

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

# H. R. 222

To amend the Congressional Budget and Impoundment Control Act of 1974 to require expeditious consideration by the Congress of a proposal by the President to rescind all or part of any item of budget authority if the proposal is transmitted to the Congress on the same day on which the President approves the bill or joint resolution providing such budget authority.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on Rules

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## A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 to require expeditious consideration by the Congress of a proposal by the President to rescind all or part of any item of budget authority if the proposal is transmitted to the Congress on the same day on which the President approves the bill or joint resolution providing such 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 That this Act may be cited as the “Line-Item Rescission
- 4 Act of 1993”.

1 **SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PRO-**  
2 **POSED RESCISSIONS.**

3 (a) IN GENERAL.—Part B of title X of the Congres-  
4 sional Budget and Impoundment Control Act of 1974 is  
5 amended by redesignating sections 1013 through 1017 as  
6 sections 1014 through 1018, respectively, and inserting  
7 after section 1012 the following new section:

8 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED  
9 RESCISSIONS

10 “SEC. 1013. (a) TRANSMITTAL OF SPECIAL MES-  
11 SAGE.—The President may, on the same calendar day the  
12 President approves any appropriation bill, transmit to  
13 both Houses of the Congress, for consideration in accord-  
14 ance with this section, one or more special messages pro-  
15 posing to rescind all or part of any item of budget author-  
16 ity provided in the appropriation bill.

17 “(b) CONTENTS OF SPECIAL MESSAGE.—

18 “(1) No special message may be considered in  
19 accordance with this section if the special message  
20 proposes to rescind more than one item of budget  
21 authority.

22 “(2) Each special message transmitted under  
23 subsection (a) shall specify, with respect to the item  
24 of budget authority (or part thereof) proposed by the  
25 message to be rescinded, the matters referred to in  
26 paragraphs (1) through (5) of section 1012(a).

1           “(3) Each special message transmitted under  
2 subsection (a) shall be accompanied by a draft bill  
3 or joint resolution that would, if enacted, rescind the  
4 budget authority proposed to be rescinded.

5           “(c) PROCEDURES.—

6           “(1)(A) On the day on which a special message  
7 proposing to rescind an item of budget authority is  
8 transmitted to the House of Representatives and the  
9 Senate under subsection (a), the draft bill or joint  
10 resolution accompanying such special message shall  
11 be introduced (by request) by the majority leader of  
12 the House of the Congress in which the appropria-  
13 tion Act providing the budget authority originated.  
14 If such House is not in session on the day on which  
15 a special message is transmitted, the draft bill or  
16 joint resolution shall be introduced in such House,  
17 as provided in the preceding sentence, on the first  
18 day thereafter on which such House is in session.

19           “(B) A draft bill or joint resolution introduced  
20 in the House of Representatives or the Senate pur-  
21 suant to subparagraph (A) shall be referred to the  
22 Committee on Appropriations of such House. The  
23 committee shall report the bill or joint resolution  
24 without substantive revision (and with or without  
25 recommendation) not later than 20 calendar days of

1 continuous session of the Congress after the date on  
2 which the bill or joint resolution is introduced. A  
3 committee failing to report a bill or joint resolution  
4 within the 20-day period referred to in the preceding  
5 sentence shall be automatically discharged from con-  
6 sideration of the bill or joint resolution, and the bill  
7 or joint resolution shall be placed on the appropriate  
8 calendar.

9 “(C) A vote on final passage of a bill or joint  
10 resolution introduced in a House of the Congress  
11 pursuant to subparagraph (A) shall be taken on or  
12 before the close of the 30th calendar day of continu-  
13 ous session of the Congress after the date of the in-  
14 troduction of the bill or joint resolution in such  
15 House. If the bill or joint resolution is agreed to, the  
16 Clerk of the House of Representatives (in the case  
17 of a bill or joint resolution agreed to in the House  
18 of Representatives) or the Secretary of the Senate  
19 (in the case of a bill or joint resolution agreed to in  
20 the Senate) shall cause the bill or joint resolution to  
21 be engrossed, certified, and transmitted to the other  
22 House of the Congress on the same calendar day on  
23 which the bill or joint resolution is agreed to.

24 “(2)(A) A bill or joint resolution transmitted to  
25 the House of Representatives or the Senate pursu-

1 ant to subparagraph (C) of paragraph (1) shall be  
2 referred to the Committee on Appropriations of such  
3 House. The committee shall report the bill or joint  
4 resolution without substantive revision (and with or  
5 without recommendation) not later than 20 calendar  
6 days of continuous session of the Congress after the  
7 bill or joint resolution is transmitted to such House.  
8 A committee failing to report the bill or joint resolu-  
9 tion within the 20-day period referred to in the pre-  
10 ceding sentence shall be automatically discharged  
11 from consideration of the bill or joint resolution, and  
12 the bill or joint resolution shall be placed upon the  
13 appropriate calendar.

14 “(B) A vote on final passage of a bill or joint  
15 resolution transmitted to a House of the Congress  
16 pursuant to subparagraph (C) of paragraph (1) shall  
17 be taken on or before the close of the 30th calendar  
18 day of continuous session of the Congress after the  
19 date on which the bill or joint resolution is transmit-  
20 ted to such House. If the bill or joint resolution is  
21 agreed to in such House, the Clerk of the House of  
22 Representatives (in the case of a bill or joint resolu-  
23 tion agreed to in the House of Representatives) or  
24 the Secretary of the Senate (in the case of a bill or  
25 joint resolution agreed to in the Senate) shall cause

1 the engrossed bill or joint resolution to be returned  
2 to the House in which the bill or joint resolution  
3 originated, together with a statement of the action  
4 taken by the House acting under this paragraph.

5 “(3)(A) A motion in the House of Representa-  
6 tives to proceed to the consideration of a bill or joint  
7 resolution under this section shall be highly privi-  
8 leged and not debatable. An amendment to the mo-  
9 tion shall not be in order, nor shall it be in order  
10 to move to reconsider the vote by which the motion  
11 is agreed to or disagreed to.

12 “(B) Debate in the House of Representatives  
13 on a bill or joint resolution under this section shall  
14 be limited to not more than 10 hours, which shall  
15 be divided equally between those favoring and those  
16 opposing the bill or joint resolution. A motion fur-  
17 ther to limit debate shall not be debatable. It shall  
18 not be in order to move to recommit a bill or joint  
19 resolution under this section or to move to recon-  
20 sider the vote by which the bill or joint resolution is  
21 agreed to or disagreed to.

22 “(C) Motions to postpone, made in the House  
23 of Representatives with respect to the consideration  
24 of a bill or joint resolution under this section, and

1 motions to proceed to the consideration of other  
2 business, shall be decided without debate.

3 “(D) All appeals from the decisions of the  
4 Chair relating to the application of the Rules of the  
5 House of Representatives to the procedure relating  
6 to a bill or joint resolution under this section shall  
7 be decided without debate.

8 “(E) Except to the extent specifically provided  
9 in the preceding provisions of this subsection, con-  
10 sideration of a bill or joint resolution under this sec-  
11 tion shall be governed by the Rules of the House of  
12 Representatives applicable to other bills and joint  
13 resolutions in similar circumstances.

14 “(4)(A) A motion in the Senate to proceed to  
15 the consideration of a bill or joint resolution under  
16 this section shall be privileged and not debatable. An  
17 amendment to the motion shall not be in order, nor  
18 shall it be in order to move to reconsider the vote  
19 by which the motion is agreed to or disagreed to.

20 “(B) Debate in the Senate on a bill or joint res-  
21 olution under this section, and all debatable motions  
22 and appeals in connection therewith, shall be limited  
23 to not more than 10 hours. The time shall be equally  
24 divided between, and controlled by, the majority  
25 leader and the minority leader or their designees.

1           “(C) Debate in the Senate on any debatable  
2           motion or appeal in connection with a bill or joint  
3           resolution under this section shall be limited to not  
4           more than 1 hour, to be equally divided between,  
5           and controlled by, the mover and the manager of the  
6           bill or joint resolution, except that in the event the  
7           manager of the bill or joint resolution is in favor of  
8           any such motion or appeal, the time in opposition  
9           thereto, shall be controlled by the minority leader or  
10          his designee. Such leaders, or either of them, may,  
11          from time under their control on the passage of a  
12          bill or joint resolution, allot additional time to any  
13          Senator during the consideration of any debatable  
14          motion or appeal.

15          “(D) A motion in the Senate to further limit  
16          debate on a bill or joint resolution under this section  
17          is not debatable. A motion to recommit a bill or joint  
18          resolution under this section is not in order.

19          “(d) AMENDMENTS PROHIBITED.—No amendment  
20          to a bill or joint resolution considered under this section  
21          shall be in order in either the House of Representatives  
22          or the Senate. No motion to suspend the application of  
23          this subsection shall be in order in either House, nor shall  
24          it be in order in either House for the Presiding Officer

1 to entertain a request to suspend the application of this  
2 subsection by unanimous consent.

3 “(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-  
4 GATION.—Any item of budget authority proposed to be re-  
5 scinded in a special message transmitted to the Congress  
6 in accordance with subsection (a) shall be made available  
7 for obligation unless, not more than 60 days after the  
8 transmittal of the special message, both Houses of the  
9 Congress have agreed to the bill or joint resolution accom-  
10 panying such special message.

11 “(f) DEFINITIONS.—For purposes of this section, the  
12 term—

13 “(1) ‘item’ means any numerically expressed  
14 amount of budget authority set forth in an appro-  
15 priation bill;

16 “(2) ‘appropriation bill’ means any general or  
17 special appropriation bill, and any bill or joint reso-  
18 lution making supplemental, deficiency, or continu-  
19 ing appropriations; and

20 “(3) ‘appropriation Act’ means any appropria-  
21 tion bill that has been approved by the President  
22 and become law.”.

23 (b) CONFORMING AMENDMENTS.—

1           (1) Section 1011(5) of the Congressional Budget  
2 et and Impoundment Control Act of 1974 is amend-  
3 ed—

4           (A) by striking out “1012, and” and in-  
5 serting in lieu thereof “1012, the 20-day peri-  
6 ods referred to in paragraphs (1)(B) and (2)(A)  
7 of section 1013(c), the 60-day period referred  
8 to in section 1013(e) and”;

9           (B) by striking out “1012 during” and in-  
10 serting in lieu thereof “1012 or 1013 during”;

11           (C) by striking out “of 45” and inserting  
12 in lieu thereof “of the applicable number of”;  
13 and

14           (D) by striking out “45-day period re-  
15 ferred to in paragraph (3) of this section and  
16 in section 1012” and inserting in lieu thereof  
17 “period or periods of time applicable under  
18 such section”.

19           (2)(A) Section 1011 of such Act is further  
20 amended—

21           (i) in paragraph (4) by striking out  
22 “1013” and inserting in lieu thereof “1014”;  
23 and

24           (ii) in paragraph (5)—

1 (I) by striking out “1016” and insert-  
2 ing in lieu thereof “1017”; and

3 (II) by striking out “1017(b)(1)” and  
4 inserting in lieu thereof “1018(b)(1)”.

5 (B) Section 1012 of such Act is amended—

6 (i) by striking out “1012 or 1013” each  
7 place it appears and inserting in lieu thereof  
8 “1012, 1013, or 1014”;

9 (ii) in subsection (b)(1) by striking out  
10 “1012” and inserting in lieu thereof “1012 or  
11 1013”;

12 (iii) in subsection (b)(2) by striking out  
13 “1013” and inserting in lieu thereof “1014”;  
14 and

15 (iv) in subsection (e)(2)—

16 (I) by striking out “and” at the end  
17 of subparagraph (A),

18 (II) by redesignating subparagraph  
19 (B) as subparagraph (C),

20 (III) by striking out “1013” in sub-  
21 paragraph (C) (as so redesignated), and

22 (IV) by inserting after subparagraph  
23 (A) the following new subparagraph:

1           “(B) he has transmitted a special message  
2           under section 1013 with respect to a proposed  
3           rescission; and”.

4           (C) Section 1015 of such Act is amended by  
5           striking out “1012 or 1013” each place it appears  
6           and inserting in lieu thereof “1012, 1013, or 1014”.

7           (D) Section 1016 of such Act is amended by  
8           striking out “or 1013(b)” and inserting in lieu  
9           thereof “, 1013(e), or 1014(b)”.

10          (E) Section 1012(b) of such Act is amended by  
11          adding at the end thereof the following new sen-  
12          tence: “The preceding sentence shall not apply to  
13          any item of budget authority proposed by the Presi-  
14          dent to be rescinded under this section that the  
15          President has also proposed to rescind under section  
16          1013 and with respect to which the 60-day period  
17          referred to in subsection (e) of such section has not  
18          expired.”.

19          (3) The table of sections for subpart B of title  
20          X of the Congressional Budget and Impoundment  
21          Control Act of 1974 is amended—

22                  (A) by redesignating the items relating to  
23                  sections 1013 through 1017 as items relating to  
24                  sections 1014 through 1018; and

1 (B) by inserting after the item relating to  
2 section 1012 the following new item:

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

3 **SEC. 3. APPLICATION.**

4 The amendments made by this section shall apply to  
5 items of budget authority (as defined in subsection (f)(1)  
6 of section 1013 of the Congressional Budget and Im-  
7 poundment Control Act of 1974, as added by section 2  
8 of this Act) provided by appropriation Acts (as defined  
9 in subsection (f)(3) of such section) that become law after  
10 the date of the enactment of this Act.

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