

109TH CONGRESS
1ST SESSION

H. R. 3966

To facilitate Presidential leadership and Congressional accountability regarding reduction of other spending to offset costs of responding to recent natural disasters.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2005

Mr. UDALL of Colorado (for himself, Mr. CHABOT, Mr. FLAKE, and Mrs. MUSGRAVE) introduced the following bill; which was referred to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To facilitate Presidential leadership and Congressional accountability regarding reduction of other spending to offset costs of responding to recent natural disasters.

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 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Stimulating Leadership in Cutting Expenditures Act of
6 2005”.

7 (b) **FINDINGS.**—Congress finds that—

1 (1) large areas of several States, including
2 many large and small communities, have suffered
3 numerous deaths and widespread destruction as a
4 result of recent hurricanes and other natural disas-
5 ters;

6 (2) millions of Americans have been forced to
7 flee their homes, and in some cases have been left
8 homeless, by those disasters;

9 (3) the adverse consequences for the regional
10 and national economy are expected to be substantial
11 and ongoing;

12 (4) Congress has responded by providing large
13 amounts of funding to enable the Government to as-
14 sist States, local authorities, and individuals most
15 affected by those disasters;

16 (5) substantial additional appropriations for
17 these purposes probably will be required in the fu-
18 ture;

19 (6) Federal expenditures for other purposes al-
20 ready exceed revenues, so unless offset by increased
21 revenues or reductions in other expenditures, fund-
22 ing for these purposes will increase the national debt
23 that must be repaid, with interest, in the future;

1 vided in Public Law 109–59 or in an appropriation Act.
2 Funds made available for obligation under this procedure
3 may not be proposed for rescission again under this sec-
4 tion or section 1012.

5 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

6 “(1) PROPOSED RESCISSIONS OF TRANSPOR-
7 TATION PROJECTS.—

8 “(A) On or before November 1, 2005, the
9 President may transmit to Congress a special
10 message proposing to rescind amounts of budg-
11 et authority provided in the Transportation Eq-
12 uity Act: A Legacy for Users (P.L. 109–59).

13 “(B) A special message transmitted pursu-
14 ant to this subsection shall be accompanied by
15 a draft bill each section of which would affect
16 only the specific project or purpose specified in
17 such section.

18 “(2) PROPOSED RESCISSIONS IN APPROPRIA-
19 TION ACTS.—

20 “(A) Not later than January 1, 2006, the
21 President may transmit to Congress a special
22 message proposing to rescind amounts of budg-
23 et authority provided in an appropriation Act
24 enacted prior to such date in order to offset
25 amounts appropriated or expected to be appro-

1 appropriated in connection with natural disasters oc-
2 curring during calendar year 2005 and include
3 with that special message a draft bill each sec-
4 tion of which, if enacted, would only rescind the
5 amount of budget authority specified in such
6 section. That bill shall clearly identify the
7 amount of budget authority that is proposed to
8 be rescinded for each program, project, or activ-
9 ity to which that budget authority relates.

10 “(B) If a special message transmitted pur-
11 suant to this subsection proposes to rescind
12 budget authority included in an appropriation
13 Act that includes accounts within the jurisdic-
14 tion of more than one subcommittee of the
15 Committee on Appropriations, the President
16 shall send a draft bill that separates the pro-
17 posed rescissions from accounts within the ju-
18 risdiction of each such subcommittee.

19 “(C) Each special message shall specify,
20 with respect to the budget authority proposed
21 to be rescinded, the matters referred to in para-
22 graphs (1) through (5) of section 1012(a).

23 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
24 ATION.—

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

13 “(B) A bill affecting Public Law 109–59 shall
14 be referred to the Committee on Transportation and
15 Infrastructure and a bill to rescind budgetary au-
16 thority included in an appropriation Act shall be re-
17 ferred to the Committee on Appropriations of the
18 House of Representatives. The committee of referral
19 shall report the bill without substantive revision, and
20 with or without recommendation. The bill shall be
21 reported not later than the seventh legislative day of
22 that House after the date of receipt of that special
23 message. If the Committee of referral fails to report
24 the bill within that period, that committee shall be
25 automatically discharged from consideration of the

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

3 “(C) A separate vote on each section and, if
4 any section is approved, on final passage of a bill re-
5 ferred to in subparagraph (B) shall be taken in the
6 House of Representatives on or before the close of
7 the 10th legislative day of that House after the date
8 of the introduction of the bill in that House. If the
9 bill is passed, the Clerk of the House of Representa-
10 tives shall cause the bill to be engrossed, certified,
11 and transmitted to the Senate within one calendar
12 day of the day on which the bill is passed.

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

20 “(B) Debate in the House of Representatives
21 on each section of a bill under this section shall not
22 exceed one hour and debate on such bill shall not ex-
23 ceed 4 hours, in each case with such time being di-
24 vided equally between those favoring and those op-
25 posing the section or final passage of the bill. A mo-

1 tion further to limit debate shall not be debatable.
2 It shall not be in order to move to recommit a bill
3 under this section or to move to reconsider the vote
4 by which the bill is agreed to or disagreed to.

5 “(C) Appeals from decisions of the Chair relat-
6 ing to the application of the Rules of the House of
7 Representatives to the procedure relating to a bill
8 under this section shall be decided without debate.

9 “(3)(A) A bill transmitted to the Senate pursu-
10 ant to paragraph (1)(C) shall be referred to the ap-
11 propriate committee. The committee shall report the
12 bill without substantive revision and with or without
13 recommendation. The bill shall be reported not later
14 than the seventh legislative day of the Senate after
15 it receives the bill. A committee failing to report the
16 bill within such period shall be automatically dis-
17 charged from consideration of the bill, and the bill
18 shall be placed upon the appropriate calendar.

19 “(B) A separate vote on each section and on
20 final passage of a bill transmitted to the Senate
21 shall be taken on or before the close of the 10th leg-
22 islative day of the Senate after the date on which
23 the bill is transmitted.

24 “(4)(A) A motion in the Senate to proceed to
25 the consideration of a bill under this section shall be

1 privileged and not debatable. An amendment to the
2 motion shall not be in order, nor shall it be in order
3 to move to reconsider the vote by which the motion
4 is agreed to or disagreed to.

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

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

23 “(D) A motion in the Senate to further limit
24 debate on a bill under this section is not debatable.

1 A motion to recommit a bill under this section is not
2 in order.

3 “(d) AMENDMENTS AND DIVISIONS PROHIBITED.—
4 No amendment to a bill considered under this section shall
5 be in order in either the House of Representatives or the
6 Senate. It shall not be in order to demand a division of
7 the question in the House of Representatives (or in a Com-
8 mittee of the Whole) or in the Senate. No motion to sus-
9 pend the application of this subsection shall be in order
10 in either House, nor shall it be in order in either House
11 to suspend the application of this subsection by unanimous
12 consent.

13 “(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-
14 GATION.—Any amount of budget authority proposed to be
15 rescinded in a special message transmitted to Congress
16 under subsection (b) shall be made available for obligation
17 on the earlier of—

18 “(1) the day after the date upon which the
19 House of Representatives defeats the section of a bill
20 transmitted with that special message rescinding the
21 amount proposed to be rescinded; or

22 “(2) the day after the date upon which the Sen-
23 ate rejects the relevant section of a bill that makes
24 rescissions to carry out the applicable special mes-
25 sage of the President.

1 “(f) DEFINITIONS.—For purposes of this section—

2 “(1) the term ‘appropriation Act’ means any
3 general or special appropriation Act, and any Act or
4 joint resolution making supplemental, deficiency, or
5 continuing appropriations; and

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

9 (b) EXERCISE OF RULEMAKING POWERS.—Section
10 904 of such Act (2 U.S.C. 621 note) is amended—

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

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

15 (c) CONFORMING AMENDMENTS.—

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

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

20 (B) in paragraph (5)—

21 (i) by striking “1016” and inserting
22 “1017”; and

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

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

3 (A) by striking “1012 or 1013” each place
4 it appears and inserting “1012, 1013, or
5 1014”;

6 (B) in subsection (b)(1), by striking
7 “1012” and inserting “1012 or 1013”;

8 (C) in subsection (b)(2), by striking
9 “1013” and inserting “1014”; and

10 (D) in subsection (e)(2)—

11 (i) by striking “and” at the end of
12 subparagraph (A);

13 (ii) by redesignating subparagraph
14 (B) as subparagraph (C);

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

18 (iv) by inserting after subparagraph
19 (A) the following new subparagraph:

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

23 (3) Section 1016 of such Act (2 U.S.C. 686)
24 (as redesignated by section 2(a)) is amended by

1 striking “1012 or 1013” each place it appears and
2 inserting “1012, 1013, or 1014”.

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

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

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

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

