

“(b) QUESTION OF CONSIDERATION.—As disposition of points of order under section 425(a) or 426, the Chair shall put the question of consideration with respect to the proposition that is the subject of the points of order.

“(c) DEBATE AND INTERVENING MOTIONS.—A question of consideration under this section shall be debatable for 10 minutes by each Member initiating a point of order and for 10 minutes by an opponent on each point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

“(d) EFFECT ON AMENDMENT IN ORDER AS ORIGINAL TEXT.—The disposition of the question of consideration under this section with respect to a bill or joint resolution shall be considered also to determine the question of consideration under this section with respect to an amendment made in order as original text.”

SEC. 302. ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.

(a) MOTIONS TO STRIKE IN THE COMMITTEE OF THE WHOLE.—Clause 5 of rule XXIII of the Rules of the House of Representatives is amended by adding at the end the following:

“(c) In the consideration of any measure for amendment in the Committee of the Whole containing any Federal mandate the direct costs of which exceed the threshold in section 424(a)(1)(A) of the Unfunded Mandate Reform Act of 1995, it shall always be in order, unless specifically waived by terms of a rule governing consideration of that measure, to move to strike such Federal mandate from the portion of the bill then open to amendment.”

(b) COMMITTEE ON RULES REPORTS ON WAIVED POINTS OF ORDER.—The Committee on Rules shall include in the report required by clause 1(d) of rule XI (relating to its activities during the Congress) of the Rules of the House of Representatives a separate item identifying all waivers of points of order relating to Federal mandates, listed by bill or joint resolution number and the subject matter of that measure.

SEC. 303. EXERCISE OF RULEMAKING POWERS.

The provisions of this title (except section 305) are enacted by Congress—

(1) as an exercise of the rulemaking powers of the House of Representatives and the Senate, and as such they shall be considered as part of the rules of the House of Representatives and the Senate, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of the House of Representatives and the Senate to change such rules at anytime, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives or the Senate, respectively.

SEC. 304. CONFORMING AMENDMENT TO TABLE OF CONTENTS.

Section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting “PART A—GENERAL PROVISIONS” before the item relating to section 401 and by inserting after the item relating to section 407 the following:

“PART B—FEDERAL MANDATES

“Sec. 421. Definitions.
 “Sec. 422. Limitation on application.
 “Sec. 423. Duties of congressional committees.
 “Sec. 424. Duties of the Director.
 “Sec. 425. Point of order.
 “Sec. 426. Enforcement in the House of Representatives.”

SEC. 305. TECHNICAL AMENDMENTS.

(a) TECHNICAL AMENDMENT.—The State and Local Government Cost Estimate Act of 1981 (Public Law 97–108) is repealed.

(b) TECHNICAL AMENDMENT.—Section 403 of the Congressional Budget Act of 1974 is amended to read as follows:

“ANALYSIS BY CONGRESSIONAL BUDGET OFFICE
 “SEC. 403. The Director of the Congressional Budget Office shall, to the extent practicable,

prepare for each bill or resolution of a public character reported by any committee of the House of Representatives or the Senate (except the Committee on Appropriations of each House), and submit to such committee—

“(1) an estimate of the costs which would be incurred in carrying out such bill or resolution in the fiscal year in which it is to become effective and in each of the 4 fiscal years following such fiscal year, together with the basis for each such estimate; and

“(2) a comparison of the estimate of costs described in paragraph (1) with any available estimate of costs made by such committee or by any Federal agency.

The estimate and comparison so submitted shall be included in the report accompanying such bill or resolution if timely submitted to such committee before such report is filed.”

SEC. 306. EFFECTIVE DATE.

This title shall take effect on October 1, 1995.

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate disagree with the House amendments, agree to the conference requested by the House, and that the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. CRAIG) appointed Mr. ROTH, Mr. DOMENICI, Mr. KEMPTHORNE, Mr. GLENN, and Mr. EXON conferees on the part of the Senate.

THE REGULATORY REFORM BILL

Mr. LOTT. Mr. President, I ask unanimous consent that the regulatory reform bill, S. 343, introduced yesterday by Senator DOLE, be jointly referred to the Committees on the Judiciary and Governmental Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, FEBRUARY 6, 1995

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 10 a.m. on Monday, February 6, 1995; that following the prayer, the Journal of proceedings be deemed approved to date; that the time for the two leaders be reserved for their use later in the day; that there then be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for not more than 5 minutes each.

I further ask unanimous consent that at 10:30 a.m., the Senate resume consideration of House Joint Resolution 1, the constitutional balanced budget amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM FOR MONDAY, FEBRUARY 6, 1995

Mr. LOTT. Mr. President, for the information of my colleagues, on Monday, the Senate will resume consider-

ation of the balanced budget amendment and the pending amendments thereto.

The majority leader has indicated that there will be no rollcall votes on Monday. However, Senator DOLE has stated that he expects a full and extensive debate on the pending amendments on Monday.

This side of the aisle believes that this is a very serious issue, and I assume that the other side of the aisle considers the Daschle motions to commit to be very serious, as well.

Therefore, again, Members should expect a full day of debate on this matter on Monday. If we are ever going to be able to get to the point where we reach a conclusion on this legislation, we must move forward. I expect that there will be amendments and votes all of next week. But we should make sure that we have a full day on Monday.

RECESS UNTIL MONDAY, FEBRUARY 6, 1995, AT 10 A.M.

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, and if no other Senator is seeking recognition, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 4:55 p.m., recessed until Monday, February 6, 1995, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 3, 1995:

THE JUDICIARY

ELDON E. FALLON, OF LOUISIANA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE ADRIAN G. DUPLANTIER, RETIRED.

IN THE COAST GUARD

THE FOLLOWING REGULAR AND RESERVE OFFICERS OF THE U.S. COAST GUARD TO BE PERMANENT COMMISSIONED OFFICERS IN THE GRADES INDICATED:

To be lieutenant commander

GENELLE T. VACHON

To be lieutenant

THOMAS D. BEISTLE	ROSANNE TRABOCCHI
ALGERNON J. KEITH	JACKQUELINE M. LOSEGO
BRIAN J. PETER	MARY J. SOHLBERG
JEFFREY J. KOZBIEL	VALERIAN F. WELICKA
LESLIE J. PENNEY	FRANK W. JESTER
KIM J. PACSAI	WILLIAM B. SWEARS
WILLIAM D. HOGUE	SHELLEYJO M. ATKINSON
CHRISTOPHER J. CLARK	JOHN G. HOMAN
JOHN M. BRYANT	ROBERT J. THOMAS
HUGH R. GRIFFITHS	EVAN C. GRANT
MARTIN W. WALKER	GREGORY D. ERICKSON
MANUEL J. PEREZ	CHARLES M. HANCOCK
CHINH T. LE	MARY P. MCKEOWN
DAVID M. LARKIN	ERIC G. HELM
RANDY W. EMBERY	JULIO A. MARTINEZ
ROBERT A. ENGLE	EUGENE V. VOGT
WILLIAM D. CAMERON, JR.	JONATHAN B. DUFF
SCOTT H. SHARP	WILLIAM D. HENNESSY
PAUL C. FITZGERALD	CRAIG L. WELTMAN
CLAUDIA J. CAMP	PAUL ALBERTSON
JOHN W. MCKINLEY	CHRISTOPHER J. FALK
LUTHER B. JENNINGS	STEPHEN A. LESLIE
GREGORY G. STUMP	ANDREW P. WOOD
PAUL W. GEBBERT, JR.	KENT R. CHAPPELKA
TIMOTHY D. DENBY	KENNETH A. PIERRO
JAY D. ANDREWS	MICHAEL T. CUNNINGHAM
DAVID R. PERTUZ	SHANNON W. MCCULLAR
MORGAN R. POWERS	WILFORD E. MORTON
JEROME H. HILTON	BRIAN K. PENOYER
ANDREW G. DUTTON	PHIL M. PERRY
MARK W. FLUITT	JANICE L. JENSEN
BARBARO J. ORTA	BRIAN J. DOWNEY, JR.
JENNIFER F. BECK	REED A. STEPHENSON

To be lieutenant (junior grade)

ALAN L. TUBB	GEORGE A. LESHNER, JR.
KATHERINE E. WEATHERS	FRED A. GRIFFIN