

A BILL

To provide for expedited congressional consideration of "Freedom to Manage" legislative proposals transmitted by the President to Congress to eliminate or reduce barriers to efficient government operations that are posed by laws that apply to one or more agencies, including government-wide laws.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Freedom to Manage Act of 2001".

SEC. 2. PRESIDENTIAL TRANSMISSION OF "FREEDOM TO MANAGE"

LEGISLATIVE PROPOSALS.

(a) **IN GENERAL.** Whenever the President transmits a set of legislative proposals to Congress in accordance with the requirements of subsections (b) and (c) of this section, the congressional consideration of those legislative proposals shall be governed by section 3 of this Act. The President may transmit one or more sets of legislative proposals to Congress for congressional consideration under section 3 of this Act.

(b) **FORMAT OF LEGISLATIVE PROPOSALS.** A set of legislative proposals shall be in the form of a bill, consisting of up to four sections.

(1) One of the sections may consist of repeals of existing law. Such a section shall be entitled "Repeals.", shall begin with the introductory phrase "The following provisions of law are repealed:", and shall then set forth the citations to each of the provisions of law to be repealed.

(2) Another of the sections may consist of amendments to existing law. Such a section shall be entitled "Amendments.", shall begin with the introductory phrase "The following

provisions of law are amended as follows:", and shall then set forth each of the provisions of law and how it is proposed to be amended.

(3) Another of the sections may consist of new authorities. Such a section shall be entitled "New Authorities.", shall begin with the introductory phrase "The following provisions are enacted into law:", and shall then set forth each of the provisions to be enacted into law.

(4) A final section shall set forth the effective date (or dates) of the repeals, amendments and enactments made in the prior sections, and include any "transition" and "savings" provisions that are determined to be necessary or appropriate in connection with carrying out these repeals, amendments, and enactments.

(c) **SUBJECT OF LEGISLATIVE PROPOSALS.** The President's legislative proposals under this section may only relate to the elimination or reduction of barriers to efficient government operations that are posed by existing laws that apply to one or more agencies, including government-wide laws, or new authorities that will allow for more efficient government operations.

(d) **ACCOMPANYING MESSAGE TO CONGRESS.** When transmitting legislative proposals under this section, the President shall also transmit an accompanying Message to Congress that provides an explanation for each of his legislative proposals and its expected impact on Federal operations. In the Message, the President shall expressly state that he is making the transmission in accordance with section 2 of the Freedom to Manage Act.

(e) **PUBLICATION.** The Clerk of the House of Representatives and the Secretary of the Senate shall ensure that the President's set of legislative proposals and accompanying Message to Congress are printed as a document of each House.

SEC. 3. CONGRESSIONAL CONSIDERATION OF THE PRESIDENT'S "FREEDOM TO MANAGE" LEGISLATIVE PROPOSALS.

(a) DEFINITIONS.

(1) Resolution of approval.— For the purposes of this section, the term "resolution" means only a joint resolution which is introduced within the 10 legislative days beginning on the date on which the President transmits his legislative proposals to the Congress under section 2 of this Act, and –

(A) which does not have a preamble;

(B) the title of which is as follows: "Joint resolution approving the legislative proposals of the President under the Freedom to Manage Act.";

(C) the matter after the resolving clause of which is as follows: "That Congress approves the legislative proposals of the President, as follows, that were transmitted on ____ under the Freedom to Manage Act:", the blank space being filled in with the appropriate date; and

(D) the remaining text which consists of the complete text of the President's legislative proposals submitted under section 2 of this Act.

(2) Legislative day.— For the purposes of this section, the term "legislative day" refers to any day on which either House of Congress is in session.

(b) INTRODUCTION OF RESOLUTION OF APPROVAL-- In order for the resolution to be considered under the procedures set forth in this section, the resolution must meet the definition set forth in subsection (a) and must be introduced no later than 10 legislative days after the President transmits his legislative proposals to the Congress under section 2 of this Act.

(c) REFERRAL OF RESOLUTION OF APPROVAL – A resolution of approval for the President’s legislative proposals transmitted under section 2 of this Act shall be referred to the Committee on Governmental Affairs in the Senate and the Committee on Government Reform in the House of Representatives.

(d) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.

(1) The Committee on Government Reform shall report the resolution without amendment, and with or without recommendation, not later than the 30th legislative day after the date of its introduction. If the committee fails to report the resolution within that period, it is thereafter in order for a Member to move that the House discharge the committee from further consideration of the resolution. A motion to discharge may be made only by a Member favoring the resolution (but only at a time or place designated by the Speaker in the legislative schedule of the day after the calendar day on which the Member offering the motion announces to the House his intention to do so and the form of the motion). The motion is privileged. Debate thereon shall be limited to not more than one hour, the time to be divided in the House equally between a proponent and an opponent. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(2) After the approval resolution is reported or the committee has been discharged from further consideration, it shall be in order to consider the resolution in the House. If the resolution is reported and the report has been available for at least one calendar day, all points of order against the resolution and against consideration of the resolution are waived. If the committee has been discharged from further consideration of the resolution, all points of order

against the resolution and against consideration of the resolution are waived. The motion is privileged. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. During consideration of the resolution in the House, the first reading of the bill shall be dispensed with. Debate on the resolution shall be confined to the resolution, and shall not exceed one hour equally divided and controlled by a proponent and an opponent of the resolution. Amendments to the resolution are not in order. Only one motion to rise shall be in order, except if offered by the manager. The previous question shall be considered as ordered on the resolution without intervening motion. A motion to reconsider the vote on passage of the resolution shall not be in order.

(3) Appeals from decisions of the Chair regarding application of the rules of the House of Representatives to the procedure relating to the approval resolution shall be decided without debate.

(4) Consideration of Senate message.--Consideration in the House of all motions or appeals necessary to dispose of a message from the Senate on the resolution shall be limited to not more than one hour. Debate on each motion shall be limited to 20 minutes. Debate on any appeal or point of order that is submitted in connection with the disposition of the Senate message shall be limited to 10 minutes. Any time for debate shall be equally divided and controlled by the proponent and the majority manager, unless the majority manager is a proponent of the motion, appeal, or point of order, in which case the minority manager shall be in control of the time in opposition.

(e) CONSIDERATION IN THE SENATE.

(1) The Committee on Governmental Affairs shall report the resolution not later than the 30th legislative day following the date of introduction of the resolution. If the committee fails to report the resolution within that period, the committee shall be automatically discharged from further consideration of the resolution and the resolution shall be placed on the Calendar.

(2) Resolution of Approval from House.--When the Senate receives from the House of Representatives the approval resolution, such resolution shall not be referred to committee and shall be placed on the Calendar.

(3) Motion nondebatabile.--A motion to proceed to consideration of the resolution under this subsection shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed was adopted or rejected, although subsequent motions to proceed may be made under this paragraph.

(4) Limit on consideration.--

(A) Amendments to the resolution are not in order.

(B) After no more than 10 hours of consideration of the resolution, the Senate shall proceed, without intervening action or debate, to vote on the final disposition thereof to the exclusion of all motions, except a motion to reconsider or to table.

(C) A single motion to extend the time for consideration under subparagraph (B) for no more than an additional five hours is in order prior to the expiration of such time and shall be decided without debate.

(D) The time for debate on the resolution shall be equally divided between the Majority Leader and the Minority Leader or their designees.

(5) No motion to recommit.--A motion to recommit the resolution shall not be in order.

(6) Consideration of House message.--Consideration in the Senate of all motions or appeals necessary to dispose of a message from the House of Representatives on the resolution shall be limited to not more than four hours. Debate on each motion shall be limited to 30 minutes. Debate on any appeal or point of order that is submitted in connection with the disposition of the House message shall be limited to 20 minutes. Any time for debate shall be equally divided and controlled by the proponent and the majority manager, unless the majority manager is a proponent of the motion, appeal, or point of order, in which case the minority manager shall be in control of the time in opposition.

(f) RULES OF THE SENATE AND HOUSE.--This section is enacted by Congress--

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

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