

103^D CONGRESS
1ST SESSION

S. 690

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.

IN THE SENATE OF THE UNITED STATES

APRIL 1 (legislative day, MARCH 3), 1993

Mr. CRAIG (for himself, Mr. COHEN, and Mr. KEMPTHORNE) introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

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.

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 “Modified Line Item
5 Veto/Expedited Rescissions 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 (2
5 U.S.C. 681 et seq.) is amended by redesignating sections
6 1013 through 1017 as sections 1014 through 1018, re-
7 spectively, and inserting after section 1012 the following
8 new section:

9 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED
10 RESCISSIONS

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

19 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

20 “(1) Not later than 3 days after the date of en-
21 actment of an appropriation Act, the President may
22 transmit to Congress a special message proposing to
23 rescind amounts of budget authority provided in
24 that Act and include with that special message a
25 draft bill that, if enacted, would only rescind that
26 budget authority. That bill shall clearly identify the

1 amount of budget authority that is proposed to be
2 rescinded for each program, project, or activity to
3 which that budget authority relates.

4 “(2) In the case of an appropriation Act that
5 includes accounts within the jurisdiction of more
6 than one subcommittee of the Committee on Appro-
7 priations, the President in proposing to rescind
8 budget authority under this section shall send a sep-
9 arate special message and accompanying draft bill
10 for accounts within the jurisdiction of each such sub-
11 committee.

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

16 “(c) LIMITATION ON AMOUNTS SUBJECT TO RESCIS-
17 SION.—

18 “(1) The amount of budget authority which the
19 President may propose to rescind in a special mes-
20 sage under this section for a particular program,
21 project, or activity for a fiscal year may not exceed
22 25 percent of the amount appropriated for that pro-
23 gram, project, or activity in that Act.

24 “(2) The limitation contained in paragraph (1)
25 shall only apply to amounts specifically authorized to

1 be appropriated for a particular program, project, or
2 activity.

3 “(d) PROCEDURES FOR EXPEDITED CONSIDER-
4 ATION.—

5 “(1)(A) Before the close of the second legisla-
6 tive day of the House of Representatives after the
7 date of receipt of a special message transmitted to
8 Congress under subsection (b), the majority leader
9 or minority leader of the House of Representatives
10 shall introduce (by request) the draft bill accom-
11 panying that special message. If the bill is not intro-
12 duced as provided in the preceding sentence, then,
13 on the third legislative day of the House of Rep-
14 resentatives after the date of receipt of that special
15 message, any Member of that House may introduce
16 the bill.

17 “(B) The bill shall be referred to the Commit-
18 tee on Appropriations of the House of Representa-
19 tives. The committee shall report the bill without
20 substantive revision and with or without rec-
21 ommendation. The bill shall be reported not later
22 than the seventh legislative day of that House after
23 the date of receipt of that special message. If the
24 Committee on Appropriations fails to report the bill
25 within that period, that committee shall be auto-

1 matically discharged from consideration of the bill,
2 and the bill shall be placed on the appropriate
3 calendar.

4 “(C) During consideration under this para-
5 graph, any Member of the House of Representatives
6 may move to strike any proposed rescission or re-
7 scissions of budget authority if supported by 49
8 other Members.

9 “(D) A vote on final passage of the bill shall be
10 taken in the House of Representatives on or before
11 the close of the 10th legislative day of that House
12 after the date of the introduction of the bill in that
13 House. If the bill is passed, the Clerk of the House
14 of Representatives shall cause the bill to be en-
15 grossed, certified, and transmitted to the Senate
16 within one calendar day of the day on which the bill
17 is passed.

18 “(2)(A) A motion in the House of Representa-
19 tives to proceed to the consideration of a bill under
20 this section shall be highly privileged and not debat-
21 able. An amendment to the motion shall not be in
22 order, nor shall it be in order to move to reconsider
23 the vote by which the motion is agreed to or dis-
24 agreed to.

1 “(B) Debate in the House of Representatives
2 on a bill under this section shall not exceed 4 hours,
3 which shall be divided equally between those favoring
4 and those opposing the bill. A motion further to
5 limit debate shall not be debatable. It shall not be
6 in order to move to recommit a bill under this sec-
7 tion or to move to reconsider the vote by which the
8 bill is agreed to or disagreed to.

9 “(C) Appeals from decisions of the Chair relat-
10 ing to the application of the Rules of the House of
11 Representatives to the procedure relating to a bill
12 under this section shall be decided without debate.

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

17 “(3)(A) A bill transmitted to the Senate pursu-
18 ant to paragraph (1)(D) shall be referred to its
19 Committee on Appropriations. The committee shall
20 report the bill without substantive revision and with
21 or without recommendation. The bill shall be re-
22 ported not later than the seventh legislative day of
23 the Senate after it receives the bill. A committee
24 failing to report the bill within such period shall be
25 automatically discharged from consideration of the

1 bill, and the bill shall be placed upon the appropriate
2 calendar.

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

7 “(C) A vote on final passage of a bill transmit-
8 ted to the Senate shall be taken on or before the
9 close of the 10th legislative day of the Senate after
10 the date on which the bill is transmitted. If the bill
11 is passed in the Senate without amendment, the Sec-
12 retary of the Senate shall cause the engrossed bill to
13 be returned to the House of Representatives.

14 “(D) If the bill is amended in the Senate solely
15 as provided by subparagraph (B), the Secretary of
16 the Senate shall cause an engrossed amendment (in
17 the nature of a substitute) to be returned to the
18 House of Representatives. Any Member of the
19 House may offer a privileged motion that the House
20 concur in that Senate amendment. That motion is
21 not subject to a demand for division of the question
22 and the previous question is considered as ordered
23 on the motion to final adoption without intervening
24 motion.

1 “(4)(A) A motion in the Senate to proceed to
2 the consideration of a bill under this section shall be
3 privileged and not debatable. An amendment to the
4 motion shall not be in order, nor shall it be in order
5 to move to reconsider the vote by which the motion
6 is agreed to or disagreed to.

7 “(B) Debate in the Senate on a bill under this
8 section, and all debatable motions and appeals in
9 connection therewith, shall not exceed 10 hours. The
10 time shall be equally divided between, and controlled
11 by, the majority leader and the minority leader or
12 their designees.

13 “(C) Debate in the Senate on any debatable
14 motion or appeal in connection with a bill under this
15 section shall be limited to not more than 1 hour, to
16 be equally divided between, and controlled by, the
17 mover and the manager of the bill, except that in
18 the event the manager of the bill is in favor of any
19 such motion or appeal, the time in opposition there-
20 to, shall be controlled by the minority leader or his
21 designee. Such leaders, or either of them, may, from
22 time under their control on the passage of a bill,
23 allot additional time to any Senator during the con-
24 sideration of any debatable motion or appeal.

1 “(D) A motion in the Senate to further limit
2 debate on a bill under this section is not debatable.
3 A motion to recommit a bill under this section is not
4 in order.

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

16 “(f) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-
17 GATION.—Any amount of budget authority proposed to be
18 rescinded in a special message transmitted to Congress
19 under subsection (b) shall be made available for obligation
20 on the day after the date on which either House defeats
21 the bill transmitted with that special message.

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

23 “(1) the term ‘appropriation Act’ means any
24 general or special appropriation Act, and any Act or

1 joint resolution making supplemental, deficiency, or
2 continuing appropriations; and

3 “(2) the term ‘legislative day’ means, with re-
4 spect to either House of Congress, any day during
5 which that House is in session.”.

6 (b) EXERCISE OF RULEMAKING POWERS.—Section
7 904 of such Act (2 U.S.C. 621 note) is amended—

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

10 (2) by striking “section 1017” in subsection (d)
11 and inserting “sections 1013 and 1018”.

12 (c) CONFORMING AMENDMENTS.—

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

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

17 (B) in paragraph (5)—

18 (i) by striking “1016” and inserting
19 “1017”; and

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

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

1 (A) by striking “1012 or 1013” each place
2 it appears and inserting “1012, 1013, or
3 1014”;

4 (B) in subsection (b)(1), by striking
5 “1012” and inserting “1012 or 1013”;

6 (C) in subsection (b)(2), by striking
7 “1013” and inserting “1014”; and

8 (D) in subsection (e)(2)—

9 (i) by striking “and” at the end of
10 subparagraph (A);

11 (ii) by redesignating subparagraph
12 (B) as subparagraph (C);

13 (iii) by striking “1013” in subpara-
14 graph (C) (as so redesignated) and insert-
15 ing “1014”; and

16 (iv) by inserting after subparagraph
17 (A) the following new subparagraph:

18 “(B) he has transmitted a special message
19 under section 1013 with respect to a proposed
20 rescission; and”.

21 (3) Section 1016 of such Act (2 U.S.C. 686)
22 (as redesignated by section 2(a)) is amended by
23 striking “1012 or 1013” each place it appears and
24 inserting “1012, 1013, or 1014”.

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

3 (1) by redesignating the items relating to sec-
4 tions 1013 through 1017 as items relating to sec-
5 tions 1014 through 1018; and

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

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

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