

H. Con. Res. 7: Mr. MCKEON.
 H. Con. Res. 14: Mr. WOLF, Mr. COSTELLO, Mr. HYDE, Mr. SANTORUM, Mr. WHEAT, Mr. BOEHLERT, Mr. ROSE, Mr. RAVENEL, Mr. CLEMENT, Mr. HOLDEN, Mr. JACOBS, Mr. LEACH, Mr. RAMSTAD, Mr. SHARP, Mr. FRANKS of New Jersey, Ms. DANNER, Mr. CHAPMAN, Mr. LAFALCE, Ms. KAPTUR, Mr. HANCOCK, Mr. YATES, Mr. STARK, Mr. COBLE, Mr. YOUNG of Alaska, Mr. ROBERTS, Mr. NEAL of Massachusetts, Mr. PARKER, Mr. WHITTEN, Mr. DORNAN, Mr. ROWLAND, Mr. PICKETT, Mr. GREENWOOD, Mr. SABO, Mr. KNOLLENBERG, Mrs. SCHROEDER, Mrs. LLOYD, Mr. KILDEE, Mr. MACHTLEY, Mr. LAROCOCCO, Mr. FAWELL, Mr. ARCHER, Mr. LANTOS, Mr. BONIOR, Mr. WYNN, Mr. INGLIS, Mr. EDWARDS of California, Mr. LEVIN, Mr. ANDREWS of Texas, Mr. KINGSTON, Mr. SENSENBRENNER, Mr. McMILLAN, Mr. TAUZIN, Mr. WELDON, Mr. COPPERSMITH, Mr. MICHEL, Mr. PETE GEREN, and Mr. ABERCROMBIE.

H. Con. Res. 20: Ms. KAPTUR, Mr. PARKER, Mr. ZELIFF, Mr. MINGE, Mr. STUPAK, and Mr. WYNN.

H. Con. Res. 29: Mr. WYNN.

H. Con. Res. 42: Ms. EDDIE BERNICE JOHN-SON and Mr. HINCHEY.

H. Con. Res. 69: Mr. SARPALIUS, Mr. CRAPO, Mr. TAUZIN, Mr. CONYERS, Mr. BATEMAN, Mr. EVANS, Mr. SANGMEISTER, Mr. NEAL of North Carolina, and Mr. MINGE.

H. Con. Res. 70: Mr. CRAMER, Mr. ORTIZ, Mr. STUMP, and Mr. PORTER.

H. Con. Res. 79: Mr. RAMSTAD, Mr. WALSH, Mr. THOMAS of Wyoming, Mr. HANCOCK, and Mr. INGLIS of South Carolina.

H. Con. Res. 80: Mr. HASTINGS, Mr. GUTIERREZ, Mr. KILDEE, Mr. MFUME, Mr. MURPHY, Mr. THOMAS of Wyoming, Mr. PETERSON of Minnesota, Mr. ORTON, Mr. RAVENEL, and Mr. BROWDER.

H. Res. 32: Mr. LANTOS and Mr. HAMBURG.

H. Res. 38: Mr. THOMAS of Wyoming, Mr. GUNDERSON, Mr. MARKEY, and Mr. PORTER.

H. Res. 135: Mr. RAHALL, Mr. SABO, Mr. GILLMOR, and Mr. LAFALCE.

THURSDAY, APRIL 29, 1993 (47)

The House was called to order by the SPEAKER.

¶47.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, April 28, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

¶47.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

1137. A letter from the Chairman, Defense Base Closure and Realignment commission, transmitting the Commission's review and recommendations for base closures and realignments, pursuant to Public Law 101-510, section 2903(d)(3) (104 Stat. 1812); to the Committee on Armed Services.

1138. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled "Military Construction Authorization Act for Fiscal Year 1994"; to the Committee on Armed Services.

1139. A letter from the Secretary of Health and Human Services, transmitting a high risk study on child abuse and neglect, pursuant to 42 U.S.C. 5105 note; to the Committee on Education and Labor.

1140. A letter from the Secretary of Health and Human Services, transmitting the annual report, fiscal year 1991, describing the

activities and accomplishments of programs for persons with developmental disabilities, pursuant to 42 U.S.C. 6006(c); to the Committee on Energy and Commerce.

1141. A letter from the Chairman, Federal Housing Finance Board, transmitting a report of activities under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1142. A letter from the Minerals and Management Service, Department of the Interior, transmitting the Annual Report to Congress—Fiscal Year 1990 entitled "Outer Continental Shelf Lease Sales: Evaluation of bidding results and Competition"; to the Committee on Natural Resources.

1143. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the calendar years 1988, 1989, 1990, and 1991, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

1144. A letter from the Director, Administrative Office of the U.S. Courts, transmitting the annual report on applications for court orders made to Federal and State courts to permit the interception of wire, oral, or electronic communications during calendar year 1992, pursuant to 18 U.S.C. 2519(3); to the Committee on the Judiciary.

1145. A letter from the Secretary of the Army, transmitting the second annual report of the Louisiana Coastal Wetlands Conservation and Restoration Task Force, pursuant to Public Law 101-646, section 303(a) (104 Stat. 4779); to the Committee on Merchant Marine and Fisheries.

1146. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "The Mickey Leland Hunger Prevention Act"; jointly, to the Committees on Agriculture and Ways and Means.

1147. A communication from the President of the United States, transmitting a report entitled "Progress Toward Regional Non-proliferation in South Asia," pursuant to 22 U.S.C. 2376(c); jointly, to the Committees on Appropriations and Foreign Affairs.

¶47.3 EXPEDITED RESCISSIONS ACT

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, pursuant to House Resolution 149 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1578) to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

Mr. SWIFT, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶47.4 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MICHEL to the amendment in the nature of a substitute submitted by Mr. CASTLE: Amendment submitted by Mr. MICHEL:

Page 1, strike line 2 and insert the following: "This title may be cited as the 'Enhanced Rescission/Receipts Act of 1993'."

Page 1, line 7, after "1995" insert "or veto any targeted tax benefit within any revenue bill".

Page 1, lines 11, 12, and 15, insert "or veto" after "rescission" each place it appears.

Page 1, line 19, insert "or a revenue bill containing a targeted tax benefit" after "1995".

Page 2, line 4, strike "rescission" and insert "rescission/receipts".

Page 2, line 2, insert "(1)" after "(a)" and after line 10 add the following:

(2) Any provision of law vetoed under this Act as set forth in a special message by the President shall be deemed repealed unless, during the period described in subsection (b), a rescission/receipts disapproval bill restoring that provision is enacted into law.

Page 2, line 8, 12, and 13, strike "rescission" each place it appears and insert "rescission/receipts".

Page 2, line 18, insert "or veto" after "rescission".

Page 2, strike line 22 and all that follows thereafter through page 3, line 2, and insert the following:

(1) The term "rescission/receipts disapproval bill" means a bill or joint resolution which—

(A) only disapproves a rescission a budget authority, in whole, rescinded, or

(B) only disapproves a veto of any provision of law that would decrease receipts,

in a special message transmitted by the President under this Act.

(2) The term "calendar days of session" shall mean only those days on which both Houses of Congress are in session.

(3) The term "targeted tax benefit" means any provision which has the practical effect of proving a benefit in the form of a differential treatment to a particular taxpayer or a limited number of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers. Such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

Page 3, line 4, insert "or vetoes any provision of law" after "authority".

Page 3, line 7, insert "or the provision vetoed" before the semi-colon.

Page 3, line 11, insert "or veto any provision" after "authority".

Page 3, line 14, insert "or veto" before the semicolon.

Page 3, line 16, insert "or veto" after "rescission" each place it appears.

Page 4, strike lines 4 through 6 and insert the following:

(C) REFERRAL OF RESCISSION/RECEIPTS DISAPPROVAL BILLS.—Any rescission/receipts disapproval bill introduced with respect to a special message shall be referred to the appropriate committees of the House of Representatives or the Senate, as the case may be.

Page 4, lines 8 and 10, strike "rescission" each place it appears and insert "rescission/receipts".

Page 5, line 3, strike "rescission" the first time it appears and insert "rescission/receipts".

Page 5, line 4, strike "budget authority" and insert "of budget authority or veto of the provision of law".

Page 5, line 6, strike "rescission" and insert "rescission/receipts".

Amendment in the nature of a substitute submitted by Mr. CASTLE:

Amendment in the nature of a substitute offered by Mr. CASTLE, Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Title may be cited as the "The Legislative Line Item Veto Act of 1993".

SEC. 2. LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY.

(a) In GENERAL.—Notwithstanding the provisions of part B of title X of The Congress-

sional Budget and Impoundment Control Act of 1974, and subject to the provisions of this section, the President may rescind all or part of any discretionary budget authority for fiscal years 1994 and 1995 which is subject to the terms of this Act if the President—

- (1) determines that—
- (A) such rescission would help balance the Federal budget, reduce the Federal budget deficit, or reduce the public debt;
- (B) such rescission will not impair any essential Government functions;
- (C) such rescission will not harm the national interest; and
- (D) such rescission will directly contribute to the purpose of this Act of limiting discretionary spending in fiscal year 1994 or 1995; and

(2) notifies the Congress of such rescission by a special message not later than 20 calendar days (not including Saturdays, Sundays, or holidays) after the date of enactment of a regular or supplemental appropriations act for fiscal year 1994 or 1995 or a joint resolution making continuing appropriations providing such budget authority for fiscal years 1994 and 1995.

The President shall submit a separate rescission message for each appropriations bill under this paragraph.

SEC. 3. RESCISSION EFFECTIVE UNLESS DISAPPROVED.

(a) Any amount of budget authority rescinded under this Act as set forth in a special message by the President shall be deemed canceled unless during the period described in subsection (b), a rescission disapproval bill making available all of the amount rescinded is enacted into law.

(b) The period referred to in subsection (a) is—

(1) a congressional review period of 20 calendar days of session during which Congress must complete action on the rescission disapproval and present such bill to the President for approval or disapproval;

(2) after the period provided in paragraph (1), an additional 10 days (not including Sundays) during which the President may exercise his authority to sign or veto the rescission disapproval bill; and

(3) if the President vetoes the rescission disapproval bill during the period provided in paragraph (2), and additional 5 calendar days of session after the date of the veto.

(c) If a special message is transmitted by the President under this Act and the last session of the Congress adjourns sine die before the expiration of the period described in subsection (b), the rescission shall not take effect. The message shall be deemed to have been retransmitted on the first day of the succeeding Congress and the review period referred to in subsection (b) (with respect to such message) shall run beginning after such first day.

SEC. 4. DEFINITIONS.

For purposes of this Act—

(a) The term "rescission disapproval bill" means a bill or joint resolution which only disapproves a rescission of discretionary budget authority for fiscal year 1994 or 1995, in whole, rescinded in a special message transmitted by the President under this Act; and

(b) The term "calendar days of session" shall mean only those days on which both houses of Congress are in session.

SEC. 5. CONGRESSIONAL CONSIDERATION OF LEGISLATION LINE ITEM VETO RESCISSIONS.

(a) **PRESIDENTIAL SPECIAL MESSAGE.**—Whenever the President rescinds any budget authority as provided in this Act, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority rescinded;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the reasons and justifications for the determination to rescind budget authority pursuant to this Act;

(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the rescission; and

(5) all factions, circumstances, and considerations relating to or bearing upon the rescission and the decision to affect the rescission, and to the maximum extent practicable, the estimated effect of the rescission upon the objects, purposes, and programs for which the budget authority is provided.

(b) TRANSMISSION OF MESSAGES TO HOUSE AND SENATE.—

(1) Each special message transmitted under this Act shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the house is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committees of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

(2) Any special message transmitted under this Act shall be printed in the first issue of the Federal Register published after such transmittal.

(c) **REFERRAL OF RESCISSION DISAPPROVAL BILLS.**—Any rescission disapproval bill introduced with respect to a special message shall be referred to the appropriate committees of the House of Representatives or the Senate, as the case may be.

(d) **Consideration in the Senate.**—

(1) Any rescission disapproval bill received in the Senate from the House shall be considered in the Senate pursuant to the provisions of this Act.

(2) Debate in the Senate on any rescission disapproval bill and debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motion or appeal in connection with such bill shall be limited to 1 hour to be equally divided between, and controlled by the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of the bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days not to exceed 1, not counting any day on which the Senate is not in session) is not in order.

(e) **POINTS OF ORDER.**—

(1) It shall not be in order in the Senate or the House of Representatives to consider any rescission disapproval bill that relates to any matter other than the rescission budget authority transmitted by the President under this Act.

(2) It shall not be in order in the Senate or the House of Representatives to consider any amendment to a rescission disapproval bill.

(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and sworn.

It was decided in the affirmative { Yeas 257
Nays 157

47.5

[Roll No. 145]

AYES—257

Allard	Goss	Nadler
Andrews (NJ)	Grams	Neal (NC)
Archer	Grandy	Nussle
Army	Greenwood	Obey
Bacchus (FL)	Gunderson	Orton
Bachus (AL)	Gutierrez	Oxley
Baesler	Hall (TX)	Packard
Baker (CA)	Hamilton	Pallone
Baker (LA)	Hancock	Parker
Ballenger	Hansen	Paxon
Barcia	Harman	Penny
Barrett (NE)	Hastert	Peterson (MN)
Barrett (WI)	Hefley	Petri
Bartlett	Herger	Pombo
Bateman	Hinchee	Pomeroy
Beilenson	Hoagland	Porter
Bentley	Hobson	Poshard
Bereuter	Hoekstra	Pryce (OH)
Bilbray	Hoke	Quinn
Bilirakis	Horn	Ramstad
Bliley	Houghton	Ravenel
Blute	Huffington	Regula
Boehlert	Hughes	Richardson
Boehner	Hunter	Ridge
Bonilla	Hutchinson	Roberts
Bunning	Hutto	Roemer
Burton	Hyde	Rogers
Buyer	Inglis	Rohrabacher
Byrne	Inhofe	Ros-Lehtinen
Callahan	Istook	Rose
Camp	Johnson (CT)	Roth
Canady	Johnson (GA)	Roukema
Cantwell	Johnson (SD)	Rowland
Carr	Johnson, Sam	Royce
Castle	Johnston	Sabo
Chapman	Kasich	Santorum
Clement	Kim	Saxton
Clinger	King	Schaefer
Coble	Kingston	Schenk
Collins (GA)	Klein	Schiff
Combest	Klug	Schroeder
Condit	Knollenberg	Schumer
Cooper	Kolbe	Sensenbrenner
Coppersmith	Kyl	Sharp
Cox	LaFalce	Shaw
Crane	Lambert	Shays
Crapo	Lantos	Shepherd
Cunningham	LaRocco	Shuster
Deal	Laughlin	Skeen
DeFazio	Lazio	Skelton
DeLay	Leach	Slattery
Derrick	Lehman	Smith (IA)
Deutsch	Levy	Smith (MI)
Diaz-Balart	Lewis (CA)	Smith (NJ)
Dickey	Lewis (FL)	Smith (OR)
Dicks	Lightfoot	Smith (TX)
Dooley	Linder	Snowe
Doolittle	Livingston	Solomon
Dornan	Long	Spence
Dreier	Machtley	Stearns
Duncan	Mann	Stump
Dunn	Manzullo	Stupak
Edwards (TX)	Mazzoli	Sundquist
Emerson	McCandless	Sweet
English (OK)	McCloskey	Talent
Everett	McCollum	Tanner
Ewing	McCrery	Tauzin
Fawell	McCurdy	Taylor (MS)
Fingerhut	McDade	Taylor (NC)
Fish	McHugh	Thomas (CA)
Ford (TN)	McInnis	Thomas (WY)
Fowler	McKeon	Torkildsen
Frank (MA)	McMillan	Upton
Franks (CT)	Meehan	Vucanovich
Franks (NJ)	Meyers	Walker
Gallegly	Mica	Walsh
Gallo	Michel	Weldon
Gekas	Miller (FL)	Williams
Geren	Minge	Wilson
Gilchrest	Molinari	Wolf
Gillmor	Montgomery	Yates
Gilman	Moorhead	Young (AK)
Gingrich	Moran	Young (FL)
Glickman	Morella	Zeliff
Goodlatte	Murphy	Zimmer
Goodling	Myers	

NOES—157

Abercrombie	Bevill	Brewster
Ackerman	Bishop	Brooks
Andrews (ME)	Blackwell	Browder
Andrews (TX)	Bonior	Brown (CA)
Applegate	Borski	Brown (FL)
Barlow	Boucher	Brown (OH)