

AMENDMENT TO H.R. 2, AS REPORTED
OFFERED BY MR. DAVIDSON OF OHIO

At the end of subtitle A of title IV, insert the following:

1 **Subtitle D—Welfare Benefit Reform**
2 **and Alignment Commission**

3 **SEC. 4301. SHORT TITLE.**

4 This title may be cited as the “Welfare Benefit Re-
5 form and Alignment Commission (BRAC) Act”.

6 **SEC. 4302. PURPOSE.**

7 The purpose of this title is to structure means-tested
8 welfare programs such that—

9 (1) the receipt of means-tested welfare program
10 aid by a beneficiary is temporary, that over time
11 there is a reduction in the number of such programs
12 in which an individual beneficiary or household is
13 participating, and that over time the total number of
14 recipients receiving such aid is reduced; and

15 (2) means-tested welfare programs increase em-
16 ployment, encourage healthy marriages and further
17 educational attainment so that households maintain
18 an income above the poverty level without services
19 and benefits from the Federal Government.

1 **SEC. 4303. DEFINITION OF MEANS-TESTED WELFARE PRO-**
2 **GRAM.**

3 (a) MEANS-TESTED WELFARE PROGRAM.—In this
4 title, the term “means-tested welfare program”—

5 (1) means any Federal program that is de-
6 signed to specifically provide assistance or benefits
7 exclusively to low-income Americans;

8 (2) does not include such a program if the pro-
9 gram—

10 (A) is based on earned eligibility;

11 (B) is not need-based;

12 (C) provides to an individual benefits
13 under title 38, United States Code, or other
14 provisions of law administered by the Secretary
15 of Veterans Affairs; or

16 (D) offers universal or near universal eligi-
17 bility to the working population and their de-
18 pendants; and

19 (3) includes community and economic develop-
20 ment programs targeted to low-income communities
21 or populations.

22 (b) PROGRAMS INCLUDED.—For purposes of sub-
23 section (a), the following Federal programs shall be con-
24 sidered means-tested welfare programs:

25 (1) CASH AND GENERAL ASSISTANCE.—

1 (A) The Supplemental Security Income
2 program under title XVI of the Social Security
3 Act.

4 (B) The earned income tax credit deter-
5 mined under section 32 of the Internal Revenue
6 Code of 1986.

7 (C) The refundable portion of the child tax
8 credit determined under section 24 of the Inter-
9 nal Revenue Code of 1986.

10 (D) The program of block grants to States
11 for temporary assistance for needy families
12 under part A of title IV of the Social Security
13 Act.

14 (E) The foster care and adoption assist-
15 ance program under part E of title IV of the
16 Social Security Act.

17 (F) General Assistance to Indians.

18 (G) The programs operated under the As-
19 sets for Independence Act.

20 (2) MEDICAL.—

21 (A) The Medicaid program under title XIX
22 of the Social Security Act.

23 (B) The State Children's Health Insurance
24 Program under title XXI of the Social Security
25 Act.

1 (C) Health programs operated by the In-
2 dian Health Service, Indian tribes, tribal orga-
3 nizations, and Urban Indian organizations (as
4 those terms are defined in section 4 of the In-
5 dian Health Care Improvement Act (25 U.S.C.
6 1603)).

7 (D) The health center programs under sec-
8 tion 330 of the Public Health Service Act (42
9 U.S.C. 254b).

10 (E) The Maternal and Child Health Serv-
11 ices Block Grant program under title V of the
12 Social Security Act (42 U.S.C. 701 et seq.).

13 (F) The Healthy Start Initiative under
14 section 330H of the Public Health Service Act
15 (42 U.S.C. 254c–8).

16 (G) Premium tax credits and cost sharing
17 reductions available pursuant to the Patient
18 Protection and Affordable Health Care Act
19 (PPACA) and the amendments made by such
20 Act.

21 (3) FOOD.—

22 (A) The supplemental nutrition assistance
23 program under the Food and Nutrition Act of
24 2008 (7 U.S.C. 2011 et seq.).

1 (B) The school lunch program under the
2 Richard B. Russell National School Lunch Act
3 (42 U.S.C. 1751 et seq.).

4 (C) The special supplemental nutrition
5 program for women, infants, and children under
6 section 17 of the Child Nutrition Act (42
7 U.S.C. 1786).

8 (D) The school breakfast program under
9 section 4 of the Child Nutrition Act of 1966
10 (42 U.S.C. 1773).

11 (E) The child and adult care food program
12 under section 17 of the Richard B. Russell Na-
13 tional School Lunch Act (42 U.S.C. 1766).

14 (F) The nutrition services programs under
15 the Older Americans Act of 1965 (42 U.S.C.
16 3001 et seq.).

17 (G) The summer food service program for
18 children under section 13 of the Richard B.
19 Russell National School Lunch Act (42 U.S.C.
20 1761).

21 (H) The commodity supplemental food
22 program under section 4 of the Agriculture and
23 Consumer Protection Act of 1973 (7 U.S.C.
24 612c note).

1 (I) Commodity distribution programs
2 under the Emergency Food Assistance Act of
3 1983 (7 U.S.C. 7501 et seq.).

4 (J) The seniors farmers' market nutrition
5 program under section 3007 of Public Law
6 107–171 (7 U.S.C. 3007).

7 (K) The special milk program established
8 under section 3 of the Child Nutrition Act of
9 1966 (42 U.S.C. 1772).

10 (4) HOUSING.—

11 (A) The rental assistance program under
12 section 8 of the United States Housing Act of
13 1937 (42 U.S.C. 1437f).

14 (B) The public housing program under
15 title I of the United States Housing Act of
16 1937 (42 U.S.C. 1437 et seq.).

17 (C) The Home Investment Partnerships
18 Program under title II of the Cranston-Gon-
19 zalez National Affordable Housing Act (42
20 U.S.C. 12721 et seq.).

21 (D) The programs for homeless assistance
22 under title IV of the McKinney-Vento Homeless
23 Assistance Act (42 U.S.C. 11360 et seq.).

1 (E) The rural housing programs under
2 title V of the Housing Act of 1949 (42 U.S.C.
3 1471 et seq.).

4 (F) The program for supportive housing
5 for elderly persons under section 202 of the
6 Housing Act of 1959 (12 U.S.C. 1701q).

7 (G) The program for Native American
8 housing block grants under the Native Amer-
9 ican Housing Assistance and Self-Determina-
10 tion Act of 1996 (25 U.S.C. 4101 et seq.).

11 (H) The program for supportive housing
12 for persons with disabilities under section 811
13 of the Cranston-Gonzalez National Affordable
14 Housing Act (42 U.S.C. 8013).

15 (5) ENERGY AND UTILITIES.—

16 (A) Low-income home energy assistance
17 under the Low-Income Home Energy Assist-
18 ance Act of 1981 (42 U.S.C. 8621 et seq.).

19 (B) The Lifeline Assistance Program of
20 the Federal Communications Commission and
21 the Tribal Link Up assistance program defined
22 in section 54.413 of title 47, Code of Federal
23 Regulations.

24 (C) Weatherization assistance for low-in-
25 come persons under part A of title IV of the

1 Energy Conservation and Production Act (42
2 U.S.C. 6861 et seq.).

3 (6) EDUCATION.—

4 (A) Federal Pell Grants under subpart 1
5 of part IV of the Higher Education Act of 1965
6 (20 U.S.C. 1070a et seq.).

7 (B) Grants for improving basic programs
8 operated by local educational agencies under
9 part A of title I of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C. 6311
11 et seq.).

12 (C) Federal TRIO programs under chapter
13 1 of subpart 2 of title IV of the Higher Edu-
14 cation Act of 1965 (20 U.S.C. 1070a–11 et
15 seq.).

16 (D) Federal supplemental educational op-
17 portunity grants under subpart 3 of part A of
18 title IV the Higher Education Act of 1965 (20
19 U.S.C. 1070b et seq.).

20 (E) Programs for the education of migra-
21 tory children under part C of title 1 of the Ele-
22 mentary and Secondary Education Act of 1965
23 (20 U.S.C. 6391 et seq.).

24 (F) Gaining early awareness and readiness
25 for undergraduate programs under chapter 2 of

1 subpart 2 of part A of title IV of the Higher
2 Education Act of 1965 (20 U.S.C. 1070a–21 et
3 seq.).

4 (G) The education for homeless children
5 and youth program under subtitle B of title VII
6 of the McKinney-Vento Homeless Assistance
7 Act (42 U.S.C. 11431 et seq.).

8 (H) The leveraging educational assistance
9 partnership program of subpart 4 of part A of
10 title IV the Higher Education Act of 1965 (20
11 U.S.C. 1070e et seq.).

12 (7) TRAINING.—

13 (A) Job Corps under subtitle C of title I
14 of the Workforce Innovation and Opportunity
15 Act (29 U.S.C. 3191 et seq.).

16 (B) Adult employment and training activi-
17 ties under title I of the Workforce Innovation
18 and Opportunity Act (20 U.S.C. 3101 et seq.).

19 (C) Senior community service employment
20 programs under title V of the Older Americans
21 Act of 1965 (42 U.S.C. 3056 et seq.).

22 (D) Employment and training programs
23 under the Food and Nutrition Act of 2008 (7
24 U.S.C. 2011 et seq.).

1 (E) Migrant and seasonal farmworker pro-
2 grams under section 167 of the Workforce In-
3 novation and Opportunity Act (29 U.S.C.
4 3222).

5 (F) The YouthBuild Program under sec-
6 tion 171 of the Workforce Innovation and Op-
7 portunity Act (29 U.S.C. 3226).

8 (G) Native American Programs under sec-
9 tion 166 of the Workforce Innovation and Op-
10 portunity Act (29 U.S.C. 3221).

11 (8) SERVICES.—

12 (A) The Social Services Block Grant pro-
13 gram under title XX of the Social Security Act.

14 (B) Programs under the Community Serv-
15 ices Block Grant Act of 1981 (42 U.S.C. 9901
16 et seq.).

17 (C) Services for aliens admitted to the
18 United States as refugees or granted asylum in
19 the United States, and other special populations
20 of aliens.

21 (D) State and community programs on
22 aging that receive Federal funds.

23 (E) Legal Services Corporation.

1 (F) Family planning services under title X
2 of the Public Health Service Act (42 U.S.C.
3 300 et seq.).

4 (G) The Emergency Food and Shelter Pro-
5 gram for homeless persons under title III of the
6 McKinney-Vento Homeless Assistance Act (42
7 U.S.C. 11331 et seq.).

8 (H) The AmeriCorps VISTA program
9 under subtitle C of title I of the National and
10 Community Service Act of 1990 (42 U.S.C.
11 12571 et seq.).

12 (9) CHILD CARE AND CHILD DEVELOPMENT.—

13 (A) Head Start programs and Early Head
14 Start programs under the Head Start Act (42
15 U.S.C. 9831 et seq.).

16 (B) Programs under the Child Care and
17 Development Block Grant Act of 1990 (42
18 U.S.C. 9858 et seq.).

19 (10) COMMUNITY DEVELOPMENT.—

20 (A) The Community Development Block
21 Grant Program under title I of the Housing
22 and Community Development Act of 1974 (42
23 U.S.C. 5301 et seq.).

24 (B) Programs administered by the Eco-
25 nomic Development Administration under the

1 Public Works and Economic Development Act
2 of 1965 (42 U.S.C. 3121 et seq.).

3 (C) Programs administered by the Appa-
4 lachian Regional Commission under subtitle IV
5 of title 40, United States Code.

6 (D) Empowerment zones and enterprise
7 communities under subchapter U, and renewal
8 communities under subchapter X, of the Inter-
9 nal Revenue Code of 1986.

10 (c) PROGRAMS EXCLUDED.—For purposes of sub-
11 section (a), the following Federal programs shall not be
12 considered means-tested welfare programs:

13 (1) The Old-Age, Survivors, and Disability In-
14 surance Benefit program under title II of the Social
15 Security Act (42 U.S.C. 401 et seq.).

16 (2) The Medicare program under title XVIII of
17 the Social Security Act (42 U.S.C. 1395 et seq.).

18 (3) A program designed exclusively or primarily
19 to provide to an individual benefits under title 38,
20 United States Code, or other provisions of law ad-
21 ministered by the Secretary of Veterans Affairs.

22 (4) A program that provides for the receipt of
23 “regular compensation”, “extended compensation”,
24 or “additional compensation” (as such terms are de-
25 fined by section 205 of the Federal-State Extended

1 Unemployment Compensation Act (26 U.S.C. 3304
2 note)).

3 (5) The program that provides for trade adjust-
4 ment assistance under title II of the Trade Act of
5 1974 (19 U.S.C. 2251 et seq.).

6 (6) Programs designed specifically to provide
7 benefits to workers to compensate for job-related in-
8 juries or illnesses.

9 (d) SPECIAL RULES.—

10 (1)(A) For purposes of subsection (a), only the
11 refundable portion of the following tax credits shall
12 be considered means-tested welfare programs:

13 (i) The earned income tax credit under sec-
14 tion 32 of the Internal Revenue Code of 1986.

15 (ii) The child tax credit under section
16 24(d) of the Internal Revenue Code of 1986.

17 (B) For purposes of subsection (a), only the re-
18 fundable portion of the premium and out-of-pocket
19 health care subsidies to be paid under the Patient
20 Protection and Affordable Health Care Act shall be
21 considered a means-tested welfare program.

22 (C) For purposes of this subparagraph, the
23 term “refundable portion” means the portion of the
24 credit which is paid to an individual in excess of the

1 amount of Federal income tax owed by the indi-
2 vidual.

3 (2) For purposes of subsection (a), only the
4 costs of the free and reduced price segments of the
5 school lunch and school breakfast programs shall be
6 considered means-tested welfare programs.

7 (e) EXCLUSION OF CERTAIN STATE AND LOCAL EX-
8 PENDITURES.—For purposes of subsection (a), expendi-
9 tures by State and local governments of funds that are—

10 (1) obtained by the State and local government
11 from taxes, fees, or other sources of revenue estab-
12 lished by the State or local government; and

13 (2) not received as any form of grant from the
14 Federal Government,
15 shall not be considered means-tested welfare programs,
16 without regard to whether the State and local expenditures
17 take the form of contributions to a Federal program de-
18 scribed in subsection (a) or listed in subsection (b).

19 **SEC. 4304. ESTABLISHMENT OF BENEFIT REFORM AND**
20 **ALIGNMENT COMMISSION.**

21 (a) ESTABLISHMENT.—There is established in the
22 legislative branch a commission to be known as the “Ben-
23 efit Reform and Alignment Commission” (hereafter re-
24 ferred to as the “Commission”).

25 (b) DUTIES.—

1 (1) IN GENERAL.—The Commission—

2 (A) shall review all means-tested welfare
3 programs within the Federal Government to—

4 (i) identify changes in law (which may
5 include ways to streamline functions and
6 increase efficiency within agencies or pro-
7 grams) that will achieve the purposes set
8 forth in section 4302;

9 (ii) evaluate whether each means-test-
10 ed welfare program could be consolidated
11 with another means-tested welfare pro-
12 gram, or a program subject to the avail-
13 ability of discretionary appropriations with
14 similar goals, and make recommendations
15 for consolidating the programs that are
16 identified;

17 (iii) evaluate the potential benefits of
18 eliminating any means-tested welfare pro-
19 gram that does not have proven beneficial
20 outcomes that assist in achieving purposes
21 set forth in section 4302 and make rec-
22 ommendations regarding eliminating
23 means-tested welfare programs that are
24 identified;

1 (iv) identify opportunities and make
2 recommendations regarding ways for the
3 Federal Government to reduce the cost or
4 increase the efficiency of means-tested wel-
5 fare program by contracting with private
6 entities, or delegating authority to States,
7 to perform activities relating to the pro-
8 gram;

9 (v) identify means-tested welfare pro-
10 grams and entitlement authorities that
11 should be modified to be carried out sub-
12 ject to the availability of discretionary ap-
13 propriations; and

14 (vi) identify other ways to achieve the
15 purposes set forth in section 4302 as de-
16 termined by the Commission;

17 (B) may review the offsetting receipts and
18 discretionary appropriations of the Federal
19 Government, as determined appropriate by the
20 Commission; and

21 (C) may develop the criteria for achieving
22 the purposes set forth in section 4302.

23 (2) CONSULTATION AND WORKING GROUPS.—

1 (A) IN GENERAL.—In carrying out the re-
2 view under paragraph (1)(A), the Commission
3 shall—

4 (i) consult with experts in company
5 restructuring, reorganizing, and cost cut-
6 ting; and

7 (ii) establish working groups for
8 means-tested welfare programs, as deter-
9 mined appropriate by the Commission, to
10 provide recommendations to the Commis-
11 sion.

12 (B) MEMBERS OF WORKING GROUPS.—The
13 individuals serving on a working group estab-
14 lished under subparagraph (A)(ii) shall be em-
15 ployees or contractors of the Commission with
16 expertise in a program reviewed by the working
17 group.

18 (3) REPORT.—Not later than 6 months after
19 the date on which all members of the Commission
20 are appointed, and upon an affirmative vote of a
21 majority of the members of the Commission, the
22 Commission shall submit to Congress and make pub-
23 licly available a report containing—

1 (A) a detailed statement of the findings,
2 conclusions, and recommendations of the Com-
3 mission; and

4 (B) the assumptions, scenarios, and alter-
5 natives considered in reaching such findings,
6 conclusions, and recommendations.

7 (4) LEGISLATION TO CARRY OUT CHANGES IN
8 LAW TO ACHIEVE PURPOSES.—The Commission
9 shall—

10 (A) identify changes in law that will result
11 in the consolidation and realignment in pro-
12 grams and outlays that will achieve the pur-
13 poses set forth in section 4302;

14 (B) include in the report submitted under
15 paragraph (3) a bill consisting of proposed leg-
16 islative language to carry out the changes in
17 law identified under subparagraph (A) (here-
18 after in this title referred to as the “Commis-
19 sion bill”), except that the bill may not include
20 provisions creating a new program or agency,
21 unless such program or agency is the result of
22 a consolidation or realignment of existing pro-
23 grams and agencies which will have the pre-
24 dicted outcome of achieving the purposes of sec-
25 tion 4302; and

1 (C) include in such report an estimate of
2 the savings in outlays that will be achieved by
3 the enactment of the Commission bill, as devel-
4 oped in conjunction with the Director of the
5 Congressional Budget Office and the Director
6 of the Office of Management and Budget.

7 (5) INFORMATION TO MEMBERS OF CON-
8 GRESS.—After submission of the Commission bill
9 under paragraph (4), the Commission shall promptly
10 provide, upon request, to any Member of Congress
11 information used by the Commission in making its
12 recommendations.

13 (c) MEMBERSHIP.—

14 (1) IN GENERAL.—The Commission shall be
15 composed of 8 members, appointed as follows:

16 (A) The majority leader of the Senate shall
17 appoint 2 members.

18 (B) The minority leader of the Senate shall
19 appoint 2 members.

20 (C) The Speaker of the House of Rep-
21 resentatives shall appoint 2 members.

22 (D) The minority leader of the House of
23 Representatives shall appoint 2 members.

1 (2) DISQUALIFICATIONS.—An individual may
2 not be appointed as a member of the Commission if
3 the individual—

4 (A) was an officer or employee of any es-
5 tablishment in the Federal Government at any
6 time during the 5-year period ending on the
7 date of the appointment; or

8 (B) was registered as a lobbyist under the
9 Lobbying Disclosure Act of 1995 (2 U.S.C.
10 1601 et seq.) at any time during the 5-year pe-
11 riod ending on the date of the appointment.

12 (3) CHAIRPERSON.—The members of the Com-
13 mission shall select a Chairperson from among the
14 members of the Commission.

15 (4) DATE.—Not later than 1 month after the
16 date of enactment of this title, all members of the
17 Commission shall be appointed.

18 (5) PERIOD OF DESIGNATION.—Members shall
19 be appointed for the life of the Commission. Any va-
20 cancy in the Commission shall not affect its powers,
21 but shall be filled not later than 14 days after the
22 date on which the vacancy occurs in the same man-
23 ner as the original appointment.

24 (6) COMPENSATION.—

1 (A) IN GENERAL.—Each member of the
2 Commission shall be compensated at a rate
3 equal to the daily equivalent of the annual rate
4 of basic pay prescribed for a position at level IV
5 of the Executive Schedule under section 5314
6 of title 5, United States Code, for each day (in-
7 cluding travel time) during which such member
8 is engaged in the performance of the duties of
9 the Commission.

10 (B) TRAVEL EXPENSES.—Members may be
11 allowed travel expenses, including per diem in
12 lieu of subsistence, in accordance with sections
13 5702 and 5703 of title 5, United States Code,
14 while away from their homes or regular places
15 of business in performance of services for the
16 Commission.

17 (d) POWERS OF THE COMMISSION.—

18 (1) HEARINGS.—The Commission may, for the
19 purpose of carrying out this title—

20 (A) hold such hearings, sit and act at such
21 times and places, take such testimony, receive
22 such evidence, and administer such oaths as the
23 Commission considers advisable to carry out its
24 duties; and

1 (B) require, by subpoena or otherwise, the
2 attendance and testimony of such witnesses and
3 the production of such books, records, cor-
4 respondence, memoranda, papers, documents,
5 tapes, and materials as the Commission con-
6 siders advisable to carry out its duties.

7 (2) INFORMATION FROM FEDERAL AGENCIES.—
8 The Commission may request directly, or require, by
9 subpoena or otherwise, from any Federal agency
10 such information as the Commission considers nec-
11 essary to carry out its duties. Upon a request of the
12 Chairperson of the Commission, the head of a Fed-
13 eral agency shall furnish such information to the
14 Commission.

15 (3) ISSUANCE AND ENFORCEMENT OF SUB-
16 POENAS.—

17 (A) ISSUANCE.—Subpoenas issued under
18 paragraph (1) or (2) shall bear the signature of
19 the Chairperson of the Commission and shall be
20 served by any person or class of persons des-
21 ignated by the Chairperson for that purpose.

22 (B) ENFORCEMENT.—In the case of contu-
23 macy or failure to obey a subpoena issued
24 under paragraph (1) or (2), the United States
25 district court for the judicial district in which

1 the subpoenaed person resides, is served, or
2 may be found may issue an order requiring
3 such person to appear at any designated place
4 to testify or to produce documentary or other
5 evidence. Any failure to obey the order of the
6 court may be punished by the court as a con-
7 tempt of that court.

8 (4) WITNESS ALLOWANCES AND FEES.—Section
9 1821 of title 28, United States Code, shall apply to
10 witnesses requested or subpoenaed to appear at any
11 hearing of the Commission. The per diem and mile-
12 age allowances for witnesses shall be paid from
13 funds available to pay the expenses of the Commis-
14 sion.

15 (5) INFORMATION FROM THE CONGRESSIONAL
16 BUDGET OFFICE AND OFFICE OF MANAGEMENT AND
17 BUDGET.—The Commission may secure directly
18 from the Congressional Budget Office and Office of
19 Management and Budget such information, includ-
20 ing estimates and analysis, as the Commission con-
21 siders advisable to carry out its duties. Upon request
22 of the Chairperson of the Commission, the Director
23 of the Congressional Budget Office or Office of
24 Management and Budget shall furnish such informa-

1 tion, including estimates and analysis, to the Com-
2 mission.

3 (6) INFORMATION FROM THE LIBRARY OF CON-
4 GRESS.—Upon the request of the Commission, the
5 Librarian of Congress shall provide to the Commis-
6 sion, on a reimbursable basis, administrative support
7 services, research services, and research staff nec-
8 essary for the Commission to carry out its respon-
9 sibilities under this title.

10 (e) STAFF OF THE COMMISSION.—

11 (1) APPOINTMENT AND COMPENSATION OF
12 STAFF.—The Chairperson may appoint and fix the
13 compensation of a staff director and such other em-
14 ployees as may be necessary to enable the Commis-
15 sion to carry out its functions, without regard to the
16 provisions of title 5, United States Code, governing
17 appointments in the competitive service, but at rates
18 not to exceed the annual rate of basic pay prescribed
19 for a position at level V of the Executive Schedule
20 under section 5316 of title 5 of the United States
21 Code.

22 (2) AGENCY ASSISTANCE.—Upon the request of
23 the Chairperson, the head of any agency may detail
24 an employee of the agency to the Commission with-
25 out reimbursement, and such detail shall be without

1 interruption or loss of civil service status or privi-
2 lege.

3 (f) CONSULTANT, TEMPORARY, AND INTERMITTENT
4 SERVICES.—The Chairperson of the Commission is au-
5 thorized to procure the services of experts and consultants
6 and temporary and intermittent services in accordance
7 with section 3109 of title 5, United States Code, but at
8 rates not to exceed the daily rate paid a person occupying
9 a position at level V of the Executive Schedule under sec-
10 tion 5316 of title 5, United States Code, for each day dur-
11 ing which such consultant or expert is engaged in the per-
12 formance of the duties of the Commission.

13 (g) CONSIDERATION OF SUGGESTIONS FROM THE
14 PUBLIC THROUGH WEB SITE.—In carrying out its duties
15 under this title, the Commission shall—

16 (1) establish a Web site for the purpose of al-
17 lowing any member of the public to submit sugges-
18 tions to the Commission for its consideration; and

19 (2) consider each such suggestion submitted
20 through the Web site.

21 (h) FEDERAL ADVISORY COMMITTEE ACT.—The
22 Federal Advisory Committee Act (5 U.S.C. App.) shall not
23 apply to the Commission.

24 (i) TERMINATION.—The Commission shall terminate
25 on the day after the earlier of—

1 (1) the date on which the Commission bill is en-
2 acted into law; or

3 (2) the last day of the Congress during which
4 the Commission bill is introduced in the Senate or
5 the House under section 5(a).

6 **SEC. 4305. EXPEDITED PROCEDURES.**

7 (a) INTRODUCTION OF COMMISSION BILL.—The
8 Commission bill—

9 (1) shall be introduced in the Senate (by re-
10 quest), with any technical changes necessary to
11 carry out the intent of the bill, by the majority lead-
12 er of the Senate or by a Member of the Senate des-
13 ignated by the majority leader of the Senate not
14 later than 5 legislative days after the date on which
15 the bill is submitted to Congress under section
16 4304(b)(4); and

17 (2) shall be introduced in the House of Rep-
18 resentatives (by request), with any technical changes
19 necessary to carry out the intent of the bill, by the
20 Speaker of the House of Representatives or by a
21 Member of the House of Representatives designated
22 by the Speaker of the House of Representatives not
23 later than 5 legislative days after the date on which
24 the bill is submitted to Congress under section
25 4304(b)(4).

1 (b) EXPEDITED CONSIDERATION IN HOUSE OF REP-
2 RESENTATIVES.—

3 (1) PLACEMENT ON CALENDAR.—Upon intro-
4 duction in the House of Representatives, the Com-
5 mission bill shall be placed immediately on the ap-
6 propriate calendar.

7 (2) PROCEEDING TO CONSIDERATION.—

8 (A) IN GENERAL.—It shall be in order, not
9 later than 30 legislative days after the date the
10 Commission bill is introduced in the House of
11 Representatives, to move to proceed to consider
12 the Commission bill in the House of Represent-
13 atives.

14 (B) PROCEDURE.—For a motion to pro-
15 ceed to consider the Commission bill—

16 (i) all points of order against the mo-
17 tion are waived;

18 (ii) such a motion shall not be in
19 order after the House of Representatives
20 has disposed of a motion to proceed on the
21 Commission bill;

22 (iii) the previous question shall be
23 considered as ordered on the motion to its
24 adoption without intervening motion;

1 (iv) the motion shall not be debatable;

2 and

3 (v) a motion to reconsider the vote by

4 which the motion is disposed of shall not

5 be in order.

6 (3) CONSIDERATION.—When the House of Rep-

7 resentatives proceeds to consideration of the Com-

8 mission bill—

9 (A) the Commission bill shall be considered

10 as read;

11 (B) all points of order against the Com-

12 mission bill and against its consideration are

13 waived;

14 (C) the previous question shall be consid-

15 ered as ordered on the Commission bill to its

16 passage without intervening motion except 10

17 hours of debate equally divided and controlled

18 by the proponent and an opponent;

19 (D) an amendment to the Commission bill

20 shall not be in order; and

21 (E) a motion to reconsider the vote on pas-

22 sage of the Commission bill shall not be in

23 order.

24 (4) VOTE ON PASSAGE.—In the House of Rep-

25 resentatives, the Commission bill shall be agreed to

1 upon a vote of a majority of the Members present
2 and voting, a quorum being present.

3 (c) EXPEDITED CONSIDERATION IN SENATE.—

4 (1) PLACEMENT ON CALENDAR.—Upon intro-
5 duction in the Senate, the Commission bill shall be
6 placed immediately on the calendar.

7 (2) PROCEEDING TO CONSIDERATION.—

8 (A) IN GENERAL.—Notwithstanding rule
9 XXII of the Standing Rules of the Senate, it is
10 in order, not later than 30 legislative days after
11 the date the Commission bill is introduced in
12 the Senate (even though a previous motion to
13 the same effect has been disagreed to) to move
14 to proceed to the consideration of the Commis-
15 sion bill.

16 (B) PROCEDURE.—For a motion to pro-
17 ceed to the consideration of the Commission
18 bill—

19 (i) all points of order against the mo-
20 tion are waived;

21 (ii) the motion is not debatable;

22 (iii) the motion is not subject to a mo-
23 tion to postpone;

1 (iv) a motion to reconsider the vote by
2 which the motion is agreed to or disagreed
3 to shall not be in order; and

4 (v) if the motion is agreed to, the
5 Commission bill shall remain the unfin-
6 ished business until disposed of.

7 (3) FLOOR CONSIDERATION.—

8 (A) IN GENERAL.—If the Senate proceeds
9 to consideration of the Commission bill—

10 (i) all points of order against the
11 Commission bill (and against consideration
12 of the Commission bill) are waived;

13 (ii) consideration of the Commission
14 bill, and all debatable motions and appeals
15 in connection therewith, shall be limited to
16 not more than 30 hours, which shall be di-
17 vided equally between the majority and mi-
18 nority leaders or their designees;

19 (iii) a motion further to limit debate
20 is in order and not debatable;

21 (iv) an amendment to, a motion to
22 postpone, or a motion to commit the Com-
23 mission bill is not in order; and

24 (v) a motion to proceed to the consid-
25 eration of other business is not in order.

1 (B) VOTE ON PASSAGE.—In the Senate—

2 (i) the vote on passage shall occur im-
3 mediately following the conclusion of the
4 consideration of the Commission bill, and a
5 single quorum call at the conclusion of the
6 debate if requested in accordance with the
7 rules of the Senate; and

8 (ii) the Commission bill shall be
9 agreed to upon a vote of a majority of the
10 Members present and voting, a quorum
11 being present.

12 (C) RULINGS OF THE CHAIR ON PROCE-
13 DURE.—Appeals from the decisions of the Chair
14 relating to the application of this subsection or
15 the rules of the Senate, as the case may be, to
16 the procedure relating to the Commission bill
17 shall be decided without debate.

18 (d) RULES RELATING TO SENATE AND HOUSE OF
19 REPRESENTATIVES.—

20 (1) COORDINATION WITH ACTION BY OTHER
21 HOUSE.—If, before the passage by one House of the
22 Commission bill of that House, that House receives
23 from the other House the Commission bill—

24 (A) the Commission bill of the other House
25 shall not be referred to a committee; and

1 (B) with respect to the Commission bill of
2 the House receiving the resolution—

3 (i) the procedure in that House shall
4 be the same as if no Commission bill had
5 been received from the other House; and

6 (ii) the vote on passage shall be on
7 the Commission bill of the other House.

8 (2) TREATMENT OF COMMISSION BILL OF
9 OTHER HOUSE.—If one House fails to introduce or
10 consider the Commission bill under this section, the
11 Commission bill of the other House shall be entitled
12 to expedited floor procedures under this section.

13 (3) TREATMENT OF COMPANION MEASURES.—
14 If, following passage of the Commission bill in the
15 Senate, the Senate receives the companion measure
16 from the House of Representatives, the companion
17 measure shall not be debatable.

18 (4) VETOES.—If the President vetoes the Com-
19 mission bill, consideration of a veto message in the
20 Senate under this section shall be not more than 10
21 hours equally divided between the majority and mi-
22 nority leaders or their designees.

23 (e) RULES OF HOUSE OF REPRESENTATIVES AND
24 SENATE.—This section is enacted by Congress—

1 (1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such is deemed a part of the rules of
4 each House, respectively, but applicable only with re-
5 spect to the procedure to be followed in that House
6 in the case of the Commission bill, and supersede
7 other rules only to the extent that it is inconsistent
8 with such rules; and

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

