

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To establish a point of order against climate change legislation.

**IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.**

**H. R. 5297**

To create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by  
\_\_\_\_\_ to the amendment (No. 4500)  
proposed by Mr. LEMIEUX

Viz:

1 At the appropriate place, insert the following:

2 **SEC. \_\_\_\_ . POINT OF ORDER AGAINST CLIMATE CHANGE**

3 **LEGISLATION.**

4 (a) POINT OF ORDER.—Subject to subsection (b), it

5 shall not be in order in the Senate to consider any con-

6 ference report or other legislation that originates in the

7 House of Representatives as a message, bill, amendment,

8 or motion, or any Senate bill or related conference report

1 to which the House of Representatives added a provision,  
2 that addresses climate change through the inclusion of a  
3 cap-and-trade program if the Senate has not considered  
4 and approved a bill addressing climate change that in-  
5 cluded such a cap-and-trade program.

6 (b) WAIVER AND APPEAL.—

7 (1) WAIVER.—Subsection (a) may be waived or  
8 suspended in the Senate only by an affirmative vote  
9 of  $\frac{2}{3}$  of the Members, duly chosen and sworn.

10 (2) APPEAL.—An affirmative vote of  $\frac{2}{3}$  of the  
11 Members of the Senate, duly chosen and sworn, shall  
12 be required to sustain an appeal of the ruling of the  
13 Chair on a point of order raised under subsection  
14 (a).