

112TH CONGRESS  
1ST SESSION

# S. RES. 16

To require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. ENSIGN (for himself, Mr. BURR, Mr. ENZI, Mr. VITTER, Mr. CRAPO, Mr. ISAKSON, Mr. JOHANNES, Mr. COBURN, and Mr. THUNE) submitted the following resolution; which was referred to the Committee on Rules and Administration

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## RESOLUTION

To require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate.

1       *Resolved,*

2       **SECTION 1. PUBLIC AVAILABILITY OF LEGISLATION AND**

3                               **THE COST OF THAT LEGISLATION.**

4       (a) COMMITTEES.—Rule XXVI of the Standing Rules

5 of the Senate is amended by inserting at the end thereof

6 the following:

1       “14. (a) It shall not be in order in a subcommittee  
2 or committee to proceed to any legislative matter unless  
3 the legislative matter and a final budget scoring by the  
4 Congressional Budget Office for the legislative matter has  
5 been publically available on the Internet as provided in  
6 subparagraph (b) in searchable form 72 hours (excluding  
7 Saturdays, Sundays, and holidays except when the Senate  
8 is in session on such a day) prior to proceeding.

9       “(b) With respect to the requirements of subpara-  
10 graph (a)—

11               “(1) the legislative matter shall be available on  
12 the official website of the committee; and

13               “(2) the final score shall be available on the of-  
14 ficial website of the Congressional Budget Office.

15       “(c) This paragraph may be waived or suspended in  
16 the subcommittee or committee only by an affirmative vote  
17 of  $\frac{2}{3}$  of the Members of the subcommittee or committee.  
18 An affirmative vote of  $\frac{2}{3}$  of the Members of the sub-  
19 committee or committee shall be required to sustain an  
20 appeal of the ruling of the Chair on a point of order raised  
21 under this paragraph.

22       “(d)(1) It shall not be in order in the Senate to pro-  
23 ceed to a legislative matter if the legislative matter was  
24 proceeded to in a subcommittee or committee in violation  
25 of this paragraph.

1       “(2) This subparagraph may be waived or suspended  
2 in the Senate only by an affirmative vote of  $\frac{2}{3}$  of the  
3 Members, duly chosen and sworn. An affirmative vote of  
4  $\frac{2}{3}$  of the Members of the Senate, duly chosen and sworn,  
5 shall be required in the Senate to sustain an appeal of  
6 the ruling of the Chair on a point of order raised under  
7 this subparagraph.

8       “(e) In this paragraph, the term ‘legislative matter’  
9 means any bill, joint resolution, concurrent resolution,  
10 conference report, or substitute amendment but does not  
11 include perfecting amendments.”.

12       (b) SENATE.—Rule XVII of the Standing Rules of  
13 the Senate is amended by inserting at the end thereof the  
14 following:

15       “6. (a) It shall not be in order in the Senate to pro-  
16 ceed to any legislative matter unless the legislative matter  
17 and a final budget scoring by the Congressional Budget  
18 Office for the legislative matter has been publically avail-  
19 able on the Internet as provided in subparagraph (b) in  
20 searchable form 72 hours (excluding Saturdays, Sundays,  
21 and holidays except when the Senate is in session on such  
22 a day) prior to proceeding.

23       “(b) With respect to the requirements of subpara-  
24 graph (a)—

1           “(1) the legislative matter shall be available on  
2           the official website of the committee with jurisdiction  
3           over the subject matter of the legislative matter; and

4           “(2) the final score shall be available on the of-  
5           ficial website of the Congressional Budget Office.

6           “(c) This paragraph may be waived or suspended in  
7           the Senate only by an affirmative vote of  $\frac{2}{3}$  of the Mem-  
8           bers, duly chosen and sworn. An affirmative vote of  $\frac{2}{3}$   
9           of the Members of the Senate, duly chosen and sworn,  
10          shall be required in the Senate to sustain an appeal of  
11          the ruling of the Chair on a point of order raised under  
12          this paragraph.

13          “(d) In this paragraph, the term ‘legislative matter’  
14          means any bill, joint resolution, concurrent resolution,  
15          conference report, or substitute amendment but does not  
16          include perfecting amendments.”.

17          **SEC. 2. PROTECTION OF CLASSIFIED INFORMATION.**

18          Nothing in this resolution or any amendment made  
19          by it shall be interpreted to require or permit the declas-  
20          sification or posting on the Internet of classified informa-  
21          tion in the custody of the Senate. Such classified informa-  
22          tion shall be made available to Members in a timely man-  
23          ner as appropriate under existing laws and rules.

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