

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1597

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. MINGE (for himself, Mr. DEAL, Mr. INSLEE, Mr. GUTIERREZ, Mr. MEEHAN, Mr. KLEIN, Mr. POMEROY, Mr. MANN, Mr. JOHNSON of Georgia, Mr. BARRETT of Wisconsin, Mr. MCHALE, Mr. BAESLER, and Mr. FINGERHUT) introduced the following bill; which was referred jointly to the Committees on Government Operations and Rules

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## A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Line Item Veto Act”.

1 **SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PRO-**  
2 **POSED RESCISSIONS AND TAX EXPENDI-**  
3 **TURES.**

4 (a) IN GENERAL.—Part B of title X of the Congres-  
5 sional Budget and Impoundment Control Act of 1974 (2  
6 U.S.C. 681 et seq.) is amended by redesignating sections  
7 1013 through 1017 as sections 1014 through 1018, re-  
8 spectively, and inserting after section 1012 the following  
9 new section:

10 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED  
11 RESCISSIONS

12 “SEC. 1013. (a) PROPOSED RESCISSION OF BUDGET  
13 AUTHORITY.—In addition to the method of rescinding  
14 budget authority specified in section 1012, the President  
15 may propose, at the time and in the manner provided in  
16 subsection (b), the rescission of any budget authority pro-  
17 vided in an appropriations Act or the repeal of any tax  
18 expenditure in any revenue Act. Funds made available for  
19 obligation under this procedure may not be proposed for  
20 rescission again under this section or section 1012.

21 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

22 “(1) Not later than seven days after the date  
23 of enactment of an appropriation Act or revenue  
24 Act, as the case may be, the President may transmit  
25 to Congress—

1           “(A) a special message proposing to re-  
2           scind amounts of budget authority provided in  
3           that appropriation Act and include with that  
4           special message a draft bill that, if enacted,  
5           would only rescind that budget authority; or

6           “(B) a special message proposing to repeal  
7           any tax expenditure provided in any revenue  
8           Act, and include with that special message a  
9           draft bill that, if enacted, would only repeal  
10          that tax expenditure.

11          That bill shall clearly identify the amount of budget  
12          authority that is proposed to be rescinded for each  
13          program, project, or activity to which that budget  
14          authority relates.

15          “(2) In the case of an appropriation Act that  
16          includes accounts within the jurisdiction of more  
17          than one subcommittee of the Committee on Appro-  
18          priations, the President in proposing to rescind  
19          budget authority under this section shall send a sep-  
20          arate special message and accompanying draft bill  
21          for accounts within the jurisdiction of each such sub-  
22          committee.

23          “(3) Each special message shall specify, with  
24          respect to the budget authority proposed to be re-

1 scinded, the matters referred to in paragraphs (1)  
2 through (5) of section 1012(a).

3 “(c) PROCEDURES FOR EXPEDITED CONSIDER-  
4 ATION.—

5 “(1)(A) Before the close of the second legisla-  
6 tive day of the House of Representatives after the  
7 date of receipt of a special message transmitted to  
8 Congress under subsection (b), the majority leader  
9 or minority leader of the House of Representatives  
10 shall introduce (by request) the draft bill accom-  
11 panying that special message. If the bill is not intro-  
12 duced as provided in the preceding sentence, then,  
13 on the third legislative day of the House of Rep-  
14 resentatives after the date of receipt of that special  
15 message, any Member of that House may introduce  
16 the bill.

17 “(B) The bill shall be referred to the Commit-  
18 tee on Appropriations or the Committee on Ways  
19 and Means of the House of Representatives, as ap-  
20 propriate. The committee shall report the bill with-  
21 out substantive revision and with or without rec-  
22 ommendation. The bill shall be reported not later  
23 than the seventh legislative day of that House after  
24 the date of receipt of that special message. If the  
25 committee fails to report the bill within that period,

1 that committee shall be automatically discharged  
2 from consideration of the bill, and the bill shall be  
3 placed on the appropriate calendar.

4 “(C) A vote on final passage of the bill shall be  
5 taken in the House of Representatives on or before  
6 the close of the tenth legislative day of that House  
7 after the date of the introduction of the bill in that  
8 House. If the bill is passed, the Clerk of the House  
9 of Representatives shall cause the bill to be en-  
10 grossed, certified, and transmitted to the Senate  
11 within one calendar day of the day on which the bill  
12 is passed.

13 “(2)(A) A motion in the House of Representa-  
14 tives to proceed to the consideration of a bill under  
15 this section shall be highly privileged and not debat-  
16 able. An amendment to the motion shall not be in  
17 order, nor shall it be in order to move to reconsider  
18 the vote by which the motion is agreed to or dis-  
19 agreed to.

20 “(B) Debate in the House of Representatives  
21 on a bill under this section shall not exceed four  
22 hours, which shall be divided equally between those  
23 favoring and those opposing the bill. A motion fur-  
24 ther to limit debate shall not be debatable. It shall  
25 not be in order to move to recommit a bill under this

1 section or to move to reconsider the vote by which  
2 the bill is agreed to or disagreed to.

3 “(C) Appeals from decisions of the Chair relat-  
4 ing to the application of the Rules of the House of  
5 Representatives to the procedure relating to a bill  
6 under this section shall be decided without debate.

7 “(D) Except to the extent specifically provided  
8 in the preceding provisions of this subsection consid-  
9 eration of a bill under this section shall be governed  
10 by the Rules of the House of Representatives.

11 “(3)(A) A bill transmitted to the Senate pursu-  
12 ant to paragraph (1)(D) shall be referred to its  
13 Committee on Appropriations or Committee on Fi-  
14 nance, as appropriate. The committee shall report the  
15 bill without substantive revision and with or without  
16 recommendation. The bill shall be reported not later  
17 than the seventh legislative day of the Senate after  
18 it receives the bill. A committee failing to report the  
19 bill within such period shall be automatically dis-  
20 charged from consideration of the bill, and the bill  
21 shall be placed upon the appropriate calendar.

22 “(B) A vote on final passage of a bill transmit-  
23 ted to the Senate shall be taken on or before the  
24 close of the tenth legislative day of the Senate after  
25 the date on which the bill is transmitted. If the bill

1 is passed in the Senate without amendment, the Sec-  
2 retary of the Senate shall cause the engrossed bill to  
3 be returned to the House of Representatives.

4 “(4)(A) A motion in the Senate to proceed to  
5 the consideration of a bill under this section shall be  
6 privileged and not debatable. An amendment to the  
7 motion shall not be in order, nor shall it be in order  
8 to move to reconsider the vote by which the motion  
9 is agreed to or disagreed to.

10 “(B) Debate in the Senate on a bill under this  
11 section, and all debatable motions and appeals in  
12 connection therewith, shall not exceed ten hours.  
13 The time shall be equally divided between, and con-  
14 trolled by, the majority leader and the minority lead-  
15 er or their designees.

16 “(C) Debate in the Senate on any debatable  
17 motion or appeal in connection with a bill under this  
18 section shall be limited to not more than one hour,  
19 to be equally divided between, and controlled by, the  
20 mover and the manager of the bill, except that in  
21 the event the manager of the bill is in favor of any  
22 such motion or appeal, the time in opposition there-  
23 to, shall be controlled by the minority leader or his  
24 designee. Such leaders, or either of them, may, from  
25 time under their control on the passage of a bill,

1 allot additional time to any Senator during the con-  
2 sideration of any debatable motion or appeal.

3 “(D) A motion in the Senate to further limit  
4 debate on a bill under this section is not debatable.  
5 A motion to recommit a bill under this section is not  
6 in order.

7 “(d) AMENDMENTS AND DIVISIONS PROHIBITED.—  
8 No amendment to a bill considered under this section shall  
9 be in order in either the House of Representatives or the  
10 Senate. It shall not be in order to demand a division of  
11 the question in the House of Representatives (or in a Com-  
12 mittee of the Whole) or in the Senate. No motion to sus-  
13 pend the application of this subsection shall be in order  
14 in either House, nor shall it be in order in either House  
15 to suspend the application of this subsection by unanimous  
16 consent.

17 “(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-  
18 GATION.—Any amount of budget authority proposed to be  
19 rescinded in a special message transmitted to Congress  
20 under subsection (b) shall be made available for obligation  
21 on the day after the date on which either House rejects  
22 the bill transmitted with that special message.

23 “(f) DEFINITIONS.—For purposes of this section—  
24 “(1) the term ‘appropriation Act’ means any  
25 general or special appropriation Act, and any Act or

1 joint resolution making supplemental, deficiency, or  
2 continuing appropriations; and

3 “(2) the term ‘legislative day’ means, with re-  
4 spect to either House of Congress, any day during  
5 which that House is in session.”.

6 (b) EXERCISE OF RULEMAKING POWERS.—Section  
7 904 of such Act (2 U.S.C. 621 note) is amended—

8 (1) by striking “and 1017” in subsection (a)  
9 and inserting “1013, and 1018”; and

10 (2) by striking “section 1017” in subsection (d)  
11 and inserting “sections 1013 and 1018”.

12 (c) CONFORMING AMENDMENTS.—

13 (1) Section 1011 of such Act (2 U.S.C. 682(5))  
14 is amended—

15 (A) in paragraph (4), by striking “1013”  
16 and inserting “1014”; and

17 (B) in paragraph (5)—

18 (i) by striking “1016” and inserting  
19 “1017”; and

20 (ii) by striking “1017(b)(1)” and in-  
21 serting “1018(b)(1)”.

22 (2) Section 1015 of such Act (2 U.S.C. 685)  
23 (as redesignated by section 2(a)) is amended—

1 (A) by striking “1012 or 1013” each place  
2 it appears and inserting “1012, 1013, or  
3 1014”;

4 (B) in subsection (b)(1), by striking  
5 “1012” and inserting “1012 or 1013”;

6 (C) in subsection (b)(2), by striking  
7 “1013” and inserting “1014”; and

8 (D) in subsection (e)(2)—

9 (i) by striking “and” at the end of  
10 subparagraph (A);

11 (ii) by redesignating subparagraph  
12 (B) as subparagraph (C);

13 (iii) by striking “1013” in subpara-  
14 graph (C) (as so redesignated) and insert-  
15 ing “1014”; and

16 (iv) by inserting after subparagraph  
17 (A) the following new subparagraph:

18 “(B) he has transmitted a special message  
19 under section 1013 with respect to a proposed  
20 rescission; and”.

21 (3) Section 1016 of such Act (2 U.S.C. 686)  
22 (as redesignated by section 2(a)) is amended by  
23 striking “1012 or 1013” each place it appears and  
24 inserting “1012, 1013, or 1014”.

1 (d) CLERICAL AMENDMENTS.—The table of sections  
2 for subpart B of title X of such Act is amended—

3 (1) by redesignating the items relating to sec-  
4 tions 1013 through 1017 as items relating to sec-  
5 tions 1014 through 1018; and

6 (2) by inserting after the item relating to sec-  
7 tion 1012 the following new item:

“Sec. 1013. Expedited consideration of certain proposed rescissions.”.

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