as otherwise provided by this section, no amend-
10 ment to a bill considered under this section shall be in
11 order in either the House of Representatives or the Sen-
12 ate. It shall not be in order to demand a division of the
13 question in the House of Representatives (or in a Com-
14 mittee of the Whole) or in the Senate. No motion to sus-
15 pend the application of this subsection shall be in order
16 in either House, nor shall it be in order in either House
17 to suspend the application of this subsection by unanimous
18 consent.

19 (c) CONSIDERATION OF CONFERENCE REPORTS.—
20 (1) Debate in the House of Representatives or the Senate
21 on the conference report and any amendments in disagree-
22 ment on any approval bill shall be limited to not more than
23 2 hours, which shall be divided equally between the major-
24 ity leader and the minority leader. A motion further to
25 limit debate is not debateable. A motion to recommit the

1 conference report is not in order, and it is not in order
2 to move to reconsider the vote by which the conference
3 report is agreed to or disagreed to.

4 (2) If an approval bill is amended by either House
5 of Congress and a committee of conference has not com-
6 pleted action (or such committee of conference was never
7 appointed) on such bill by the 15th calendar day after both
8 Houses have passed such bill, then any Member of either
9 House may introduce a bill comprised only of the text of
10 the approval bill as initially introduced and that bill shall
11 be considered under the procedures set forth in this sec-
12 tion except that no amendments shall be in order in either
13 House.

14 “PRESIDENTIAL DEFERRAL AUTHORITY

15 “SEC. 1013. (a) TEMPORARY PRESIDENTIAL AU-
16 THORITY TO WITHHOLD DISCRETIONARY BUDGET AU-
17 THORITY.—

18 “(1) IN GENERAL.—At the same time as the
19 President transmits to the Congress a special mes-
20 sage pursuant to section 1011(b), the President may
21 direct that any dollar amount of discretionary budg-
22 et authority to be canceled in that special message
23 shall not be made available for obligation for a pe-
24 riod not to exceed 30 calendar days from the date
25 the President transmits the special message to the

1 Congress or for emergency spending for a period not
2 to exceed 7 calendar days.

3 “(2) EARLY AVAILABILITY.—The President
4 shall make any dollar amount of discretionary budg-
5 et authority deferred pursuant to paragraph (1)
6 available at a time earlier than the time specified by
7 the President if the President determines that con-
8 tinuation of the deferral would not further the pur-
9 poses of this Act.

10 “(b) TEMPORARY PRESIDENTIAL AUTHORITY TO
11 SUSPEND A TARGETED TAX BENEFIT.—

12 “(1) IN GENERAL.—At the same time as the
13 President transmits to the Congress a special mes-
14 sage pursuant to section 1011(b), the President may
15 suspend the implementation of any targeted tax ben-
16 efit proposed to be repealed in that special message
17 for a period not to exceed 30 calendar days from the
18 date the President transmits the special message to
19 the Congress.

20 “(2) EARLY AVAILABILITY.—The President
21 shall terminate the suspension of any targeted tax
22 benefit at a time earlier than the time specified by
23 the President if the President determines that con-
24 tinuation of the suspension would not further the
25 purposes of this Act.

1 “TREATMENT OF CANCELLATIONS

2 “SEC. 1014. The cancellation of any dollar amount
3 of discretionary budget authority or targeted tax benefit
4 shall take effect only upon enactment of the applicable ap-
5 proval bill. If an approval bill is not enacted into law be-
6 fore the end of the applicable period under section 1013,
7 then all proposed cancellations contained in that bill shall
8 be null and void and any such dollar amount of discre-
9 tionary budget authority or targeted tax benefit shall be
10 effective as of the original date provided in the law to
11 which the proposed cancellations applied.

12 “REPORTS BY COMPTROLLER GENERAL

13 “SEC. 1015. With respect to each special message
14 under this part, the Comptroller General shall issue to the
15 Congress a report determining whether any discretionary
16 budget authority is not made available for obligation or
17 targeted tax benefit continues to be suspended after the
18 deferral authority set forth in section 1013 of the Presi-
19 dent has expired.

20 “DEFINITIONS

21 “SEC. 1016. As used in this part:

22 “(1) APPROPRIATION LAW.—The term ‘appro-
23 priation law’ means an Act referred to in section
24 105 of title 1, United States Code, including any
25 general or special appropriation Act, or any Act
26 making supplemental, deficiency, or continuing ap-

1 appropriations, that has been signed into law pursuant
2 to Article I, section 7, of the Constitution of the
3 United States.

4 “(2) APPROVAL BILL.—The term ‘approval bill’
5 means a bill or joint resolution which only approves
6 proposed cancellations of dollar amounts of discre-
7 tionary budget authority or targeted tax benefits in
8 a special message transmitted by the President
9 under this part and—

10 “(A) the title of which is as follows: ‘A bill
11 approving the proposed cancellations trans-
12 mitted by the President on _____’, the
13 blank space being filled in with the date of
14 transmission of the relevant special message
15 and the public law number to which the mes-
16 sage relates;

17 “(B) which does not have a preamble; and

18 “(C) which provides only the following
19 after the enacting clause: ‘That the Congress
20 approves of proposed cancellations _____’,
21 the blank space being filled in with a list of the
22 cancellations contained in the President’s spe-
23 cial message, ‘as transmitted by the President
24 in a special message on _____’, the blank
25 space being filled in with the appropriate date,

1 ‘regarding _____.’, the blank space being
2 filled in with the public law number to which
3 the special message relates;

4 “(D) which only includes proposed can-
5 cellations that are estimated by CBO to meet
6 the definition of discretionary budgetary au-
7 thority or that are identified as targeted tax
8 benefits pursuant to paragraph (9) of section
9 1016; and

10 “(E) if no CBO estimate is available, then
11 the entire list of legislative provisions affecting
12 discretionary budget authority proposed by the
13 President is inserted in the second blank space
14 in subparagraph (C).

15 “(3) CALENDAR DAY.—The term ‘calendar day’
16 means a standard 24-hour period beginning at mid-
17 night.

18 “(4) CANCEL OR CANCELLATION.—The terms
19 ‘cancel’ or ‘cancellation’ means to prevent—

20 “(A) budget authority from having legal
21 force or effect; or

22 “(B) a targeted tax benefit from having
23 legal force or effect; and

24 to make any necessary, conforming statutory change
25 to ensure that such targeted tax benefit is not imple-

1 mented and that any budgetary resources are appro-
2 priately canceled.

3 “(5) CBO.—The term ‘CBO’ means the Direc-
4 tor of the Congressional Budget Office.

5 “(6) DIRECT SPENDING.—The term ‘direct
6 spending’ means—

7 “(A) budget authority provided by law
8 (other than an appropriation law);

9 “(B) entitlement authority; and

10 “(C) the food stamp program.

11 “(7) DOLLAR AMOUNT OF DISCRETIONARY
12 BUDGET AUTHORITY.—(A) Except as provided in
13 subparagraph (B), the term “dollar amount of dis-
14 cretionary budget authority” means the entire dollar
15 amount of budget authority—

16 “(i) specified in an appropriation law, or
17 the entire dollar amount of budget authority or
18 obligation limitation required to be allocated by
19 a specific proviso in an appropriation law for
20 which a specific dollar figure was not included;

21 “(ii) represented separately in any table,
22 chart, or explanatory text included in the state-
23 ment of managers or the governing committee
24 report accompanying such law;

1 “(iii) required to be allocated for a specific
2 program, project, or activity in a law (other
3 than an appropriation law) that mandates the
4 expenditure of budget authority from accounts,
5 programs, projects, or activities for which budg-
6 et authority is provided in an appropriation law;

7 “(iv) represented by the product of the es-
8 timated procurement cost and the total quantity
9 of items specified in an appropriation law or in-
10 cluded in the statement of managers or the gov-
11 erning committee report accompanying such
12 law; or

13 “(v) represented by the product of the esti-
14 mated procurement cost and the total quantity
15 of items required to be provided in a law (other
16 than an appropriation law) that mandates the
17 expenditure of budget authority from accounts,
18 programs, projects, or activities for which budg-
19 et authority is provided in an appropriation law.

20 “(B) The term ‘dollar amount of discretionary
21 budget authority’ does not include—

22 “(i) direct spending;

23 “(ii) budget authority in an appropriation
24 law which funds direct spending provided for in
25 other law;

1 “(iii) any existing budget authority can-
2 celed in an appropriation law; or

3 “(iv) any restriction, condition, or limita-
4 tion in an appropriation law or the accom-
5 panying statement of managers or committee
6 reports on the expenditure of budget authority
7 for an account, program, project, or activity, or
8 on activities involving such expenditure.

9 “(8) OMB.—The term ‘OMB’ means the Direc-
10 tor of the Office of Management and Budget.

11 “(9) TARGETED TAX BENEFIT.—(A) The term
12 ‘targeted tax benefit’ means any revenue-losing pro-
13 vision that provides a Federal tax deduction, credit,
14 exclusion, or preference to 100 or fewer beneficiaries
15 (determined with respect to either present law or
16 any provision of which the provision is a part) under
17 the Internal Revenue Code of 1986 in any year for
18 which the provision is in effect;

19 “(B) for purposes of subparagraph (A)—

20 “(i) all businesses and associations that
21 are members of the same controlled group of
22 corporations (as defined in section 1563(a) of
23 the Internal Revenue Code of 1986) shall be
24 treated as a single beneficiary;

1 “(ii) all shareholders, partners, members,
2 or beneficiaries of a corporation, partnership,
3 association, or trust or estate, respectively, shall
4 be treated as a single beneficiary;

5 “(iii) all employees of an employer shall be
6 treated as a single beneficiary;

7 “(iv) all qualified plans of an employer
8 shall be treated as a single beneficiary;

9 “(v) all beneficiaries of a qualified plan
10 shall be treated as a single beneficiary;

11 “(vi) all contributors to a charitable orga-
12 nization shall be treated as a single beneficiary;

13 “(vii) all holders of the same bond issue
14 shall be treated as a single beneficiary; and

15 “(viii) if a corporation, partnership, asso-
16 ciation, trust or estate is the beneficiary of a
17 provision, the shareholders of the corporation,
18 the partners of the partnership, the members of
19 the association, or the beneficiaries of the trust
20 or estate shall not also be treated as bene-
21 ficiaries of such provision;

22 “(C) for the purpose of this paragraph, the
23 term ‘revenue-losing provision’ means any provision
24 that is estimated to result in a reduction in Federal
25 tax revenues (determined with respect to either

1 present law or any provision of which the provision
2 is a part) for any one of the following periods—

3 “(i) the first fiscal year for which the pro-
4 vision is effective;

5 “(ii) the period of the 5 fiscal years begin-
6 ning with the first fiscal year for which the pro-
7 vision is effective;

8 “(iii) the period of 10 fiscal years begin-
9 ning with the first fiscal year for which the pro-
10 vision is effective; or

11 “(iv) the period of 20 fiscal years begin-
12 ning with the first fiscal year for which the pro-
13 vision is effective; and

14 “(D) the terms used in this paragraph shall
15 have the same meaning as those terms have gen-
16 erally in the Internal Revenue Code of 1986, unless
17 otherwise expressly provided.

18 “EXPIRATION

19 “SEC. 1017. This title shall have no force or effect
20 on or after 2 years after the date of enactment of this
21 section.”.

22 **SEC. 102. TECHNICAL AND CONFORMING AMENDMENTS.**

23 (a) EXERCISE OF RULEMAKING POWERS.—Section
24 904 of the Congressional Budget Act of 1974 (2 U.S.C.
25 621 note) is amended—

1 (1) in subsection (a), by striking “1017” and
2 inserting “1012”; and

3 (2) in subsection (d), by striking “section
4 1017” and inserting “section 1012”.

5 (b) CLERICAL AMENDMENTS.—(1) Section 1(a) of
6 the Congressional Budget and Impoundment Control Act
7 of 1974 is amended by striking the last sentence.

8 (2) Section 1022(c) of such Act (as redesignated) is
9 amended by striking “rescinded or that is to be reserved”
10 and inserting “canceled” and by striking “1012” and in-
11 serting “1011”.

12 (3) TABLE OF CONTENTS.—The table of contents set
13 forth in section 1(b) of the Congressional Budget and Im-
14 poundment Control Act of 1974 is amended by deleting
15 the contents for parts B and C of title X and inserting
16 the following:

“PART B—LEGISLATIVE LINE ITEM VETO

- “Sec. 1011. Line item veto authority.
- “Sec. 1012. Procedures for expedited consideration.
- “Sec. 1013. Presidential deferral authority.
- “Sec. 1014. Treatment of cancellations.
- “Sec. 1015. Reports by Comptroller General.
- “Sec. 1016. Definitions.
- “Sec. 1017. Expiration.
- “Sec. 1018. Suits by Comptroller General.
- “Sec. 1019. Proposed Deferrals of budget authority.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this Act shall take effect on the date of its enactment and
19 apply only to any dollar amount of discretionary budget

1 authority or targeted tax benefit provided in an Act en-
2 acted on or after the date of enactment of this Act.

3 **TITLE II—PAY-AS-YOU-GO**
4 **EXTENSION**

5 **SEC. 201. PAY-AS-YOU-GO EXTENSION.**

6 (a) SECTION 252 AMENDMENTS.—Section 252 of the
7 Balanced Budget and Emergency Deficit Control Act of
8 1985 is amended by striking “2002” both places it ap-
9 pears and inserting “2011”.

10 (b) SECTION 275 AMENDMENT.—Section 275(b) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985 is amended by striking “2006” and inserting
13 “2016”.

14 **TITLE III—RECONCILIATION IN-**
15 **STRUCTIONS MAY NOT IN-**
16 **CREASE THE DEFICIT**

17 **SEC. 301. DEFINITION OF RECONCILIATION.**

18 Section 310 of the Congressional Budget Act of 1974
19 is amended by adding at the end the following new sub-
20 section:

21 “(h) DEFINITION OF RECONCILIATION LEGISLA-
22 TION.—As used in this Act, a reconciliation bill or rec-
23 onciliation resolution is a measure that, if enacted, would
24 reduce the deficit or increase the surplus for each fiscal
25 year covered by such measure compared to the most recent

1 Congressional Budget Office estimate for any such fiscal
2 year.”.

3 **TITLE IV—EARMARK REFORM**

4 **SEC. 401. CURBING ABUSES OF POWER.**

5 Rule XXIII of the Rules of the House of Representa-
6 tives (the Code of Official Conduct) is amended—

7 (1) by redesignating clause 14 as clause 16;

8 and

9 (2) by inserting after clause 13 the following
10 new clauses:

11 “14. A Member, Delegate, or Resident Commissioner
12 shall not condition the inclusion of language to provide
13 funding for a district-oriented earmark, a particular
14 project which will be carried out in a Member’s congres-
15 sional district, or a limited tax benefit in any bill or joint
16 resolution (or an accompanying report thereof) or in any
17 conference report on a bill or joint resolution (including
18 an accompanying joint statement of managers thereto) on
19 any vote cast by the Member, Delegate, or Resident Com-
20 missioner in whose Congressional district the project will
21 be carried out.

22 “15. (a) A Member, Delegate, or Resident Commis-
23 sioner who advocates to include a district-oriented ear-
24 mark in any bill or joint resolution (or an accompanying
25 report) or in any conference report on a bill or joint resolu-

1 tion (including an accompanying joint statement of man-
2 agers thereto) shall disclose in writing to the chairman
3 and ranking member of the relevant committee (and in
4 the case of the Committee on Appropriations to the chair-
5 man and ranking member of the full committee and of
6 the relevant subcommittee)—

7 “(1) the name of the Member, Delegate, or
8 Resident Commissioner;

9 “(2) the name and address of the intended re-
10 cipient of such earmark;

11 “(3) the purpose of such earmark; and

12 “(4) whether the Member, Delegate, or Resi-
13 dent Commissioner has a financial interest in such
14 earmark.

15 “(b) Each committee shall make available to the gen-
16 eral public the information transmitted to the committee
17 under paragraph (a) for any earmark included in any
18 measure reported by the committee or conference report
19 filed by the chairman of the committee or any sub-
20 committee thereof.

21 “(c) The Joint Committee on Taxation shall review
22 any revenue measure or any reconciliation bill or joint res-
23 olution which includes revenue provisions before it is re-
24 ported by a committee and before it is filed by a committee
25 of conference of the two Houses, and shall identify wheth-

1 er such bill or joint resolution contains any limited tax
2 benefits. The Joint Committee on Taxation shall prepare
3 a statement identifying any such limited tax benefits, stat-
4 ing who the beneficiaries are of such benefits, and any
5 substantially similar introduced measures and the spon-
6 sors of such measures. Any such statement shall be made
7 available to the general public by the Joint Committee on
8 Taxation.”.

9 **SEC. 402. KNOWING WHAT THE HOUSE IS VOTING ON.**

10 (a) **BILLS AND JOINT RESOLUTIONS.—**

11 (1) **IN GENERAL.—**Rule XIII of the Rules of
12 the House of Representatives is amended by adding
13 at the end the following new clause:

14 “8. Except for motions to suspend the rules and con-
15 sider legislation, it shall not be in order to consider in the
16 House a bill or joint resolution until 24 hours after or,
17 in the case of a bill or joint resolution containing a dis-
18 trict-oriented earmark or limited tax benefit, until 3 days
19 after copies of such bill or joint resolution (and, if the bill
20 or joint resolution is reported, copies of the accompanying
21 report) are available (excluding Saturdays, Sundays, or
22 legal holidays except when the House is in session on such
23 a day).”.

1 (2) PROHIBITING WAIVER.—Clause 6(c) of rule
2 XIII of the Rules of the House of Representatives
3 is amended—

4 (A) by striking ‘or’ at the end of subpara-
5 graph (1);

6 (B) by striking the period at the end of
7 subparagraph (2) and inserting ‘; or’; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(3) a rule or order that waives clause 8 of rule
11 XIII or clause 8(a)(1)(B) of rule XXII, unless a
12 question of consideration of the rule is adopted by
13 a vote of two-thirds of the Members voting, a
14 quorum being present.”.

15 (b) CONFERENCE REPORTS.—Clause 8(a)(1)(B) of
16 rule XXII of the Rules of the House of Representatives
17 is amended by striking “2 hours” and inserting “24 hours
18 or, in the case of a conference report containing a district-
19 oriented earmark or limited tax benefit, until 3 days
20 after”.

21 **SEC. 403. FULL AND OPEN DEBATE IN CONFERENCE.**

22 (a) NUMBERED AMENDMENTS.—Clause 1 of rule
23 XXII of the Rules of the House of Representatives is
24 amended by adding at the end the following new sentence:
25 “A motion to request or agree to a conference on a general

1 appropriation bill is in order only if the Senate expresses
2 its disagreements with the House in the form of numbered
3 amendments.”.

4 (b) PROMOTING OPENNESS IN DELIBERATIONS OF
5 MANAGERS.—Clause 12(a) of rule XXII of the Rules of
6 the House of Representatives is amended by adding at the
7 end the following new subparagraph:

8 “(3) All provisions on which the two Houses
9 disagree shall be open to discussion at any meeting
10 of a conference committee. The text which reflects
11 the conferees’ action on all of the differences be-
12 tween the two Houses, including all matter to be in-
13 cluded in the conference report and any amendments
14 in disagreement, shall be available to any of the
15 managers at least one such meeting, and shall be ap-
16 proved by a recorded vote of a majority of the House
17 managers. Such text and, with respect to such vote,
18 the total number of votes cast for and against, and
19 the names of members voting for and against, shall
20 be included in the joint explanatory statement of
21 managers accompanying the conference report of
22 such conference committee.”.

23 (c) POINT OF ORDER AGAINST CONSIDERATION OF
24 CONFERENCE REPORT NOT REFLECTING RESOLUTION
25 OF DIFFERENCES AS APPROVED.—

1 (1) IN GENERAL.—Rule XXII of the Rules of
2 the House of Representatives is amended by adding
3 at the end the following new clause:

4 “13. It shall not be in order to consider a conference
5 report the text of which differs in any material way from
6 the text which reflects the conferees’ action on all of the
7 differences between the two Houses, as approved by a re-
8 corded vote of a majority of the House managers as re-
9 quired under clause 12(a).”.

10 (2) PROHIBITING WAIVER.—Clause 6(c) of rule
11 XIII of the Rules of the House of Representatives,
12 as amended above, is amended

13 (A) by striking ‘or’ at the end of subpara-
14 graph (2);

15 (B) by striking the period at the end of
16 subparagraph (3) and inserting ‘; or’; and

17 (C) by adding at the end the following new
18 subparagraph:

19 “(4) a rule or order that waives clause 12(a) or
20 clause 13 of rule XXII.”.

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