H.R. 1642

To give the President legislative, line-item veto authority over budget authority in appropriations bills in fiscal years 1994 and 1995.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1993

Mr. Castle (for himself, Mr. Quinn, and Mr. Blute) introduced the following bill; which was referred jointly to the Committees on Government Operations and Rules

A BILL

To give the President legislative, line-item veto authority over budget authority in appropriations bills in fiscal years 1994 and 1995.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as “The Legislative Line Item Veto Act of 1993”.

SEC. 2. LEGISLATIVE LINE ITEM VETO RESCISSION AUTHORITY.

(a) IN GENERAL.—Notwithstanding the provisions of part B of title X of The Congressional Budget and Im
poundment Control Act of 1974, and subject to the provi-
sions of this section, the President may rescind all or part
of any discretionary budget authority for fiscal years 1994
or 1995 which is subject to the terms of this Act if the
President—

(1) determines that—

(A) such rescission would help balance the
Federal budget, reduce the Federal budget defi-
cit, or reduce the public debt;

(B) such rescission will not impair any es-
sential Government functions;

(C) such rescission will not harm the na-
tional interest; and

(D) such rescission will directly contribute
to the purpose of this Act of limiting discre-
tionary spending in fiscal years 1994 or 1995,
as the case may be; and

(2) notifies the Congress of such rescission by
a special message not later than twenty calendar
days (not including Saturdays, Sundays, or holidays)
after the date of enactment of a regular or supple-
mental appropriations act for fiscal year 1994 or
1995 or a joint resolution making continuing appro-
priations providing such budget authority for fiscal
year 1994 or 1995, as the case may be.
The President shall submit a separate rescission message for each appropriations bill under this paragraph.

SEC. 3. RESCISSION EFFECTIVE UNLESS DISAPPROVED.

(a) Any amount of budget authority rescinded under this Act as set forth in a special message by the President shall be deemed canceled unless during the period described in subsection (b), a rescission disapproval bill making available all of the amount rescinded is enacted into law.

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

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

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

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

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

SEC. 4. DEFINITIONS.

For purposes of this Act—

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

(b) the term "Calendar days of session" shall mean only those days on which both Houses of Congress are in session.

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

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

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

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

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

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

(b) Transmission of Messages to House and Senate.—

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

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

(c) Referral of Rescission Disapproval

Bills.—Any rescission disapproval bill introduced with
respect to a special message shall be referred to the appro-
priate committees of the House of Representatives or the
Senate, as the case may be.

(d) Consideration in the Senate.—

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

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

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

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

(e) POINTS OF ORDER.—

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

(2) It shall not be in order in the Senate or the House of Representatives to consider any amendment to a rescission disapproval bill.
(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and sworn.