

AMENDMENT TO H.R. 5525
OFFERED BY MR. HUIZENGA OF MICHIGAN

Add at the end the following:

1 **DIVISION E—FISCAL**
2 **COMMISSION ACT OF 2023**

3 **SEC. 801. SHORT TITLE.**

4 This division may be cited as the “Fiscal Commission
5 Act of 2023”.

6 **SEC. 802. DEFINITIONS.**

7 In this division:

8 (1) **CO-CHAIR.**—The term “co-chair” means an
9 individual appointed to serve as a co-chair of the
10 Fiscal Commission under section 803(a)(3)(C)(i).

11 (2) **FISCAL COMMISSION.**—The term “Fiscal
12 Commission” means the commission established
13 under section 803(a).

14 (3) **FISCAL COMMISSION BILL.**—The term “Fis-
15 cal Commission bill” means a bill consisting solely of
16 legislative language that the Fiscal Commission ap-
17 proves and submits under clauses (i) and (v), respec-
18 tively, of section 803(a)(2)(B).

19 (4) **OUTSIDE EXPERT.**—The term “outside ex-
20 pert” is an individual who is not an elected official

1 or an officer or employee of the Federal Government
2 or of any State.

3 **SEC. 803. ESTABLISHMENT OF FISCAL COMMISSION.**

4 (a) ESTABLISHMENT OF FISCAL COMMISSION.—

5 (1) ESTABLISHMENT.—No later than 60 days
6 after the date of enactment of this Act, there is es-
7 tablished in Congress a Fiscal Commission.

8 (2) DUTIES.—

9 (A) IMPROVE FISCAL SITUATION.—

10 (i) IN GENERAL.—The Fiscal Com-
11 mission shall identify policies to improve
12 the fiscal situation in the medium term
13 and to achieve a sustainable debt-to-GDP
14 ratio of the long term, and for any rec-
15 ommendations related to Federal programs
16 for which a Federal trust fund exists, to
17 improve solvency for a period of at least 75
18 years.

19 (ii) REQUIREMENTS.—In carrying out
20 clause (i), the Fiscal Commission shall—

21 (I) propose recommendations de-
22 signed to balance the budget at the
23 earliest reasonable date, including at
24 minimum stabilizing the debt-to-GDP
25 ratio at or below one hundred percent

1 by the end of the 10-year period be-
2 ginning on the date the Fiscal Com-
3 mission is established; and

4 (II) propose recommendations
5 that meaningfully improve the long-
6 term fiscal outlook, including changes
7 to address the growth of direct spend-
8 ing and the gap between the projected
9 revenues and expenditures of the Fed-
10 eral Government.

11 (iii) RECOMMENDATIONS OF COMMIT-
12 TEES.—Not later than 60 days after the
13 date described in paragraph (1), each com-
14 mittee of the Senate and the House of
15 Representatives may transmit to the Fiscal
16 Commission any recommendations of the
17 committee relating to changes in law to
18 further the duties described in clause (ii).

19 (B) REPORT, RECOMMENDATIONS, AND
20 LEGISLATIVE LANGUAGE.—

21 (i) IN GENERAL.—Notwithstanding
22 paragraph (4)(D)(ii)(II), not earlier than
23 November 6, 2024, but not later than No-
24 vember 15, 2024, the Fiscal Commission
25 shall meet to consider, and vote on—

1 (I) a report that contains a de-
2 tailed statement of the findings, con-
3 clusions, and recommendations of the
4 Fiscal Commission described in sub-
5 paragraph (A)(i) and the estimate of
6 the Congressional Budget Office re-
7 quired under paragraph (4)(D)(ii);
8 and

9 (II) legislative language to carry
10 out the recommendations of the Fiscal
11 Commission in the report described in
12 subclause (I), which shall include a
13 statement of the economic and budg-
14 etary effects of the recommendations.

15 (ii) APPROVAL OF REPORT AND LEG-
16 ISLATIVE LANGUAGE.—A report and legis-
17 lative language of the Fiscal Commission
18 under clause (i) shall require the approval
19 of a majority of the members of the Fiscal
20 Commission, provided that such majority
21 shall be required to include not less than
22 3 members of the Fiscal Commission ap-
23 pointed by members of the Republican
24 Party and 3 members appointed by mem-
25 bers of the Democratic party.

1 (iii) ADDITIONAL VIEWS.—

2 (I) IN GENERAL.—A member of
3 the Fiscal Commission who gives no-
4 tice of an intention to file supple-
5 mental, minority, or additional views
6 at the time of the final Fiscal Com-
7 mission vote on the approval of the re-
8 port and legislative language of the
9 Fiscal Commission under clause (i)
10 shall be entitled to 3 days to file those
11 views in writing with the staff director
12 of the Fiscal Commission.

13 (II) INCLUSION IN REPORT.—
14 Views filed under subclause (I) shall
15 be included in the report of the Fiscal
16 Commission under clause (i) and
17 printed in the same volume, or part
18 thereof, and such inclusion shall be
19 noted on the cover of the report, ex-
20 cept that, in the absence of timely no-
21 tice, the report may be printed and
22 transmitted immediately without such
23 views.

24 (iv) REPORT AND LEGISLATIVE LAN-
25 GUAGE TO BE MADE PUBLIC.—Upon the

1 approval or disapproval of a report and
2 legislative language under clause (i) by the
3 Fiscal Commission, the Fiscal Commission
4 shall promptly, and not more than 24
5 hours after the approval or disapproval or,
6 if timely notice is given under clause (iii),
7 not more than 24 hours after additional
8 views are filed under such clause, make the
9 report, the legislative language, and a
10 record of the vote on the report and legis-
11 lative language available to the public.

12 (v) SUBMISSION OF REPORT AND LEG-
13 ISLATIVE LANGUAGE.—If a report and leg-
14 islative language are approved by the Fis-
15 cal Commission under clause (i), not later
16 than 3 days after the date on which the re-
17 port and legislative language are made
18 available to the public under clause (iv),
19 the Fiscal Commission shall submit the re-
20 port and legislative language to the Presi-
21 dent, the Vice President, the Speaker of
22 the House of Representatives, and the ma-
23 jority and minority leaders of each House
24 of Congress.

25 (3) MEMBERSHIP.—

1 (A) IN GENERAL.—The Fiscal Commission
2 shall be composed of 16 members appointed in
3 accordance with subparagraph (B) and with
4 due consideration to chairs and ranking mem-
5 bers of the committees and subcommittees of
6 subject matter jurisdiction, if applicable.

7 (B) APPOINTMENT.—Not later than 14
8 days after the date described in paragraph
9 (1)—

10 (i) the majority leader of the Senate
11 shall appoint 3 individuals from among the
12 Members of the Senate, and 1 outside ex-
13 pert, who shall serve as members of the
14 Fiscal Commission;

15 (ii) the minority leader of the Senate
16 shall appoint 3 individuals from among the
17 Members of the Senate, and 1 outside ex-
18 pert who shall serve as members of the
19 Fiscal Commission;

20 (iii) the Speaker of the House of Rep-
21 resentatives shall appoint 3 individuals
22 from among the Members of the House of
23 Representatives, and 1 outside expert, who
24 shall serve as members of the Fiscal Com-
25 mission; and

1 (iv) the minority leader of the House
2 of Representatives shall appoint 3 individ-
3 uals from among the Members of the
4 House of Representatives, and 1 outside
5 expert, who shall serve as members of the
6 Fiscal Commission.

7 (C) CO-CHAIRS.—

8 (i) IN GENERAL.—Not later than 14
9 days after the date described in paragraph
10 (1), with respect to the Fiscal Commis-
11 sion—

12 (I) the leadership of the Senate
13 and House of Representatives of the
14 same political party as the President
15 shall appoint 1 individual from among
16 the members of the Fiscal Commis-
17 sion who shall serve as a co-chair of
18 the Fiscal Commission; and

19 (II) the leadership of the Senate
20 and House of Representatives of the
21 opposite political party as the Presi-
22 dent, shall appoint 1 individual from
23 among the members of the Fiscal
24 Commission who shall serve as a co-
25 chair of the Fiscal Commission.

1 (ii) STAFF DIRECTOR.—With respect
2 to the Fiscal Commission, the co-chairs of
3 the Fiscal Commission, acting jointly, shall
4 hire the staff director of the Fiscal Com-
5 mission.

6 (D) PERIOD OF APPOINTMENT.—

7 (i) IN GENERAL.—The members of
8 the Fiscal Commission shall be appointed
9 for the life of the Fiscal Commission.

10 (ii) VACANCY.—

11 (I) IN GENERAL.—Any vacancy
12 in the Fiscal Commission shall not af-
13 fect the powers of the Fiscal Commis-
14 sion, but shall be filled not later than
15 14 days after the date on which the
16 vacancy occurs, in the same manner
17 as the original appointment was
18 made.

19 (II) INELIGIBLE MEMBERS.—If a
20 member of the Fiscal Commission who
21 was appointed as a Member of the
22 Senate or the House Representatives
23 ceases to be a Member of the Senate
24 or the House of Representatives, as
25 applicable—

1 (aa) the member shall no
2 longer be a member of the Fiscal
3 Commission; and

4 (bb) a vacancy in the Fiscal
5 Commission exists.

6 (4) ADMINISTRATION.—

7 (A) IN GENERAL.—With respect to the
8 Fiscal Commission, to enable the Fiscal Com-
9 mission to exercise the powers, functions, and
10 duties of the Fiscal Commission, there are au-
11 thorized to be disbursed by the Senate the ac-
12 tual and necessary expenses of the Fiscal Com-
13 mission approved by the co-chairs of the Fiscal
14 Commission, subject to the rules and regula-
15 tions of the Senate.

16 (B) EXPENSES.—With respect to the Fis-
17 cal Commission, in carrying out the functions of
18 the Fiscal Commission, the Fiscal Commission
19 is authorized to incur expenses in the same
20 manner and under the same conditions as the
21 Joint Economic Committee is authorized under
22 section 11(d) of the Employment Act of 1946
23 (15 U.S.C. 1024(d)).

24 (C) QUORUM.—With respect to the Fiscal
25 Commission, 9 members of the Fiscal Commis-

1 sion shall constitute a quorum for purposes of
2 voting, meeting, and holding hearings.

3 (D) VOTING.—

4 (i) PROXY VOTING.—No proxy voting
5 shall be allowed on behalf of any member
6 of the Fiscal Commission.

7 (ii) CONGRESSIONAL BUDGET OFFICE
8 ESTIMATES.—

9 (I) IN GENERAL.—The Director
10 of the Congressional Budget Office
11 shall, with respect to the legislative
12 language of the Fiscal Commission
13 under paragraph (2)(B)(i)(II), provide
14 to the Fiscal Commission—

15 (aa) estimates of the legisla-
16 tive language in accordance with
17 sections 308(a) and 201(f) of the
18 Congressional Budget Act of
19 1974 (2 U.S.C. 639(a) and
20 601(f)); and

21 (bb) information on the
22 budgetary effect of the legislative
23 language on the long-term fiscal
24 outlook.

1 (II) LIMITATION.—The Fiscal
2 Commission may not vote on any
3 version of the report, recommenda-
4 tions, or legislative language of the
5 Fiscal Commission under paragraph
6 (2)(B)(i) unless the estimates and in-
7 formation described in subclause (I)
8 of this clause are made available for
9 consideration by all members of the
10 Fiscal Commission not later than 48
11 hours before that vote, as certified by
12 the co-chairs of the Fiscal Commis-
13 sion.

14 (E) MEETINGS.—

15 (i) INITIAL MEETING.—Not later than
16 45 days after the date described in para-
17 graph (1), the Fiscal Commission shall
18 hold the first meeting of the Fiscal Com-
19 mission.

20 (ii) AGENDA.—For each meeting of
21 the Fiscal Commission, the co-chairs of the
22 Fiscal Commission shall provide an agenda
23 to the members of the Fiscal Commission
24 not later than 48 hours before the meeting.

25 (F) HEARINGS.—

1 (i) IN GENERAL.—The Fiscal Com-
2 mission may, for the purpose of carrying
3 out this section, hold such hearings, sit
4 and act at such times and places, require
5 attendance of witnesses and production of
6 books, papers, and documents, take such
7 testimony, receive such evidence, and ad-
8 minister such oaths as the Fiscal Commis-
9 sion considers advisable.

10 (ii) HEARING PROCEDURES AND RE-
11 SPONSIBILITIES OF CO-CHAIRS.—

12 (I) ANNOUNCEMENT.—The co-
13 chairs of the Fiscal Commission shall
14 make a public announcement of the
15 date, place, time, and subject matter
16 of any hearing to be conducted under
17 this subparagraph not later than 7
18 days before the date of the hearing,
19 unless the co-chairs determine that
20 there is good cause to begin such
21 hearing on an earlier date.

22 (II) WRITTEN STATEMENT.—A
23 witness appearing before the Fiscal
24 Commission shall file a written state-
25 ment of the proposed testimony of the

1 witness not later than 2 days before
2 the date of the appearance of the wit-
3 ness, unless the co-chairs of the Fiscal
4 Commission—

5 (aa) determine that there is
6 good cause for the witness to not
7 file the written statement; and

8 (bb) waive the requirement
9 that the witness file the written
10 statement.

11 (G) TECHNICAL ASSISTANCE.—Upon writ-
12 ten request of the co-chairs of the Fiscal Com-
13 mission, the head of a Federal agency shall pro-
14 vide technical assistance to the Fiscal Commis-
15 sion in order for the Fiscal Commission to
16 carry out the duties of the Fiscal Commission.

17 (H) OUTSIDE EXPERT.—Any outside ex-
18 pert appointed to the Fiscal Commission—

19 (i) shall not be considered to be a
20 Federal employee for any purpose by rea-
21 son of service on the Fiscal Commission;
22 and

23 (ii) shall be allowed travel expenses,
24 including per diem in lieu of subsistence,
25 at rates authorized for employees of agen-

1 cies under subchapter I of chapter 57 of
2 title 5, United States Code, while away
3 from their homes or regular places of busi-
4 ness in the performance of services for the
5 Commission.

6 (b) STAFF OF FISCAL COMMISSION.—

7 (1) IN GENERAL.—The co-chairs of the Fiscal
8 Commission may jointly appoint and fix the com-
9 pensation of staff of the Fiscal Commission as the
10 co-chairs determine necessary, in accordance with
11 the guidelines, rules, and requirements relating to
12 employees of the Senate.

13 (2) ETHICAL STANDARDS.—

14 (A) SENATE.—Members appointed by
15 Members of the Senate who serve on the Fiscal
16 Commission and staff of the Fiscal Commission
17 shall adhere to the ethics rules of the Senate.

18 (B) HOUSE OF REPRESENTATIVES.—Mem-
19 bers appointed by Members of the House of
20 Representatives who serve on the Fiscal Com-
21 mission shall be governed by the ethics rules
22 and requirements of the House of Representa-
23 tives.

24 (c) TERMINATION.—The Fiscal Commission shall ter-
25 minate on the date that is 30 days after the date the Fis-

1 cal Commission submits the report under subsection
2 (a)(2)(B)(v).

3 **SEC. 804. EXPEDITED CONSIDERATION OF FISCAL COMMIS-**
4 **SION BILLS.**

5 (a) **QUALIFYING LEGISLATION.**—Only a Fiscal Com-
6 mission bill shall be entitled to expedited consideration
7 under this section.

8 (b) **CONSIDERATION IN THE HOUSE OF REPRESENT-**
9 **ATIVES.**—

10 (1) **INTRODUCTION.**—If the Fiscal Commission
11 approves and submits legislative language under
12 clauses (i) and (v), respectively, of section
13 803(a)(2)(B), the Fiscal Commission bill consisting
14 solely of that legislative language shall be introduced
15 in the House of Representatives (by request)—

16 (A) by the majority leader of the House of
17 Representatives, or by a Member of the House
18 of Representatives designated by the majority
19 leader of the House of Representatives, on the
20 third legislative day after the date the Fiscal
21 Commission approves and submits such legisla-
22 tive language; or

23 (B) if the Fiscal Commission bill is not in-
24 troduced under subparagraph (A), by any Mem-
25 ber of the House of Representatives on any leg-

1 islative day beginning on the legislative day
2 after the legislative day described in subpara-
3 graph (A).

4 (2) REFERRAL AND REPORTING.—Any com-
5 mittee of the House of Representatives to which a
6 Fiscal Commission bill is referred shall report the
7 Fiscal Commission bill to the House of Representa-
8 tives without amendment not later than 5 legislative
9 days after the date on which the Fiscal Commission
10 bill was so referred. If any committee of the House
11 of Representatives to which a Fiscal Commission bill
12 is referred fails to report the Fiscal Commission bill
13 within that period, that committee shall be auto-
14 matically discharged from consideration of the Fiscal
15 Commission bill, and the Fiscal Commission bill
16 shall be placed on the appropriate calendar.

17 (3) PROCEEDING TO CONSIDERATION.—After
18 the last committee authorized to consider a Fiscal
19 Commission bill reports it to the House of Rep-
20 resentatives or has been discharged from its consid-
21 eration, it shall be in order to move to proceed to
22 consider the Fiscal Commission bill in the House of
23 Representatives. Such a motion shall not be in order
24 after the House of Representatives has disposed of
25 a motion to proceed with respect to the Fiscal Com-

1 mission bill. The previous question shall be consid-
2 ered as ordered on the motion to its adoption with-
3 out intervening motion.

4 (4) CONSIDERATION.—The Fiscal Commission
5 bill shall be considered as read. All points of order
6 against the Fiscal Commission bill and against its
7 consideration are waived. The previous question
8 shall be considered as ordered on the Fiscal Com-
9 mission bill to its passage without intervening mo-
10 tion except 2 hours of debate equally divided and
11 controlled by the proponent and an opponent.

12 (5) VOTE ON PASSAGE.—The vote on passage
13 of the Fiscal Commission bill shall occur pursuant to
14 the constraints under clause 8 of rule XX of the
15 Rules of the House of Representatives.

16 (c) EXPEDITED PROCEDURE IN THE SENATE.—

17 (1) INTRODUCTION IN THE SENATE.—If the
18 Fiscal Commission approves and submits legislative
19 language under clauses (i) and (v), respectively, of
20 section 803(a)(2)(B), a Fiscal Commission bill con-
21 sisting solely of that legislative language may be in-
22 troduced in the Senate (by request)—

23 (A) by the majority leader of the Senate,
24 or by a Member of the Senate designated by the

1 majority leader of the Senate, on the next day
2 on which the Senate is in session; or

3 (B) if the Fiscal Commission bill is not in-
4 troduced under subparagraph (A), by any Mem-
5 ber of the Senate on any day on which the Sen-
6 ate is in session beginning on the day after the
7 day described in subparagraph (A).

8 (2) COMMITTEE CONSIDERATION.—A Fiscal
9 Commission bill introduced in the Senate under
10 paragraph (1) shall be jointly referred to the com-
11 mittee or committees of jurisdiction, which commit-
12 tees shall report the Fiscal Commission bill without
13 any revision and with a favorable recommendation,
14 an unfavorable recommendation, or without rec-
15 ommendation, not later than 5 session days after the
16 date on which the Fiscal Commission bill was so re-
17 ferred. If any committee to which a Fiscal Commis-
18 sion bill is referred fails to report the Fiscal Com-
19 mission bill within that period, that committee shall
20 be automatically discharged from consideration of
21 the Fiscal Commission bill, and the Fiscal Commis-
22 sion bill shall be placed on the appropriate calendar.

23 (3) PROCEEDING.—Notwithstanding rule XXII
24 of the Standing Rules of the Senate, it is in order,
25 not later than 2 days of session after the date on

1 which a Fiscal Commission bill is reported or dis-
2 charged from all committees to which the Fiscal
3 Commission bill was referred, for the majority leader
4 of the Senate or the designee of the majority leader
5 to move to proceed to the consideration of the Fiscal
6 Commission bill. It shall also be in order for any
7 Member of the Senate to move to proceed to the
8 consideration of the Fiscal Commission bill at any
9 time after the conclusion of such 2-day period. A
10 motion to proceed is in order even though a previous
11 motion to the same effect has been disagreed to. All
12 points of order against the motion to proceed to the
13 Fiscal Commission bill are waived. The motion to
14 proceed is not debatable. The motion is not subject
15 to a motion to postpone. A motion to reconsider the
16 vote by which the motion is agreed to or disagreed
17 to shall not be in order. If a motion to proceed to
18 the consideration of the Fiscal Commission bill is
19 agreed to, the Fiscal Commission bill shall remain
20 the unfinished business until disposed of. All points
21 of order against a Fiscal Commission bill and
22 against consideration of the Fiscal Commission bill
23 are waived.

24 (4) NO AMENDMENTS.—An amendment to a
25 Fiscal Commission bill, or a motion to postpone, or

1 a motion to proceed to the consideration of other
2 business, or a motion to recommit the Fiscal Com-
3 mission bill, is not in order.

4 (5) RULINGS OF THE CHAIR ON PROCEDURE.—
5 Appeals from the decisions of the Chair relating to
6 the application of the rules of the Senate, as the
7 case may be, to the procedure relating to a Fiscal
8 Commission bill shall be decided without debate.

9 (d) AMENDMENT.—A Fiscal Commission bill shall
10 not be subject to amendment in either the Senate or the
11 House of Representatives.

12 (e) CONSIDERATION BY THE OTHER HOUSE.—

13 (1) IN GENERAL.—If, before passing a Fiscal
14 Commission bill, a House receives from the other
15 House a Fiscal Commission bill consisting of legisla-
16 tive language approved by the same Fiscal Commis-
17 sion as the Fiscal Commission bill in the receiving
18 House—

19 (A) the Fiscal Commission bill of the other
20 House shall not be referred to a committee; and

21 (B) the procedure in the receiving House
22 shall be the same as if no Fiscal Commission
23 bill had been received from the other House
24 until the vote on passage, when the Fiscal Com-
25 mission bill received from the other House shall

1 supplant the Fiscal Commission bill of the re-
2 ceiving House.

3 (2) REVENUE MEASURES.—This subsection
4 shall not apply to the House of Representatives if a
5 Fiscal Commission bill received from the Senate is
6 a revenue measure.

7 (f) RULES TO COORDINATE ACTION WITH OTHER
8 HOUSE.—

9 (1) TREATMENT OF FISCAL COMMISSION BILL
10 OF OTHER HOUSE.—If a Fiscal Commission bill is
11 not introduced in the Senate or the Senate fails to
12 consider a Fiscal Commission bill under this section,
13 the Fiscal Commission bill of the House of Rep-
14 resentatives consisting of legislative language ap-
15 proved by the same Fiscal Commission as the Fiscal
16 Commission bill in the Senate shall be entitled to ex-
17 pedited floor procedures under this section.

18 (2) TREATMENT OF COMPANION MEASURES IN
19 THE SENATE.—If, following passage of a Fiscal
20 Commission bill in the Senate, the Senate then re-
21 ceives from the House of Representatives a Fiscal
22 Commission bill approved by the same Fiscal Com-
23 mission and consisting of the same legislative lan-
24 guage as the Senate-passed Fiscal Commission bill,
25 the House-passed Fiscal Commission bill shall not

1 be debatable. The vote on passage of the Fiscal
2 Commission bill in the Senate shall be considered to
3 be the vote on passage of the Fiscal Commission bill
4 received from the House of Representatives.

5 (3) VETOES.—If the President vetoes a Fiscal
6 Commission bill, consideration of a veto message in
7 the Senate under this paragraph shall be 10 hours
8 equally divided between the majority and minority
9 leaders of the Senate or the designees of the major-
10 ity and minority leaders of the Senate.

11 **SEC. 805. FUNDING.**

12 Funding for the Fiscal Commission shall be derived
13 in equal portions from—

14 (1) the contingent fund of the Senate from the
15 appropriations account “Miscellaneous Items”, sub-
16 ject to the rules and regulations of the Senate; and

17 (2) the applicable accounts of the House of
18 Representatives.

19 **SEC. 806. RULEMAKING.**

20 The provisions of this division are enacted by Con-
21 gress—

22 (1) as an exercise of the rulemaking power of
23 the Senate and the House of Representatives, re-
24 spectively, and, as such, the provisions—

1 (A) shall be considered as part of the rules
2 of each House, respectively, or of that House to
3 which they specifically apply; and

4 (B) shall supersede other rules only to the
5 extent that they are inconsistent therewith; and

6 (2) with full recognition of the constitutional
7 right of either House to change such rules (so far
8 as relating to such House) at any time, in the same
9 manner, and to the same extent as in the case of
10 any other rule of such House.

