

PROVIDING FOR THE CONSIDERATION OF H.R. 3019, THE
BALANCED BUDGET DOWNPAYMENT ACT, II

MARCH 6, 1996.—Referred to the House Calendar and ordered to be printed

Mr. DREIER, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 372]

The Committee on Rules, having had under consideration House Resolution 372, by a record vote of 9 to 2, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 3019, the “Balanced Budget Downpayment Act, II” under a modified closed rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule further provides for adoption in the House and in the Committee of the Whole of an amendment printed in section 2 of the resolution.

Only amendments specified in the Rules Committee report are in order and shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments specified in the report are waived.

Finally, the rule provides that the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit which, if containing instructions may only be offered by the Minority Leader or his designee.

COMMITTEE VOTES

Pursuant to clause 2(l)(2)(B) of House rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Rollcall No. 294

Date: March 6, 1996.

Measure: Rule for consideration of H.R. 3019, Further Downpayment Toward a Balanced Budget.

Motion By: Mr. Moakley.

Summary of Motion: En bloc motion to make in order two amendments: (1) an amendment by Rep. Richardson to prevent the transfer of administrative jurisdiction over the Mojave National Preserve from the National Park Service to the Bureau of Land Management or any other department or agency; and (2) an amendment by Rep. Furse to repeal the emergency salvage timber sales program.

Results: Rejected, 2 to 8.

Vote by Members: Quillen—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Hall—Yea; Solomon—Nay.

Rules Committee Rollcall No. 295

Date: March 6, 1996.

Measure: Rule for consideration of H.R. 3019, Further Downpayment Toward a Balanced Budget.

Motion By: Mr. Hall.

Summary of Motion: Make in order an amendment by Rep. Pallone to provide additional funding for the National Park Service, energy conservation, Indian health and education programs, veterans medical care, the EPA, grants for State revolving funds for water infrastructure financing, grants for State revolving funds for drinking water, and for the President's Americorps program.

Results: Rejected, 2 to 8.

Vote by Members: Quillen—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Hall—Yea; Solomon—Nay.

Rules Committee Rollcall No. 296

Date: March 6, 1996.

Measure: Rule for consideration of H.R. 3019, Further Downpayment Toward a Balanced Budget.

Motion By: Mr. Hall.

Summary of Motion: Make in order an amendment by Rep. Sawyer providing funding at the end of the fiscal year 1995 levels for each program, project and activity of the Department of Education.

Results: Rejected, 2 to 9.

Vote by Members: Quillen—Nay; Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Hall—Yea; Solomon—Nay.

Rules Committee Rollcall No. 297

Date: March 6, 1996.

Measure: Rule for consideration of H.R. 3019, Further Downpayment Toward a Balanced Budget.

Motion By: Mr. Quillen.

Summary of Motion: Report the rule favorably to the House.

Results: Adopted, 9 to 2.

Vote by Members: Quillen—Yea; Dreier—Yea; Goss—Yea; Linder—Yea; Pryce—Yea; Diaz-Balart—Yea; McInnis—Yea; Waldholtz—Yea; Moakley—Nay; Hall—Nay; Solomon—Yea.

SUMMARY OF AMENDMENTS MADE IN ORDER FOR H.R. 3019, THE
BALANCED BUDGET DOWNPAYMENT ACT, II

(1) Lowey—20 min.: Would strike section 509 (page 372 of H.R. 3019), relating to state discretion to not fund abortions under medicaid.

(2) Istook—20 min.: Would require organizations that receive Federal grants to disclose amount of grant and good faith estimates of actual lobbying expenses and activities.

(3) Crapo—20 min.: Lock-box amendment.

(4) Obey—60 min.: Minority amendment if printed in the March 6, Congressional Record.

AMENDMENTS MADE IN ORDER BY THE RULE

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LOWEY OF
NEW YORK, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 372, strike section 509 (relating to State discretion to not fund abortions under Medicaid).

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ISTOOK OF
OKLAHOMA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

At the end of the bill (preceding the short title), add the following new title:

**TITLE V—DISCLOSURE OF LOBBYING
ACTIVITIES BY FEDERAL GRANTEES**

DISCLOSURE OF LOBBYING ACTIVITIES BY FEDERAL GRANTEES

SEC. 5001. (a) DISCLOSURE REQUIREMENTS.—Not later than December 31 of each year, each organization receiving a Federal grant shall provide (via either electronic or paper medium) to each Federal entity that awarded or administered its grant an annual report for the previous Federal fiscal year, certified by the organization's chief executive officer or equivalent person of authority, setting forth—

(1) the organization's name and grantee identification number;

(2) the amount or value of each grant (including all administrative and overhead costs awarded), and the description of each such grant and the name of the Federal agency awarding such grant; and

- (3) a good faith estimate of the organization's actual expenses on lobbying activities in the most recent taxable year.
- (b) EXEMPTIONS.—This section shall not apply to an individual or a State, local, or Indian tribal government.
- (c) DEFINITIONS.—For purposes of this section:
- (1) FEDERAL GRANT.—The term “Federal grant” means money or real property that is paid or provided by the Federal Government to any organization. Such term does not include (A) any assistance described in section 6302(2) of title 31, United States Code; (B) any amount paid under a procurement contract described in section 6303(1) of such title; or (C) any payment or assistance described in clause (ii), (iii), (iv), or (vii) of section 6501(4)(C) of such title.
- (2) LOBBYING ACTIVITY.—The term “lobbying activity” means any activity that is either (A) a lobbying activity within the meaning of section 3 of the Lobbying Disclosure Act of 1995; or (B) an activity influencing legislation within the meaning of section 4911 of the Internal Revenue Code of 1986. Such term shall also include advocating the election or defeat of any candidate for public office, or the passage or non-passage of any ballot proposition.
- (d) PUBLIC ACCOUNTABILITY.—
- (1) PUBLIC AVAILABILITY OF LOBBYING DISCLOSURE FORMS.—Each Federal entity awarding a Federal grant shall make publicly available the grant application, and any annual report provided under subsection (a) by the organization receiving the grant.
- (2) ACCESSIBILITY TO PUBLIC.—The public's access to the documents identified in paragraph (1) shall be facilitated by the Federal entity by—
- (A) placement of such documents in the Federal entity's public document reading room;
- (B) expediting any requests under section 552 of title 5, United States Code (the Freedom of Information Act), ahead of any requests for other information pending at such Federal entity; and
- (C) submitting to the Bureau of the Census a report (standardized by the Office of Management and Budget) setting forth the information provided in such documents, which the Bureau of the Census shall make available to the public through the Internet.
- (3) WITHHOLDING PROHIBITED.—Records described in paragraph (1) shall not be subject to withholding, except under the exemption set forth in subsection (b)(7)(A) of section 552 of title 5, United States Code.
- (4) FEES PROHIBITED.—No fees for searching for or copying such documents shall be charged to the public.
- (e) CONSTRUCTION.—No provision of this section may be construed to affect whether any organization is exempt from, or subject to, tax under the Internal Revenue Code of 1986.
- (f) REGULATIONS.—The Director of the Office of Management and Budget shall issue any regulations necessary to carry out this section.
- (g) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall take effect January 1, 1996, and apply thereafter.

(2) PRIOR ACTIVITIES NOT TAKEN INTO ACCOUNT.—In applying this section, only expenditures made after December 31, 1995, in taxable years ending after such date shall be taken into account.

(3) ANNUALIZATION FOR PARTIAL TAXABLE YEARS.—In the case of a taxable year that ends after December 31, 1995, and begins before January 1, 1996, each of the dollar amounts applicable under this section shall be proportionally reduced to reflect the portion of such taxable year after December 31, 1995.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRAPO OF IDAHO, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

At the end of the bill (before the short title), add the following new title:

TITLE V—DEFICIT REDUCTION LOCK-BOX

SEC. 501. SHORT TITLE.

This title may be cited as the “Deficit Reduction Lock-box Act of 1996”.

SEC. 502. DEFICIT REDUCTION LOCK-BOX LEDGER.

(a) ESTABLISHMENT OF LEDGER.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

“DEFICIT REDUCTION LOCK-BOX LEDGER

“SEC. 314. (a) ESTABLISHMENT OF LEDGER.—The Director of the Congressional Budget Office (hereinafter in this section referred to as the “Director”) shall maintain a ledger to be known as the “Deficit Reduction Lock-box Ledger”. The Ledger shall be divided into entries corresponding to the subcommittees of the Committees on Appropriations. Each entry shall consist of three parts: the ‘House Lock-box Balance’; the ‘Senate Lock-box Balance’; and the ‘Joint House-Senate Lock-box Balance’.

“(b) COMPONENTS OF LEDGER.—Each component in an entry shall consist only of amounts credited to it under subsection (c). No entry of a negative amount shall be made.

“(c) CREDIT OF AMOUNTS TO LEDGER.—(1) The Director shall, upon the engrossment of any appropriation bill by the House of Representatives and upon the engrossment of that bill by the Senate, credit to the applicable entry balance of that House amounts of new budget authority and outlays equal to the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by that House to that bill.

“(2) The Director shall, upon the engrossment of Senate amendments to any appropriation bill, credit to the applicable Joint House-Senate Lock-box Balance the amounts of new budget authority and outlays equal to—

“(A) an amount equal to one-half of the sum of (i) the amount of new budget authority in the House Lock-box Balance plus (ii) the amount of new budget authority in the Senate Lock-box Balance for that bill; and

“(B) an amount equal to one-half of the sum of (i) the amount of outlays in the House Lock-box Balance plus (ii) the amount of outlays in the Senate Lock-box Balance for that bill.

“(3) CALCULATION OF LOCK-BOX SAVINGS IN SENATE.—For purposes of calculating under this section the net amounts of reductions in new budget authority and in outlays resulting from amendments agreed to by the Senate on an appropriation bill, the amendments reported to the Senate by its Committee on Appropriations shall be considered to be part of the original text of the bill.

“(d) DEFINITION.—As used in this section, the term ‘appropriation bill’ means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.”.

(b) 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 313 the following new item:

“Sec. 314. Deficit reduction lock-box ledger.”.

SEC. 503. TALLY DURING HOUSE CONSIDERATION.

There shall be available to Members in the House of Representatives during consideration of any appropriations bill by the House a running tally of the amendments adopted reflecting increases and decreases of budget authority in the bill as reported.

SEC. 504. DOWNWARD ADJUSTMENT OF 602(a) ALLOCATIONS AND SECTION 602(b) SUBALLOCATIONS.

(a) ALLOCATIONS.—Section 602(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraph:

“(5) Upon the engrossment of Senate amendments to any appropriation bill (as defined in section 314(d)) for a fiscal year, the amounts allocated under paragraph (1) or (2) to the Committee on Appropriations of each House upon the adoption of the most recent concurrent resolution on the budget for that fiscal year shall be adjusted downward by the amounts credited to the applicable Joint House-Senate Lock-box Balance under section 314(c)(2). The revised levels of budget authority and outlays shall be submitted to each House by the chairman of the Committee on the Budget of that House and shall be printed in the Congressional Record.”.

(b) SUBALLOCATIONS.—Section 602(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: “Whenever an adjustment is made under subsection (a)(5) to an allocation under that subsection, the chairman of the Committee on Appropriations of each House shall make downward adjustments in the most recent suballocations of new budget authority and outlays under subparagraph (A) to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 314(c)(2). The revised suballocations shall be submitted to each House by the chairman of the Committee on Ap-

appropriations of that House and shall be printed in the Congressional Record.”.

SEC. 505. PERIODIC REPORTING OF LEDGER STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: “Such reports shall also include an up-to-date tabulation of the amounts contained in the ledger and each entry established by section 314(a).”.

SEC. 506. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limits for new budget authority and outlays for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amounts set forth in the final regular appropriation bill for that fiscal year or joint resolution making continuing appropriations through the end of that fiscal year. Those amounts shall be the sums of the Joint House-Senate Lock-box Balances for that fiscal year, as calculated under section 602(a)(5) of the Congressional Budget Act of 1974. That bill or joint resolution shall contain the following statement of law: “As required by section 6 of the Deficit Reduction Lock-box Act of 1995, for fiscal year [insert appropriate fiscal year] and each outyear, the adjusted discretionary spending limit for new budget authority shall be reduced by \$ [insert appropriate amount of reduction] and the adjusted discretionary limit for outlays shall be reduced by \$ [insert appropriate amount of reduction] for the budget year and each outyear.” Notwithstanding section 904(c) of the Congressional Budget Act of 1974, section 306 of that Act as it applies to this statement shall be waived. This adjustment shall be reflected in reports under sections 254(g) and 254(h) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 507. EFFECTIVE DATE.

(a) **IN GENERAL.**—This title shall apply to all appropriations bills making appropriations for fiscal year 1996 or any subsequent fiscal year.

(b) **FY96 APPLICATION.**—In the case of any appropriation bill for fiscal year 1996 engrossed by the House of Representatives after August 4, 1995 and before the date of enactment of this bill, the Director of the Congressional Budget Office, the Director of the Office of Management and Budget, and the Committees on Appropriations and the Committees on the Budget of the House of Representatives and of the Senate shall, within 10 calendar days after that date of enactment of this Act, carry out the duties required by this title and amendments made by it that occur after the date this Act was engrossed by the House of Representatives.

(c) **FY96 ALLOCATIONS.**—The duties of the Director of the Congressional Budget Office and of the Committees on the Budget and on Appropriations of the House of Representatives pursuant to this title and the amendments made by it regarding appropriations bills for fiscal year 1996 shall be based upon the revised section 602(a) allocations in effect on August 4, 1995.

(d) DEFINITION.—As used in this section, the term “Appropriation bill” means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of a fiscal year.

4. AN AMENDMENT PRINTED IN THE CONGRESSIONAL RECORD OF MARCH 6, 1996, BY REPRESENTATIVE OBEY OF WISCONSIN, ONLY IF OFFERED BY REPRESENTATIVE OBEY OR A DESIGNEE, DEBATABLE FOR 60 MINUTES