

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

# H. R. 1013

To amend the Congressional Budget Control and Impoundment Act of 1974 to establish procedures for the expedited consideration by the Congress of certain proposals by the President to rescind amounts of budget authority.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1993

Mr. STENHOLM (for himself, Mr. JOHNSON of South Dakota, Mr. PAYNE of Virginia, Mr. GLICKMAN, Mr. PENNY, Mr. ARMEY, Mr. ANDREWS of Texas, Mr. BACCHUS of Florida, Mr. BAESLER, Mr. BALLENGER, Mr. BEREUTER, Mr. BILBRAY, Mr. BOEHLERT, Mr. BROWDER, Mr. BRYANT, Mr. BURTON of Indiana, Mr. BUYER, Mr. CARDIN, Mr. CLEMENT, Mr. CLINGER, Mr. CONDIT, Mr. COPPERSMITH, Mr. CRAMER, Mr. DIAZ-BALART, Mr. DORNAN, Mr. EDWARDS of Texas, Mr. FINGERHUT, Mr. PETE GEREN of Texas, Mr. GIBBONS, Mr. GILCHREST, Mr. GOSS, Mr. HALL of Texas, Mr. HAMILTON, Ms. HARMAN, Mr. HAYES, Mr. HERGER, Mr. HOBSON, Mr. HUGHES, Mr. INSLEE, Mrs. JOHNSON of Connecticut, Mr. KLINK, Mr. KLUG, Mr. LAROCO, Mr. LANCASTER, Mr. LAUGHLIN, Mr. LEHMAN, Mr. MANN, Mr. MAZZOLI, Mrs. MEYERS of Kansas, Mr. MINGE, Mr. MONTGOMERY, Mrs. MORELLA, Mr. NEAL of North Carolina, Mr. OXLEY, Mr. PARKER, Mr. PETERSON of Florida, Mr. PETERSON of Minnesota, Mr. PETRI, Mr. POMBO, Mr. POSHARD, Mr. RAMSTAD, Mr. ROEMER, Mr. ROHRABACHER, Mr. ROWLAND, Mr. SHAYS, Mr. SKELTON, Mr. SLATTERY, Mr. SMITH of Texas, Mr. SPRATT, Mr. SWETT, Mr. TANNER, Mr. TAUZIN, Mr. TAYLOR of Mississippi, Mr. UPTON, Mr. VOLKMER, Mr. WELDON, Mr. WILSON, Mr. WOLF, Mr. WYDEN, and Mr. ZELIFF) 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 Control and Impoundment Act of 1974 to establish procedures for the expedited consideration by the Congress of certain proposals by the President to rescind amounts of budget authority.

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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 “Expedited Consider-  
5       ation of Proposed Rescissions Act of 1993”.

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

8       (a) IN GENERAL.—Part B of title X of the Congres-  
9       sional Budget and Impoundment Control Act of 1974 (2  
10      U.S.C. 681 et seq.) is amended by redesignating sections  
11      1013 through 1017 as sections 1014 through 1018, re-  
12      spectively, and inserting after section 1012 the following  
13      new section:

14      “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED  
15   RESCISSIONS

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

24      “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

1           “(1) Not later than 3 days after the date of en-  
2           actment of an appropriation Act, the President may  
3           transmit to Congress a special message proposing to  
4           rescind amounts of budget authority provided in  
5           that Act and include with that special message a  
6           draft bill that, if enacted, would only rescind that  
7           budget authority. That bill shall clearly identify the  
8           amount of budget authority that is proposed to be  
9           rescinded for each program, project, or activity to  
10          which that budget authority relates.

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

19          “(3) Each special message shall specify, with  
20          respect to the budget authority proposed to be re-  
21          scinded, the matters referred to in paragraphs (1)  
22          through (5) of section 1012(a).

23          “(c) LIMITATION ON AMOUNTS SUBJECT TO RESCIS-  
24          SION.—

1           “(1) The amount of budget authority which the  
2           President may propose to rescind in a special mes-  
3           sage under this section for a particular program,  
4           project, or activity for a fiscal year may not exceed  
5           25 percent of the amount appropriated for that pro-  
6           gram, project, or activity in that Act.

7           “(2) The limitation contained in paragraph (1)  
8           shall only apply to amounts specifically authorized to  
9           be appropriated for a particular program, project, or  
10          activity.

11          “(d) PROCEDURES FOR EXPEDITED CONSIDER-  
12          ATION.—

13                 “(1)(A) Before the close of the second day of  
14                 continuous session of the applicable House after the  
15                 date of receipt of a special message transmitted to  
16                 Congress under subsection (b), the majority leader  
17                 or minority leader of the House of Representatives  
18                 shall introduce (by request) the draft bill accom-  
19                 panying that special message. If the bill is not intro-  
20                 duced as provided in the preceding sentence, then,  
21                 on the third day of continuous session of the House  
22                 of Representatives after the date of receipt of that  
23                 special message, any Member of that House may in-  
24                 troduce the bill.

1           “(B) The bill shall be referred to the Commit-  
2           tee on Appropriations of the House of Representa-  
3           tives. The committee shall report the bill without  
4           substantive revision and with or without rec-  
5           ommendation. The bill shall be reported not later  
6           than the seventh day of continuous session of that  
7           House after the date of receipt of that special mes-  
8           sage. If the Committee on Appropriations fails to re-  
9           port the bill within that period, that committee shall  
10          be automatically discharged from consideration of  
11          the bill, and the bill shall be placed on the appro-  
12          priate calendar.

13          “(C) During consideration under this para-  
14          graph, any Member of the House of Representatives  
15          may move to strike any proposed rescission or re-  
16          scissions of budget authority if supported by 49  
17          other Members.

18          “(D) A vote on final passage of the bill shall be  
19          taken in the House of Representatives on or before  
20          the close of the 10th calendar day of continuous ses-  
21          sion of that House after the date of the introduction  
22          of the bill in that House. If the bill is passed, the  
23          Clerk of the House of Representatives shall cause  
24          the bill to be engrossed, certified, and transmitted to

1 the Senate within one calendar day of the day on  
2 which the bill is passed.

3 “(2)(A) A motion in the House of Representa-  
4 tives to proceed to the consideration of a bill under  
5 this section shall be highly privileged and not debat-  
6 able. An amendment to the motion shall not be in  
7 order, nor shall it be in order to move to reconsider  
8 the vote by which the motion is agreed to or dis-  
9 agreed to.

10 “(B) Debate in the House of Representatives  
11 on a bill under this section shall not exceed 4 hours,  
12 which shall be divided equally between those favoring  
13 and those opposing the bill. A motion further to  
14 limit debate shall not be debatable. It shall not be  
15 in order to move to recommit a bill under this sec-  
16 tion or to move to reconsider the vote by which the  
17 bill is agreed to or disagreed to.

18 “(C) Appeals from decisions of the Chair relat-  
19 ing to the application of the Rules of the House of  
20 Representatives to the procedure relating to a bill  
21 under this section shall be decided without debate.

22 “(D) Except to the extent specifically provided  
23 in the preceding provisions of this subsection, con-  
24 sideration of a bill under this section shall be gov-  
25 erned by the Rules of the House of Representatives.

1           “(3)(A) A bill transmitted to the Senate pursu-  
2           ant to paragraph (1)(C) shall be referred to its Com-  
3           mittee on Appropriations. The committee shall re-  
4           port the bill without substantive revision and with or  
5           without recommendation. The bill shall be reported  
6           not later than the seventh day of continuous session  
7           of the Senate after it receives the bill. A committee  
8           failing to report the bill within such period shall be  
9           automatically discharged from consideration of the  
10          bill, and the bill shall be placed upon the appropriate  
11          calendar.

12          “(B) During consideration under this para-  
13          graph, any Member of the Senate may move to  
14          strike any proposed rescission or rescissions of budg-  
15          et authority if supported by 14 other Members.

16          “(C) A vote on final passage of a bill transmit-  
17          ted to the Senate shall be taken on or before the  
18          close of the 10th calendar day of continuous session  
19          of the Senate after the date on which the bill is  
20          transmitted. If the bill is passed in the Senate with-  
21          out amendment, the Secretary of the Senate shall  
22          cause the engrossed bill to be returned to the House  
23          of Representatives.

24          “(D) If the bill is amended in the Senate solely  
25          as provided by subparagraph (B), the Secretary of

1 the Senate shall cause an engrossed amendment (in  
2 the nature of a substitute) to be returned to the  
3 House of Representatives. Upon receipt of that  
4 amendment from the Senate, the House shall be  
5 deemed to have agreed to the Senate amendment  
6 and the Clerk of the House of Representatives shall  
7 enroll the bill.

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

14 “(B) Debate in the Senate on a bill under this  
15 section, and all debatable motions and appeals in  
16 connection therewith, shall not exceed 10 hours. The  
17 time shall be equally divided between, and controlled  
18 by, the majority leader and the minority leader or  
19 their designees.

20 “(C) Debate in the Senate on any debatable  
21 motion or appeal in connection with a bill under this  
22 section shall be limited to not more than 1 hour, to  
23 be equally divided between, and controlled by, the  
24 mover and the manager of the bill, except that in  
25 the event the manager of the bill is in favor of any



1 such motion or appeal, the time in opposition there-  
2 to, shall be controlled by the minority leader or his  
3 designee. Such leaders, or either of them, may, from  
4 time under their control on the passage of a bill,  
5 allot additional time to any Senator during the con-  
6 sideration of any debatable motion or appeal.

7 “(D) A motion in the Senate to further limit  
8 debate on a bill under this section is not debatable.  
9 A motion to recommit a bill under this section is not  
10 in order.

11 “(e) AMENDMENTS AND DIVISIONS PROHIBITED.—  
12 Except as provided by paragraph (1)(C) or (3)(B) of sub-  
13 section (d), no amendment to a bill considered under this  
14 section shall be in order in either the House of Represent-  
15 atives or the Senate. It shall not be in order to demand  
16 a division of the question in the House of Representatives  
17 (or in a Committee of the Whole) or in the Senate. No  
18 motion to suspend the application of this subsection shall  
19 be in order in either House, nor shall it be in order in  
20 either House to suspend the application of this subsection  
21 by unanimous consent.

22 “(f) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-  
23 GATION.—Any amount of budget authority proposed to be  
24 rescinded in a special message transmitted to Congress  
25 under subsection (b) shall be made available for obligation

1 on the day after the date on which either House defeats  
2 the bill transmitted with that special message.

3 “(g) DEFINITIONS.—For purposes of this section—

4 “(1) the term ‘appropriation Act’ means any  
5 general or special appropriation Act, and any Act or  
6 joint resolution making supplemental, deficiency, or  
7 continuing appropriations; and

8 “(2) continuity of a session of either House of  
9 Congress shall be considered as broken only by an  
10 adjournment of that House sine die, and the days on  
11 which that House is not in session because of an ad-  
12 journment of more than 3 days to a date certain  
13 shall be excluded in the computation of any period.”.

14 (b) EXERCISE OF RULEMAKING POWERS.—Section  
15 904 of such Act (2 U.S.C. 621 note) is amended—

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

18 (2) by striking “section 1017” in subsection (d)  
19 and inserting “sections 1013 and 1018”; and

20 (c) CONFORMING AMENDMENTS.—

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

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

25 (B) in paragraph (5)—

1 (i) by striking “1016” and inserting  
2 “1017”; and

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

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

7 (A) by striking “1012 or 1013” each place  
8 it appears and inserting “1012, 1013, or  
9 1014”;

10 (B) in subsection (b)(1), by striking  
11 “1012” and inserting “1012 or 1013”;

12 (C) in subsection (b)(2), by striking  
13 “1013” and inserting “1014”; and

14 (D) in subsection (e)(2)—

15 (i) by striking “and” at the end of  
16 subparagraph (A);

17 (ii) by redesignating subparagraph  
18 (B) as subparagraph (C);

19 (iii) by striking “1013” in subpara-  
20 graph (C) (as so redesignated) and insert-  
21 ing “1014”; 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           (3) Section 1016 of such Act (2 U.S.C. 686)  
5           (as redesignated by section 2(a)) is amended by  
6           striking “1012 or 1013” each place it appears and  
7           inserting “1012, 1013, or 1014”.

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

10           (1) by redesignating the items relating to sec-  
11           tions 1013 through 1017 as items relating to sec-  
12           tions 1014 through 1018; and

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

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

15           **SEC. 3. APPLICATION.**

16           Section 1013 of the Congressional Budget and Im-  
17           poundment Control Act of 1974 (as added by section 2)  
18           shall apply to amounts of budget authority provided by  
19           appropriation Acts (as defined in subsection (g) of such  
20           section) that are enacted during the One Hundred Third  
21           Congress.

22           **SEC. 4. TERMINATION.**

23           The authority provided by section 1013 of the Con-  
24           gressional Budget and Impoundment Control Act of 1974

1 (as added by section 2) shall terminate effective on the  
2 date in 1994 on which Congress adjourns sine die.

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