

104TH CONGRESS
1ST SESSION

S. 137

To create a legislative item veto by requiring separate enrollment of items in appropriations bills and tax expenditure provisions in revenue bills.

IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1995

Mr. BRADLEY (for himself, Mr. CAMPBELL, Mr. COATS, and Mr. ROBB) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To create a legislative item veto by requiring separate enrollment of items in appropriations bills and tax expenditure provisions 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 “Tax Expenditure and
5 Legislative Appropriations Line Item Veto Act of 1995”.

1 **SEC. 2. TAX EXPENDITURE AND LEGISLATIVE APPROPRIA-**
2 **TIONS LINE ITEM VETO ACT OF 1995.**

3 The Congressional Budget and Impoundment Control
4 Act of 1974 is amended by adding at the end thereof the
5 following new title:

6 “TITLE XI—TAX EXPENDITURE AND LEGISLA-
7 TIVE APPROPRIATIONS LINE ITEM VETO
8 ACT OF 1995.

9 “LEGISLATIVE APPROPRIATIONS AND TAX EXPENDITURE
10 LINE ITEM VETO SEPARATE ENROLLMENT AUTHORITY

11 “SEC. 1101. (a) SEPARATE ENROLLMENT.—

12 “(1) Notwithstanding any other provision of
13 law, when—

14 “(A) any general or special appropriation
15 bill or any bill or joint resolution making sup-
16 plemental, deficiency, or continuing appropria-
17 tions; or

18 “(B) any revenue bill containing a tax ex-
19 penditure provision,

20 passes both Houses of the Congress in the same
21 form, the Secretary of the Senate (in the case of a
22 bill or joint resolution originating in the Senate) or
23 the Clerk of the House of Representatives (in the
24 case of a bill or joint resolution originating in the
25 House of Representatives) shall cause the enrolling
26 clerk of such House to enroll each item of appropria-

1 tion or tax expenditure provision of such bill or joint
2 resolution as a separate bill or joint resolution, as
3 the case may be.

4 “(2) A bill or joint resolution that is required
5 to be enrolled pursuant to paragraph (1)—

6 “(A) shall be enrolled without substantive
7 revision;

8 “(B) shall conform in style and form to
9 the applicable provisions of chapter 2 of title 1,
10 United States Code (as such provisions are in
11 effect on the date of the enactment of this
12 title); and

13 “(C) shall bear the designation of the
14 measure of which it was an item of appropria-
15 tion or tax expenditure provision prior to such
16 enrollment, together with such other designa-
17 tion as may be necessary to distinguish such
18 bill or joint resolution from other bills or joint
19 resolutions enrolled pursuant to paragraph (1)
20 with respect to the same measure.

21 “(b) PREPARATION AND PRESENTMENT.—A bill or
22 joint resolution enrolled pursuant to subsection (a)(1) with
23 respect to an item of appropriation or tax expenditure pro-
24 vision shall be deemed to be a bill under clauses 2 and
25 3 of section 7 of article 1 of the Constitution of the United

1 States and shall be signed by the presiding officers of both
2 Houses of the Congress and presented to the President
3 for approval or disapproval (and otherwise treated for all
4 purposes) in the manner provided for bills and joint reso-
5 lutions generally.

6 “(c) DEFINITIONS.—For purposes of this title—

7 “(1) the term ‘item of appropriation’ means any
8 numbered section and any unnumbered paragraph
9 of—

10 “(A) any general or special appropriation
11 bill; and

12 “(B) any bill or joint resolution making
13 supplemental, deficiency, or continuing appro-
14 priations; and

15 “(2) the term ‘tax expenditure provision’ means
16 a division of a bill that amends current law or is free
17 standing and that is scored by the Joint Committee
18 on Taxation as losing revenue over the 5-year period
19 after the provision takes effect.”.

20 **SEC. 3. EFFECTIVE PERIOD.**

21 The amendment made by section 2 shall apply to bills
22 and joint resolutions agreed to by the Congress during the
23 104th Congress.

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