

111TH CONGRESS
1ST SESSION

S. 640

To provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures.

IN THE SENATE OF THE UNITED STATES

MARCH 19, 2009

Mr. GREGG (for himself and Mr. LIEBERMAN) introduced the following bill;
which was read twice and referred to the Committee on the Budget

A BILL

To provide Congress a second look at wasteful spending by establishing enhanced rescission authority under fast-track procedures.

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 “Second Look at Waste-
5 ful Spending Act of 2009”.

6 **SEC. 2. ENHANCED RESCISSION AUTHORITY.**

7 (a) IN GENERAL.—Title X of the Congressional
8 Budget and Impoundment Control Act of 1974 (2 U.S.C.
9 621 et seq.) is amended by striking part C and inserting
10 the following:

1 **“PART C—ENHANCED RESCISSION AUTHORITY**
 2 **“SEC. 1021. EXPEDITED CONSIDERATION OF CERTAIN PRO-**
 3 **POSED RESCISSIONS.**

4 “(a) PROPOSED RESCISSIONS.—The President may
 5 send a special message, at the time and in the manner
 6 provided in subsection (b), that proposes to rescind dollar
 7 amounts of discretionary budget authority, items of direct
 8 spending, and targeted tax benefits.

9 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

10 “(1) SPECIAL MESSAGE.—

11 “(A) IN GENERAL.—

12 “(i) FOUR MESSAGES.—The President
 13 may transmit to Congress not to exceed 4
 14 special messages per calendar year, pro-
 15 posing to rescind dollar amounts of discre-
 16 tionary budget authority, items of direct
 17 spending, and targeted tax benefits.

18 “(ii) TIMING.—Special messages may
 19 be transmitted under clause (i)—

20 “(I) with the President’s budget
 21 submitted pursuant to section 1105 of
 22 title 31, United States Code; and

23 “(II) 3 other times as determined
 24 by the President.

25 “(iii) LIMITATIONS.—

1 “(I) IN GENERAL.—Special mes-
2 sages shall be submitted within 1 cal-
3 endar year of the date of enactment of
4 any dollar amount of discretionary
5 budget authority, item of direct
6 spending, or targeted tax benefit the
7 President proposes to rescind pursu-
8 ant to this Act.

9 “(II) RESUBMITTAL RE-
10 JECTED.—If Congress rejects a bill
11 introduced under this part, the Presi-
12 dent may not resubmit any of the dol-
13 lar amounts of discretionary budget
14 authority, items of direct spending, or
15 targeted tax benefits in that bill under
16 this part, or part B with respect to
17 dollar amounts of discretionary budg-
18 et authority.

19 “(III) RESUBMITTAL AFTER SINE
20 DIE.—If Congress does not complete
21 action on a bill introduced under this
22 part because Congress adjourns sine
23 die, the President may resubmit some
24 or all of the dollar amounts of discre-
25 tionary budget authority, items of di-

1 rect spending, and targeted tax bene-
 2 fits in that bill in not more than 1
 3 subsequent special message under this
 4 part, or part B with respect to dollar
 5 amounts of discretionary budget au-
 6 thority.

7 “(B) CONTENTS OF SPECIAL MESSAGE.—

8 Each special message shall specify, with respect
 9 to the dollar amount of discretionary budget au-
 10 thority, item of direct spending, or targeted tax
 11 benefit proposed to be rescinded—

12 “(i) the dollar amount of discretionary
 13 budget authority available and proposed
 14 for rescission from accounts, departments,
 15 or establishments of the government and
 16 the dollar amount of the reduction in out-
 17 lays that would result from the enactment
 18 of such rescission of discretionary budget
 19 authority for the time periods set forth in
 20 clause (iii);

21 “(ii) the specific items of direct spend-
 22 ing and targeted tax benefits proposed for
 23 rescission and the dollar amounts of the
 24 reductions in budget authority and outlays
 25 or increases in receipts that would result

1 from enactment of such rescission for the
2 time periods set forth in clause (iii);

3 “(iii) the budgetary effects of pro-
4 posals for rescission, estimated as of the
5 date the President submits the special
6 message, relative to the most recent levels
7 calculated consistent with the methodology
8 described in section 257 of the Balanced
9 Budget and Emergency Deficit Control Act
10 of 1985 and included with a budget sub-
11 mission under section 1105(a) of title 31,
12 United States Code, for the time periods
13 of—

14 “(I) the fiscal year in which the
15 proposal is submitted; and

16 “(II) each of the 10 following fis-
17 cal years beginning with the fiscal
18 year after the fiscal year in which the
19 proposal is submitted;

20 “(iv) any account, department, or es-
21 tablishment of the Government to which
22 such dollar amount of discretionary budget
23 authority or item of direct spending is
24 available for obligation, and the specific
25 project or governmental functions involved;

1 “(v) the reasons why such dollar
 2 amount of discretionary budget authority
 3 or item of direct spending or targeted tax
 4 benefit should be rescinded;

5 “(vi) the estimated fiscal and eco-
 6 nomic impacts, of the proposed rescission;

7 “(vii) to the maximum extent prac-
 8 ticable, all facts, circumstances, and con-
 9 siderations relating to or bearing upon the
 10 proposed rescission and the decision to ef-
 11 fect the proposed rescission, and the esti-
 12 mated effect of the proposed rescission
 13 upon the objects, purposes, and programs
 14 for which the budget authority or items of
 15 direct spending or targeted tax benefits are
 16 provided; and

17 “(viii) a draft bill that, if enacted,
 18 would rescind the budget authority, items
 19 of direct spending and targeted tax bene-
 20 fits proposed to be rescinded in that spe-
 21 cial message.

22 “(2) ANALYSIS BY CONGRESSIONAL BUDGET
 23 OFFICE AND JOINT COMMITTEE ON TAXATION.—

24 “(A) IN GENERAL.—Upon the receipt of a
 25 special message under this part proposing to re-

1 scind dollar amounts of discretionary budget
2 authority, items of direct spending, and tar-
3 geted tax benefits—

4 “(i) the Director of the Congressional
5 Budget Office shall prepare an estimate of
6 the savings in budget authority or outlays
7 resulting from such proposed rescission
8 and shall include in its estimate, an anal-
9 ysis prepared by the Joint Committee on
10 Taxation related to targeted tax benefits;
11 and

12 “(ii) the Director of the Joint Com-
13 mittee on Taxation shall prepare an esti-
14 mate and forward such estimate to the
15 Congressional Budget Office, of the sav-
16 ings from repeal of targeted tax benefits.

17 “(B) METHODOLOGY.—The estimates re-
18 quired by subparagraph (A) shall be made rel-
19 ative to the most recent levels calculated con-
20 sistent with the methodology used to calculate
21 a baseline under section 257 of the Balanced
22 Budget and Emergency Control Act of 1985
23 and included with a budget submission under
24 section 1105(a) of title 31, United States Code,
25 and transmitted to the chairmen of the Com-

mittees on the Budget of the House of Representatives and Senate.

“(3) ENACTMENT OF RESCISSION BILL.—

“(A) DEFICIT REDUCTION.—Amounts of budget authority or items of direct spending or targeted tax benefit that are rescinded pursuant to enactment of a bill as provided under this part shall be dedicated only to deficit reduction and shall not be used as an offset for other spending increases or revenue reductions.

“(B) ADJUSTMENT OF BUDGET TARGETS.—Not later than 5 days after the date of enactment of a rescission bill as provided under this part, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise spending and revenue levels under section 311(a) of the Congressional Budget Act of 1974 and adjust the committee allocations under section 302(a) of the Congressional Budget Act of 1974 or any other adjustments as may be appropriate to reflect the rescission. The adjustments shall reflect the budgetary effects of such rescissions as estimated by the President pursuant to paragraph (1)(B)(iii). The appropriate committees shall

1 report revised allocations pursuant to section
 2 302(b) of the Congressional Budget Act of
 3 1974. Notwithstanding any other provision of
 4 law, the revised allocations and aggregates shall
 5 be considered to have been made under a con-
 6 current resolution on the budget agreed to
 7 under the Congressional Budget Act of 1974
 8 and shall be enforced under the procedures of
 9 that Act.

10 “(C) ADJUSTMENTS TO CAPS.—After en-
 11 actment of a rescission bill as provided under
 12 this part, the President shall revise applicable
 13 limits under the Second Look at Wasteful
 14 Spending Act of 2009, as appropriate.

15 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
 16 ATION.—

17 “(1) IN GENERAL.—

18 “(A) INTRODUCTION.—Before the close of
 19 the second day of session of the Senate and the
 20 House of Representatives, respectively, after the
 21 date of receipt of a special message transmitted
 22 to Congress under subsection (b), the majority
 23 leader of each House, for himself, or minority
 24 leader of each House, for himself, or a Member
 25 of that House designated by that majority lead-

er or minority leader shall introduce (by request) the President’s draft bill to rescind the amounts of budget authority or items of direct spending or targeted tax benefits, as specified in the special message and the President’s draft bill. If the bill is not introduced as provided in the preceding sentence in either House, then, on the third day of session of that House after the date of receipt of that special message, any Member of that House may introduce the bill.

“(B) REFERRAL AND REPORTING.—

“(i) ONE COMMITTEE.—The bill shall be referred by the presiding officer to the appropriate committee. The committee shall report the bill without any revision and with a favorable, an unfavorable, or without recommendation, not later than the fifth day of session of that House after the date of introduction of the bill in that House. If the committee fails to report the bill within that period, the committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

“(ii) MULTIPLE COMMITTEES.—

1 “(I) REFERRALS.—If a bill con-
2 tains provisions in the jurisdiction of
3 more than 1 committee, the bill shall
4 be jointly referred to the committees
5 of jurisdiction and the Committee on
6 the Budget.

7 “(II) VIEWS OF COMMITTEE.—
8 Any committee, other than the Com-
9 mittee on the Budget, to which a bill
10 is referred under this clause may sub-
11 mit a favorable, an unfavorable rec-
12 ommendation, without recommenda-
13 tion with respect to the bill to the
14 Committee on the Budget prior to the
15 reporting or discharge of the bill.

16 “(III) REPORTING.—The Com-
17 mittee on the Budget shall report the
18 bill not later than the fifth day of ses-
19 sion of that House after the date of
20 introduction of the bill in that House,
21 without any revision and with a favor-
22 able or unfavorable recommendation,
23 or with no recommendation, together
24 with the recommendations of any

1 committee to which the bill has been
2 referred.

3 “(IV) DISCHARGE.—If the Com-
4 mittee on the Budget fails to report
5 the bill within that period, the com-
6 mittee shall be automatically dis-
7 charged from consideration of the bill,
8 and the bill shall be placed on the ap-
9 propriate calendar.

10 “(C) FINAL PASSAGE.—A vote on final
11 passage of the bill shall be taken in the Senate
12 and the House of Representatives on or before
13 the close of the 10th day of session of that
14 House after the date of the introduction of the
15 bill in that House. If the bill is passed, the
16 Clerk of the House of Representatives shall
17 cause the bill to be transmitted to the Senate
18 before the close of the next day of session of the
19 House.

20 “(2) CONSIDERATION IN THE HOUSE OF REP-
21 RESENTATIVES.—

22 “(A) MOTION TO PROCEED TO CONSIDER-
23 ATION.—A motion in the House of Representa-
24 tives to proceed to the consideration of a bill
25 under this subsection shall be highly privileged

1 and not debatable. An amendment to the mo-
2 tion shall not be in order, nor shall it be in
3 order to move to reconsider the vote by which
4 the motion is agreed to or disagreed to.

5 “(B) LIMITS ON DEBATE.—Debate in the
6 House of Representatives on a bill under this
7 subsection shall not exceed 4 hours, which shall
8 be divided equally between those favoring and
9 those opposing the bill. A motion further to
10 limit debate shall not be debatable. It shall not
11 be in order to move to recommit a bill under
12 this subsection or to move to reconsider the
13 vote by which the bill is agreed to or disagreed
14 to.

15 “(C) APPEALS.—Appeals from decisions of
16 the chair relating to the application of the
17 Rules of the House of Representatives to the
18 procedure relating to a bill under this part shall
19 be decided without debate.

20 “(D) APPLICATION OF HOUSE RULES.—
21 Except to the extent specifically provided in this
22 part, consideration of a bill under this part
23 shall be governed by the Rules of the House of
24 Representatives. It shall not be in order in the
25 House of Representatives to consider any bill

1 introduced pursuant to the provisions of this
2 part under a suspension of the rules or under
3 a special rule.

4 “(3) CONSIDERATION IN THE SENATE.—

5 “(A) MOTION TO PROCEED TO CONSIDER-
6 ATION.—A motion to proceed to the consider-
7 ation of a bill under this subsection in the Sen-
8 ate shall not be debatable. A motion to proceed
9 to consideration of the bill may be made even
10 though a previous motion to the same effect has
11 been disagreed to. It shall not be in order to
12 move to reconsider the vote by which the mo-
13 tion to proceed is agreed to or disagreed to.

14 “(B) LIMITS ON CONSIDERATION.—Con-
15 sideration in the Senate of a bill under this sub-
16 section, and all debatable motions and appeals
17 in connection therewith, shall not exceed a total
18 of 10 hours, equally divided and controlled in
19 the usual form.

20 “(C) DEBATABLE MOTIONS AND AP-
21 PEALS.—Debate in the Senate on any debatable
22 motion or appeal in connection with a bill under
23 this subsection shall be limited to not more
24 than 1 hour from the time allotted for debate,

1 to be equally divided and controlled in the usual
2 form.

3 “(D) MOTION TO LIMIT DEBATE.—A mo-
4 tion in the Senate to further limit debate on a
5 bill under this subsection is not debatable.

6 “(E) MOTION TO RECOMMIT.—A motion to
7 recommit a bill under this subsection is not in
8 order.

9 “(F) CONSIDERATION OF THE HOUSE
10 BILL.—

11 “(i) IN GENERAL.—If the Senate has
12 received the House companion bill to the
13 bill introduced in the Senate prior to the
14 vote required under paragraph (1)(C), and
15 the House has not amended the bill, then
16 the Senate shall consider the Senate bill,
17 and if the Senate has not amended it’s bill,
18 the vote under paragraph (1)(C) shall
19 occur on, the House companion bill.

20 “(ii) PROCEDURE AFTER VOTE ON
21 SENATE BILL.—If the Senate votes, pursu-
22 ant to paragraph (1)(C), on the bill intro-
23 duced in the Senate without amendment,
24 the Senate bill shall be held pending re-
25 ceipt of the House message on the bill.

1 Upon receipt of the House companion bill,
2 if the House bill is not amended by the
3 House, the House bill shall be deemed to
4 be considered, read for the third time, and
5 the vote on passage of the Senate bill shall
6 be considered to be the vote on the bill re-
7 ceived from the House.

8 “(4) CONFERENCE.—

9 “(A) PROCEEDING TO CONFERENCE.—If,
10 after a bill is agreed to in the Senate and
11 House of Representatives, the bill has been
12 amended by either chamber, the bill shall be
13 deemed to be at a stage of disagreement and
14 motions to proceed to conference are deemed to
15 be agreed to. There shall be no motions to in-
16 struct. The Senate and the House of Represent-
17 atives shall appoint conferees not later than 1
18 day of session after the vote of the second
19 House under paragraph (1)(C).

20 “(B) PERIOD OF CONSIDERATION.—A con-
21 ference report on a bill considered under this
22 section shall be reported out not later than 3
23 days of session after the vote of the second
24 House under paragraph (1)(C). If the 2 Houses
25 are unable to agree in conference, the com-

1 mittee on conference shall report out the text of
2 the President's original bill.

3 “(C) SCOPE OF CONFERENCE.—The mat-
4 ter committed to conference for purposes of
5 scope of conference shall be limited to the mat-
6 ter stricken from the text of the bills passed by
7 the Senate and the House of Representatives.
8 The conferees shall only report recommenda-
9 tions to strike or retain any of the provisions
10 stricken by either chamber.

11 “(D) PROCEDURE.—Consideration on a
12 conference report on any bill considered under
13 this section shall be limited to 2 hours equally
14 divided between the manager of the conference
15 report and the minority leader, or his designee.

16 “(E) FINAL PASSAGE.—A vote on final
17 passage of the conference report shall be taken
18 in the House of Representatives on or before
19 the close of the 2nd day of session after the
20 date the conference report is submitted. If the
21 conference report is passed, the Clerk of the
22 House of Representatives shall cause the con-
23 ference report to be transmitted to the Senate
24 before the close of the next day of session.

1 “(F) ACTION OF THE SENATE.—A vote on
 2 final passage of the conference report shall be
 3 taken in the Senate on or before the close of
 4 the 2nd day of session after the date the con-
 5 ference report is received from the House.

6 “(d) AMENDMENTS AND DIVISIONS PROHIBITED.—

7 “(1) IN GENERAL.—Except as provided in para-
 8 graph (2), no amendment to a bill considered under
 9 this section shall be in order in either the Senate or
 10 the House of Representatives.

11 “(2) MOTION TO STRIKE.—

12 “(A) SENATE.—During consideration of a
 13 bill in the Senate, any Member of the Senate
 14 may move to strike any proposed rescission of
 15 a dollar amount of discretionary budget author-
 16 ity, an item of direct spending, or a targeted
 17 tax benefit if supported by 11 other Members.

18 “(B) HOUSE.—During consideration of a
 19 bill in the House of Representatives, any Mem-
 20 ber of the House of Representatives may move
 21 to strike any proposed rescission of a dollar
 22 amount of discretionary budget authority, an
 23 item of direct spending, or a targeted tax ben-
 24 efit if supported by 49 other Members.

1 “(3) NO DIVISION.—It shall not be in order to
2 demand a division of any motions to strike in the
3 Senate, or the division of the question in the House
4 of Representatives (or in a Committee of the Whole).

5 “(4) NO SUSPENSION.—No motion to suspend
6 the application of this subsection shall be in order
7 in the Senate or in the House of Representatives,
8 nor shall it be in order in the House of Representa-
9 tives to suspend the application of this subsection by
10 unanimous consent.

11 “(e) TEMPORARY PRESIDENTIAL AUTHORITY TO
12 WITHHOLD.—

13 “(1) AVAILABILITY.—The President may not
14 withhold any dollar amount of discretionary budget
15 authority until the President transmits and Congress
16 receives a special message pursuant to subsection
17 (b). Upon receipt by Congress of a special message
18 pursuant to subsection (b), the President may direct
19 that any dollar amount of discretionary budget au-
20 thority proposed to be rescinded in that special mes-
21 sage shall be withheld from obligation for a period
22 not to exceed 45 calendar days from the date of re-
23 ceipt by Congress.

24 “(2) EARLY AVAILABILITY.—The President
25 may make any dollar amount of discretionary budget

1 authority withheld from obligation pursuant to para-
 2 graph (1) available at an earlier time if the Presi-
 3 dent determines that continued withholding would
 4 not further the purposes of this Act.

5 “(f) TEMPORARY PRESIDENTIAL AUTHORITY TO
 6 SUSPEND.—

7 “(1) SUSPEND.—

8 “(A) IN GENERAL.—The President may
 9 not suspend the execution of any item of direct
 10 spending or targeted tax benefit until the Presi-
 11 dent transmits and Congress receives a special
 12 message pursuant to subsection (b). Upon re-
 13 ceipt by Congress of a special message, the
 14 President may suspend the execution of any
 15 item of direct spending or targeted tax benefit
 16 proposed to be rescinded in that message for a
 17 period not to exceed 45 calendar days from the
 18 date of receipt by Congress.

19 “(B) LIMITATION ON 45-DAY PERIOD.—
 20 The 45-day period described in subparagraph
 21 (A) shall be reduced by the number of days
 22 contained in the period beginning on the effec-
 23 tive date of the item of direct spending or tar-
 24 geted tax benefit; and ending on the date that
 25 is the later of—

1 “(i) the effective date of the item of
2 direct spending or targeted benefit; or

3 “(ii) the date that Congress receives
4 the special message.

5 “(C) CLARIFICATION.—Notwithstanding
6 subparagraph (B), in the case of an item of di-
7 rect spending or targeted tax benefit with an ef-
8 fective date within 45 days after the date of en-
9 actment, the beginning date of the period cal-
10 culated under subparagraph (B) shall be the
11 date that is 45 days after the date of enactment
12 and the ending date shall be the date that is
13 the later of—

14 “(i) the date that is 45 days after en-
15 actment; or

16 “(ii) the date that Congress receives
17 the special message.

18 “(2) EARLY AVAILABILITY.—The President
19 may terminate the suspension of any item of direct
20 spending or targeted tax benefit suspended pursuant
21 to paragraph (1) at an earlier time if the President
22 determines that continuation of the suspension
23 would not further the purposes of this Act.

24 “(g) DEFINITIONS.—In this part:

1 “(1) APPROPRIATION LAW.—The term ‘appro-
 2 piation law’ means any general or special appro-
 3 piation Act, and any Act or joint resolution making
 4 supplemental, deficiency, or continuing appropria-
 5 tions.

6 “(2) CALENDAR DAY.—The term ‘calendar day’
 7 means a standard 24-hour period beginning at mid-
 8 night.

9 “(3) DAYS OF SESSION.—The term ‘days of
 10 session’ means only those days on which both
 11 Houses of Congress are in session.

12 “(4) DOLLAR AMOUNT OF DISCRETIONARY
 13 BUDGET AUTHORITY.—The term ‘dollar amount of
 14 discretionary budget authority’ means the dollar
 15 amount of budget authority and obligation limita-
 16 tions—

17 “(A) specified in an appropriation law, or
 18 the dollar amount of budget authority required
 19 to be allocated by a specific proviso in an ap-
 20 propriation law for which a specific dollar figure
 21 was not included;

22 “(B) represented separately in any table,
 23 chart, or explanatory text included in the state-
 24 ment of managers or the governing committee
 25 report accompanying such law;

1 “(C) required to be allocated for a specific
 2 program, project, or activity in a law (other
 3 than an appropriation law) that mandates obli-
 4 gations from or within accounts, programs,
 5 projects, or activities for which budget authority
 6 or an obligation limitation is provided in an ap-
 7 propriation law;

8 “(D) represented by the product of the es-
 9 timated procurement cost and the total quantity
 10 of items specified in an appropriation law or in-
 11 cluded in the statement of managers or the gov-
 12 erning committee report accompanying such
 13 law; or

14 “(E) represented by the product of the es-
 15 timated procurement cost and the total quantity
 16 of items required to be provided in a law (other
 17 than an appropriation law) that mandates obli-
 18 gations from accounts, programs, projects, or
 19 activities for which dollar amount of discre-
 20 tionary budget authority or an obligation limita-
 21 tion is provided in an appropriation law.

22 “(5) RESCIND OR RESCISSION.—The term ‘re-
 23 scind’ or ‘rescission’ means—

24 “(A) in the case of a dollar amount of dis-
 25 cretionary budget authority, to reduce or repeal

1 a provision of law to prevent that budget au-
2 thority or obligation limitation from having
3 legal force or effect; and

4 “(B) in the case of direct spending or tar-
5 geted tax benefit, to repeal a provision of law
6 in order to prevent the specific legal obligation
7 of the United States from having legal force or
8 effect.

9 “(6) DIRECT SPENDING.—The term ‘direct
10 spending’ means budget authority provided by law
11 (other than an appropriation law), mandatory spend-
12 ing provided in appropriation Acts, and entitlement
13 authority.

14 “(7) ITEM OF DIRECT SPENDING.—The term
15 ‘item of direct spending’ means any specific provi-
16 sion of law enacted after the effective date of the
17 Second Look at Wasteful Spending Act of 2009 that
18 is estimated to result in an increase in budget au-
19 thority or outlays for direct spending relative to the
20 most recent levels calculated consistent with the
21 methodology described in section 257 of the Bal-
22 anced Budget and Emergency Deficit Control Act of
23 1985 and included with a budget submission under
24 section 1105(a) of title 31, United States Code, and,
25 with respect to estimates made after that budget

1 submission that are not included with it, estimates
 2 consistent with the economic and technical assump-
 3 tions underlying the most recently submitted Presi-
 4 dent’s budget.

5 “(8) SUSPEND THE EXECUTION.—The term
 6 ‘suspend the execution’ means, with respect to an
 7 item of direct spending or a targeted tax benefit, to
 8 stop the carrying into effect of the specific provision
 9 of law that provides such benefit.

10 “(9) TARGETED TAX BENEFIT.—The term ‘tar-
 11 geted tax benefit’ means—

12 “(A) any revenue provision that has the
 13 practical effect of providing more favorable tax
 14 treatment to a particular taxpayer or limited
 15 group of taxpayers when compared with other
 16 similarly situated taxpayers; or

17 “(B) any Federal tax provision which pro-
 18 vides one beneficiary temporary or permanent
 19 transition relief from a change to the Internal
 20 Revenue Code of 1986.”.

21 (b) EXERCISE OF RULEMAKING POWERS.—Section
 22 904 of the Congressional Budget Act of 1974 (2 U.S.C.
 23 621 note) is amended—

24 (1) in subsection (a), by striking “and 1017”
 25 and inserting “1017, and 1021”; and

1 (2) in subsection (d), by striking “section
2 1017” and inserting “sections 1017 and 1021”.

3 (c) CLERICAL AMENDMENTS.—

4 (1) SHORT TITLE.—Section 1(a) of the Con-
5 gressional Budget and Impoundment Control Act of
6 1974 is amended by—

7 (A) striking “Parts A and B” before “title
8 X” and inserting “Parts A, B, and C”; and

9 (B) striking the last sentence and inserting
10 at the end the following new sentence: “Part C
11 of title X also may be cited as the ‘Second Look
12 at Wasteful Spending Act of 2009’.”.

13 (2) TABLE OF CONTENTS.—The table of con-
14 tents set forth in section 1(b) of the Congressional
15 Budget and Impoundment Control Act of 1974 is
16 amended by deleting the contents for part C of title
17 X and inserting the following:

“PART C—ENHANCED RESCISSION AUTHORITY

“Sec. 1021. Expedited consideration of certain proposed rescissions.”.

18 (d) SEVERABILITY.—If any provision of this Act or
19 the amendments made by it is held to be unconstitutional,
20 the remainder of this Act and the amendments made by
21 it shall not be affected by the holding.

22 (e) EFFECTIVE DATE AND EXPIRATION.—

23 (1) EFFECTIVE DATE.—The amendments made
24 by this Act shall—

1 (A) take effect on the date of enactment of
2 this Act; and

3 (B) apply to any dollar amount of discre-
4 tionary budget authority, item of direct spend-
5 ing, or targeted tax benefit provided in an Act
6 enacted on or after the date of enactment of
7 this Act.

8 (2) EXPIRATION.—The amendments made by
9 this Act shall expire on December 31, 2010.

○