

103D CONGRESS
1ST SESSION

S. 224

To amend the Congressional Budget and Impoundment Control Act of 1974 to grant the President enhanced authority to rescind amounts of budget authority.

IN THE SENATE OF THE UNITED STATES

JANUARY 27 (legislative day, JANUARY 5), 1993

Mr. EXON 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

A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 to grant the President enhanced authority to rescind amounts of budget authority.

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 “Enhanced Rescissions
5 Act of 1993”.

1 **SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PRO-**
2 **POSED RESCISSIONS.**

3 (a) IN GENERAL.—Part B of title X of the Congres-
4 sional Budget and Impoundment Control Act of 1974 (2
5 U.S.C. 681 et seq.) is amended by redesignating sections
6 1013 through 1017 as sections 1014 through 1018, re-
7 spectively, and inserting after section 1012 the following
8 new section:

9 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED
10 RESCISSIONS

11 “SEC. 1013. (a) PROPOSED RESCISSION OF BUDGET
12 AUTHORITY.—In addition to the method of rescinding
13 budget authority specified in section 1012, the President
14 may propose, at the time and in the manner provided in
15 subsection (b), the rescission of any budget authority pro-
16 vided in an appropriations Act. Funds made available for
17 obligation under this procedure may not be proposed for
18 rescission again under this section or section 1012.

19 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

20 “(1) Not later than 3 days after the date of en-
21 actment of an appropriation Act, the President may
22 transmit to Congress one or more special messages
23 proposing to rescind all or any part of any item of
24 budget authority provided in that Act and include
25 with each special message a draft bill or joint resolu-
26 tion that, if enacted, would rescind each item of

1 budget authority (or part thereof) proposed to be re-
2 scinded.

3 “(2) Each special message shall specify, with
4 respect to the budget authority proposed to be re-
5 scinded, the matters referred to in paragraphs (1)
6 through (5) of section 1012(a).

7 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
8 ATION.—

9 “(1)(A) Before the close of the second day of
10 continuous session of the applicable House after the
11 date of receipt of a special message transmitted to
12 Congress under subsection (b), the majority leader
13 or minority leader of the House of Congress in
14 which the appropriation Act involved originated shall
15 introduce (by request) the draft bill or joint resolu-
16 tion accompanying that special message. If the bill
17 or joint resolution is not introduced as provided in
18 the preceding sentence, then, on the third day of
19 continuous session of that House after the date of
20 receipt of that special message, any Member of that
21 House may introduce the bill or joint resolution.

22 “(B) The bill or joint resolution shall be re-
23 ferred to the Committee on Appropriations of that
24 House. The committee shall report the bill or joint
25 resolution without substantive revision and with or

1 without recommendation. The bill or joint resolution
2 shall be reported not later than the seventh day of
3 continuous session of that House after the date of
4 receipt of that special message. If the Committee on
5 Appropriations fails to report the bill or joint resolu-
6 tion within that period, that committee shall be
7 automatically discharged from consideration of the
8 bill or joint resolution, and the bill or joint resolu-
9 tion shall be placed on the appropriate calendar.

10 “(C) A vote on final passage of the bill or joint
11 resolution shall be taken in that House on or before
12 the close of the 10th calendar day of continuous ses-
13 sion of that House after the date of the introduction
14 of the bill or joint resolution in that House. If the
15 bill or joint resolution is agreed to, the Clerk of the
16 House of Representatives (in the case of a bill or
17 joint resolution agreed to in the House of Represent-
18 atives) or the Secretary of the Senate (in the case
19 of a bill or joint resolution agreed to in the Senate)
20 shall cause the bill or joint resolution to be en-
21 grossed, certified, and transmitted to the other
22 House of Congress on the same calendar day on
23 which the bill or joint resolution is agreed to.

24 “(2)(A) A bill or joint resolution transmitted to
25 the House of Representatives or the Senate pursu-

1 ant to paragraph (1)(C) shall be referred to the
2 Committee on Appropriations of that House. The
3 committee shall report the bill or joint resolution
4 without substantive revision and with or without rec-
5 ommendation. The bill or joint resolution shall be re-
6 ported not later than the seventh day of continuous
7 session of that House after it receives the bill or
8 joint resolution. A committee failing to report the
9 bill or joint resolution within such period shall be
10 automatically discharged from consideration of the
11 bill or joint resolution, and the bill or joint resolu-
12 tion shall be placed upon the appropriate calendar.

13 “(B) A vote on final passage of a bill or joint
14 resolution transmitted to that House shall be taken
15 on or before the close of the 10th calendar day of
16 continuous session of that House after the date on
17 which the bill or joint resolution is transmitted. If
18 the bill or joint resolution is agreed to in that
19 House, the Clerk of the House of Representatives
20 (in the case of a bill or joint resolution agreed to in
21 the House of Representatives) or the Secretary of
22 the Senate (in the case of a bill or joint resolution
23 agreed to in the Senate) shall cause the engrossed
24 bill or joint resolution to be returned to the House
25 in which the bill or joint resolution originated.

1 “(3)(A) A motion in the House of Representa-
2 tives to proceed to the consideration of a bill or joint
3 resolution under this section shall be highly privi-
4 leged and not debatable. An amendment to the mo-
5 tion shall not be in order, nor shall it be in order
6 to move to reconsider the vote by which the motion
7 is agreed to or disagreed to.

8 “(B) Debate in the House of Representatives
9 on a bill or joint resolution under this section shall
10 not exceed 4 hours, which shall be divided equally
11 between those favoring and those opposing the bill
12 or joint resolution. A motion further to limit debate
13 shall not be debatable. It shall not be in order to
14 move to recommit a bill or joint resolution under
15 this section or to move to reconsider the vote by
16 which the bill or joint resolution is agreed to or dis-
17 agreed to.

18 “(C) Appeals from decisions of the Chair relat-
19 ing to the application of the Rules of the House of
20 Representatives to the procedure relating to a bill or
21 joint resolution under this section shall be decided
22 without debate.

23 “(D) Except to the extent specifically provided
24 in the preceding provisions of this subsection, con-
25 sideration of a bill or joint resolution under this sec-

1 tion shall be governed by the Rules of the House of
2 Representatives.

3 “(4)(A) A motion in the Senate to proceed to
4 the consideration of a bill or joint resolution under
5 this section shall be privileged and not debatable. An
6 amendment to the motion shall not be in order, nor
7 shall it be in order to move to reconsider the vote
8 by which the motion is agreed to or disagreed to.

9 “(B) Debate in the Senate on a bill or joint res-
10 olution under this section, and all debatable motions
11 and appeals in connection therewith, shall not exceed
12 10 hours. The time shall be equally divided between,
13 and controlled by, the majority leader and the mi-
14 nority leader or their designees.

15 “(C) Debate in the Senate on any debatable
16 motion or appeal in connection with a bill or joint
17 resolution under this section shall be limited to not
18 more than 1 hour, to be equally divided between,
19 and controlled by, the mover and the manager of the
20 bill or joint resolution, except that in the event the
21 manager of the bill or joint resolution is in favor of
22 any such motion or appeal, the time in opposition
23 thereto, shall be controlled by the minority leader or
24 his designee. Such leaders, or either of them, may,
25 from time under their control on the passage of a

1 bill or joint resolution, allot additional time to any
2 Senator during the consideration of any debatable
3 motion or appeal.

4 “(D) A motion in the Senate to further limit
5 debate on a bill or joint resolution under this section
6 is not debatable. A motion to recommit a bill or joint
7 resolution under this section is not in order.

8 “(d) AMENDMENTS PROHIBITED.—No amendment
9 to a bill or joint resolution considered under this section
10 shall be in order in either the House of Representatives
11 or the Senate. No motion to suspend the application of
12 this subsection shall be in order in either House, nor shall
13 it be in order in either House to suspend the application
14 of this subsection by unanimous consent.

15 “(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-
16 GATION.—Any amount of budget authority proposed to be
17 rescinded in a special message transmitted to Congress
18 under subsection (b) shall be made available for obligation
19 on the day after the date on which either House defeats
20 the bill or joint resolution transmitted with that special
21 message.

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

23 “(1) The term ‘appropriation Act’ means any
24 general or special appropriation Act, and any Act or

1 joint resolution making supplemental, deficiency, or
2 continuing appropriations.

3 “(2) The continuity of a session of the Congress
4 shall be considered as broken only by an adjourn-
5 ment of the Congress sine die, and the days on
6 which either House is not in session because of an
7 adjournment of more than 3 days to a day certain
8 shall be excluded in the computation of the periods
9 of continuous session referred to in subsection (c) of
10 this section. If a special message is transmitted
11 under this section during any Congress and the last
12 session of the Congress adjourns sine die before the
13 expiration of 10 calendar days of continuous session
14 (or a special message is transmitted after the last
15 session of the Congress adjourns sine die), the mes-
16 sage shall be deemed to have been transmitted on
17 the first day of the succeeding Congress and the pe-
18 riods of continuous session referred to in subsection
19 (c) of this section shall commence on the day after
20 such first day.”.

21 (b) EXERCISE OF RULEMAKING POWERS.—Section
22 904 of such Act (2 U.S.C. 621 note) is amended—

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

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

3 (c) CONFORMING AMENDMENTS.—

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

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

8 (B) in paragraph (5)—

9 (i) by striking “1016” and inserting
10 “1017”; and

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

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

15 (A) by striking “1012 or 1013” each place
16 it appears and inserting “1012, 1013, or
17 1014”;

18 (B) in subsection (b)(1), by striking
19 “1012” and inserting “1012 or 1013”;

20 (C) in subsection (b)(2), by striking
21 “1013” and inserting “1014”; and

22 (D) in subsection (e)(2)—

23 (i) by striking “and” at the end of
24 subparagraph (A);

1 (ii) by redesignating subparagraph
2 (B) as subparagraph (C);

3 (iii) by striking “1013” in subpara-
4 graph (C) (as so redesignated) and insert-
5 ing “1014”; and

6 (iv) by inserting after subparagraph
7 (A) the following new subparagraph:

8 “(B) he has transmitted a special message
9 under section 1013 with respect to a proposed
10 rescission; and”.

11 (3) Section 1016 of such Act (2 U.S.C. 686)
12 (as redesignated by section 2(a)) is amended by
13 striking “1012 or 1013” each place it appears and
14 inserting “1012, 1013, or 1014”.

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

17 (1) by redesignating the items relating to sec-
18 tions 1013 through 1017 as items relating to sec-
19 tions 1014 through 1018; and

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

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

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