

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 14

**[Report No. 104-10]**

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed cancellations of budget items.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1995

Mr. DOMENICI (for himself, Mr. EXON, Mr. CRAIG, Mr. BRADLEY, Mr. COHEN, Mr. DOLE, Mr. DASCHLE, and Mr. CAMPBELL) introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one committee reports, the other committee have thirty days to report or be discharged

FEBRUARY 27 (legislative day, FEBRUARY 22), 1995

Reported by Mr. DOMENICI with an amendment without recommendation

[Strike out all after the enacting clause and insert the part printed in italic]

Referred to the Committee on Governmental Affairs for not to exceed thirty days

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## A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed cancellations of budget items.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Legislative Line Item  
3 Veto Act”.

4 **SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PRO-**  
5 **POSED RESCISSIONS AND REPEALS OF TAX**  
6 **EXPENDITURES AND DIRECT SPENDING.**

7 (a) IN GENERAL.—Title X of the Congressional  
8 Budget and Impoundment Control Act of 1974 (2 U.S.C.  
9 621 et seq.) is amended by adding after section 1012 the  
10 following new section:

11 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED  
12 RESCISSIONS AND REPEALS OF TAX EXPENDITURES  
13 AND DIRECT SPENDING

14 “SEC. 1012A. (a) PROPOSED CANCELLATION OF  
15 BUDGET ITEM.—The President may propose, at the time  
16 and in the manner provided in subsection (b), the cancella-  
17 tion of any budget item provided in any Act.

18 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

19 “(1)(A) Subject to the time limitations provided  
20 in subparagraph (B), the President may transmit to  
21 Congress a special message proposing to cancel  
22 budget items and include with that special message  
23 a draft bill that, if enacted, would only cancel those  
24 budget items as provided in this section. The bill  
25 shall clearly identify each budget item that is pro-  
26 posed to be canceled including, where applicable,

1 each program, project, or activity to which the budg-  
2 et item relates. The bill shall specify the amount, if  
3 any, of each budget item that the President des-  
4 ignates for deficit reduction as provided in para-  
5 graph (4).

6 “(B) A special message may be transmitted  
7 under this section—

8 “(i) during the 20-calendar-day period (ex-  
9 cluding Saturdays, Sundays, and legal holidays)  
10 commencing on the day after the date of enact-  
11 ment of the provision proposed to be rescinded  
12 or repealed; or

13 “(ii) at the same time as the President’s  
14 budget.

15 “(2) In the case of an Act that includes budget  
16 items within the jurisdiction of more than one com-  
17 mittee of a House, the President in proposing to  
18 cancel such budget item under this section shall  
19 send a separate special message and accompanying  
20 draft bill for each such committee.

21 “(3) Each special message shall specify, with  
22 respect to the budget item proposed to be canceled—

23 “(A) the amount that the President pro-  
24 poses be canceled;

1           ~~“(B) any account, department, or estab-~~  
2           ~~lishment of the Government to which such~~  
3           ~~budget item is available for obligation, and the~~  
4           ~~specific project or governmental functions in-~~  
5           ~~volved;~~

6           ~~“(C) the reasons why the budget item~~  
7           ~~should be canceled;~~

8           ~~“(D) to the maximum extent practicable,~~  
9           ~~the estimated fiscal, economic, and budgetary~~  
10          ~~effect (including the effect on outlays and re-~~  
11          ~~ceipts in each fiscal year) of the proposed can-~~  
12          ~~cellation; and~~

13          ~~“(E) all facts, circumstances, and consider-~~  
14          ~~ations relating to or bearing upon the proposed~~  
15          ~~cancellation and the decision to effect the pro-~~  
16          ~~posed cancellation, and to the maximum extent~~  
17          ~~practicable, the estimated effect of the proposed~~  
18          ~~cancellation upon the objects, purposes, and~~  
19          ~~programs for which the budget item is provided.~~

20          ~~“(4)(A) Not later than 5 days after the date of~~  
21          ~~enactment of a bill containing an amount designated~~  
22          ~~by the President for deficit reduction under para-~~  
23          ~~graph (1), the President shall—~~

24                  ~~“(i) with respect to a rescission bill, reduce~~  
25                  ~~the discretionary spending limits under section~~

1           601 of the Congressional Budget Act of 1974  
2           for the budget year and each outyear to reflect  
3           such amount; and

4           “(ii) with respect to a repeal of a tax ex-  
5           penditure or direct spending, adjust the bal-  
6           ances for the budget year and each outyear  
7           under section 252(b) of the Balanced Budget  
8           and Emergency Deficit Control Act of 1985 to  
9           reflect such amount.

10          “(B) Not later than 5 days after the date of en-  
11          actment of a bill containing an amount designated  
12          by the President for deficit reduction under para-  
13          graph (1), the chairs of the Committees on the  
14          Budget of the Senate and the House of Representa-  
15          tives shall revise levels under section 311(a) and ad-  
16          just the committee allocations under section 602(a)  
17          to reflect such amount.

18          “(c) PROCEDURES FOR EXPEDITED CONSIDER-  
19          ATION.—

20          “(1)(A) Before the close of the second day of  
21          session of the Senate and the House of Representa-  
22          tives, respectively, after the date of receipt of a spe-  
23          cial message transmitted to Congress under sub-  
24          section (b), the majority leader or minority leader of  
25          each House shall introduce (by request) the draft

1 bill accompanying that special message. If the bill is  
2 not introduced as provided in the preceding sentence  
3 in either House, then, on the third day of session of  
4 that House after the date of receipt of that special  
5 message, any Member of that House may introduce  
6 the bill.

7       “(B) The bill shall be referred to the appro-  
8 priate committee or (in the House of Representa-  
9 tives) committees. The committee shall report the  
10 bill without substantive revision and with or without  
11 recommendation. The committee shall report the bill  
12 not later than the seventh day of session of that  
13 House after the date of receipt of that special mes-  
14 sage. If the committee fails to report the bill within  
15 that period, the committee shall be automatically  
16 discharged from consideration of the bill, and the  
17 bill shall be placed on the appropriate calendar.

18       “(C) A vote on final passage of the bill shall be  
19 taken in the Senate and the House of Representa-  
20 tives on or before the close of the 10th day of ses-  
21 sion of that House after the date of the introduction  
22 of the bill in that House. If the bill is passed, the  
23 Clerk of the Senate or the House of Representatives,  
24 as the case may be, shall cause the bill to be en-  
25 grossed, certified, and transmitted to the other

1 House within one calendar day of the day on which  
2 the bill is passed.

3 ~~“(2)(A) During consideration under this sub-~~  
4 ~~section in the House of Representatives, any Mem-~~  
5 ~~ber of the House of Representatives may move to~~  
6 ~~strike any proposed cancellation of a budget item if~~  
7 ~~supported by 49 other Members.~~

8 ~~“(B) A motion in the House of Representatives~~  
9 ~~to proceed to the consideration of a bill under this~~  
10 ~~subsection shall be highly privileged and not debat-~~  
11 ~~able. An amendment to the motion shall not be in~~  
12 ~~order, nor shall it be in order to move to reconsider~~  
13 ~~the vote by which the motion is agreed to or dis-~~  
14 ~~agreed to.~~

15 ~~“(C) Debate in the House of Representatives on~~  
16 ~~a bill under this subsection shall not exceed 4 hours,~~  
17 ~~which shall be divided equally between those favoring~~  
18 ~~and those opposing the bill. A motion further to~~  
19 ~~limit debate shall not be debatable. It shall not be~~  
20 ~~in order to move to recommit a bill under this sub-~~  
21 ~~section or to move to reconsider the vote by which~~  
22 ~~the bill is agreed to or disagreed to.~~

23 ~~“(D) Appeals from decisions of the Chair relat-~~  
24 ~~ing to the application of the Rules of the House of~~

1 Representatives to the procedure relating to a bill  
2 under this section shall be decided without debate.

3 ~~“(E) Except to the extent specifically provided~~  
4 ~~in this section, consideration of a bill under this sec-~~  
5 ~~tion shall be governed by the Rules of the House of~~  
6 ~~Representatives. It shall not be in order in the~~  
7 ~~House of Representatives to consider any rescission~~  
8 ~~bill introduced pursuant to the provisions of this sec-~~  
9 ~~tion under a suspension of the rules or under a spe-~~  
10 ~~cial rule.~~

11 ~~“(3)(A) During consideration of a bill under~~  
12 ~~this subsection in the Senate, any Member of the~~  
13 ~~Senate may move to strike any proposed cancellation~~  
14 ~~of a budget item if supported by 11 other Members.~~

15 ~~“(B) It shall not be in order to move to recon-~~  
16 ~~sider the vote by which the motion is agreed to or~~  
17 ~~disagreed to.~~

18 ~~“(C) Debate in the Senate on a bill under this~~  
19 ~~subsection, and all debatable motions and appeals in~~  
20 ~~connection therewith (including debate pursuant to~~  
21 ~~subparagraph (D)), shall not exceed 10 hours. The~~  
22 ~~time shall be equally divided between, and controlled~~  
23 ~~by, the majority leader and the minority leader or~~  
24 ~~their designees.~~

1           ~~“(D) Debate in the Senate on any debatable~~  
2           ~~motion or appeal in connection with a bill under this~~  
3           ~~subsection shall be limited to not more than 1 hour,~~  
4           ~~to be equally divided between, and controlled by, the~~  
5           ~~mover and the manager of the bill, except that in~~  
6           ~~the event the manager of the bill is in favor of any~~  
7           ~~such motion or appeal, the time in opposition there-~~  
8           ~~to, shall be controlled by the minority leader or his~~  
9           ~~designee. Such leaders, or either of them, may, from~~  
10          ~~time under their control on the passage of a bill,~~  
11          ~~allot additional time to any Senator during the con-~~  
12          ~~sideration of any debatable motion or appeal.~~

13           ~~“(E) A motion in the Senate to further limit~~  
14          ~~debate on a bill under this subsection is not debat-~~  
15          ~~able. A motion to recommit a bill under this sub-~~  
16          ~~section is not in order.~~

17           ~~“(F) If the Senate proceeds to consider a bill~~  
18          ~~introduced in the House of Representatives under~~  
19          ~~paragraph (1)(A), then any Senator may offer as an~~  
20          ~~amendment the text of the companion bill introduced~~  
21          ~~in the Senate under paragraph (1)(A) as amended~~  
22          ~~if amended (under subparagraph (A)). Debate in the~~  
23          ~~Senate on such bill introduced in the House of Rep-~~  
24          ~~resentatives, and all debatable motions and appeals~~  
25          ~~in connection therewith (including debate pursuant~~

1 to subparagraph (D)), and any amendment offered  
2 under this subparagraph, shall not exceed 10 hours  
3 minus such times (if any) as Senators consumed or  
4 yielded back during consideration of the companion  
5 bill introduced in the Senate under paragraph  
6 (1)(A).

7 “(4) Debate in the House of Representatives or  
8 the Senate on the conference report on any bill con-  
9 sidered under this section shall be limited to not  
10 more than 2 hours, which shall be divided equally  
11 between the majority leader and the minority leader.  
12 A motion further to limit debate is not debatable. A  
13 motion to recommit the conference report is not in  
14 order, and it is not in order to move to reconsider  
15 the vote by which the conference report is agreed to  
16 or disagreed to.

17 “(d) AMENDMENTS AND DIVISIONS PROHIBITED.—  
18 Except as otherwise provided by this section, no amend-  
19 ment to a bill considered under this section shall be in  
20 order in either the Senate or the House of Representa-  
21 tives. It shall not be in order to demand a division of the  
22 question in the House of Representatives (or in a Commit-  
23 tee of the Whole). No motion to suspend the application  
24 of this subsection shall be in order in the House of Rep-  
25 resentatives, nor shall it be in order in the House of Rep-

1 representatives to suspend the application of this subsection  
2 by unanimous consent.

3       ~~“(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-~~  
4 ~~GATION.—Any budget item proposed to be canceled in a~~  
5 ~~special message transmitted to Congress under subsection~~  
6 ~~(b) shall not be made available for obligation or take effect~~  
7 ~~until the day after the date on which either House rejects~~  
8 ~~the bill transmitted with that special message.~~

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

10           ~~“(1) the term ‘appropriation Act’ means any~~  
11 ~~general or special appropriation Act, and any Act or~~  
12 ~~joint resolution making supplemental, deficiency, or~~  
13 ~~continuing appropriations;~~

14           ~~“(2) the term ‘direct spending’ shall have the~~  
15 ~~same meaning given such term in section 250(c)(8)~~  
16 ~~of the Balanced Budget and Emergency Deficit Con-~~  
17 ~~trol Act of 1985;~~

18           ~~“(3) the term ‘budget item’ means—~~

19                   ~~“(A) an amount, in whole or in part, of~~  
20 ~~budget authority provided in an appropriation~~  
21 ~~Act;~~

22                   ~~“(B) an amount of direct spending; or~~

23                   ~~“(C) a targeted tax benefit;~~

24           ~~“(4) the term ‘cancellation of a budget item’~~  
25 ~~means—~~

1           “(A) the rescission of any budget authority  
2           provided in an appropriation Act;

3           “(B) the repeal of any amount of direct  
4           spending; or

5           “(C) the repeal of any targeted tax benefit;  
6           and

7           “~~(5)~~ the term ‘targeted tax benefit’ means any  
8           provision which has the practical effect of providing  
9           a benefit in the form of a different treatment to a  
10          particular taxpayer or a limited class of taxpayers,  
11          whether or not such provision is limited by its terms  
12          to a particular taxpayer or a class of taxpayers.  
13          Such term does not include any benefit provided to  
14          a class of taxpayers distinguished on the basis of  
15          general demographic conditions such as income,  
16          number of dependents, or marital status.”.

17          (b) EXERCISE OF RULEMAKING POWERS.—Section  
18          904 of the Congressional Budget Act of 1974 (~~2~~ U.S.C.  
19          621 note) is amended—

20                 (1) in subsection (a), by striking “and 1017”  
21                 and inserting “1012A, and 1017”; and

22                 (2) in subsection (d), by striking “section  
23                 1017” and inserting “sections 1012A and 1017”.

24          (c) CLERICAL AMENDMENTS.—The table of sections  
25          for subpart B of title X of the Congressional Budget and

1 Impoundment Control Act of 1974 is amended by insert-  
 2 ing after the item relating to section 1012 the following:

“Sec. 1012A. Expedited consideration of certain proposed rescissions and re-  
 peals of tax expenditures and direct spending.”.

3 (d) EFFECTIVE PERIOD.—The amendments made by  
 4 this Act shall—

5 (1) take effect on the date of enactment of this  
 6 Act;

7 (2) apply only to budget items provided in Acts  
 8 enacted on or after the date of enactment of this  
 9 Act; and

10 (3) cease to be effective on September 30,  
 11 1998.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Legislative Line Item*  
 14 *Veto Act”.*

15 **SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PRO-**  
 16 **POSED RESCISSIONS OF BUDGET AUTHORITY.**

17 (a) *IN GENERAL.*—Title X of the Congressional Budget  
 18 and Impoundment Control Act of 1974 (2 U.S.C. 621 et  
 19 seq.) is amended by adding after section 1012 the following  
 20 new section:

21 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED  
 22 RESCISSIONS OF BUDGET AUTHORITY

23 “SEC. 1012A. (a) *PROPOSED RESCISSIONS.*—The  
 24 President may propose, at the time and in the manner pro-

1 *vided in subsection (b), the rescission of any budget author-*  
2 *ity provided in an appropriations Act. Except as otherwise*  
3 *provided in this section, budget authority proposed for re-*  
4 *scission under this section may not be proposed for rescis-*  
5 *sion again under this title.*

6 *“(b) TRANSMITTAL OF SPECIAL MESSAGE.—*

7 *“(1) SPECIAL MESSAGE.—*

8 *“(A) IN GENERAL.—Subject to the time lim-*  
9 *itations provided in subparagraph (B), the*  
10 *President may transmit to Congress a special*  
11 *message proposing to rescind budget authority*  
12 *contained in an appropriations Act. Except as*  
13 *provided in subparagraph (B)(ii)(II), only one*  
14 *special message shall be transmitted under this*  
15 *section for any single Act and that message shall*  
16 *propose to rescind budget authority contained in*  
17 *that single Act.*

18 *“(B) TIME LIMITATIONS.—A special mes-*  
19 *sage may be transmitted under this section—*

20 *“(i) during the 20-calendar-day period*  
21 *(excluding Saturdays, Sundays, and legal*  
22 *holidays) commencing on the day after the*  
23 *date of enactment of the provision proposed*  
24 *to be rescinded; or*

1                   “(ii) on the first day of a session of  
2 Congress—

3                   “(I) for rescissions contained in  
4 an Act enacted after the adjournment  
5 of the Congress to end the preceding  
6 session; or

7                   “(II) for rescissions in an Act en-  
8 acted prior to an adjournment of Con-  
9 gress to end the preceding session, if a  
10 special message had been transmitted  
11 under clause (i) but Congress ad-  
12 journed prior to the expiration of the  
13 10 days of session under subsection  
14 (c)(1)(C).

15                   “(2) DRAFT BILL.—The President shall include  
16 with each special message transmitted under para-  
17 graph (1) a draft bill that, if enacted, would rescind  
18 budget authority proposed to be rescinded in that spe-  
19 cial message. The draft bill shall clearly identify the  
20 budget authority that is proposed to be rescinded in-  
21 cluding, where applicable, each program, project, or  
22 activity to which the rescission relates.

23                   “(3) CONTENTS OF SPECIAL MESSAGE.—Each  
24 special message shall specify, with respect to the budg-  
25 et authority proposed to be rescinded—

1           “(A) the amount of budget authority that  
2 the President proposes be rescinded;

3           “(B) any account, department, or establish-  
4 ment of the Government to which such budget  
5 authority is available for obligation, and the spe-  
6 cific project or governmental functions involved;

7           “(C) the reasons why the budget authority  
8 should be rescinded;

9           “(D) to the maximum extent practicable,  
10 the estimated fiscal, economic, and budgetary ef-  
11 fect (including the effect on outlays and receipts  
12 in each fiscal year) of the proposed rescission;  
13 and

14           “(E) all facts, circumstances, and consider-  
15 ations relating to or bearing upon the proposed  
16 rescission and the decision to effect the proposed  
17 rescission, and to the maximum extent prac-  
18 ticable, the estimated effect of the proposed rescis-  
19 sion upon the objects, purposes, and programs  
20 for which the budget authority is provided.

21           “(4) DEFICIT REDUCTION.—

22           “(A) DISCRETIONARY SPENDING LIMITS.—  
23 Not later than 5 days after the date of enactment  
24 of a bill containing rescissions of budget author-  
25 ity as provided under this section, the President

1       *shall reduce the discretionary spending limits*  
2       *under section 601 of the Congressional Budget*  
3       *Act of 1974 for the budget year and any outyear*  
4       *affected by the rescission bill to reflect the rescis-*  
5       *sion.*

6               “(B) *ADJUSTMENT OF COMMITTEE ALLOCA-*  
7       *TIONS.—Not later than 5 days after the date of*  
8       *enactment of a rescission bill as provided under*  
9       *this section, the chairs of the Committees on the*  
10       *Budget of the Senate and the House of Rep-*  
11       *resentatives shall revise levels under section*  
12       *311(a) and adjust the committee allocations*  
13       *under section 302(a) or 602(a) to reflect the re-*  
14       *scission, and the appropriate committees shall*  
15       *report revised allocations pursuant to section*  
16       *302(b) or 602(b).*

17               “(c) *PROCEDURES FOR EXPEDITED CONSIDER-*  
18       *ATION.—*

19               “(1) *IN GENERAL.—*

20               “(A) *INTRODUCTION.—Before the close of*  
21       *the second day of session of the Senate and the*  
22       *House of Representatives, respectively, after the*  
23       *date of receipt of a special message transmitted*  
24       *to Congress under subsection (b), the majority*  
25       *leader or minority leader of each House shall in-*

1        *roduce (by request) the draft bill accompanying*  
2        *that special message. If the bill is not introduced*  
3        *as provided in the preceding sentence in either*  
4        *House, then, on the third day of session of that*  
5        *House after the date of receipt of that special*  
6        *message, any Member of that House may intro-*  
7        *duce the bill.*

8                *“(B) REFERRAL AND REPORTING.—The bill*  
9        *shall be referred to the appropriate committee.*  
10        *The committee shall report the bill without sub-*  
11        *stantive revision and with or without rec-*  
12        *ommendation. The committee shall report the bill*  
13        *not later than the fifth day of session of that*  
14        *House after the date of introduction of the bill in*  
15        *that House. If the committee fails to report the*  
16        *bill within that period, the committee shall be*  
17        *automatically discharged from consideration of*  
18        *the bill, and the bill shall be placed on the ap-*  
19        *propriate calendar.*

20                *“(C) FINAL PASSAGE.—A vote on final pas-*  
21        *sage of the bill shall be taken in the Senate and*  
22        *the House of Representatives on or before the*  
23        *close of the 10th day of session of that House*  
24        *after the date of the introduction of the bill in*  
25        *that House. If the bill is passed, the Secretary of*

1           *the Senate or the Clerk of the House of Rep-*  
2           *resentatives, as the case may be, shall cause the*  
3           *bill to be transmitted to the other House on the*  
4           *next day of session of that House.*

5           “(2) *CONSIDERATION IN THE HOUSE OF REP-*  
6           *RESENTATIVES.—*

7                   “(A) *MOTION TO PROCEED TO CONSIDER-*  
8                   *ATION.—A motion in the House of Representa-*  
9                   *tives to proceed to the consideration of a bill*  
10                   *under this subsection shall be highly privileged*  
11                   *and not debatable. An amendment to the motion*  
12                   *shall not be in order, nor shall it be in order to*  
13                   *move to reconsider the vote by which the motion*  
14                   *is agreed to or disagreed to.*

15                   “(B) *MOTION TO STRIKE.—During consid-*  
16                   *eration under this subsection in the House of*  
17                   *Representatives, any Member of the House of*  
18                   *Representatives may move to strike any proposed*  
19                   *rescission if supported by 49 other Members.*

20                   “(C) *LIMITS ON DEBATE.—Debate in the*  
21                   *House of Representatives on a bill under this*  
22                   *subsection shall not exceed 4 hours, which shall*  
23                   *be divided equally between those favoring and*  
24                   *those opposing the bill. A motion further to limit*  
25                   *debate shall not be debatable. It shall not be in*

1           *order to move to recommit a bill under this sub-*  
2           *section or to move to reconsider the vote by*  
3           *which the bill is agreed to or disagreed to.*

4           “(D) *APPEALS.*—*Appeals from decisions of*  
5           *the Chair relating to the application of the Rules*  
6           *of the House of Representatives to the procedure*  
7           *relating to a bill under this section shall be de-*  
8           *cided without debate.*

9           “(E) *APPLICATION OF HOUSE RULES.*—*Ex-*  
10           *cept to the extent specifically provided in this*  
11           *section, consideration of a bill under this section*  
12           *shall be governed by the Rules of the House of*  
13           *Representatives. It shall not be in order in the*  
14           *House of Representatives to consider any bill in-*  
15           *troduced pursuant to the provisions of this sec-*  
16           *tion under a suspension of the rules or under a*  
17           *special rule.*

18           “(3) *CONSIDERATION IN THE SENATE.*—

19           “(A) *MOTION TO PROCEED TO CONSIDER-*  
20           *ATION.*—*A motion to proceed to the consider-*  
21           *ation of a bill under this subsection in the Sen-*  
22           *ate shall not be debatable. It shall not be in order*  
23           *to move to reconsider the vote by which the mo-*  
24           *tion to proceed is agreed to or disagreed to.*

1           “(B) *MOTION TO STRIKE.*—During consid-  
2           eration of a bill under this subsection, any Sen-  
3           ator may move to strike any proposed rescission  
4           if supported by 11 other Members.

5           “(C) *LIMITS ON DEBATE.*—Debate in the  
6           Senate on a bill under this subsection, and all  
7           debatable motions and appeals in connection  
8           therewith (including debate pursuant to subpara-  
9           graph (D)), shall not exceed 10 hours, equally di-  
10          vided and controlled in the usual form.

11          “(D) *APPEALS.*—Debate in the Senate on  
12          any debatable motion or appeal in connection  
13          with a bill under this subsection shall be limited  
14          to not more than 1 hour, to be equally divided  
15          and controlled in the usual form.

16          “(E) *MOTION TO LIMIT DEBATE.*—A motion  
17          in the Senate to further limit debate on a bill  
18          under this subsection is not debatable.

19          “(F) *MOTION TO RECOMMIT.*—A motion to  
20          recommit a bill under this subsection is not in  
21          order.

22          “(G) *CONSIDERATION OF THE HOUSE*  
23          *BILL.*—

24                 “(i) *IN GENERAL.*—If the Senate has  
25                 received the House companion bill to the

1           *bill introduced in the Senate prior to the*  
2           *vote required under paragraph (1)(C), then*  
3           *the Senate may consider, and the vote under*  
4           *paragraph (1)(C) may occur on, the House*  
5           *companion bill.*

6           “(ii) *PROCEDURE AFTER VOTE ON*  
7           *SENATE BILL.—If the Senate votes, pursu-*  
8           *ant to paragraph (1)(C), on the bill intro-*  
9           *duced in the Senate, then immediately fol-*  
10          *lowing that vote, or upon receipt of the*  
11          *House companion bill, as the case may be—*

12           “(I) *if the House companion bill*  
13           *is identical to the version of the Senate*  
14           *bill on which the vote under paragraph*  
15           *(1)(C) was taken, the House bill shall*  
16           *be deemed to be considered, read the*  
17           *third time, and the vote on passage of*  
18           *the Senate bill shall be considered to be*  
19           *the vote on the bill received from the*  
20           *House; or*

21           “(II) *if the House companion bill*  
22           *is not identical to the Senate bill on*  
23           *which the vote under paragraph (1)(C)*  
24           *was taken, the Senate shall proceed to*  
25           *the immediate consideration of the*

1           *House companion bill, the procedures*  
2           *under this paragraph shall apply ex-*  
3           *cept that a motion to strike all after*  
4           *the enacting clause and insert the text*  
5           *of the Senate bill shall be in order.*

6           “(H) *AMENDMENT BETWEEN HOUSES.—*  
7           *Overall debate on all motions necessary to resolve*  
8           *amendments between the Houses on a bill under*  
9           *this section shall be limited to 2 hours at any*  
10          *stage of the proceedings. Debate on any motion,*  
11          *appeal, or point of order under this section*  
12          *which is submitted shall be limited to 30 min-*  
13          *utes, and such time shall be equally divided and*  
14          *controlled in the usual form.*

15          “(4) *CONFERENCE.—*

16               “(A) *AUTHORITY OF CONFEREES.—*

17                   “(i) *IN GENERAL.—Except as provided*  
18                   *in clause (ii), the conferees may only rec-*  
19                   *ommend that a House recede from a dis-*  
20                   *agreement to an amendment of the other*  
21                   *House, or recede from its own amendment,*  
22                   *and that the other House concur in such ac-*  
23                   *tion.*

24                   “(ii) *EXCEPTION.—If the second House*  
25                   *has stricken all after the enacting clause of*

1           *the first House, the amendment reported by*  
2           *the conferees shall include each provision*  
3           *that is included in the versions of both*  
4           *Houses, and may include a provision in-*  
5           *cluded by either House upon which the con-*  
6           *ferees have agreed, and may not include*  
7           *any other matter.*

8           “(B) *CONSIDERATION OF CONFERENCE RE-*  
9           *PORTS.—Debate in the House of Representatives*  
10           *or the Senate on the conference report and any*  
11           *amendments in disagreement on any bill consid-*  
12           *ered under this section shall be limited to not*  
13           *more than 2 hours, equally divided and con-*  
14           *trolled in the usual form. A motion further to*  
15           *limit debate is not debatable. A motion to recom-*  
16           *mit the conference report is not in order, and it*  
17           *is not in order to move to reconsider the vote by*  
18           *which the conference report is agreed to or dis-*  
19           *agreed to.*

20           “(C) *FAILURE OF CONFERENCE TO ACT.—If*  
21           *the committee on conference on a bill considered*  
22           *under this section fails to submit a conference re-*  
23           *port within 5 calendar days after the conferees*  
24           *have been appointed by each House, any Member*  
25           *of either House may introduce a bill containing*

1           *only the text of the draft bill of the President on*  
2           *the next day of session thereafter and the bill*  
3           *shall be considered as provided in this section ex-*  
4           *cept that the bill shall not be subject to any mo-*  
5           *tion to strike.*

6           “(d) *AMENDMENTS AND DIVISIONS PROHIBITED.—Ex-*  
7           *cept as otherwise provided by this section, no amendment*  
8           *to a bill considered under this section shall be in order in*  
9           *either the Senate or the House of Representatives. It shall*  
10           *not be in order to demand a division of the question in*  
11           *the House of Representatives (or in a Committee of the*  
12           *Whole). No motion to suspend the application of this sub-*  
13           *section shall be in order in the House of Representatives,*  
14           *nor shall it be in order in the House of Representatives to*  
15           *suspend the application of this subsection by unanimous*  
16           *consent.*

17           “(e) *TEMPORARY PRESIDENTIAL AUTHORITY TO RE-*  
18           *SCIND.—*

19           “(1) *IN GENERAL.—At the same time as the*  
20           *President transmits to Congress a special message*  
21           *proposing to rescind budget authority, the President*  
22           *may direct that any budget authority proposed to be*  
23           *rescinded in that special message shall not be made*  
24           *available for obligation for a period not to exceed 45*

1       *calendar days from the date the President transmits*  
2       *the special message to Congress.*

3               “(2) *EARLY AVAILABILITY.*—*The President may*  
4       *make any budget authority not made available for ob-*  
5       *ligation pursuant to paragraph (1) available at a*  
6       *time earlier than the time specified by the President*  
7       *if the President determines that continuation of the*  
8       *rescission would not further the purposes of this Act.*

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

10              “(1) *the term ‘appropriation Act’ means any*  
11       *general or special appropriation Act, and any Act or*  
12       *joint resolution making supplemental, deficiency, or*  
13       *continuing appropriations;*

14              “(2) *the term ‘budget authority’ means an*  
15       *amount, in whole or in part, of budget authority pro-*  
16       *vided in an appropriation Act, except to fund direct*  
17       *spending programs;*

18              “(3) *the term ‘rescission of budget authority’*  
19       *means the rescission in whole or in part of any budg-*  
20       *et authority provided in an appropriation Act; and*

21              “(4) *the term ‘targeted tax benefit’ means any*  
22       *provision of a revenue or reconciliation Act deter-*  
23       *mined by the President to provide a Federal tax de-*  
24       *duction, credit, exclusion, preference, or other conces-*  
25       *sion to 100 or fewer beneficiaries. Any partnership,*

1        *limited partnership, trust, or S corporation, and any*  
2        *subsidiary or affiliate of the same parent corporation,*  
3        *shall be deemed and counted as a single beneficiary*  
4        *regardless of the number of partners, limited partners,*  
5        *beneficiaries, shareholders, or affiliated corporate en-*  
6        *tities.*

7        “(g) *APPLICATION TO TARGETED TAX BENEFITS.—*  
8        *The President may propose the repeal of any targeted tax*  
9        *benefit in any bill that includes such a benefit, under the*  
10       *same conditions, and subject to the same Congressional con-*  
11       *sideration, as a proposal under this section to rescind budg-*  
12       *et authority provided in an appropriations Act.”.*

13       (b) *EXERCISE OF RULEMAKING POWERS.—Section*  
14       *904 of the Congressional Budget Act of 1974 (2 U.S.C. 621*  
15       *note) is amended—*

16                (1) *in subsection (a), by striking “and 1017”*  
17                *and inserting “1012A, and 1017”; and*

18                (2) *in subsection (d), by striking “section 1017”*  
19                *and inserting “sections 1012A and 1017”.*

20        (c) *CLERICAL AMENDMENTS.—The table of sections for*  
21        *subpart B of title X of the Congressional Budget and Im-*  
22        *poundment Control Act of 1974 is amended by inserting*  
23        *after the item relating to section 1012 the following:*

*“Sec. 1012A. Expedited consideration of certain proposed rescissions of budget au-*  
          *thority.”.*

1       (d) *EFFECTIVE PERIOD.*—*The amendments made by*  
2 *this Act shall—*

3           (1) *take effect on the date of enactment of this*  
4 *Act;*

5           (2) *apply only to budget authority provided in*  
6 *Acts enacted on or after the date of enactment of this*  
7 *Act; and*

8           (3) *cease to be effective on September 30, 2002.*

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