

103^D CONGRESS
1ST SESSION

S. 437

To amend the Congressional Budget and Impoundment Control Act of 1974 to establish procedures for the expedited consideration by the Congress of certain proposals by the President to rescind amounts of budget authority.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25 (legislative day, JANUARY 5), 1993

Mr. KRUEGER 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 establish procedures for the expedited consideration by the Congress of certain proposals by the President 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 “Expedited Consider-
5 ation of Proposed Rescissions 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.

17 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

18 “(1) At any time after the date of enactment of
19 an appropriation Act, the President may transmit to
20 Congress a special message proposing to rescind
21 amounts of budget authority provided in that Act
22 and include with that special message a draft bill or
23 joint resolution that, if enacted, would only rescind
24 that budget authority.

25 “(2) In the case of an appropriation Act that
26 includes accounts within the jurisdiction of more

1 than one subcommittee of the Committee on Appro-
2 priations, the President in proposing to rescind
3 budget authority under this section shall send a sep-
4 arate special message and accompanying draft bill or
5 joint resolution for accounts within the jurisdiction
6 of each such subcommittee.

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

11 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
12 ATION.—

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

1 “(B) The bill or joint resolution shall be re-
2 ferred to the Committee on Appropriations of that
3 House. The committee shall report the bill or joint
4 resolution without substantive revision and with or
5 without recommendation. The bill or joint resolution
6 shall be reported not later than the fourth day of
7 continuous session of that House after the date of
8 receipt of that special message. If the Committee on
9 Appropriations fails to report the bill or joint resolu-
10 tion within that period, that committee shall be
11 automatically discharged from consideration of the
12 bill or joint resolution, and the bill or joint resolu-
13 tion shall be placed on the appropriate calendar.

14 “(C) A vote on final passage of the bill or joint
15 resolution shall be taken in that House on or before
16 the close of the 7th calendar day of continuous ses-
17 sion of that House after the date of the introduction
18 of the bill or joint resolution in that House. If the
19 bill or joint resolution is agreed to, the Clerk of the
20 House of Representatives (in the case of a bill or
21 joint resolution agreed to in the House of Represent-
22 atives) or the Secretary of the Senate (in the case
23 of a bill or joint resolution agreed to in the Senate)
24 shall cause the bill or joint resolution to be en-
25 grossed, certified, and transmitted to the other

1 House of Congress on the same calendar day on
2 which the bill or joint resolution is agreed to.

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

17 “(B) A vote on final passage of a bill or joint
18 resolution transmitted to that House shall be taken
19 on or before the close of the 7th calendar day of
20 continuous session of that House after the date on
21 which the bill or joint resolution is transmitted. If
22 the bill or joint resolution is agreed to in that
23 House, the Clerk of the House of Representatives
24 (in the case of a bill or joint resolution agreed to in
25 the House of Representatives) or the Secretary of

1 the Senate (in the case of a bill or joint resolution
2 agreed to in the Senate) shall cause the engrossed
3 bill or joint resolution to be returned to the House
4 in which the bill or joint resolution originated.

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

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

22 “(C) Appeals from decisions of the Chair relat-
23 ing to the application of the Rules of the House of
24 Representatives to the procedure relating to a bill or

1 joint resolution under this section shall be decided
2 without debate.

3 “(D) Except to the extent specifically provided
4 in the preceding provisions of this subsection, con-
5 sideration of a bill or joint resolution under this sec-
6 tion shall be governed by the Rules of the House of
7 Representatives.

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

14 “(B) Debate in the Senate on a bill or joint res-
15 olution under this section, and all debatable motions
16 and appeals in connection therewith, shall not exceed
17 10 hours. The time shall be equally divided between,
18 and controlled by, the majority leader and the mi-
19 nority leader or their designees.

20 “(C) Debate in the Senate on any debatable
21 motion or appeal in connection with a bill or joint
22 resolution under this section shall be limited to not
23 more than 1 hour, to be equally divided between,
24 and controlled by, the mover and the manager of the
25 bill or joint resolution, except that in the event the

1 manager of the bill or joint resolution is in favor of
2 any such motion or appeal, the time in opposition
3 thereto, shall be controlled by the minority leader or
4 his designee. Such leaders, or either of them, may,
5 from time under their control on the passage of a
6 bill or joint resolution, allot additional time to any
7 Senator during the consideration of any debatable
8 motion or appeal.

9 “(D) A motion in the Senate to further limit
10 debate on a bill or joint resolution under this section
11 is not debatable. A motion to recommit a bill or joint
12 resolution under this section is not in order.

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

20 “(e) DEFINITIONS.—For purposes of this section—

21 “(1) the term ‘appropriation Act’ means any
22 general or special appropriation Act, and any Act or
23 joint resolution making supplemental, deficiency, or
24 continuing appropriations; and

1 “(2) continuity of a session of either House of
2 Congress shall be considered as broken only by an
3 adjournment of that House sine die, and the days on
4 which that House is not in session because of an ad-
5 journment of more than 3 days to a date certain
6 shall be excluded in the computation of any period.”.

7 (b) EXERCISE OF RULEMAKING POWERS.—Section
8 904 of such Act (2 U.S.C. 621 note) is amended—

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

11 (2) by striking “section 1017” in subsection (d)
12 and inserting “sections 1013 and 1018”; and

13 (c) CONFORMING AMENDMENTS.—

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

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

18 (B) in paragraph (5)—

19 (i) by striking “1016” and inserting
20 “1017”; and

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

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

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

4 (B) in subsection (b)(1), by striking
5 “1012” and inserting “1012 or 1013”;

6 (C) in subsection (b)(2), by striking
7 “1013” and inserting “1014”; and

8 (D) in subsection (e)(2)—

9 (i) by striking “and” at the end of
10 subparagraph (A);

11 (ii) by redesignating subparagraph
12 (B) as subparagraph (C);

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

16 (iv) by inserting after subparagraph
17 (A) the following new subparagraph:

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

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

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

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

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

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

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