

104TH CONGRESS
1ST SESSION

H. RES. 212

To express the sense of the House of Representatives that the provisions of S. 4 (the Line Item Veto Act), as passed by the House, should apply to all fiscal year 1996 appropriation bills and to the reconciliation bill required by H. Con. Res. 67.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 1995

Mr. ORTON (for himself, Mr. SPRATT, Mr. CONDIT, Mr. ROSE, Mr. HALL of Texas, Mr. MINGE, Mr. CRAMER, Mr. PETERSON of Minnesota, Mr. PETE GEREN of Texas, Mr. BROWDER, Ms. DANNER, Mr. BAESLER, Mr. McHALE, Mr. GORDON, Mr. MEEHAN, Mr. SCHUMER, Mr. LUTHER, Mr. PAYNE of Virginia, Mr. GENE GREEN of Texas, Mr. HOLDEN, Mr. JOHNSON of South Dakota, Mr. WARD, Mr. DEUTSCH, Mr. PARKER, Mr. WYNN, Mr. MONTGOMERY, Mr. GUTIERREZ, Mr. CHAPMAN, Ms. RIVERS, Mr. BROWN of Ohio, Mr. STENHOLM, Mr. DEFazio, Mr. ROEMER, Mr. BALDACCI, Mr. BROWN of California, Mr. VOLKMER, Mr. MASCARA, Mr. TAUZIN, Mr. RICHARDSON, Mr. WILSON, Mr. WYDEN, Mrs. LINCOLN, Mr. KLECZKA, Mr. STUPAK, Mr. DOYLE, Ms. ESHOO, Mr. MENENDEZ, Mr. COSTELLO, Mr. HAYES, Mr. BARRETT of Wisconsin, Mr. MANTON, Mr. POMEROY, Mr. PALLONE, Mr. KENNEDY of Rhode Island, Mr. EDWARDS, Mr. GIBBONS, Mr. LANTOS, Mr. DOGGETT, Ms. MCCARTHY, Mr. DOOLEY, Mr. CARDIN, Mr. McNULTY, Mr. POSHARD, Ms. HARMAN, Mr. CLEMENT, Mr. FORD, and Mr. BARCIA) submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

To express the sense of the House of Representatives that the provisions of S. 4 (the Line Item Veto Act), as passed by the House, should apply to all fiscal year 1996 appropriation bills and to the reconciliation bill required by H. Con. Res. 67.

1 *Resolved,*

2 **SECTION 1. SENSE OF THE HOUSE OF REPRESENTATIVES**
3 **ON THE APPLICATION OF S. 4 (THE LINE ITEM**
4 **VETO ACT) TO FISCAL YEAR 1996 APPROPRIA-**
5 **TIONS AND RECONCILIATION BILL.**

6 (a) FINDINGS.—The House of Representatives finds
7 that—

8 (1) the line item veto was a major plank in the
9 House of Representatives majority’s “Contract With
10 America” and has received strong bipartisan support
11 in the 104th Congress;

12 (2) the House of Representatives on February
13 6, 1995, passed H.R. 2, the Line Item Veto Act, on
14 a vote of 294–134;

15 (3) the Senate on March 23, 1995, passed S.
16 4, the Separate Enrollment and Line Item Veto Act
17 of 1995, on a vote of 69–29;

18 (4) the House of Representatives passed S. 4,
19 with the text of H.R. 2 inserted, by voice vote on
20 May 17, 1995, 50 days after passage by the Senate;

21 (5) notwithstanding the failure of the House of
22 Representatives to request a conference, the Senate
23 disagreed with the House of Representatives amend-
24 ments, requested a conference and appointed con-
25 ferrees on S. 4 on June 20, 1995;

1 (6) as of August 4, 1995, it has been 134 days
2 since the House of Representatives and the Senate
3 have each passed a line item veto bill and the Speak-
4 er has not yet moved to appoint conferees;

5 (7) with the passage of time it increasingly ap-
6 pears that the Congress may pass and send to the
7 President not only the appropriation bills for fiscal
8 year 1996 but also the reconciliation bill required by
9 H. Con. Res. 67 (the concurrent resolution setting
10 forth the congressional budget for fiscal years 1996,
11 1997, 1998, 1999, 2000, 2001, and 2002) without
12 first passing and sending to the President a line
13 item veto bill;

14 (8) the House of Representatives majority lead-
15 ership has repeatedly refused to apply line item veto
16 to fiscal year 1996 appropriation bills on a bill-by-
17 bill basis; and

18 (9) the House of Representatives majority lead-
19 ership has publicly cast doubt on the prospects for
20 a conference on S. 4 this year.

21 (b) SENSE OF THE HOUSE OF REPRESENTATIVES.—

22 It is the sense of the House of Representatives that—

23 (1) the Speaker of the House of Representa-
24 tives should move to appoint conferees on S. 4 im-
25 mediately, so that the House of Representatives and

1 Senate may resolve their differences on this impor-
2 tant legislation; and

3 (2) no conference report on any appropriation
4 bill or the reconciliation bill required by H. Con.
5 Res. 67 should be considered by the House of Rep-
6 resentatives unless—

7 (A) that conference report makes the pro-
8 visions of S. 4, as passed by the House, applica-
9 ble to that bill; or

10 (B) Congress has considered the con-
11 ference report on S. 4.

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