

110TH CONGRESS  
1ST SESSION

# H. R. 3724

To establish a National Commission on Entitlement Solvency.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 2, 2007

Mr. FOSSELLA (for himself and Mr. HILL) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a National Commission on Entitlement Solvency.

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 “The Social Security  
5       and Medicare Solvency Commission Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this subtitle:

8               (1) ADMINISTRATOR.—The term “Adminis-  
9       trator” means the Administrator of the Centers for  
10       Medicare & Medicaid Services.

1           (2) CALENDAR DAY.—The term “calendar day”  
2 means a calendar day other than one in which either  
3 House is not in session because of an adjournment  
4 of more than 3 days to a date certain.

5           (3) COMMISSION.—The term “Commission”  
6 means the National Commission on Entitlement Sol-  
7 vency established under section 3(a).

8           (4) COMMISSION BILL.—The term “Commission  
9 bill” means a bill consisting of the proposed legisla-  
10 tive language submitted by the Commission under  
11 section 3(c)(2)(A) that is introduced under section  
12 7(a).

13           (5) COMMISSIONER.—The term “Commis-  
14 sioner” means the Commissioner of Social Security.

15           (6) LONG-TERM.—The term “long-term” means  
16 a period of not less than 75 years beginning on the  
17 date of enactment of this Act.

18           (7) MEDICAID.—The term “Medicaid” means  
19 the program established under title XIX of the So-  
20 cial Security Act (42 U.S.C. 1396 et seq.)

21           (8) MEDICARE.—The term “Medicare” means  
22 the program established under title XVIII of the So-  
23 cial Security Act (42 U.S.C. 1395 et seq.).

24           (9) SOCIAL SECURITY.—The term “Social Secu-  
25 rity” means the program of old-age, survivors, and

1 disability insurance benefits established under title  
2 II of the Social Security Act (42 U.S.C. 401 et  
3 seq.).

4 (10) SOLVENCY OF MEDICARE PROGRAM.—

5 (A) IN GENERAL.—Subject to subpara-  
6 graph (B), the term “solvency”, in relation to  
7 the Medicare program, means any year in which  
8 there is not excess general revenue Medicare  
9 funding (as defined in section 801(c)(1) of the  
10 Medicare Prescription Drug, Improvement, and  
11 Modernization Act of 2003 (Public Law 108–  
12 173; 117 Stat. 2358)).

13 (B) TREATMENT OF NEW REVENUE.—

14 (i) IN GENERAL.—For purposes of the  
15 requirement that the Commission evaluate  
16 the solvency of the Medicare program and  
17 recommend legislation to restore such sol-  
18 vency as needed, the Commission shall  
19 treat any new revenue that is a result of  
20 any action taken or any legislation enacted  
21 by Congress pursuant to the recommenda-  
22 tions of the Commission, as being a dedi-  
23 cated medicare financing source (as de-  
24 fined in section 801(c)(3) of the Medicare  
25 Prescription Drug, Improvement, and

1 Modernization Act of 2003 (Public Law  
2 108–173; 117 Stat. 2358)).

3 (ii) DEFINITION OF NEW REVENUE.—

4 For purposes of this subparagraph, the  
5 term “new revenue” means only those rev-  
6 enues collected as a result of legislation en-  
7 acted by Congress pursuant to section 7 of  
8 this Act. The term “new revenue” shall  
9 not include any revenue otherwise collected  
10 under law, including any such revenue that  
11 is dedicated to the Federal Hospital Insur-  
12 ance Trust Fund under section 1817 of  
13 the Social Security Act (42 U.S.C. 1395i)  
14 or the Federal Supplementary Medical In-  
15 surance Trust Fund under section 1841 of  
16 such Act (42 U.S.C. 1395t).

17 (11) SOLVENCY OF SOCIAL SECURITY PRO-  
18 GRAM.—The term “solvency”, in relation to Social  
19 Security, means any year in which the balance ratio  
20 (as defined under section 709(b) of the Social Secu-  
21 rity Act (42 U.S.C. 910(b)) of the Federal Old-Age  
22 and Survivors Insurance Trust Fund and the Fed-  
23 eral Disability Insurance Trust Fund established  
24 under section 201 of the Social Security Act (42  
25 U.S.C. 401) is greater than zero; and

1 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

2 (a) ESTABLISHMENT.—There is permanently estab-  
3 lished an independent and bipartisan commission to be  
4 known as the “National Commission on Entitlement Sol-  
5 vency”.

6 (b) PURPOSE.—The Commission shall conduct a  
7 comprehensive review of the Social Security and Medicare  
8 programs for the following purposes:

9 (1) REVIEW.—Reviewing relevant analyses of  
10 the current and long-term actuarial financial condi-  
11 tion of the Social Security and Medicare programs.

12 (2) IDENTIFYING PROBLEMS.—Identifying  
13 problems that may threaten the long-term solvency  
14 of the Social Security and Medicare programs.

15 (3) ANALYZING POTENTIAL SOLUTIONS.—Ana-  
16 lyzing potential solutions to problems that threaten  
17 the long-term solvency of the Social Security and  
18 Medicare programs.

19 (4) PROVIDING RECOMMENDATIONS AND PRO-  
20 POSED LEGISLATIVE LANGUAGE.—Providing rec-  
21 ommendations and proposed legislative language  
22 that will ensure the long-term solvency of the Social  
23 Security and Medicare programs and the provision  
24 of appropriate benefits.

25 (c) DUTIES.—

1           (1) IN GENERAL.—The Commission shall con-  
2           duct a comprehensive review of the Social Security  
3           and Medicare programs consistent with the purposes  
4           described in subsection (b) and shall submit the re-  
5           port required under paragraph (2).

6           (2) REPORT, RECOMMENDATIONS, AND PRO-  
7           POSED LEGISLATIVE LANGUAGE.—

8           (A) REPORT.—

9           (i) IN GENERAL.—Not later than 1  
10           year after the date of enactment of this  
11           Act, and every 5 years thereafter, the  
12           Commission shall submit a report on the  
13           long-term solvency of the Social Security  
14           and Medicare programs that contains a de-  
15           tailed statement of the findings, conclu-  
16           sions, recommendations, and the proposed  
17           legislative language (as required under  
18           subparagraph (C)) of the Commission to  
19           the President, Congress, the Commis-  
20           sioner, and the Administrator.

21           (ii) PROPOSED LEGISLATIVE LAN-  
22           GUAGE.—The Commission shall submit the  
23           proposed legislative language (as required  
24           under clause (i)) in the form of a proposed  
25           bill for introduction in Congress.

1 (B) FINDINGS, CONCLUSIONS, AND REC-  
2 OMMENDATIONS.—A finding, conclusion, or rec-  
3 ommendation of the Commission shall be in-  
4 cluded in the report under subparagraph (A)  
5 only if not less than 10 members of the Com-  
6 mission voted for such finding, conclusion, or  
7 recommendation.

8 (C) LEGISLATIVE LANGUAGE.—

9 (i) IN GENERAL.—If a recommenda-  
10 tion submitted with respect to the Social  
11 Security or Medicare programs under sub-  
12 paragraph (A) involves legislative action,  
13 the report shall include proposed legislative  
14 language to carry out such action. Such  
15 legislative language shall only be included  
16 in the report under subparagraph (A) if  
17 the Commission has considered the impact  
18 the recommendation would have on the  
19 Medicaid program.

20 (ii) EXCLUSION OF RECOMMENDA-  
21 TIONS WITH RESPECT TO MEDICAID.—Pro-  
22 posed legislative language to carry out any  
23 recommendation submitted by the Commis-  
24 sion with respect to the Medicaid program

1 shall not be included in the legislative lan-  
2 guage submitted under clause (i).

3 **SEC. 4. STRUCTURE AND MEMBERSHIP OF THE COMMIS-**  
4 **SION.**

5 (a) APPOINTMENT.—

6 (1) IN GENERAL.—The Commission shall be  
7 composed of 15 members, of whom—

8 (A) 7 members shall be appointed by the  
9 President—

10 (i) 3 of whom shall be Democrats, ap-  
11 pointed in consultation with the majority  
12 leader of the Senate and the Speaker of  
13 the House of Representatives;

14 (ii) 3 of whom shall be Republicans;  
15 and

16 (iii) 1 of whom shall not be affiliated  
17 with any political party;

18 (B) 2 members shall be appointed by the  
19 majority leader of the Senate, 1 of whom is  
20 from the Committee on Finance of the Senate;

21 (C) 2 members shall be appointed by the  
22 minority leader of the Senate, 1 of whom is  
23 from the Committee on Finance of the Senate;

24 (D) 2 members shall be appointed by the  
25 Speaker of the House of Representatives, 1 of

1           whom is from the Committee on Ways and  
2           Means of the House of Representatives; and

3           (E) 2 members shall be appointed by the  
4           minority leader of the House of Representa-  
5           tives, 1 of whom is from the Committee on  
6           Ways and Means of the House of Representa-  
7           tives.

8           (2) QUALIFICATIONS.—The members shall be  
9           individuals who are, by reason of their education, ex-  
10          perience, and attainments, exceptionally qualified to  
11          perform the duties of members of the Commission.

12          (3) DATE.—Members of the Commission shall  
13          be appointed by not later than January 1, 2008.

14          (4) TERMS.—A member of the Commission  
15          shall be appointed for a single term of 5 years, ex-  
16          cept the members initially appointed shall be ap-  
17          pointed for terms of 6 years.

18          (b) VACANCIES.—A vacancy on the Commission shall  
19          be filled not later than 30 calendar days after the date  
20          on which the Commission is given notice of the vacancy,  
21          in the same manner as the original appointment. The indi-  
22          vidual appointed to fill the vacancy shall serve only for  
23          the unexpired portion of the term for which the individ-  
24          ual's predecessor was appointed.

1 (c) COMMITTEE MEMBERS OF COMMISSION.—In the  
2 case of an individual appointed to the Commission under  
3 subsection (a)(1) who is required to be a member of the  
4 Committee on Finance of the Senate or the Committee  
5 on Ways and Means of the House of Representatives, if  
6 such individual is no longer a member of the required  
7 Committee they shall no longer be eligible to serve on the  
8 Commission. Such individual shall be removed from the  
9 Commission and replaced in accordance with subsection  
10 (b).

11 (d) CO-CHAIRPERSON.—The Commission shall des-  
12 ignate 2 Co-Chairpersons from among the members of the  
13 Commission, neither of whom may be affiliated with the  
14 same political party.

15 **SEC. 5. POWERS OF THE COMMISSION.**

16 (a) MEETINGS AND HEARINGS.—

17 (1) MEETINGS.—The Commission shall meet at  
18 the call of the Co-Chairpersons. The Co-Chair-  
19 persons of the Commission or their designee shall  
20 convene and preside at the meetings of the Commis-  
21 sion

22 (2) HEARINGS.—

23 (A) INITIAL TOWN-HALL STYLE PUBLIC  
24 HEARINGS.—

1 (i) IN GENERAL.—The Commission  
2 shall hold at least 1 town-hall style public  
3 hearing within each Federal reserve dis-  
4 trict not later than the date on which the  
5 Commission submits the report required  
6 under section 3(c)(2)(A), and shall, to the  
7 extent feasible, ensure that there is broad  
8 public participation in the hearings.

9 (ii) HEARING FORMAT.—During each  
10 hearing, the Commission shall present to  
11 the public, and generate comments and  
12 suggestions regarding, the issues reviewed  
13 under section 3(b), policies designed to ad-  
14 dress those issues, and tradeoffs between  
15 such policies.

16 (B) ADDITIONAL HEARINGS.—In addition  
17 to the hearings required under subparagraph  
18 (A), the Commission shall hold such other hear-  
19 ings as the Commission determines appropriate  
20 to carry out the purposes of this Act.

21 (3) QUORUM.—Ten members of the Commis-  
22 sion shall constitute a quorum for purposes of vot-  
23 ing, but a quorum is not required for members to  
24 meet and hold hearings.

25 (b) ADMINISTRATION.—

1           (1) COMPENSATION.—Each member, other than  
2           the Co-Chairpersons, shall be paid at a rate equal to  
3           the daily equivalent of the minimum annual rate of  
4           basic pay prescribed for level IV of the Executive  
5           Schedule under section 5315 of title 5, United  
6           States Code, for each day (including travel time)  
7           during which such member is engaged in the per-  
8           formance of the duties of the Commission. The Co-  
9           Chairpersons shall be paid at a rate equal to the  
10          daily equivalent of the minimum annual rate of basic  
11          pay prescribed for level III of the Executive Sched-  
12          ule under section 5314 of title 5, United States  
13          Code, for each day (including travel time) during  
14          which such member is engaged in the performance  
15          of the duties of the Commission.

16          (2) TRAVEL EXPENSES.—Members shall receive  
17          travel expenses, including per diem in lieu of subsist-  
18          ence, in accordance with sections 5702 and 5703 of  
19          title 5, United States Code, while away from their  
20          homes or regular places of business in performance  
21          of services for the Commission.

22          (c) FEDERAL ADVISORY COMMITTEE ACT.—The  
23          Commission shall be exempt from the provisions of the  
24          Federal Advisory Committee Act (5 U.S.C. App.).

25          (d) PERSONNEL.—

1           (1) DIRECTOR.—The Commission shall have a  
2 staff headed by an Executive Director. The Execu-  
3 tive Director shall be paid at a rate equivalent to a  
4 rate established for the Senior Executive Service  
5 under section 5382 of title 5, United States Code.

6           (2) STAFF APPOINTMENT.—With the approval  
7 of the Co-Chairpersons, the Executive Director may  
8 appoint such personnel as the Executive Director  
9 and the Commission determines to be appropriate.

10          (3) ACTUARIAL EXPERTS AND CONSULTANTS.—  
11 With the approval of the Co-Chairpersons, the Exec-  
12 utive Director may procure temporary and intermit-  
13 tent services under section 3109(b) of title 5, United  
14 States Code.

15          (4) DETAIL OF GOVERNMENT EMPLOYEES.—  
16 Upon the request of the Co-Chairpersons, the head  
17 of any Federal agency may detail, without reim-  
18 bursement, any of the personnel of such agency to  
19 the Commission to assist in carrying out the duties  
20 of the Commission. Any such detail shall not inter-  
21 rupt or otherwise affect the civil service status or  
22 privileges of the Federal employee.

23          (5) OTHER RESOURCES.—The Commission  
24 shall have reasonable access to materials, resources,  
25 statistical data, and other information from the Li-

1 brary of Congress, the Chief Actuary of Social Secu-  
2 rity, the Secretary of Health and Human Services,  
3 the Centers for Medicare & Medicaid Services, the  
4 Congressional Budget Office, and other agencies and  
5 elected representatives of the executive and legisla-  
6 tive branches of the Federal Government. The Co-  
7 Chairpersons of the Commission shall make requests  
8 for such access in writing when necessary.

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums  
11 as are necessary to carry out the purposes of this Act.

12 **SEC. 7. EXPEDITED CONSIDERATION OF COMMISSION REC-**  
13 **COMMENDATIONS.**

14 (a) INTRODUCTION AND COMMITTEE CONSIDER-  
15 ATION.—

16 (1) INTRODUCTION.—A Commission bill shall  
17 be introduced in the Senate by the majority leader,  
18 or the majority leader's designee, and in the House  
19 of Representatives, by the majority leader, or the  
20 majority leader's designee. Upon such introduction,  
21 the Commission bill shall be referred to the appro-  
22 priate committees of Congress under paragraph (2).  
23 If the Commission bill is not introduced in accord-  
24 ance with the preceding sentence, then any member  
25 of Congress may introduce the Commission bill in

1 their respective House of Congress beginning on the  
2 date that is the 5th calendar day that such House  
3 is in session following the date of the submission of  
4 the Commission report under section 3(c)(2)(A).

5 (2) COMMITTEE CONSIDERATION.—

6 (A) REFERRAL.—A Commission bill intro-  
7 duced in the Senate shall be referred to the  
8 Committee on Finance of the Senate. A Com-  
9 mission bill introduced in the House of Rep-  
10 resentatives shall be referred jointly to the  
11 Committee on Ways and Means and the Com-  
12 mittee on Energy and Commerce of the House  
13 of Representatives.

14 (B) REPORTING.—Not later than 60 cal-  
15 endar days after the introduction of the Com-  
16 mission bill, each Committee of Congress to  
17 which the Commission bill was referred shall re-  
18 port the bill. Each such reported bill shall meet  
19 the requirement of ensuring the long-term sol-  
20 vency of the Social Security and Medicare pro-  
21 grams, and the provision of appropriate bene-  
22 fits, that the proposed legislative language pro-  
23 vided by the Commission is subject to under  
24 section 3(b)(4).

1           (C) DISCHARGE OF COMMITTEE.—If a  
2           committee to which is referred a Commission  
3           bill has not reported such Commission bill at  
4           the end of 60 calendar days after its introduc-  
5           tion, such committee shall be automatically dis-  
6           charged from further consideration of the Com-  
7           mission bill and it shall be placed on the appro-  
8           priate calendar.

9           (b) EXPEDITED PROCEDURE.—

10           (1) AMENDMENTS.—No amendment that is not  
11           relevant to the provisions of the Commission bill  
12           shall be in order in either the Senate or the House  
13           of Representatives. In either House, an amendment,  
14           any amendment to an amendment, or any debatable  
15           motion or appeal is debatable for not to exceed 5  
16           hours to be divided equally between those favoring  
17           and those opposing the amendment, motion, or ap-  
18           peal.

19           (2) FLOOR CONSIDERATION IN THE SENATE.—

20           (A) IN GENERAL.—Not later than 30 cal-  
21           endar days after the date on which a committee  
22           has reported or has been discharged from con-  
23           sideration of a Commission bill, the majority  
24           leader of the Senate, or the majority leader's  
25           designee shall move to proceed to the consider-

1           ation of the Commission bill. It shall also be in  
2           order for any member of the Senate to move to  
3           proceed to the consideration of the bill at any  
4           time after the conclusion of such 30-day period.

5           (B) MOTION TO PROCEED.—A motion to  
6           proceed to the consideration of a Commission  
7           bill is privileged in the Senate. The motion is  
8           not debatable and is not subject to a motion to  
9           postpone consideration of the Commission bill  
10          or to proceed to the consideration of other busi-  
11          ness. A motion to reconsider the vote by which  
12          the motion to proceed is agreed to or not  
13          agreed to shall not be in order. If the motion  
14          to proceed is agreed to, the Senate shall imme-  
15          diately proceed to consideration of the Commis-  
16          sion bill without intervening motion, order, ac-  
17          tion, or other business, and the Commission bill  
18          shall remain the unfinished business of the Sen-  
19          ate until disposed of.

20          (C) LIMITED DEBATE.—

21           (i) IN GENERAL.—Consideration in  
22          the Senate of the Commission bill and all  
23          amendments to such bill, and on all debat-  
24          able motions and appeals in connection  
25          therewith, shall be limited to not more

1 than 40 hours, which shall be equally di-  
2 vided between, and controlled by, the ma-  
3 jority leader and the minority leader of the  
4 Senate or their designees. A motion fur-  
5 ther to limit debate on the Commission bill  
6 is in order and is not debatable. All time  
7 used for consideration of the Commission  
8 bill, including time used for quorum calls  
9 (except quorum calls immediately pre-  
10 ceding a vote), shall come from the 40  
11 hours of consideration.

12 (ii) RECOMMITAL TO COMMITTEE.—

13 Upon expiration of the 40-hour period pro-  
14 vided under clause (i), the Commission bill  
15 shall be recommitted to committee for fur-  
16 ther consideration unless  $\frac{3}{5}$  of the Mem-  
17 bers, duly chosen and sworn, of the Senate  
18 agree to proceed to passage. Any bill re-  
19 ported by a committee as a result of such  
20 further consideration shall—

21 (I) meet the requirement of en-  
22 suring the long-term solvency of the  
23 Social Security and Medicare pro-  
24 grams and the provision of appro-  
25 priate benefits that the proposed legis-

1           relative language provided by the Com-  
2           mission is subject to under section  
3           3(b)(4); and

4                   (II) be considered under the ex-  
5           pedited procedures under this sub-  
6           section.

7           (D) VOTE ON PASSAGE.—

8                   (i) IN GENERAL.—The vote on pas-  
9           sage in the Senate of the Commission bill  
10          shall occur immediately following the con-  
11          clusion of the 40-hour period for consider-  
12          ation of the Commission bill under sub-  
13          paragraph (C) and a request to establish  
14          the presence of a quorum.

15                   (ii) OTHER MOTIONS NOT IN  
16          ORDER.—A motion in the Senate to post-  
17          pone consideration of the Commission bill,  
18          a motion to proceed to the consideration of  
19          other business, or a motion to recommit  
20          the Commission bill is not in order. A mo-  
21          tion in the Senate to reconsider the vote by  
22          which the Commission bill is agreed to or  
23          not agreed to is not in order.

24          (3) FLOOR CONSIDERATION IN THE HOUSE.—

1           (A) IN GENERAL.—Not later than 30 cal-  
2           endar days after the date on which a committee  
3           has reported or has been discharged from con-  
4           sideration of a Commission bill, the majority  
5           leader of the House of Representatives, or the  
6           majority leader’s designee shall move to proceed  
7           to the consideration of the Commission bill. It  
8           shall also be in order for any member of the  
9           House of Representatives to move to proceed to  
10          the consideration of the bill at any time after  
11          the conclusion of such 30-day period.

12          (B) MOTION TO PROCEED.—A motion to  
13          proceed to the consideration of a Commission  
14          bill is privileged in the House of Representa-  
15          tives. The motion is not debatable and is not  
16          subject to a motion to postpone consideration of  
17          the Commission bill or to proceed to the consid-  
18          eration of other business. A motion to recon-  
19          sider the vote by which the motion to proceed  
20          is agreed to or not agreed to shall not be in  
21          order. If the motion to proceed is agreed to, the  
22          House of Representatives shall immediately pro-  
23          ceed to consideration of the Commission bill  
24          without intervening motion, order, action, or  
25          other business, and the Commission bill shall

1 remain the unfinished business of the House of  
2 Representatives until disposed of.

3 (C) LIMITED DEBATE.—

4 (i) IN GENERAL.—Consideration in  
5 the House of Representatives of the Com-  
6 mission bill and all amendments to such  
7 bill, and on all debatable motions and ap-  
8 peals in connection therewith, shall be lim-  
9 ited to not more than 40 hours, which  
10 shall be equally divided between, and con-  
11 trolled by, the majority leader and the mi-  
12 nority leader of the House of Representa-  
13 tives or their designees. A motion further  
14 to limit debate on the Commission bill is in  
15 order and is not debatable. All time used  
16 for consideration of the Commission bill,  
17 including time used for quorum calls (ex-  
18 cept quorum calls immediately preceding a  
19 vote), shall come from the 40 hours of con-  
20 sideration.

21 (ii) RECOMMITAL TO COMMITTEE.—

22 Upon expiration of the 40-hour period pro-  
23 vided under clause (i), the Commission bill  
24 shall be recommitted to committee for fur-  
25 ther consideration unless  $\frac{3}{5}$  of the Mem-

1           bers, duly chosen and sworn, of the House  
2           of Representatives agree to proceed to final  
3           passage. Any bill reported by a committee  
4           as a result of such further consideration  
5           shall—

6                       (I) meet the requirement of en-  
7                       suring the long-term solvency of the  
8                       Social Security and Medicare pro-  
9                       grams and the provision of appro-  
10                      prium benefits that the proposed legis-  
11                      lative language provided by the Com-  
12                      mission is subject to under section  
13                      3(b)(4); and

14                     (II) be considered under the ex-  
15                     pedited procedures under this sub-  
16                     section.

17           (D) VOTE ON PASSAGE.—

18                     (i) IN GENERAL.—The vote on pas-  
19                     sage in the House of Representatives of  
20                     the Commission bill shall occur imme-  
21                     diately following the conclusion of the 40-  
22                     hour period for consideration of the Com-  
23                     mission bill under subparagraph (C) and a  
24                     request to establish the presence of a  
25                     quorum.

1                   (ii) OTHER MOTIONS NOT IN  
2                   ORDER.—A motion in the House of Rep-  
3                   resentatives to postpone consideration of  
4                   the Commission bill, a motion to proceed  
5                   to the consideration of other business, or a  
6                   motion to recommit the Commission bill is  
7                   not in order. A motion in the House of  
8                   Representatives to reconsider the vote by  
9                   which the Commission bill is agreed to or  
10                  not agreed to is not in order.

11               (4) CONSIDERATION BY OTHER HOUSE.—If, be-  
12               fore the passage by one House of the Commission  
13               bill that was introduced in such House, such House  
14               receives from the other House a Commission bill as  
15               passed by such other House—

16               (A) the Commission bill of the other House  
17               shall not be referred to a committee and may  
18               only be considered for passage in the House  
19               that receives it under subparagraph (C);

20               (B) the procedure in the House in receipt  
21               of the Commission bill of the other House, with  
22               respect to the Commission bill that was intro-  
23               duced in the receiving House, shall be the same  
24               as if no Commission bill had been received from  
25               the other House; and

1 (C) notwithstanding subparagraph (B), the  
2 vote on final passage shall be on the Commis-  
3 sion bill of the other House.

4 Upon disposition of a Commission bill that is re-  
5 ceived by one House from the other House, it shall  
6 no longer be in order to consider the Commission bill  
7 that was introduced in the receiving House.

8 (5) CONSIDERATION IN CONFERENCE.—

9 (A) CONVENING OF CONFERENCE.—In the  
10 case of any disagreement between the two  
11 Houses of Congress with respect to a Commis-  
12 sion bill passed by both Houses, conferees shall  
13 be promptly appointed and a conference con-  
14 vened. All motions to proceed to conference are  
15 nondebatable. The committee of conference  
16 shall make and file a report with respect to  
17 such Commission bill within 30 calendar days  
18 after the day on which managers on the part of  
19 the Senate and the House of Representatives  
20 have been appointed. Notwithstanding any rule  
21 in either House concerning the printing of con-  
22 ference reports or concerning any delay in the  
23 consideration of such reports, such report shall  
24 be acted on by both Houses not later than 5  
25 calendar days after the conference report is

1 filed in the House in which such report is filed  
2 first. In the event the conferees are unable to  
3 agree within 30 calendar days after the date on  
4 which the conference was convened, they shall  
5 report back to their respective Houses in dis-  
6 agreement.

7 (B) CONFERENCE REPORT DEFEATED.—  
8 Should the conference report be defeated, de-  
9 bate on any request for a new conference and  
10 the appointment of conferees shall be limited to  
11 1 hour, to be equally divided between, and con-  
12 trolled by, the manager of the conference report  
13 and the minority leader or the minority leader's  
14 designee, and should any motion be made to in-  
15 struct the conferees before the conferees are  
16 named, debate on such motion shall be limited  
17 to ½ hour, to be equally divided between, and  
18 controlled by, the mover and the manager of  
19 the conference report. Debate on any amend-  
20 ment to any such instructions shall be limited  
21 to 20 minutes, to be equally divided between,  
22 and controlled by, the mover and the manager  
23 of the conference report. In all cases when the  
24 manager of the conference report is in favor of  
25 any motion, appeal, or amendment, the time in

1           opposition shall be under the control of the mi-  
2           nority leader or the minority leader's designee.

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