

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

# H. R. 1253

To give the President line-item veto rescission authority over appropriation bills.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 1993

Mr. BUNNING introduced the following bill; which was referred jointly to the Committees on Government Operations and Rules

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## A BILL

To give the President line-item veto rescission authority over appropriation bills.

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 “The Legislative Line  
5 Item Veto Act of 1993”.

6 **SEC. 2. LEGISLATIVE LINE ITEM VETO RESCISSION AU-**  
7 **THORITY.**

8 (a) IN GENERAL.—Notwithstanding the provisions of  
9 part B of title X of The Congressional Budget and Im-  
10 poundment Control Act of 1974, and subject to the provi-

1 sions of this section, the President may rescind all or part  
2 of any discretionary budget authority pursuant to this Act  
3 if the President—

4 (1) determines that such rescission—

5 (A) would help reduce the Federal budget  
6 deficit;

7 (B) will not impair any essential Govern-  
8 ment functions; and

9 (C) will not harm the national interest;  
10 and

11 (2) notifies the Congress of such rescission by  
12 a special message not later than twenty calendar  
13 days (not including Saturdays, Sundays, or holidays)  
14 after the date of enactment of a regular or supple-  
15 mental appropriation Act or a joint resolution mak-  
16 ing continuing appropriations providing such budget  
17 authority.

18 The President shall submit a separate rescission message  
19 for each item rescinded under this paragraph.

20 **SEC. 3. RESCISSION EFFECTIVE UNLESS DISAPPROVED.**

21 (a) Any amount of budget authority rescinded under  
22 this Act as set forth in a special message by the President  
23 shall be deemed canceled unless during the period de-  
24 scribed in subsection (b), a rescission disapproval bill mak-

1 ing available all of the amount rescinded is enacted into  
2 law.

3 (b) The period referred to in subsection (a) is—

4 (1) a congressional review period of 20 calendar  
5 days of session during which Congress must com-  
6 plete action on the rescission disapproval bill and  
7 present such bill to the President for approval or  
8 disapproval;

9 (2) after the period provided in paragraph (1),  
10 an additional ten days (not including Sundays) dur-  
11 ing which the President may exercise his authority  
12 to sign or veto the rescission disapproval bill; and

13 (3) if the President vetoes the rescission dis-  
14 approval bill during the period provided in para-  
15 graph (2), an additional five calendar days of session  
16 after the date of the veto.

17 (c) If a special message is transmitted by the Presi-  
18 dent under this Act and the last session of the Congress  
19 adjourns sine die before the expiration of the period de-  
20 scribed in subsection (b), the rescission shall not take ef-  
21 fect. The message shall be deemed to have been  
22 retransmitted on the first day of the succeeding Congress  
23 and the review period referred to in subsection (b) (with  
24 respect to such message) shall run beginning after such  
25 first day.

1 **SEC. 4. DEFINITIONS.**

2 For purposes of this Act—

3 (a) the term “rescission disapproval bill” means  
4 a bill or joint resolution which only disapproves a re-  
5 scission of discretionary budget authority, in whole,  
6 rescinded in a special message transmitted by the  
7 President under this Act; and

8 (b) the term “calendar days of session” shall  
9 mean only those days on which both Houses of Con-  
10 gress are in session.

11 **SEC. 5. CONGRESSIONAL CONSIDERATION OF LINE ITEM**  
12 **VETO RESCISSIONS.**

13 (a) **PRESIDENTIAL SPECIAL MESSAGE.**—Whenever  
14 the President rescinds any budget authority as provided  
15 in this Act, the President shall transmit to both Houses  
16 of Congress a special message specifying—

17 (1) the amount of budget authority rescinded;

18 (2) any account, department, or establishment  
19 of the Government to which such budget authority  
20 is available for obligation, and the specific project or  
21 governmental functions involved;

22 (3) the reasons and justifications for the deter-  
23 mination to rescind budget authority pursuant to  
24 this Act;

1           (4) to the maximum extent practicable, the esti-  
2           mated fiscal, economic, and budgetary effect of the  
3           rescission; and

4           (5) all facts, circumstances, and considerations  
5           relating to or bearing upon the rescission and the  
6           decision to effect the rescission, and to the maxi-  
7           mum extent practicable, the estimated effect of the  
8           rescission upon the objects, purposes, and programs  
9           for which the budget authority is provided.

10          (b) TRANSMISSION OF MESSAGES TO HOUSE AND  
11          SENATE.—

12           (1) Each special message transmitted under  
13           this Act shall be transmitted to the House of Rep-  
14           resentatives and the Senate on the same day, and  
15           shall be delivered to the Clerk of the House of Rep-  
16           resentatives if the House is not in session, and to  
17           the Secretary of the Senate if the Senate is not in  
18           session. Each special message so transmitted shall  
19           be referred to the appropriate committees of the  
20           House of Representatives and the Senate. Each such  
21           message shall be printed as a document of each  
22           House.

23           (2) Any special message transmitted under this  
24           Act shall be printed in the first issue of the Federal  
25           Register published after such transmittal.

1 (c) REFERRAL OF RESCISSION DISAPPROVAL  
2 BILLS.—Any rescission disapproval bill introduced with  
3 respect to a special message shall be referred to the appro-  
4 priate committees of the House of Representatives or the  
5 Senate, as the case may be.

6 (d) CONSIDERATION IN THE SENATE.—

7 (1) Any rescission disapproval bill received in  
8 the Senate from the House shall be considered in  
9 the Senate pursuant to the provisions of this Act.

10 (2) Debate in the Senate on any rescission dis-  
11 approval bill and debatable motions and appeals in  
12 connection therewith, shall be limited to not more  
13 than ten hours. The time shall be equally divided be-  
14 tween, and controlled by, the majority leader and the  
15 minority leader or their designees.

16 (3) Debate in the Senate on any debatable mo-  
17 tions or appeal in connection with such bill shall be  
18 limited to one hour, to be equally divided between,  
19 and controlled by the mover and the manager of the  
20 bill, except that in the event the manager of the bill  
21 is in favor of any such motion or appeal, the time  
22 in opposition thereto shall be controlled by the mi-  
23 nority leader or his designee. Such leaders, or either  
24 of them, may, from the time under their control on  
25 the passage of the bill, allot additional time to any

1 Senator during the consideration of any debatable  
2 motion or appeal.

3 (4) A motion to further limit debate is not de-  
4 batable. A motion to recommit (except a motion to  
5 recommit with instructions to report back within a  
6 specified number of days not to exceed one, not  
7 counting any day on which the Senate is not in ses-  
8 sion) is not in order.

9 (e) POINTS OF ORDER.—

10 (1) It shall not be in order in the Senate or the  
11 House of Representatives to consider any rescission  
12 disapproval bill that relates to any matter other than  
13 the rescission budget authority transmitted by the  
14 President under this Act.

15 (2) It shall not be in order in the Senate or the  
16 House of Representatives to consider any amend-  
17 ment to a rescission disapproval bill.

18 (3) Paragraphs (1) and (2) may be waived or  
19 suspended in the Senate only by a vote of three-  
20 fifths of the members duly chosen and sworn.

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