

113TH CONGRESS
2D SESSION

H. R. 5799

To establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2014

Mr. FLEMING introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Rules and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the elimination or realignment of duplicative, wasteful, or outdated functions, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Realign and Eliminate Duplicative Unnecessary Costly
6 Excess in Government Act of 2014” or the “REDUCE
7 Government Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Establishment of Commission.
- Sec. 4. Duties of the Commission.
- Sec. 5. Powers of the Commission.
- Sec. 6. Commission personnel matters.
- Sec. 7. Termination of the Commission.
- Sec. 8. Closure and realignment of agencies and programs.
- Sec. 9. Congressional consideration of commission recommendations.
- Sec. 10. Offsetting rescissions.

3 **SEC. 2. DEFINITIONS.**

4 In this Act:

5 (1) AGENCY.—The term “agency” has the
6 meaning given the term “Executive agency” under
7 section 105 of title 5, United States Code.

8 (2) CALENDAR DAY.—The term “calendar day”
9 means a calendar day other than one on which ei-
10 ther House is not in session because of an adjourn-
11 ment of more than three days to a date certain.

12 (3) STATE.—The term “State” means each of
13 the several States, the District of Columbia, each
14 territory or possession of the United States, and
15 each federally recognized Indian tribe.

16 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

17 (a) ESTABLISHMENT.—There is established the Fed-
18 eral Realignment and Closure Commission (hereafter in
19 this Act referred to as the “Commission”).

20 (b) MEMBERSHIP.—

1 (1) NUMBER AND APPOINTMENT.—The Com-
2 mission shall be composed of 9 members, appointed
3 by the President by and with the advice and consent
4 of the Senate as follows:

5 (A) Two in consultation with the Speaker
6 of the House of Representatives.

7 (B) One in consultation with the minority
8 leader of the House of Representatives.

9 (C) Two in consultation with the majority
10 leader of the Senate.

11 (D) One in consultation with the minority
12 leader of the Senate.

13 (2) MEMBER RESTRICTION.—A member of the
14 Commission may not be a sitting Member of Con-
15 gress or a current employee of the executive branch.

16 (3) CHAIRMAN AND VICE CHAIRMAN.—At the
17 time the President appoints individuals to the Com-
18 mission under this paragraph, the President shall
19 designate 1 such individual who shall serve as chair-
20 man and 1 such individual who shall serve as vice
21 chairman. The chairman and vice chairman may not
22 be of the same political party.

23 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
24 bers shall be appointed for the life of the Commission. Any
25 vacancy in the Commission shall not affect its powers, but

1 shall be filled in the same manner as the original appoint-
2 ment.

3 (d) INITIAL MEETING.—Not later than 30 days after
4 the date on which all members of the Commission have
5 been appointed, the Commission shall hold its first meet-
6 ing.

7 (e) MEETINGS.—The Commission shall meet at the
8 call of the chairman.

9 (f) QUORUM.—A majority of the members of the
10 Commission shall constitute a quorum, but a lesser num-
11 ber of members may hold hearings.

12 **SEC. 4. DUTIES OF THE COMMISSION.**

13 (a) SYSTEMATIC ASSESSMENT OF PROGRAMS BY THE
14 COMMISSION.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (4), not later than 180 days after the date of
17 enactment of this Act, the Commission shall estab-
18 lish a systematic method for assessing the effective-
19 ness and accountability of agency programs in ac-
20 cordance with paragraph (2) and divide the pro-
21 grams into three approximately equal budgetary
22 groupings based on the size of the budget and num-
23 ber of personnel of the agency program.

24 (2) METHOD OBJECTIVES.—The method estab-
25 lished under paragraph (1) shall—

1 (A) recognize different types of Federal
2 programs;

3 (B) assess programs based on the achieve-
4 ment of performance goals (as defined under
5 section 1115(h)(9) of title 31, United States
6 Code);

7 (C) assess programs based in part on the
8 adequacy of the program's performance meas-
9 ures, financial management, and other factors;

10 (D) assess programs based in part on
11 whether the program has fulfilled the legislative
12 intent surrounding the creation of the program,
13 taking into account any change in legislative in-
14 tent during the program's existence; and

15 (E) assess programs based in part on col-
16 laborative analysis, with the program or agency,
17 of program policy and goals which may not fit
18 into easily measurable performance goals.

19 (3) COMPTROLLER GENERAL RECOMMENDA-
20 TIONS.—The Comptroller General of the United
21 States shall—

22 (A) assist the Commission, to the extent
23 requested, in the Commission's evaluation of
24 agencies and programs under subsection (b)(1);
25 and

1 (B) by no later than March 30 of each
2 year in which an evaluation is carried out under
3 subsection (b)(1), submit to the Commission a
4 report containing the Comptroller General's rec-
5 ommendations for the agencies and programs
6 that should be realigned or eliminated within
7 the grouping evaluated that year.

8 (4) DEPARTMENT OF DEFENSE EXEMPTION.—

9 The Commission shall not consider Department of
10 Defense programs.

11 (b) EVALUATION, PLAN, AND RECOMMENDATIONS.—

12 (1) EVALUATION.—Subject to subsection (e),
13 during each of 2015, 2017, and 2019 the Commis-
14 sion shall evaluate all agencies, and programs within
15 those agencies, in a grouping identified in the as-
16 sessment under subsection (a), with one grouping
17 evaluated each year over those three years, using the
18 criteria under paragraph (3). In carrying out the
19 evaluation, the Commission shall consider the report
20 of the Comptroller General submitted under sub-
21 section (a)(3).

22 (2) PLAN AND RECOMMENDATIONS.—

23 (A) IN GENERAL.—Not later than June 30
24 of a year in which an evaluation is carried out
25 under paragraph (1), the Commission shall,

1 with respect to the evaluation carried out dur-
2 ing that year, submit to the President and Con-
3 gress a plan with recommendations of the agen-
4 cies and programs that should be realigned or
5 eliminated within the grouping evaluated that
6 year.

7 (B) IMPLEMENTATION DESCRIPTION RE-
8 QUIRED.—The plan described in subparagraph
9 (A) shall include a detailed description of the
10 actions necessary to implement the plan and
11 complete the reorganization, including a pro-
12 jected timetable for completion of the imple-
13 mentation process.

14 (C) PLAN APPROVAL.—The plan must be
15 approved by at least 5 members of the Commis-
16 sion.

17 (3) CRITERIA.—

18 (A) IN GENERAL.—The Commission shall
19 evaluate the efficiency and public need for each
20 agency using the following criteria:

21 (i) The effectiveness, and the effi-
22 ciency of the operation of, the programs
23 carried out by each such agency.

24 (ii) Whether the programs carried out
25 by the agency are cost effective.

1 (iii) Whether the agency or program
2 has acted outside the scope of its original
3 authority, and whether the original objec-
4 tives of the agency have been achieved.

5 (iv) The extent to which the jurisdic-
6 tion of, and the programs administered by,
7 the agency duplicate or conflict with the
8 jurisdiction and programs of other agen-
9 cies.

10 (v) The potential benefits of consoli-
11 dating programs administered by the agen-
12 cy with similar or duplicative programs of
13 other agencies, and the potential for con-
14 solidating such programs.

15 (vi) The extent to which the agency
16 has complied with the applicable provisions
17 contained in sections 1115, 1116, 1120,
18 1121, 1123, and 1124 of title 31, United
19 States Code, and section 306 of title 5,
20 United States Code, as well as rec-
21 ommendations contained in the reports re-
22 quired by such sections.

23 (vii) The extent to which State and
24 local governments already collect informa-

1 tion or perform services conducted by the
2 Federal program or agency.

3 (B) DUPLICATIVE.—If 2 or more agencies
4 or programs are performing the same essential
5 function and the function can be consolidated
6 or streamlined into a single agency or program,
7 the Commission shall recommend that the agen-
8 cies or programs be realigned.

9 (C) WASTEFUL OR INEFFICIENT.—The
10 Commission may recommend the realignment or
11 elimination of any agency or program that has
12 wasted Federal funds by—

13 (i) spending funds on items outside
14 the authorized mission or purpose of the
15 agency or program;

16 (ii) mismanagement of resources and
17 personnel; or

18 (iii) use of such funds for personal
19 benefit or the benefit of a special interest
20 group.

21 (D) OUTDATED, IRRELEVANT, OR
22 FAILED.—The Commission shall recommend
23 the elimination of any agency or program
24 that—

1 (i) has completed its intended pur-
2 pose, if such purpose is defined under the
3 law;

4 (ii) has become irrelevant; or

5 (iii) has failed to meet its objectives.

6 (4) RELOCATION OF FEDERAL EMPLOYEES.—

7 The plan under paragraph (2) shall provide that if
8 the position of an employee of an agency is elimi-
9 nated as a result of the implementation of the plan,
10 the affected agency shall make reasonable efforts to
11 relocate such employee to another position within
12 the agency or within another Federal agency.

13 (5) USE OF SAVINGS.—All funds saved by the
14 implementation of the plan shall be used for deficit
15 reduction.

16 (6) LIMITATION ON RECOMMENDATIONS IN
17 PLAN.—The plan under paragraph (2)—

18 (A) may not recommend the creation of a
19 new agency, unless such agency is the result of
20 a consolidation of existing agencies, the result
21 of such consolidation producing an overall re-
22 duction in amounts provided in annual appro-
23 priations Acts and the number of personnel;

24 (B) may recommend the removal of part of
25 an agency from an agency; and

1 (C) may not recommend—

2 (i) continuing an agency beyond the
3 period authorized by law for its existence
4 or beyond the time when it would have ter-
5 minated if the realignment had not been
6 made;

7 (ii) continuing a function beyond the
8 period authorized by law for its exercise or
9 beyond the time when it would have termi-
10 nated if the realignment had not been
11 made;

12 (iii) authorizing an agency to exercise
13 a function which is not expressly author-
14 ized by law at the time the plan is trans-
15 mitted to Congress;

16 (iv) increasing the term of an office
17 beyond that provided by law for the office;

18 (v) the consolidation or realignment of
19 any entity outside of the executive branch,
20 including moving an agency outside the ex-
21 ecutive branch; or

22 (vi) the modification of any funding
23 that is not an appropriation.

24 (7) INFORMATION TO MEMBERS OF CON-
25 GRESS.—After June 30 of each year in which the

1 Commission submits a plan and recommendations to
2 the President and Congress under this subsection,
3 the Commission shall promptly provide, upon re-
4 quest, to any Member of Congress information used
5 by the Commission in making its recommendations.

6 (c) CONSIDERATION OF SUGGESTIONS FROM PUBLIC
7 THROUGH WEBSITE.—In carrying out its duties under
8 this Act, the Commission shall—

9 (1) establish a website for the purpose of allow-
10 ing any member of the public to submit suggestions
11 to the Commission for its consideration; and

12 (2) consider each such suggestion submitted
13 through the website.

14 (d) REVIEW BY THE PRESIDENT.—

15 (1) EVALUATION REQUIRED.—The President
16 shall, by no later than August 15 of a year in which
17 the Commission carries out an evaluation under sub-
18 section (b)(1), transmit to the Commission and to
19 Congress a report containing the President's ap-
20 proval or disapproval of the Commission's plan and
21 recommendations.

22 (2) APPROVAL OF PLAN.—The President may
23 approve the plan and recommendations of the Com-
24 mission if the President finds that the plan is in ac-
25 cordance with the criteria and limitation described in

1 paragraphs (3) and (6) of subsection (b), respec-
2 tively. If the President approves all the plan and rec-
3 ommendations of the Commission, the President
4 shall transmit a copy of such plan and recommenda-
5 tions to Congress, together with a certification of
6 such approval.

7 (3) DISAPPROVAL OF PLAN.—If the President
8 disapproves the plan and recommendations of the
9 Commission, in whole or in part, the President shall
10 transmit to the Commission and Congress the rea-
11 sons for that disapproval. The Commission shall
12 then transmit to the President, by no later than
13 September 15 of the year in which the evaluation
14 was carried out, a revised list of recommendations
15 for the closure or realignment of agencies and pro-
16 grams.

17 (4) APPROVAL OF REVISED PLAN.—If the
18 President finds that the revised plan is in accord-
19 ance with the criteria and limitation described in
20 paragraphs (3) and (6) of subsection (b), respec-
21 tively, and approves all of the revised plan and rec-
22 ommendations of the Commission transmitted to the
23 President under paragraph (3), the President shall
24 transmit a copy of such revised plan and rec-

1 ommendations to Congress, together with a certifi-
2 cation of such approval.

3 (5) TERMINATION OF ASSESSMENT.—If the
4 President does not transmit to Congress an approval
5 and certification described in paragraph (2) or (4)
6 by October 15 of any year in which the Commission
7 has transmitted its plan and recommendations to the
8 President under this section, the process by which
9 agencies and programs may be selected for realign-
10 ment or elimination under this Act with respect to
11 that year shall be terminated.

12 (e) CARRYFORWARD OF GROUPING AND EVALUA-
13 TION.—If the process by which agencies and programs
14 may be selected for realignment or elimination under this
15 Act with respect to a year is terminated under subsection
16 (d)(5) if the termination occurs in 2015 or 2017, the
17 grouping of agencies and programs evaluated that year
18 shall be included in the grouping evaluated under sub-
19 section (b)(1) in the next year an evaluation is conducted.

20 **SEC. 5. POWERS OF THE COMMISSION.**

21 (a) HEARINGS.—

22 (1) IN GENERAL.—The Commission or, at its
23 direction, any subcommittee or member of the Com-
24 mission, may, for the purpose of carrying out this
25 Act—

1 (A) hold such hearings, sit and act at such
2 times and places, take such testimony, receive
3 such evidence, and administer such oaths as
4 any member of the Commission considers advis-
5 able;

6 (B) require, by subpoena or otherwise, the
7 attendance and testimony of such witnesses as
8 any member of the Commission considers advis-
9 able; and

10 (C) require, by subpoena or otherwise, the
11 production of such books, records, correspond-
12 ence, memoranda, papers, documents, tapes,
13 and other evidentiary materials relating to any
14 matter under investigation by the Commission.

15 (2) TESTIMONY UNDER OATH.—All testimony
16 before the Commission shall be under oath.

17 (b) ISSUANCE AND ENFORCEMENT OF SUB-
18 POENAS.—

19 (1) ISSUANCE.—Subpoenas issued under sub-
20 section (a) shall bear the signature of the chairman
21 of the Commission and shall be served by any person
22 or class of persons designated by the chairman for
23 that purpose.

24 (2) ENFORCEMENT.—In the case of contumacy
25 or failure to obey a subpoena issued under sub-

1 section (a), the United States district court for the
2 judicial district in which the subpoenaed person re-
3 sides, is served, or may be found, may issue an order
4 requiring such person to appear at any designated
5 place to testify or to produce documentary or other
6 evidence. Any failure to obey the order of the court
7 may be punished by the court as a contempt of that
8 court.

9 (c) INFORMATION FROM FEDERAL AGENCIES.—The
10 Commission may secure directly from any Federal depart-
11 ment or agency such information as the Commission con-
12 siders necessary to carry out this Act. Upon request of
13 the chairman of the Commission, the head of such depart-
14 ment or agency shall furnish such information to the Com-
15 mission.

16 (d) POSTAL SERVICES.—The Commission may use
17 the United States mails in the same manner and under
18 the same conditions as other departments and agencies of
19 the Federal Government.

20 **SEC. 6. COMMISSION PERSONNEL MATTERS.**

21 (a) COMPENSATION OF MEMBERS.—

22 (1) NON-FEDERAL MEMBERS.—Except as pro-
23 vided under subsection (b), each member of the
24 Commission who is not an officer or employee of the
25 Federal Government shall not be compensated.

1 (2) FEDERAL EMPLOYEES.—All members of the
2 Commission who are employees of the United States
3 shall serve without compensation in addition to that
4 received for their services as employees of the United
5 States.

6 (b) TRAVEL EXPENSES.—The members of the Com-
7 mission shall be allowed travel expenses, including per
8 diem in lieu of subsistence, at rates authorized for employ-
9 ees of agencies under subchapter I of chapter 57 of title
10 5, United States Code, while away from their homes or
11 regular places of business in the performance of services
12 for the Commission.

13 (c) STAFF.—

14 (1) IN GENERAL.—The chairman of the Com-
15 mission may, without regard to the civil service laws
16 and regulations, appoint and terminate an executive
17 director and such other additional personnel as may
18 be necessary to enable the Commission to perform
19 its duties. The employment of an executive director
20 shall be subject to confirmation by the Commission.

21 (2) COMPENSATION.—Upon the approval of the
22 chairman, the executive director may fix the com-
23 pensation of the executive director and other per-
24 sonnel without regard to chapter 51 and subchapter
25 III of chapter 53 of title 5, United States Code, re-

1 lating to classification of positions and General
2 Schedule pay rates, except that the rate of pay for
3 the executive director and other personnel may not
4 exceed the maximum rate payable for a position at
5 GS-15 of the General Schedule under section 5332
6 of such title.

7 (3) PERSONNEL AS FEDERAL EMPLOYEES.—

8 (A) IN GENERAL.—The executive director
9 and any personnel of the Commission who are
10 employees shall be employees under section
11 2105 of title 5, United States Code, for pur-
12 poses of chapters 63, 81, 83, 84, 85, 87, 89,
13 and 90 of that title.

14 (B) MEMBERS OF COMMISSION.—Subpara-
15 graph (A) shall not be construed to apply to
16 members of the Commission.

17 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
18 Federal Government employee may be detailed to the
19 Commission without reimbursement, and such detail shall
20 be without interruption or loss of civil service status or
21 privilege.

22 (e) SECURITY CLEARANCE.—As a condition of ap-
23 pointment to or employment with the Commission, the
24 members and staff of the Commission shall hold appro-
25 priate security clearances for access to any classified brief-

1 ing, records, and materials that may be reviewed by the
2 Commission or its staff and shall follow the guidance and
3 practices on security under applicable Executive orders
4 and agency directives.

5 (f) LIBRARY OF CONGRESS.—Upon the request of the
6 Commission, the Librarian of Congress shall provide to
7 the Commission, on a reimbursable basis, administrative
8 support services, research services, and research staff nec-
9 essary for the Commission to carry out its responsibilities
10 under this Act.

11 (g) PROCUREMENT OF TEMPORARY AND INTERMIT-
12 TENT SERVICES.—The chairman of the Commission may
13 procure temporary and intermittent services under section
14 3109(b) of title 5, United States Code, at rates for individ-
15 uals which do not exceed the daily equivalent of the annual
16 rate of basic pay prescribed for level V of the Executive
17 Schedule under section 5316 of such title.

18 **SEC. 7. TERMINATION OF THE COMMISSION.**

19 The Commission shall terminate 120 days after the
20 date on which the Commission submits the final plan and
21 recommendations under section 3(b).

22 **SEC. 8. CLOSURE AND REALIGNMENT OF AGENCIES AND**
23 **PROGRAMS.**

24 (a) IN GENERAL.—Subject to subsection (b), the
25 President shall—

1 (1) eliminate all agencies and programs rec-
2 ommended for elimination by the Commission in
3 each report submitted to Congress by the President
4 under section 4(d);

5 (2) realign all agencies and programs rec-
6 ommended for realignment by such Commission in
7 each such report;

8 (3) initiate all such eliminations and realign-
9 ments no later than 2 years after the date on which
10 the President submits a report to Congress under
11 section 4(d) containing the recommendations for
12 such eliminations or realignments; and

13 (4) complete all such eliminations and realign-
14 ments no later than the end of the 6-year period be-
15 ginning on the date on which the President submits
16 the report under section 4(d) containing the rec-
17 ommendations for such closures or realignments.

18 (b) CONGRESSIONAL DISAPPROVAL.—

19 (1) IN GENERAL.—The President may not
20 carry out any elimination or realignment rec-
21 ommended in a report submitted by the President
22 under section 4(d) if a joint resolution is enacted, in
23 accordance with the provisions of section 9, dis-
24 approving such recommendations before the earlier
25 of—

1 (A) the end of the 45-day period beginning
2 on the date on which the President submits
3 such report; or

4 (B) the adjournment of Congress sine die
5 for the session during which such report is sub-
6 mitted.

7 (2) COMPUTATION OF DAYS.—For purposes of
8 paragraph (1) of this subsection and subsections (a)
9 and (c) of section 9, the days on which either House
10 of Congress is not in session because of adjournment
11 of more than 3 days to a day certain shall be ex-
12 cluded in the computation of a period.

13 **SEC. 9. CONGRESSIONAL CONSIDERATION OF COMMISSION**
14 **RECOMMENDATIONS.**

15 (a) TERMS OF THE RESOLUTION.—For purposes of
16 section 8(b), the term “joint resolution” means only a
17 joint resolution which is introduced within the 10-day pe-
18 riod beginning on the date on which the President submits
19 the report to Congress under section 4(d), and—

20 (1) which does not have a preamble;

21 (2) the matter after the resolving clause of
22 which is as follows: “That Congress disapproves the
23 recommendations of the Federal Realignment and
24 Closure Commission as submitted by the President

1 on _____”, the blank space being
2 filled in with the appropriate date; and

3 (3) the title of which is as follows: “Joint reso-
4 lution disapproving the recommendations of the Fed-
5 eral Realignment and Closure Commission.”.

6 (b) REFERRAL.—A resolution described in subsection
7 (a) that is introduced in the House of Representatives
8 shall be referred to the Committee on Oversight and Gov-
9 ernment Reform of the House of Representatives. A reso-
10 lution described in subsection (a) introduced in the Senate
11 shall be referred to the Committee on Homeland Security
12 and Governmental Affairs of the Senate.

13 (c) DISCHARGE.—If the committee to which a resolu-
14 tion described in subsection (a) is referred has not re-
15 ported such a resolution (or an identical resolution) by the
16 end of the 20-day period beginning on the date on which
17 the President submits the report to Congress under sec-
18 tion 4(d), such committee shall be, at the end of such pe-
19 riod, discharged from further consideration of such resolu-
20 tion, and such resolution shall be placed on the appro-
21 priate calendar of the House involved.

22 (d) CONSIDERATION.—

23 (1) IN GENERAL.—On or after the third day
24 after the date on which the committee to which such
25 a resolution is referred has reported, or has been

1 discharged (under subsection (c)) from further con-
2 sideration of, such a resolution, it is in order (even
3 though a previous motion to the same effect has
4 been disagreed to) for any Member of the respective
5 House to move to proceed to the consideration of the
6 resolution. A Member may make the motion only on
7 the day after the calendar day on which the Member
8 announces to the House concerned the Member's in-
9 tention to make the motion, except that, in the case
10 of the House of Representatives, the motion may be
11 made without such prior announcement if the mo-
12 tion is made by direction of the committee to which
13 the resolution was referred. The motion is highly
14 privileged in the House of Representatives and is
15 privileged in the Senate and is not debatable. The
16 motion is not subject to amendment, or to a motion
17 to postpone, or to a motion to proceed to the consid-
18 eration of other business. A motion to reconsider the
19 vote by which the motion is agreed to or disagreed
20 to shall not be in order. If a motion to proceed to
21 the consideration of the resolution is agreed to, the
22 respective House shall immediately proceed to con-
23 sideration of the joint resolution without intervening
24 motion, order, or other business, and the resolution

1 shall remain the unfinished business of the respec-
2 tive House until disposed of.

3 (2) DEBATE.—Debate on the resolution, and on
4 all debatable motions and appeals in connection
5 therewith, shall be limited to not more than 2 hours,
6 which shall be divided equally between those favoring
7 and those opposing the resolution. An amendment to
8 the resolution is not in order. A motion further to
9 limit debate is in order and not debatable. A motion
10 to postpone, or a motion to proceed to the consider-
11 ation of other business, or a motion to recommit the
12 resolution is not in order. A motion to reconsider the
13 vote by which the resolution is agreed to or dis-
14 agreed to is not in order.

15 (3) VOTE ON FINAL PASSAGE.—Immediately
16 following the conclusion of the debate on a resolu-
17 tion described in subsection (a) and a single quorum
18 call at the conclusion of the debate if requested in
19 accordance with the rules of the appropriate House,
20 the vote on final passage of the resolution shall
21 occur.

22 (4) APPEALS ON DECISIONS BY THE CHAIR.—
23 Appeals from the decisions of the Chair relating to
24 the application of the rules of the Senate or the
25 House of Representatives, as the case may be, to the

1 procedure relating to a resolution described in sub-
2 section (a) shall be decided without debate.

3 (e) CONSIDERATION BY OTHER HOUSE.—

4 (1) DISPOSITION OF RESOLUTION.—If, before
5 the passage by one House of a resolution of that
6 House described in subsection (a), that House re-
7 ceives from the other House a resolution described
8 in subsection (a), then the following procedures shall
9 apply—

10 (A) the resolution of the other House shall
11 not be referred to a committee and may not be
12 considered in the House receiving it except in
13 the case of final passage as provided in sub-
14 paragraph (B)(ii); and

15 (B) with respect to a resolution described
16 in subsection (a) of the House receiving the res-
17 olution (i) the procedure in that House shall be
18 the same as if no resolution had been received
19 from the other House; but (ii) the vote on final
20 passage shall be on the resolution of the other
21 House.

22 (2) NOT IN ORDER TO CONSIDER OTHER RESO-
23 LUTION.—Upon disposition of the resolution received
24 from the other House, it shall no longer be in order

1 to consider the resolution that originated in the re-
2 ceiving House.

3 (f) RULES OF THE SENATE AND HOUSE.—This sec-
4 tion is enacted by Congress—

5 (1) as an exercise of the rulemaking power of
6 the Senate and House of Representatives, respec-
7 tively, and as such it is deemed a part of the rules
8 of each House, respectively, but applicable only with
9 respect to the procedure to be followed in that
10 House in the case of a resolution described in sub-
11 section (a), and it supersedes other rules only to the
12 extent that it is inconsistent with such rules; and

13 (2) with full recognition of the constitutional
14 right of either House to change the rules (so far as
15 relating to the procedure of that House) at any time,
16 in the same manner, and to the same extent as in
17 the case of any other rule of that House.

18 **SEC. 10. OFFSETTING RESCISSIONS.**

19 Of the unobligated balance of funds available for each
20 of the following accounts, \$3,000,000 is rescinded from
21 each such account:

22 (1) “Department of Health and Human Serv-
23 ices—Office of the Secretary—General Depart-
24 mental Management”.

1 (2) “Agricultural Programs—Departmental Ad-
2 ministration”.

3 (3) “Department of Education—Departmental
4 Management—Program Administration”.

5 (4) “Department of Housing and Urban Devel-
6 opment—Management and Administration—Admin-
7 istration, Operations, and Management”.

8 (5) “Department of the Interior—Departmental
9 Offices—Office of the Secretary—Departmental Op-
10 erations”.

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