

118TH CONGRESS
1ST SESSION

S. _____

To establish a commission on fiscal stability and reform.

IN THE SENATE OF THE UNITED STATES

Mr. MANCHIN (for himself, Mr. ROMNEY, Ms. SINEMA, Mr. YOUNG, Mr. HICKENLOOPER, Ms. LUMMIS, Mr. WARNER, Mr. CORNYN, Mrs. SHAHEEN, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish a commission on fiscal stability and reform.

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.**

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

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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 3(a)(2)(C).

1 (2) DIRECT SPENDING.—The term “direct
2 spending” has the meaning given that term in sec-
3 tion 250(c) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985 (2 U.S.C. 900(c)).

5 (3) DISCRETIONARY APPROPRIATIONS.—The
6 term “discretionary appropriations” has the mean-
7 ing given that term in section 250(c) of the Bal-
8 anced Budget and Emergency Deficit Control Act of
9 1985 (2 U.S.C. 900(c)).

10 (4) FISCAL COMMISSION.—The term “Fiscal
11 Commission” means the commission established
12 under section 3(a)(1).

13 (5) IMPLEMENTING BILL.—The term “imple-
14 menting bill” means a bill consisting solely of the
15 text of the implementing bill that the Fiscal Com-
16 mission approves and submits under subparagraphs
17 (A) and (D), respectively, of section 3(c)(2).

18 (6) OUTSIDE EXPERT.—The term “outside ex-
19 pert” means an individual who is not an elected offi-
20 cial or an officer or employee of the Federal Govern-
21 ment or of any State.

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

23 (a) ESTABLISHMENT OF FISCAL COMMISSION.—

24 (1) ESTABLISHMENT.—There is established in
25 the legislative branch a Fiscal Commission.

1 (2) MEMBERSHIP.—

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

8 (B) APPOINTMENT.—Not later than 14
9 days after the date of enactment of this Act—

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.—Not later than 14 days
8 after the date of enactment of this Act—

9 (i) the leadership of the Senate and
10 House of Representatives who caucus with
11 the same political party as the President
12 shall appoint 1 individual from among the
13 members of the Fiscal Commission who
14 shall serve as a co-chair of the Fiscal Com-
15 mission; and

16 (ii) the leadership of the Senate and
17 House of Representatives who caucus with
18 the opposite political party as the Presi-
19 dent, shall appoint 1 individual from
20 among the members of the Fiscal Commis-
21 sion who shall serve as a co-chair of the
22 Fiscal Commission.

23 (D) PERIOD OF APPOINTMENT.—

1 (i) IN GENERAL.—The members of
2 the Fiscal Commission shall be appointed
3 for the life of the Fiscal Commission.

4 (ii) VACANCY.—

5 (I) IN GENERAL.—Any vacancy
6 in the Fiscal Commission shall not af-
7 fect the powers of the Fiscal Commis-
8 sion, but shall be filled not later than
9 14 days after the date on which the
10 vacancy occurs, in the same manner
11 as the original appointment was
12 made.

13 (II) INELIGIBLE MEMBERS.—If a
14 member of the Fiscal Commission who
15 was appointed as a Member of the
16 Senate or the House Representatives
17 ceases to be a Member of the Senate
18 or the House of Representatives, as
19 applicable—

20 (aa) the member shall no
21 longer be a member of the Fiscal
22 Commission; and

23 (bb) a vacancy in the Fiscal
24 Commission exists.

25 (E) MEMBER PERSONNEL ISSUES.—

1 (i) OUTSIDE EXPERT.—Any outside
2 expert appointed as a member of the Fis-
3 cal Commission—

4 (I) shall not be considered to be
5 a Federal employee for any purpose
6 by reason of service on the Fiscal
7 Commission;

8 (II) shall serve without com-
9 pensation; and

10 (III) shall be allowed travel ex-
11 penses, including per diem in lieu of
12 subsistence, at rates authorized for
13 employees of agencies under sub-
14 chapter I of chapter 57 of title 5,
15 United States Code, while away from
16 their homes or regular places of busi-
17 ness in the performance of services for
18 the Fiscal Commission.

19 (ii) MEMBERS OF CONGRESS.—Each
20 member of the Fiscal Commission who is a
21 Member of the Senate or the House of
22 Representatives shall serve without com-
23 pensation in addition to the compensation
24 received for the services of the member as

1 a Member of the Senate or the House of
2 Representatives.

3 (3) ADMINISTRATION.—

4 (A) IN GENERAL.—To enable the Fiscal
5 Commission to exercise the powers, functions,
6 and duties of the Fiscal Commission, there are
7 authorized to be disbursed by the Senate the
8 actual and necessary expenses of the Fiscal
9 Commission approved by the staff director of
10 the Fiscal Commission, subject to the rules and
11 regulations of the Senate.

12 (B) QUORUM.—A majority of the members
13 of the Fiscal Commission who are Members of
14 the Senate or the House of Representatives, not
15 fewer than 3 of whom were appointed to the
16 Fiscal Commission by a Member of the Senate
17 or the House of Representatives who caucuses
18 with same political party as the President and
19 not fewer than 3 of whom were appointed to the
20 Fiscal Commission by a Member of the Senate
21 or the House of Representatives who caucuses
22 with the opposite political party as the Presi-
23 dent, shall constitute a quorum.

24 (C) VOTING.—

1 (i) IN GENERAL.—Only members of
2 the Fiscal Commission who are Members
3 of the Senate or the House of Representa-
4 tives may vote on any matter. An outside
5 expert serving as a member of the Fiscal
6 Commission shall be a nonvoting member.

7 (ii) PROXY VOTING.—No proxy voting
8 shall be allowed on behalf of any member
9 of the Fiscal Commission on any matter.

10 (iii) CONGRESSIONAL BUDGET OFFICE
11 ESTIMATES.—

12 (I) IN GENERAL.—The Director
13 of the Congressional Budget Office
14 shall, with respect to the imple-
15 menting bill of the Fiscal Commission
16 described in subsection
17 (c)(2)(A)(i)(II), provide to the Fiscal
18 Commission—

19 (aa) estimates of the imple-
20 menting bill in accordance with
21 sections 308(a) and 201(f) of the
22 Congressional Budget Act of
23 1974 (2 U.S.C. 639(a), 601(f));
24 and

1 (bb) information on the
2 budgetary effect of the imple-
3 menting bill on the long-term fis-
4 cal outlook.

5 (II) LIMITATION.—The Fiscal
6 Commission may not vote on any
7 version of the report, recommenda-
8 tions, or implementation bill of the
9 Fiscal Commission under subsection
10 (c)(2)(A) unless the estimates and in-
11 formation described in subclause (I)
12 of this clause are made available for
13 consideration by all members of the
14 Fiscal Commission not later than 48
15 hours before that vote, as certified by
16 the co-chairs of the Fiscal Commis-
17 sion.

18 (D) MEETINGS.—

19 (i) INITIAL MEETING.—Not later than
20 45 days after the date of enactment of this
21 Act, the Fiscal Commission shall hold the
22 first meeting of the Fiscal Commission.

23 (ii) AGENDA.—The co-chairs of the
24 Fiscal Commission shall provide an agenda
25 to the members of the Fiscal Commission

1 not later than 48 hours before each meet-
2 ing of the Fiscal Commission.

3 (E) HEARINGS.—

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

13 (ii) HEARING PROCEDURES AND RE-
14 SPONSIBILITIES OF CO-CHAIRS.—

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

1 (II) WRITTEN STATEMENT.—A
2 witness appearing before the Fiscal
3 Commission shall file a written state-
4 ment of the proposed testimony of the
5 witness not later than 2 days before
6 the date of the appearance of the wit-
7 ness, unless the co-chairs of the Fiscal
8 Commission—

9 (aa) determine that there is
10 good cause for the witness to not
11 file the written statement; and

12 (bb) waive the requirement
13 that the witness file the written
14 statement.

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

21 (b) STAFF OF FISCAL COMMISSION.—

22 (1) IN GENERAL.—In accordance with the
23 guidelines, rules, and requirements relating to em-
24 ployees of the Senate—

1 (A) the co-chairs of the Fiscal Commission
2 may jointly appoint and fix the compensation of
3 a staff director for the Fiscal Commission; and

4 (B) the staff director may appoint and fix
5 the compensation of additional staff of the Fis-
6 cal Commission.

7 (2) DETAIL OF OTHER CONGRESSIONAL
8 STAFF.—With the approval of the Member of Con-
9 gress employing an employee of a personal office of
10 a Member of Congress or a committee of the Senate
11 or the House of Representatives, such an employee
12 may be detailed to the Fiscal Commission on a reim-
13 bursable basis.

14 (3) ETHICAL STANDARDS.—

15 (A) SENATE.—Members of the Fiscal
16 Commission appointed by Members of the Sen-
17 ate and the staff of the Fiscal Commission shall
18 adhere to the ethics rules of the Senate.

19 (B) HOUSE OF REPRESENTATIVES.—Mem-
20 bers of the Fiscal Commission appointed by
21 Members of the House of Representatives shall
22 be governed by the ethics rules and require-
23 ments of the House of Representatives.

24 (c) DUTIES.—

25 (1) IMPROVE FISCAL CONDITION.—

1 (A) IN GENERAL.—The Fiscal Commission
2 shall identify policies to—

3 (i) meaningfully improve the long-
4 term fiscal condition of the Federal Gov-
5 ernment;

6 (ii) achieve a sustainable ratio of the
7 public debt of the Federal Government to
8 the gross domestic product of the United
9 States, which shall be not more than 100
10 percent, by fiscal year 2039; and

11 (iii) improve the solvency of Federal
12 programs for which a Federal trust fund
13 exists for a period of at least 75 years.

14 (B) REQUIREMENTS.—In carrying out sub-
15 paragraph (A), the Fiscal Commission shall
16 propose recommendations that meaningfully im-
17 prove the long-term fiscal condition of the Fed-
18 eral Government, including—

19 (i) changes to address the current lev-
20 els of discretionary appropriations, direct
21 spending, and revenues and the gap be-
22 tween current revenues and expenditures
23 of the Federal Government; and

24 (ii) changes to address the growth of
25 discretionary appropriations, direct spend-

1 ing, and revenues and the gap between the
2 projected revenues and expenditures of the
3 Federal Government.

4 (C) RECOMMENDATIONS OF COMMIT-
5 TEES.—Not later than 60 days after the date
6 of enactment of this Act, each committee of the
7 Senate and the House of Representatives may
8 transmit to the Fiscal Commission any rec-
9 ommendations of the committee relating to
10 changes in law to achieve the changes described
11 in subparagraph (B).

12 (2) REPORT, RECOMMENDATIONS, AND IMPLE-
13 MENTING BILL.—

14 (A) CONSIDERATION AND VOTE.—

15 (i) IN GENERAL.—Not later than May
16 1, 2025, the Fiscal Commission shall meet
17 to consider, and vote on—

18 (I) a report that contains—

19 (aa) a detailed statement of
20 the policies identified by, and the
21 findings, conclusions, and rec-
22 ommendations of, the Fiscal
23 Commission under paragraph
24 (1);

1 (bb) the estimate of the
2 Congressional Budget Office re-
3 quired under subsection
4 (a)(3)(C)(iii)(I); and

5 (cc) a statement of the eco-
6 nomic and budgetary effects of
7 the implementing bill described in
8 subclause (II); and

9 (II) an implementing bill to carry
10 out the recommendations of the Fiscal
11 Commission described in subclause
12 (I)(aa).

13 (ii) APPROVAL OF REPORT AND IM-
14 PLEMENTING BILL.—A report and imple-
15 menting bill of the Fiscal Commission shall
16 only be approved under clause (i) upon an
17 affirmative vote of a majority of the mem-
18 bers of the Fiscal Commission who are
19 Members of the Senate or the House of
20 Representatives, not fewer than 3 of whom
21 were appointed to the Fiscal Commission
22 by a Member of the Senate or the House
23 of Representatives who caucuses with same
24 political party as the President and not
25 fewer than 3 of whom were appointed to

1 the Fiscal Commission by a Member of the
2 Senate or the House of Representatives
3 who caucuses with the opposite political
4 party as the President.

5 (iii) SINGLE REPORT AND IMPLE-
6 MENTING BILL.—It shall not be in order
7 for the Fiscal Commission to consider or
8 submit to Congress more than 1 report de-
9 scribed in clause (i)(I) or more than 1 im-
10 plementing bill described in clause (i)(II).

11 (B) ADDITIONAL VIEWS.—

12 (i) IN GENERAL.—A member of the
13 Fiscal Commission who gives notice of an
14 intention to file supplemental, minority, or
15 additional views at the time of the final
16 Fiscal Commission vote on the approval of
17 the report and implementing bill of the
18 Fiscal Commission under subparagraph
19 (A) shall be entitled to 3 days to file those
20 views in writing with the staff director of
21 the Fiscal Commission.

22 (ii) INCLUSION IN REPORT.—Views
23 filed under clause (i) shall be included in
24 the report of the Fiscal Commission under
25 subparagraph (A) and printed in the same

1 volume, or part thereof, and such inclusion
2 shall be noted on the cover of the report,
3 except that, in the absence of timely notice,
4 the report may be printed and transmitted
5 immediately without such views.

6 (C) REPORT AND IMPLEMENTING BILL TO
7 BE MADE PUBLIC.—Upon the approval or dis-
8 approval of a report and implementing bill
9 under subparagraph (A) by the Fiscal Commis-
10 sion, the Fiscal Commission shall promptly, and
11 not more than 24 hours after the approval or
12 disapproval or, if timely notice is given under
13 subparagraph (B), not more than 24 hours
14 after additional views are filed under such sub-
15 paragraph, make the report, the implementing
16 bill, and a record of the vote on the report and
17 implementing bill available to the public.

18 (D) SUBMISSION OF REPORT AND IMPLE-
19 MENTING BILL.—If a report and implementing
20 bill are approved by the Fiscal Commission
21 under subparagraph (A), not later than 3 days
22 after the date on which the report and imple-
23 menting bill are made available to the public
24 under subparagraph (C), the Fiscal Commission
25 shall submit the report and implementing bill to

1 the President, the Vice President, the Speaker
2 of the House of Representatives, and the major-
3 ity and minority leaders of each House of Con-
4 gress. The report shall be referred to all com-
5 mittees of jurisdiction in the respective Houses.

6 (d) **TERMINATION.**—The Fiscal Commission shall
7 terminate on the date that is 30 days after the date the
8 Fiscal Commission submits the report and implementing
9 bill under subsection (c)(2)(D).

10 **SEC. 4. EXPEDITED CONSIDERATION OF FISCAL COMMIS-**
11 **SION IMPLEMENTING BILLS.**

12 (a) **QUALIFYING LEGISLATION.**—

13 (1) **IN GENERAL.**—Only an implementing bill
14 shall be entitled to expedited consideration under
15 this section.

16 (2) **SINGLE BILL.**—Except as provided in sub-
17 section (d), it shall not be in order in the Senate or
18 the House of Representatives to consider more than
19 1 implementing bill.

20 (b) **CONSIDERATION IN THE HOUSE OF REPRESENT-**
21 **ATIVES.**—

22 (1) **INTRODUCTION.**—If the Fiscal Commission
23 approves and submits an implementing bill under
24 subparagraphs (A) and (D), respectively, of section

1 3(c)(2), the implementing bill may be introduced in
2 the House of Representatives (by request)—

3 (A) by the majority leader of the House of
4 Representatives, or by a Member of the House
5 of Representatives designated by the majority
6 leader of the House of Representatives, on the
7 third legislative day after the date the Fiscal
8 Commission approves and submits such imple-
9 menting bill; or

10 (B) if the implementing bill is not intro-
11 duced under subparagraph (A), by any Member
12 of the House of Representatives on any legisla-
13 tive day beginning on the legislative day after
14 the legislative day described in subparagraph
15 (A).

16 (2) REFERRAL AND REPORTING.—Any com-
17 mittee of the House of Representatives to which an
18 implementing bill is referred shall report the imple-
19 menting bill to the House of Representatives without
20 amendment not later than 5 legislative days after
21 the date on which the implementing bill was so re-
22 ferred. If any committee of the House of Represent-
23 atives to which an implementing bill is referred fails
24 to report the implementing bill within that period,
25 that committee shall be automatically discharged

1 from consideration of the implementing bill, and the
2 implementing bill shall be placed on the appropriate
3 calendar.

4 (3) PROCEEDING TO CONSIDERATION.—After
5 the last committee authorized to consider an imple-
6 menting bill reports it to the House of Representa-
7 tives or has been discharged from its consideration,
8 it shall be in order to move to proceed to consider
9 implementing bill in the House of Representatives.
10 Such a motion shall not be in order after the House
11 of Representatives has disposed of a motion to pro-
12 ceed with respect to the implementing bill. The pre-
13 vious question shall be considered as ordered on the
14 motion to its adoption without intervening motion.

15 (4) CONSIDERATION.—The implementing bill
16 shall be considered as read. All points of order
17 against the implementing bill and against its consid-
18 eration are waived. An amendment to the imple-
19 menting bill is not in order. The previous question
20 shall be considered as ordered on the implementing
21 bill to its passage without intervening motion except
22 2 hours of debate equally divided and controlled by
23 the proponent and an opponent.

24 (5) VOTE ON PASSAGE.—The vote on passage
25 of the implementing bill shall occur pursuant to the

1 constraints under clause 8 of rule XX of the Rules
2 of the House of Representatives.

3 (c) EXPEDITED PROCEDURE IN THE SENATE.—

4 (1) INTRODUCTION IN THE SENATE.—On the
5 day on which an implementing bill is submitted to
6 the Senate under section 3(c)(2)(D), the imple-
7 menting bill shall be introduced, by request, by the
8 Majority Leader of the Senate for himself or herself
9 and the minority leader of the Senate, or by any
10 Member so designated by them. If the Senate is not
11 in session on the day on which such implementing
12 bill is submitted, it shall be introduced as provided
13 on the first day thereafter on which the Senate is in
14 session. Such implementing bill shall be placed on
15 the Calendar of Business under General Orders.

16 (2) PROCEEDING.—Notwithstanding rule XXII
17 of the Standing Rules of the Senate, it is in order,
18 not later than 2 days of session after the date on
19 which an implementing bill is placed on the Cal-
20 endar, for the majority leader of the Senate or the
21 designee of the majority leader to move to proceed
22 to the consideration of the implementing bill. It shall
23 also be in order for any Member of the Senate to
24 move to proceed to the consideration of the imple-
25 menting bill at any time after the conclusion of such

1 2-day period. A motion to proceed is in order even
2 though a previous motion to the same effect has
3 been disagreed to. All points of order against the
4 motion to proceed to the implementing bill are
5 waived. The motion to proceed is not debatable. The
6 motion is not subject to a motion to postpone. A mo-
7 tion to reconsider the vote by which the motion is
8 agreed to or disagreed to shall not be in order. If
9 a motion to proceed to the consideration of the im-
10 plementing bill is agreed to, it shall remain the un-
11 finished business until disposed of. All points of
12 order against the implementing bill and against its
13 consideration are waived.

14 (3) NO AMENDMENTS.—An amendment to the
15 implementing bill, a motion to postpone, a motion to
16 proceed to the consideration of other business, or a
17 motion to commit the implementing bill is not in
18 order.

19 (4) RULINGS OF THE CHAIR ON PROCEDURE.—
20 Appeals from the decisions of the Chair relating to
21 the application of the rules of the Senate, as the
22 case may be, to the procedure relating to an imple-
23 menting bill shall be decided without debate.

24 (d) CONSIDERATION BY THE OTHER HOUSE.—

1 (1) IN GENERAL.—If, before passing an imple-
2 menting bill, one House receives from the other
3 House an implementing bill consisting solely of the
4 text of the implementing bill approved by the Fiscal
5 Commission—

6 (A) the implementing bill of the other
7 House shall not be referred to a committee; and

8 (B) the procedure in the receiving House
9 shall be the same as if no implementing bill had
10 been received from the other House until the
11 vote on passage, when the implementing bill re-
12 ceived from the other House shall supplant the
13 implementing bill of the receiving House.

14 (2) REVENUE MEASURES.—This subsection
15 shall not apply to the House of Representatives if an
16 implementing bill received from the Senate is a rev-
17 enue measure.

18 (3) NO IMPLEMENTING BILL IN THE SENATE.—
19 If an implementing bill is not introduced in the Sen-
20 ate or the Senate fails to consider an implementing
21 bill under this section, the implementing bill of the
22 House of Representatives shall be entitled to expe-
23 dited floor procedures under this section.

24 (4) TREATMENT OF COMPANION MEASURE IN
25 THE SENATE.—If, following passage of an imple-

1 menting bill in the Senate, the Senate then receives
2 from the House of Representatives an implementing
3 bill consisting of the same text as the Senate-passed
4 implementing bill, the House-passed implementing
5 bill shall not be debatable. The vote on passage of
6 the implementing bill in the Senate shall be consid-
7 ered to be the vote on passage of the implementing
8 bill received from the House of Representatives.

9 (e) VETOES.—If the President vetoes an imple-
10 menting bill, consideration of a veto message in the Senate
11 shall be 10 hours equally divided between the majority and
12 minority leaders of the Senate or the designees of the ma-
13 jority and minority leaders of the Senate.

14 (f) CONSTRUCTIVE RESUBMISSION.—

15 (1) IN GENERAL.—In addition to the expedited
16 procedures otherwise provided under this section, in
17 the case of any implementing bill submitted under
18 section 3(c)(2)(D) during the period beginning on
19 the date occurring—

20 (A) in the case of the Senate, 30 session
21 days; or

22 (B) in the case of the House of Represent-
23 atives, 30 legislative days,

24 before the date the Congress adjourns a session of
25 Congress and ending on the date on which the same

1 or succeeding Congress first convenes its next ses-
2 sion, the expedited procedures under this section
3 shall apply to such implementing bill in the suc-
4 ceeding session of Congress.

5 (2) APPLICATION.—In applying this section for
6 the purposes of constructive resubmission, an imple-
7 menting bill described under paragraph (1) shall be
8 treated as though such implementing bill were sub-
9 mitted by the Fiscal Commission on—

10 (A) in the case of the Senate, the 15th ses-
11 sion day; or

12 (B) in the case of the House of Represent-
13 atives, the 15th legislative day,
14 after the succeeding session of Congress first con-
15 venes.

16 (3) LIMITATION.—The constructive resubmis-
17 sion under this subsection shall not apply if a vote
18 with respect to the implementing bill was taken in
19 either House in a preceding session of Congress.

20 **SEC. 5. FUNDING.**

21 Funding for the Fiscal Commission shall be derived
22 from the contingent fund of the Senate from the appro-
23 priations account “Miscellaneous Items”, subject to the
24 rules and regulations of the Senate.

1 **SEC. 6. RULEMAKING.**

2 The provisions of section 4 are enacted by Con-
3 gress—

4 (1) as an exercise of the rulemaking power of
5 the Senate and the House of Representatives, re-
6 spectively, and, as such, the provisions—

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

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

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