

S. 397

At the request of Mr. MCCAIN, the names of the Senator from Alaska [Mr. STEVENS], the Senator from Colorado [Mr. CAMPBELL], and the Senator from New York [Mr. D'AMATO] were added as cosponsors of S. 397, a bill to benefit crime victims by improving enforcement of sentences imposing fines and special assessments, and for other purposes.

S. 412

At the request of Ms. SNOWE, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 412, a bill to amend the Federal Food, Drug, and Cosmetic Act to modify the bottled drinking water standards provisions, and for other purposes.

S. 434

At the request of Mr. KOHL, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 434, a bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service.

S. 440

At the request of Mr. WARNER, the names of the Senator from Louisiana [Mr. JOHNSTON] and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of S. 440, a bill to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

S. 448

At the request of Mr. GRASSLEY, the names of the Senator from New York [Mr. D'AMATO] and the Senator from Louisiana [Mr. BREAU] were added as cosponsors of S. 448, a bill to amend section 118 of the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 495

At the request of Mrs. KASSEBAUM, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 495, a bill to amend the Higher Education Act of 1965 to stabilize the student loan programs, improve congressional oversight, and for other purposes.

S. 508

At the request of Mr. MURKOWSKI, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 508, a bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities.

S. 511

At the request of Mr. DOMENICI, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 511, a bill to require the periodic review and automatic termination of Federal regulations.

S. 530

At the request of Mr. GREGG, the names of the Senator from New Hamp-

shire [Mr. SMITH] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 530, a bill to amend the Fair Labor Standards Act of 1938 to permit State and local government workers to perform volunteer services for their employer without requiring the employer to pay overtime compensation, and for other purposes.

S. 571

At the request of Mrs. BOXER, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 571, a bill to amend title 10, United States Code, to terminate entitlement of pay and allowances for members of the Armed Forces who are sentenced to confinement and a punitive discharge or dismissal, and for other purposes.

SENATE RESOLUTION 85

At the request of Mr. CHAFEE, the names of the Senator from Nevada [Mr. REID], the Senator from New Mexico [Mr. BINGAMAN], and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Resolution 85, a resolution to express the sense of the Senate that obstetrician-gynecologists should be included in Federal laws relating to the provision of health care.

AMENDMENTS SUBMITTED

THE LEGISLATIVE LINE ITEM VETO ACT

DASCHLE (AND OTHERS)
AMENDMENT NO. 348

(Ordered to lie on the table.)

Mr. DASCHLE (for himself, Mr. EXON, and Mr. GLENN) submitted an amendment intended to be proposed by them to amendment No. 347 proposed by Mr. DOLE the bill (S. 4) to grant the power to the President to reduce budget authority; as follows:

In lieu of the language proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Legislative Line Item Veto Act".

SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PROPOSED CANCELLATIONS OF BUDGET ITEMS.

(a) IN GENERAL.—Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by adding after section 1012 the following new section:

"EXPEDITED CONSIDERATION OF CERTAIN PROPOSED CANCELLATIONS OF BUDGET ITEMS

"SEC. 1012A. (a) PROPOSED CANCELLATION OF BUDGET ITEM.—The President may propose, at the time and in the manner provided in subsection (b), the cancellation of any budget item provided in any Act. An item proposed for cancellation under this section may not be proposed for cancellation again under this title.

"(b) TRANSMITTAL OF SPECIAL MESSAGE.—

"(1) SPECIAL MESSAGE.—

"(A) IN GENERAL.—Subject to the time limitations provided in subparagraph (B), the President may transmit to Congress a special message proposing to cancel budget items contained in an Act. A separate special

message shall be transmitted for each Act that contains budget items the President proposes to cancel.

"(B) TIME LIMITATIONS.—A special message may be transmitted under this section—

"(i) during the 20-calendar-day period (excluding Saturdays, Sundays, and legal holidays) commencing on the day after the date of enactment of the provision proposed to be rescinded or repealed; or

"(ii) at the same time as the President's budget for any provision enacted after the date the President submitted the preceding budget.

"(2) DRAFT BILL.—The President shall include in each special message transmitted under paragraph (1) a draft bill that, if enacted, would cancel those budget items as provided in this section. The draft bill shall clearly identify each budget item that is proposed to be canceled including, where applicable, each program, project, or activity to which the budget item relates.

"(3) CONTENTS OF SPECIAL MESSAGE.—Each special message shall specify, with respect to the budget item proposed to be canceled—

"(A) the amount that the President proposes be canceled;

"(B) any account, department, or establishment of the Government to which such budget item is available for obligation, and the specific project or governmental functions involved;

"(C) the reasons why the budget item should be canceled;

"(D) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed cancellation; and

"(E) all facts, circumstances, and considerations relating to or bearing upon the proposed cancellation and the decision to effect the proposed cancellation, and to the maximum extent practicable, the estimated effect of the proposed cancellation upon the objects, purposes, and programs for which the budget item is provided.

"(4) DEFICIT REDUCTION.—

"(A) DISCRETIONARY SPENDING LIMITS AND ADJUSTMENT OF COMMITTEE ALLOCATIONS.—Not later than 5 days after the date of enactment of a bill containing the cancellation of budget items as provided under this section, the President shall—

"(i) with respect to a rescission of budget authority provided in an appropriations Act, reduce the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 for the budget year and any outyear affected by the rescission, to reflect such amount; and

"(ii) with respect to a repeal of a targeted tax benefit, adjust the balances for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect such amount.

"(B) ADJUSTMENT OF COMMITTEE ALLOCATIONS.—Not later than 5 days after the date of enactment of a bill containing the cancellation of budget items as provided under this section, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise levels under section 311(a) and adjust the committee allocations under section 602(a) to reflect such amount.

"(c) PROCEDURES FOR EXPEDITED CONSIDERATION.—

"(1) IN GENERAL.—

"(A) INTRODUCTION.—Before the close of the second day of session of the Senate and the House of Representatives, respectively, after the date of receipt of a special message transmitted to Congress under subsection (b), the majority leader or minority leader of

each House shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence in either House, then, on the third day of session of that House after the date of receipt of that special message, any Member of that House may introduce the bill.

“(B) REFERRAL AND REPORTING.—The bill shall be referred to the appropriate committee or (in the House of Representatives) committees. The committee shall report the bill without substantive revision and with or without recommendation. The committee shall report the bill not later than the seventh day of session of that House after the date of receipt of that special message. If the committee fails to report the bill within that period, the committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

“(C) FINAL PASSAGE.—A vote on final passage of the bill shall be taken in the Senate and the House of Representatives on or before the close of the 10th day of session of that House after the date of the introduction of the bill in that House. If the bill is passed, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall cause the bill to be engrossed, certified, and transmitted to the other House within one calendar day of the day on which the bill is passed.

“(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

“(A) MOTION TO PROCEED TO CONSIDERATION.—A motion in the House of Representatives to proceed to the consideration of a bill under this subsection shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

“(B) MOTION TO STRIKE.—During consideration under this subsection in the House of Representatives, any Member of the House of Representatives may move to strike any proposed cancellation of a budget item if supported by 49 other Members.

“(C) LIMITS ON DEBATE.—Debate in the House of Representatives on a bill under this subsection shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this subsection or to move to reconsider the vote by which the bill is agreed to or disagreed to.

“(D) APPEALS.—Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

“(E) APPLICATION OF HOUSE RULES.—Except to the extent specifically provided in this section, consideration of a bill under this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any bill introduced pursuant to the provisions of this section under a suspension of the rules or under a special rule.

“(3) CONSIDERATION IN THE SENATE.—

“(A) MOTION TO PROCEED TO CONSIDERATION.—A motion to proceed to the consideration of a bill under this subsection in the Senate shall be nondebatable. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

“(B) MOTION TO STRIKE.—During consideration of a bill under this subsection in the Senate, any Member of the Senate may move to strike any proposed cancellation of a

budget item if supported by 11 other Members.

“(C) LIMITS ON DEBATE.—Debate in the Senate on a bill under this subsection, amendments thereto, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (D)), shall not exceed 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

“(D) APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with a bill under this subsection shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

“(E) MOTION TO LIMIT DEBATE.—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

“(F) MOTION TO RECOMMIT.—A motion to recommit a bill under this subsection is not in order.

“(G) PLACED ON CALENDAR.—Upon receipt in the Senate of the companion bill for a bill that has been introduced in the Senate, that companion bill shall be placed on the calendar.

“(H) CONSIDERATION OF HOUSE COMPANION BILL.—

“(i) IN GENERAL.—Following the vote on the Senate bill required under paragraph (1)(C), when the Senate proceeds to consider the companion bill received from the House of Representatives, the Senate shall—

“(I) if the language of the companion bill is identical to the Senate bill, as passed, proceed to the immediate consideration of the companion bill and, without intervening action, vote on the companion bill; or

“(II) if the language of the companion bill is not identical to the Senate bill, as passed, proceed to the immediate consideration of the companion bill.

“(ii) AMENDMENTS.—During consideration of the companion bill under clause (i)(II), any Senator may move to strike all after the enacting clause and insert in lieu thereof the text of the Senate bill, as passed. Debate in the Senate on such companion bill, any amendment proposed under this subparagraph, and all debatable motions and appeals in connection therewith, shall not exceed 10 hours less such time as the Senate consumed or yielded back during consideration of the Senate bill.

“(4) CONFERENCE.—

“(A) CONSIDERATION OF CONFERENCE REPORTS.—Debate in the House of Representatives or the Senate on the conference report and any amendments in disagreement on any bill considered under this section shall be limited to not more than 2 hours, which shall be divided equally between the majority leader and the minority leader. A motion further to limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

“(B) FAILURE OF CONFERENCE TO ACT.—If the committee on conference on a bill considered under this section fails to submit a conference report within 10 calendar days after the conferees have been appointed by each House, any Member of either House may introduce a bill containing only the text of the draft bill of the President on the next day of session thereafter and the bill

shall be considered as provided in this section except that the bill shall not be subject to any amendment.

“(d) AMENDMENTS AND DIVISIONS PROHIBITED.—Except as otherwise provided by this section, no amendment to a bill considered under this section shall be in order in either the Senate or the House of Representatives. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole). No motion to suspend the application of this subsection shall be in order in the House of Representatives, nor shall it be in order in the House of Representatives to suspend the application of this subsection by unanimous consent.

“(e) TEMPORARY PRESIDENTIAL AUTHORITY TO CANCEL.—At the same time as the President transmits to Congress a special message under subsection (b)(1)(B)(i) proposing to cancel budget items, the President may direct that any budget item or items proposed to be canceled in that special message shall not be made available for obligation or take effect for a period not to exceed 45 calendar days from the date the President transmits the special message to Congress. The President may make any budget item or items canceled pursuant to the preceding sentence available at a time earlier than the time specified by the President if the President determines that continuation of the cancellation would not further the purposes of this Act.

“(f) DEFINITIONS.—For purposes of this section—

“(1) The term ‘appropriation Act’ means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations.

“(2) The term ‘budget item’ means—

“(A) an amount, in whole or in part, of budget authority provided in an appropriation Act except to fund direct spending programs and the administrative expenses social security; or

“(B) a targeted tax benefit.

“(3) The term ‘cancellation of a budget item’ means—

“(A) the rescission of any budget authority provided in an appropriation Act; or

“(B) the repeal of any targeted tax benefit.

“(4) The term ‘companion bill’ means, for any bill introduced in either House pursuant to subsection (c)(1)(A), the bill introduced in the other House as a result of the same special message.

“(5) The term ‘targeted tax benefit’ means any provision which has the practical effect of providing a benefit in the form of a different treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers. Such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.”

(b) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking “and 1017” and inserting “1012A, and 1017”; and

(2) in subsection (d), by striking “section 1017” and inserting “sections 1012A and 1017”.

(c) CLERICAL AMENDMENTS.—The table of sections for subpart B of title X of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 1012 the following:

“Sec. 1012A. Expedited consideration of certain proposed cancellations of budget items.”

(d) EFFECTIVE PERIOD.—The amendments made by this Act shall—

(1) take effect on the date of enactment of this Act;

(2) apply only to budget items provided in Acts enacted on or after the date of enactment of this Act; and

(3) cease to be effective on September 30, 1998.

DASCHLE (AND OTHERS)
AMENDMENT NO. 349

(Ordered to lie on the table.)

Mr. DASCHLE (for himself, Mr. EXON, Mr. FORD, Mr. CONRAD, Mr. DORGAN, Mr. KOHL, Mrs. FEINSTEIN, Mr. BUMPERS, Mr. ROBB, Mr. KERRY, Mr. FEINGOLD, Mr. HARKIN, Mr. REID, Mr. HOLLINGS, Mrs. BOXER, and Mr. LEVIN) submitted an amendment intended to be proposed by them to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Balanced Budget Act of 1995".

SEC. 2. ENFORCEMENT OF A BALANCED BUDGET

(a) PURPOSE.—The Congress declares it essential that the Congress—

(1) require that the Government balance the Federal budget without counting the surpluses of the Social Security trust funds;

(2) set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced budget would require; and

(3) enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

(b) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT FAIL TO SET FORTH A GLIDE PATH TO A BALANCED BUDGET.—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

"(j) CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.—

"(1) POINT OF ORDER.—It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) unless that resolution—

"(A) sets forth a fiscal year (by 2002 or the earliest possible fiscal year) in which, for the budget as defined by section 13301 of the Budget Enforcement Act of 1990 (excluding the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund), the level of outlays for that fiscal year or any subsequent fiscal year does not exceed the level of revenues for that fiscal year;

"(B) sets forth appropriate levels for all items described in subsection (a)(1) through (7) for all fiscal years through and including the fiscal year described in paragraph (A);

"(C) includes specific reconciliation instructions under section 310 to carry out any assumption of either—

"(i) reductions in direct spending, or

"(ii) increases in revenues.

"(3) NO AMENDMENT WITHOUT THREE-FIFTHS VOTE IN THE SENATE.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, motion, or conference report that would amend or otherwise supersede this section."

(c) REQUIREMENT FOR 60 VOTERS TO WAIVE OR APPEAL IN THE SENATE.—Section 904 of the Congressional Budget Act of 1974 is amended by inserting "301(j)," after "301(i)," in both places that it appears.

(d) SUSPENSION IN THE EVENT OF WAR OR CONGRESSIONALLY-DECLARED LOW GROWTH.—Section 258(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting "301(j)," after "sections".

BYRD AMENDMENTS NOS. 350-354

(Ordered to lie on the table.)

Mr. BYRD submitted five amendments intended to be proposed by him to the bill, S.4, supra, as follows:

AMENDMENT NO. 350

At the appropriate place insert the following:

SEC. . USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.

(a) CONGRESSIONAL BUDGET ACT.—

(1) BUDGET RESOLUTIONS AND LEGISLATION.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

"(j) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—It shall not be in order in the Senate or House of Representatives to consider any concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report that decreases the discretionary spending limits unless the concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report provides that such decrease may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1974."

(2) SIXTY VOTE POINT OF ORDER.—Subsections (c) and (d) of section 904 of the Congressional Budget Act of 1974 are amended by inserting "301(j)," after "301(i)".

(b) GRAMM-RUDMAN.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following:

"(f) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section."

AMENDMENT NO. 351

At the appropriate place insert the following:

SEC. . USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.

(a) CONGRESSIONAL BUDGET ACT.—

(1) BUDGET RESOLUTIONS AND LEGISLATION.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

"(j) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—It shall not be in order in the Senate or House of Representatives to consider any concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report that decreases the discretionary spending limits unless the concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report provides that such decrease may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1974."

(2) SIXTY VOTE POINT OF ORDER.—Subsections (c) and (d) of section 904 of the Congressional Budget Act of 1974 are amended by inserting "301(j)," after "301(i)".

(b) GRAMM-RUDMAN.—Section 252 of the Balanced Budget and Emergency Deficit

Control Act of 1985 is amended by adding at the end of the following:

"(f) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section."

AMENDMENT NO. 352

At the appropriate place insert the following:

SEC. . USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.

(a) CONGRESSIONAL BUDGET ACT.—

(1) BUDGET RESOLUTIONS AND LEGISLATION.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

"(j) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—It shall not be in order in the Senate or House of Representatives to consider any concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report that decreases the discretionary spending limits unless the concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report provides that such decrease may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1974."

(2) SIXTY VOTE POINT OF ORDER.—Subsections (c) and (d) of section 904 of the Congressional Budget Act of 1974 are amended by inserting "301(j)," after "301(i)".

(b) GRAMM-RUDMAN.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following:

"(f) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section."

AMENDMENT NO. 353

At the appropriate place insert the following:

SEC. . USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.

(a) CONGRESSIONAL BUDGET ACT.—

(1) BUDGET RESOLUTIONS AND LEGISLATION.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

"(j) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—It shall not be in order in the Senate or House of Representatives to consider any concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report that decreases the discretionary spending limits unless the concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report provides that such decrease may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1974."

(2) SIXTY VOTE POINT OF ORDER.—Subsections (c) and (d) of section 904 of the Congressional Budget Act of 1974 are amended by inserting "301(j)," after "301(i)".

(b) GRAMM-RUDMAN.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following:

“(f) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section.”.

AMENDMENT NO. 354

At the appropriate place insert the following:

SEC. . USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.

(a) CONGRESSIONAL BUDGET ACT.—

(1) BUDGET RESOLUTIONS AND LEGISLATION.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

“(j) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—It shall not be in order in the Senate or House of Representatives to consider any concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report that decreases the discretionary spending limits unless the concurrent resolution on the budget, bill, joint resolution, amendment, motion, or conference report provides that such decrease may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1974.”.

(2) SIXTY VOTE POINT OF ORDER.—Subsections (c) and (d) of section 904 of the Congressional Budget Act of 1974 are amended by inserting “301(j),” after “301(i),”.

(b) GRAMM-RUDMAN.—Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following:

“(f) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section.”.

HATCH (AND OTHERS)
AMENDMENT NO. 355

(Ordered to lie on the table.)

Mr. HATCH (for himself, Mr. ROTH, and Mr. HEFLIN) submitted an amendment to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

On page 3, line 21, after “separately” insert “, except for items of appropriation provided for the judicial branch, which shall be enrolled together in a single measure. For purposes of this paragraph, the term ‘items of appropriation provided for the judicial branch’ means only those functions and expenditures that are currently included in the appropriations accounts of the judiciary, as those accounts are listed and described in the Department of Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act, 1995 (Public Law 104-317)”.

FEINGOLD AMENDMENT NO. 356

Mr. FEINGOLD proposed an amendment to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

At the end of the pending amendment No. 347 add the following:

SEC. . TREATMENT OF EMERGENCY SPENDING.

(a) EMERGENCY APPROPRIATIONS.—Section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 is

amended by adding at the end the following new sentence: “However, OMB shall not adjust any discretionary spending limit under this clause for any statute that designates appropriations as emergency requirements if that statute contains an appropriation for any other matter, event, or occurrence, but that statute may contain rescissions of budget authority.”.

(b) EMERGENCY LEGISLATION.—Section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new sentence: “However, OMB shall not designate any such amounts of new budget authority, outlays or receipts as emergency requirements in the report required under subsection (d) if that statute contains any other provisions that are not so designated, but that statute may contain provisions that reduce direct spending.”.

(c) NEW POINT OF ORDER.—Title IV of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

“POINT OF ORDER REGARDING EMERGENCIES

“SEC. 408. It shall not be in order in the House of Representatives or the Senate to consider any bill or joint resolution, or amendment thereto or conference report thereon, containing an emergency designation for purposes of section 251(b)(2)(D) or 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 if it also provides an appropriation or direct spending for any other item or contains any other matter, but that bill or joint resolution, amendment, or conference report may contain rescissions of budget authority or reductions of direct spending, or that amendment may reduce amounts for that emergency.”.

(d) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 407 the following new item:

“Sec. 408. Point of order regarding emergencies.”.

BUMPERS AMENDMENT NO. 357

(Ordered to lie on the table.)

Mr. BUMPERS submitted an amendment intended to be proposed by him to the bill S. 4, supra; as follows:

At the appropriate place insert the following:

The Senate finds that, according to the Congressional Budget Office, the federal budget deficit will be \$177 billion for fiscal year 1995;

That estimates from both the Congressional Budget Office and the Office of Management and Budget indicate that, without substantial reductions in federal spending and/or increases in federal revenues; annual federal budget deficits will remain at unacceptable levels;

That the congressional budget process, as embodied by legislation and Senate rules, requires that legislation which would reduce federal revenues be offset by legislation that either reduces mandatory spending or increases an alternative source of federal revenue by an equivalent amount;

That certain members of both political parties have proposed amending the congressional budget process to permit reductions in the discretionary spending caps contained in the annual budget resolutions to offset reduced revenue resulting from tax cuts;

That changing the congressional budget process to permit discretionary spending cap cuts to be used as an offset for tax cuts could actually cause the federal budget deficit to rise;

That reductions in federal spending should be used to reduce the federal budget deficit.

Now, therefore, it is the sense of the Senate that: the congressional budget process should not be amended to permit the use of “savings” associated with reductions in discretionary spending to offset lost revenues resulting from tax cuts.

HOLLINGS AMENDMENT NO. 358

(Ordered to lie on the table.)

Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 4, supra; as follows:

At the appropriate place insert the following:

SEC. .—CONGRESS SHALL NOT LEGISLATE AD HOC CHANGES IN ECONOMIC INDICATORS.

(a) PURPOSE.—The Congress declares it essential that the Congress shall not arbitrarily change economic indicators. Therefore:

(1) Economic indicators shall be devised by statistical agencies using the best scientific practice within the constraints of their budgets; and

(2) Congress shall not coerce Federal statistical agencies into making changes in economic indicators that are counter to the best scientific practice.

DASCHLE AMENDMENTS NOS. 359–
360

(Ordered to lie on the table.)

Mr. DASCHLE submitted two amendments intended to be proposed by him to amendment No. 347, by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT NO. 359

On page 5 of the amendment strike all after ‘taxpayers’ on line 19 through ‘taxpayers’ on line 20.

AMENDMENT NO. 360

On page 5 of the amendment strike all after ‘revenue’ in line 14 through line 20 and insert the following: “over the following 10 fiscal years.”.

BINGAMAN AMENDMENT NO. 361

(Ordered to lie on the table.)

Mr. BINGAMAN submitted an amendment intended to be proposed by him to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

On page 5, between lines 3 and 4, add the following: “any prohibition or restriction against expenditure, or”.

FEINGOLD AND OTHERS
AMENDMENT NO. 362

Mr. FEINGOLD (for himself, Mr. SIMON, and Mr. EXON) proposed an amendment to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

At the end of the pending amendment No. 347, add the following:

SEC. . SENSE OF THE SENATE REGARDING DEFICIT REDUCTION AND TAX CUTS.

The Senate finds that—

(1) The Federal budget according to the most recent estimates of the Congressional Budget Office continues to be in deficit in excess of \$190 billion;

(2) continuing annual Federal budget deficits add to the Federal debt which soon is projected to exceed \$5 trillion;

(3) continuing Federal budget deficits and growing Federal debt reduce savings and capital formation;

(4) continuing Federal budget deficits contribute to a higher level of interest rates than would otherwise occur, raising capital costs and curtailing total investment;

(5) continuing Federal budget deficits also contribute to significant trade deficits and dependence on foreign capital;

(6) the Federal debt that results from persistent Federal deficits transfers a potentially crushing burden to future generations, making their living standards lower than they otherwise would have been;

(7) efforts to reduce the Federal deficit should be among the highest economic priorities of the 104th Congress;

(8) enacting across-the-board or so-called middle class tax cut measures could impede efforts during the 104th Congress to significantly reduce the Federal deficit, and;

(9) it is the Sense of the Senate that reducing the Federal deficit should be one of the nation's highest priorities, that enacting an across-the-board or so-called middle class tax cut during the 104th Congress would hinder efforts to reduce the Federal deficit.

HOLLINGS AMENDMENT NO. 363

(Ordered to lie on the table.)

Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 4, supra; as follows:

At the appropriate place, insert the following:

“SEC. . PAY-AS-YOU-GO.

“At the end of title III of the Congressional Budget Act of 1974, insert the following new section:

“ENFORCING PAY-AS-YOU-GO.

“SEC. 314. (a) PURPOSE.—The Senate declares that it is essential to—

“(1) ensure continued compliance with the deficit reduction embodied in the Omnibus Budget Reconciliation Act of 1993; and

“(2) continue the pay-as-you-go enforcement system.

“(b) POINT OF ORDER.—

“(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct-spending or receipts legislation (as defined in paragraph (3)) that would increase the deficit for any one of the three applicable time periods (as defined in paragraph (2)) as measured pursuant to paragraphs (4) and (5).

“(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term “applicable time period” means any one of the three following periods—

“(A) the first fiscal year covered by the most recently adopted concurrent resolution on the budget;

“(B) the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

“(C) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget.

“(3) DIRECT-SPENDING OR RECEIPTS LEGISLATION.—For purposes of this subsection, the term “direct-spending or receipts legislation” shall—

“(A) include any bill, resolution, amendment, motion, or conference report to which this subsection otherwise applies;

“(B) include concurrent resolutions on the budget;

“(C) exclude full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990;

“(D) exclude emergency provisions so designated under section 252(e) of the Balanced

Budget and Emergency Deficit Control Act of 1985;

“(E) include the estimated amount of savings in direct-spending programs applicable to that fiscal year resulting from the prior year's sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985, if any (except for any amounts sequestered as a result of a net deficit increase in the fiscal year immediately preceding the prior fiscal year); and

“(F) except as otherwise provided in this subsection, include all direct-spending legislation as that term is interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

“(4) BASELINE.—Estimates prepared pursuant to this section shall use the most recent Congressional Budget Office baseline, and for years beyond those covered by that Office, shall abide by the requirements of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that references to “outyears” in that section shall be deemed to apply to any year (other than the budget year) covered by any one of the time periods defined in paragraph (2) of this subsection.

“(5) PRIOR SURPLUS AVAILABLE.—If direct-spending or receipts legislation increases the deficit when taken individually (as a bill, joint resolution, amendment, motion, or conference report, as the case may be), then it must also increase the deficit when taken together with all direct-spending and receipts legislation enacted after the date of enactment of the Omnibus Budget Reconciliation Act of 1993, in order to violate the prohibition of this subsection.

“(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

“(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

“(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and receipts for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

“(f) SUNSET.—Subsections (a) through (e) of this section shall expire September 30, 1998.”

BRADLEY AMENDMENT NO. 364

(Ordered to lie on the table.)

Mr. BRADLEY submitted an amendment intended to be proposed by him to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

On page 5, strike lines 13 through 20 and insert the following:

“(5) the term ‘targeted tax benefit’ means any provision which has the practical effect of providing a benefit in the form of a different treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers but such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

EXON (AND OTHERS) AMENDMENTS NOS. 365-366

(Ordered to lie on the table.)

Mr. EXON (for himself Mr. DASCHLE, Mr. FORD, Mr. CONRAD, Mr. DORGAN, Mr. KOHL, Mrs. FEINSTEIN, Mr. BUMPERS, Mr. ROBB, Mr. KERRY, Mr. FEINGOLD, Mr. HARKIN, Mr. REID, and Mr. HOLLINGS) submitted two amendments intended to be proposed by them to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT NO. 365

At the end of the bill, insert the following new title:

TITLE II—BALANCED BUDGET

SEC. 201. SHORT TITLE.

This title may be cited as the “Balanced Budget Act of 1995”.

SEC. 202. ENFORCEMENT OF A BALANCED BUDGET.

(a) PURPOSE.—The Congress declares it essential that the Congress—

(1) require that the Government balance the Federal budget without counting the surpluses of the Social Security trust funds;

(2) set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced budget would require; and

(3) enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

(b) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT FAIL TO SET FORTH A GLIDE PATH TO A BALANCED BUDGET.—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

“(j) CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.—

“(1) POINT OF ORDER.—It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) unless that resolution—

“(A) sets forth a fiscal year (by 2002 or the earliest possible fiscal year) in which, for the budget as defined by section 13301 of the Budget Enforcement Act of 1990 (excluding the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund), the level of outlays for that fiscal year or any subsequent fiscal year does not exceed the level of revenues for that fiscal year;

“(B) sets forth appropriate levels for all items described in subsection (a)(91) through (7) for all fiscal years through and including the fiscal year described in paragraph (A);

“(C) includes specific reconciliation instructions under section 310 to carry out any assumption of either—

“(i) reductions in direct spending, or

“(ii) increases in revenues.

“(3) NO AMENDMENT WITHOUT THREE FIFTHS VOTE IN THE SENATE.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, motion, or conference report that would amend or otherwise supersede this section.”

(c) REQUIREMENT FOR 60 VOTES TO WAIVE OR APPEAL IN THE SENATE.—Section 904 of the Congressional Budget Act of 1974 is amended by inserting “301(j),” after “301(i),” in both places that it appears.

(d) SUSPENSION IN THE EVENT OF WAR OR CONGRESSIONALLY DECLARED LOW GROWTH.—Section 258(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting “301(j),” after “sections”.

AMENDMENT No. 366

At the end of the bill, insert the following new title:

TITLE II—BALANCED BUDGET

SECTION 201. SHORT TITLE.

This title may be cited as the "Balanced Budget Act of 1995".

SEC. 202. ENFORCEMENT OF A BALANCED BUDGET

(a) PURPOSE.—The Congress declares it essential that the Congress—

(1) require that the Government balance the Federal budget without counting the surpluses of the Social Security trust funds;

(2) set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced budget would require; and

(3) enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

(b) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT FAIL TO SET FORTH A GLIDE PATH TO A BALANCED BUDGET.—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

"(j) CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.—

"(1) POINT OF ORDER.—It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) unless that resolution—

"(A) sets forth a fiscal year (by 2002 or the earliest possible fiscal year) in which, for the budget as defined by section 13301 of the Budget Enforcement Act of 1990 (excluding the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund), the level of outlays for that fiscal year or any subsequent fiscal year does not exceed the level of revenues for that fiscal year;

"(B) sets forth amounts for the deficit that for any fiscal year are equal to or less than the amounts set forth for the deficit for that fiscal year in the most recently adopted concurrent resolution on the budget;

"(C) sets forth appropriate levels for all items described in subsection (a)(1) through (7) for all fiscal years through and including the fiscal year described in paragraph (A);

"(D) includes specific reconciliation instructions under section 310 to carry out any assumption of either—

"(i) reductions in direct spending, or

"(ii) increases in revenues.

"(3) NO AMENDMENT WITHOUT THREE-FIFTHS VOTE IN THE SENATE.—It shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, motion, or conference report that would amend or otherwise supersede this section."

(c) REQUIREMENT FOR 60 VOTES TO WAIVER OR APPEAL IN THE SENATE.—Section 904 of the Congressional Budget Act of 1974 is amended by inserting "301(j)," after "301(i)," in both places that it appears.

(d) SUSPENSION IN THE EVENT OF WAR OR CONGRESSIONALLY DECLARED LOW GROWTH.—Section 258(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting "301(j)," after "sections".

EXON AMENDMENTS NOS. 367–372

(Ordered to lie on the table.)

Mr. EXON submitted six amendments intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT No. 367

At the appropriate place in the bill, insert the following:

SEC. .—CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET

(a) PURPOSE.—The Congress declares it essential that the Congress—

(1) set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced Federal budget would require; and

(2) enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

(b) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT FAIL TO SET FORTH A GLIDE PATH TO A BALANCED BUDGET.—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

"(j) CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.—It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) that—

"(A) fails to set forth appropriate levels for all items described in subsection (a) (1) through (7) for all fiscal years through 2002;

"(B) for the unified Federal budget, sets forth a level of outlays for fiscal year 2002 or any subsequent fiscal year the exceeds the level of revenues for that fiscal year; or

"(C) relies on the assumption of either—

"(i) reductions in direct spending, or

"(ii) increases in revenues, without including specific reconciliation instructions under section 310 to carry out those assumptions."

(c) REQUIREMENT FOR 60 VOTES TO WAIVE OR APPEAL IN THE SENATE.—Section 904 of the Congressional Budget Act of 1974 is amended by inserting "301(j)," after "301(i)," in both places that it appears.

(d) SUSPENSION IN THE EVENT OF WAR OR CONGRESSIONALLY DECLARED LOW GROWTH.—Section 258(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting "301(j)," after "sections".

AMENDMENT No. 368

At the end of the bill, insert the following new section:

SEC. . SAVINGS ACHIEVED FROM LOWERING DISCRETIONARY SPENDING LIMITS MUST GO TO DEFICIT REDUCTION.

It is the sense of the Congress that any savings achieved from lowering or extending the discretionary spending limits set forth in section 601 of the Congressional Budget Act of 1974 must be devoted exclusively to reducing the deficit.

AMENDMENT No. 369

At the appropriate place in the bill, insert the following:

SEC. .

It is the Sense of the Senate that discretionary spending cap reductions, under section 601 of the Congressional Budget Act of 1974, shall not be used to offset direct spending or revenue legislation.

AMENDMENT No. 370

In the language proposed to be inserted, strike section 5(5) and insert "(5) The term 'targeted tax benefit' shall have the same meaning as the term 'tax expenditure' as defined in section 3(3) of the Congressional Budget Act of 1974."

AMENDMENT No. 371

In the language proposed to be inserted, strike section 5(5) and insert "(5) The term 'targeted tax benefit' means a provision in any bill that provides special treatment to a particular taxpayer or limited class of taxpayers."

AMENDMENT No. 372

In section 5(5)(B) of the language proposed to be inserted, strike "when compared with other similarly situated taxpayers".

EXON (AND DASCHLE)
AMENDMENTS NOS. 373–374

(Ordered to lie on the table.)

Mr. EXON (for himself and Mr. DASCHLE) submitted two amendments intended to be proposed by them to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT No. 373

Strike section 5(5)(A) of the language proposed to be inserted and insert "(A) estimated by the Joint Committee on Taxation as losing revenue for any one of the three following periods—

"(1) the first fiscal year covered by the most recently adopted concurrent resolution on the budget;

"(2) the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

"(3) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget; and".

AMENDMENT No. 374

In section 5(5)(A) of the language proposed to be inserted, strike "within the periods specified in the most recently adopted concurrent resolution on the budget pursuant to section 301 of the Congressional Budget and Impoundment Control Act of 1974".

EXON AMENDMENTS NOS. 375–386

(Ordered to lie on the table.)

Mr. EXON submitted 12 amendments intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT No. 375

At the appropriate place in the matter proposed to be inserted, insert the following:

SEC. .

(a) Not later than 45 days of continuous session after the President vetoes an appropriations measure or an authorization measure, the President shall—

(1) reduce the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 for the budget year and each out year to reflect the amount contained in vetoed items.

(ii) with respect to a repeal of direct spending, adjust the balanced for the budget year and each out year under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the amount contained in vetoed items.

(B) Exception: This provision shall not take effect if the vetoed appropriations measure or authorization measure becomes law.

AMENDMENT No. 376

At the end of the matter proposed to be inserted, insert the following new section:

SEC. . LOCK BOX SENSE OF THE CONGRESS.

It is the sense of the Congress that any savings achieved through the veto of any items under this Act shall be devoted exclusively to deficit reduction.

AMENDMENT No. 377

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Legislative Line Item Veto Act".

SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PROPOSED CANCELLATIONS OF BUDGET ITEMS.

(a) IN GENERAL.—Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by adding after section 1012 the following new section:

“EXPEDITED CONSIDERATION OF CERTAIN PROPOSED CANCELLATIONS OF BUDGET ITEMS

“SEC. 1012A. (a) PROPOSED CANCELLATION OF BUDGET ITEM.—The President may propose, at the time and in the manner provided in subsection (b), the cancellation of any budget item provided in any Act. An item proposed for cancellation under this section may not be proposed for cancellation again under this title.

“(b) TRANSMITTAL OF SPECIAL MESSAGE.—

“(1) SPECIAL MESSAGE.—

“(A) IN GENERAL.—Subject to the time limitations provided in subparagraph (B), the President may transmit to Congress a special message proposing to cancel budget items contained in an Act. A separate special message shall be transmitted for each Act that contains budget items the President proposes to cancel.

“(B) TIME LIMITATIONS.—A special message may be transmitted under this section—

“(i) during the 20-calendar-day period (excluding Saturdays, Sundays, and legal holidays) commencing on the day after the date of enactment of the provision proposed to be rescinded or repealed; or

“(ii) at the same time as the President's budget for any provision enacted after the date the President submitted the preceding budget.

“(2) DRAFT BILL.—The President shall include in each special message transmitted under paragraph (1) a draft bill that, if enacted, would cancel those budget items as provided in this section. The draft bill shall—

“(A) clearly identify each budget item that is proposed to be canceled including, where applicable, each program, project, or activity to which the budget item relates; and

“(B) if the special message proposes to cancel direct spending, include a means to reduce the legal obligation of the United States to beneficiaries under the direct spending program sufficient to achieve the proposed reduction in direct spending.

“(3) CONTENTS OF SPECIAL MESSAGE.—Each special message shall specify, with respect to the budget item proposed to be canceled—

“(A) the amount that the President proposes be canceled;

“(B) any account, department, or establishment of the Government to which such budget item is available for obligation, and the specific project or governmental functions involved;

“(C) the reasons why the budget item should be canceled;

“(D) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed cancellation;

“(E) if the President proposes to cancel direct spending, a proposal for a means to reduce the legal obligation of the United States to beneficiaries under the direct spending program sufficient to achieve the proposed reduction in direct spending; and

“(F) all facts, circumstances, and considerations relating to or bearing upon the proposed cancellation and the decision to effect the proposed cancellation, and to the maximum extent practicable, the estimated effect of the proposed cancellation upon the objects, purposes, and programs for which the budget item is provided.

“(4) DEFICIT REDUCTION.—

“(A) DISCRETIONARY SPENDING LIMITS AND DIRECT SPENDING BALANCES.—Not later than 5 days after the date of enactment of a bill containing the cancellation of budget items as provided under this section, the President shall—

“(i) with respect to a rescission of budget authority provided in an appropriations Act, reduce the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 for the budget year and any outyear affected by the rescission, to reflect such amount; and

“(ii) with respect to a repeal of a targeted tax benefit or direct spending, adjust the balances for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect such amount.

“(B) ADJUSTMENT OF COMMITTEE ALLOCATIONS.—Not later than 5 days after the date of enactment of a bill containing the cancellation of budget items as provided under this section, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise levels under section 311(a) and adjust the committee allocations under section 602(a) to reflect such amount.

“(5) EXCEPTION.—The President shall not propose to cancel budget authority provided in an appropriations Act that is required to fund an existing legal obligation of the United States, unless the legal obligation was established in that appropriations Act.

“(c) PROCEDURES FOR EXPEDITED CONSIDERATION.—

“(1) IN GENERAL.—

“(A) INTRODUCTION.—Before the close of the second day of session of the Senate and the House of Representatives, respectively, after the date of receipt of a special message transmitted to Congress under subsection (b), the majority leader or minority leader of each House shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence in either House, then, on the third day of session of that House after the date of receipt of that special message, any Member of that House may introduce the bill.

“(B) REFERRAL AND REPORTING.—The bill shall be referred to the appropriate committee or (in the House of Representatives) committees. The committee shall report the bill without substantive revision and with or without recommendation. The committee shall report the bill not later than the seventh day of session of that House after the date of receipt of that special message. If the committee fails to report the bill within that period, the committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

“(C) FINAL PASSAGE.—A vote on final passage of the bill shall be taken in the Senate and the House of Representatives on or before the close of the 10th day of session of that House after the date of the introduction of the bill in that House. If the bill is passed, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall cause the bill to be engrossed, certified, and transmitted to the other House within one calendar day of the day on which the bill is passed.

“(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

“(A) MOTION TO PROCEED TO CONSIDERATION.—A motion in the House of Representatives to proceed to the consideration of a bill under this subsection shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

“(B) MOTION TO STRIKE.—During consideration under this subsection in the House of Representatives, any Member of the House of Representatives may move to strike any proposed cancellation of a budget item if supported by 49 other Members.

“(C) LIMITS ON DEBATE.—Debate in the House of Representatives on a bill under this subsection shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this subsection or to move to reconsider the vote by which the bill is agreed to or disagreed to.

“(D) APPEALS.—Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

“(E) APPLICATION OF HOUSE RULES.—Except to the extent specifically provided in this section, consideration of a bill under this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any bill introduced pursuant to the provisions of this section under a suspension of the rules or under a special rule.

“(3) CONSIDERATION IN THE SENATE.—

“(A) MOTION TO PROCEED TO CONSIDERATION.—A motion to proceed to the consideration of a bill under this subsection in the Senate shall be nondebatable. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

“(B) MOTION TO STRIKE.—During consideration of a bill under this subsection in the Senate, any Member of the Senate may move to strike any proposed cancellation of a budget item if supported by 11 other Members.

“(C) LIMITS ON DEBATE.—Debate in the Senate on a bill under this subsection, amendments thereto, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (D)), shall not exceed 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

“(D) APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with a bill under this subsection shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

“(E) MOTION TO LIMIT DEBATE.—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

“(F) MOTION TO RECOMMIT.—A motion to recommit a bill under this subsection is not in order.

“(G) PLACED ON CALENDAR.—Upon receipt in the Senate of the companion bill for a bill that has been introduced in the Senate, that companion bill shall be placed on the calendar.

“(H) CONSIDERATION OF HOUSE COMPANION BILL.—

“(i) IN GENERAL.—Following the vote on the Senate bill required under paragraph (1)(C), when the Senate proceeds to consider the companion bill received from the House of Representatives, the Senate shall—

“(I) if the language of the companion bill is identical to the Senate bill, as passed, proceed to the immediate consideration of the companion bill and, without intervening action, vote on the companion bill; or

“(II) if the language of the companion bill is not identical to the Senate bill, as passed, proceed to the immediate consideration of the companion bill.

“(ii) AMENDMENTS.—During consideration of the companion bill under clause (i)(II), any Senator may move to strike all after the enacting clause and insert in lieu thereof the text of the Senate bill, as passed. Debate in the Senate on such companion bill, any amendment proposed under this subparagraph, and all debatable motions and appeals in connection therewith, shall not exceed 10 hours less such time as the Senate consumed or yielded back during consideration of the Senate bill.

“(4) CONFERENCE.—

“(A) CONSIDERATION OF CONFERENCE REPORTS.—Debate in the House of Representatives or the Senate on the conference report and any amendments in disagreement on any bill considered under this section shall be limited to not more than 2 hours, which shall be divided equally between the majority leader and the minority leader. A motion further to limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

“(B) FAILURE OF CONFERENCE TO ACT.—If the committee on conference on a bill considered under this section fails to submit a conference report within 10 calendar days after the conferees have been appointed by each House, any Member of either House may introduce a bill containing only the text of the draft bill of the President on the next day of session thereafter and the bill shall be considered as provided in this section except that the bill shall not be subject to any amendment.

“(d) AMENDMENTS AND DIVISIONS PROHIBITED.—Except as otherwise provided by this section, no amendment to a bill considered under this section shall be in order in either the Senate or the House of Representatives. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole). No motion to suspend the application of this subsection shall be in order in the House of Representatives, nor shall it be in order in the House of Representatives to suspend the application of this subsection by unanimous consent.

“(e) TEMPORARY PRESIDENTIAL AUTHORITY TO CANCEL.—At the same time as the President transmits to Congress a special message under subsection (b)(1)(B)(i) proposing to cancel budget items, the President may direct that any budget item or items proposed to be canceled in that special message shall not be made available for obligation or take effect for a period not to exceed 45 calendar days from the date the President transmits the special message to Congress. The President may make any budget item or items canceled pursuant to the preceding sentence available at a time earlier than the time specified by the President if the President determines that continuation of the cancellation would not further the purposes of this Act.

“(f) DEFINITIONS.—For purposes of this section—

“(1) the term ‘appropriation Act’ means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations but such term does not include any appropriations for social security;

“(2) the term ‘direct spending’ shall have the same meaning given such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 but such term shall not include spending for social security;

“(3) the term ‘budget item’ means—

“(A) an amount, in whole or in part, of budget authority provided in an appropriation Act;

“(B) an amount of direct spending; or

“(C) a targeted tax benefit;

“(4) the term ‘cancellation of a budget item’ means—

“(A) the rescission of any budget authority provided in an appropriation Act;

“(B) the repeal of any amount of direct spending; or

“(C) the repeal of any targeted tax benefit;

“(5) the term ‘‘companion bill’’ means, for any bill introduced in either House pursuant to subsection (c)(1)(A), the bill introduced in the other House as a result of the same special message; and

“(6) the term ‘targeted tax benefit’ means any provision which has the practical effect of providing a benefit in the form of a different treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers. Such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.”.

(b) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking “and 1017” and inserting “1012A, and 1017”; and

(2) in subsection (d), by striking “section 1017” and inserting “sections 1012A and 1017”.

(c) CLERICAL AMENDMENTS.—The table of sections for subpart B of title X of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 1012 the following:

“Sec. 1012A. Expedited consideration of certain proposed cancellations of budget items.”.

(d) EFFECTIVE PERIOD.—The amendments made by this Act shall—

(1) take effect on the date of enactment of this Act;

(2) apply only to budget items provided in Acts enacted on or after the date of enactment of this Act; and

(3) cease to be effective on September 30, 1998.

AMENDMENT NO. 378

In section 6 of the language proposed to be inserted, strike “on September 30, 2000” and insert “at noon on January 20, 1997”.

AMENDMENT NO. 379

In section 6 of the language proposed to be inserted, strike “2000” and insert “1998”.

AMENDMENT NO. 380

At the appropriate place in the matter proposed to be inserted insert the following:

SEC. . JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any provision of this Act violates the Constitution.

(2) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representa-

tives, and each House of Congress shall have the right to intervene in such action.

(3) Any action brought under paragraph (1) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives or the Senate to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—

Notwithstanding any other provisions of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—

It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

AMENDMENT NO. 381

At the appropriate place in the bill, insert the following:

SEC. .—TO PROVIDE FOR 10 YEAR BUDGET RESOLUTIONS

(a) PURPOSE.—The Congress declares it essential that the Congress—

(1) set forth with specificity the policies that achieving such a balanced Federal budget would require; and

(2) enforce through the congressional budget process the requirement to achieve a balanced Federal budget by 2002 as well as the years thereafter.

(b) BUDGET RESOLUTIONS SHALL PROVIDE FOR 10 FISCAL YEARS.—

Strike the following provisions from section 301(a) of the Congressional Budget Act of 1974:

“Content of Concurrent Resolutions on the Budget.—On or before April 15 of each year, the Congress shall complete action on a concurrent resolution on the budget for the fiscal year beginning on October 1st of such year. The concurrent resolution shall set forth appropriate levels for the fiscal year beginning on October 1st of such year, and planning levels for each of the four ensuing fiscal years, for the following—”

and insert:

“SEC. 301. (a) Content of Concurrent Resolutions on the Budget.—On or before April 15 of each year, the Congress shall complete action on a concurrent resolution on the budget for the fiscal year beginning on October 1st of such year. The concurrent resolution shall set forth appropriate levels for the fiscal year beginning on October 1st of such year, and planning levels for each of the nine ensuing fiscal years, for the following—”

Strike the following provision from section 302 of the Congressional Budget Act of 1974:

“(2) For the Senate, the joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall include an estimated allocation, based upon such concurrent resolution as recommended in such conference report, of the appropriate levels of social security outlays for the fiscal year of the resolution and for each of the 4 succeeding fiscal years, total

budget outlays and total new budget authority among each committee of the Senate which has jurisdiction over bills and resolutions providing such new budget authority." and insert the following:

"(2) For the Senate, the joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall include an estimated allocation, based upon such concurrent resolution as recommended in such conference report, of the appropriate levels of social security outlays for the fiscal year of the resolution and for each of the 9 succeeding fiscal years, total budget outlays and total new budget authority among each committee of the Senate which has jurisdiction over bills and resolutions providing such new budget authority."

Strike the following provision from section 302 of the Congressional Budget Act of 1974:

"(2) In the Senate—At any time after the Congress has completed action on the concurrent resolution on the budget required to be reported under section 301(a) for a fiscal year, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report, that provides for budget outlays, new budget authority, or new spending authority (as defined in section 401(c)(2)) in excess of

(A) the appropriate allocation of such outlays or authority reported under subsection (a) or

(B) the appropriate allocation (if any) of such outlays or authority reported under subsection (b) in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year or provides for social security outlays in excess of the appropriate allocation of social security outlays under subsection (a) for the fiscal year of the resolution or for the total of that year and the four succeeding years."

and insert the following:

"(2) In the Senate—At any time after the Congress has completed action on the concurrent resolution on the budget required to be reported under section 301(a) for a fiscal year, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report, that provides for budget outlays, new budget authority, or new spending authority (as defined in section 401(c)(2)) in excess of

"(A) the appropriate allocation of such outlays or authority reported under subsection (a) or

"(B) the appropriate allocation (if any) of such outlays or authority reported under subsection (b) in connection with the most recently agreed to concurrent resolution on the budget for such fiscal year or provides for social security outlays in excess of the appropriate allocation of social security outlays under subsection (a) for the fiscal year of the resolution or for the total of that year and the nine succeeding years."

AMENDMENT NO. 382

At the end of the matter proposed to be inserted, insert the following:

"It is the sense of the Congress that all concurrent resolutions on the budget should cover the upcoming 10 fiscal years."

AMENDMENT NO. 383

At the appropriate place in the bill, insert the following:

SEC. . CONGRESS SHALL NOT LEGISLATE AD HOC CHANGES IN ECONOMIC INDICATORS.

(a) PURPOSE.—The Congress declares it essential that the Congress shall not arbitrarily change economic indicators.

(b) SENSE OF THE CONGRESS—It is the sense of the Congress that—

(1) economic indicators shall be devised by statistical agencies using the best scientific

practice within the constraints of their budgets; and

(2) Congress shall not coerce Federal statistical agencies into making changes in economic indicators that are counter to the best scientific practice.

AMENDMENT NO. 384

At the end of the matter proposed to be inserted, insert the following new section:

SEC. . BALANCED FEDERAL BUDGET.

It is the sense of the Congress that beginning with the concurrent resolution on the budget for fiscal year 1996 all concurrent resolutions on the budget should set forth levels and amounts for all fiscal years through and including a fiscal year in which outlays do not exceed receipts, without counting the surpluses of the Social Security Trust Funds.

AMENDMENT NO. 385

At the end of the matter proposed to be inserted, insert the following new section:

SEC. . CBO BASELINE.

It is the sense of the Senate that the Senate Committee on the Budget, during deliberations on the Fiscal Year 1996 Budget Resolution and for the purpose of preparing the Committee report, use the current-law, capped baseline of the Congressional Budget Office for all revenue, spending, and deficit comparisons.

AMENDMENT NO. 386

At the end of the matter proposed to be inserted, insert the following new section:

SEC. . SENSE OF THE SENATE ON USE OF THE CBO BASELINE.

It is the sense of the Senate that the concurrent resolution on the budget for fiscal year 1996 should use the baseline used by the Congressional Budget Office in its evaluation of the President's budget.

MURKOWSKI AMENDMENT NO. 387

(Ordered to lie on the table.)

Mr. MURKOWSKI submitted an amendment intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

On page 5, between lines 12 and 13, insert the following:

"Any condition on an item of appropriation not involving a positive allocation of funds and explicitly prohibiting the use of any funds shall be enrolled with the item of appropriation."

MURRAY AMENDMENT NO. 388

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

On page 5, line 7, after "and" insert the following: "shall not mean appropriations authorized in a previously passed authorization bill; and."

PRYOR AMENDMENT NO. 389

(Ordered to lie on the table.)

Mr. PRYOR submitted an amendment intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

At the appropriate place insert the following:

"The President may not rescind any budget authority provided for social security."

WELLSTONE AMENDMENT NO. 390

(Ordered to lie on the table.)

Mr. WELLSTONE submitted an amendment intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

On page 5, delete lines 13 thru 20 and insert in lieu thereof the following:

(5) The term 'targeted tax benefit' means any provision which has the practical effect of providing a benefit in the form of a different treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers but such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

SIMON AMENDMENTS NOS. 391-392

(Ordered to lie on the table.)

Mr. SIMON submitted two amendments intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT NO. 391

In the language proposed to be inserted, strike section 5(5) and insert "(5) The term 'targeted tax benefit' shall have the same meaning as the term 'tax expenditure' as defined in section 3(3) of the Congressional Budget Act of 1974."

AMENDMENT NO. 392

Strike section 5 of the language proposed to be inserted and insert (5) The term "targeted tax benefit" means any provision "(A) estimated by the Joint Committee on Taxation as losing revenue for any one of the three following periods—

"(1) the first fiscal year covered by the most recently adopted concurrent resolution on the budget;

"(2) the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

"(3) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget; and.

"(B) having the practical effect of providing more favorable tax treatment to a particular taxpayer on limited group of taxpayers."

SIMON (AND LEVIN) AMENDMENT NO. 393

Mr. SIMON (for himself and Mr. LEVIN) proposed an amendment to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

At the appropriate place in the pending amendment, insert the following:

SEC. . JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any provision of this Act violates the Constitution.

(2) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(3) Any action brought under paragraph (1) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives or the Senate to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—

Notwithstanding any other provisions of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered, and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—

It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

GLENN AMENDMENTS NOS. 394-398

(Ordered to lie on the table.)

Mr. SIMON submitted five amendments intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT NO. 394

At the appropriate place insert the following:

SEC. . EVALUATION AND SUNSET OF TAX EXPENDITURES.

(a) LEGISLATION FOR SUNSETTING TAX EXPENDITURES.—The President shall submit legislation for the periodic review, authorization, and sunset of tax expenditures with his fiscal year 1997 budget.

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following paragraph:

“(30) beginning with fiscal year 1999, a Federal Government performance plan for measuring the overall effectiveness of tax expenditures, including a schedule for periodically assessing the effects of specific tax expenditures in achieving performance goals.”.

(c) PILOT PROJECTS.—Section 1118(c) of title 31, United States Code, is amended by—

(1) striking “and” after the semicolon in paragraph (2);

(2) redesignating paragraph (3) as paragraph (4); and

(3) adding after paragraph (2) the following:

“(3) describe the framework to be utilized by the Director of the Office of Management and Budget, after consultation with the Secretary of the Treasury, the Comptroller General of the United States, and the Joint Committee on Taxation, for undertaking periodic analyses of the effects of tax expenditures in achieving performance goals and the relationship between tax expenditures and spending programs; and”.

(d) CONGRESSIONAL BUDGET ACT.—Title IV of the Congressional Budget Act of 1974 is amended by adding at the end thereof the following:

“TAX EXPENDITURES

“SEC. 408. It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that contains a tax expenditure unless the bill, joint resolution, amendment, motion, or conference report provides that the tax expendi-

ture will terminate not later than 10 years after the date of enactment of the tax expenditure.”.

AMENDMENT NO. 395

At the appropriate place insert the following:

SEC. . EVALUATION AND SUNSET OF EXISTING TAX EXPENDITURES.

(a) SUNSET OF EXISTING TAX EXPENDITURES.—All tax expenditures in existence at the time of enactment of this Act shall expire if not specifically reauthorized by the Congress before January 1, 2005. Any tax expenditure reauthorized under this Act at the same level of cost as the revenue baseline of the existing tax expenditure shall not be subject to the pay as you go requirements under Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following paragraph:

“(30) beginning with fiscal year 1999, a Federal Government performance plan for measuring the overall effectiveness of tax expenditures, including a schedule for periodically assessing the effects of specific tax expenditures in achieving performance goals.”.

(c) PILOT PROJECTS.—Section 1118(c) of title 31, United States Code, is amended by—

(1) striking “and” after the semicolon in paragraph (2);

(2) redesignating paragraph (3) as paragraph (4); and

(3) adding after paragraph (2) the following:

“(3) describe the framework to be utilized by the Director of the Office of Management and Budget, after consultation with the Secretary of the Treasury, the Comptroller General of the United States, and the Joint Committee on Taxation, for undertaking periodic analyses of the effects of tax expenditures in achieving performance goals and the relationship between tax expenditures and spending programs; and”.

AMENDMENT NO. 396

On page 4, line 22 strike the period following “1985” and insert the following:

“, except that it shall not include provisions estimated by the Joint Committee on Taxation as producing aggregate cost savings during the periods specified in the most recently adopted concurrent resolution on the budget pursuant to section 301 of the Congressional Budget and Impoundment Control Act of 1974.”

AMENDMENT NO. 397

On page 5, strike lines 13 through 20 and insert the following:

“(5) The term “targeted tax benefit” means any provision that has the practical effect of providing a benefit in the form of a different tax treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer of a class of taxpayers. Such provision does not include:

“(A) any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status; or

“(B) any provision affecting the deductibility of mortgage interest on ownership of occupied residences.”

At the appropriate place insert the following:

SEC. . ANNUAL PERFORMANCE PLANS AND REPORTS AND PILOT PROJECTS.

(a) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following paragraph:

“(30) beginning with fiscal year 1999, a Federal Government performance plan for measuring the overall effectiveness of tax expenditures, including a schedule for periodically assessing the effects of specific tax expenditures in achieving performance goals.”.

(d) PILOT PROJECTS.—Section 1118(c) of title 31, United States Code, is amended by—

(1) striking “and” after the semicolon in paragraph (2);

(2) redesignating paragraph (3) as paragraph (4); and

(3) adding after paragraph (2) the following:

“(3) describe the framework to be utilized by the Director of the Office of Management and Budget, after consultation with the Secretary of the Treasury, the Comptroller General of the United States, and the Joint Committee on Taxation, for undertaking periodic analyses of the effects of tax expenditures in achieving performance goals and the relationship between tax expenditures and spending programs; and”.

BRADLEY AMENDMENTS NOS. 399-400

(Ordered to lie on the table.)

Mr. SIMON submitted two amendments intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

AMENDMENT NO. 399

In the pending amendment strike all after the first word and insert:

term “targeted tax benefit” means any provision which has the practical effect of providing a benefit in the form of a different treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers but such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

AMENDMENT NO. 400

At the appropriate place, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Spending Reduction and Budget Control Act of 1995”.

SEC. 2. JOINT RESOLUTION ALLOCATING APPROPRIATED SPENDING.

(a) COMMITTEE ON APPROPRIATIONS RESOLUTION.—Section 302(b) of the Congressional Budget Act of 1974 is amended to read as follows:

“(b) COMMITTEE SUBALLOCATIONS.—

“(1) COMMITTEES ON APPROPRIATIONS.—(A)

As soon as practical after a concurrent resolution on the budget is agreed to, the Committee on Appropriations of each House shall, after consulting with Committee on Appropriations of the other House, report to its House an original joint resolution on appropriations allocations (referred to in the paragraph as the ‘joint resolution’) that contains the following:

“(i) A subdivision among its subcommittees of the allocation of budget outlays and new budget authority allocated to it in the joint explanatory statement accompanying the conference report on such concurrent resolution.

“(ii) A subdivision of the amount with respect to each such subcommittee between controllable amounts and all other amounts. The joint resolution shall be placed on the calendar pending disposition of such joint resolution in accordance with this subsection.

"(B)(i) Except as provided in clause (ii), the provisions of section 305 for the consideration in the Senate of concurrent resolutions on the budget and conference reports thereon shall also apply to the consideration in the Senate of joint resolutions reported under this paragraph and conference reports thereon.

"(ii)(I) Debate in the Senate on any joint resolution reported under this paragraph, and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than 20 hours.

"(II) The Committee on Appropriations shall manage the joint resolution.

"(C) The allocations of the Committees on Appropriations shall not take effect until the joint resolution is enacted into law.

"(2) OTHER COMMITTEES.—As soon as practicable after a concurrent resolution on the budget is agreed to every committee of the House and Senate (other than the Committees on Appropriations) to which an allocation was made in such joint explanatory statement shall, after consulting with the committee or committees of the other House to which all or part of its allocation was made—

"(A) subdivide such allocation among its subcommittees or among programs over which it has jurisdiction; and

"(B) further subdivide the amount with respect to each subcommittee or program between controllable amounts and all other amounts.

Each such committee shall promptly report to its House the subdivisions made by it pursuant to this paragraph."

(b) POINT OF ORDER.—Section 302(c) of the Congressional Budget Act of 1974 is amended by striking "such committee makes the allocation or subdivisions required by" and inserting "such committee makes the allocation or subdivisions in accordance with".

(c) ALTERATION OF ALLOCATIONS.—Section 302(e) of the Congressional Budget Act of 1974 is amended to read as follows:

"(e) ALTERATION OF ALLOCATIONS.—

"(1) Any alteration of allocations made under paragraph (1) of subsection (b) proposed by the Committee on Appropriations of either House shall be subject to approval as required by such paragraph.

"(2) At any time after a committee reports the allocations required to be made under subsection (b)(2), such committee may report to its House an alteration of such allocations. Any alteration of such allocations must be consistent with any actions already taken by its House on legislation within the committee's jurisdiction."

SEC. 3. AMENDMENTS TO APPROPRIATIONS BILL.

Section 302 of the Congressional Budget Act of 1974 is amended by—

(1) redesignating subsection (g) as subsection (h); and

(2) inserting after subsection (f) the following:

"(g) AMENDMENTS TO APPROPRIATIONS ACT REDUCING ALLOCATIONS.—

"(1) FLOOR AMENDMENTS.—Notwithstanding any other provision of this Act, an amendment to an appropriations bill shall be in order if—

"(A) such amendment reduces an amount of budget authority provided in the bill and reduces the relevant subcommittee allocation made pursuant to subsection (b)(1) and the discretionary spending limits under section 601(a)(2) for the fiscal year covered by the bill; or

"(B) such amendment reduces an amount of budget authority provided in the bill and reduces the relevant subcommittee allocation made pursuant to subsection (b)(1) and the discretionary spending limits under sec-

tion 601(a)(2) for the fiscal year covered by the bill and the 4 succeeding fiscal years.

"(2) CONFERENCE REPORTS.—(A) It shall not be in order to consider a conference report on an appropriations bill that contains a provision reducing subcommittee allocations and discretionary spending included in both the bill as passed by the Senate and the House of Representatives if such provision provides reductions in such allocations and spending that are less than those provided in the bill as passed by the Senate or the House of Representatives.

"(B) It shall not be in order in the Senate or the House of Representatives to consider a conference report on an appropriations bill that does not include a reduction in subcommittee allocations and discretionary spending in compliance with subparagraph (A) contained in the bill as passed by the Senate and the House of Representatives."

SEC. 4. SECTION 602(b) ALLOCATIONS.

Section 602(b)(1) of the Congressional Budget Act of 1974 is amended to read as follows:

"(1) SUBALLOCATIONS BY APPROPRIATIONS COMMITTEES.—The Committee on Appropriations of each House shall make allocations under subsection (a)(1)(A) or (a)(2) in accordance with section 302(b)(1)."

ABRAHAM AMENDMENT NO. 401

(Ordered to lie on the table.)

Mr. ABRAHAM submitted an amendment intended to be proposed by him to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

On page 3, line 17, strike everything after word "measure" through the word "generally" on page 4, line 14, and insert the following in its place:

"first passes both Houses of Congress in the same form, the Secretary of the Senate (in the case of a measure originating in the Senate) or the Clerk of the House of Representatives (in the case of a measure originating in the House of Representatives) shall disaggregate the bill into items and assign each item a new bill number. Henceforth each item shall be treated as a separate bill to be considered under the following subsections.

"(2) A bill that is required to be disaggregated into separate bills pursuant to subsection (a)—

"(A) shall be disaggregated without substantive revision, and

"(B) shall bear the designation of the measure of which it was an item prior to such disaggregation, together with such other designation as may be necessary to distinguish such measure from other measures disaggregated pursuant to paragraph (1) with respect to the same measure.

"(b) The new bills resulting from the disaggregation described in paragraph 1 of subsection (a) shall be immediately placed on the calendar of both Houses. They shall be the next order of business in each House and they shall be considered and voted on en bloc and shall not be subject to amendment. A motion to proceed to the bills shall be nondebatable. Debate in the House of Representatives or the Senate on the bills shall be limited to not more than 1 hour, which shall be divided equally between the majority leader and the minority leader. A motion further to limit debate is not debatable. A motion to recommit the bills is not in order, and it is not in order to move to reconsider the vote by which the bills are agreed to or disagreed to."

EXON AMENDMENT NO. 402

Mr. EXON proposed an amendment to amendment No. 347 proposed by Mr. DOLE to the bill, S. 4, supra; as follows:

At the end of the matter proposed to be inserted, insert the following:

SEC.

(a) Not later than 45 days of continuous session after the President vetoes an appropriations measure or an authorization measure, the President shall—

(1) with respect to appropriations measures, reduce the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 for the budget year and each out year by the amount by which the measure would have increased the deficit in each respective year;

(2) with respect to a repeal of direct spending, or a targeted tax benefit, reduce the balances for the budget year and each out year under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 by the amount by which the measure would have increased the deficit in each respective year.

(b) Exceptions:

(1) This section shall not apply if the vetoed appropriations measure or authorization measure becomes law, over the objections of the President, before the President orders the reduction required by subsections (a)(1) or (a)(2).

(2) If the vetoed appropriations measure or authorization measure becomes law, over the objections of the President, after the President has ordered the reductions required by subsections (a)(1) or (a)(2), then the President shall restore the discretionary spending limits under section 601 of the Congressional Budget Act of 1974 or the balances under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the positions existing before the reduction ordered by the President in compliance with subsection (a).

NOTICES OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the full Committee on Energy and Natural Resources to consider the nomination of Daniel R. Glickman to be Secretary of Agriculture.

The hearing will take place Tuesday, March 28, 1995, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington DC, 20510. For further information, please call Mark Rey at (202) 224-2878 or Camille Heninger at (202) 224-5070.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT AND THE DISTRICT OF COLUMBIA

Mr. COHEN. Mr. President, I wish to announce that the Subcommittee on Oversight of Government Management and the District of Columbia, Committee on Governmental Affairs, will hold a hearing on Tuesday, March 28, 1995, on reducing the cost of Pentagon travel processing. The hearing will be at 9:30