

104TH CONGRESS
1ST SESSION

H. R. 215

To reform the House of Representatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. CRAPO (for himself, Mr. ROYCE, Mr. CANADY, Mr. MANZULLO, Mr. HUTCHINSON, Mr. ISTOOK, Mr. HOEKSTRA, Mr. ENGLISH of Pennsylvania, Mr. CHABOT, Mr. HANSEN, Mr. DORNAN, Mr. KNOLLENBERG, Mr. STUMP, Mr. GOSS, Mr. INGLIS of South Carolina, Mr. BAKER of California, Mr. COLLINS of Georgia, Mr. BAKER of Louisiana, Mr. SAM JOHNSON of Texas, Mr. GREENWOOD, Mr. TALENT, Mr. CHENOWETH, Mr. HASTERT, Mr. BACHUS, Mr. KIM, and Mr. SCHAEFER), introduced the following bill; which was referred to the Committee on Rules and, in addition, to the Committees on the Budget, and Government Reform and Oversight, 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 reform the House of Representatives, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truth in Voting Act
5 of 1995”.

1 **TITLE I—CHANGES IN DISCRE-**
2 **TIONARY SPENDING LIMITS**

3 **SEC. 101. DEFICIT REDUCTION TRUST FUND.**

4 (a) ESTABLISHMENT.—A trust fund known as the
5 “Deficit Reduction Trust Fund” (hereinafter in this title
6 referred to as the “Fund”) shall be established in the
7 Treasury of the United States.

8 (b) CONTENTS.—The Fund shall consist only of
9 amounts contained in the deficit reduction lock box provi-
10 sion of any appropriation Act. Such amounts shall be
11 transferred to the Fund as specified in subsection (c).

12 (c) TRANSFERS OF MONEYS TO THE FUND.—Within
13 10 days of enactment of any appropriation Act which has
14 a deficit reduction lock box provision, there shall be trans-
15 ferred from the general fund to the Fund an amount equal
16 to that amount.

17 (d) USE OF MONEYS IN THE FUND.—Notwithstand-
18 ing any other provision of law, the amounts in the Fund
19 shall not be available, in any fiscal year, for appropriation,
20 obligation, expenditure, or transfer.

21 **SEC. 102. DOWNWARD ADJUSTMENTS OF DISCRETIONARY**
22 **SPENDING LIMITS.**

23 The discretionary spending limit for new budget au-
24 thority for any fiscal year set forth in section 601(a)(2)
25 of the Congressional Budget Act of 1974, as adjusted in

1 strict conformance with section 251 of the Balanced
2 Budget and Emergency Deficit Control Act of 1985, shall
3 be reduced by the amount of budget authority transferred
4 to the Fund for that fiscal year under section 2(c), as cal-
5 culated by the Director of the Office of Management and
6 Budget. The adjusted discretionary spending limit for out-
7 lays for that fiscal year as set forth in such section
8 601(a)(2) shall be reduced as a result of the reduction
9 of such budget authority, as calculated by the Director of
10 the Office of Management and Budget. All such reductions
11 shall occur on the same day that the amounts triggering
12 the reductions are transferred to the Fund.

13 **SEC. 103. DEFICIT REDUCTION LOCK-BOX PROVISIONS OF**
14 **APPROPRIATION MEASURES.**

15 (a) DEFICIT REDUCTION LOCK-BOX PROVISIONS.—
16 Title III of the Congressional Budget Act of 1974 is
17 amended by adding at the end the following new section:

18 “DEFICIT REDUCTION LOCK-BOX PROVISIONS OF
19 APPROPRIATION BILLS

20 “SEC. 314. (a) Any general appropriation bill that
21 is being marked up by the Committee on Appropriations
22 (or a subcommittee thereof) of either House shall contain
23 a line item entitled ‘Deficit Reduction Lock-box’. The dol-
24 lar amount set forth under that heading shall be an
25 amount equal to the section 602(b)(1) or section
26 302(b)(1) allocations, as the case may be, to the sub-

1 committee of jurisdiction over the bill of the Committee
2 on Appropriations minus the aggregate level of budget au-
3 thority or outlays contained in the bill being considered.

4 “(b) Whenever a Member of either House of Congress
5 offers an amendment (whether in subcommittee, commit-
6 tee, or on the floor) to an appropriation bill to reduce
7 spending, that reduction shall be placed in the deficit re-
8 duction lock-box unless that Member indicates that it is
9 to be utilized for another program, project, or activity cov-
10 ered by that bill. If the amendment is agreed to and the
11 reduction was placed in the deficit reduction lock-box, then
12 the line item entitled ‘Deficit Reduction Lock-box’ shall
13 be increased by the amount of that reduction.

14 “(c) It shall not be in order in the House of Rep-
15 resentatives or the Senate to consider a conference report
16 that modifies any Deficit Reduction Lock-box provision
17 that is beyond the scope of that provision as so committed
18 to the conference committee.”.

19 (b) CONFORMING AMENDMENT.—The table of con-
20 tents set forth in section 1(b) of the Congressional Budget
21 and Impoundment Control Act of 1974 is amended by in-
22 serting after the item relating to section 313 the following
23 new item:

“Sec. 314. Deficit reduction lock-box provisions of appropriation measures.”.

1 **SEC. 104. CBO TRACKING.**

2 Section 202 of the Congressional Budget Act of 1974
3 is amended by adding at the end the following new sub-
4 section:

5 “(i) SCOREKEEPING ASSISTANCE.—To facilitate
6 compliance by the Committees on Appropriations with sec-
7 tion 314, the Office shall score all general appropriation
8 measures as passed the House of Representatives and as
9 passed the Senate and have such scorecard published in
10 the Congressional Record.”.

11 **TITLE II—MISCELLANEOUS**
12 **AMENDMENTS TO THE RULES**
13 **OF THE HOUSE OF REP-**
14 **RESENTATIVES**

15 **SEC. 201. MISCELLANEOUS AMENDMENTS TO THE RULES**
16 **OF THE HOUSE OF REPRESENTATIVES.**

17 (a) 5-DAY WAITING PERIOD.—(1) Clause 2(l)(6) of
18 rule XI of the Rules of the House of Representatives is
19 amended by striking “third” and inserting “fifth”.

20 (2) The first sentence of clause 2(a) of rule XXVIII
21 of the Rules of the House of Representatives is amended
22 by striking “third” and inserting “fifth”.

23 (b) TWO-THIRDS REQUIRED TO APPROVE RESTRIC-
24 TIVE RULES OR TO WAIVE HOUSE RULES.—(1) Clause
25 4 of rule XI of the Rules of the House of Representatives

1 is amended by adding at the end the following new para-
2 graph:

3 “(e) It shall not be in order to consider any resolution
4 reported from the Committee on Rules providing for the
5 consideration of any bill or resolution otherwise subject to
6 amendment under House Rules if that resolution limits
7 the right of Members to offer germane amendments to
8 such bill, unless that resolution is agreed to by the affirm-
9 ative vote of at least two-thirds of the Members voting,
10 a quorum being present.”.

11 (2) Rule XXVII of the Rules of the House of Rep-
12 resentatives is amended by adding at the end the following
13 new clause:

14 “4. The Rules of the House of Representatives shall
15 not be waived except by a vote of two-thirds of the Mem-
16 bers voting, a quorum being present.”.

17 (c) BAN ON KING-OF-THE-HILL RULES.—The last
18 sentence of clause 4(b) of rule XI of the Rules of the
19 House of Representatives is amended by inserting before
20 the period the following: “; nor shall it report any rule
21 for the consideration of any measure commonly known as
22 a ‘king-of-the-hill’ rule”.

23 (d) BAN ON SELF-EXECUTING RULES.—Clause 4 of
24 rule XI of the Rules of the House of Representatives (as

1 amended by subsection (b)) is amended by adding at the
2 end the following new paragraph:

3 “(f) It shall not be in order to consider any order
4 of business resolution reported from the Committee on
5 Rules which provides that, upon the adoption of such reso-
6 lution, the House shall be considered to have automatically
7 adopted a motion (other than for the previous question),
8 amendment, or resolution, or to have passed a bill, joint
9 resolution, or conference report thereon.”.

10 (e) REPEAL OF RULE XLIX.—Rule XLIX of the
11 Rules of the House of Representatives is repealed.

12 (f) CONFERENCE COMMITTEES.—(1) Clause 3 of rule
13 XXVIII of the Rules of the House of Representatives is
14 amended by adding at the end the following new sentence:
15 “Their report shall not fund any program, project, or ac-
16 tivity at a level higher than that contained in the bill or
17 resolution as passed the House or as passed the Senate
18 and committed to the conference committee or fund any
19 program, project, or activity not contained in that bill or
20 resolution as passed the House or as passed the Senate.”.

21 (2) Rule XXVIII of the Rules of the House of Rep-
22 resentatives is amended by adding at the end the following
23 new clause:

1 “7. It shall not be in order in the House to consider
2 a conference report if that report would violate any motion
3 to instruct conferees that the House agreed to.”.

4 **TITLE III—ECONOMIC AND EM-**
5 **PLOYMENT IMPACT STATE-**
6 **MENTS**

7 **SEC. 301. ECONOMIC AND EMPLOYMENT IMPACT STATE-**
8 **MENTS.**

9 (a) PREPARATION.—The Comptroller General of the
10 United States shall prepare an economic and employment
11 impact statement, as described in subsection (b), to ac-
12 company each bill, resolution, or conference report re-
13 ported by any committee of the House of Representatives
14 or the Senate or considered on the floor of either House.

15 (b) CONTENTS.—Except as provided in subsection
16 (c), the economic and employment impact statement re-
17 quired by subsection (a) shall—

18 (1) state the extent to which enactment of the
19 bill, resolution, or conference report would result in
20 increased costs to the private sector, individuals, or
21 State and local governments; and

22 (2) include, at a minimum, a detailed assess-
23 ment of the annual impact of the bill, resolution, or
24 conference report (projected annually over a 5-year
25 period from its effective date, and, to the extent fea-

1 sible, expressed in each case in monetary terms)
2 on—

3 (A) costs to United States consumers;

4 (B) costs to United States business;

5 (C) national employment;

6 (D) the ability of United States industries
7 to compete internationally;

8 (E) affected State and local governments,
9 fiscal and otherwise;

10 (F) outlays and revenues by the Federal
11 Government as compared to outlays and reve-
12 nues for the same activity in the current fiscal
13 year (as reported by the Congressional Budget
14 Office); and

15 (G) impact on Gross Domestic Product.

16 (c) EXCEPTION.—The economic and employment im-
17 pact statement required by subsection (a) may consist of
18 a brief summary assessment in lieu of the detailed assess-
19 ment set forth in subsection (b) if preliminary analysis in-
20 dicates that the aggregate effect of the bill, resolution, or
21 conference report as measured by the criteria set forth in
22 subparagraphs (A) through (G) of subsection (b) is less
23 than \$100,000 or 1,000 jobs in national employment.

24 (d) STATEMENT WITH ALL LEGISLATION.—The eco-
25 nomic and employment impact statement required by this

1 section shall accompany each bill, resolution, or conference
2 report before such bill, resolution, or conference report
3 may be reported or otherwise considered on the floor of
4 either House.

5 (e) POINT OF ORDER.—

6 (1) RULE.—It shall not be in order in either
7 the House of Representatives or the Senate to con-
8 sider on the floor any bill, resolution, or conference
9 report, whether or not reported by any committee of
10 the House of Representatives or the Senate, unless
11 that bill, resolution, or conference report includes
12 the economic and employment impact statement re-
13 quired by this section.

14 (2) WAIVER.—A point of order made under this
15 subsection may be waived in the Senate by a two-
16 thirds affirmative vote of Senators, duly chosen and
17 sworn, and in the House of Representatives by a
18 two-thirds affirmative vote of Members, duly chosen
19 and sworn.

20 (f) EXECUTIVE REGULATIONS.—Each regulation and
21 proposed regulation promulgated by a Federal department
22 or executive agency shall be accompanied by an economic
23 and employment impact statement prepared, in accord-
24 ance with subsection (b), by the department or agency pro-
25 mulgating the regulation or proposed regulation. The eco-

1 nomic and employment impact statement shall be pub-
2 lished in the Federal Register together with such regula-
3 tion or proposed regulation.

4 (g) PROVISION FOR NATIONAL SECURITY EMER-
5 GENCY WAIVER.—

6 (1) CONGRESSIONAL ECONOMIC IMPACT STATE-
7 MENTS.—The Congress may waive the requirements
8 of subsections (a) through (d) at any time in which
9 a declaration of war is in effect, or in response to
10 a national security emergency at the request of the
11 President.

12 (2) EXECUTIVE REGULATIONS.—The President
13 may waive the requirements of subsection (f) at any
14 time in which a declaration of war is in effect, or in
15 response to a national security emergency as deter-
16 mined by the President in consultation with Con-
17 gress.

18 (h) REPEAL OF SENATE RULE.—Paragraph 11 of
19 rule XXVI of the Standing Rules of the Senate is repealed.

1 **TITLE IV—APPLICABILITY OF**
2 **FREEDOM OF INFORMATION**
3 **ACT**

4 **SEC. 401. APPLICATION OF FREEDOM OF INFORMATION**
5 **ACT TO THE CONGRESS.**

6 The Congress, and the instrumentalities of Congress,
7 shall be subject to section 552 of title 5, United States
8 Code (commonly referred to as the “Freedom of Informa-
9 tion Act”) to the same extent that Executive agencies (as
10 defined by section 105 of title 5, United States Code) are
11 subject to such section 552.

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