

117TH CONGRESS
2D SESSION

S. 3495

To create a point of order against spending that will increase inflation unless inflation is not greater than 4.5 percent, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 12 (legislative day, JANUARY 10), 2022

Mr. SCOTT of South Carolina (for himself, Mr. THUNE, Ms. ERNST, Mr. RUBIO, Mr. LANKFORD, Mr. GRASSLEY, Mr. HOEVEN, Mr. SCOTT of Florida, Mr. HAGERTY, Mr. YOUNG, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To create a point of order against spending that will increase inflation unless inflation is not greater than 4.5 percent, and for other purposes.

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 “Inflation Prevention
5 Act”.

1 **SEC. 2. POINT OF ORDER AGAINST SPENDING THAT WILL**
2 **INCREASE INFLATION UNTIL INFLATION IS**
3 **NOT GREATER THAN 4.5 PERCENT.**

4 (a) POINT OF ORDER.—

5 (1) IN GENERAL.—In the Senate, it shall not be
6 in order to consider a provision in a bill, joint resolu-
7 tion, motion, amendment, amendment between the
8 Houses, or conference report that provides new
9 budget authority and that is estimated to result in
10 an increase in the Consumer Price Index for All
11 Urban Consumers, as published by the Bureau of
12 Labor Statistics, unless the annualized rate of in-
13 crease in the Consumer Price Index for All Urban
14 Consumers most recently published by the Bureau of
15 Labor Statistics is not more than 4.5 percent.

16 (2) POINT OF ORDER SUSTAINED.—If a point
17 of order is made by a Senator against a provision
18 described in paragraph (1), and the point of order
19 is sustained by the Chair, that provision shall be
20 stricken from the measure and may not be offered
21 as an amendment from the floor.

22 (3) DETERMINATION OF EFFECT ON INFLA-
23 TION.—

24 (A) IN GENERAL.—The estimated amount
25 of the increase in the Consumer Price Index for
26 All Urban Consumers, if any, for purposes of

1 this section shall be determined based on esti-
2 mates prepared by the Congressional Budget
3 Office.

4 (B) PROVISION OF ESTIMATES.—Upon re-
5 quest by a Member of Congress, the Congres-
6 sional Budget Office shall prepare an estimate
7 of the effect on the Consumer Price Index for
8 All Urban Consumers of the provisions in a bill,
9 joint resolution, motion, amendment, amend-
10 ment between the Houses, or conference report
11 that provide new budget authority.

12 (b) FORM OF THE POINT OF ORDER.—A point of
13 order under subsection (a)(1) may be raised by a Senator
14 as provided in section 313(e) of the Congressional Budget
15 Act of 1974 (2 U.S.C. 644(e)).

16 (c) CONFERENCE REPORTS.—When the Senate is
17 considering a conference report on, or an amendment be-
18 tween the Houses in relation to, a bill or joint resolution,
19 upon a point of order being made by any Senator pursuant
20 to subsection (a)(1), and such point of order being sus-
21 tained, such material contained in such conference report
22 or House amendment shall be stricken, and the Senate
23 shall proceed to consider the question of whether the Sen-
24 ate shall recede from its amendment and concur with a
25 further amendment, or concur in the House amendment

1 with a further amendment, as the case may be, which fur-
 2 ther amendment shall consist of only that portion of the
 3 conference report or House amendment, as the case may
 4 be, not so stricken. Any such motion in the Senate shall
 5 be debatable. In any case in which such point of order
 6 is sustained against a conference report (or Senate amend-
 7 ment derived from such conference report by operation of
 8 this subsection), no further amendment shall be in order.

9 (d) SUPERMAJORITY WAIVER AND APPEAL.—In the
 10 Senate, this section may be waived or suspended only by
 11 an affirmative vote of three-fifths of the Members, duly
 12 chose and sworn. An affirmative vote of three-fifths of
 13 Members of the Senate, duly chosen and sworn shall be
 14 required to sustain an appeal of the ruling of the Chair
 15 on a point of order raised under this section.

16 **SEC. 3. NOTIFICATION.**

17 (a) IN GENERAL.—The Congressional Budget Office
 18 shall notify Congress if the annualized rate of increase in
 19 the Consumer Price Index for All Urban Consumers is
 20 greater than 4.5 percent.

21 (b) SUBMISSION.—The Congressional Budget Office
 22 may submit the certification required under subsection (a)
 23 as part of another report required to be submitted to Con-
 24 gress.

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