

110TH CONGRESS
1ST SESSION

H. R. 3857

To establish requirements for the consideration of supplemental appropriation bills.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2007

Mr. NEUGEBAUER introduced the following bill; which was referred to the Committee on Rules

A BILL

To establish requirements for the consideration of supplemental appropriation 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. SINGLE PURPOSE.**

4 It shall not be in order in the House of Representa-
5 tives or the Senate to consider any measure making sup-
6 plemental appropriations for two or more unrelated emer-
7 gencies.

1 **SEC. 2. TREATMENT OF EMERGENCY SPENDING LEGISLA-**
2 **TION.**

3 (a) POINT OF ORDER.—(1) A provision containing
4 any spending that is not designated as emergency spend-
5 ing may not be reported in a measure making supple-
6 mental appropriations.

7 (2) It shall not be in order in the House of Represent-
8 atives or the Senate to consider the conference report on
9 any measure making supplemental appropriations if such
10 measure contains any spending that is not designated as
11 emergency spending.

12 (3) It shall not be in order in the House of Represent-
13 atives or the Senate to consider any bill, joint resolution,
14 or conference report if the accompanying report or joint
15 statement of managers, as applicable, does not comply
16 with subsection (b).

17 (b) COMMITTEE NOTIFICATION OF EMERGENCY LEG-
18 ISLATION.—Whenever the Committee on Appropriations
19 or any other committee of the House of Representatives
20 or the Senate (including a committee of conference) re-
21 ports any bill or joint resolution that provides budget au-
22 thority for any emergency, the report accompanying that
23 bill or joint resolution (or the joint explanatory statement
24 of managers in the case of a conference report on any such
25 bill or joint resolution) shall identify all provisions that
26 provide budget authority and the outlays flowing there-

1 from for such emergency and include a statement of the
2 reasons why such budget authority meets the definition
3 of an emergency and a justification of why such funding
4 is in a supplemental appropriation and not the regular ap-
5 propriation for the next fiscal year.

6 (c) DEFINITION OF EMERGENCY.—(1) As used in
7 this section, the term “emergency” means a situation
8 that—

9 (A) requires new budget authority and outlays
10 (or new budget authority and the outlays flowing
11 therefrom) for the prevention or mitigation of, or re-
12 sponse to, loss of life or property, or a threat to na-
13 tional security; and

14 (B) is unanticipated.

15 (2) As used in paragraph (1), the term “unantici-
16 pated” means that the situation is—

17 (A) sudden, which means quickly coming into
18 being or not building up over time;

19 (B) urgent, which means a pressing and com-
20 pelling need requiring immediate action;

21 (C) unforeseen, which means not predicted or
22 anticipated as an emerging need; and

23 (D) temporary, which means not of a perma-
24 nent duration.

1 **SEC. 3. TREATMENT OF EARMARKS.**

2 (a) POINTS OF ORDER.—(1) A provision containing
3 an earmark may not be reported in a measure making sup-
4 plemental appropriations.

5 (2) It shall not be in order in the House of Represent-
6 atives or the Senate to consider the conference report on
7 any measure making supplemental appropriations if such
8 measure contains any earmarks.

9 (b) DEFINITION OF EARMARK.—As used in sub-
10 section (a), the term “earmark” has the meaning given
11 to the term “congressional earmark” in clause 9(d) of rule
12 XXI of the Rules of the House of Representatives, One
13 Hundred Tenth Congress.

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