

Boehkert	Harman	Payne (VA)
Boehner	Hastert	Peterson (FL)
Bonilla	Hastings (WA)	Peterson (MN)
Bono	Hayes	Petri
Borski	Hayworth	Pickett
Boucher	Hefley	Pombo
Brownback	Hefner	Porter
Bunn	Heineman	Portman
Bunning	Herger	Poshard
Burr	Hilleary	Pryce
Burton	Hobson	Quillen
Buyer	Hoekstra	Quinn
Callahan	Hoke	Radanovich
Calvert	Holden	Ramstad
Camp	Horn	Regula
Canady	Hostettler	Richardson
Cardin	Houghton	Riggs
Castle	Hoyer	Roberts
Chabot	Hunter	Roemer
Chambliss	Hutchinson	Rogers
Christensen	Hyde	Rohrabacher
Chryslers	Inglis	Ros-Lehtinen
Clinger	Istook	Rose
Coble	Johnson (CT)	Roth
Coburn	Johnson, Sam	Roukema
Collins (GA)	Jones	Royce
Combest	Kasich	Salmon
Condit	Kelly	Sanford
Cooley	Kennelly	Sawyer
Costello	Kim	Saxton
Cox	King	Scarborough
Crane	Kingston	Schaefer
Crapo	Klug	Schiff
Creameans	Knollenberg	Schumer
Cubin	Kolbe	Seastrand
Cunningham	LaHood	Sensenbrenner
Davis	Largent	Shadegg
de la Garza	Latham	Shaw
DeLay	LaTourrette	Shays
Deutsch	Laughlin	Shuster
Diaz-Balart	Lazio	Sisisky
Dickey	Leach	Skeen
Dicks	Levin	Skelton
Dooley	Lewis (CA)	Smith (MI)
Doolittle	Lewis (KY)	Smith (NJ)
Dornan	Lightfoot	Smith (TX)
Dreier	Linder	Smith (WA)
Duncan	Lipinski	Solomon
Dunn	Livingston	Souder
Edwards	LoBiondo	Spence
Ehlers	Longley	Spratt
Ehrlich	Lowe	Stearns
Emerson	Lucas	Stockman
English	Maloney	Stump
Ensign	Manzullo	Talent
Everett	Martini	Tanner
Ewing	Matsui	Tate
Fawell	McCollum	Tauzin
Fields (TX)	McCrery	Taylor (NC)
Flanagan	McHale	Tejeda
Foley	McHugh	Thomas
Forbes	McInnis	Thornberry
Fowler	McIntosh	Thornton
Fox	McKeon	Tiahrt
Franks (CT)	McNulty	Torkildsen
Franks (NJ)	Metcalf	Torricelli
Frelinghuysen	Meyers	Upton
Frist	Mica	Visclosky
Funderburk	Miller (FL)	Vucanovich
Galleghy	Molinari	Waldholtz
Ganske	Moorhead	Walker
Gekas	Moran	Walsh
Geran	Morella	Wamp
Gilchrist	Murtha	Weldon (FL)
Gillmor	Myers	Weldon (PA)
Gilman	Myrick	Weller
Goodlatte	Nethercutt	White
Goodling	Neumann	Whitfield
Goss	Ney	Wicker
Graham	Norwood	Wilson
Greenwood	Nussle	Wolf
Gunderson	Ortiz	Young (AK)
Gutknecht	Orton	Young (FL)
Hall (OH)	Oxley	Zeliff
Hall (TX)	Packard	Zimmer
Hancock	Parker	
Hansen	Paxon	

NOT VOTING—10

Becerra	Frost	Tucker
Bryant (TN)	Jacobs	Watts (OK)
Chenoweth	Jefferson	
Ford	McDade	

So the amendment was not agreed to.

20.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment in the nature of a substitute submitted by Mr. STENHOLM:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Line Item Veto Act".

TITLE I—LINE ITEM VETO

SEC. 101. LINE ITEM VETO AUTHORITY.

(a) IN GENERAL.—Notwithstanding the provisions of part B of title X of The Congressional Budget and Impoundment Control Act of 1974, and subject to the provisions of this section, the President may rescind all or part of the dollar amount of any discretionary budget authority specified in an appropriation Act or an accompanying committee report or joint explanatory statement accompanying a conference report on that Act or veto any targeted tax benefit which is subject to the terms of this Act if the President—

(1) determines that—
(A) such rescission or veto would help reduce the Federal budget deficit;

(B) such rescission or veto will not impair any essential Government functions; and

(C) such rescission or veto will not harm the national interest; and

(2) notifies the Congress of such rescission or veto by a special message not later than ten calendar days (not including Sundays) after the date of enactment of an appropriation Act providing such budget authority or a revenue or reconciliation Act containing a targeted tax benefit.

(b) DEFICIT REDUCTION.—In each special message, the President may also propose to reduce the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974 by an amount that does not exceed the total amount of discretionary budget authority rescinded by that message.

(c) SEPARATE MESSAGES.—The President shall submit a separate special message for each appropriation Act and for each revenue or reconciliation Act under this paragraph.

(d) SPECIAL RULE.—For any rescission of budget authority, the President may either submit a special message under this section or under section 1012 of the Impoundment Control Act of 1974. Funds proposed to be rescinded under this section may not be proposed to be rescinded under section 1012 of that Act.

SEC. 102. LINE ITEM VETO EFFECTIVE UNLESS DISAPPROVED.

(a)(1) Any amount of budget authority rescinded under section 101 as set forth in a special message by the President shall be deemed canceled unless, during the period described in subsection (b), a rescission/receipts disapproval bill making available all of the amount rescinded is enacted into law.

(2) Any provision of law vetoed under section 101 as set forth in a special message by the President shall be deemed repealed unless, during the period described in subsection (b), a rescission/receipts disapproval bill restoring that provision is enacted into law.

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

(1) a congressional review period of twenty calendar days of session, beginning on the first calendar day of session after the date of submission of the special message, during which Congress must complete action on the rescission/receipts 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/receipts disapproval bill; and

(3) if the President vetoes the rescission/receipts 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 section 101 and the last session of the Congress adjourns sine die before the expiration of the period described in subsection (b), the rescission or veto, as the case may be, shall not take effect. The message shall be deemed to have been retransmitted on the first Monday in February 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. 103. DEFINITIONS.

As used in this title:

(1) The term "rescission/receipts disapproval bill" means a bill or joint resolution which only disapproves, in whole, rescissions of discretionary budget authority or only disapproves vetoes of targeted tax benefits in a special message transmitted by the President under this Act and—

(A) which does not have a preamble;

(B)(i) in the case of a special message regarding rescissions, the matter after the enacting clause of which is as follows: "That Congress disapproves each rescission of discretionary budget authority of the President as submitted by the President in a special message on _____", the blank space being filled in with the appropriate date and the public law to which the message relates; and

(ii) in the case of a special message regarding vetoes of targeted tax benefits, the matter after the enacting clause of which is as follows: "That Congress disapproves each veto of targeted tax benefits of the President as submitted by the President in a special message on _____", the blank space being filled in with the appropriate date and the public law to which the message relates; and

(C) the title of which is as follows: "A bill disapproving the recommendations submitted by the President on _____", the blank space being filled in with the date of submission of the relevant special message and the public law to which the message relates.

(2) The term "calendar days of session" shall mean only those days on which both Houses of Congress are in session.

(3) The term "targeted tax benefit" means any provision of a revenue or reconciliation Act determined by the President to provide a Federal tax deduction, credit, exclusion, preference, or other concession to 100 or fewer beneficiaries. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities.

(4) The term "appropriation Act" means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations.

SEC. 104. CONGRESSIONAL CONSIDERATION OF LINE ITEM VEToes.

(a) PRESIDENTIAL SPECIAL MESSAGE.—Whenever the President rescinds any budget authority as provided in section 101 or vetoes any provision of law as provided in 101, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority rescinded or the provision vetoed;

(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 or veto any provisions pursuant to section 101;

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

(5) all actions, circumstances, and considerations relating to or bearing upon the rescission or veto and the decision to effect the rescission or veto, 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 section 101 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 such message shall be printed as a document of each House.

(2) Any special message transmitted under section 101 shall be printed in the first issue of the Federal Register published after such transmittal.

(c) INTRODUCTION OF RESCISSION/RECEIPTS DISAPPROVAL BILLS.—The procedures set forth in subsection (d) shall apply to any rescission/receipts disapproval bill introduced in the House of Representatives not later than the third calendar day of session beginning on the day after the date of submission of a special message by the President under section 101.

(d) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—(1) The committee of the House of Representatives to which a rescission/receipts disapproval bill is referred shall report it without amendment, and with or without recommendation, not later than the eighth calendar day of session after the date of its introduction. If the committee fails to report the bill within that period, it is in order to move that the House discharge the committee from further consideration of the bill. A motion to discharge may be made only by an individual favoring the bill (but only after the legislative day on which a Member announces to the House the Member's intention to do so). The motion is highly privileged. Debate thereon shall be limited to not more than one hour, the time to be divided in the House equally between a proponent and an opponent. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(2) After a rescission/receipts disapproval bill is reported or the committee has been discharged from further consideration, it is in order to move that the House resolve into the Committee of the Whole House on the State of the Union for consideration of the bill. All points of order against the bill and against consideration of the bill are waived. The motion is highly privileged. The previous question shall be considered as ordered on that motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. During consideration of the bill in the Committee of the Whole, the first reading of the bill shall be dispensed with. General debate shall proceed without intervening motion, shall be confined to the bill, and shall not exceed two hours equally divided and controlled by a proponent and an opponent of the bill. No amendment to the bill is in order, except any Member may move to strike the disapproval of any rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 49

other Members. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion.

(3) Appeals from the decisions of the Chair relating to the application of the rules of the House of Representatives to the procedure relating to a bill described in subsection (a) shall be decided without debate.

(4) It shall not be in order to consider more than one bill described in subsection (c) or more than one motion to discharge described in paragraph (1) with respect to a particular special message.

(5) Consideration of any rescission/receipts disapproval bill under this subsection is governed by the rules of the House of Representatives except to the extent specifically provided by the provisions of this title.

(e) CONSIDERATION IN THE SENATE.—

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

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

(3) Debate in the Senate on any debatable motions 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 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.

(f) POINTS OF ORDER.—

(1) It shall not be in order in the Senate to consider any rescission/receipts disapproval bill that relates to any matter other than the rescission of budget authority or veto of the provision of law transmitted by the President under section 101.

(2) It shall not be in order in the Senate to consider any amendment to a rescission/receipts 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.

SEC. 105. REPORTS OF THE GENERAL ACCOUNTING OFFICE.

Beginning on January 6, 1996, and at one-year intervals thereafter, the Comptroller General shall submit a report to each House of Congress which provides the following information:

(1) A list of each proposed Presidential rescission of discretionary budget authority and veto of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year, together with their dollar value, and an indication of whether each rescission of discretionary budget authority or veto of a targeted tax benefit was accepted or rejected by Congress.

(2) The total number of proposed Presidential rescissions of discretionary budget

authority and vetoes of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year, together with their total dollar value.

(3) The total number of Presidential rescissions of discretionary budget authority or vetoes of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year and approved by Congress, together with their total dollar value.

(4) A list of rescissions of discretionary budget authority initiated by Congress for the fiscal year ending during the preceding calendar year, together with their dollar value, and an indication of whether each such rescission was accepted or rejected by Congress.

(5) The total number of rescissions of discretionary budget authority initiated and accepted by Congress for the fiscal year ending during the preceding calendar year, together with their total dollar value.

(6) A summary of the information provided by paragraphs (2), (3) and (5) for each of the ten fiscal years ending before the fiscal year during this calendar year.

SEC. 106. JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any provision of this title violates the Constitution.

(2) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(3) Any action brought under paragraph (1) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

TITLE II—EXPEDITED CONSIDERATION OF PROPOSED RESCISSIONS AND TARGETED TAX BENEFITS

SEC. 201. EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS AND TARGETED TAX BENEFITS.

(a) IN GENERAL.—Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683) is amended to read as follows:

“EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS

“SEC. 1012. (a) PROPOSED RESCISSION OF BUDGET AUTHORITY OR REPEAL OF TARGETED

TAX BENEFITS.—The President may propose, at the time and in the manner provided in subsection (b), the rescission of any budget authority provided in an appropriation Act of repeal of any targeted tax benefit provided in any revenue Act. If the President proposes a rescission of budget authority, he may also propose to reduce the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974 by an amount that does not exceed the amount of the proposed rescission. Funds made available for obligation under this procedure may not be proposed for rescission again under this section.

(b) TRANSMITTAL OF SPECIAL MESSAGE.—
 (1) The President may transmit to Congress a special message proposing to rescind amounts of budget authority or to repeal any targeted tax benefit and include with that special message a draft bill that, if enacted, would only rescind that budget authority or repeal that targeted tax benefit unless the President also proposes a reduction in the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974. That bill shall clearly identify the amount of budget authority that is proposed to be rescinded for each program, project, or activity to which that budget authority relates to the targeted tax benefit proposed to be repealed, as the case may be. A targeted tax benefit may only be proposed to be repealed under this section during the 10-legislative-day period commencing on the day after the date of enactment of the provision proposed to be repealed.

(2) In the case of an appropriation Act that includes accounts within the jurisdiction of more than one subcommittee of the Committee on Appropriations, the President in proposing to rescind budget authority under this section shall send a separate special message and accompanying draft bill for accounts within the jurisdiction of each such subcommittee.

(3) Each special message shall specify, with respect to the budget authority proposed to be rescinded, the following—

(A) the amount of budget authority which he proposes to be rescinded;

(B) 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;

(C) the reasons why the budget authority should be rescinded;

(D) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed rescission;

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

Each special message shall specify, with respect to the proposed repeal of targeted tax benefits, the information required by subparagraphs (C), (D), and (E), as it relates to the proposed repeal; and

(F) a reduction in the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974, if proposed by the President.

(4) For any rescission of budget authority, the President may either submit a special message under this section or under section 101 of the Line Item Veto Act. Funds proposed to be rescinded under this section may not be proposed to be rescinded under section 101 of that Act.

(c) PROCEDURES FOR EXPEDITED CONSIDERATION.—

(1)(A) Before the close of the second legislative day of the House of Representatives after the date of receipt of a special message transmitted to Congress under subsection (b), the majority leader or minority leader of the House of Representatives shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence, then, on the third legislative day of the House of Representatives after the date of receipt of that special message, any Member of that House may introduce the bill.

(B) The bill shall be referred to the Committee on Appropriations or the Committee on Ways and Means of the House of Representatives, as applicable. The committee shall report the bill without substantive revision and with or without recommendation. The bill shall be reported not later than the seventh legislative day of that House after the date of receipt of that special message. If that committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

(C) During consideration under this paragraph, any Member of the House of Representatives may move to strike any proposed rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 49 other Members.

(D) A vote on final passage of the bill shall be taken in the House of Representatives on or before the close of the 10th legislative day of that House after the date of the introduction of the bill in that House. If the bill is passed, the Clerk of the House of Representatives shall cause the bill to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the bill is passed.

(2)(A) A motion in the House of Representatives to proceed to the consideration of a bill under this section shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) Debate in the House of Representatives on a bill under this section shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this section or to move to reconsider the vote by which the bill is agreed to or disagreed to.

(C) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

(D) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of a bill under this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any rescission bill introduced pursuant to the provisions of this section under a suspension of the rules or under a special rule.

(3)(A) A bill transmitted to the Senate pursuant to paragraph (1)(D) shall be referred to its Committee on Appropriations or Committee on Finance, as applicable. That committee shall report the bill without substantive revision and with or without recommendation. The bill shall be reported not later than the seventh legislative day of the Senate after it receives the bill. A committee failing to report the bill within such period shall be automatically discharged from consideration of the bill, and the bill shall be placed upon the appropriate calendar.

(B) During consideration under this paragraph, any Member of the Senate may move

to strike any proposed rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 14 other Members.

(4)(A) A motion in the Senate to proceed to the consideration of a bill under this section shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(B) Debate in the Senate on a bill under this section, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (C)), shall not exceed 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(C) Debate in the Senate or any debatable motion or appeal in connection with a bill under this section shall be limited to not more than 1 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 time under their control of the passage of a bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) A motion in the Senate to further limit debate on a bill under this section is not debatable. A motion to recommit a bill under this section is not in order.

(d) AMENDMENT AND DIVISIONS PROHIBITED.—Except as otherwise provided by this section, no amendment to a bill considered under this section shall be in order in either the House of Representatives or the Senate. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole) or in the Senate. No motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House to suspend the application of this subsection by unanimous consent.

(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLIGATION.—(1) Any amount of budget authority proposed to be rescinded in a special message transmitted to Congress under subsection (b) shall be made available for obligation on the day after the date on which either House rejects the bill transmitted with that special message.

(2) Any targeted tax benefit proposed to be repealed under this section as set forth in a special message transmitted by the President shall not be deemed repealed unless the bill transmitted with that special message is enacted into law.

(f) DEFINITIONS.—For purposes of this section—

(1) the term ‘appropriation Act’ means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations;

(2) the term ‘legislative day’ means, with respect to either House of Congress, any day of session;

(3) the term ‘targeted tax benefit’ means any provision of a revenue or reconciliation Act determined by the President to provide a Federal tax deduction, credit, exclusion, preference, or other concession to 100 or fewer beneficiaries. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities; and

“(4) the term ‘beneficiary’ means any taxpayer or any corporation, partnership, institution, organization, item of property, State, or civil subdivision within one or more States. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities.”.

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

(1) in subsection (a), by striking “and 1017” and inserting “1012, and 1017”; and

(2) in subsection (d), by striking “section 1017” and inserting “sections 1012 and 1017”; and

(c) CONFORMING AMENDMENTS.—

(1) Section 1011 of the Congressional Budget Act of 1974 (2 U.S.C. 682(5)) is amended by repealing paragraphs (3) and (5) and by redesignating paragraph (4) as paragraph (3).

(2) Section 1014 of such Act (2 U.S.C. 685) is amended—

(A) in subsection (b)(1), by striking “or the reservation”; and

(B) in subsection (e)(1), by striking “or a reservation” and by striking “or each such reservation”.

(3) Section 1015(a) of such Act (2 U.S.C. 686) is amended by striking “is to establish a reserve or”, by striking “the establishment of such a reserve or”, and by striking “reserve or” each other place it appears.

(4) Section 1017 of such Act (2 U.S.C. 687) is amended—

(A) in subsection (a), by striking “rescission bill introduced with respect to a special message or”;

(B) in subsection (b)(1), by striking “rescission bill or”, by striking “bill or” the second place it appears, by striking “rescission bill with respect to the same special message or”, and by striking “, and the case may be,”;

(C) in subsection (b)(2), by striking “bill or” each place it appears;

(D) in subsection (c), by striking “rescission” each place it appears and by striking “bill or” each place it appears;

(E) in subsection (d)(1), by striking “rescission bill or” and by striking “, and all amendments thereto (in the case of a rescission bill)”;

(F) in subsection (d)(2)—

(i) by striking the first sentence;

(ii) by amending the second sentence to read as follows: “Debate on any debatable motion or appeal in connection with an impoundment resolution shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event that the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee.”;

(iii) by striking the third sentence; and

(iv) in the fourth sentence, by striking “rescission bill or” and by striking “amendment, debatable motion,” and by inserting “debatable motion”;

(G) in paragraph (d)(3), by striking the second and third sentences; and

(H) by striking paragraphs (4), (5), (6), and (7) of paragraph (d).

(d) CLERICAL AMENDMENTS.—The item relating to section 1012 in the table of sections for subpart B of title X of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows:

“Sec. 1012. Expedited consideration of certain proposed rescissions and targeted tax benefits.”.

It was decided in the { Yeas 156
negative } Nays 266

¶20.19 [Roll No. 93]
AYES—156

- | | | |
|--------------|---------------|---------------|
| Ackerman | Gonzalez | Obey |
| Baldacci | Gordon | Olver |
| Barcia | Green | Ortiz |
| Barrett (WI) | Gutierrez | Orton |
| Beilenson | Hall (OH) | Pastor |
| Bentsen | Hall (TX) | Payne (VA) |
| Berman | Hamilton | Pelosi |
| Bevill | Harman | Peterson (FL) |
| Bishop | Hastings (FL) | Pickett |
| Boniior | Hayes | Pomeroy |
| Borski | Hefner | Poshard |
| Brewster | Hinchey | Richardson |
| Browder | Holden | Rivers |
| Brown (CA) | Hoyer | Roemer |
| Brown (OH) | Jackson-Lee | Rose |
| Bryant (TX) | Jacobs | Rush |
| Cardin | Johnson (SD) | Sabo |
| Chapman | Johnson, E.B. | Sanders |
| Clement | Johnston | Sawyer |
| Clyburn | Kennedy (MA) | Schroeder |
| Coleman | Kennedy (RI) | Schumer |
| Condit | Kennelly | Scott |
| Costello | Kildee | Sisisky |
| Coyne | LaFalce | Skaggs |
| Cramer | Lantos | Skelton |
| Danner | Laughlin | Slaughter |
| de la Garza | Levin | Spratt |
| Deal | Lincoln | Stark |
| DeFazio | Lipinski | Stenholm |
| DeLauro | Lofgren | Studds |
| Dellums | Lowey | Stupak |
| Dicks | Luther | Tanner |
| Dingell | Maloney | Tauzin |
| Dixon | Manton | Taylor (MS) |
| Doggett | Markey | Tejeda |
| Dooley | Mascara | Thompson |
| Doyle | Matsui | Thornton |
| Durbin | McCarthy | Thurman |
| Edwards | McDermott | Torricelli |
| Eshoo | McKinney | Towns |
| Farr | McNulty | Vento |
| Fattah | Meehan | Visclosky |
| Fazio | Meek | Volkmer |
| Filner | Menendez | Wald |
| Flake | Mfume | Waxman |
| Foglietta | Miller (CA) | Williams |
| Frank (MA) | Minge | Wilson |
| Furse | Moakley | Wise |
| Gejdenson | Montgomery | Woolsey |
| Gephardt | Moran | Wyden |
| Geran | Nadler | Wynn |
| Gibbons | Neal | Yates |

NOES—266

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|--------------|--------------|---------------|
| Abercrombie | Chenoweth | Fields (TX) |
| Allard | Christensen | Flanagan |
| Andrews | Chrysler | Foley |
| Archer | Clay | Forbes |
| Armey | Clayton | Fowler |
| Bachus | Clinger | Fox |
| Baesler | Coble | Franks (CT) |
| Baker (CA) | Coburn | Franks (NJ) |
| Baker (LA) | Collins (GA) | Frelinghuysen |
| Ballenger | Collins (IL) | Frisa |
| Barr | Collins (MI) | Funderburk |
| Barrett (NE) | Combust | Galleghy |
| Bartlett | Conyers | Ganske |
| Barton | Cooley | Gilchrist |
| Bass | Cox | Gillmor |
| Bateman | Crapo | Gilman |
| Bereuter | Creameans | Goodlatte |
| Bilbray | Cubin | Goodling |
| Bilirakis | Cunningham | Goss |
| Bliley | Davis | Graham |
| Blute | DeLay | Greenwood |
| Boehert | Deutsch | Gunderson |
| Boehner | Diaz-Balart | Gutknecht |
| Bonilla | Dickey | Hancock |
| Bono | Doolittle | Hansen |
| Boucher | Dornan | Hastert |
| Brown (FL) | Dreier | Hastings (WA) |
| Brownback | Duncan | Hayworth |
| Bunn | Dunn | Hefley |
| Bunning | Ehlers | Heineman |
| Burr | Ehrlich | Herger |
| Burton | Emerson | Hilleary |
| Buyer | Engel | Hilliard |
| Callahan | English | Hobson |
| Calvert | Ensign | Hoekstra |
| Camp | Evans | Hoke |
| Canady | Everett | Horn |
| Castle | Ewing | Hostettler |
| Chabot | Fawell | Houghton |
| Chambliss | Fields (LA) | Hunter |

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|--------------|---------------|---------------|
| Hutchinson | Mink | Seastrand |
| Hyde | Molinari | Sensenbrenner |
| Inglis | Mollohan | Serrano |
| Istook | Moorhead | Shadegg |
| Johnson (CT) | Murtha | Shaw |
| Johnson, Sam | Myers | Shays |
| Jones | Myrick | Shuster |
| Kanjorski | Nethercutt | Skeen |
| Kaptur | Neumann | Smith (MI) |
| Kasich | Ney | Smith (NJ) |
| Kelly | Norwood | Smith (TX) |
| Kim | Nussle | Smith (WA) |
| King | Oberstar | Solomon |
| Kingston | Owens | Souder |
| Klecza | Oxley | Spence |
| Klink | Packard | Stearns |
| Klug | Pallone | Stockman |
| Knollenberg | Parker | Stokes |
| Kolbe | Paxon | Stump |
| LaHood | Payne (NJ) | Talent |
| Largent | Petri | Tate |
| Latham | Pombo | Taylor (NC) |
| LaTourette | Porter | Thomas |
| Lazio | Portman | Thornberry |
| Leach | Pryce | Tiahrt |
| Lewis (CA) | Quillen | Torkildsen |
| Lewis (GA) | Quinn | Torres |
| Lewis (KY) | Radanovich | Traficant |
| Lightfoot | Rahall | Upton |
| Linder | Ramstad | Velazquez |
| Livingston | Rangel | Vucanovich |
| LoBiondo | Reed | Waldholtz |
| Longley | Regula | Walker |
| Lucas | Reynolds | Walsh |
| Manzullo | Riggs | Wamp |
| Martinez | Roberts | Waters |
| Martini | Rogers | Watt (NC) |
| McCollum | Rohrabacher | Weldon (FL) |
| McCrery | Ros-Lehtinen | Weldon (PA) |
| McHale | Roth | Weller |
| McHugh | Roukema | White |
| McInnis | Roybal-Allard | Whitfield |
| McIntosh | Royce | Wicker |
| McKeon | Salmon | Wolf |
| Metcalf | Sanford | Young (AK) |
| Meyers | Saxton | Young (FL) |
| Mica | Scarborough | Zeliff |
| Miller (FL) | Schaefer | Zimmer |
| Mineta | Schiff | |

NOT VOTING—12

- | | | |
|-------------|-----------|---------------|
| Becerra | Frost | Morella |
| Bryant (TN) | Gekas | Peterson (MN) |
| Crane | Jefferson | Tucker |
| Ford | McDade | Watts (OK) |

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. KLUG, assumed the Chair.

When Mr. BOEHNER, Chairman, pursuant to House Resolution 55, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Line Item Veto Act”.

SEC. 2. LINE ITEM VETO AUTHORITY.

(a) IN GENERAL.—Notwithstanding the provisions of part B of title X of the Congressional Budget and Impoundment Control Act of 1974, and subject to the provisions of this section, the President may rescind all or part of any dollar amount of any discretionary budget authority specified in an appropriation Act or conference report or joint explanatory statement accompanying a conference report on the Act, or veto any targeted tax benefit which is subject to the terms of this Act if the President—

- (1) determines that—
 - (A) such rescission or veto would help reduce the Federal budget deficit;
 - (B) such rescission or veto will not impair any essential Government functions; and