

President Submits Line Item Veto Legislation to Congress

"Today, I'm sending Congress legislation that will meet standards and give me the authority to strip special spending and earmarks out of a bill, and then send them back to Congress for an up or down vote. By passing this version of the line item veto, the administration will work with the Congress to reduce wasteful spending, reduce the budget deficit, and ensure that taxpayer dollars are spent wisely," President Bush, March 6, 2006.

Today's Presidential Action:

Today, President Bush sent to Congress line item veto legislation that is designed to rein in wasteful spending, reduce the budget deficit, and improve accountability. The proposed legislation is also consistent with the Constitution.

- **Legislative Line Item Veto Act:** Special, fast-track procedures would be created to guarantee an up-or-down vote by simple majority in Congress on a proposal by the President to rescind specific spending or tax legislation that has been passed. Leaders from both the Republican and Democratic parties, in the House and the Senate, have supported this approach in the past.

The Legislative Line Item Veto Will Help Reduce Earmarks. Giving the President enhanced authority to seek rescission of new spending will help ensure that taxpayer dollars are not wasted on unjustified earmarks that are not national priorities. Since the Supreme Court struck down the Line Item Veto Act in 1998, the number of earmarks has significantly increased.

The Line Item Veto Has A Long History of Bipartisan Support. At least 11 presidents from both parties have called for the authority to address individual spending items wrapped into larger bills: Ulysses Grant, Rutherford Hayes, Chester Arthur, Franklin Roosevelt, Harry Truman, Dwight Eisenhower, Richard Nixon, Gerald Ford, Ronald Reagan, George H.W. Bush, and Bill Clinton. The governors of 43 of the 50 states already have this authority.

The President's Proposal Is Fully Consistent with the Constitution. In its 1998 ruling striking down the Line Item Veto Act of 1996, the Supreme Court concluded that the Act "g[ave] the President the unilateral power to change the text of duly enacted statutes." The Legislative Line Item Veto Act does not raise those constitutional issues because the President's rescission proposals must be enacted by both houses of Congress and signed into law.