

110TH CONGRESS
1ST SESSION

S. 355

To establish a National Commission on Entitlement Solvency.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2007

Mr. DOMENICI (for himself and Mrs. FEINSTEIN) introduced the following bill;
which was read twice and referred to the Committee on Finance

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.

11 (2) CALENDAR DAY.—The term “calendar day”
12 means a calendar day other than one in which either

1 House is not in session because of an adjournment
2 of more than 3 days to a date certain.

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

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

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

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

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

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

22 (9) SOCIAL SECURITY.—The term “Social Secu-
23 rity” means the program of old-age, survivors, and
24 disability insurance benefits established under title

1 II of the Social Security Act (42 U.S.C. 401 et
2 seq.).

3 (10) SOLVENCY OF MEDICARE PROGRAM.—

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

12 (B) TREATMENT OF NEW REVENUE.—

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

