

103^D CONGRESS
1ST SESSION

H. R. 493

To give the President legislative, line-item veto rescission authority over appropriation bills and targeted tax benefits in revenue bills.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 1993

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

A BILL

To give the President legislative, line-item veto rescission authority over appropriation bills and targeted tax benefits in revenue 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 Enhanced Rescis-
5 sion/Receipts 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 or veto any targeted
3 tax benefit within any revenue bill which is subject to the
4 terms of this Act if the President—

5 (1) determines that—

6 (A) such rescission or veto would help re-
7 duce the Federal budget deficit;

8 (B) such rescission or veto will not impair
9 any essential Government functions; and

10 (C) such rescission or veto will not harm
11 the national interest; and

12 (2) notifies the Congress of such rescission or
13 veto by a special message not later than twenty cal-
14 endar days (not including Saturdays, Sundays, or
15 holidays) after the date of enactment of a regular or
16 supplemental appropriation act or a joint resolution
17 making continuing appropriations providing such
18 budget authority or a revenue bill containing a tar-
19 geted tax benefit.

20 The President shall submit a separate rescission message
21 for each appropriation bill and for each revenue bill under
22 this paragraph.

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

24 (a)(1) Any amount of budget authority rescinded
25 under this Act as set forth in a special message by the

1 President shall be deemed canceled unless, during the pe-
2 riod described in subsection (b), a rescission/receipts dis-
3 approval bill making available all of the amount rescinded
4 is enacted into law.

5 (2) Any provision of law vetoed under this Act as set
6 forth in a special message by the President shall be
7 deemed repealed unless, during the period described in
8 subsection (b), a rescission/receipts disapproval bill restor-
9 ing that provision is enacted into law.

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

11 (1) a congressional review period of twenty cal-
12 endar days of session during which Congress must
13 complete action on the rescission/receipts disapproval
14 bill and present such bill to the President for ap-
15 proval or disapproval;

16 (2) after the period provided in paragraph (1),
17 an additional ten days (not including Sundays) dur-
18 ing which the President may exercise his authority
19 to sign or veto the rescission/receipts disapproval
20 bill; and

21 (3) if the President vetoes the rescission/re-
22 cepts disapproval bill during the period provided in
23 paragraph (2), an additional five calendar days of
24 session after the date of the veto.

1 (c) If a special message is transmitted by the Presi-
2 dent under this Act and the last session of the Congress
3 adjourns sine die before the expiration of the period de-
4 scribed in subsection (b), the rescission or veto, as the case
5 may be, shall not take effect. The message shall be deemed
6 to have been retransmitted on the first day of the succeed-
7 ing Congress and the review period referred to in sub-
8 section (b) (with respect to such message) shall run begin-
9 ning after such first day.

10 **SEC. 4. DEFINITIONS.**

11 As used in this Act:

12 (1) The term “rescission/receipts disapproval
13 bill” means a bill or joint resolution which—

14 (A) only disapproves a rescission of budget
15 authority, in whole, rescinded, or

16 (B) only disapproves a veto of any provi-
17 sion of law that would decrease receipts,

18 in a special message transmitted by the President
19 under this Act.

20 (2) The term “calendar days of session” shall
21 mean only those days on which both Houses of Con-
22 gress are in session.

23 (3) The term “targeted tax benefit” means any
24 provision which has the practical effect of providing
25 a benefit in the form of a differential treatment to

1 a particular taxpayer or a limited class of taxpayers,
2 whether or not such provision is limited by its terms
3 to a particular taxpayer or a class of taxpayers.
4 Such term does not include any benefit provided to
5 a class of taxpayers distinguished on the basis of
6 general demographic conditions such as income,
7 number of dependents, or marital status.

8 **SEC. 5. CONGRESSIONAL CONSIDERATION OF LEGISLATIVE**
9 **LINE ITEM VETO RESCISSIONS.**

10 (a) **PRESIDENTIAL SPECIAL MESSAGE.**—Whenever
11 the President rescinds any budget authority as provided
12 in this Act or vetoes any provision of law as provided in
13 this Act, the President shall transmit to both Houses of
14 Congress a special message specifying—

15 (1) the amount of budget authority rescinded or
16 the provision vetoed;

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

21 (3) the reasons and justifications for the deter-
22 mination to rescind budget authority or veto any
23 provision pursuant to this Act;

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

4 (5) all factions, circumstances, and consider-
5 ations relating to or bearing upon the rescission or
6 veto and the decision to effect the rescission or veto,
7 and to the maximum extent practicable, the esti-
8 mated effect of the rescission upon the objects, pur-
9 poses, and programs for which the budget authority
10 is provided.

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

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

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

4 (c) REFERRAL OF RESCISSION/RECEIPTS DIS-
5 APPROVAL BILLS.—Any rescission/receipts disapproval
6 bill introduced with respect to a special message shall be
7 referred to the appropriate committees of the House of
8 Representatives or the Senate, as the case may be.

9 (d) CONSIDERATION IN THE SENATE.—

10 (1) Any rescission/receipts disapproval bill re-
11 ceived in the Senate from the House shall be consid-
12 ered in the Senate pursuant to the provisions of this
13 Act.

14 (2) Debate in the Senate on any rescission/re-
15 cepts disapproval bill and debatable motions and ap-
16 peals in connection therewith, shall be limited to not
17 more than ten hours. The time shall be equally di-
18 vided between, and controlled by, the majority leader
19 and the minority leader or their designees.

20 (3) Debate in the Senate on any debatable mo-
21 tions or appeal in connection with such bill shall be
22 limited to one hour, to be equally divided between,
23 and controlled by the mover and the manager of the
24 bill, except that in the event the manager of the bill
25 is in favor of any such motion or appeal, the time

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

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

13 (e) POINTS OF ORDER.—

14 (1) It shall not be in order in the Senate or the
15 House of Representatives to consider any rescission/
16 receipts disapproval bill that relates to any matter
17 other than the rescission of budget authority or veto
18 of the provision of law transmitted by the President
19 under this Act.

20 (2) It shall not be in order in the Senate or the
21 House of Representatives to consider any amend-
22 ment to a rescission/receipts disapproval bill.

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

