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## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore [Mr. JONES].

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

March 13, 1995.

I hereby designate the Honorable WALTER B. JONES, Jr. to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

With the psalmist of old we pray:  
"Whither shall I go from thy Spirit?  
Or whither shall I flee from thy presence?"

"If I ascend to Heaven, Thou art there! If I make my bed in Sheol, Thou art there!

"If I take the wings of the morning and dwell in the uttermost parts of the sea, even there thy hand shall lead me, and thy right hand shall hold me."

O gracious God, You have promised to be with us in every time and every place and have assured us that Your healing spirit never leaves. We pray this day that Your spirit and Your blessings are with us and remain with us always. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Oregon [Ms. FURSE] come forward and lead the House in the Pledge of Allegiance.

Ms. FURSE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### REPUBLICAN CONTRACT WITH AMERICA

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, our Contract With America states the following:

On the first day of Congress, a Republican House will require Congress to live under the same laws as everyone else; cut committee staffs by one-third; and cut the congressional budget.

We kept our promise.

It continues that in the first 100 days, we will vote on the following items: A balanced budget amendment—we kept our promise; unfunded mandates legislation—we kept our promise; line-item veto—we kept our promise; a new crime package to stop violent criminals—we kept our promise; national security restoration to protect our freedoms—we kept our promise; Government regulatory reform—we kept our promise; commonsense legal reform to end frivolous lawsuits—we kept our promise; welfare reform to encourage work, not dependence; family reinforcement to crack down on deadbeat dads and protect our children; tax cuts for middle-income families; Senior Citizens' Equity Act to allow our seniors to work without Government pen-

alty; and congressional term limits to make Congress a citizen legislature.

This is our Contract With America.

### ELIMINATION OF LIHEAP IS IRRESPONSIBLE

(Mr. BALDACCİ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALDACCİ. Mr. Speaker, our Republican colleagues have proposed the elimination of funds for the LIHEAP Program. This is simply irresponsible.

The winter in Maine is long and cold. Last month in Presque Isle, the temperature averaged just 9 degrees. That's relatively warm. In January 1994, the average temperature was minus .7 degree. Last winter, 60,000 Maine households received help from the LIHEAP Program.

An elderly woman in Woodland, ME, recently sent a letter to the State agency that oversees LIHEAP funds to say thank you for her fuel assistance. She said that she had high medication costs and lived on a meager income, and that without LIHEAP, she would have been forced to stop buying the medications that keep her well.

Nobody should be forced to choose between heat and medicine or heat and food. This proposal unfairly targets two highly vulnerable populations: children and the elderly. That is wrong. It is not the fault of children or the poor or the elderly that our Nation faces high deficits and debts. They should not have the budget balanced on their backs.

I urge my colleagues to reject this proposal to kill the LIHEAP Program. LIHEAP is not waste; it is not pork; it is an effective program that saves lives and deserves to be maintained.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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### CONGRATULATIONS TO CORNHUSKERS

(Mr. BEREUTER asked and was given permission to address the House for 1 minute.)

Mr. BEREUTER. Mr. Speaker, it is a proud day for Nebraska because the NCAA football champions University of Nebraska Cornhuskers are in the city to be honored today. At 11:30 on the south lawn of the White House, they were honored by President Clinton. We are very proud, of course, of coach Tom Osborne, his coaching staff and the players of the Nebraska Cornhuskers.

Coach Osborne has taken his teams to 22 consecutive bowls. He has the best winning record of any active college coach in the Nation, with over 82 percent wins.

We are also very proud of the fact not only do we have three all-American players on the team this year, but we have three academic all-Americans, including the outstanding academic all-American in the United States, which gives the University of Nebraska now more academic all-Americans by far than any other school in the country.

Coach Osborne, we take our football very seriously out there. We liked the event so much today, we think we will make it an annual affair.

Congratulations.

### AMERICA'S ECONOMIC SYSTEM AND WOMEN

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I know all of us today want to congratulate the new freshman Congresswoman from Utah, as she and her husband announce that she will be expecting a new baby. This will only be the second Congresswoman who had a baby during her term of office, the first being Yvonne Brathwaite Burke. She did a terrific job, so the precedent has been laid. And I know all will go well.

I particularly appreciate what the Congresswoman from Utah said in that she said this was no big deal. Over 60 percent of the women in Utah with small children were working outside the home and so that is what American families are doing today.

I also hope the gentlewoman from Utah brings that up to the chairman of the Committee on Ways and Means who was in the Wall Street Journal this week saying they had to get the Tax Code fixed so that women could stay home in their proper role and take care of children. That may be the world he would like, but unfortunately that is not the world the economic system allows.

So congratulations to her, and we will all do a lot of reeducation, we hope, on some of the Members who still have not gotten it yet.

### GO BIG RED

(Mr. BARRETT of Nebraska asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT of Nebraska. Mr. Speaker, I rise to congratulate the 1994 National Champion Nebraska Cornhuskers, as they were honored today at the White House with President Clinton.

Despite losing a starting quarterback and nearly losing a second one, coach Tom Osborne led his team to an undefeated season, and Nebraska's third national title. It was Coach Osborne's first national championship, one of the best coaching minds in the country.

Nebraska's win in the Orange Bowl was a tremendous accomplishment, as the Cornhuskers overcame a hometown crowd and a very good Miami team. In the final analysis, the Huskers won it with heart. We're all proud of the tremendous effort that it took to win.

Mr. Speaker, this outstanding team was not just No. 1 on the football field. They also have had 56 football academic all-Americans, more than any other university in the Nation. They work as hard in the classroom as they do on the football field.

On behalf of the people of Nebraska and Husker fans everywhere, I say to Coach Osborne and the Cornhuskers: congratulations. You deserve to be No. 1.

### NORTHAMPTON AND HALIFAX STUDENTS WIN ELECTRIC CAR COMPETITION

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, I want to commend the 14 young scientists from the counties of Northampton and Halifax in my congressional district. They are the winners of the 1995 National Electric Car Championships. At the competition, held in Phoenix, AZ, recently, the car submitted by these students was judged better than electric cars submitted by 37 other school systems, throughout the Nation.

The National Championship followed top honors won by this same group at the Mid-Atlantic Electric Vehicle Grand Prix, which was held in Richmond, VA, last spring. Their win is even more impressive when considering that the students come from schools that are among the poorest in North Carolina. Competing against much larger and wealthier schools, the students rebuilt a Geo Metro with an electric engine and scored at or near the top in four of the five categories used in judging. Their teachers, Eric Ryan and Harold Miller, are also to be commended for their patience and the long hours they devoted to providing guidance and direction to the students. Congratulations Northampton, Halifax,

and Weldon city schools. You have made North Carolina proud.

### ILLEGAL IMMIGRATION

(Mr. ROHRBACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRBACHER. Mr. Speaker, in the last Congress there was a lot of tough talk about illegal immigration; however, little got accomplished. The Democrat majority repeatedly prevented us from considering legislation to stop the flood of illegal immigration facing our country. And contrary to public demands, they even slipped in a change to immigration law which rewards illegal aliens for breaking into our country. This provision was snuck into last year's Commerce, State, Justice appropriation bill without most Members' knowledge and allows certain aliens who are in the United States illegally—let me repeat that, illegally—to pay an \$800 fee to the INS and acquire temporary legal status while applying to become permanent legal residents. These illegal aliens then are eligible for a whole host of taxpayer-funded Government benefits.

Our social service agencies are already stretched to the limit trying to provide services to eligible citizens and permanent residents who need them. How are we going to handle the needs of the 100,000 people the INS estimates will qualify this year, alone, under this fee-for-preference system?

I have introduced a bill, H.R. 592, which will repeal this travesty of justice. Let's stop rewarding those who have flagrantly violated our immigration laws by closing this loophole immediately. Cosponsor H.R. 592 today.

Let us make this Congress act, unlike when the Democrats controlled Congress and refused to stop illegal immigration. We Republicans will do the job.

### REPUBLICANS AND THEIR PROMISE OF A VOTE ON TERM LIMITS

(Ms. FURSE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FURSE. Mr. Speaker, every day the Republicans come down on this floor and they tell us how they have kept their promises with the contract.

Well, they did keep some. They kept their promise to adversely affect children, women, and seniors. They kept their promise to weaken environmental laws. They kept their promise to protect companies who produce products that harm women and children.

Yes, they made lots of promises, but they made another promise. They promised to bring term limits to the floor. They promised that we could vote today on congressional term limits.

But guess what? The leadership said they could not schedule that vote today. I ask my colleagues why.

I suggest, perhaps because now they are elected, they really do not want to consider term limits.

#### CONFERENCE REPORT ON S. 1, UNFUNDED MANDATES REFORM ACT OF 1995

Mr. CLINGER submitted the following conference report and statement on the Senate bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local, and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes:

##### CONFERENCE REPORT (H. REPT. 104-76)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1), to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Unfunded Mandates Reform Act of 1995".

##### SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to strengthen the partnership between the Federal Government and State, local, and tribal governments;

(2) to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate Federal funding, in a manner that may displace other essential State, local, and tribal governmental priorities;

(3) to assist Congress in its consideration of proposed legislation establishing or revising Federal programs containing Federal mandates affecting State, local, and tribal governments, and the private sector by—

(A) providing for the development of information about the nature and size of mandates in proposed legislation; and

(B) establishing a mechanism to bring such information to the attention of the Senate and the

House of Representatives before the Senate and the House of Representatives vote on proposed legislation;

(4) to promote informed and deliberate decisions by Congress on the appropriateness of Federal mandates in any particular instance;

(5) to require that Congress consider whether to provide funding to assist State, local, and tribal governments in complying with Federal mandates, to require analyses of the impact of private sector mandates, and through the dissemination of that information provide informed and deliberate decisions by Congress and Federal agencies and retain competitive balance between the public and private sectors;

(6) to establish a point-of-order vote on the consideration in the Senate and House of Representatives of legislation containing significant Federal intergovernmental mandates without providing adequate funding to comply with such mandates;

(7) to assist Federal agencies in their consideration of proposed regulations affecting State, local, and tribal governments, by—

(A) requiring that Federal agencies develop a process to enable the elected and other officials of State, local, and tribal governments to provide input when Federal agencies are developing regulations; and

(B) requiring that Federal agencies prepare and consider estimates of the budgetary impact of regulations containing Federal mandates upon State, local, and tribal governments and the private sector before adopting such regulations, and ensuring that small governments are given special consideration in that process; and

(8) to begin consideration of the effect of previously imposed Federal mandates, including the impact on State, local, and tribal governments of Federal court interpretations of Federal statutes and regulations that impose Federal intergovernmental mandates.

##### SEC. 3. DEFINITIONS.

For purposes of this Act—

(1) except as provided in section 305 of this Act, the terms defined under section 421 of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 101 of this Act) shall have the meanings as so defined; and

(2) the term "Director" means the Director of the Congressional Budget Office.

##### SEC. 4. EXCLUSIONS.

This Act shall not apply to any provision in a bill, joint resolution, amendment, motion, or conference report before Congress and any provision in a proposed or final Federal regulation that—

(1) enforces constitutional rights of individuals;

(2) establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability;

(3) requires compliance with accounting and auditing procedures with respect to grants or other money or property provided by the Federal Government;

(4) provides for emergency assistance or relief at the request of any State, local, or tribal government or any official of a State, local, or tribal government;

(5) is necessary for the national security or the ratification or implementation of international treaty obligations;

(6) the President designates as emergency legislation and that the Congress so designates in statute; or

(7) relates to the old-age, survivors, and disability insurance program under title II of the Social Security Act (including taxes imposed by sections 3101(a) and 3111(a) of the Internal Revenue Code of 1986 (relating to old-age, survivors, and disability insurance)).

##### SEC. 5. AGENCY ASSISTANCE.

Each agency shall provide to the Director such information and assistance as the Director may reasonably request to assist the Director in carrying out this Act.

#### TITLE I—LEGISLATIVE ACCOUNTABILITY AND REFORM

##### SEC. 101. LEGISLATIVE MANDATE ACCOUNTABILITY AND REFORM.

(a) IN GENERAL.—Title IV of the Congressional Budget and Impoundment Control Act of 1974 is amended by—

(1) inserting before section 401 the following:

"PART A—GENERAL PROVISIONS"; and

(2) adding at the end thereof the following new part:

"PART B—FEDERAL MANDATES

##### "SEC. 421. DEFINITIONS.

"For purposes of this part:

"(1) AGENCY.—The term 'agency' has the same meaning as defined in section 551(1) of title 5, United States Code, but does not include independent regulatory agencies.

"(2) AMOUNT.—The term 'amount', with respect to an authorization of appropriations for Federal financial assistance, means the amount of budget authority for any Federal grant assistance program or any Federal program providing loan guarantees or direct loans.

"(3) DIRECT COSTS.—The term 'direct costs'—

"(A)(i) in the case of a Federal intergovernmental mandate, means the aggregate estimated amounts that all State, local, and tribal governments would be required to spend or would be prohibited from raising in revenues in order to comply with the Federal intergovernmental mandate; or

"(ii) in the case of a provision referred to in paragraph (5)(A)(ii), means the amount of Federal financial assistance eliminated or reduced;

"(B) in the case of a Federal private sector mandate, means the aggregate estimated amounts that the private sector will be required to spend in order to comply with the Federal private sector mandate;

"(C) shall be determined on the assumption that—

"(i) State, local, and tribal governments, and the private sector will take all reasonable steps necessary to mitigate the costs resulting from the Federal mandate, and will comply with applicable standards of practice and conduct established by recognized professional or trade associations; and

"(ii) reasonable steps to mitigate the costs shall not include increases in State, local, or tribal taxes or fees; and

"(D) shall not include—

"(i) estimated amounts that the State, local, and tribal governments (in the case of a Federal intergovernmental mandate) or the private sector (in the case of a Federal private sector mandate) would spend—

"(I) to comply with or carry out all applicable Federal, State, local, and tribal laws and regulations in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that Federal mandate; or

"(II) to comply with or carry out State, local, and tribal governmental programs, or private-sector business or other activities in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that mandate; or

"(ii) expenditures to the extent that such expenditures will be offset by any direct savings to the State, local, and tribal governments, or by the private sector, as a result of—

"(I) compliance with the Federal mandate; or

"(II) other changes in Federal law or regulation that are enacted or adopted in the same bill or joint resolution or proposed or final Federal regulation and that govern the same activity as is affected by the Federal mandate.

"(4) DIRECT SAVINGS.—The term 'direct savings', when used with respect to the result of compliance with the Federal mandate—

"(A) in the case of a Federal intergovernmental mandate, means the aggregate estimated

reduction in costs to any State, local, or tribal government as a result of compliance with the Federal intergovernmental mandate; and

“(B) in the case of a Federal private sector mandate, means the aggregate estimated reduction in costs to the private sector as a result of compliance with the Federal private sector mandate.

“(5) FEDERAL INTERGOVERNMENTAL MANDATE.—The term ‘Federal intergovernmental mandate’ means—

“(A) any provision in legislation, statute, or regulation that—

“(i) would impose an enforceable duty upon State, local, or tribal governments, except—

“(I) a condition of Federal assistance; or  
“(II) a duty arising from participation in a voluntary Federal program, except as provided in subparagraph (B); or

“(ii) would reduce or eliminate the amount of authorization of appropriations for—

“(I) Federal financial assistance that would be provided to State, local, or tribal governments for the purpose of complying with any such previously imposed duty unless such duty is reduced or eliminated by a corresponding amount; or

“(II) the control of borders by the Federal Government; or reimbursement to State, local, or tribal governments for the net cost associated with illegal, deportable, and excludable aliens, including court-mandated expenses related to emergency health care, education or criminal justice; when such a reduction or elimination would result in increased net costs to State, local, or tribal governments in providing education or emergency health care to, or incarceration of, illegal aliens; except that this subclause shall not be in effect with respect to a State, local, or tribal government, to the extent that such government has not fully cooperated in the efforts of the Federal Government to locate, apprehend, and deport illegal aliens;

“(B) any provision in legislation, statute, or regulation that relates to a then-existing Federal program under which \$500,000,000 or more is provided annually to State, local, and tribal governments under entitlement authority, if the provision—

“(i) would increase the stringency of conditions of assistance to State, local, or tribal governments under the program; or

“(ii) would place caps upon, or otherwise decrease, the Federal Government’s responsibility to provide funding to State, local, or tribal governments under the program; and

“(iii) the State, local, or tribal governments that participate in the Federal program lack authority under that program to amend their financial or programmatic responsibilities to continue providing required services that are affected by the legislation, statute, or regulation.

“(6) FEDERAL MANDATE.—The term ‘Federal mandate’ means a Federal intergovernmental mandate or a Federal private sector mandate, as defined in paragraphs (5) and (7).

“(7) FEDERAL PRIVATE SECTOR MANDATE.—The term ‘Federal private sector mandate’ means any provision in legislation, statute, or regulation that—

“(A) would impose an enforceable duty upon the private sector except—

“(i) a condition of Federal assistance; or  
“(ii) a duty arising from participation in a voluntary Federal program; or

“(B) would reduce or eliminate the amount of authorization of appropriations for Federal financial assistance that will be provided to the private sector for the purposes of ensuring compliance with such duty.

“(8) LOCAL GOVERNMENT.—The term ‘local government’ has the same meaning as defined in section 6501(6) of title 31, United States Code.

“(9) PRIVATE SECTOR.—The term ‘private sector’ means all persons or entities in the United States, including individuals, partnerships, associations, corporations, and educational and nonprofit institutions, but shall not include State, local, or tribal governments.

“(10) REGULATION; RULE.—The term ‘regulation’ or ‘rule’ (except with respect to a rule of either House of the Congress) has the meaning of ‘rule’ as defined in section 601(2) of title 5, United States Code.

“(11) SMALL GOVERNMENT.—The term ‘small government’ means any small governmental jurisdictions defined in section 601(5) of title 5, United States Code, and any tribal government.

“(12) STATE.—The term ‘State’ has the same meaning as defined in section 6501(9) of title 31, United States Code.

“(13) TRIBAL GOVERNMENT.—The term ‘tribal government’ means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688; 43 U.S.C. 1601 et seq.) which is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians.

#### “SEC. 422. EXCLUSIONS.

“This part shall not apply to any provision in a bill, joint resolution, amendment, motion, or conference report before Congress that—

“(1) enforces constitutional rights of individuals;

“(2) establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability;

“(3) requires compliance with accounting and auditing procedures with respect to grants or other money or property provided by the Federal Government;

“(4) provides for emergency assistance or relief at the request of any State, local, or tribal government or any official of a State, local, or tribal government;

“(5) is necessary for the national security or the ratification or implementation of international treaty obligations;

“(6) the President designates as emergency legislation and that the Congress so designates in statute; or

“(7) relates to the old-age, survivors, and disability insurance program under title II of the Social Security Act (including taxes imposed by sections 3101(a) and 3111(a) of the Internal Revenue Code of 1986 (relating to old-age, survivors, and disability insurance)).

#### “SEC. 423. DUTIES OF CONGRESSIONAL COMMITTEES.

“(a) IN GENERAL.—When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character that includes any Federal mandate, the report of the committee accompanying the bill or joint resolution shall contain the information required by subsections (c) and (d).

“(b) SUBMISSION OF BILLS TO THE DIRECTOR.—When a committee of authorization of the Senate or the House of Representatives orders reported a bill or joint resolution of a public character, the committee shall promptly provide the bill or joint resolution to the Director of the Congressional Budget Office and shall identify to the Director any Federal mandates contained in the bill or resolution.

“(c) REPORTS ON FEDERAL MANDATES.—Each report described under subsection (a) shall contain—

“(1) an identification and description of any Federal mandates in the bill or joint resolution, including the direct costs to State, local, and tribal governments, and to the private sector, required to comply with the Federal mandates;

“(2) a qualitative, and if practicable, a quantitative assessment of costs and benefits anticipated from the Federal mandates (including the effects on health and safety and the protection of the natural environment); and

“(3) a statement of the degree to which a Federal mandate affects both the public and private sectors and the extent to which Federal payment of public sector costs or the modification or

termination of the Federal mandate as provided under section 425(a)(2) would affect the competitive balance between State, local, or tribal governments and the private sector including a description of the actions, if any, taken by the committee to avoid any adverse impact on the private sector or the competitive balance between the public sector and the private sector.

“(d) INTERGOVERNMENTAL MANDATES.—If any of the Federal mandates in the bill or joint resolution are Federal intergovernmental mandates, the report required under subsection (a) shall also contain—

“(1)(A) a statement of the amount, if any, of increase or decrease in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable for activities of State, local, or tribal governments subject to the Federal intergovernmental mandates;

“(B) a statement of whether the committee intends that the Federal intergovernmental mandates be partly or entirely unfunded, and if so, the reasons for that intention; and

“(C) if funded in whole or in part, a statement of whether and how the committee has created a mechanism to allocate the funding in a manner that is reasonably consistent with the expected direct costs among and between the respective levels of State, local, and tribal government; and

“(2) any existing sources of Federal assistance in addition to those identified in paragraph (1) that may assist State, local, and tribal governments in meeting the direct costs of the Federal intergovernmental mandates.

“(e) PREEMPTION CLARIFICATION AND INFORMATION.—When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character, the committee report accompanying the bill or joint resolution shall contain, if relevant to the bill or joint resolution, an explicit statement on the extent to which the bill or joint resolution is intended to preempt any State, local, or tribal law, and, if so, an explanation of the effect of such preemption.

“(f) PUBLICATION OF STATEMENT FROM THE DIRECTOR.—

“(1) IN GENERAL.—Upon receiving a statement from the Director under section 424, a committee of the Senate or the House of Representatives shall publish the statement in the committee report accompanying the bill or joint resolution to which the statement relates if the statement is available at the time the report is printed.

“(2) OTHER PUBLICATION OF STATEMENT OF DIRECTOR.—If the statement is not published in the report, or if the bill or joint resolution to which the statement relates is expected to be considered by the Senate or the House of Representatives before the report is published, the committee shall cause the statement, or a summary thereof, to be published in the Congressional Record in advance of floor consideration of the bill or joint resolution.

#### “SEC. 424. DUTIES OF THE DIRECTOR; STATEMENTS ON BILLS AND JOINT RESOLUTIONS OTHER THAN APPROPRIATIONS BILLS AND JOINT RESOLUTIONS.

“(a) FEDERAL INTERGOVERNMENTAL MANDATES IN REPORTED BILLS AND RESOLUTIONS.—For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

“(1) CONTENTS.—If the Director estimates that the direct cost of all Federal intergovernmental mandates in the bill or joint resolution will equal or exceed \$50,000,000 (adjusted annually for inflation) in the fiscal year in which any Federal intergovernmental mandate in the bill

or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so state, specify the estimate, and briefly explain the basis of the estimate.

“(2) ESTIMATES.—Estimates required under paragraph (1) shall include estimates (and brief explanations of the basis of the estimates) of—

“(A) the total amount of direct cost of complying with the Federal intergovernmental mandates in the bill or joint resolution;

“(B) if the bill or resolution contains an authorization of appropriations under section 425(a)(2)(B), the amount of new budget authority for each fiscal year for a period not to exceed 10 years beyond the effective date necessary for the direct cost of the intergovernmental mandate; and

“(C) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable by State, local, or tribal governments for activities subject to the Federal intergovernmental mandates.

“(3) ESTIMATE NOT FEASIBLE.—If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement. If such determination is made by the Director, a point of order under this part shall lie only under section 425(a)(1) and as if the requirement of section 425(a)(1) had not been met.

“(b) FEDERAL PRIVATE SECTOR MANDATES IN REPORTED BILLS AND JOINT RESOLUTIONS.—For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

“(1) CONTENTS.—If the Director estimates that the direct cost of all Federal private sector mandates in the bill or joint resolution will equal or exceed \$100,000,000 (adjusted annually for inflation) in the fiscal year in which any Federal private sector mandate in the bill or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so state, specify the estimate, and briefly explain the basis of the estimate.

“(2) ESTIMATES.—Estimates required under paragraph (1) shall include estimates (and a brief explanation of the basis of the estimates) of—

“(A) the total amount of direct costs of complying with the Federal private sector mandates in the bill or joint resolution; and

“(B) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution usable by the private sector for the activities subject to the Federal private sector mandates.

“(3) ESTIMATE NOT FEASIBLE.—If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement.

“(c) LEGISLATION FALLING BELOW THE DIRECT COSTS THRESHOLDS.—If the Director estimates that the direct costs of a Federal mandate will not equal or exceed the thresholds specified in subsections (a) and (b), the Director shall so state and shall briefly explain the basis of the estimate.

“(d) AMENDED BILLS AND JOINT RESOLUTIONS; CONFERENCE REPORTS.—If a bill or joint resolu-

tion is passed in an amended form (including if passed by one House as an amendment in the nature of a substitute for the text of a bill or joint resolution from the other House) or is reported by a committee of conference in amended form, and the amended form contains a Federal mandate not previously considered by either House or which contains an increase in the direct cost of a previously considered Federal mandate, then the committee of conference shall ensure, to the greatest extent practicable, that the Director shall prepare a statement as provided in this subsection or a supplemental statement for the bill or joint resolution in that amended form.

**“SEC. 425. LEGISLATION SUBJECT TO POINT OF ORDER.**

“(a) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to consider—

“(1) any bill or joint resolution that is reported by a committee unless the committee has published a statement of the Director on the direct costs of Federal mandates in accordance with section 423(f) before such consideration, except this paragraph shall not apply to any supplemental statement prepared by the Director under section 424(d); and

“(2) any bill, joint resolution, amendment, motion, or conference report that would increase the direct costs of Federal intergovernmental mandates by an amount that causes the thresholds specified in section 424(a)(1) to be exceeded, unless—

“(A) the bill, joint resolution, amendment, motion, or conference report provides new budget authority or new entitlement authority in the House of Representatives or direct spending authority in the Senate for each fiscal year for such mandates included in the bill, joint resolution, amendment, motion, or conference report in an amount equal to or exceeding the direct costs of such mandate; or

“(B) the bill, joint resolution, amendment, motion, or conference report includes an authorization for appropriations in an amount equal to or exceeding the direct costs of such mandate, and—

“(i) identifies a specific dollar amount of the direct costs of such mandate for each year up to 10 years during which such mandate shall be in effect under the bill, joint resolution, amendment, motion or conference report, and such estimate is consistent with the estimate determined under subsection (e) for each fiscal year;

“(ii) identifies any appropriation bill that is expected to provide for Federal funding of the direct cost referred to under clause (i); and

“(iii) (I) provides that for any fiscal year the responsible Federal agency shall determine whether there are insufficient appropriations for that fiscal year to provide for the direct costs under clause (i) of such mandate, and shall (no later than 30 days after the beginning of the fiscal year) notify the appropriate authorizing committees of Congress of the determination and submit either—

“(aa) a statement that the agency has determined, based on a re-estimate of the direct costs of such mandate, after consultation with State, local, and tribal governments, that the amount appropriated is sufficient to pay for the direct costs of such mandate; or

“(bb) legislative recommendations for either implementing a less costly mandate or making such mandate ineffective for the fiscal year;

“(II) provides for expedited procedures for the consideration of the statement or legislative recommendations referred to in subclause (I) by Congress no later than 30 days after the statement or recommendations are submitted to Congress; and

“(III) provides that such mandate shall—

“(aa) in the case of a statement referred to in subclause (I)(aa), cease to be effective 60 days after the statement is submitted unless Congress has approved the agency's determination by joint resolution during the 60-day period;

“(bb) cease to be effective 60 days after the date the legislative recommendations of the re-

sponsible Federal agency are submitted to Congress under subclause (I)(bb) unless Congress provides otherwise by law; or

“(cc) in the case that such mandate that has not yet taken effect, continue not to be effective unless Congress provides otherwise by law.

“(b) RULE OF CONSTRUCTION.—The provisions of subsection (a)(2)(B)(iii) shall not be construed to prohibit or otherwise restrict a State, local, or tribal government from voluntarily electing to remain subject to the original Federal intergovernmental mandate, complying with the programmatic or financial responsibilities of the original Federal intergovernmental mandate and providing the funding necessary consistent with the costs of Federal agency assistance, monitoring, and enforcement.

“(c) COMMITTEE ON APPROPRIATIONS.—

“(1) APPLICATION.—The provisions of subsection (a)—

“(A) shall not apply to any bill or resolution reported by the Committee on Appropriations of the Senate or the House of Representatives; except

“(B) shall apply to—

“(i) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

“(ii) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendment offered to a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

“(iii) any legislative provision increasing direct costs of a Federal intergovernmental mandate in a conference report accompanying a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives; and

“(iv) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendments in disagreement between the two Houses to any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives.

“(2) CERTAIN PROVISIONS STRICKEN IN SENATE.—Upon a point of order being made by any Senator against any provision listed in paragraph (1)(B), and the point of order being sustained by the Chair, such specific provision shall be deemed stricken from the bill, resolution, amendment, amendment in disagreement, or conference report and may not be offered as an amendment from the floor.

“(d) DETERMINATIONS OF APPLICABILITY TO PENDING LEGISLATION.—For purposes of this section, in the Senate, the presiding officer of the Senate shall consult with the Committee on Governmental Affairs, to the extent practicable, on questions concerning the applicability of this part to a pending bill, joint resolution, amendment, motion, or conference report.

“(e) DETERMINATIONS OF FEDERAL MANDATE LEVELS.—For purposes of this section, in the Senate, the levels of Federal mandates for a fiscal year shall be determined based on the estimates made by the Committee on the Budget.

**“SEC. 426. PROVISIONS RELATING TO THE HOUSE OF REPRESENTATIVES.**

“(a) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of section 425.

“(b) DISPOSITION OF POINTS OF ORDER.—

“(1) APPLICATION TO THE HOUSE OF REPRESENTATIVES.—This subsection shall apply only to the House of Representatives.

“(2) THRESHOLD BURDEN.—In order to be cognizable by the Chair, a point of order under section 425 or subsection (a) of this section must specify the precise language on which it is premised.

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

“(4) 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.

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

**“SEC. 427. REQUESTS TO THE CONGRESSIONAL BUDGET OFFICE FROM SENATORS.**

“At the written request of a Senator, the Director shall, to the extent practicable, prepare an estimate of the direct costs of a Federal intergovernmental mandate contained in an amendment of such Senator.

**“SEC. 428. CLARIFICATION OF APPLICATION.**

“(a) IN GENERAL.—This part applies to any bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out any statute, or that otherwise amends any statute, only if enactment of the bill, joint resolution, amendment, motion, or conference report—

“(1) would result in a net reduction in or elimination of authorization of appropriations for Federal financial assistance that would be provided to State, local, or tribal governments for use for the purpose of complying with any Federal intergovernmental mandate, or to the private sector for use to comply with any Federal private sector mandate, and would not eliminate or reduce duties established by the Federal mandate by a corresponding amount; or

“(2) would result in a net increase in the aggregate amount of direct costs of Federal intergovernmental mandates or Federal private sector mandates other than as described in paragraph (1).

“(b) DIRECT COSTS.—

“(1) IN GENERAL.—For purposes of this part, the direct cost of the Federal mandates in a bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out a statute, or that otherwise amends any statute, means the net increase, resulting from enactment of the bill, joint resolution, amendment, motion, or conference report, in the amount described under paragraph (2)(A) over the amount described under paragraph (2)(B).

“(2) AMOUNTS.—The amounts referred to under paragraph (1) are—

“(A) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report is enacted; and

“(B) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report were not enacted.

“(3) EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.—For purposes of this section, in the case of legislation to extend authorization of appropriations, the authorization level that would be provided by the extension shall be compared to the authorization level for the last year in which authorization of appropriations is already provided.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended—

(1) by inserting “PART A—GENERAL PROVISIONS” before the item relating to section 401; and

(2) by inserting after the item relating to section 407 the following:

**“PART B—FEDERAL MANDATES**

“Sec. 421. Definitions.

“Sec. 422. Exclusions.

“Sec. 423. Duties of congressional committees.

“Sec. 424. Duties of the Director; statements on bills and joint resolutions other than appropriations bills and joint resolutions.

“Sec. 425. Legislation subject to point of order.

“Sec. 426. Provisions relating to the House of Representatives.

“Sec. 427. Requests to the Congressional Budget Office from Senators.

“Sec. 428. Clarification of application.”.

**SEC. 102. ASSISTANCE TO COMMITTEES AND STUDIES.**

The Congressional Budget and Impoundment Control Act of 1974 is amended—

(1) in section 202—

(A) in subsection (c)—

(i) by redesignating paragraph (2) as paragraph (3); and

(ii) by inserting after paragraph (1) the following new paragraph:

“(2) At the request of any committee of the Senate or the House of Representatives, the Office shall, to the extent practicable, consult with and assist such committee in analyzing the budgetary or financial impact of any proposed legislation that may have—

“(A) a significant budgetary impact on State, local, or tribal governments;

“(B) a significant financial impact on the private sector; or

“(C) a significant employment impact on the private sector.”; and

(B) by amending subsection (h) to read as follows:

“(h) STUDIES.—

“(1) CONTINUING STUDIES.—The Director of the Congressional Budget Office shall conduct continuing studies to enhance comparisons of budget outlays, credit authority, and tax expenditures.

“(2) FEDERAL MANDATE STUDIES.—

“(A) At the request of any Chairman or ranking member of the minority of a Committee of the Senate or the House of Representatives, the Director shall, to the extent practicable, conduct a study of a legislative proposal containing a Federal mandate.

“(B) In conducting a study on intergovernmental mandates under subparagraph (A), the Director shall—

(i) solicit and consider information or comments from elected officials (including their designated representatives) of State, local, or tribal governments as may provide helpful information or comments;

(ii) consider establishing advisory panels of elected officials or their designated representatives, of State, local, or tribal governments if the Director determines that such advisory panels would be helpful in performing responsibilities of the Director under this section; and

(iii) if, and to the extent that the Director determines that accurate estimates are reasonably feasible, include estimates of—

(I) the future direct cost of the Federal mandate to the extent that such costs significantly differ from or extend beyond the 5-year period after the mandate is first effective; and

(II) any disproportionate budgetary effects of Federal mandates upon particular industries or sectors of the economy, States, regions, and urban or rural or other types of communities, as appropriate.

“(C) In conducting a study on private sector mandates under subparagraph (A), the Director shall provide estimates, if and to the extent that the Director determines that such estimates are reasonably feasible, of—

“(i) future costs of Federal private sector mandates to the extent that such mandates differ significantly from or extend beyond the 5-year time period referred to in subparagraph (B)(iii)(I);

“(ii) any disproportionate financial effects of Federal private sector mandates and of any Federal financial assistance in the bill or joint resolution upon any particular industries or sectors of the economy, States, regions, and urban or rural or other types of communities; and

“(iii) the effect of Federal private sector mandates in the bill or joint resolution on the national economy, including the effect on productivity, economic growth, full employment, creation of productive jobs, and international competitiveness of United States goods and services.”; and

(2) in section 301(d) by adding at the end thereof the following new sentence: “Any Committee of the House of Representatives or the Senate that anticipates that the committee will consider any proposed legislation establishing, amending, or reauthorizing any Federal program likely to have a significant budgetary impact on any State, local, or tribal government, or likely to have a significant financial impact on the private sector, including any legislative proposal submitted by the executive branch likely to have such a budgetary or financial impact, shall include its views and estimates on that proposal to the Committee on the Budget of the applicable House.”.

**SEC. 103. COST OF REGULATIONS.**

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that Federal agencies should review and evaluate planned regulations to ensure that the cost estimates provided by the Congressional Budget Office will be carefully considered as regulations are promulgated.

(b) STATEMENT OF COST.—At the request of a committee chairman or ranking minority member, the Director shall, to the extent practicable, prepare a comparison between—

(1) an estimate by the relevant agency, prepared under section 202 of this Act, of the costs of regulations implementing an Act containing a Federal mandate; and

(2) the cost estimate prepared by the Congressional Budget Office for such Act when it was enacted by the Congress.

(c) COOPERATION OF OFFICE OF MANAGEMENT AND BUDGET.—At the request of the Director of the Congressional Budget Office, the Director of the Office of Management and Budget shall provide data and cost estimates for regulations implementing an Act containing a Federal mandate covered by part B of title IV of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 101 of this Act).

**SEC. 104. REPEAL OF CERTAIN ANALYSIS BY CONGRESSIONAL BUDGET OFFICE.**

Section 403 of the Congressional Budget and Impoundment Control Act of 1974 is amended—

(1) in subsection (a)—

(A) by striking out paragraph (2);

(B) in paragraph (3) by striking out “paragraphs (1) and (2)” and inserting in lieu thereof “paragraph (1)”; and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(2) by striking out “(a)”; and

(3) by striking out subsections (b) and (c).

**SEC. 105. CONSIDERATION FOR FEDERAL FUNDING.**

Nothing in this Act shall preclude a State, local, or tribal government that already complies with all or part of the Federal intergovernmental mandates included in the bill, joint resolution, amendment, motion, or conference report from consideration for Federal funding under section 425(a)(2) of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 101 of this Act) for the cost of the mandate, including the costs the State, local, or tribal government is currently paying and any additional costs necessary to meet the mandate.

**SEC. 106. IMPACT ON LOCAL GOVERNMENTS.**

(a) FINDINGS.—The Senate finds that—

(1) the Congress should be concerned about shifting costs from Federal to State and local authorities and should be equally concerned about the growing tendency of States to shift costs to local governments;

(2) cost shifting from States to local governments has, in many instances, forced local governments to raise property taxes or curtail sometimes essential services; and

(3) increases in local property taxes and cuts in essential services threaten the ability of many citizens to attain and maintain the American dream of owning a home in a safe, secure community.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Federal Government should not shift certain costs to the State, and States should end the practice of shifting costs to local governments, which forces many local governments to increase property taxes;

(2) States should end the imposition, in the absence of full consideration by their legislatures, of State issued mandates on local governments without adequate State funding, in a manner that may displace other essential government priorities; and

(3) one primary objective of this Act and other efforts to change the relationship among Federal, State, and local governments should be to reduce taxes and spending at all levels and to end the practice of shifting costs from one level of government to another with little or no benefit to taxpayers.

**SEC. 107. 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) 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. 108. EXERCISE OF RULEMAKING POWERS.**

The provisions of sections 101 and 107 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of such House, 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 either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of each House.

**SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Congressional Budget Office \$4,500,000 for each of the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002 to carry out the provisions of this title.

**SEC. 110. EFFECTIVE DATE.**

This title shall take effect on January 1, 1996 or on the date 90 days after appropriations are made available as authorized under section 109, whichever is earlier and shall apply to legislation considered on and after such date.

**TITLE II—REGULATORY ACCOUNTABILITY AND REFORM****SEC. 201. REGULATORY PROCESS.**

Each agency shall, unless otherwise prohibited by law, assess the effects of Federal regulatory actions on State, local, and tribal governments, and the private sector (other than to the extent that such regulations incorporate requirements specifically set forth in law).

**SEC. 202. STATEMENTS TO ACCOMPANY SIGNIFICANT REGULATORY ACTIONS.**

(a) IN GENERAL.—Unless otherwise prohibited by law, before promulgating any general notice of proposed rulemaking that is likely to result in promulgation of any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more (adjusted annually for inflation) in any 1 year, and before promulgating any final rule for which a general notice of proposed rulemaking was published, the agency shall prepare a written statement containing—

(1) an identification of the provision of Federal law under which the rule is being promulgated;

(2) a qualitative and quantitative assessment of the anticipated costs and benefits of the Federal mandate, including the costs and benefits to State, local, and tribal governments or the private sector, as well as the effect of the Federal mandate on health, safety, and the natural environment and such an assessment shall include—

(A) an analysis of the extent to which such costs to State, local, and tribal governments may be paid with Federal financial assistance (or otherwise paid for by the Federal Government); and

(B) the extent to which there are available Federal resources to carry out the intergovernmental mandate;

(3) estimates by the agency, if and to the extent that the agency determines that accurate estimates are reasonably feasible, of—

(A) the future compliance costs of the Federal mandate; and

(B) any disproportionate budgetary effects of the Federal mandate upon any particular regions of the nation or particular State, local, or tribal governments, urban or rural or other types of communities, or particular segments of the private sector;

(4) estimates by the agency of the effect on the national economy, such as the effect on productivity, economic growth, full employment, creation of productive jobs, and international competitiveness of United States goods and services, if and to the extent that the agency in its sole discretion determines that accurate estimates are reasonably feasible and that such effect is relevant and material; and

(5)(A) a description of the extent of the agency's prior consultation with elected representatives (under section 204) of the affected State, local, and tribal governments;

(B) a summary of the comments and concerns that were presented by State, local, or tribal governments either orally or in writing to the agency; and

(C) a summary of the agency's evaluation of those comments and concerns.

(b) PROMULGATION.—In promulgating a general notice of proposed rulemaking or a final rule for which a statement under subsection (a) is required, the agency shall include in the promulgation a summary of the information contained in the statement.

(c) PREPARATION IN CONJUNCTION WITH OTHER STATEMENT.—Any agency may prepare any statement required under subsection (a) in conjunction with or as a part of any other statement or analysis, provided that the statement or analysis satisfies the provisions of subsection (a).

**SEC. 203. SMALL GOVERNMENT AGENCY PLAN.**

(a) EFFECTS ON SMALL GOVERNMENTS.—Before establishing any regulatory requirements that

might significantly or uniquely affect small governments, agencies shall have developed a plan under which the agency shall—

(1) provide notice of the requirements to potentially affected small governments, if any;

(2) enable officials of affected small governments to provide meaningful and timely input in the development of regulatory proposals containing significant Federal intergovernmental mandates; and

(3) inform, educate, and advise small governments on compliance with the requirements.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to each agency to carry out the provisions of this section and for no other purpose, such sums as are necessary.

**SEC. 204. STATE, LOCAL, AND TRIBAL GOVERNMENT INPUT.**

(a) IN GENERAL.—Each agency shall, to the extent permitted in law, develop an effective process to permit elected officers of State, local, and tribal governments (or their designated employees with authority to act on their behalf) to provide meaningful and timely input in the development of regulatory proposals containing significant Federal intergovernmental mandates.

(b) MEETINGS BETWEEN STATE, LOCAL, TRIBAL AND FEDERAL OFFICERS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to actions in support of intergovernmental communications where—

(1) meetings are held exclusively between Federal officials and elected officers of State, local, and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities; and

(2) such meetings are solely for the purposes of exchanging views, information, or advice relating to the management or implementation of Federal programs established pursuant to public law that explicitly or inherently share intergovernmental responsibilities or administration.

(c) IMPLEMENTING GUIDELINES.—No later than 6 months after the date of enactment of this Act, the President shall issue guidelines and instructions to Federal agencies for appropriate implementation of subsections (a) and (b) consistent with applicable laws and regulations.

**SEC. 205. LEAST BURDENSOME OPTION OR EXPLANATION REQUIRED.**

(a) IN GENERAL.—Except as provided in subsection (b), before promulgating any rule for which a written statement is required under section 202, the agency shall identify and consider a reasonable number of regulatory alternatives and from those alternatives select the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule, for—

(1) State, local, and tribal governments, in the case of a rule containing a Federal intergovernmental mandate; and

(2) the private sector, in the case of a rule containing a Federal private sector mandate.

(b) EXCEPTION.—The provisions of subsection (a) shall apply unless—

(1) the head of the affected agency publishes with the final rule an explanation of why the least costly, most cost-effective or least burdensome method of achieving the objectives of the rule was not adopted; or

(2) the provisions are inconsistent with law.

(c) OMB CERTIFICATION.—No later than 1 year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall certify to Congress, with a written explanation, agency compliance with this section and include in that certification agencies and rulemakings that fail to adequately comply with this section.

**SEC. 206. ASSISTANCE TO THE CONGRESSIONAL BUDGET OFFICE.**

The Director of the Office of Management and Budget shall—

(1) collect from agencies the statements prepared under section 202; and

(2) periodically forward copies of such statements to the Director of the Congressional Budget Office on a reasonably timely basis after promulgation of the general notice of proposed rulemaking or of the final rule for which the statement was prepared.

**SEC. 207. PILOT PROGRAM ON SMALL GOVERNMENT FLEXIBILITY.**

(a) *IN GENERAL.*—The Director of the Office of Management and Budget, in consultation with Federal agencies, shall establish pilot programs in at least 2 agencies to test innovative, and more flexible regulatory approaches that—

(1) reduce reporting and compliance burdens on small governments; and

(2) meet overall statutory goals and objectives.

(b) *PROGRAM FOCUS.*—The pilot programs shall focus on rules in effect or proposed rules, or a combination thereof.

**SEC. 208. ANNUAL STATEMENTS TO CONGRESS ON AGENCY COMPLIANCE.**

No later than 1 year after the effective date of this title and annually thereafter, the Director of the Office of Management and Budget shall submit to the Congress, including the Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives, a written report detailing compliance by each agency during the preceding reporting period with the requirements of this title.

**SEC. 209. EFFECTIVE DATE.**

This title and the amendments made by this title shall take effect on the date of the enactment of this Act.

**TITLE III—REVIEW OF FEDERAL MANDATES**

**SEC. 301. BASELINE STUDY OF COSTS AND BENEFITS.**

(a) *IN GENERAL.*—No later than 18 months after the date of enactment of this Act, the Advisory Commission on Intergovernmental Relations (hereafter in this title referred to as the "Advisory Commission"), in consultation with the Director, shall complete a study to examine the measurement and definition issues involved in calculating the total costs and benefits to State, local, and tribal governments of compliance with Federal law.

(b) *CONSIDERATIONS.*—The study required by this section shall consider—

(1) the feasibility of measuring indirect costs and benefits as well as direct costs and benefits of the Federal, State, local, and tribal relationship; and

(2) how to measure both the direct and indirect benefits of Federal financial assistance and tax benefits to State, local, and tribal governments.

**SEC. 302. REPORT ON FEDERAL MANDATES BY ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS.**

(a) *IN GENERAL.*—The Advisory Commission on Intergovernmental Relations shall in accordance with this section—

(1) investigate and review the role of Federal mandates in intergovernmental relations and their impact on State, local, tribal, and Federal government objectives and responsibilities, and their impact on the competitive balance between State, local, and tribal governments, and the private sector and consider views of and the impact on working men and women on those same matters;

(2) investigate and review the role of unfunded State mandates imposed on local governments;

(3) make recommendations to the President and the Congress regarding—

(A) allowing flexibility for State, local, and tribal governments in complying with specific Federal mandates for which terms of compliance are unnecessarily rigid or complex;

(B) reconciling any 2 or more Federal mandates which impose contradictory or inconsistent requirements;

(C) terminating Federal mandates which are duplicative, obsolete, or lacking in practical utility;

(D) suspending, on a temporary basis, Federal mandates which are not vital to public health and safety and which compound the fiscal difficulties of State, local, and tribal governments, including recommendations for triggering such suspension;

(E) consolidating or simplifying Federal mandates, or the planning or reporting requirements of such mandates, in order to reduce duplication and facilitate compliance by State, local, and tribal governments with those mandates;

(F) establishing common Federal definitions or standards to be used by State, local, and tribal governments in complying with Federal mandates that use different definitions or standards for the same terms or principles; and

(G)(i) the mitigation of negative impacts on the private sector that may result from relieving State, local, and tribal governments from Federal mandates (if and to the extent that such negative impacts exist on the private sector); and

(ii) the feasibility of applying relief from Federal mandates in the same manner and to the same extent to private sector entities as such relief is applied to State, local, and tribal governments; and

(4) identify and consider in each recommendation made under paragraph (3), to the extent practicable—

(A) the specific Federal mandates to which the recommendation applies, including requirements of the departments, agencies, and other entities of the Federal Government that State, local, and tribal governments utilize metric systems of measurement; and

(B) any negative impact on the private sector that may result from implementation of the recommendation.

(b) *CRITERIA.*—

(1) *IN GENERAL.*—The Commission shall establish criteria for making recommendations under subsection (a).

(2) *ISSUANCE OF PROPOSED CRITERIA.*—The Commission shall issue proposed criteria under this subsection no later than 60 days after the date of the enactment of this Act, and thereafter provide a period of 30 days for submission by the public of comments on the proposed criteria.

(3) *FINAL CRITERIA.*—No later than 45 days after the date of issuance of proposed criteria, the Commission shall—

(A) consider comments on the proposed criteria received under paragraph (2);

(B) adopt and incorporate in final criteria any recommendations submitted in those comments that the Commission determines will aid the Commission in carrying out its duties under this section; and

(C) issue final criteria under this subsection.

(c) *PRELIMINARY REPORT.*—

(1) *IN GENERAL.*—No later than 9 months after the date of the enactment of this Act, the Commission shall—

(A) prepare and publish a preliminary report on its activities under this title, including preliminary recommendations pursuant to subsection (a);

(B) publish in the Federal Register a notice of availability of the preliminary report; and

(C) provide copies of the preliminary report to the public upon request.

(2) *PUBLIC HEARINGS.*—The Commission shall hold public hearings on the preliminary recommendations contained in the preliminary report of the Commission under this subsection.

(d) *FINAL REPORT.*—No later than 3 months after the date of the publication of the preliminary report under subsection (c), the Commission shall submit to the Congress, including the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, the Committee on the Budget of the Senate, and the Committee on the Budget of the House of Representatives, and to the President a final report on the findings, conclusions, and recommendations of the Commission under this section.

(e) *PRIORITY TO MANDATES THAT ARE SUBJECT OF JUDICIAL PROCEEDINGS.*—In carrying out this section, the Advisory Commission shall give the highest priority to immediately investigating, reviewing, and making recommendations regarding Federal mandates that are the subject of judicial proceedings between the United States and a State, local, or tribal government.

(f) *DEFINITION.*—For purposes of this section the term "State mandate" means any provision in a State statute or regulation that imposes an enforceable duty on local governments, the private sector, or individuals, including a condition of State assistance or a duty arising from participation in a voluntary State program.

**SEC. 303. SPECIAL AUTHORITIES OF ADVISORY COMMISSION.**

(a) *EXPERTS AND CONSULTANTS.*—For purposes of carrying out this title, the Advisory Commission may procure temporary and intermittent services of experts or consultants under section 3109(b) of title 5, United States Code.

(b) *DETAIL OF STAFF OF FEDERAL AGENCIES.*—Upon request of the Executive Director of the Advisory Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Advisory Commission to assist it in carrying out this title.

(c) *ADMINISTRATIVE SUPPORT SERVICES.*—Upon the request of the Advisory Commission, the Administrator of General Services shall provide to the Advisory Commission, on a reimbursable basis, the administrative support services necessary for the Advisory Commission to carry out its duties under this title.

(d) *CONTRACT AUTHORITY.*—The Advisory Commission may, subject to appropriations, contract with and compensate government and private persons (including agencies) for property and services used to carry out its duties under this title.

**SEC. 304. ANNUAL REPORT TO CONGRESS REGARDING FEDERAL COURT RULINGS.**

No later than 4 months after the date of enactment of this Act, and no later than March 15 of each year thereafter, the Advisory Commission on Intergovernmental Relations shall submit to the Congress, including the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate, and to the President a report describing any Federal court case to which a State, local, or tribal government was a party in the preceding calendar year that required such State, local, or tribal government to undertake responsibilities or activities, beyond those such government would otherwise have undertaken, to comply with Federal statutes and regulations.

**SEC. 305. DEFINITION.**

Notwithstanding section 3 of this Act, for purposes of this title the term "Federal mandate" means any provision in statute or regulation or any Federal court ruling that imposes an enforceable duty upon State, local, or tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.

**SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the Advisory Commission to carry out section 301 and section 302, \$500,000 for each of fiscal years 1995 and 1996.

**TITLE IV—JUDICIAL REVIEW**

**SEC. 401. JUDICIAL REVIEW.**

(a) *AGENCY STATEMENTS ON SIGNIFICANT REGULATORY ACTIONS.*—

(1) *IN GENERAL.*—Compliance or noncompliance by any agency with the provisions of sections 202 and 203(a) (1) and (2) shall be subject to judicial review only in accordance with this section.

(2) *LIMITED REVIEW OF AGENCY COMPLIANCE OR NONCOMPLIANCE.*—(A) Agency compliance or noncompliance with the provisions of sections

202 and 203(a) (1) and (2) shall be subject to judicial review only under section 706(1) of title 5, United States Code, and only as provided under subparagraph (B).

(B) If an agency fails to prepare the written statement (including the preparation of the estimates, analyses, statements, or descriptions) under section 202 or the written plan under section 203(a) (1) and (2), a court may compel the agency to prepare such written statement.

(3) REVIEW OF AGENCY RULES.—In any judicial review under any other Federal law of an agency rule for which a written statement or plan is required under sections 202 and 203(a) (1) and (2), the inadequacy or failure to prepare such statement (including the inadequacy or failure to prepare any estimate, analysis, statement or description) or written plan shall not be used as a basis for staying, enjoining, invalidating or otherwise affecting such agency rule.

(4) CERTAIN INFORMATION AS PART OF RECORD.—Any information generated under sections 202 and 203(a) (1) and (2) that is part of the rulemaking record for judicial review under the provisions of any other Federal law may be considered as part of the record for judicial review conducted under such other provisions of Federal law.

(5) APPLICATION OF OTHER FEDERAL LAW.—For any petition under paragraph (2) the provisions of such other Federal law shall control all other matters, such as exhaustion of administrative remedies, the time for and manner of seeking review and venue, except that if such other Federal law does not provide a limitation on the time for filing a petition for judicial review that is less than 180 days, such limitation shall be 180 days after a final rule is promulgated by the appropriate agency.

(6) EFFECTIVE DATE.—This subsection shall take effect on October 1, 1995, and shall apply only to any agency rule for which a general notice of proposed rulemaking is promulgated on or after such date.

(b) JUDICIAL REVIEW AND RULE OF CONSTRUCTION.—Except as provided in subsection (a)—

(1) any estimate, analysis, statement, description or report prepared under this Act, and any compliance or noncompliance with the provisions of this Act, and any determination concerning the applicability of the provisions of this Act shall not be subject to judicial review; and

(2) no provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any person in any administrative or judicial action.

And the House agree to the same.

WILLIAM F. CLINGER,  
ROB PORTMAN,  
DAVID DRIER,  
TOM DAVIS,  
GARY CONDIT,  
CARDISS COLLINS,  
EDOLPHUS TOWNS,  
JOE MOAKLEY,

Managers on the Part of the House.

DIRK KEMPTHORNE,  
BILL ROTH,  
PETE V. DOMENICI,  
JOHN GLENN,  
J.J. EXON,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress of Federal mandates on State, local, and tribal governments without adequate fund-

ing, in a manner that may displace other essential governmental priorities; and to ensure that the Federal government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment to the text of the bill struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

#### Sec. 2. Purposes

The Senate Bill includes a list of purposes for S. 1.

The House amendment contains a similar list with one exception. Subsection (8) of the House Amendment states that one of the purposes is to begin consideration of methods to relieve State, local, and tribal governments of unfunded mandates that result from Court interpretations of statutes and regulations.

The Conference Substitute adopts the House provision with an amendment. The substitute provides under subsection (8) that one of the purposes of the bill is to begin the consideration of the effect of mandates on States, local governments, and tribal governments, including those imposed by court interpretations of Federal statutes.

#### Sec. 3. Definitions

The Senate Bill provides that for purposes of this Act the terms defined under Sec. 408(h) of the Congressional Budget and Impoundment Control Act of 1974 (as added by Sec. 101 of this Act) shall have the meanings as defined. The Senate Bill also defines the term "Director" as the Director of the Congressional Budget Office.

The House Amendment provides that for purposes of this Act the terms defined under Sec. 421 of the Congressional Budget Act of 1974 (as added by Sec. 301 of this Act) shall have the meanings as defined. The House Amendment also defines the term "small government".

The Conference Substitute adopts the Senate language with technical changes.

#### Sec. 4. Exclusions

Section 4 of the Senate Bill, titled "Exclusions", sets out those provisions that are exempt from S. 1.

Section 4 of the House Amendment, titled "Limitation on Application", establishes a similar list of exempt provisions with two differences. For the exclusion applying to legislation that prohibits discrimination, the House uses "gender" rather than "sex" and does not include "color." The House bill also includes an exclusion for any provision that pertains to Social Security.

The Conference Substitute adopts the Senate Bill's language with a narrower exclusion for Social Security. The Substitute only excludes legislation that relates to Title II of the Social Security Act.

#### Sec. 5. Agency assistance

The Senate Bill requires agencies to provide information and assistance to the Director of the Congressional Budget Office in carrying out this Act.

The House Amendment contains no such provision.

The Conference Substitute adopts the Senate language.

### TITLE I. LEGISLATIVE ACCOUNTABILITY AND REFORM

#### Sec. 101. Legislative Mandate Accountability and Reform

Section 101 of the Senate Bill adds a new section 408 to the Congressional Budget and Impoundment Control Act of 1974 that establishes new Congressional procedures for the consideration of mandate legislation.

Section 301 of the House Amendment divides Title IV of the Budget Act into two parts. Part A contains all the existing provisions of Title IV of the Budget Act. Part B contains the new procedures for Congressional consideration of mandate legislation.

Section 101 of the Conference Substitute adopts the House framework for amending the Budget Act. It adds new sections 421 through 428 as Part B of the Budget Act.

#### Sec. 421. Definitions

Section 101(a) of the Senate Bill adds a new Section 408(h) to the Budget Act that defines terms for the purposes of this Act. This subsection defined the following terms: "Federal intergovernmental mandate", "Federal private sector mandate", "Federal mandate", "Federal mandate direct costs", "amount", "private sector", "local government", "tribal government", "small government", "State", "agency", "regulation" (or "rule"), and "direct savings".

The House Amendment defines a similar list of terms as a new section 421 of the Budget Act with the following differences. The House Amendment does not include in the definition of the term "Federal Intergovernmental Mandate" a reduction or elimination of the amount authorized to be appropriated for the control of borders by the Federal Government or for reimbursement of net costs associated with illegal, deportable, and excludable aliens, unless the State, Local, or tribal government has not fully cooperated with Federal efforts to locate, apprehend, and deport illegal aliens. In the definition of the term "Federal Mandate Direct Costs," the House Amendment includes the aggregated estimated amounts forgone in revenues in order to comply with a Federal intergovernmental mandate. The House amendment defines "private sector" to include "business trusts, or legal representatives and organized groups of individuals" and excludes from this definition "all persons or entities in the United States." The House Amendment does not exclude from the definition of "agency" the Office of the Comptroller of the Currency and the Office of Thrift Supervision. The House Amendment does not include a definition of "amount", "tribal government", or "direct savings". The House Amendment includes a definition of "Director", "Federal Financial Assistance", and "Significant Employment Impact".

The Conference Substitute includes the list of definitions in a new section 421 of the Budget Act. The Substitute uses the Senate list of definitions with the House language on revenue forgone and defines the term "agency" as provided in the House Amendment. The Substitute defines the term "Director" in section 3.

The Conference Substitute defines direct costs to include the aggregate amount State, local, and tribal governments would be prohibited for raising in revenue including user fees. The conferees note that the Joint Committee on Taxation is responsible for providing revenue estimates to CBO for legislation that affects revenues. CBO works closely with the Joint Tax Committee to assure

these revenue estimates are reflected in cost estimates. The conferees do not intend to disrupt CBO's and the Joint Committee's respective responsibilities and expect the Joint Committee on Taxation will provide Congress with estimates for legislation that prohibits State, local, or tribal governments from raising revenue.

Subsection 5(B) of the Conference Substitute includes in the definition of an intergovernmental mandate any provision in legislation, statute, or regulation that relates to a then-existing Federal program that would place caps upon, or otherwise decrease, the Federal Government's responsibility to provide entitlement funding to State, local, or tribal governments under the program. The conferees intend that this definition only apply to caps on individual programs. The conferees do not intend this definition to be applicable to a measure that contains general budgetary limits or caps on spending or categories of spending, unless that measure also contained implementing statutory language for reductions required in specific programs if the budgetary limit or cap were exceeded.

The programs to which this definition relates are Federal entitlement programs that provide \$500 million or more annually to State, local and tribal governments. This would currently include only nine programs: Medicaid; AFDC, Child Nutrition; Food Stamps; Social Services Block Grants; Vocational Rehabilitation State Grants; Foster Care, Adoption Assistance and Independent Living; Family Support Payments for Job Opportunities and Basic Skills (JOBS); and, Child Support Enforcement. This subsection would also apply to entitlement programs that Congress may create in the future where Congress provides \$500 million or more annually to State, local and tribal governments.

The conferees do not interpret the meaning of "enforceable duty" in subsection (5)(A)(i) and (ii) to include duties and conditions that are part of any voluntary Federal contract for the provision of goods and services.

#### Sec. 422. Exclusions

Section 101(a) of the Senate Bill adds a new Section 408(g) to the Budget Act that provides the same exclusions as contained in section 4 of S. 1.

Section 301(a) of the House Amendment adds a new section 422 to the Budget Act that provides the same limitations on application as a section 4 of the Amendment.

Section 101(a) of the Conference Substitute adds a new Section 422 to the Budget Act that repeats the same exclusions provided in section 4 of the Substitute.

#### Sec. 423. Committee reports

Section 101(a) of the Senate Bill adds a new Section 408(a) to the Budget Act that requires an authorizing committee, when it orders reported a public bill or joint resolution (hereafter "a measure") establishing or affecting any Federal mandates, to submit the measure to CBO and identify the mandates involved. The Senate Bill requires that reports by authorizing committees on measures dealing with Federal mandates include the following information on the mandates in the bill: an identification of the mandates, a cost-benefit analysis, the impact on the public and private sector competitive balance, information on Federal funding assistance to cover the cost of the mandate (including how Federal funding will be allocated among different levels of government), the extent to which the bill preempts State, local, or tribal government law, and a CBO cost estimate.

Section 301(a) of the House Amendment adds a new section 423 to the Budget Act that establishes similar requirements for

committee reports except the Amendment does not require the report to indicate whether the mandate bill includes a mechanism to allocate funding in accordance with costs to different levels of government.

Section 101(a) of the Conference Substitute adds a new Section 423 to the Budget Act that adopts the Senate's requirements for reports with technical changes.

#### Sec. 424. CBO Cost Estimates

Section 101(a) of the Senate Bill adds a new Section 408(b)(1) to the Budget Act that requires CBO to prepare, and submit to the reporting committee, an estimate of the direct costs to the State, local, and tribal governments of Federal intergovernmental mandates in each reported measure (or in necessary implementing regulations). For intergovernmental mandates, CBO is required to prepare estimates if the costs of the mandate would equal at least \$50 million in any of the five fiscal years after the mandate's effective date. For private sector mandates, CBO is required to prepare estimates if the costs of the mandate would equal at least \$200 million in any of the five fiscal years after the mandate's effective date. The Senate bill extends the scope of the estimate to ten years following the mandate's effective date.

The Senate Bill provides if CBO finds it not feasible to make a reasonable estimate, CBO must report that finding with an explanation. If CBO makes such a determination for an intergovernmental mandate, then a point of order would lie against the reported bill only for failure to contain such an estimate under section 408(c)(1)(A). In such case, the bill as reported would be exempt only from the point of order under section 408(c)(1)(B). Other Budget Act points of order would still lie if applicable.

Section 408(b)(3) of the Senate Bill provides that if direct cost of respective mandates in a measure fall below the thresholds, CBO is to so state, and is to explain briefly the basis of this estimate. Paragraph (4) of this subsection requires a conference committee, under certain circumstances, to ensure that CBO prepare a supplemental estimate on a measure passed by either house in an amended form (including a measure of one house passed by the other with an amendment in the nature of a substitute) or reported from conference in an amended form. The Senate Bill requires such action if the amended form contains a mandate not previously considered by either house or increases the direct cost of a mandate in the measure.

Section 301(a) of the House Amendment adds a new section 424(a) to the Budget Act that establishes similar requirements for CBO cost estimates on mandates. The House Amendment provides the threshold is \$50 million for both intergovernmental and private sector mandates. In addition, the Amendment does not limit the scope of the estimate to ten years.

Section 101(a) of the Conference Substitute adds a new Section 424 to the Budget Act that adopts the Senate language on CBO's responsibilities for preparing estimates on legislation containing intergovernmental and private sector mandates with two changes. The Substitute amends the language the Senate proposed on the scope of CBO cost estimates. If the bill would authorize appropriations and makes an intergovernmental mandate contingent on appropriations as provided in section 425(a)(2)(B) in the Conference Substitute, then CBO is required to provide an estimate of the budget authority needed to pay for the mandate for each fiscal year for a period not to exceed ten years. The Substitute provides a threshold of \$100 million for private sector mandates.

#### Sec. 425. Points of Order Against Unfunded Mandates

##### Point of Order & Mandate Cost Estimates

Section 101(a) of the Senate Bill adds a new Section 408(c)(1)(A) to the Budget Act that establishes a point of order in the Senate against consideration of a reported measure containing a mandate unless the report accompanying the measure contains a CBO cost estimate of the mandate, or the CBO cost estimate has been published in the Congressional Record.

Section 301(a) of the House Amendment adds a new Section 424(a)(1) to the Budget Act that establishes a similar point of order in the Senate and the House against consideration of a reported measure, but provides it does not apply to supplemental estimates prepared by CBO.

Section 101(a) of the Conference Substitute adds a new Section 425(a) to the Budget Act that adopts the House language with minor changes.

##### Point of Order & Unfunded Mandate Legislation

Section 101(a) of the Senate Bill adds a new Section 408(c)(1)(B) to the Budget Act that establishes a point of order in the Senate against consideration of a bill, joint resolution, amendment, motion, or conference report (hereafter referred to as "legislation") containing intergovernmental mandates exceeding the thresholds established above, unless the legislation funds these mandates. The Senate bill applies this point of order against legislation that would cause the direct costs of intergovernmental mandates to breach the \$50 million annual threshold. The waiver of this point of order and the appeal of rulings regarding this point of order are covered by existing provisions under title IX of the Budget Act. Section 904 provides that in the Senate points of order under title IV of the Budget Act, including the point of order regarding unfunded mandate legislation, can be waived or appealed by a simple majority.

This subparagraph of the Senate Bill provides that legislation is not subject to the point of order if it provides either: (1) direct spending authority equal to the mandate's costs for each fiscal year; (2) an increase in receipts and an increase in direct spending authority for each fiscal year for those mandates equal to their costs for each fiscal year; or, (3) an authorization of appropriations at least equal to the direct cost and provides a mechanism to ensure that a mandate is effective only to the extent that it is funded in appropriations Acts.

The House Amendment establishes a similar point of order against consideration of legislation in the House and Senate containing intergovernmental mandates. The House amendment differs from the Senate bill on the requirements of funding mechanisms for mandates. Under the House amendment, legislation is subject to the point of order unless it provides: (1) new budget authority or new entitlement authority in the House (or direct spending authority in the Senate) in an amount that equals or exceeds the direct costs of the mandate; (2) an increase in receipts or a decrease in new budget authority or new entitlement authority in the House (a decrease in direct spending authority in the Senate) to offset the costs of spending authority for the mandate; or, (3) an authorization of appropriations at least equal to the direct cost and provides a mechanism to ensure that a mandate never takes effect unless fully funded in appropriations Acts or mandates are scaled back consistent with appropriations levels.

The Conference Substitute adopts the House language with an amendment. The

Substitute provides that legislation containing a Federal intergovernmental mandate is out of order in the House and Senate unless it provides either: (1) new budget authority or new entitlement authority in the House (or direct spending authority in the Senate) in an amount that equals or exceeds the direct costs of the mandate; or (2) an authorization of appropriations and a mechanism to assure the mandate is only effective to the extent funding is provided in Appropriations Acts. If legislation funds the mandate to avoid the point of order, it must fund the entire cost of the mandate for each fiscal year.

The Substitute drops language in the House Amendment that provides a mandate could be paid for by an increase in spending authority and offset by a decrease in spending authority or an increase in receipts. This language is unnecessary because other budget laws already would govern how Federal mandates could be financed.

Nothing in the Substitute waives existing provisions of law that establish controls on Federal spending. The Budget Act, budget resolutions adopted pursuant to the Budget Act, and the Balanced Budget and Emergency Deficit Control Act already establish requirements for Federal budgeting. Since these laws already control legislation providing Federal funding, including funding that could be provided to cover a mandate's direct costs, the conference agreement does not address requirements for offsets to pay for Federal funding for mandates.

The Substitute provides that the point of order can be avoided if the mandate is paid for by either an increase in spending authority outside the appropriations process (new budget authority or new entitlement authority in the House of Representatives and new direct spending authority in the Senate) or is contingent on funding being provided in the appropriations process.

If a Committee chooses to fund a mandate with spending authority outside the appropriations process, this legislation will be subject to the requirements of the Budget Act and the pay-as-you-go provisions of the Balanced Budget and Emergency Deficit Control Act. If a committee chooses to pay for a mandate with an increase in spending authority outside the Appropriations process, there are generally three options under these laws: provide new spending authority that will cause a deficit increase; provide new spending authority and offset it by reducing existing spending authority for other programs; or, provide new spending authority and offset it by increasing receipts. If a committee chooses to make the mandate contingent on funding being provided in Appropriations Acts, the Appropriations Committees will have to fund these mandates within the annual allocations made under section 602 of the Budget Act and the discretionary caps under section 601 of the Budget Act.

#### *Point of Order & the Appropriations Process*

Section 101(a) of the Senate Bill adds a new Section 408(c)(1)(B)(iii) to the Budget Act that allows legislation to avoid the unfunded mandate point of order if the mandate is contingent on funding being provided in the appropriations process. More specifically, the legislation would escape the point of order if it: (1) authorizes appropriations in an amount equal to the direct costs of the mandate; (2) specifies the amount of direct costs of the mandate for each year or other period up to ten years during which the mandate will be in effect; (3) identifies any appropriation bill that would be expected to provide funding for direct costs of the mandate; and (4) provides that, if appropriations are insufficient to cover the direct cost of the mandate (as previously calculated by

CBO), the mandate will expire unless Congress provides otherwise by law (through expedited procedures).

Section 408(c)(1)(B)(iii)(III) of the Senate Bill requires mandate legislation to include procedures in the event insufficient appropriations are provided to cover the entire direct costs of a Federal intergovernmental mandate for a fiscal year. If appropriations provided are insufficient for the mandate, the Agency is required to notify Congress within 30 days of the beginning of the fiscal year and submit either: (1) a statement, based on a re-estimate of the direct costs of the mandate, that the lower appropriations is sufficient; or, (2) legislative recommendations for implementing a less costly mandate or making the mandate ineffective for the fiscal year. Sixty days after the Agency submission, the mandate ceases to be effective unless Congress provides otherwise by law (see Appendix). Only if the appropriation is less than the direct cost of the mandate, the agency is required to submit a statement or legislative recommendation.

Section 408(c)(1)(B)(iii)(III)(bb) stipulates that the relevant committees in both the House and Senate provide an expedited procedure in the underlying intergovernmental legislation for the consideration of agency statements and legislative recommendations. If the relevant committees of the House and Senate choose not to include expedited procedures in the underlying intergovernmental mandates legislation, then a point of order may be raised against that legislation.

Section 408(c)(3)(A) of the Senate Bill exempts appropriations legislation from the points of order against unfunded mandates but establishes a procedure to extract legislative intergovernmental mandate provisions in appropriations legislation. An appropriations bill, resolution, amendment thereto, or conference report thereon that contains a provision with an intergovernmental mandate that exceeds the thresholds established in the Bill is out of order in the Senate. Upon a point of order being sustained against provisions in appropriations legislation containing mandates, the offending provision is deemed stricken from the measure.

Section 408(c)(2) allows State, local, or tribal governments to continue to voluntarily comply with the original intergovernmental mandate at its own expense.

Section 301(a) of the House Amendment adds a new Section 425(a)(2)(C) to the Budget Act that establishes different procedures for intergovernmental mandates that are contingent on appropriations Acts. More specifically, if mandate legislation funds an intergovernmental mandate through an authorization of appropriations, in order to avoid the point of order, the legislation must either: 1) require the implementing agency to repeal the mandate at the beginning of the fiscal year unless there are sufficient appropriations to cover the full cost of the mandate; or, 2) require the implementing agency to reduce the requirements of the mandate to bring its costs within the amount provided in the appropriations Act.

Second, the House Amendment exempts appropriations bills and amendments thereto from the point of order.

Section 101(a) of the Conference Substitute adds a new section 425(a)(2)(B)(iii) to the Budget Act, which adopts the Senate language with technical changes. In the House of Representatives and the Senate, the requirements of subclause (II) shall be considered as fulfilled by inclusion in the authorization bill of any procedural prescription to expedite consideration of the statement or legislative recommendations, including a requirement that the authorizing committee

consider the statement or legislative recommendations on an expedited basis.

If an agency submits a statement with a re-estimate of the direct costs of a mandate or legislative recommendations pursuant to section 425(a)(2)(B)(iii), the conferees expect the agency to submit this statement or legislative recommendations to CBO for its review and comment. The conferees expect the relevant agency to fully and freely share with CBO the information used in developing the re-estimate or the legislative recommendations for a less-costly mandate. CBO should make its review and comments available to Congress as appropriate.

The agency is expected to consult with State, local, and tribal governments in preparing its re-estimate or its legislative recommendations for a less costly mandate.

#### *Determinations of Applicability of the Point of Order*

Section 101(a) of the Senate Bill adds a new Section 408(c)(4) to the Budget Act that requires the Presiding Officer of the Senate to consult with the Senate Governmental Affairs Committee, to the extent practicable, on the applicability of the point of order in the Senate. Paragraph (5) provides that the levels of mandates for a fiscal year be determined on the basis of estimates by the Senate Budget Committee.

Section 301(a) of the Senate Bill adds a new Section 425(c) to the Budget Act that only provides that mandate levels be based on estimates made by the Budget Committees, in consultation with CBO.

The Conference Substitute contains the Senate language as a new section 425 (d) and (e) of the Budget Act.

#### *Sec. 426. Provisions Relating to the House of Representatives*

Section 101(a) of the Senate Bill adds a new Section 408(d) to the Budget Act that makes it out of order in the House to consider a rule or order that waives the point of order established by S. 1.

Section 301(a) of the House Amendment adds a new Section 426 to the Budget Act that contains the same provision as the Senate Bill. Section 427 of the House Amendment establishes procedures for the disposition of the point of order in the House.

The Conference Substitute contains the House language on House waivers of rules as a new section 426(a) of the Budget Act. Section 426(b) of the Substitute contains the House language on the House's disposition of points of order.

#### *Sec. 427. Senator's requests for CBO cost estimates*

The Senate Bill requires CBO to prepare a cost estimate on a bill, joint resolution, amendment, or motion containing an intergovernmental mandate at the written request of any Senator.

The House Amendment contained no such provision.

Section 101(a) of the Conference Substitute adds a new section 427 to the Budget Act that narrows the Senate language so that it only applies to cost estimates for amendments that contain intergovernmental mandates. The conferees note CBO already responds to members requests for cost estimates to the extent practicable. Viewing the concern about the applicability of this point of order to amendments that would cause the intergovernmental mandate thresholds to be exceeded, however, the conferees have retained language requiring CBO, to the extent practicable, to prepare cost estimates for a Senator's amendment if it were to cause the thresholds to be exceeded.

This more limited language is not intended to preclude CBO from preparing mandate

cost estimates for bills. These requirements are already provided for in section 424 of the Substitute regarding reported bills and conference reports. Moreover, the conferees intend that CBO be responsive to Senator's requests in preparing cost estimates for bills and joint resolutions that may be marked up or for bills and resolutions that may be offered as amendments.

*Sec. 428. Clarification on the application*

Section 101(a) of the Senate Bill adds a new subsection 408(f) to the Budget Act, which clarifies that application of section 408 to legislation. If a legislative measure would reauthorize or amend existing statutes, the points of order established by the bill would apply only if the measure would either: (1) reduce net authorized financial assistance for complying with mandates by an amount that would cause a breach of the thresholds, without reducing duties by a corresponding amount; or, (2) otherwise increase the net aggregate direct costs of mandates by an amount that would cause a breach of the thresholds. The Senate Bill also provides that the net direct cost of Federal mandates in legislation means the net increase of those costs as compared to current law levels. If mandate legislation is extending an authorization of appropriations, the levels authorized in the mandate legislation are to be compared to the last year in which appropriations are authorized under current law.

Section 301(a) of the House Amendment adds a new Section 425(d) to the Budget Act that provides narrower language for limiting the application of part B.

The Conference Substitute contains the Senate language as a new section 428 of the Budget Act.

*Sec. 102. CBO assistance to committees and studies*

Section 102(l) of the Senate Bill amends section 202 of the Budget Act to add to CBO's responsibilities a requirement to assist committees in analyzing legislative proposals that may have significant budgetary impact on State, local, and tribal governments, or significant financial impact on the private sector. The Bill also amends section 202 of the Budget Act to require CBO to prepare studies at the request of the chairman or ranking minority member of a committee. Subsection (h)(1), regarding continuing studies, restates existing law. Subsection (h)(2) adds new provisions regarding mandate studies.

Section 102(2) of the Senate Bill amends section 301(d) of the Budget Act to require committees to comment on mandate legislation as part of their views and estimates submissions to the Budget Committees.

Section 301(a) of the House Amendment adds a new section 424(b) and (c), which includes similar language as the Senate Bill except that the House Amendment requires CBO to assist committees in assessing mandate legislation that will have a significant employment impact on the private sector.

The Conference Substitute contains the Senate language with an amendment to reflect the House language to require CBO to assist committees in assessing the impact of private sector mandates on employment. The Substitute drops the definition of employment for the purposes of this section.

*Sec. 103. Cost of Regulations*

Section 103 of the Senate Bill express the sense of Congress that agencies should review planned regulations to ensure that they take CBO cost estimates into consideration. It also requires CBO, at the request of any Senator, to estimate the cost of regulations implementing mandate legislation and compare it with the CBO cost estimate for the legislation itself. It directs OMB to provide CBO with such data and cost estimates.

The House Amendment contains no such provision.

The Conference Substitute adopts the Senate language with an amendment to narrow the section in two respects. First, the section provides that the chairman or ranking minority member of a committee can request such a study, consistent with requests for mandate studies (section 102 of S. 1). Second, the section requires CBO to compare the agency's cost estimate to the estimate prepared by CBO when the legislation was considered. In preparing a comparison, the conferees intend that CBO critique the agency cost estimate in such comparison to make sure it is an accurate reflection of the cost of the mandate.

The primary objective of the Unfunded Mandate Reform Act is to make sure Congress is adequately informed of the cost mandates in legislation when they are considered. The conferees are particularly concerned about instances in which agencies exceed their discretion to impose regulations that are much more costly than anticipated when the legislation was considered. The intent of this section is to provide, when requested, a review of agencies' actions and estimates to make sure they are consistent with the costs of the mandate when Congress considered the legislation.

*Sec. 104. Repeal of existing requirements for CBO mandate cost estimates*

Section 106 of the Senate Bill repeals provisions in section 403 of the Budget Act that are superseded by Part B.

Section 305 of the House Amendment contained similar language.

Section 104 of the Conference Substitute contains the Senate language.

*Sec. 105. Consideration for Federal funding*

Section 107 of the Senate bill provides that nothing in S. 1 denies federal funding to State, local, or tribal governments because they are already complying with all or part of a federal mandate.

The House Amendment contains no such provision.

The Conference Substitute contains the Senate language with a clarification that it applies to section 425(b)(2). The Conferees do not intend this section to create any legally binding duty to pay these governments, nor is it intended to affect the calculation of mandate estimates or Federal budget cost estimates.

*Sec. 106. Impact on local governments*

Section 108 of the Senate Bill includes findings about cost shifting from Federal to State and local, and from State to local, governments, and resultant increases in property taxes and service cuts. This section states the sense of the Senate that these practices should cease and that curbing them, and reducing taxes and spending at all levels, are primary objectives of this Act.

The House Amendment contains no such provision.

The Conference Substitute adopts the Senate language as section 106.

*Sec. 107. Enforcement in the House of Representatives*

The Senate Bill did not include language on enforcement in the House of Representatives.

Section 302 of the House Amendment amends House Rule XXIII so that when the Committee of the Whole is considering an amendment that includes a provision that would have been subject to a point of order established by the bill, it will be in order to move to strike that provision, unless the special rule for considering the measure specifically prohibits the motion. The House Amendment also requires the Committee on Rules to list in its activities reports all spe-

cial rules waiving points of order established by the bill, and the measures to which they related.

The Conference Substitute contains the House language as section 107.

*Sec. 108. Exercise of rulemaking*

Section 105 of the Senate Bill provides that certain provisions of S. 1 are enacted pursuant to the rulemaking power of each house.

Section 303 of the House Amendment contains similar language.

Section 108 of the Conference Substitute preserves the rulemaking authority of the houses.

*Sec. 109. Authorization of appropriations*

Section 104 of the Senate authorizes \$4.5 million annually through fiscal year 2002 for CBO to carry out this act.

Section 421(e) of the House Amendment contains the same language.

Section 109 of the Conference Substitute authorizes appropriations for CBO. The conferees note that this Act provides a major expansion in the responsibilities of CBO and recognize the need for additional funding in order for CBO to carry out these responsibilities. The conferees intend that these new responsibilities should not supplant CBO's existing responsibilities under the Budget Act.

*Sec. 110. Effective date*

Section 109 of the Senate Bill provides an effective date of January 1, 1996, or 90 days after an appropriation for CBO authorized by the Bill becomes available.

Section 306 of the House Amendment provides an effective date of October 1, 1995.

The Conference Substitute contains the Senate language as section 110.

TITLE II. REGULATORY ACCOUNTABILITY AND REFORM

*Sec. 201. Regulatory process*

The Senate bill, in section 201, directs each agency, "to the extent permitted in law", to assess the effects of regulations on State and local governments and the private sector, and to minimize regulatory burdens that affect the governmental entities. It authorizes the appropriation of such sums as are necessary to carry out this title.

The House amendment, in section 201, contains a similar provision.

The Conference substitute directs each agency, unless otherwise prohibited by law, to assess the effects of regulatory actions on State, local, and tribal governments and the private sector (other than to the extent that such regulations incorporate requirements specifically set forth in law).

*Sec. 202. Statements to accompany significant regulatory actions*

The Senate bill, in section 202, requires that before promulgating any final rule that includes a Federal intergovernmental mandate that may result in aggregate costs to State, local, or tribal governments, and the private sector, of \$100,000,000 or more in any one year, or any general notice of proposed rulemaking that is likely to result in such a rule, an agency must prepare a written statement. The statement must estimate anticipated costs to such governments and the private sector of complying with the intergovernmental mandate, as well as (to the extent that the agency determines that accurate estimates are reasonably feasible) the future compliance costs of the mandate, and any disproportionate budgetary effects of the mandate on any particular region of the nation or type of community. Also included in the statement must be a qualitative, and if possible, quantitative assessment of the costs and benefits anticipated from the intergovernmental mandate, the effect of the

private sector mandate on the national economy, a description of the extent of prior consultation with State and local elected officials (or their designated representatives), a summary of the comments of such officials, a summary of the agency's evaluation of those comments, and the agency's position supporting the need to issue the regulation.

The House amendment, in section 202, contains a similar provision with those same requirements, except that it applies to Federal mandates generally, and not just intergovernmental mandates, and the costs of \$100,000,000 shall be of expenditures by States, local governments, or tribal governments, in the aggregate, or the private sector. In addition, it requires that the statement identify the provision of Federal law under which the rule is being promulgated, the disproportionate budgetary effects of the mandate on particular segments of the private sector, the effect of private sector mandates on the national economy, and the extent of the agency's prior consultation with designated representatives of the private sector.

The Conference substitute adopts the House provision, along with a condition that the items in the written report be included "unless otherwise prohibited by law". This section does not require the preparation of any estimate or analysis if the agency is prohibited by law from considering the estimate or analysis in adopting the rule. Several other modifications to the House provision were made by the conferees. The rules to which the required statement applies are any general notice of proposed rulemaking that is likely to result in promulgation of any rule that includes a Federal mandate, or any final rule for which such notice was published. The substitute adds a requirement that there be a qualitative and quantitative assessment of the anticipated costs and benefits of the mandate, and an analysis of the extent to which such costs may be paid with Federal financial assistance. The requirement that the effect of private sector mandates on the national economy be included is amended, so that the limitation to "private sector" mandates is stricken. The requirement that the statement include the agency's position supporting the need to issue the regulation containing the mandate is dropped. Also, the requirement for a description of prior consultation drops both the reference to "designated representatives" and to "the private sector", and instead refers to the "prior consultation with elected representatives (under section 204)".

It is the intent of the conferees that the rulemaking process shall follow the requirements of section 553 of title 5, United States Code, and shall be subject to the exceptions stated therein. When a general notice of proposed rulemaking is promulgated, such notice shall be accompanied by the written statement required by section 202. When an agency promulgates a final rule following the earlier promulgation of a proposed rule, the rule shall be accompanied by an updated written statement. In all cases, the exceptions stated in section 553 shall apply, including for good cause.

#### *Sec. 203. Small government agency plan*

The Senate bill, in subsection 201(c), provides that before establishing any regulatory requirements that might significantly or uniquely affect small governments, agencies shall have developed a plan under which the agency provides notice to potentially affected small governments, enables officials of such governments to provide input, and informs and advises such governments on compliance with the requirements. Such sums as are necessary to carry out these requirements are authorized to be appropriated to each agency.

The House amendment, in subsection 201(c), contains an identical provision.

The Conference substitute retains this provision.

#### *Sec. 204. State, local and tribal government input*

The Senate bill, in subsection 201(b), requires each agency, to the extent permitted in law, to develop an effective process to permit State, local and tribal elected officials (or their designated representatives) to provide meaningful and timely input into the development of regulatory proposals containing significant mandates. Such as process shall be consistent with all applicable laws.

The House amendment, in subsection 201(b), contains a similar provision, but without the references to "to the extent permitted in law" and "consistent with all applicable laws".

The Conference substitute requires each agency, to the extent permitted in law, to develop an effective process to permit elected officers (or their designated employees with authority to act on their behalf) of State, local and tribal governments to provide meaningful and timely input into the development of regulations containing significant intergovernmental mandates. It provides that the Federal Advisory Committee Act (FACA) shall not apply to such intergovernmental communications where the meetings are held exclusively between Federal officials and elected State and local officials (or their designated employees with authority to act on their behalf) acting in their official capacities, and where such meetings are solely to exchange views on the implementation of Federal programs which explicitly share intergovernmental responsibilities. The President shall issue guidelines to agencies on the implementation of this requirement, within 6 months.

The conferees agree that an important part of efforts to improve the Federal regulatory process entails improved communications with State, local, and tribal governments. Accordingly, this legislation will require Federal agencies to establish effective mechanisms for soliciting and integrating the input of such interests into the Federal decision-making process. Where possible, these efforts should complement existing tools, such as negotiated rulemaking and/or the use of Federal advisory committees broadly representing all affected interests.

The conferees recognize that FACA has been the source of some confusion regarding the extent to which elected officials of State, local, and tribal governments, or their designated employees with authority to act on their behalf, may meet with Federal agency representatives to discuss regulatory and other issues involving areas of shared responsibility. Section 204(b) clarifies Congressional intent with respect to these interactions by providing an exemption from FACA for the exchange of official views regarding the implementation of public laws requiring shared intergovernmental responsibilities or administration.

Section 204(c) requires the President to issue guidelines and instructions to Federal agencies, consistent with other applicable laws and regulations, within six months of enactment. The conferees would expect the President to consult with the Director of the Office of Management and Budget (OMB) and the Administrator of General Services (GSA) before promulgating such guidelines.

#### *Sec. 205. Least burdensome option or explanation required*

The Senate bill contains no such provision. The House amendment, in subsection 201(d), prohibits an agency from issuing a rule that contains a mandate if the rule-

making record indicates that there are two or more alternatives to accomplish the objective of the rule, unless the mandate is the least costly method or has the least burdensome effect, unless the agency publishes an explanation of why the more costly or more burdensome method was adopted.

The Conference substitute requires that before promulgating any rule for which a written statement is required under section 202, an agency shall identify and consider a reasonable number of regulatory alternatives and select from them either the least costly, the most cost-effective, or the least burdensome alternative that achieves the objectives of the rule, unless either the agency head publishes an explanation of why this was not done or such a selection is inconsistent with law. The conferees intend that "a reasonable number of regulatory alternatives" means the maximum number that an agency can thoroughly consider without delaying the rulemaking process. The substitute also requires the OMB Director, within one year of enactment, to certify agency compliance with this section, and to include in the written explanation any agencies and rulemakings that fail to do so.

#### *Sec. 206. Assistance to the Congressional Budget Office*

The Senate bill, in section 203, provides that the OMB Director shall collect from the agencies the statements prepared under section 202 and periodically forward copies to the CBO Director on a timely basis.

The House amendment, in section 203, contains an identical provision.

The Conference substitute retains this provision.

#### *Sec. 207. Pilot program on small government flexibility*

The Senate bill, in section 204, requires the OMB Director to establish pilot programs in at least two agencies to test innovative and more flexibility regulatory approaches that reduce reporting and compliance burdens on small governments, while meeting overall statutory goals and objectives. Any combination of proposed rules and rules in effect may be part of the pilot programs.

The House amendment, in section 204, contains an identical provision.

The Conference substitute retains this provision.

#### *Sec. 208. Annual statements to Congress on agency compliance with requirements of title II*

The Senate bill contains no such provision.

The House amendment, in section 207, provides that the OMB Director shall annually submit written statements to Congress, detailing agency compliance with the requirements of its sections 201 (Regulatory Process) and 202 (Statements to Accompany Significant Regulatory Actions).

The Conference substitute adopts the House requirement and applies it to compliance with all sections of this title.

#### *Sec. 209. Effective date*

The Senate bill, in section 205, provides that this title shall take effect 60 days after the date of enactment.

The House amendment would take effect upon enactment.

The Conference substitute adopts the House effective date of upon enactment.

### TITLE III. REVIEW OF FEDERAL MANDATES

#### *Sec. 301. Baseline study of costs and benefits*

The Senate bill, in section 301, provides that within 180 days, the Advisory Commission on Intergovernmental Relations (ACIR) shall begin a study of how to measure and

definite issues involved in calculating the total direct and indirect costs and benefits to State, local, and tribal governments of compliance with Federal law, and the direct and indirect benefits to such governments of Federal financial assistance and tax benefits. The study shall deal with issues related to the feasibility of measuring, and how to measure, such items.

The House amendment contains no similar provision.

The Conference substitute adopts the Senate language, except that the study is to be completed within 18 months rather than started within 180 days.

*Sec. 302. Report on Federal mandates by Advisory Commission on Intergovernmental Relations*

The Senate bill, in section 302, requires ACIR to study the role of unfunded Federal mandates in intergovernmental relations, and to make recommendations regarding allowing flexibility in complying with specific mandates, reconciling conflicting mandates, terminating duplicative or obsolete mandates, suspending mandates that are not vital to public health and safety, consolidating or simplifying mandates, and establishing common definitions or standards to be used in complying with Federal mandate. To the extent practicable, the specific unfunded mandate to which a recommendation applies should be identified. One of the existing Federal mandates that ACIR is to study and make specific recommendations on is the Federal requirement that State, local, and tribal governments utilize metric systems of measurement. Within 60 days of enactment of this Act, ACIR is required to issue proposed criteria under this subsection, and then to allow 30 days for public comment, with adoption of the final criteria not later than 45 days after the issuance of the proposed criteria. Within 9 months of enactment, ACIR is required to publish a preliminary report on its activities under this title, including its recommendations, and then to hold public hearings on these preliminary recommendations. Not later than 3 months after publication of the preliminary report, ACIR shall submit to Congress and the President a final report on its findings, conclusions, and recommendations under this section.

The House amendment, in section 101, contains nearly identical provisions, except that it also requires ACIR, when studying the role of unfunded Federal mandates, to review their impact on the competitive balance between State and local governments, and the private sector, to review the role of unfunded State mandates imposed on local governments and the private sector, and to review the role of unfunded local mandates imposed on the private sector. Definitions of "State mandate" and "local mandate" are provided. It also requires that ACIR make recommendations regarding the establishment of procedures to ensure that when private sector mandates apply to entities that compete with State or local governments, any relief from unfunded Federal mandates is applied in the same manner and the same extent to both. In addition, ACIR is instructed to give highest priority to mandates that are the subject of judicial proceedings between the United States and a State, local, or tribal government. The House amendment contains no provision regarding the metric system of measurement.

The Conference substitute retains the Senate provisions, and adds the House requirements for a review of the impact on competitive balance and a review of the role of unfunded State mandates imposed on local governments (only), as well as the provision placing highest priority on mandates that are the subject of intergovernmental judicial

proceedings. It also includes a modification of a House requirement, so that ACIR shall make recommendations on mitigating any adverse impacts on the private sector that may result from relieving State and local governments of mandates, and the feasibility of applying relief from mandates in the same manner to both the private sector, and State and local governments. The House definition of "State mandate" is also retained. In addition, a provision is added requiring that, to the extent practicable, any negative impact on the private sector that may result from implementation of a recommendation be identified.

The conferees intend that ACIR have flexibility to review a wide array of federal requirements on State and local governments. These requirements may include conditions of federal assistance, such as those attached to the receipt of Federal grants, or direct orders like emissions testing requirements, carpool mandates, and national voter registration directives that are not tied to the receipt of Federal funds.

*Sec. 303. Special Authorities of Advisory Commission*

The Senate bill, in section 303, provides authority to the ACIR, for purposes of carrying out this title, to procure temporary and intermittent services of experts or consultants, to receive on a reimbursable basis detailees from Federal agencies, and to contract with and compensate government and private persons for property and services.

The House amendment, in section 102, contains the same provisions, as well as a provision authorizing ACIR to receive on a reimbursable basis administrative support services from the General Services Administration.

The Conference substitute adopts the House language.

*Sec. 304. Annual report to Congress regarding Federal court rulings*

The Senate bill contains no such provision.

The House amendment, in section 205, provides that ACIR shall annually submit to Congress a report describing Federal court rulings in the preceding year which imposed an enforceable duty on one or more State, local, or tribal governments.

The Conference substitute modifies the House provision, by requiring that the report describe any Federal court case to which a State, local, or tribal government was a party in the preceding year that required them to undertake responsibilities beyond those they would otherwise have undertaken, to comply with a Federal statute or regulation.

*Sec. 305. Definition*

The Senate bill contains no such provision.

The House amendment, in section 103, defines, for purposes of this title, "Advisory Commission" to mean the Advisory Commission on Intergovernmental Relations, and "Federal mandate" to mean any provision in statute or regulation or any Federal court ruling that imposes an enforceable duty upon States, local governments, or tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.

The Conference substitute retains the House definition of "Federal mandate", but adds at the beginning of it the phrase "Notwithstanding section 3 of this Act."

*Sec. 306. Authorization of appropriations*

The Senate bill, in section 304, provides an authorization of appropriations of \$1,250,000 for each of fiscal years 1995 and 1996 to ACIR for the purposes of carrying out sections 301 and 302.

The House bill provides no authorization of appropriations.

The Conference substitute provides an authorization of appropriations of \$500,000 for each of fiscal years 1995 and 1996 to ACIR to carry out sections 301 and 302.

COMMITTEE REPORT ON JUDICIAL REVIEW

The purposes of Section 401 are as follows. Section 401(a)(1) and (2) would allow court review only to redress a failure of an agency to prepare the written statement (including the preparation of the estimates, analyses, statements or descriptions) required to be included in such statement under Section 202 or the written plan under Section 203(a)(1) and (2). A reviewing court may not review the adequacy of a written statement prepared under Section 202 or a written plan under Section 203(a)(1) and (2). Challenges to an agency's failure to prepare a written statement under Section 202 or a written plan under 203(a)(1) and (2) may be brought only under Section 706(1) of the Administrative Procedures Act and may not be brought until after a final rule has been promulgated.

Section 401(a)(3) prohibits any court in which review of a completed rulemaking action is sought from staying, enjoying, invalidating or otherwise affecting the effectiveness of an agency's rulemaking for failure to comply with the requirements of Section 202 and Section 203(a)(1) and (2) of this Act. This is true not only under Section 401(a)(3), which regards review of rules under other provisions of law, but also under Section 401(a)(1), which only authorizes a court to compel the agency to prepare a written statement, but does not authorize a court to stay, enjoin, invalidate, or otherwise affect a rule.

It is the intent of the Conference Committee that if an agency prepares the statements, analysis, estimates or descriptions under Section 202 and the written plan under Section 203(a)(1) and (2) for purposes of its rulemaking pursuant to the underlying statute, a court may, if pursuant to the review permitted under such statute, consider the adequacy of such information generated. Section 401(a)(4) provides that information generated under Section 202 and Section 203(a)(1) and (2) is not subject to judicial review pursuant to this Act under Section 706(2) of the Administrative Procedures Act. Section 401(a)(4) does allow that such information may, in accordance with the standards and process of the underlying statute, be part of the agency's rulemaking record subject to judicial review pursuant to the underlying statute. Any such information that is part of the record for judicial review pursuant to the underlying statute may be subject to review under Section 706(2) of the Administrative Procedures Act (or other applicable law) and can be considered by a court, to the extent relevant under the underlying statute, as part of the entire record in determining whether the record before it supports the rule under the "arbitrary and capricious" or "substantial evidence" standard (whichever is applicable). Pursuant to the appropriate Federal law, a court should look at the totality of the record in assessing whether a particular rulemaking proceeding lacks sufficient support in the record. The provisions of this Act do not change the standards of underlying law, under which courts will review agency rules.

Section 401(a)(5) provides that, for any action under Section 706(1), the provisions of the underlying Federal statute relating to all other matters, such as exhaustion of remedies, statutes of limitations and venue, shall continue to govern, notwithstanding

the additional requirements on agencies that Title II of this Act imposes. If, however, such underlying Federal statutes does not have a statute of limitations that is less than 180 days, then for review of agency rules under Section 706(1) that include the requirements set forth in Section 202 or Section 203(a) (1) and (2), the time for filing an action under Section 706(1) is limited to 180 days.

Finally, Section 401(b)(1) makes it clear that except as provided in Section 401(a), no other provision or requirement in the Act is subject to judicial review. Title I, those portions of Title II not expressly referenced above, and Title III are completely exempt from any judicial review. Section 401(b)(2) states that, except as provided in Section 401(a), the Act creates no right or benefit that can be enforced by any person in any action. Section 401(a)(6) states that any agency rule for which a general notice of proposed rulemaking has been promulgated after October 1, 1995 shall be subject to judicial review as provided in Section 401(a)(2) (A) and (B).

U.S. SENATE,  
OFFICE OF THE SECRETARY,  
March 10, 1995.

Hon. DIRK KEMPTHORNE,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR KEMPTHORNE: Per our conversation of March 9, 1995, I am writing to confirm that in the counting of days in the U.S. Senate, a sine die adjournment will result in the beginning again of the day counting process and that the sine die adjournment of a Congress results in all legislative action being terminated and any process ended so that it must begin again in a new Congress.

Hoping this may be of help. I remain,  
Sincerely,

ROBERT B. DOVE,  
*Parliamentarian, U.S. Senate.*

WILLIAM F. CLINGER,  
ROB PORTMAN,  
DAVID DREIER,  
TOM DAVIS,  
GARY CONDIT,  
CARDISS COLLINS,  
EDOLPHUS TOWNS,  
JOE MOAKLEY,

*Managers on the Part of the House.*

DIRK KEMPTHORNE,  
BILL ROTH,  
PETE V. DOMENICI,  
JOHN GLENN,  
J.J. EXON,

*Managers on the Part of the Senate.*

#### VACATING OF SPECIAL ORDER

Mr. STEARNS. Mr. Speaker, I ask unanimous consent that the 5-minute special order granted to the gentleman from Missouri [Mr. TALENT] for Wednesday, March 15, 1995, be vacated.

The SPEAKER pro tempore (Mr. JONES). Is there objection to the request of the gentleman from Florida?

There was no objection.

□ 1415

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. JONES). Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

#### TERM LIMITS: BRING IT TO A VOTE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Oregon [Ms. FURSE] is recognized for 5 minutes.

Ms. FURSE. Mr. Speaker, I am here today to talk about promises. The Republicans have not lived up to their promise with the American people. Today we were supported to vote on term limits and on the first day of this session, I introduce a term limits bill that mirrors the one passed in my home State of Oregon. Oregonians overwhelmingly support term limits, and the majority of Americans do, too, and by all of the talk by Republicans, you would think they supported term limits too. But apparently not so.

The leadership will not schedule a vote on term limits today because a lot of those people who campaigned on term limits have suddenly gotten squeamish now that they are in office. Our current Republican Speaker has served in Congress for 28 years. That is what I call a career.

By not voting on term limits today, Republicans are saying that maybe they don't care what their constituents want. Maybe they just want to stay in office.

Most of those Republicans who signed this Contract With America said they are proud of it and they keep saying so. That contract has been rushed through Congress. Most of the issues being voted on have never been scrutinized in a hearing or allowed full public comment. But Republicans don't seem to have any problem voting anyway on those very important issues.

For instance, when the contract called for slashing laws that protect our health and our environment, laws like clean air and clean water, they had no problem scheduling a vote. When the contract called for taking away the number of cops on the street, no problem then for scheduling a vote. When the contract calls for taking away the rights of women and children and seniors to get fair treatment when a company knowingly harms them, again, no problem scheduling a vote.

But I want to remind all of us that the contract also called for a vote on term limits. We were supposed to vote on that today and tomorrow, but guess what? That is a vote that affects Members of Congress.

Now, we are not talking about hurting women and seniors and children and the environment or civil rights, no, not when we talk about term limits. What we are talking about is Members of Congress, about their jobs, their power, their incomes. Now we are talking about something that actually affects us.

I think that that is outrageous. I think that the business of this Congress is to keep our promises, and the reason why the public has such a low regard for Congress is because lawmakers put their interest in front of their constituents.

I came to Congress to do a job, not to get a job. I came here to change the spending priorities of Congress, to protect a woman's right to choose and to make our streets safer for all our citizens and, when my work is done, I will go back to my farm in Hillsboro, OR.

It has been an honor and it is an honor to be a public servant and I am proud to keep the promise I made to my constituents. I am here to fight for them. But I am not here to make a career out of it. I call on the majority to be honest with the American people, bring up term limits for a vote now, today, or tomorrow.

Mr. ROHRABACHER. Will the gentlewoman yield?

Ms. FURSE. I yield back the balance of my time.

Mr. ROHRABACHER. Would the gentlewoman yield for a question?

Ms. FURSE. Yes.

Mr. ROHRABACHER. Your complaint today is we did not bring up the term limit votes today. Is there some doubt in your mind that it will be brought up during the first 100 days as was promised the American people.

Ms. FURSE. The vote was scheduled for today and tomorrow; and Thursday evening, at the very last moment, I received the word that we were not going to vote on term limits.

Mr. ROHRABACHER. Is there any doubt in your mind—our Contract With America said it would be within the first 100 days there would be a vote on this issue.

Ms. FURSE. It makes me very doubtful. It raises a strong doubt. Why have we been voting on things that hurt children and women and the environment and civil rights, like the fourth amendment?

Mr. ROHRABACHER. So the gentlewoman has a doubt that the Republicans mean to bring this up to a vote. I would hope that the people that have that doubt, and if we do bring it up for a vote, that they will then understand the Republicans are keeping their pledge.

Ms. FURSE. I would hope they would keep their pledge on time. I would hope we would vote on this only issue that affects us as Members of Congress, and I yield back the balance of my time.

Mr. ROHRABACHER. Would the gentlewoman answer one other question? When have the Democrats for the last 40 years had such a vote?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. BATEMAN] is recognized for 5 minutes.

[Mr. BATEMAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### NOTABLE WOMEN OF HISTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I just would like to add to the gentleman from Oregon's concern before I go into what I wanted to talk about. I think her concern is a legitimate one, that for over 200 years of this Republic we have done without term limits, and we have now driven the American people to really want term limits, and yet we seem to be able to get everything else up on time. But we tend to want to play with the term limits legislation so that it won't really apply to us, so that everybody will get at least 20 more years in before they kick in. There are some games being played and I think she had a legitimate point.

But, Mr. Speaker, the reason I really come to the floor is to talk about women's history week because—actually it is a month, we get a whole month this year, and it should be a month because actually this is a year where we are celebrating the 75th anniversary of women having gotten the right to vote federally, so in this diamond jubilee, I think it is only right that we look back at some of the history that so many Americans really don't know.

I want to just quickly talk about three women this morning that I think all played very important roles that a lot of people don't know about.

First is Anne Hutchinson. Ann Hutchinson was born in 1591 in England. She was born during the reign of Elizabeth I. Her father was an Episcopalian minister and she migrated with her husband to the Massachusetts Bay Colony. She was very steeped in the theology because she had grown up with it, and obviously it was not long before she came to loggerheads with the different leaders in the Massachusetts Bay Colony who really were not under free speech. They were only into free speech for themselves.

We as Americans talk about, first, free speech, and, second, freedom of religion, but let me tell you, the first guys that got off the boat were not for that. And it was this very courageous woman, with her husband standing beside her, and she had over 12 children to join her, that took up this cudgel, and she and their followers ended up moving outside of the Massachusetts Bay Colony after several very prolonged trials where they tried to try her for witchcraft and everything else.

They moved and they started the first colony in America that had freedom of religion and freedom of speech in it. So I think as we talk about that, we should remember where some of those ideas came from and came from early on.

Another woman that I would like to talk about that we don't mention, she was one of the very early women in America to become a doctor, Mary Edwards Walker. She was not the first, but one of the first, and she became a great friend of Ms. Bloomer of the Bloomer girls. People forget where the word "bloomer" came from; it came from the woman who came up with the idea that it was very difficult to wear

hoop skirts all the time and came up with these billowing bloomers.

Well, Dr. Edwards, or Dr. Walker became very, very involved in serving the Union Army in the fields, and when she used to come into Washington, DC; to get you in someplace, they would arrest her because she was not wearing proper attire. If you can remember the attire of the Civil War, you can certainly understand why if you were a woman doctor and you were out on the field treating patients, you were not running around in one of those big hoop skirts. And finally, the Congress gave her a special exemption so she could come into town and resupply and not be arrested because of the terrific, meritorious job that she was doing for Union soldiers.

I think that is another very interesting and heroic woman that we know very little about. Another woman that I think is very interesting is Bertha Palmer. How many people who grew up in Chicago know about Palmer House, and she was the spouse of the Palmer of Palmer House. She also, when she inherited his wealth, proceeded to double it before she died, which is no shabby task, but she was a very, very strong person for women's rights. And some of the very interesting things that she did was during the Columbus exhibition, when they were celebrating the 400th anniversary of Columbus finding America, she was on the board and she said, "Well, aren't we going to do anything about Queen Isabella who at least put up the money."

I mean, this woman had some respect for that and of course you could imagine what the old boys said. They said, "See, that is what happened, put a woman on the board, the next thing you know they are trying to take over everything," so she ended up having to form a woman's exhibition right alongside of it. It became very successful and actually it ended up in the black even though the other one ended up in the red.

So these are three mothers that I think we should think more about in this month and I hope we get to think about many more.

#### ON MEXICO BAILOUT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. STEARNS] is recognized for 5 minutes.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, my friends, in politics as in humor, timing is everything, and the timing of President Clinton's \$20 billion bailout of Mexico could not be worse. At the very moment, the American dollar is taking a beating in world currency markets. The Clinton administration is sparing no expense to shore up the Mexican peso.

In looking through some of the clips over the weekend, it seemed to me the

timing of what President Clinton is doing is everything. For on this House floor this week we will be voting on a rescission package that cuts benefits for veterans.

Now, how do the veterans feel about a rescission package that cuts the veterans at the same time we are shoring up the peso by giving \$20 billion to the exchange stabilization fund?

Let me also talk to you about what the chief economist at Lehman Brothers, Allen Sinai said: "The dollars' new all-time lows are being generated by the United States ties to Mexico and the panic flight right now of funds away from weak currency countries, Mexico, Canada, and the United States."

Need I remind the Members of this body that the exchange stabilization fund that is being tapped by the Clinton administration was set up explicitly to protect the value of the United States dollar, not the Mexican peso. Yet the administration has already disbursed \$3 billion from this fund to Mexico whose current political corruption saga contains more characters than a Tolstoy novel and is expecting to ship down the next \$7 billion by the end of June. And for those of my colleagues who didn't read the paper this morning, Mr. Salinas, the former President of Mexico, has left Mexico, and now intends to reside in Boston, MA, and be a consultant.

Mr. Speaker, James Madison wrote, "The House of Representatives alone can propose the supplies requisite for the support of the Government. They, in a word, hold the purse."

My colleagues, what that means basically is Congress has to approve money that you spend. The administration can't take this kind of money from the American people without Congress approving.

So that is why I call on the rest of the Members of this House to allow a vote on congressional approval for any additional funds to Mexico and suspend further payment until all the questions are answered from the Leach letter that we approved in a House resolution here on the House floor.

I would like to conclude by reading a quote from a leading columnist in Mexico talking about the recent disruption in Mexico and the peso, and she said, "Two things happened to Mexico under Mr. Salinas. He made us believe in the Government of Mexico and he anesthetized us from the corruption. Now the new President has made us see the corruption, and the result is we don't believe in Government anymore."

Mr. Speaker, now is the time to allow us to vote on this matter and suspend all further payments, particularly in light of the fact that we have a rescission package coming on this House floor that is going to be \$17 billion, almost as much as the President intends to give to Mexico without congressional approval.

Mr. Speaker, I yield to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Speaker, we will be voting on Wednesday on a major rescission. We will be voting to cut the spending for many programs that many of our people have learned to depend upon. Whether or not they should be depending on these programs, whether or not the Federal Government should be in those areas or not is a matter of debate, but if we cut these programs and then we spend the money, not on their benefit by bringing down the Federal deficit, which is the purpose behind cutting spending supposedly, but instead allow that money to be taken from the United States Treasury and sent to Wall Street speculators who went to Mexico to receive high returns on their investment or the Mexican elite, which is a corrupt elite that have betrayed their country time and again, we ourselves will be betraying our people in the same way that Mexican elite has been betraying their own people.

This bailout is a crime against our own people, and on top of that, it will not work. One can see the nature of this crime by the fact that here we are talking about the transferring of billions of dollars, American taxpayers' dollars, without so much as a vote of Congress.

The last time I heard, money was not supposed to be spent in this country unless the elected Representatives of the people voted for it. This is a travesty. It should and it will be stopped.

#### MORE ON THE MEXICAN BAILOUT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. ROHRBACHER] is recognized for 5 minutes.

Mr. ROHRBACHER. Mr. Speaker, in terms of the bailout, the Mexican bailout, there was no vote in this body on the transfer of those funds. In fact, when the President of the United States turned to Congress and saw that there was no support in Congress for this \$40 billion, potentially \$40 billion expenditure, he proceeded in what I consider an antidemocratic fashion to scheme and to plot in what could be a legal way of taking billions of our dollars and sending it to Mexico and spending it on the purposes he intended, meaning the bailing out of Wall Street speculators and basically lining the pockets of a corrupt Mexican elite so that the system will not break down in Mexico.

Well, perhaps it would be good if the current Mexican elite, which is corrupt, which has been antidemocratic, perhaps it would be good if that power structure did break down and that the people of Mexico at long last would be given a chance for true democracy and honest government, because the grip of their oppressor would have been broken.

We have a chance to try to put an end to this. Already \$3 billion has been spent. It is up to Congress now to do

everything that we possibly can to stop the spending of that money, mainly because—OK, it is wrong but also it will not work. It is not going to save Mexico.

Sending—you know, pouring money—it is the old adage, sending good money after bad is not a way to make things right. It will just make things worse. In Mexico, it will not work.

What is needed down there is a change. It needs change, basic change, and by us subsidizing the status quo by spending billions of dollars, we will not see that change come.

Mr. Speaker, I yield to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. The gentleman, perhaps like myself, has heard the arguments if we do not give this money to Mexico, there will be a financial catastrophe in Mexico and we hear that oftentimes here in the halls of Congress and we have heard the administration—in fact, recently Mr. Greenspan, the Chairman of the Federal Reserve Bank and the Secretary of Treasury, Mr. Rubin, used this. And frankly I think it is sort of a scare tactic because a recent Wall Street Journal properly debunks that whole idea that there would be a financial catastrophe.

From early December through mid-February, stock markets in emerging countries that undertook significant pro-markets reforms, the ones you are talking about, and sound money reforms survived quite nicely during the so-called global crisis that the currency has just been through. Stock markets in Singapore, Chile, and the Czech Republic were essentially flat during that period. Emerging nations with partial or faltering reforms, including Brazil and Hungary, however, did indeed suffer mightily during the Mexican breakdown.

So, in other words, private global investment capital is discerning and mobile. It knows where it is investing its money. It knows a good deal from a bad deal and it will not be intimidated by disaster scenarios conjured up by financial officials like Chairman Greenspan and Secretary Rubin.

Mr. ROHRBACHER. Reclaiming my time, every time we try to cut the budget around here, every time we say, Let us not spend Federal money in this area, let us cut the deficit, we are always told, My goodness, there is going to be a catastrophe, people are going to starve, there are going to be babies in the street, it is going to be horrible.

But you know what, most of these scare tactics that are being thrown out are just absolutely wrong and the people who are talking that way know they are wrong but they are using a tactic to get us to spend the taxpayer's dollar to line their own pockets. This is not contrary to what we have experienced here at home. But let us take a look at that.

If we are going to spend money to stabilize the currencies, what about Russia? Isn't that also an important country? We could be spending hun-

dreds of billions of dollars to stabilize their currency. After all, they have got nuclear weapons. What if chaos erupts in Russia?

This is a formula for the United States to be spending hundreds of billions of dollars to protect other people's currencies, and do you know what that means? That means our currency will come under attack. That means our currency will come under attack. That means people will sense that our currency no longer is strong because we are spending money from a stabilization fund meant to protect our currency that now is protecting these foreign interests who basically are big money guys and rich elitists in other countries, and what happens?

We have found that since the Mexican bailout and the defeat of the balanced budget amendment, that our own dollar is now under attack. This is unconscionable. It has already cost American people too much. It is a disgrace. We have got to act to stop this.

#### ON THE REPUBLICAN AGENDA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from California [Mr. MILLER] is recognized for 60 minutes as the designee of the minority leader.

Mr. MILLER of California. Mr. Speaker, I probably will not take the whole 60 minutes, much to your relief and others, but I would like to take some time here to discuss some matters that concern me, some of which will be addressed in the rescission this week and later those that will come before us in the welfare reform bill proposed by the Republican Members of this Congress.

First of all, let me just say that it is pretty well documented now and I think people have come to understand that the welfare reform bill holds major, major cuts to populations that are very vulnerable in this American society and especially with those cuts with respect to nutrition programs for school children and for newborn infants and for children in child care settings. Specifically, some \$7 billion are cut out of nutrition programs that serve the women's, infants' and children's program and the school lunch programs.

Now, many of my colleagues on the Republican side of the aisle have come to the floor and suggested from time to time that they are not cutting anything, that they are simply slowing the growth, but the fact of the matter is that they are removing a little over \$7 billion from these programs over the next 5 years, and that means that the people who are administering these programs at the local level, because that is where these programs are run, will have to decide whether fewer children receive a school lunch or whether they will receive a smaller school lunch or whether they will receive it fewer days a week than they would

otherwise, because this money is simply not sufficient to keep up with the current—the current—demand on these programs. And of course, if the economy should go into any kind of downturn, as more and more people become eligible for these programs because they have lost their jobs in the economic downturn, there will be no money to provide for those children and those programs.

The program also, and you will start to see the linkage here, that the Republicans also cut the moneys for the women's, infants' and children's program. Again, they will argue it is block granted. Again, they will argue it can be used more efficiently, but the fact of the matter is that the funding is incapable of keeping up with the current demand with a case load that unfortunately, unfortunately in this country, continues to grow, and that is, women who are pregnant, that are certified to be at medical risk of either not being able to carry the pregnancy to term and thereby giving it very extensive risks to a low-birth-weight baby being born.

We know from all of the academic studies and scientific studies that have been done over the last 20 years that should a low-birth-weight baby be born, a baby generally under 5.5 pounds, that that baby suffers a dramatic increase in the likelihood of mental or physical disabilities or other complications, medical complications at the time of birth. That baby can very easily cause the increase, because of the intensive and increased medical attention at the time of birth, that baby can cause an expenditure in the hundreds of thousands of dollars over a very short period of time to try to get the birth weight of the child up and to get the child functioning properly, to deal with the problems of the lungs, the respiratory problems that come from low-birth-weight babies as they are born. If the baby is very low birth weight, of course the complications become much more dramatic and the costs much more dramatic.

Interestingly enough, though, what we have found following these children over an extended period of time is that when you return them home from the hospital to the parents who now have a healthy child, a child that is up to par here in terms of its birth weight and it is looking healthy here, that many other problems continue to linger with these children, that these children now, as we track them, are 30 to 40 percent more likely to come in and need special education, remedial costs all throughout the early years of education.

So these problems do not end. Their problems do not cease, and yet we know that if we get them back up and if we were not cutting the WIC programs, that we have a dramatically, a dramatically increased opportunity of raising the birth weight of this child, of having this pregnancy go to term and having this child be a healthy,

bouncy baby at the time of birth and not suffer all of these tragedies for the family, for the child, and eventually the expenses for the taxpayer.

But what are we doing now after 20 years of treating this population, we have now decided that we are going to turn our backs on this population and cut the funding to this most vulnerable, vulnerable group of people in our society, and something that is clearly preventable with a matter of a few dollars a week, because what has a few dollars a week done? What it does is it provides for medical screening for the pregnant mother.

At that time we try to tell them, do not engage in the use of alcohol, do not smoke during pregnancy because it can have a dramatic impact and unfortunately a bad impact on the fetus and the baby when it is born, and we also try to get them to understand nutrition.

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And in that light, we provide for them high-protein foods, foods high in iron and other supplements that we know can have a very dramatic impact on the likelihood that this nutritional risk that the woman suffers from can be reversed and we can have a healthy pregnancy at the outset.

Mr. Speaker, I yield to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. I am delighted that the gentleman from California has taken this time, because I think there are a lot of myths going on. My understanding is that many offices are being flooded with phone calls because somebody on the radio told them that they were wrong.

But you do not have to be a rocket scientist to figure out Members of Congress cannot say we are delivering all these savings, but of course we are not cutting anything. It does not figure.

And I know the gentleman worked on the same reports that have seen when he chaired the Select Committee on Children, Youth and Families that showed constantly over and over and over again every dollar spent by the Federal Government for immunizations, for WIC, for child feeding programs, we got back over and over and over again. It was one of the best investments we can make.

So I think the gentleman's point about cutting this, or even cutting the increase in this, without having it driven by the need I just think is outrageous, because it is very shortsighted and we are going to see very, very long-term spending.

Mr. MILLER of California. I thank the gentlewoman. And we both had the honor to chair the Select Committee on Children, Youth and Families in previous Congresses. It is interesting that they try to portray to the public that there essentially will be no cuts in these programs affecting the children, what have you, and yet they are also telling everybody that they cut all this money out so they can afford a tax cut

to the wealthiest 1 percent of the people in the country.

If there are no savings and no cuts, how do you pay for the tax cut? They say that they pay for the tax cut by the savings that they have made. You serve on the Committee on Armed Services. If you were to say to Congressman CUNNINGHAM, who serves, I believe, on the Committee on Armed Services with you. And he says this is not a cut, we are simply reducing the growth in spending. If you were to tell him that you were going to take the armed services down to current services to maintain this current fighting force next year and the year after, taking into account inflation and mission growth and all the other things that are taking place, and you told him that you were going to take away the money that would allow that, would he say, "That is a cut" or would he say, "That is not so bad; it is slowing the growth"?

Mrs. SCHROEDER. You are setting me up. We would have to get a very large ladder and a scrapper and we would have to scrape him off the ceiling. He would be so angry that we would even think about cutting defense. In fact, they are yelling that defense is not high enough, even though defense is more than almost every other Nation on the planet is spending on defense added together, but that is still not enough. And, therefore, they are willing to go after these vulnerable populations.

I must say in my district I have not found anybody who agrees with these cuts. I have not found anyone who thinks these cuts are a great idea in order to give some fat cats who can pay \$50,000 a plate for dinner, to give them a break. They do not feel that you take it from the most vulnerable and give it to the guys who have done the best. That is not America.

What I am hoping is that people who do agree with these cuts would not only write me but send me their picture. And I would hope that you would ask the same thing. I would like to have a board back here. I want to see what these people look like. They do not look like any Americans that I know.

And, really, there is a lot of flimflammy and a lot of smoke being blown around here. But the bottom line is, as the gentleman from California is saying, when you blow away the smoke, the children are going to be hurt.

Mr. MILLER of California. The gentlewoman is exactly right, because the fact of the matter is that if you take the cuts in school lunch programs, you are talking roughly about 2 million children that would have been served over that period of time, those 5 years, that simply will not be served because the programs will not have the money.

The notion is to suggest, again, that somehow local school districts will make up that money. The fact is that

the local school districts do not have that kind of money. And in our State they have been taking money from the School Lunch Program to do other things with. That is why we have a National School Lunch Program, because we knew that the politics was the most difficult at the local level and moneys were diverted to other purposes.

Mrs. SCHROEDER. Could I ask the gentleman another question? I think it is good to clear the airways that are cluttered with a lot of noise. The other issue being the women, infants and children's programs. And I know that we have worked very hard to get the best deal on formula we have ever seen. And no one that I am aware of has been complaining that that program has been mismanaged or anything else. To now see it broken up and sent out to 150 different States, when I believe and the gentleman from California knows about this, we have saved about a billion dollars just in the contracting with infant formula people.

Mr. MILLER of California. The gentlewoman is quite correct. What we found out, unfortunately, is that, this never ceases to amaze me, but we do have very upstanding members of our communities and corporate members of our community who are fully prepared to rip off the taxpayers.

And what we found at one point was that a number of formula companies were charging very excessive rates for the formula for the newborn infants in this program, so we went to a program of bidding and making them compete on a national basis for these contracts and it dramatically lowered the cost of the formula about a billion dollars. And that was able to be plowed back into extending the number of infants that can be served.

Interestingly enough, in the bill that we will be considering, although this was a proposal by, I believe, the now chairman of the committee, the gentleman from Pennsylvania [Mr. GOODLING], that we tried to make sure that this bidding would continue and that amendment was rejected in the committee.

So now we have the ability to see people negotiate contracts and, as I said, unfortunately, one of the sad things in our job from time to time is that we find out that there are professional people, well-educated people, and a lot of other people, who are fully prepared to rip the Federal Government off for their own narrow gains. And now the likelihood of that happening again is substantially increased and the loss of these savings and the loss of nutrition to the newborn infants and the babies.

Mrs. SCHROEDER. Might I ask the gentleman another question, because I figure in a way maybe our dialog here can straighten out some of these things. There is so much disinformation around.

While I chaired the Committee on Children, Youth and Families, I do not believe we ever had one person come in

and complain, one person, about the management of the feeding programs for children and for WIC and for others. And I was wondering about the gentleman's experience when he was there. In other words, I am going through that old adage, "If it isn't broken, don't fix it."

Mr. MILLER of California. The gentlewoman is quite correct. There has been very few, if any, complaints about the management of this program. The WIC program is essentially run at the local level. We simply reimburse the States for the formula and for the food that they provide for the pregnant women and for the newborn infants.

It is run by State WIC directors and local WIC people in the counties that come together for this purpose. And there is unanimity. People like the way the program is being run now. And that is why the Congress, even during the Reagan years and the Bush years, there has been a steady trend toward full participation, 100 percent participation in WIC, because both Republicans and Democrats and Governors and Senators and Congresspeople and local county health directors and medical directors, they all like the way this program is running.

Now, we are using the issue of a block grant so we can slice the funding. It is a ruse, it is camouflage to cover up what is actually going on. It is interesting in the Committee on Education and Labor, the Republicans selected five witnesses. They selected the witnesses. I do not think we were allowed to have a witness from the Democratic side; maybe one. And all five witnesses said, "Leave the program alone. Leave it alone."

The only problems we have had in this program is from time to time when people from the private sector have come in and ripped the program off with stale meals and old meals, bad food, mislabeled commodities, phony formula. Those kinds of problems; not from the public sector but, from people from the private sector who are trying to rip the program off and make ill-gotten gains at the expense of the children.

Mrs. SCHROEDER. And we have aggressively gone after that.

Mr. MILLER of California. And that is minimal at this stage; 10 or 15 years ago it was a major problem, but because of the changes that have been made historically on a bipartisan basis with Senator DOLE and Congressman GOODLING leading the Republican efforts, this bipartisan effort on agriculture and on the education committees had worked out so that we have a program now which is the model throughout the world.

The WIC Program is the model throughout the world on how to deal with high-risk pregnancies and all of the tragedies that can come from that. And going up front and providing a very strong prevention mode that has worked beyond people's wildest expectations.

You point out that we saved \$3 for every dollar that we expend in WIC and \$10 for every dollar that we spend immunizing a young child. That is just the immediate medical cost. That does not go to what you save in special education and remedial education and all of these other problems that, unfortunately, these children manifest many years later that have been separated from the time of birth when people are no longer concentrating on what happened, so that now Sally or Johnny has a problem in class or with attention span or all of these other problems that occur today.

Mrs. SCHROEDER. If the gentleman would yield further, I guess I stand here absolutely stunned by all of this because my other committee, unlike yours, is Armed Services. And we certainly could not come to the floor and say, "This has been a model. This has been marvelous. No one has come in front of us and shown us any fraud." My word, it comes in by the ton over the transom every year in every Member's office. And no one is proposing to block grant the Pentagon. It is interesting, the systems that are having trouble, they are winking at and saying, "No, we have to give them more money."

Mr. MILLER of California. It is not to block grant it. They make a big point about they give in the nutrition program 200 million more a year. But if the money is insufficient to meet the demand of the children that are eligible, the children who need this nutrition, then they are in fact cutting the program.

If I said to the people in our Committee on the Armed Services: We will give you \$500 million more a year every year for the next 5 years, they would say that is absolutely unacceptable. We have contingencies we cannot foresee. We do not know what is going to happen.

Mrs. SCHROEDER. They are saying that it is threat-based. We must have it be threat-based.

Mr. MILLER of California. We would like this to be family based and nutrition based and health based for the children of this country.

Mrs. SCHROEDER. The gentleman is correct. And I think it is so important to remember why we got into this. We got into this for national security reasons and that is because during World War II they found so many of the people that they drafted, when they came in for their physical, they were suffering from so many things from malnutrition and decided that it was a whole lot better to have some nutrition programs and some feeding programs and, obviously, national standards.

The idea to me that we are going to have 50 States having 50 different nutritional standards makes me crazy. But I think all of these things started as a national security program. Maybe what we ought to do is put it in the defense budget. I do not know.

And then the other thing, and this I realize I should not ask anyone from California. I realize you are in a difficult position, but I think of our Nation's children as a national problem. And it seems to me that in the past this is how we reflected it and they is why these have been in the budget.

And it seems that with these block grants we are saying, "Do not bring your problems anymore." We will throw money to the State and quickly we will get bored with that problem and it will be easy to cut entirely.

But another piece is we are saying that disasters have become a national problem, but not children. Part of the reason that we are hearing that we have to cut these is because of disasters.

Mr. MILLER of California. I think it is very unfortunate that we see the situation where before the election, when we had the Northridge earthquake in California, again on a bipartisan basis, people believed that that was a national emergency and you should not cut other program to pay for that.

I happen to have a little different view. I believe we should privatize the disaster system. We cannot have the "Disaster of the Month" here draining the Treasury. And I would have hoped that we would have done that with this California aid bill. The gentleman from Illinois, Congressman DURBIN, had a proposal in to do that and then we would have a rainy day fund and an earthquake fund or hurricane fund so that we would build that money up so that we could pay it out.

But that was not done, so now as we are halfway through taking care of people who were devastated in the earthquake, people who still cannot enter their houses or businesses or the universities because of the earthquake damage, all of a sudden we have decided it is no longer a national emergency and it is going to have to be paid for and the way to pay for it is to cut summer jobs for children, to cut drug-free schools and to cut the weatherization program to pay for the California aid.

And at the same time, the California Governor wants to give the same amount of money back to the taxpayers of California for a tax cut. So you are telling people in our State of Colorado, or New Mexico, or Maine, or Texas, you have to cut all of your programs to pay for the California aid, but the people in California are going to get a tax cut. I think that is a little hard to sell.

And I think that the Governor is doing a little bit of putting the pea under the walnut shell and seeing whether or not Congress can follow it. Apparently, the Republicans have lost the pea and they have decided they are going to go ahead and give them the money and he can give the tax cut and people all over the country will have those programs cut. It doesn't make any sense.

I honestly believe, and said this during the Midwest flood crisis, that we have got to develop another means of this so that we do not reach out on an ad hoc basis when we have these horrible, horrible disasters that this country, given its geographic size, is never going to be immune from, no matter what we do.

Mrs. SCHROEDER. I truly thank you for being a statesman, because that is what it is. If you are from California, it is difficult to say what you just said.

Mr. MILLER of California. I just talked to my wife this morning and the sandbags are out. We are about this far from—

Mrs. SCHROEDER. It is right at your front door. But I think you are absolutely correct, with the water at your front door, for which there would be a great temptation to say yes, the feds should pay for this and cut any program that there is, you are pointing out if we put cut these feeding programs, we are going to have a much bigger national disaster coming down the road.

And it is not fair for the Governor to have it both ways. He can give back State taxes and then we are forced here to send our Federal taxes to him.

Mr. MILLER of California. The word ingrate comes to mind.

Mrs. SCHROEDER. It kind of comes to mind. I again thank the gentleman.

Mr. MILLER of California. I thank the gentlewoman for joining me in these remarks and raising these points.

The point is that when we look at the rescission bill that we will vote on on Wednesday, the cuts come from low-income housing, from elderly housing, low-income energy assistance. We are taking from the poorest people in this country to provide the disaster assistance so we can provide a tax cut. It just does not make sense and it does not add up. It sounds like Mexico. It sounds like those folks would not go for it over there.

Mrs. SCHROEDER. It is going to go for tax cuts for the richest and disaster relief and it is going to create a huge disaster downstream.

Mr. MILLER of California. I thank the gentlewoman for joining me and, again, for all of her involvement in these issues.

I would just like to say now that it has been pretty well established that the Republican budget cuts and the welfare reform are prepared to turn their back on the issues of prevention with respect to disabled children and preventing these pregnancies that are high risk that we have identified.

We know before the fact, we know that we can go out and change the course of these pregnancies. But yet somehow we are not going to dedicate those funds. And Wednesday we will be voting to cut 100,000 women, pregnant women, pregnancies that are started. They do not know budget rescissions or balanced budgets or fiscal years. The pregnancies are launched, and yet we know if we can get there early, we can

change the outcome of this pregnancy. One hundred thousand women will not be served this fiscal year because of these cutbacks. And that is what I mean by cutting the most vulnerable.

But now let us move on to the next stage of the Republican plan. They have already decided they are not going to make the maximum effort to prevent a birth defect from taking place or prevent a low-birth-weight baby from being born or to prevent mental retardation or physical disabilities that occur for a whole host of reasons. They are not going to make that effort.

But now what we find out is that they come back years later. And when we see low-income families, one of the facts about disabilities, mental disabilities and physical disabilities and birth defects, is they know no socioeconomic bounds.

You can be living behind a gated community in a country club and you can have the sadness of the visitation of a birth defect come to your family. And you can struggle with this child and to work out and to create a life for the child and a community within your family, and a family setting for that child, or you can be the poorest person in town. It can happen.

But what we see now is that they are going to take 225,000 children who are severely disabled, either mentally or physically, and they are going to take them off of the Supplemental Security Income Fund that was created to try and help these most disabled children. And they are going to take these children off because they believe that somehow some parents may be coaching their children to act like they are retarded, to act like they have learning disabilities, to act like they have mental disabilities so they can get \$400 a month.

I am sure somewhere out there some place there are parents who do this. But let us assume it is 10 percent. It is 10 percent of the parents, so it is 25,000 children. That still leaves you with 200,000 children who are medically certified as severely disabled children. They are off the rolls. This low-income family now gets no fiscal help for the taking care of this child.

Assume it is 20 percent. You have 175,000 children out there who come from low-income families, because you only get the 400 a month if you are very poor. You must be among the poorest to get the maximum payment. You are off of the rolls.

So if your child has cerebral palsy, you are off of the rolls. If your child has other complications, such as the 6-year-old Jennifer Cox, who suffered from a congenital bowel malformation requiring a colostomy, and eye problems and lacks peripheral vision causing her to run into the walls.

At 6, she is not yet toilet trained. But if you are the family trying to take care of your child with all of these problems, we are going to say we are not going to help you anymore, even if

you are low income. Somehow, that is not going to happen, because we are going to provide for a tax cut.

Or Kendra Whalen who is 2 who suffers from a very rare growth condition in which one arm is twice as long as the other arm which means it causes her to lose her balance, motor impairment, spinal curvature and has lost lung volume because of this. Kendra is off the rolls if this goes through.

And it goes on and on. To Mosha Smith who is 10 months old, requires a shunt in the back of her head to drain the cerebral spinal fluid from her brain into her abdominal cavity. She suffers partial paralysis of the legs, bowel and bladder and a condition that requires frequent catheterization.

The family is struggling to take care of these children in their family settings. They love these children. And yet somehow what we are saying to these families is the Government cannot help you a little bit.

And what is the help for? What is the help for after the child has been medically certified to suffer these disabilities of retardation, of physical impairments? A documentation that requires the person from Social Security to talk to child care providers; to talk to physicians; if they are school age, to talk to the school personnel; to talk to neighbors and playmates to make sure that this, in fact, this person is disabled to the extent to which it has been represented.

If you are so fortunate to get this help so you can keep your child home, so you can keep your child out of an institution, so you can provide your child some semblance of a normal family life and a normal childhood experience, be they infant or school age, what are you doing with this money that you are getting?

In some cases you are probably having the child's clothing altered, so instead of buttons it can be velcro because the child may not be able to button their clothes.

You may be paying utility bills because a child at home may be on a respirator for 24 hours a day. You may have it to buy or rent a backup generator, because you worry that the loss of electricity for the child who is on the respirator.

You worry about your ability for communication devices, so if something goes wrong you will be able to communicate to people.

What about all the telephone calls you have to make? You are a low-income person with a severely disabled child in your home. You are making phone calls to medical providers, pharmacists, to social services, to schools. We are not going to help you out with that.

How about specially trained child care? You are trying to work. You are low income and you are trying to work, but most child care centers will not take these children. They are not equipped or trained. And if you do find a place for your child, it is much more

expensive. But the Government is not going to help you anymore.

Respite care. The taking care of these children is a 24-hour-a-day job. Husband and wife work it out together. They juggle their jobs. Most often what happens is one of them gives up income so that they can take care of the child. So you pay for respite care.

What is respite care? It is a chance to have the child taken care of for 5 hours, 6 hours, 12 hours. Maybe a big thrill, overnight so you and your spouse can spend the evening together. That would be the big thrill. Twenty-four hours of respite care. The Government helps you pay for that now. No longer, when you have a severely disabled child.

What about transportation? Additional transportation if the child is an older child? I mentioned adaptive clothing, the special laundry. The diapers for a teenage child that is uncontinent. You have to go through that for all those years.

Adaptive toys. All of the repairs for the equipment that you have for your child. That is what the \$400 a month goes for and that is what is going to be cut off in the welfare reform bill for these most severely disabled children.

We cannot really be doing this in the name of humanity. We cannot be doing this because it is good for the children. We are simply doing this because the Republicans are on the march to round up money so that they can provide a tax cut, as we said, to some of the wealthiest people and corporations in this country.

I am sure that each of those people who earn over \$100,000, \$150,000, \$200,000, if they knew where this money was coming from would probably say, "Why do you not take care of the children? Why do you not help out this family? Why do you not help these families who are financially poor and now have to deal with the problems of a disabled child in their family?"

I am sure that is what those people would say. But, apparently, the politicians whose represent them cannot get that message that that kind of cut is not necessary. This is not a cut about fraud and abuse. This is a cut about gathering up money that some people think that maybe families should not have.

Now, you could get the money if you can show that but for that money, your child would not have to be institutionalized. So if you have the threat of losing your child into an institution, away from your home, even though you want to take care of it, even though it may be less expensive, that is what you would have to show.

What about all the time and the effort and the money that these families put into these children already before they ever get to the Government for help? We have had hearings after hearings on these children and these families and what you see is a very loving child, a Down's syndrome child, a child

with cerebral palsy, and a very loving family.

But in this day and age, to hold that family together economically is very difficult with both people working. And if you are low-income, it is almost impossible. So what do you do? You risk losing your child. You risk having to give up your child, because you cannot get the money so that you can give up some hours of work to stay home with that child. And so, therefore, you must show that the child must be institutionalized. Somehow that does not seem to be fair. That does not seem to be fair in terms of putting families into that situation and I do not think it should be done.

If there is some allegation of fraud, if there is some belief that out there somewhere, some parent is coaching their child, then why do we not make it a crime? It is a fraud. Well, it is crime. Do what you want to do.

And the one random sampling of over 600 of these cases, I believe, in 13 cases, no case did they find coaching. And in 10 or 13 cases they thought maybe that potentially there could be some coaching. And I think 10 kids were taken off, but that comes nowhere near the whole population or 5 percent or 2 percent of this population.

And that is why we have to ask whether or not this is really where we want to cut the budget to these most vulnerable families and these most vulnerable children. We have had a history of commitment to these children. We have had a history of commitment to these children because we realized their situation.

We have recognized the stress, the pain, the financial burden that this places on a family. And we have said we will try to help you where that help is necessary. And now we are saying we are going to withdraw that kind of support.

I do not think that that is going to go over well in this country. I do not think that the people believe that that has a higher priority than a tax cut. I think that they believe that that is one of the missions of Government, to see that these families can stay together. To see that children are not taken away from their parents who love them, but are not able to care for them for the want of a couple of hundred dollars a month.

And finally, let me say this. That should a family have to give up their child, and should a family be unable to care for that child, and if because of those special circumstances that child becomes eligible for adoption, cutting SSI makes the adoption of that child much more difficult. Because today, the adoptive families could get some financial help for taking a child with special needs, reaching out to a child with disabilities and saying, "We will make this child a part of our family, but we don't have the financial wherewithal." So it is a better deal for the Government. A child gets a loving family.

But today, that assistance would be cut off under this provision. So now a family that wants to adopt this child with special needs is denied the opportunity. The child is denied the opportunity, so now the child is in foster care. High-cost foster care, because foster care for children with special needs is very expensive, very difficult to come by.

So I want somebody to explain to me, when you get all done cutting the WIC program, the school lunch program, and the SSI benefits for disabled children, and the adoption benefits for disabled children, I want people to explain to me how the children are better off when the Contract With America is done.

The children of this Nation are the first victims of the Contract With American. I guess these Republicans grew up hearing, "Women and children first." They thought that meant to throw them out of the life boat. It meant to put them in the life boat first. It means to save the women and children.

And yet, what do we see? We see that the contract now takes away prenatal care. It takes away health care for pregnancies because of nutritional risks. It takes away the care for a newborn infant because of nutritional risk and brain development; those first hours that are so important for the development of that child.

And now we see later in life, when this family and child is in need of more help because of the birth defects that they suffered, because of the disabilities that they suffered, once again the Federal Government is walking away.

So, clearly, I guess the policy is women and children first during the contract; that they will be sacrificed first in the contract's period on America's children and on America's women.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. SCHROEDER) to revise and extend their remarks and include extraneous material:)

Ms. FURSE, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

(The following Members (at the request of Mr. STEARNS) to revise and extend their remarks and include extraneous material:)

Mr. TALENT, for 5 minutes, on March 14.

Mr. BRYANT of Tennessee, for 5 minutes, on March 14.

Mr. STEARNS, for 5 minutes, today.

Mr. ROHRBACHER, for 5 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mrs. SCHROEDER) and to include extraneous matter:)

Mr. FRANK of Massachusetts.

Mr. HAMILTON.

Mrs. MEEK of Florida.

(The following Member (at the request of Mr. STEARNS) and to include extraneous matter:)

Mr. BURTON of Indiana.

(The following Member (at the request of Mr. MILLER of California) and to include extraneous matter:)

Mr. PALLONE.

#### ADJOURNMENT

Mr. MILLER of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 14, 1995, at 12:30 p.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

524. A letter from the Secretary of Defense, transmitting the annual report of the Reserve Forces Policy Board for fiscal year 1994, pursuant to 10 U.S.C. 113(c)(3); to the Committee on National Security.

525. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Air Force's proposed lease of defense articles to Turkey (Transmittal No. 13-95), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

526. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Memorandum of Justification for Presidential Determination on drawdown of Department of Defense commodities and services to support the Palestinian police force to carry out its responsibilities, pursuant to 22 U.S.C. 2348a; to the Committee on International Relations.

527. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112B(A); to the Committee on International Relations.

528. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, and other statutes, to extend VA's authority to operate various programs, collect copayments associated with provision of medical benefits, and obtain reimbursement from insurance companies for care furnished; to the Committee on Veterans' Affairs.

529. A letter from the Comptroller of the Currency, transmitting the annual report of consumer complaints filed against national banks and the disposition of those complaints; jointly, to the Committees on Banking and Financial Services and Commerce.

530. A letter from the Administrator, General Services Administration, transmitting

the annual report regarding the accessibility standards issued, revised, amended, or repealed under the Architectural Barriers Act of 1968, as amended, pursuant to 42 U.S.C. 4151; jointly, to the Committees on Transportation and Infrastructure and Economic and Educational Opportunities.

531. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1996 for certain maritime programs of the Department of Transportation, and for other purposes; jointly, to the Committees on Transportation and Infrastructure and National Security.

532. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the guarantee fee provisions of the Federal Ship Mortgage Insurance Program in the Merchant Marine Act, 1936, as amended; jointly, to the Committees on Transportation and Infrastructure and National Security.

533. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Merchant Marine Act, 1936, as amended, to revitalize the United States-flag merchant marine, and for other purposes; jointly, to the Committees on Transportation and Infrastructure and National Security.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CLINGER: Committee of Conference. Conference report on S. 1. An act to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes (Rept. 104-76). Ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARCHER (for himself, Mr. GOODLING, and Mr. ROBERTS):

H.R. 1214. A bill to help children by reforming the Nation's welfare system to promote work, marriage, and personal responsibility; to the Committee on Ways and Means, and in addition to the Committee on Economic and Educational Opportunities, Agriculture, Commerce, the Judiciary, National Security, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARCHER:

H.R. 1215. A bill to amend the Internal Revenue Code of 1986 to strengthen the American family and create jobs; to the Committee on Ways and Means.

By Mr. BLILEY:

H.R. 1216. A bill to amend the Atomic Energy Act of 1954 to provide for the privatization of the U.S. Enrichment Corporation; to the Committee on Commerce.

H.R. 1217. A bill to amend parts B and C of title XVIII of the Social Security Act to extend certain savings provisions under the Medicare Program, as incorporated in the budget submitted by the President for fiscal year 1996; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 1218. A bill to extend the authority of the Federal Communications Commission to use competitive bidding in granting licenses and permits; to the Committee on Commerce.

By Mr. KASICH:

H.R. 1219. A bill to amend the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 to extend and reduce the discretionary spending limits, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM:

H.R. 1220. A bill to establish a temporary moratorium on the delineation of new wetlands until enactment of a law that is the successor to the Food, Agriculture, Conservation, and Trade Act of 1990, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 29: Mr. BAKER of Louisiana.  
 H.R. 117: Mr. HEINEMAN and Mr. WELLER.  
 H.R. 230: Mr. LIVINGSTON.  
 H.R. 612: Mr. LIPINSKI.  
 H.R. 678: Mr. BURTON of Indiana.  
 H.R. 682: Mr. WELLER.  
 H.R. 860: Mr. PACKARD.  
 H.R. 902: Mr. MCCREY and Mr. FATTAH.  
 H.R. 922: Mr. SERRANO and Mr. HILLIARD.  
 H.R. 969: Mr. YATES, Mr. LAFALCE, Mr. LIPINSKI, Mr. BRYANT of Texas, Mr. VISCLOSKEY, Mr. EVANS, Mr. SERRANO, Mr. WYDEN, and Mr. SANDERS.  
 H.R. 1145: Mr. STUPAK and Mr. BERMAN.  
 H.J. Res. 61: Mr. BUNN of Oregon.  
 H.J. Res. 70: Mr. SCOTT, Mr. TUCKER, Ms. JACKSON-LEE, Ms. WATERS, Mr. FRANKS of Connecticut, Mr. FLAKE, Mrs. CLAYTON, Mr. WATTS of Oklahoma, Ms. LOFGREN, Mr. BRYANT of Tennessee, and Mr. FATTAH.  
 H. Con. Res. 12: Mr. NEY and Mr. CRAPO.

#### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1159

OFFERED BY: MR. CLAY

AMENDMENT No. 2: Page 12, strike lines 10 through 15.

H.R. 1159

OFFERED BY: MS. FURSE

AMENDMENT No. 3: Page 12, after line 7, insert the following:

#### CHAPTER V

#### DEPARTMENT OF DEFENSE, MILITARY RESEARCH, DEVELOPMENT, TEST AND EVALUATION

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY (RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$486,600,000 is rescinded, to be derived from the Comanche helicopter.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY (RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,158,000,000 is rescinded, to be derived from the following programs in the specified amounts:

- (1) F/A-18E/F fighter and attack aircraft program, \$1,249,700,000.
- (2) New attack submarine program, \$455,600,000.
- (3) V-22 Osprey program, \$452,700,000.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE (RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,941,500,000 is rescinded, to be derived from the following programs in the specified amounts:

- (1) F-22 fighter aircraft program, \$2,325,300,000.
- (2) Milstar communications satellite program, \$616,200,000.

#### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE (RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,467,600,000 is rescinded, to be derived from the ballistic missile defense program.

H.R. 1159

OFFERED BY: MS. FURSE

AMENDMENT No. 4: Page 12, after line 7, insert the following:

#### CHAPTER V

#### DEPARTMENT OF DEFENSE, MILITARY PROCUREMENT

#### PROCUREMENT, DEFENSE-WIDE (RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$1 is rescinded.

H.R. 1159

OFFERED BY: MRS. LOWEY

AMENDMENT No. 5: Page 14, line 11, strike “: Provided, That” and all that follows through “term” on line 16.

H.R. 1159

OFFERED BY: MRS. MORELLA

AMENDMENT No. 6: Page 8, line 24, strike “\$19,500,000” and insert “\$9,500,000”.  
 Page 9, line 11, strike “\$20,000,000” and insert “\$30,000,000”.

H.R. 1159

OFFERED BY: MR. MURTHA

AMENDMENT No. 7: Add the following Section to the end of the bill:

#### “SAVINGS TO BE USED EXCLUSIVELY FOR DEFICIT REDUCTION

“SEC. 308. An amount equal to the net budget authority reduced in this Act is hereby appropriated into the Deficit Reduction Fund established pursuant to Executive Order 12858 to be used exclusively to reduce

the Federal deficit: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. None of the savings derived from the net budget authority reduced in this Act shall be used as a budgetary offset for any subsequent legislation that reduces Federal tax revenue’.”

H.R. 1159

OFFERED BY: MR. MURTHA

AMENDMENT No. 8: Add the following Section to the end of the bill:

#### “SAVINGS TO BE USED EXCLUSIVELY FOR DEFICIT REDUCTION

“SEC. 308. An amount equal to the net budget authority reduced in this Act is hereby appropriated into the Deficit Reduction Fund established pursuant to Executive Order 12858 to be used exclusively to reduce the Federal deficit: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended’.”

H.R. 1159

OFFERED BY: MR. OBEY

AMENDMENT No. 9:

#### “SEC. 308. PRESERVATION OF SCHOOL LUNCH AND FAMILY NUTRITION PROGRAMS BY DELAYING DEPLOYMENT OF F-22 AIRCRAFT.

(INCLUDING RESCISSION)

“(a) F-22 BUDGET SAVINGS AND REPLENISHMENT OF NUTRITION PROGRAMS.—The Secretary of Defense shall defer the initial operational capability of the F-22 aircraft by 5 years in a manner consistent with recommendations of the General Accounting Office and shall adjust the currently planned production schedule accordingly.

“Of the funds available under ‘Research, Development, Test, and Evaluation, Air Force’ in Public Law 103-335 for development, test, and evaluation of the F-22 aircraft, \$225,000,000 are rescinded. For additional payments to States above the amounts to which they are entitled for fiscal year 1996 under the School Lunch Program (42 USC 1751 et seq.), the School Breakfast Program (42 USC 1773), the Meal Supplements for Children in Afterschool Care Program (42 USC 1766a), the Special Milk Program (42 USC 1772), the Summer Food Service Program (42 USC 1761), the Child and Adult Care Food Program (42 USC 1766), the Homeless Children Nutrition Program (42 USC 1766b), and the Nutrition Education Grant Program (42 USC 1787), in accordance with the terms and conditions for such programs that exist in law as of the date of enactment of this Act, \$200,000,000, to be available as of October 1, 1995 and to remain available until September 30, 1996: *Provided*, That the Secretary of Agriculture shall make available these supplementary funds to the States in a manner that best replenishes any funding gap a State may experience between what is currently authorized to be available for each program as of the date of enactment of this Act and what is authorized to be available for these activities on October 1, 1995. For an additional amount for ‘Special Supplemental Food Program For Women, Infants, And Children (WIC)’, \$25,000,000 to remain available until September 30, 1996.

“(b) ESTABLISHMENT OF SCHOOL LUNCH AND FAMILY NUTRITION PRESERVATION FUND.—There is hereby created in the Treasury of the United States a fund to be known as the ‘School Lunch and Family Nutrition Preservation Fund’. The total capitalization of the

Fund shall be not greater than \$7,000,000,000, to be derived from the annual appropriations authorized to be made to the Fund beginning in fiscal year 1996 through fiscal year 2000. Such appropriations shall be based on amounts determined to be saved from extending the deployment date of the F-22 fighter aircraft as specified in this Act compared to the FY 1996 budget plan submitted by the President. The Secretary of Agriculture is authorized to provide grants to States (or to make amounts available to the Secretary of Defense as the case may be) from amounts available in the Fund for the purpose of carrying out nutrition programs authorized by the Child Nutrition Act of 1966 and the National School Lunch Act as the programs exist (and under the same terms and conditions) on the date of enactment of this Act. To the maximum extent feasible, the Secretary shall make grants in a manner that best replenishes any funding gap a recipient may experience between what is currently authorized to be available in each fiscal year for each program on the date of enactment of the Act and estimates of what is authorized to be available for these activities at the beginning of each fiscal year."

H.R. 1159

OFFERED BY: MR. OBEY

AMENDMENT NO. 10:

**"SEC. 308. REPLENISHMENT OF SCHOOL LUNCH AND FAMILY NUTRITION PROGRAMS.**

(INCLUDING RESCISSION)

"Of the funds available under "Research, Development, Test, and Evaluation, Air Force" in Public Law 103-335 for development, test, and evaluation of the F-22 aircraft, \$225,000,000 are rescinded. For additional payments to States above the amounts to which they are entitled for fiscal year 1996 under the School Lunch Program (42 USC 1751 et seq.), the School Breakfast Program (42 USC 1773), the Meal Supplements for Children in Afterschool Care Program (42 USC 1766a), the Special Milk Program (42 USC 1772), the Summer Food Service Program (42 USC 1761), the Child and Adult Care Food Program (42 USC 1766), the Homeless Children Nutrition Program (42 USC 1766b), and the Nutrition Education Grant Program (42 USC 1787), in accordance with the terms and conditions for such programs that exist in law as of the date of enactment of this Act, \$200,000,000, to be available as of October 1, 1995 and to remain available until September 30, 1996. *Provided*, That the Secretary of Agriculture shall make available these supplementary funds to the States in a manner that best replenishes any funding gap a State may experience between what is currently authorized to be available for each program as of the date of enactment of the Act and what is authorized to be available for these activities on October 1, 1995. For an additional amount for "Special Supplemental Food Program For Women, Infants, And Children (WIC)", \$25,000,000, to remain available until September 30, 1996."

H.R. 1159

OFFERED BY: MR. VENTO

AMENDMENT NO. 11: Page 22, beginning line 5, strike "shall not be precluded because" and insert "shall be precluded if".

H.R. 1159

OFFERED BY: MR. VENTO

AMENDMENT NO. 12: Strike section 307 (page 14, line 17 and all that follows through line 24 on page 27), relating to the emergency salvage timber sale program.

H.R. 1159

OFFERED BY: MR. YATES

AMENDMENT NO. 13: Strike section 307 (page 14, line 17 and all that follows through line 24 on page 27).

H.R. 1159

OFFERED BY: MR. YATES

AMENDMENT NO. 14: Strike section 307 (page 14, line 17 and all that follows through line 24 on page 27), and insert the following new section:

## PROHIBITION ON BELOW-COST TIMBER SALES

SEC. 307. After the date of the enactment of this Act, none of the funds appropriated under Public Law 103-138 or 103-332 may be expended by the Bureau of Land Management or the Forest Service to offer timber for sale at below cost. For the purposes of this section, timber is offered for sale at below cost if the estimated—

(1) costs to be incurred by the Bureau of Land Management or the Forest Service relating to preparing and offering such timber for sale, reforestation after such sale, and purchaser road credits allocable to such sale, are greater than

(2) receipts from such sale (excluding those receipts to be paid to States for schools and roads).

H.R. 1158

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 6: Page 4, line 25—Strike "\$12,678,000" and insert "\$100,000,000"

Page 6 strike line 17 and all that follows through line 22.

H.R. 1158

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 7: Page 16, Line 23—strike "\$14,390,000" and insert "\$33,190,000"

Page 17, line 16—strike "Urban Park and Recreation Fund" and all that follows through "rescinded."

H.R. 1158

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 8: Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for additional disaster assistance and making rescissions for the fiscal year ending September 30, 1995, and for other purposes, namely:

## TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

## CHAPTER I

## DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY  
DISASTER RELIEF

For an additional amount for "Disaster Relief" for necessary expenses in carrying out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$860,000,000, to remain available until expended: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## CHAPTER II

DEPARTMENT OF TRANSPORTATION  
AND RELATED AGENCIESDEPARTMENT OF TRANSPORTATION  
COAST GUARD

## OPERATING EXPENSES

For an additional amount for "Operating expenses", to cover the incremental costs

arising from the consequences of Operations Able Manner, Able Vigil, Restore Democracy, and Support Democracy, \$28,197,000, to remain available until September 30, 1995: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

## TITLE II—RESCISSIONS

## CHAPTER I

## DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

## DEPARTMENT OF AGRICULTURE

## OFFICE OF THE SECRETARY

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$31,000 is rescinded: *Provided*, That none of the funds made available to the Department of Agriculture may be used to carry out activities under 7 U.S.C. 2257 without prior notification to the Committees on Appropriations.

## DEPARTMENTAL ADMINISTRATION

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$2,500,000 is rescinded.

## AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$8,000,000 is rescinded.

## OFFICE OF COMMUNICATIONS

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$700,000 is rescinded.

## ECONOMIC RESEARCH SERVICE

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$3,600,000 is rescinded.

## NATIONAL AGRICULTURAL STATISTICS SERVICE

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$5,300,000 is rescinded.

## ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$3,000,000 is rescinded.

## AGRICULTURAL RESEARCH SERVICE

## BUILDINGS AND FACILITIES

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330 and other Acts, \$100,000,000 is rescinded.

## COOPERATIVE STATE RESEARCH SERVICE

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$1,051,000 is rescinded, including \$524,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i(c)); and \$527,000 for necessary expenses of Cooperative State Research Service activities: *Provided*, That the amount of "\$9,917,000" available under this heading in Public Law 103-330 (108 Stat. 2441) for a program of capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890, is amended to read "\$9,207,000".

## BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-330 and other Acts, \$20,994,000 is rescinded.

## AGRICULTURAL MARKETING SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$5,750,000 is rescinded.

## RURAL DEVELOPMENT ADMINISTRATION AND FARMERS HOME ADMINISTRATION

## LOCAL TECHNICAL ASSISTANCE AND PLANNING GRANTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$1,750,000 is rescinded.

## ALCOHOL FUELS CREDIT GUARANTEE PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 102-341, \$9,000,000 is rescinded.

## RURAL ELECTRIFICATION ADMINISTRATION

## RURAL ELECTRIFICATION AND TELEPHONE

## LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$3,000,000 for the cost of 5 percent rural telephone loans is rescinded.

## FOREIGN AGRICULTURAL SERVICE AND GENERAL SALES MANAGER

(RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$9,500,000 is rescinded.

## PUBLIC LAW 480 PROGRAM ACCOUNTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$6,100,000 is rescinded from the amount provided for Public Law 480 title I credit and \$92,500,000 is rescinded from the amount provided for commodities supplied in connection with dispositions abroad pursuant to title III.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

## FOOD AND DRUG ADMINISTRATION

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-330, \$40,000,000 is rescinded.

## CHAPTER II

## DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

## DEPARTMENT OF JUSTICE

## GENERAL ADMINISTRATION

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$7,000,000 is rescinded.

## WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances in the Working Capital Fund, \$1,500,000 is rescinded.

## IMMIGRATION AND NATURALIZATION SERVICE

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$1,000,000 is rescinded.

## OFFICE OF JUSTICE PROGRAMS

## DRUG COURTS

(RESCISSION)

Of the funds made available under this heading in title VIII of Public Law 103-317, \$27,750,000 is rescinded.

## OUNCE OF PREVENTION COUNCIL

(TRANSFER OF FUNDS)

Under this heading in Public Law 103-317, after the word "grants", insert the following: "and administrative expenses". After the word "expended", insert the following: ". Provided, That the Council is authorized to accept, hold, administer, and use gifts, both real and personal, for the purpose of aiding or facilitating the work of the Council".

## STATE JUSTICE INSTITUTE

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$1,000,000 is rescinded.

## DEPARTMENT OF COMMERCE

## NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

## SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$16,000,000 is rescinded.

## INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$35,100,000 is rescinded.

## CONSTRUCTION OF RESEARCH FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$9,000,000 is rescinded.

## NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

## OPERATIONS, RESEARCH, AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$37,000,000 is rescinded.

## CONSTRUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$6,200,000 is rescinded.

## GENERAL ADMINISTRATION

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$4,460,000 is rescinded.

## BUREAU OF THE CENSUS

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$17,300,000 is rescinded.

## ECONOMIC AND STATISTICAL ANALYSIS

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$3,000,000 is rescinded.

## INTERNATIONAL TRADE ADMINISTRATION

## OPERATIONS AND ADMINISTRATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$18,000,000 is rescinded.

## UNITED STATES TRAVEL AND TOURISM

## ADMINISTRATION

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$1,100,000 is rescinded.

## TECHNOLOGY ADMINISTRATION

## UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$3,300,000 is rescinded.

## NATIONAL TECHNICAL INFORMATION SERVICE

## NTIS REVOLVING FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$4,000,000 is rescinded.

## NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

## PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$18,000,000 is rescinded.

## INFORMATION INFRASTRUCTURE GRANTS

(RESCISSION)

Of the funds made available under this heading in Public Laws 103-317, \$30,000,000 is rescinded.

## ECONOMIC DEVELOPMENT ADMINISTRATION

## ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Laws 103-75 and 102-368, \$37,584,000 is rescinded.

In addition, of the funds made available under this heading in Public Laws 99-500 and 99-591, \$7,500,000 for the Fort Worth Stockyards Project is rescinded.

## THE JUDICIARY

## COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

## DEFENDER SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$1,100,000 is rescinded.

## RELATED AGENCIES

## SMALL BUSINESS ADMINISTRATION

## SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$33,000,000 is rescinded; *Provided*, That no funds in that Public Law shall be available to implement section 24 of the Small Business Act, as amended.

## LEGAL SERVICES CORPORATION

## PAYMENT TO THE LEGAL SERVICES CORPORATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103-317 and prior appropriations Acts, \$5,849,000 is rescinded, of which \$33,000 are from funds made available for law school clinics; \$31,000 are from funds made available for supplemental field programs; \$75,000 are from funds made available for regional training centers; \$1,189,000 are from funds made available for national support; \$1,021,000 are from funds made available for State support; \$685,000 are from funds

made available for client initiatives; \$44,000 are from funds made available for the Clearinghouse; \$4,000 are from funds made available for computer assisted legal research regional centers; and \$1,572,000 are from funds made available for Corporation management and administration.

## DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS  
DIPLOMATIC AND CONSULAR PROGRAMS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$130,000,000 is rescinded.

SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$22,200,000 is rescinded.

ACQUISITION AND MAINTENANCE OF BUILDINGS  
ABROAD  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$36,700,000 is rescinded.

## RELATED AGENCIES

BOARD FOR INTERNATIONAL BROADCASTING  
ISRAEL RELAY STATION  
(RESCISSION)

From unobligated balances available under this heading, \$2,000,000 is rescinded.

INTERNATIONAL TRADE COMMISSION  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-317, \$2,700,000 is rescinded.

## CHAPTER III

ENERGY AND WATER DEVELOPMENT  
DEPARTMENT OF DEFENSE—CIVIL  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS—CIVIL  
GENERAL INVESTIGATIONS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316 and prior years' Energy and Water Development Appropriations Act, \$10,000,000 is rescinded.

CONSTRUCTION, GENERAL  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316 and prior years' Energy and Water Development Appropriations Acts, \$40,000,000 is rescinded.

OPERATION AND MAINTENANCE, GENERAL  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$100,000,000 is rescinded.

REGULATORY PROGRAM  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$5,000,000 is rescinded.

DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
CONSTRUCTION PROGRAM  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$18,000,000 is rescinded.

OPERATION AND MAINTENANCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$18,000,000 is rescinded.

DEPARTMENT OF ENERGY  
ENERGY SUPPLY, RESEARCH AND  
DEVELOPMENT ACTIVITIES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316 and in appro-

priation Acts for prior fiscal years, \$770,235,000 is rescinded.

GENERAL SCIENCE AND RESEARCH ACTIVITIES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$86,265,000 is rescinded.

ATOMIC ENERGY DEFENSE ACTIVITIES  
DEFENSE ENVIRONMENTAL RESTORATION AND  
WASTE MANAGEMENT  
(RESCISSION)

Of the amounts made available under this heading in Public Law 103-316 and prior years' Energy and Water Development Acts, \$28,000,000 is rescinded.

DEPARTMENTAL ADMINISTRATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$34,000,000 is rescinded.

POWER MARKETING ADMINISTRATIONS  
OPERATION AND MAINTENANCE, ALASKA POWER  
ADMINISTRATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$2,000,000 is rescinded.

OPERATION AND MAINTENANCE, SOUTHEASTERN  
POWER ADMINISTRATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$13,000,000 is rescinded.

OPERATION AND MAINTENANCE,  
SOUTHWESTERN POWER ADMINISTRATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$9,000,000 is rescinded.

CONSTRUCTION, REHABILITATION, OPERATION  
AND MAINTENANCE, WESTERN AREA POWER  
ADMINISTRATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$43,000,000 is rescinded.

INDEPENDENT AGENCIES  
APPALACHIAN REGIONAL COMMISSION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$109,000,000 is rescinded.

TENNESSEE VALLEY AUTHORITY  
TENNESSEE VALLEY AUTHORITY FUND  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-316, \$70,000,000 is rescinded.

## CHAPTER IV

FOREIGN OPERATIONS, EXPORT  
FINANCING, AND RELATED PROGRAMS  
MULTILATERAL ECONOMIC ASSISTANCE  
FUNDS APPROPRIATED TO THE PRESIDENT  
INTERNATIONAL ORGANIZATIONS AND  
PROGRAMS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-306, \$25,000,000 is rescinded.

BILATERAL ECONOMIC ASSISTANCE  
FUNDS APPROPRIATED TO THE PRESIDENT  
AGENCY FOR INTERNATIONAL DEVELOPMENT  
DEVELOPMENT ASSISTANCE FUND  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-306, \$45,500,000 is rescinded.

POPULATION, DEVELOPMENT ASSISTANCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-306, \$9,000,000 is rescinded.

## MILITARY ASSISTANCE

## FUNDS APPROPRIATED TO THE PRESIDENT

## PEACEKEEPING OPERATIONS

## (RESCISSION)

Of the unobligated or unexpended balances of funds available under this heading from funds provided in Public Law 103-306, \$4,500,000 is rescinded.

## EXPORT ASSISTANCE

## EXPORT-IMPORT BANK OF THE UNITED STATES

## SUBSIDY APPROPRIATION

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-87 and Public Law 103-306, \$400,000,000 is rescinded.

## ADMINISTRATIVE EXPENSES

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-306, \$39,200,000 is rescinded.

## FUNDS APPROPRIATED TO THE PRESIDENT

## TRADE AND DEVELOPMENT AGENCY

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-306, \$4,500,000 is rescinded.

## CHAPTER V

DEPARTMENT OF INTERIOR AND  
RELATED AGENCIES

## DEPARTMENT OF THE INTERIOR

## BUREAU OF LAND MANAGEMENT

## MANAGEMENT OF LANDS AND RESOURCES

## (RESCISSION)

Of the funds available under this heading in Public Law 103-332, \$37,370,000 is rescinded, of which \$70,000 is to be derived from amounts available for developing and finalizing the Roswell Resource Management Plan/Environmental Impact Statement and the Carlsbad Resource Management Plan Amendment/Environmental Impact Statement: *Provided*, That none of the funds made available in such Act or any other appropriations Act may be used for finalizing or implementing either such plan.

## CONSTRUCTION AND ACCESS

## (RESCISSION)

Of the funds available under this heading in Public Law 103-332, Public Law 103-138, and Public Law 102-381, \$4,500,000 is rescinded.

## PAYMENTS IN LIEU OF TAXES

## (RESCISSION)

Of the funds available under this heading in Public Law 103-332, \$5,000,000 is rescinded.

## LAND ACQUISITION

## (RESCISSION)

Of the funds available under this heading in Public Law 102-381, Public Law 101-121, and Public Law 100-446, \$1,997,000 is rescinded.

## OREGON AND CALIFORNIA GRANT LANDS

## (RESCISSION)

Of the funds made available under this heading in Public Law 103-332, \$6,000,000 is rescinded.

<p>RANGE IMPROVEMENTS (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-332, \$600,000 is rescinded.</p> <p>UNITED STATES FISH AND WILDLIFE SERVICE RESOURCE MANAGEMENT (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$2,000,000 is rescinded.</p> <p>CONSTRUCTION (RESCISSION)</p> <p>Of the funds available under this heading or the heading Construction and Anadromous Fish in Public Law 103-332, Public Law 103-138, Public Law 102-381, Public Law 102-154, Public Law 102-368, Public Law 101-512, Public Law 101-121, Public Law 100-446, and Public Law 100-202, \$33,190,000 is rescinded.</p> <p>LAND ACQUISITION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, Public Law 103-138, Public Law 102-381, and Public Law 101-512, \$10,345,000 is rescinded.</p> <p>REWARDS AND OPERATIONS (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332 to carry out the provisions of the African Elephant Conservation Act, \$300,000 is rescinded.</p> <p>NATIONAL BIOLOGICAL SURVEY RESEARCH, INVENTORIES, AND SURVEYS (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$16,680,000 is rescinded.</p> <p>NATIONAL PARK SERVICE OPERATION OF THE NATIONAL PARK SYSTEM (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-332, \$50,000,000 is rescinded.</p> <p>CONSTRUCTION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$41,631,000 is rescinded.</p> <p>LAND ACQUISITION AND STATE ASSISTANCE (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, Public Law 103-138, Public Law 102-381, Public Law 102-154, Public Law 101-512, Public Law 101-121, Public Law 100-446, Public Law 100-202, Public Law 99-190, Public Law 98-473, and Public Law 98-146, \$16,509,000 is rescinded.</p> <p>UNITED STATES GEOLOGICAL SURVEY SURVEYS, INVESTIGATIONS, AND RESEARCH (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-332, \$18,000,000 is rescinded.</p> <p>MINERALS MANAGEMENT SERVICE ROYALTY AND OFFSHORE MINERALS MANAGEMENT (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-332, \$10,000,000 is rescinded.</p> <p>BUREAU OF MINES MINES AND MINERALS (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-332, \$18,000,000 is rescinded.</p> <p>BUREAU OF INDIAN AFFAIRS OPERATION OF INDIAN PROGRAMS (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$4,046,000 is rescinded.</p>	<p>CONSTRUCTION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$10,309,000 is rescinded.</p> <p>TERRITORIAL AND INTERNATIONAL AFFAIRS ADMINISTRATION OF TERRITORIES (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$6,438,000 is rescinded.</p> <p>TRUST TERRITORY OF THE PACIFIC ISLANDS (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 99-591, \$32,139,000 is rescinded.</p> <p>DEPARTMENTAL OFFICES OFFICE OF THE SECRETARY SALARIES AND EXPENSES (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-332, \$3,000,000 is rescinded.</p> <p>DEPARTMENT OF AGRICULTURE FOREST SERVICE FOREST RESEARCH (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$6,000,000 is rescinded.</p> <p>STATE AND PRIVATE FORESTRY (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332 and Public Law 103-138, \$12,500,000 is rescinded.</p> <p>INTERNATIONAL FORESTRY (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$1,000,000 is rescinded.</p> <p>NATIONAL FOREST SYSTEM (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$3,327,000 is rescinded.</p> <p>CONSTRUCTION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, Public Law 103-138 and Public Law 102-381, \$4,919,000 is rescinded.</p> <p>LAND ACQUISITION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, Public Law 103-138 and Public Law 102-381, \$3,974,000 is rescinded.</p> <p>DEPARTMENT OF ENERGY FOSSIL ENERGY RESEARCH AND DEVELOPMENT (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$18,650,000 is rescinded.</p> <p>NAVAL PETROLEUM AND OIL SHALE RESERVES (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$21,000,000 is rescinded.</p> <p>ENERGY CONSERVATION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$46,228,000 is rescinded and of the funds available under this heading in Public Law 103-138, \$13,700,000 is rescinded.</p> <p>DEPARTMENT OF EDUCATION OFFICE OF ELEMENTARY AND SECONDARY EDUCATION INDIAN EDUCATION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$2,000,000 is rescinded.</p> <p>OTHER RELATED AGENCIES SMITHSONIAN INSTITUTION CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 102-381, and Public Law 103-138, \$1,000,000 is rescinded.</p>	<p>CONSTRUCTION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 102-154, Public Law 102-381, Public Law 103-138, and Public Law 103-332, \$31,012,000 is rescinded.</p> <p>NATIONAL GALLERY OF ART REPAIR, RESTORATION AND RENOVATION OF BUILDINGS (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$407,000 is rescinded.</p> <p>JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS CONSTRUCTION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$3,000,000 is rescinded.</p> <p>WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS SALARIES AND EXPENSES (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$2,300,000 is rescinded.</p> <p>NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES NATIONAL ENDOWMENT FOR THE ARTS GRANTS AND ADMINISTRATION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$5,000,000 is rescinded.</p> <p>NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION (RESCISSION)</p> <p>Of the funds available under this heading in Public Law 103-332, \$5,000,000 is rescinded.</p> <p>CHAPTER VI DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION TRAINING AND EMPLOYMENT SERVICES (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-333, \$945,466,000 is rescinded, including \$10,000,000 for necessary expenses of construction, rehabilitation, and acquisition of new Job Corps centers, \$12,500,000 for the School-to-Work Opportunities Act, \$6,408,000 for section 401 of the Job Training Partnership Act, \$8,571,000 for section 402 of such Act, \$3,861,000 for service delivery areas under section 101(a)(4)(A)(iii) of such Act, \$2,223,000 for the National Commission for Employment Policy and \$500,000 for the National Occupational Information Coordinating Committee.</p> <p>COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS (RESCISSION)</p> <p>Of the funds made available in the first paragraph under this heading in Public Law 103-333, \$11,263,000 is rescinded.</p> <p>Of the funds made available in the second paragraph under this heading in Public Law 103-333, \$3,177,000 is rescinded.</p> <p>STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS (RESCISSION)</p> <p>Of the funds made available under this heading in Public Law 103-333, \$12,000,000 is</p>
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rescinded, and amounts which may be expended from the Employment Security Administration account in the Unemployment Trust Fund are reduced from \$3,269,097,000 to \$3,253,097,000.

EMPLOYMENT STANDARDS ADMINISTRATION  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$2,487,000 is rescinded.

OCCUPATIONAL SAFETY AND HEALTH  
ADMINISTRATION  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$16,072,000 is rescinded.

BUREAU OF LABOR STATISTICS  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$10,000,000 is rescinded.

DEPARTMENTAL MANAGEMENT  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$7,000,000 is rescinded.

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES

HEALTH RESOURCES AND SERVICES  
ADMINISTRATION  
HEALTH RESOURCES AND SERVICES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$78,275,000 is rescinded.

CENTERS FOR DISEASE CONTROL AND  
PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$8,883,000 is rescinded.

NATIONAL INSTITUTES OF HEALTH  
NATIONAL CENTER FOR RESEARCH RESOURCES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333 for extramural facilities construction grants, \$20,000,000 is rescinded.

BUILDINGS AND FACILITIES  
(RESCISSION)

Of the available balances under this heading, \$50,000,000 is rescinded.

ASSISTANT SECRETARY FOR HEALTH  
OFFICE OF THE ASSISTANT SECRETARY FOR  
HEALTH  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$1,400,000 is rescinded.

AGENCY FOR HEALTH CARE POLICY AND  
RESEARCH

HEALTH CARE POLICY AND RESEARCH  
(RESCISSION)

Of the Federal funds made available under this heading in Public Law 103-333, \$3,132,000 is rescinded.

HEALTH CARE FINANCING ADMINISTRATION  
PROGRAM MANAGEMENT  
(RESCISSION)

Funds made available under this heading in Public Law 103-333 are reduced from

\$2,207,135,000 to \$2,168,935,000, and funds transferred to this account as authorized by section 201(g) of the Social Security Act are reduced to the same amount.

ADMINISTRATION FOR CHILDREN AND FAMILIES  
COMMUNITY SERVICES BLOCK GRANT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$26,988,000 is rescinded.

CHILDREN AND FAMILIES SERVICES PROGRAMS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333 to be derived from the Violent Crime Reduction Trust Fund, \$25,900,000 is rescinded for carrying out the Community Schools Youth Services and Supervision Grant Program Act of 1994.

PAYMENTS TO STATES FOR FOSTER CARE AND  
ADOPTION ASSISTANCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333 for payments to States under section 474(a)(3) of the Social Security Act, an amount is hereby rescinded such that the total made available to any State under such section in fiscal year 1995 does not exceed 110 percent of the total paid to such State thereunder in fiscal year 1994 which, notwithstanding any other provision of law, is the maximum amount to which any such State shall be entitled for payments under such section 474(a)(3) for fiscal year 1995.

ADMINISTRATION ON AGING  
AGING SERVICES PROGRAMS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$899,000 is rescinded.

GENERAL DEPARTMENTAL MANAGEMENT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$4,500,000 is rescinded.

DEPARTMENT OF EDUCATION

EDUCATION REFORM  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$186,030,000 is rescinded, including \$142,000,000 from funds made available for State and local education systemic improvement, \$21,530,000 from funds made available for Federal activities, and \$10,000,000 from funds made available for parental assistance under the Goals 2000: Educate America Act; and \$12,500,000 is rescinded from funds made available under the School to Work Opportunities Act, including \$9,375,000 for National programs and \$3,125,000 for State grants and local partnerships.

EDUCATION FOR THE DISADVANTAGED  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$8,270,000 from the Elementary and Secondary Education Act, title I, part E, section 1501.

IMPACT AID  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$16,293,000 for section 8002 is rescinded.

SCHOOL IMPROVEMENT PROGRAMS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$275,170,000 is rescinded as follows: from the Elementary and Secondary Education Act, title II-B, \$60,000,000, title V-C, \$28,000,000, title IX-B,

\$12,000,000, title X-D, -E, and -G, and section 10602, \$21,384,000, and title XII, \$100,000,000; from the Higher Education Act, section 596, \$13,875,000; from the Stewart B. McKinney Homeless Assistance Act, title VII-B, \$28,811,000; and from funds derived from the Violent Crime Reduction Trust Fund, \$11,100,000.

SPECIAL INSTITUTIONS FOR PERSONS WITH  
DISABILITIES  
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$799,000 is rescinded.

GALLAUDET UNIVERSITY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$1,298,000 is rescinded.

VOCATIONAL AND ADULT EDUCATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$232,413,000 is rescinded as follows: from the Carl D. Perkins Vocational and Applied Technology Education Act, title III-A, -B, and -E, \$151,888,000 and from title IV-A, -B, and -C, \$34,535,000; from the Adult Education Act, section 384(c), part B-7, and section 371, \$31,392,000; from the Stewart B. McKinney Homeless Assistance Act, \$9,498,000; and from the National Literacy Act, \$5,100,000.

STUDENT FINANCIAL ASSISTANCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$83,375,000 is rescinded from funding for the Higher Education Act, title IV, part A-4 and part H-1.

FEDERAL FAMILY EDUCATION LOAN PROGRAM  
ACCOUNT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$3,000,000 is rescinded.

HIGHER EDUCATION  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$91,046,000 is rescinded as follows: from amounts available for Public Law 99-498, \$1,000,000; the Higher Education Act, title IV-A, chapter 5, \$496,000, title IV-A-2, chapter 2, \$3,108,000, title IV-A-6, \$9,823,000, title V-C, subparts 1 and 3, \$16,175,000, title IX-B, \$10,100,000, title IX-C, \$7,500,000, title IX-E, \$3,500,000, title IX-G, \$14,920,000, title X-D, \$4,000,000, and title XI-A, \$13,000,000; Public Law 102-325, \$1,000,000; and the Excellence in Mathematics, Science, and Engineering Education Act of 1990, \$6,424,000: *Provided*, That in carrying out title IX-B, remaining appropriations shall not be available for awards for doctoral study.

HOWARD UNIVERSITY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$4,300,000 is rescinded, including \$2,500,000 for construction.

COLLEGE HOUSING AND ACADEMIC FACILITIES  
LOANS PROGRAM  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-333 for the costs of direct loans, as authorized under part C of title VII of the Higher Education Act, as amended, \$168,000 is rescinded, and the authority to subsidize gross loan obligations is repealed. In addition, \$322,000 appropriated for administrative expenses is rescinded.

EDUCATION RESEARCH, STATISTICS, AND  
IMPROVEMENT  
(RESCISSION)

(TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103-333, \$55,250,000 is rescinded as follows: from the Elementary and Secondary Education Act, title III-A, \$30,000,000, title III-B, \$10,000,000, title III-C, \$2,700,000, title III-D, \$2,250,000; title X-B, \$4,600,000, and title XIII-B, \$2,700,000; from the Goals 2000: Educate America Act, title VI, \$3,000,000.

Notwithstanding any other provision of law, during fiscal year 1995, \$56,750,000 shall be available under this heading for the Fund for the Improvement of Education: *Provided*, That none of the funds under this heading during fiscal year 1995 shall be obligated for title III-B of the Elementary and Secondary Education Act (Star Schools Program).

LIBRARIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$26,716,000 is rescinded as follows: for the Library Services and Construction Act, and part II, \$15,300,000; for the Higher Education Act, part II, sections 222 and 223, \$11,416,000.

DEPARTMENTAL MANAGEMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$10,000,000 is rescinded.

RELATED AGENCIES

CORPORATION FOR PUBLIC BROADCASTING

(RESCISSION)

Of the funds made available under this heading in Public Law 103-112, \$47,000,000 is rescinded. Of the funds made available under this heading in Public Law 103-333, \$94,000,000 is rescinded.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103-333, \$5,000,000 is rescinded.

GENERAL PROVISION

FEDERAL DIRECT STUDENT LOAN PROGRAM

SEC. 601. Section 458(a) of the Higher Education Act of 1965 (20 U.S.C. 1087h(a)) is amended—

(1) by striking "\$345,000,000" and inserting "\$298,000,000"; and

(2) by striking "\$2,500,000,000" and inserting "\$2,453,000,000".

CHAPTER VII

LEGISLATIVE BRANCH

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-283, \$460,000 is rescinded.

JOINT COMMITTEE ON PRINTING

(RESCISSION)

(TRANSFER OF FUNDS)

Of the funds made available under this heading in Public Law 103-283, \$418,000 is rescinded: *Provided*, That, upon enactment of this Act, any balance of the funds made available that remains after this rescission shall be transferred in equal amounts to the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate for the purpose of carrying out the functions of the Joint Committee on Printing.

OFFICE OF TECHNOLOGY ASSESSMENT  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-283, \$650,000 is rescinded.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

(RESCISSIONS)

Of the funds made available until expended for energy efficient lighting retrofitting under this heading in Public Law 102-392, \$500,000 is rescinded.

Of the funds made available until expended for energy efficient lighting retrofitting under this heading in Public Law 103-69, \$2,000,000 is rescinded.

GOVERNMENT PRINTING OFFICE

(RESCISSIONS)

CONGRESSIONAL PRINTING AND BINDING

Of the funds made available under this heading in Public Law 103-283, \$3,000,000 is rescinded.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

Of the funds made available under this heading in Public Law 103-283, \$600,000 is rescinded.

BOTANIC GARDEN

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available until expended by transfer under this heading in Public Law 103-283, \$4,000,000 is rescinded.

LIBRARY OF CONGRESS

(RESCISSIONS)

SALARIES AND EXPENSES

Of the funds made available under this heading in Public Law 103-283, \$150,000 is rescinded.

BOOKS FOR THE BLIND AND PHYSICALLY  
HANDICAPPED

SALARIES AND EXPENSES

Of the funds made available under this heading in Public Law 103-283, \$100,000 is rescinded.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-283, \$8,867,000 is rescinded.

CHAPTER VIII

DEPARTMENT OF TRANSPORTATION

AND RELATED AGENCIES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103-331, \$3,000,000 is rescinded.

TRANSPORTATION PLANNING, RESEARCH, AND  
DEVELOPMENT

(RESCISSION)

Of the amounts provided under this heading in Public Law 103-331, \$1,293,000 is rescinded.

WORKING CAPITAL FUND

The obligation authority under this heading in Public Law 103-331 is hereby reduced by \$8,000,000.

COAST GUARD

OPERATING EXPENSES

(RESCISSION)

Of the amounts provided under this heading in Public Law 103-331, \$6,440,000 is rescinded.

ACQUISITION, CONSTRUCTION, AND  
IMPROVEMENTS  
(RESCISSION)

Of the available balances under this heading, \$42,569,000 is rescinded.

ENVIRONMENTAL COMPLIANCE AND

RESTORATION

(RESCISSION)

Of the amounts provided under this heading in Public Law 103-331, \$3,500,000 is rescinded.

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, \$69,825,000 is rescinded.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, \$7,500,000 is rescinded.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, all amounts available for the military airport program is rescinded.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING

EXPENSES

The obligation limitation under this heading in Public Law 103-331 is hereby reduced by \$42,500,000.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The obligation limitation under this heading in Public Law 103-331 is hereby reduced by \$70,140,000: *Provided*, That \$27,640,000 shall be deducted from amounts made available for the Applied Research and Technology Program authorized under section 307(e) of title 23, United States Code: *Provided further*, That no reduction shall be made in any amount distributed to any State under section 310(a) of Public Law 103-331.

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts provided under this heading in Public Law 103-211, \$351,000,000 is rescinded.

FEDERAL RAILROAD ADMINISTRATION

LOCAL RAIL FREIGHT ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103-331, \$13,000,000 is rescinded.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

(RESCISSION)

Of the amounts provided under this heading in Public Law 103-331, \$7,768,000 is rescinded.

FEDERAL TRANSIT ADMINISTRATION

TRANSIT PLANNING AND RESEARCH

(RESCISSION)

Of the available balances under this heading, \$8,800,000 is rescinded.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(a) REDUCTION OF FISCAL YEAR 1995 LIMITATION.—The obligation limitation under this heading in Public Law 103-331 is reduced by \$146,160,000, to be distributed as follows:

(1) \$91,110,000, for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, to be distributed as follows:

- (A) Little Rock, Arkansas, \$500,000.
  - (B) Long Beach, California, \$500,000.
  - (C) Santa Cruz, California, \$500,000.
  - (D) San Francisco Bay Area, California, \$500,000.
  - (E) Eagle County, Colorado, \$500,000.
  - (F) Norwich, Connecticut, \$1,000,000.
  - (G) Orlando, Florida, \$3,250,000.
  - (H) Iowa State, Illinois, \$3,500,000.
  - (I) Cedar Rapids, Iowa, \$1,500,000.
  - (J) Illinois State, Illinois, \$5,500,000.
  - (K) Johnston County, Kansas, \$5,050,000.
  - (L) Wichita, Kansas, \$1,350,000.
  - (M) Detroit, Michigan, \$2,000,000.
  - (N) Lansing, Michigan, \$2,350,000.
  - (O) Michigan State, Michigan, \$4,500,000.
  - (P) North Carolina, North Carolina, \$8,000,000.
  - (Q) Atlantic City, New Jersey, \$2,000,000.
  - (R) Vineland, New Jersey, \$1,750,000.
  - (S) Las Vegas, Nevada, \$60,000.
  - (T) Bronx, New York, \$1,000,000.
  - (U) Buffalo bus transit centers, New York, \$400,000.
  - (V) Long Island, New York, \$3,600,000.
  - (W) Ohio State, Ohio, \$7,500,000.
  - (X) Cleveland Tower City International hub, Ohio, \$500,000.
  - (Y) Salem, Oregon, \$500,000.
  - (Z) Philadelphia Erie Avenue, Pennsylvania, \$750,000.
  - (aa) El Paso, Texas, \$4,500,000.
  - (bb) Northern Virginia-Dulles, Virginia, \$450,000.
  - (cc) Rowland, Vermont, \$750,000.
  - (dd) Edmund, Washington, \$200,000.
  - (ee) Seattle, Washington, \$2,500,000.
  - (ff) Milwaukee, Wisconsin, \$500,000.
  - (gg) Wisconsin, Wisconsin, \$6,000,000.
  - (hh) additional, \$17,650,000.
- (2) \$55,050,000, for new fixed guideway systems, to be distributed as follows:
- (A) \$300,000, for the Seattle-Renton-Tacoma commuter rail project.
  - (B) \$1,500,000, for the DART North Central light rail extension project.
  - (C) \$250,000, for the Miami Metrorail north corridor extension project.
  - (D) \$2,000,000, for the Twin Cities central corridor project.
  - (E) \$4,500,000, for the New Orleans Canal Street Corridor project.
  - (F) \$3,000,000, for the St. Louis Metro Link LRT project.
  - (G) \$1,000,000, for the Dallas-Fort Worth RAILTRAN project.
  - (H) \$500,000, for the Boston, Massachusetts to Portland, Maine Transportation Corridor Program.
  - (I) \$1,000,000, for the New Jersey Urban Core project.
  - (J) \$40,000,000, for the New Jersey Secaucus transfer project.
  - (K) \$1,000,000, for the Salt Lake City light rail project.
- (b) REDUCTION OF FISCAL YEAR 1994 LIMITATION.—Notwithstanding section 313 of Public Law 103-331, the obligation limitation under this heading in Public Law 103-122 is reduced by \$42,100,000, to be distributed as follows:
- (1) \$36,700,000, for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, to be distributed as follows:
    - (A) \$1,500,000, Little Rock, Arkansas.
    - (B) \$2,700,000, Sacramento, California.
    - (C) \$75,000, San Francisco-Fairfield, California.
    - (D) \$100,000, San Francisco-Santa Rosa, California.
    - (E) \$200,000, Sam. Trans., California.
    - (F) \$500,000, San Francisco-Santa Clara, California.
    - (G) \$5,500,000, State of Illinois.

- (H) \$6,000,000, Topeka, Kansas.
  - (I) \$150,000, State of Maine.
  - (J) \$3,000,000, Southeast Michigan (SMART).
  - (K) \$1,000,000, Silver Spring, Maryland.
  - (L) \$450,000, Camden, New Jersey.
  - (M) \$275,000, South Amboy, New Jersey.
  - (N) \$1,000,000, Albuquerque, New Mexico.
  - (O) \$850,000, State of Oklahoma.
  - (P) \$500,000, Eugene, Oregon.
  - (Q) \$2,700,000, Salem, Oregon.
  - (R) \$600,000, Philadelphia, Pennsylvania.
  - (S) \$750,000, El Paso, Texas.
  - (T) \$750,000, Callaen, Washington.
  - (U) \$3,000,000, Seattle, Washington.
  - (V) \$5,000,000, Wheeling, West Virginia.
- (2) \$5,400,000, for new fixed guideway systems, to be distributed as follows:
- (A) \$300,000, for the Cleveland Dual Hub Corridor Project.
  - (B) \$1,000,000, for the Twin Cities Central Corridor Project.
  - (C) \$600,000, for the New Orleans Canal Street Corridor Project.
  - (D) \$3,500,000, for the St. Louis METRO Link LRT to Airport Project.
- (c) REDUCTION OF FISCAL YEAR 1993 LIMITATION.—Notwithstanding section 313 of Public Law 103-331, the obligation limitation under this heading in Public Law 102-388 (as amended by Public Law 103-122) is reduced by \$126,689,500, to be distributed as follows:
- (1) \$63,169,500, for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, to be distributed as follows:
    - (A) \$29,022,500: *Provided*, That in distributing the foregoing reduction, obligational authority remaining unobligated for each project identified in the joint explanatory statements of the committees of conference accompanying such Act shall be reduced by 50 percent.
      - (B) \$5,500,000, Sacramento, California.
      - (C) \$11,300,000, Des Moines, Iowa.
      - (D) \$740,000, State of Maryland.
      - (E) \$814,000, St. Louis, Missouri.
      - (F) \$325,000, Rio Ranch, New Mexico.
      - (G) \$3,350,000, Eugene, Oregon.
      - (H) \$4,086,000, Erie, Pennsylvania.
      - (I) \$6,136,000, Robins Town Center, Pennsylvania.
      - (J) \$1,914,000, Challan-Douglas, Washington.
    - (2) \$63,520,000, for new fixed guideway systems, to be distributed as follows:
      - (A) \$9,120,000, for the San Francisco BART Extension/Tasman Corridor Project.
      - (B) \$25,310,000, for the Boston, Massachusetts to Portland, Maine Commuter Rail Project.
      - (C) \$1,750,000, for the Orlando OSCAR LRT Project.
      - (D) \$1,880,000, for the Salt Lake City South LRT Project.
      - (E) \$1,690,000, for the Cleveland Dual Hub Corridor Project.
      - (F) \$3,000,000, for the Milwaukee East-West Corridor Project.
      - (G) \$1,690,000, for the San Diego Mid-Coast Extension Project.
      - (H) \$15,190,000, for the Seattle-Tacoma Commuter Rail Project.
      - (I) \$1,490,000, for the Lakewood, Freehold, and Matawan or Jamesburg Commuter Rail Project.
      - (J) \$165,000, for the Miami Downtown Peplemover Project.
      - (K) \$4,470,000, for the New Jersey Hawthorne-Warwick Commuter Rail Project.
  - (d) REDUCTION OF FISCAL YEAR 1992 LIMITATION.—Notwithstanding section 313 of Public Law 103-331, the obligation limitation under this heading in Public Law 102-143 is reduced by \$98,696,500, to be distributed as follows:
    - (1) \$10,781,500, for the replacement, rehabilitation, and purchase of buses and related

equipment and the construction of bus-related facilities, to be distributed as follows:

- (A) \$6,781,500: *Provided*, That in distributing the foregoing reduction, obligational authority remaining unobligated for each project for which the obligation limitation in Public Law 102-143 was applied shall be reduced by 50 percent.
  - (B) \$2,000,000, San Francisco, California.
  - (C) \$2,000,000, Eugene, Oregon.
- (2) \$87,915,000, for new fixed guideway systems, to be distributed as follows:
  - (A) \$1,000,000, for the Cleveland Dual Hub Corridor Project.
  - (B) \$465,000, for the Kansas City-South LRT Project.
  - (C) \$950,000, for the San Diego Mid-Coast Extension Project.
  - (D) \$10,000,000, for the Los Angeles-San Diego (LOSSAN) Commuter Rail Project.
  - (E) \$57,100,000, for the Hawthorne-Warwick Commuter Rail Project.
  - (F) \$1,000,000, for the New York-Staten Island-Midtown Ferry Project.
  - (G) \$8,000,000, for the San Jose-Gilroy Commuter Rail Project.
  - (H) \$3,240,000, for the Seattle-Tacoma Commuter Rail Project.
- (I) \$1,780,000, for the Vallejo Ferry Project.
- (J) \$5,000,000, for the Detroit LRT Project.

(e) REDUCTION OF FISCAL YEAR 1991 LIMITATION.—Notwithstanding section 313 of Public Law 103-331, the obligation limitation under this heading in Public Law 101-516 is reduced by \$2,230,000, for new fixed guideway systems, to be derived from the Cleveland Dual Hub Corridor Project.

(f) REDUCTION OF FISCAL YEAR 1990 LIMITATION.—Notwithstanding section 313 of Public Law 103-331, the obligation limitation under this heading in Public Law 101-164 is reduced by \$1,247,000, for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities: *Provided*, That in distributing the foregoing reduction, obligational authority remaining unobligated for each project identified in the joint explanatory statements of the committees of conference accompanying such Act shall be reduced by 50 percent.

#### RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

##### (RESCISSION)

Of the funds made available under this heading in Public Law 103-331, \$1,000,000 is rescinded.

#### GENERAL PROVISIONS

##### (INCLUDING RESCISSIONS)

SEC. 801. Of the funds provided in Public Law 103-331 for the Department of Transportation working capital fund (WCF), \$8,000,000 is rescinded, which limits fiscal year 1995 WCF obligational authority for elements of the Department of Transportation funded in Public Law 103-331 to no more than \$85,000,000.

SEC. 802. Of the total budgetary resources available to the Department of Transportation (excluding the Maritime Administration) during fiscal year 1995 for civilian and military compensation and benefits and other administrative expenses, \$20,000,000 are permanently canceled.

#### CHAPTER IX

#### TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

#### DEPARTMENT OF THE TREASURY

##### DEPARTMENTAL OFFICES

##### SALARIES AND EXPENSES

##### (RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$33,200,000 is rescinded.

FEDERAL LAW ENFORCEMENT TRAINING  
CENTER  
ACQUISITION, CONSTRUCTION, IMPROVEMENTS,  
AND RELATED EXPENSES  
(RESCISSION)  
(TRANSFER OF FUNDS)

Of the funds made available for construction at the Davis-Monthan Training Center under Public Law 103-123, \$5,000,000 is rescinded. Of the funds made available for construction at the Davis-Monthan Training Center under Public Law 103-329, \$6,000,000 is rescinded: *Provided*, That \$1,000,000 of the remaining funds made available under Public Law 103-123 shall be used to initiate design and construction of a Burn Building in Glynco, Georgia.

FINANCIAL MANAGEMENT SERVICE  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$9,960,000 is rescinded.

RESOLUTION FUNDING CORPORATION  
(RESCISSION)

Of the balances available to the Resolution Funding Corporation, \$300,000,000 is rescinded.

BUREAU OF THE PUBLIC DEBT  
ADMINISTERING THE PUBLIC DEBT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$6,000,000 is rescinded.

SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-123, \$1,500,000 is rescinded.

INTERNAL REVENUE SERVICE  
INFORMATION SYSTEMS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$1,490,000 is rescinded.

EXECUTIVE OFFICE OF THE PRESIDENT  
THE WHITE HOUSE OFFICE  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$171,000 is rescinded.

FEDERAL DRUG CONTROL PROGRAMS  
SPECIAL FORFEITURE FUND  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$13,200,000 is rescinded.

INDEPENDENT AGENCIES  
GENERAL SERVICES ADMINISTRATION  
FEDERAL BUILDINGS FUND  
(LIMITATIONS ON AVAILABILITY OF REVENUE)  
(RESCISSION)

(a) NEW CONSTRUCTION.—Of the funds made available under this heading for "New Construction" in appropriation Acts for fiscal year 1995 and prior fiscal years, the following amounts are rescinded from the specified projects:

(1) Bullhead City, Arizona, a grant to the Federal Aviation Administration for a runway protection zone, \$2,200,000.

(2) Nogales, Arizona, U.S. Border Patrol Station, \$2,000,000.

(3) Sierra Vista, Arizona, U.S. Magistrates Office, \$1,000,000.

(4) San Francisco, California, lease purchase, \$9,700,000.

(5) San Francisco, California, U.S. Courthouse, \$4,000,000.

(6) Washington, District of Columbia, General Services Administration Headquarters, \$13,000,000.

(7) Washington, District of Columbia, U.S. Secret Service building, \$113,000,000.

(8) Jacksonville, Florida, U.S. Courthouse, \$10,633,198.

(9) Atlanta, Georgia, Centers for Disease Control, site acquisition and improvements, \$25,890,000.

(10) Atlanta, Georgia, Centers for Disease Control, \$14,110,000.

(11) Atlanta, Georgia, Centers for Disease Control Royal Laboratory, \$47,000,000.

(12) Savannah, Georgia, U.S. Courthouse Annex, \$3,000,000.

(13) Hilo, Hawaii, Consolidation, \$12,000,000.

(14) Covington, Kentucky, U.S. Courthouse, \$2,914,000.

(15) London, Kentucky, U.S. Courthouse, \$1,523,000.

(16) Beltsville, Maryland, U.S. Secret Service building, \$2,400,000.

(17) Cape Girardeau, Missouri, U.S. Courthouse, \$3,500,000.

(18) Las Vegas, Nevada, U.S. Courthouse, \$4,230,000.

(19) Newark, New Jersey, Parking Facility, \$9,000,000.

(20) Brooklyn, New York, U.S. Courthouse, \$43,500,000.

(21) Cleveland, Ohio, U.S. Courthouse, \$28,246,000.

(22) Stubenville, Ohio, U.S. Courthouse, \$2,820,000.

(23) Youngstown, Ohio, Federal Building and U.S. Courthouse, \$4,500,000.

(24) Columbia, South Carolina, U.S. Courthouse Annex, \$592,186.

(25) Greeneville, Tennessee, U.S. Courthouse, \$2,936,000.

(26) Corpus Christi, Texas, U.S. Courthouse, \$6,446,000.

(27) Laredo, Texas, Federal Building and U.S. Courthouse, \$5,986,000.

(28) Charlotte Amalie, Saint Thomas, United States Virgin Islands, U.S. Courthouse Annex, \$2,184,000.

(29) Blaine, Washington, U.S. Border Patrol Station, \$4,472,000.

(30) Point Roberts, Washington, U.S. Border Patrol Station, \$698,000.

(31) Seattle, Washington, U.S. Courthouse, \$10,900,000.

(32) Beckley, West Virginia, Federal Building and U.S. Courthouse, \$33,000,000.

(33) Wheeling, West Virginia, Federal Building and U.S. Courthouse, \$35,500,000.

(34) Montgomery, Alabama, U.S. Courthouse Annex, \$24,000,000.

(35) Phoenix, Arizona, U.S. Courthouse, \$110,000,000.

(36) Tucson, Arizona, U.S. Courthouse, \$81,000,000.

(37) Ft. Myers, U.S. Courthouse, \$25,000,000.

(38) Kansas City, Missouri, U.S. Courthouse, \$100,000,000.

(39) Fargo, North Dakota, U.S. Courthouse, \$20,000,000.

(40) Omaha, Nebraska, U.S. Courthouse, \$9,300,000.

(41) Albuquerque, New Mexico, U.S. Courthouse, \$47,450,000.

(42) Brownsville, Texas, U.S. Courthouse, \$4,330,000.

(43) Highgate Springs, Vermont, U.S. Border Patrol Station, \$7,080,000.

(b) REPAIRS AND ALTERATIONS.—Of the funds made available under this heading for "Repairs and Alterations" in appropriation Acts for fiscal year 1995 and prior fiscal years, the following amounts are rescinded from the specified projects:

(1) Walla Walla, Washington, Corps of Engineers Building, \$2,800,000.

(2) District of Columbia, Central and West Heating Plants, \$5,000,000.

OPERATING EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$8,065,000 is rescinded.

FEDERAL ELECTION COMMISSION  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$2,792,000 is rescinded.

OFFICE OF PERSONNEL MANAGEMENT  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-329, \$10,140,000 is rescinded.

CHAPTER X

DEPARTMENTS OF VETERANS AFFAIRS  
AND HOUSING AND URBAN DEVELOPMENT,  
AND INDEPENDENT AGENCIES

DEPARTMENT OF VETERANS AFFAIRS  
DEPARTMENTAL ADMINISTRATION  
CONSTRUCTION, MAJOR PROJECTS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$156,110,000 is rescinded.

DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT  
HOUSING PROGRAMS

NATIONAL HOMEOWNERSHIP TRUST  
DEMONSTRATION PROGRAM  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$50,000,000 is rescinded.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 and any unobligated balances from funds appropriated under this heading in prior years, \$1,696,400,000 is rescinded: *Provided*, That of the total rescinded under this heading, \$690,100,000 shall be from the amounts earmarked for the development or acquisition cost of public housing; \$15,000,000 shall be from amounts provided for the Family Unification program; \$465,100,000 shall be from amounts earmarked for the preservation of low-income housing programs; \$90,000,000 shall be from amounts earmarked for the lead-based paint hazard reduction program; \$70,000,000 shall be from the amounts earmarked for special purpose grants in Public Law 102-389 and prior years; \$39,000,000 shall be from amounts recaptured during fiscal year 1995 or prior years; \$34,200,000 shall be from amounts provided for lease adjustments; and \$287,000,000 of amounts recaptured during fiscal year 1995 from the reconstruction of obsolete public housing projects.

CONGREGATE SERVICES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 and any unobligated balances from funds appropriated under this heading in prior years, \$37,000,000 is rescinded.

PAYMENTS FOR OPERATION OF LOW-INCOME  
HOUSING PROJECTS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$404,000,000 is rescinded.

SEVERELY DISTRESSED PUBLIC HOUSING  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 and any unobligated balances from funds appropriated under this heading in prior years, \$523,000,000 is rescinded.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 and any unobligated balances from funds appropriated under this heading in prior years, \$32,000,000 is rescinded.

YOUTHBUILD PROGRAM  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$38,000,000 is rescinded.

HOUSING COUNSELING ASSISTANCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$38,000,000 is rescinded.

FLEXIBLE SUBSIDY FUND  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 and any unobligated balances from funds appropriated under this heading in prior years, and excess rental charges, collections and other amounts in the fund, \$8,000,000 is rescinded.

NEHEMIAH HOUSING OPPORTUNITIES FUND  
(RESCISSION)

Of the funds transferred to this revolving fund in prior years, \$19,000,000 is rescinded.

HOMELESS ASSISTANCE  
HOUSING ASSISTANCE GRANTS

Of the funds made available under this heading in Public Law 103-327, \$297,000,000 shall not become available for obligation until September 30, 1995.

COMMUNITY PLANNING AND DEVELOPMENT  
COMMUNITY DEVELOPMENT GRANTS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 and any unobligated balances from funds appropriated under this heading in prior years, \$349,200,000 is rescinded.

POLICY DEVELOPMENT AND RESEARCH  
RESEARCH AND TECHNOLOGY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$2,000,000 is rescinded.

MANAGEMENT AND ADMINISTRATION  
SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$22,000,000 is rescinded.

INDEPENDENT AGENCIES

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$500,000 is rescinded.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND  
PROGRAM ACCOUNT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$124,000,000 is rescinded.

ENVIRONMENTAL PROTECTION AGENCY  
RESEARCH AND DEVELOPMENT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$14,635,000 is rescinded.

ABATEMENT, CONTROL, AND COMPLIANCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$4,806,805 is rescinded.

PROGRAM AND RESEARCH OPERATIONS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$45,000,000 is rescinded.

BUILDINGS AND FACILITIES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 and prior years, \$25,000,000 is rescinded.

WATER INFRASTRUCTURE/STATE REVOLVING FUNDS  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 for wastewater infrastructure financing, \$3,200,000 is rescinded, and of the funds made available under this heading in Public Law 103-327 and prior years for drinking water state revolving funds, \$1,300,000,000 is rescinded.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
SCIENCE, AERONAUTICS AND TECHNOLOGY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$38,000,000 is rescinded.

CONSTRUCTION OF FACILITIES  
(RESCISSION)

Of the funds made available under this heading in Public Law 102-389, for the Consortium for International Earth Science Information Network, \$27,000,000 is rescinded.

MISSION SUPPORT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, for administrative aircraft, \$1,000,000 is rescinded.

NATIONAL SCIENCE FOUNDATION  
RESEARCH AND RELATED ACTIVITIES  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$228,000,000 is rescinded.

ACADEMIC RESEARCH INFRASTRUCTURE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$131,867,000 is rescinded.

CORPORATIONS

FEDERAL DEPOSIT INSURANCE CORPORATION  
FDIC AFFORDABLE HOUSING PROGRAM  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327, \$11,281,034 is rescinded.

RESOLUTION TRUST CORPORATION  
RTC REVOLVING FUND  
(RESCISSION)

Of the unobligated balances in the RTC Revolving Fund, \$500,000,000 is rescinded.

**TITLE III—GENERAL PROVISION**

DENIAL OF USE OF FUNDS FOR INDIVIDUALS NOT LAWFULLY WITHIN THE UNITED STATES

SEC. 3001. None of the funds made available in this Act may be used to provide any direct

benefit or assistance to any individual in the United States when it is made known to the Federal entity or official to which the funds are made available that—

(1) the individual is not lawfully within the United States; and

(2) the benefit or assistance to be provided is other than search and rescue; emergency medical care; emergency mass care; emergency shelter; clearance of roads and construction of temporary bridges necessary to the performance of emergency tasks and essential community services; warning of further risks or hazards; dissemination of public information and assistance regarding health and safety measures; provision of food, water, medicine, and other essential needs, including movement of supplies or persons; or reduction of immediate threats to life, property, and public health and safety.

H.R. 1158

OFFERED BY: MR. BARR

AMENDMENT NO. 9: Page 52, line 18, strike "\$349,200,000" and insert "\$59,200,000".

Page 54, line 9, after "Public Law 103-327", add "and prior years,".

Page 54, line 10, strike "\$3,200,000" and insert "\$293,200,000".

H.R. 1158

OFFERED BY: MR. BARR

AMENDMENT NO. 10: Page 22, line 13, strike "\$5,000,000" and insert "all unobligated balances".

H.R. 1158

OFFERED BY: MR. BARR

AMENDMENT NO. 11: Page 52, line 18, strike "\$349,200,000" and insert "\$59,200,000".

Page 54, line 4, strike "\$25,000,000" and insert "\$315,000,000".

H.R. 1158

OFFERED BY: MR. BARR

AMENDMENT NO. 12: Page 49, line 14, strike "\$5,733,400,000" and insert "\$5,823,400,000".

Page 52, line 18, strike "\$349,200,000" and insert "\$259,200,000".

H.R. 1158

OFFERED BY: MR. BREWSTER

AMENDMENT NO. 13: At the end of the bill, add the following new title:

**TITLE IV—DEFICIT REDUCTION LOCKBOX**

DEFICIT REDUCTION TRUST FUND

SEC. 4001. (a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the "Deficit Reduction Trust Fund" (in this title referred to as the "Fund").

(b) CONTENTS.—The Fund shall consist only of amounts transferred to the Fund under subsection (c).

(c) TRANSFERS OF MONEYS TO FUND.—For each of the fiscal years 1995 through 1998, the Secretary of the Treasury shall transfer to the Fund amounts equivalent to the net deficit reduction achieved during such fiscal year as a result of the provisions of this Act.

(d) USE OF MONEYS IN FUND.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amounts in the Fund shall not be available, in any fiscal year, for appropriation, obligation, expenditure, or transfer.

(2) USE OF AMOUNTS FOR REDUCTION OF PUBLIC DEBT.—The Secretary of the Treasury shall use the amounts in the Fund to redeem, or buy before maturity, obligations of the Federal Government that are included in the public debt. Any obligation of the Federal Government that is paid, redeemed, or bought with money from the Fund shall be canceled and retired and may not be issued.

## DOWNWARD ADJUSTMENTS IN DISCRETIONARY SPENDING LIMITS

SEC. 4002. (a) IN GENERAL.—Upon the enactment of this Act, the Director of the Office of Management and Budget shall make downward adjustments in the discretionary spending limits (new budget authority and outlays) specified in section 601(a)(2) of the Congressional Budget Act of 1974 for each of the fiscal years 1995 through 1998 by the aggregate amount of estimated reductions in new budget authority and outlays for discretionary programs resulting from the provisions of this Act (other than emergency appropriations) for such fiscal year, as calculated by the Director.

(b) OUTYEAR TREATMENT OF RESCISSIONS.—For discretionary programs for which this Act rescinds budget authority for specific fiscal years, the Director of the Office of Management and Budget shall include in the aggregate amount of the downward adjustments under subsection (a) amounts reflecting budget authority reductions for the succeeding fiscal years through 1998, calculated by inflating the amount of the rescission using the baseline procedures identified in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985.

## PROHIBITION ON USE OF SAVINGS TO OFFSET DEFICIT INCREASES RESULTING FROM DIRECT SPENDING OR RECEIPTS LEGISLATION

SEC. 4003. Reductions in outlays, and reductions in the discretionary spending limits specified in section 601(a)(2) of the Congressional Budget Act of 1974, resulting from the enactment of this Act shall not be taken into account for purposes of section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

H.R. 1158

OFFERED BY: MS. BROWN OF FLORIDA

AMENDMENT NO. 14: Page 48, strike lines 10 through 24.

H.R. 1158

OFFERED BY: MS. BROWN OF FLORIDA

AMENDMENT NO. 15: Page 48, line 24, insert after "rescinded" the following:

*Provided*, That such rescission shall not be taken from amounts made available for ambulatory care projects at Gainesville or Orlando, in the State of Florida.

H.R. 1158

OFFERED BY: MR. CASTLE

AMENDMENT NO. 16: On page 2, line 15: Strike \$5,360,000,000 and Insert: \$4,360,000,000

Explanation: The purpose of the amendment is to reduce the amount available for Disaster Assistance by \$1 Billion. A significant portion of the Disaster Supplemental Appropriations is to repair public buildings damaged by the Northridge earthquake. The Federal Emergency Management Agency (FEMA) has indicated that a significant portion of the funds designated for repair of public buildings could not be expended until Fiscal years 1997 or 1998. Therefore, if needed, these funds could be appropriated in future years.

H.R. 1158

OFFERED BY: MR. CASTLE

AMENDMENT NO. 17: On page 29, Line 18: Strike \$60,000,000 and Insert: \$80,000,000.

On Page 29, Line 18: Strike: \$481,962,000 and Insert \$461,962,000.

Explanation: The purpose of this amendment is to restore \$20 million in the Safe and Drug-Free Schools program to be used to continue funding for the Drug Abuse Resistance Education Program (D.A.R.E.) A corresponding reduction of \$20 million is made in the Eisenhower professional development State grants program.

H.R. 1158

OFFERED BY: MR. CLAY

AMENDMENT NO. 18: On page 23, line 10: strike "\$1,603,094,000" and insert "\$546,766,000".

Page 23, strike line 23 and all that follows through line 25.

H.R. 1158

OFFERED BY: MR. CLAY

AMENDMENT NO. 19: Page 29, line 16, strike "\$757,132,000" and insert "\$275,170,000".

Page 29, line 18, strike "title IV, \$481,962,000,".

H.R. 1158

OFFERED BY: MR. COLEMAN

AMENDMENT NO. 20: Page 43, after line 23, insert the following new section:

SEC. 803. (a) CANCELLATION OF FUNDS FOR HIGHWAY DEMONSTRATION PROJECTS.—Of the funds made available for highway demonstration projects of the Federal Highway Administration in any appropriation Act or P.L. 102-240, and that have not been obligated for construction, the Secretary of Transportation shall cancel \$400,000,000 in unobligated balances. Funds may not be canceled under this section for any project that is under construction.

(b) PROJECTS SUBJECT TO CANCELLATION.—Funds may be cancelled under this section only for projects that—

(1) have low economic rates of return, if such measures are available;

(2) have low benefits relative to costs, if such measures are available; or

(3) have low priority in the transportation plans of the State, local government, or other contracting authority having responsibility for the project.

(c) NOTIFICATION REQUIREMENT.—No cancellation under this section shall take effect until 30 days after the Secretary of Transportation submits to the Congress a notification of the proposed cancellation.

(d) DEFINITION.—For purposes of this section, the term "construction" refers to a project or segment of a project for which a construction contract for physical construction has been awarded by the State, local government, or other contracting authority having responsibility for the project, regardless of whether other obligations (such as for preliminary engineering or environmental studies) have been incurred.

H.R. 1158

OFFERED BY: MR. CRANE

AMENDMENT NO. 21: Page 22, line 13, strike "\$5,000,000" and insert "all unobligated balances".

H.R. 1158

OFFERED BY: MR. CRANE

AMENDMENT NO. 22: Page 22, line 13, strike "\$5,000,000" and insert "\$10,000,000".

H.R. 1158

OFFERED BY: MR. CRANE

AMENDMENT NO. 23: Page 22, line 13, strike "\$5,000,000" and insert "\$15,000,000".

H.R. 1158

OFFERED BY: MR. CRANE

AMENDMENT NO. 24: page 33, line 20, strike "\$47,000,000" and insert "\$112,000,000".

Page 33, line 22, strike "\$94,000,000" and insert "\$215,000,000".

H.R. 1158

OFFERED BY: MR. CRANE

Amendment No. 25: Page 33, line 20, strike "\$47,000,000" and insert "\$112,000,000".

Page 33, line 22, strike "\$94,000,000" and insert "\$215,000,000".

Page 30, line 23, strike "\$151,888,000" and insert "\$101,888,000".

H.R. 1158

OFFERED BY: MS. DELAURO

AMENDMENT NO. 26: Page 48, strike lines 10 through 24.

Page 54, line 18, strike "\$38,000,000" and insert "\$244,110,000".

H.R. 1158

OFFERED BY: MS. DELAURO

*Substitute For The Amendment Offered By*

AMENDMENT NO. 27: Page 48, strike lines 10 through 24.

Page 54, line 18, strike "\$38,000,000" and insert "\$244,110,000".

H.R. 1158

OFFERED BY: MR. DELAY

AMENDMENT NO. 28: Page 25, line 12 strike "\$82,775,000 are rescinded." and insert the following:

\$107,775,000 are rescinded, including \$25,000,000 from funds made available for carrying out title X of the Public Health Service Act.

H.R. 1158

OFFERED BY: MR. DELAY

AMENDMENT NO. 29: On page 25, line 5 strike "\$16,072,000" and insert "\$19,572,000."

H.R. 1158

OFFERED BY: MR. DOOLEY

AMENDMENT NO. 30: Page 23, line 10, strike "\$1,603,094,000" and insert "\$2,059,376,000".

Page 23, line 11, strike "\$10,000,000" and insert "\$410,000,000".

Page 23, line 13, strike "\$12,500,000" and insert "\$84,500,000".

Page 23, line 17, strike "\$33,000,000" and insert "\$66,800,000".

Page 23, line 18, strike "\$310,000,000" and insert "\$159,700,000".

Page 23, strike lines 23 through 25.

Page 24, line 14, strike "\$12,000,000" and insert "\$66,000,000".

Page 24, line 18, strike "\$3,253,097,000" and insert "\$3,153,097,000".

Page 28, line 14, strike "\$186,030,000" and insert "\$258,030,000".

Page 28, line 20, strike "\$12,500,000" and insert "\$84,500,000".

Page 28, line 22, strike "\$3,125,000" and insert "\$75,125,000".

H.R. 1158

OFFERED BY: MR. FIELDS OF LOUISIANA

AMENDMENT NO. 31: Page 31, line 12, strike "\$102,246,000" and insert "\$91,046,000".

Page 31, line 15, strike "title IV-A-2, chapter 1, \$11,200,000,".

H.R. 1158

OFFERED BY: MR. FIELDS OF LOUISIANA

AMENDMENT NO. 32: Page 29, line 16, strike "\$757,132,000" and insert "\$275,170,000".

Page 29, line 18, strike "title IV, \$481,962,000,".

H.R. 1158

OFFERED BY: MR. FIELDS OF LOUISIANA

AMENDMENT NO. 33: Page 23, line 10, strike "\$1,603,094,000" and insert "\$188,481,000".

Page 23, beginning on line 11, strike "\$10,000,000 for necessary expenses of construction, rehabilitation, and acquisition of new Job Corps centers, \$12,500,000 for the School-to-Work Opportunities Act,".

Page 23, beginning on line 18, strike "\$310,000,000 for carrying out title II, part C of such Act,".

Page 23, strike lines 23 through 25.

H.R. 1158

OFFERED BY: MR. FOGLIETTA

AMENDMENT NO. 34: Page 23, line 10, strike "\$1,603,094,000" and insert "\$825,376,000".

Page 23, strike lines 23 through 25.

Page 34, after line 5, insert the following:

DEPARTMENT OF DEFENSE, MILITARY  
AIRCRAFT PROCUREMENT, AIR FORCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, the following amounts are rescinded from the specified programs:

- (1) Bomber Industrial Base, \$125,000,000.
- (2) B-2A MYP, \$339,384,000.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, AIR FORCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, the following amounts are rescinded from the specified programs:

- (1) Milstar Satellite, \$607,248,000.
- (2) B-2 Advanced Technology Bomber, \$388,543,000.

H.R. 1158

OFFER BY: MR. FOGLIETTA

AMENDMENT No. 35, Page 25, line 12, strike "\$82,775,000" and insert "\$72,775,000".

Page 26, line 4, strike "\$50,000,000" and insert "\$60,000,000".

H.R. 1158

OFFERED BY: MS. FURSE

AMENDMENT No. 36: Page 55, after line 16, insert the following:

CHAPTER XI  
DEPARTMENT OF DEFENSE, MILITARY  
RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, ARMY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$486,600,000 is rescinded, to be derived from the Comanche helicopter.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, NAVY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,158,000,000 is rescinded, to be derived from the following programs in the specified amounts:

- (1) F/A-18E/F fighter and attack aircraft program, \$1,249,700,000.
- (2) New attack submarine program, \$455,600,000.
- (3) V-22 Osprey program, \$452,700,000.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, AIR FORCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,941,500,000 is rescinded, to be derived from the following programs in the specified amounts:

- (1) F-22 fighter aircraft program, \$2,325,300,000.
- (2) Milstar communications satellite program, \$616,200,000.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, DEFENSE-WIDE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,467,600,000 is rescinded, to be derived from the ballistic missile defense program.

H.R. 1158

OFFERED BY: MS. FURSE

AMENDMENT No. 37: Page 55, after line 16, insert the following:

CHAPTER XI  
DEPARTMENT OF DEFENSE, MILITARY  
PROCUREMENT  
PROCUREMENT, DEFENSE-WIDE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$1 is rescinded.

H.R. 1158

OFFERED BY: MR. GUNDERSON

AMENDMENT No. 38: On p. 2 line 15, delete \$5,360,000,000 and insert \$4,760,000,000.

On page 49, line 20, delete \$2,694,000,000 and insert \$2,194,000,000.

On page 50, line 6, delete \$186,000,000 and insert \$86,000,000.

H.R. 1158

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 39: Page 27, strike lines 2 through 6.

H.R. 1158

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 40: Page 50, beginning on line 6, strike "\$186,000,000 shall be from amounts earmarked for housing opportunities for persons with AIDS";

Conform the aggregate amount set forth on page 49, line 14, accordingly.

H.R. 1158

OFFERED BY: MR. GUTIERREZ

AMENDMENT No. 41: Page 5, after line 18, insert the following:

COMMODITY CREDIT CORPORATION FUND  
MARKET PROMOTION PROGRAM  
(RESCISSION)

All unobligated balances available to carry out the Market Promotion Program under section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) are rescinded.

H.R. 1158

OFFERED BY: MR. HORN

AMENDMENT No. 42, Page 23, line 10, strike "\$1,603,094,000" and insert "\$1,198,124,000".

Page 25, line 23, strike "\$20,000,000" and insert "\$120,000,000".

Page 28, line 14, strike "\$186,030,000" and insert "\$391,000,000".

Page 29, line 16, strike "\$757,132,000" and insert "\$857,132,000".

Page 29, line 18, strike "\$60,000,000" and insert "\$160,000,000".

H.R. 1158

OFFERED BY: MR. KENNEDY OF  
MASSACHUSETTS

AMENDMENT No. 43: Page 27, strike lines 2 through 6.

Page 34, after line 5, insert the following:

DEPARTMENT OF DEFENSE—MILITARY  
RESEARCH, DEVELOPMENT, TEST, AND  
EVALUATION

RESEARCH, DEVELOPMENT, TEST, AND  
EVALUATION, AIR FORCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$1,319,204,000 are rescinded; *Provided*, That this amount is to be taken from amounts available for the F-22 aircraft program.

H.R. 1158

OFFERED BY: MR. KENNEDY OF  
MASSACHUSETTS

AMENDMENT No. 44: At the end of the bill, add the following new title:

TITLE IV—ADDITIONAL PROVISIONS  
RESTORATION OF HOUSING FUNDING

SEC. 4001. The amounts otherwise specified by this Act are revised by reducing the amount appropriated for "Federal Emergency Management Agency—Disaster Relief", and reducing the amount rescinded from "DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT" (consisting of reductions of rescissions by \$37,000,000, \$32,000,000, \$90,000,000, \$404,000,000, \$69,000,000, and \$159,000,000 for "Congregate Services", "Drug Elimination Grants for Low-Income Housing", the lead-based paint hazard reduction program, "Payments for Operation of

Low-Income Housing Projects", rental assistance under the section 8 existing certificate program and the section 8(i) housing voucher program, and the aggregate amount under "Annual Contributions for Assisted Housing", respectively), by \$632,000,000.

H.R. 1158

OFFERED BY: MR. KENNEDY OF  
MASSACHUSETTS

AMENDMENT No. 45: At the end of the bill, add the following new title:

TITLE IV—ADDITIONAL PROVISIONS

RESTORATION OF HOUSING FUNDING

SEC. 4001. The amounts otherwise specified by this Act are revised by reducing the amount appropriated for "Federal Emergency Management Agency—Disaster Relief", and reducing the amount rescinded from "DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT" (consisting of reductions of rescissions by \$37,000,000, \$32,000,000, \$90,000,000, \$404,000,000, \$69,000,000, and \$159,000,000 for "Congregate Services", "Drug Elimination Grants for Low-Income Housing", the lead-based paint hazard reduction program, "Payments for Operation of Low-Income Housing Projects", rental assistance under the section 8 existing certificate program and the section 8(o) housing voucher program, and the aggregate amount under "Annual Contributions for Assisted Housing", respectively), by \$791,000,000.

H.R. 1158

OFFERED BY: MR. KLUG

AMENDMENT No. 46: Page 13, line 9, strike "\$10,000,000" and insert "\$117,500,000".

H.R. 1158

OFFERED BY: MR. MCINTOSH

AMENDMENT No. 47: Page 16, line 14, strike "\$2,000,000" and insert "\$19,540,000".

Page 20, line 13, strike "\$46,228,000" and insert "\$26,228,000".

After page 17, line 5, insert:

"COOPERATIVE ENDANGERED SPECIES  
CONSERVATION FUND

"(RESCISSION)

"Of the funds available under this heading in Public Law 103-138, \$8,290,000 are rescinded".

H.R. 1158

OFFERED BY: MR. MCINTOSH

AMENDMENT No. 48: Page 16, line 14, strike "\$2,000,000" and insert "\$19,540,000".

After page 17, line 5, insert:

"COOPERATIVE ENDANGERED SPECIES  
CONSERVATION FUND

"(RESCISSION)

"Of the funds available under this heading in Public Law 103-138, \$8,290,000 are rescinded".

On page 36, lines 5 through 10, strike the text.

H.R. 1158

OFFERED BY: MR. MCINTOSH

AMENDMENT No. 49: Page 16, line 14, strike "\$2,000,000" and insert "\$19,540,000".

After page 17, line 5, insert:

"COOPERATIVE ENDANGERED SPECIES  
CONSERVATION FUND

"(RESCISSION)

"Of the funds available under this heading in Public Law 103-138, \$8,290,000 are rescinded".

H.R. 1158

OFFERED BY: MR. MCINTOSH

AMENDMENT No. 50: Page 16, line 14, strike "\$2,000,000" and insert "\$19,540,000".

H.R. 1158

OFFERED BY: MR. MONTGOMERY

AMENDMENT No. 51: Page 48, strike lines 10 through 24.

H.R. 1158

OFFERED BY: MR. MONTGOMERY

AMENDMENT No. 52: At the end of the bill, add the following new title:

TITLE IV—ADDITIONAL PROVISIONS  
RESTORATION OF VETERANS FUNDING

SEC. 4001. The amounts otherwise specified by this Act are revised by reducing the amount appropriated for "Federal Emergency Management Agency—Disaster Relief", and reducing the amount rescinded from "DEPARTMENT OF VETERANS AFFAIRS" (consisting of reductions of rescissions by \$50,000,000 and \$156,110,000 for "Veterans Health Administration—Medical Care" and "Departmental Administration—Construction, Major Projects", respectively), by \$206,110,000.

H.R. 1158

OFFERED BY: MR. MURTHA

AMENDMENT No. 53: Add the following Section to the end of the bill:

"SAVINGS TO BE USED EXCLUSIVELY FOR  
DEFICIT REDUCTION

"SEC. 302. An amount equal to the net budget authority reduced in this Act is hereby appropriated into the Deficit Reduction Fund established pursuant to Executive Order 12858 to be used exclusively to reduce the Federal deficit: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended."

H.R. 1158

OFFERED BY: MR. MURTHA

AMENDMENT No. 54: Add the following Section to the end of the bill:

"SAVINGS TO BE USED EXCLUSIVELY FOR  
DEFICIT REDUCTION

"SEC. 302. An amount equal to the net budget authority reduced in this Act is hereby appropriated into the Deficit Reduction Fund established pursuant to Executive Order 12858 to be used exclusively to reduce the Federal deficit: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. None of the savings derived from the net budget authority reduced in this Act shall be used as a budgetary offset for any subsequent legislation that reduces Federal tax revenue."

H.R. 1158

OFFERED BY: MR. NADLER

AMENDMENT No. 55: Page 20, line 5, strike "\$18,650,000" and insert "\$28,650,000".  
Page 22, strike lines 7 through 18.

H.R. 1158

OFFERED BY: MR. NADLER

AMENDMENT No. 56: Page 12, line 18, strike "\$116,500,000" and insert "\$81,500,000".  
Page 13, line 14, strike "\$5,000,000" and insert "\$40,000,000".

H.R. 1158

OFFERED BY: MR. NADLER

AMENDMENT No. 57: Page 49, line 14, strike out "\$5,733,400,000" and insert "\$1,696,400,000".

Page 50, line 6, strike "\$1,157,000,000" and all that follows through "103-327;" on page 50, line 1.

Page 49, line 17, strike "\$186,000,000" and all that follows through the semicolon at the end of line 7.

Page 55, after line 16, insert the following:  
DEPARTMENT OF DEFENSE, MILITARY RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, AIR FORCE  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,385,000,000 is rescinded, to be derived from the C-17 program.

SHIPBUILDING AND CONVERSION, NAVY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$2,000,000,000 is rescinded, to be derived from the CVN 76 program.

RESEARCH, DEVELOPMENT, TEST AND  
EVALUATION, NAVY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$158,100,000 is rescinded, to be derived from the Sea Wolf program.

H.R. 1158

OFFERED BY: MR. OBEY

AMENDMENT No. 58: 1. Disaster Assistance: On page 2 strike 11 through 20 and insert the following:

DISASTER ASSISTANCE LOAN GUARANTEES

Subject to such terms, fees, and conditions as the Secretary of the Treasury determines to be appropriate and without regard to fiscal year limitation, the Director of the Federal Emergency Management Agency may make commitments to guarantee, and may issue guarantees, against losses incurred in connection with loans to States made to carry out disaster relief activities and functions described in the Robert T. Stafford Disaster Relief and Emergency Assistance Act for major disasters and emergencies declared under such Act and occurring before March 1, 1995. The aggregate principal amount of loans guaranteed under this head may not exceed \$5,360,000,000. The Secretary of the Treasury shall establish terms, rates of interest, and other conditions for such loans as may be necessary to ensure that the aggregate cost (as such term is defined in section 502 of the Congressional Budget Act of 1974) of the guarantees for such loans does not exceed the amount appropriated under this head.

For the cost, as such term is defined in section 502 of the Congressional Budget Act of 1974, of guarantees under this head, \$536,000,000, to remain available until expended, and such amount is hereby designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

1A. Disaster Assistance alternative:  
On page 2 line 15, strike "\$5,360,000,000" and insert "\$536,000,000"

2. WIC, Women, Infants and Children:  
On page 6, strike lines 17 through 22.

3. Training & Employment Services:  
On page 23 line 10, strike "\$1,603,094,000" and insert "\$940,594,000".

On page 23 lines 13 & 14, strike "\$12,500,000 for the School-to-Work Opportunities Act,".  
On page 23, strike lines 23 through 25.

4. Community Services Employment for Older Americans:  
On page 24 strike lines 1 through 9.

5. Health Resources and Services:

On page 25 line 12, strike "\$82,775,000" and insert "\$72,775,000".

6. Low Income Energy Assistance:  
On page 27, strike lines 2 through 6.

7. Education Reform:  
On page 28 line 14, strike "\$186,030,000" and insert "\$103,530,000".

On page 28 line 15, strike "\$142,000,000" and insert "\$83,000,000".

On page 28 line 16, strike "\$21,530,000" and insert "\$10,530,000".

On page 28 line 19 after the word "Act" strike all through the word "partnerships" on line 23.

8. Education for the Disadvantaged:  
On page 29 line 4 strike all after "103-333," through line 7 and insert "\$8,270,000 from part E, section 1501 are rescinded."

9. School Improvement:  
On page 29 line 16 strike "\$75,132,000" and insert "\$408,321,000".

On page 29 line 18, strike "\$60,000,000" and insert "\$40,000,000".

On page 29 line 18, strike "\$481,962,000" and insert "\$181,962,000".

On page 29 line 22 strike all after the semicolon through the semicolon on line 23.

10. Vocational and Adult Education:  
On page 30 line 20, strike "\$232,413,000" and insert "\$124,413,000".

On page 30 line 22, strike "-B, and -E" and insert "and -B".

On page 30 line 23, strike "\$151,888,000" and insert "\$43,888,000".

11. Student Financial Assistance:  
On page 31 line 6, strike "\$83,375,000" and insert "\$20,000,000".

On page 31 lines 7 & 8 strike "part A-4 and".

12. Corporation for Public Broadcasting:  
On page 33 line 20, strike "\$47,000,000" and insert "\$31,000,000".

On page 33 line 22, strike "\$94,000,000" and insert "\$34,000,000".

13. Veterans Medical Care:  
On page 48 strike lines 10 through 24.

14. Assisted Housing:  
On page 49 line 14, strike "\$5,733,400,000" and insert "\$5,018,400,000".

On page 49 line 17, strike "\$1,157,000,000" and insert "\$467,000,000".

On page 50 line 4, strike "\$90,000,000" and insert "\$65,000,000".

On page 50, strike lines 22 through 26.

H.R. 1158

OFFERED BY: MR. PORTER

AMENDMENT No. 59: On page 23, line 10: strike "\$1,603,094,000" and insert "\$1,601,850".

On page 24, line 18: strike "\$3,253,097,000" and insert "\$3,221,397,000".

On page 25, line 12: strike "\$82,775,000" and insert "\$53,925,000".

On page 26, line 20: strike "\$2,168,935,000" and insert "\$2,178,935,000".

On page 29, line 4: strike "\$113,270,000" and insert "\$148,570,000" and on line 5: strike "\$105,000,000" and insert "\$140,000,000".

On page 29, line 16: strike "\$757,132,000" and insert "\$747,021,000".

On page 29, line 18: strike "\$60,000,000" and insert "\$90,000,000".

On page 29, line 19: strike "-D," and "-E".

On page 29, line 20: strike "\$21,384,000" and insert "\$10,084,000".

On page 29, line 22: strike all after the semicolon through the semicolon on page 29, line 23.

On page 30, line 20: strike "\$232,413,000" and insert "\$119,544,000".

On page 30, line 22: after "III-A," insert "and".

On page 30, line 22: strike "and -E,".

On page 30, line 23: strike "\$151,888,000" and insert "\$43,888,000".

On page 30, line 24: strike "section".

On page 30, line 25: strike "384(c),".

On page 30, line 25: strike "\$31,392,000" and insert "\$26,523,000"

On page 31, line 6: strike "\$83,375,000" and insert "\$187,475,000"

On page 31, line 7: after "IV," insert "part A-1,"

On page 33, line 11: strike "\$34,742,000" and insert "\$26,716,000"; and

On page 33, line 13: after "\$15,300,000" strike ", and part VI, \$8,026,000"

H.R. 1158

OFFERED BY: MR. PORTER

AMENDMENT NO. 60: On page 23, line 10: Strike "\$1,603,094,000" and insert "\$1,680,550,000"

On page 24, line 18: strike "\$3,253,097,000" and insert "\$3,221,397,000"

On page 25, line 12: strike "\$82,775,000" and insert "\$53,925,000"

On page 26, line 20: strike "\$2,168,935,000" and insert "\$2,178,935,000"

On page 29, line 4: strike "\$113,270,000" and insert "\$148,570,000" and on line 5: strike "\$105,000,000" and insert "\$140,000,000"

On page 29, line 16: strike "\$757,132,000" and insert "\$772,421,000"

On page 29, line 18: strike "\$60,000,000" and insert "\$115,400,000"

On page 29, line 19: strike "-D," and "-E"

On page 29, line 20: strike "\$21,384,000" and insert "\$10,084,000"

On page 29, line 22: strike all after the semicolon through the semicolon on page 29, line 23

On page 30, line 20: strike "\$232,413,000" and insert "\$119,544,000"

On page 30, line 22, after "III-A," insert "and"

On page 30, line 22: strike "and-E,"

On page 30, line 23: strike "\$151,888,000" and insert "\$43,888,000"

On page 30, line 24: strike "section"

On page 30, line 25: strike "384(c),"

On page 30, line 25: strike "\$31,392,000" and insert "\$26,523,000"

On page 33, line 11: strike "\$34,742,000" and insert "\$26,716,000", and

On page 33, line 13: after "\$15,300,000" strike ", and part VI \$8,026,000"

H.R. 1158

OFFERED BY: MR. ROEMER

AMENDMENT NO. 61: At the end of the bill, add the following new title:

TITLE IV—DEFICIT AND DEBT  
REDUCTION ASSURANCE

TRANSFER OF SAVINGS TO PRESIDENT'S DEFICIT  
REDUCTION FUND

SEC. 4001. (a) IN GENERAL.—For each of the fiscal years 1995 through 1998, the Secretary of the Treasury shall transfer to the Deficit Reduction Fund established by Executive Order 12858 (58 Fed. Reg. 42185) amounts equivalent to the net deficit reduction achieved during such fiscal year as a result of the provisions of this Act.

(b) COORDINATION OF PROVISIONS.—Such amounts shall be in addition to the amounts specified in section 2(b) of such order, but shall be subject to the requirements and limitations set forth in sections 2(c) and 3 of such order.

PROHIBITION ON USE OF SAVINGS TO OFFSET  
DEFICIT INCREASES RESULTING FROM DIRECT  
SPENDING OR RECEIPTS LEGISLATION

SEC. 4002. Reductions in outlays resulting from the enactment of this Act shall not be taken into account for purposes of section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

H.R. 1158

OFFERED BY: MR. ROEMER

AMENDMENT NO. 62: Page 26, line 20, strike "\$2,168,935,000" and insert "\$2,119,253,000".

Page 29, line 18 strike "\$481,962,000" and insert "\$432,280,000".

H.R. 1158

OFFERED BY: MR. ROEMER

AMENDMENT NO. 63: Page 53, strike lines 8 through 17.

Page 54, after line 18, insert the following:

HUMAN SPACE FLIGHT  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-327 for the space station, \$210,000,000 are rescinded.

H.R. 1158

OFFERED BY: MR. ROEMER

AMENDMENT NO. 64: Page 29, line 18, strike "\$481,962,000" and insert "\$308,337,000".

Page 29, line 19, insert "title VI, \$173,625,000," after "\$28,000,000".

H.R. 1158

OFFERED BY: MR. ROEMER

AMENDMENT NO. 65: On page 53, eliminate lines 8 through 17.

On page 55, after line 16, enter:

CHAPTER XI  
NATIONAL SECURITY  
(RESCISSION)

Of the funds made available under this heading from Public Law 103-335, \$210,000,000 are rescinded from the account for "National Missile Defense."

H.R. 1158

OFFERED BY: MR. ROHRBACHER

AMENDMENT NO. 66: Page 20, line 5, strike "\$18,650,000" and insert "\$23,450,000."

H.R. 1158

OFFERED BY: MR. ROMERO-BARCELÓ

AMENDMENT NO. 67: Page 48, strike lines 10 through 24.

Page 54, line 23, strike "\$27,000,000" and insert "\$233,110,000".

H.R. 1158

OFFERED BY: MS. ROYBAL-ALLARD

AMENDMENT NO. 68: Page 50, strike line 16 through 21.

Page 54, line 18, strike "\$38,000,000" and insert "\$75,000,000".

H.R. 1158

OFFERED BY: MR. SCARBOROUGH

AMENDMENT NO. 69: Page 34, line 8, insert "(a)" after "601."

Page 34, after line 13, insert the following new subsection:

(b) Notwithstanding any other provision of section 458 of the Higher Education Act of 1965 (20 U.S.C. 1087h), none of the funds made available under such section may be used by the Secretary of Education after the date of the enactment of this Act to hire additional fulltime equivalent employees for the sole or partial purpose of administering the Federal Direct Student Loan Program.

H.R. 1158

OFFERED BY: MR. SHAYS

AMENDMENT NO. 70: Page 50, beginning on line 6, strike "\$186,000,000 shall be from amounts earmarked for housing opportunities for persons with AIDS;".

Conform the aggregate amount set forth on page 49, line 14, accordingly.

Page 54, line 18, strike "\$38,000,000" and insert "\$224,000,000".

H.R. 1158

OFFERED BY: MR. STEARNS

AMENDMENT NO. 71: Page 48, strike lines 10 through 24.

Page 53, line 22, strike "\$14,635,000" and insert "\$220,745,000".

H.R. 1158

OFFERED BY: MR. STEARNS

AMENDMENT NO. 72: Page 22, line 13, strike "\$5,000,000" and insert "all unobligated balances".

H.R. 1158

OFFERED BY: MR. STEARNS

AMENDMENT NO. 73: Page 45, after line 15, insert the following:

EXCHANGE STABILIZATION FUND  
(RESCISSION)

Of the funds in the Exchange Stabilization Fund, all unobligated balances are rescinded.

H.R. 1158

OFFERED BY: MR. STOKES

AMENDMENT NO. 74: On page 2, line 15, strike "\$5,360,000,000" and insert in lieu thereof, "\$3,360,000,000".

On page 48, strike lines 10 through 24.

On page 49, line 14, strike "\$5,733,400,000" and insert in lieu thereof, "\$4,914,300,000".

On page 49, line 17, strike "\$1,157,000,000" and insert in lieu thereof, "\$756,000,000".

On page 50, line 2, strike "\$465,100,000" and insert in lieu thereof, "\$150,000,000".

On page 50, line 4, strike "\$90,000,000" and insert in lieu thereof, "\$80,000,000".

On page 50, line 6, strike "\$186,000,000" and insert in lieu thereof, "\$86,000,000".

On page 50, strike lines 22 through 26.

On page 51, line 6, strike "\$523,000,000" and insert in lieu thereof, "\$333,410,000".

On page 51, strike lines 7 through 12.

On page 52, strike lines 12 through 18.

H.R. 1158

OFFERED BY: MR. STUMP

AMENDMENT NO. 75: Page 48, strike lines 10 through 24.

Page 53, line 13, strike "\$210,000,000" and all that follows through line 17 and insert "\$416,110,000 are rescinded."

H.R. 1158

OFFERED BY: MRS. THURMAN

AMENDMENT NO. 76: Page 12, line 18, strike "\$116,500,000" and insert "\$183,500,000".

Page 13, line 9, strike "\$10,000,000" and insert "\$63,200,000".

Page 15, line 26, strike "\$4,500,000" and insert "\$11,000,000".

Page 48, strike lines 10 through 24.

Page 46, line 11, after "rescinded" insert "; for Albuquerque, New Mexico, U.S. Court House, \$44,300,000 are rescinded; for Long Island, New York, U.S. Court House, \$23,200,000 are rescinded; for Steubenville, Ohio, U.S. Court House, \$2,800,000 are rescinded".

Page 55, after line 16, insert the following:

CHAPTER XI  
DEPARTMENT OF DEFENSE—MILITARY  
PROCUREMENT  
AIRCRAFT PROCUREMENT, ARMY  
(RESCISSION)

Of the funds made available under this heading in Public Law 103-335, \$11,000,000 are rescinded.

H.R. 1158

OFFERED BY: MS. WATERS

AMENDMENT NO. 77: Page 23, line 10, strike "\$1,603,094,000" and insert "\$1,578,309,000".

H.R. 1158

OFFERED BY: MS. WATERS

AMENDMENT NO. 78: Page 23, line 10, strike "\$1,603,094,000" and insert "\$1,598,083,000".

H.R. 1158

OFFERED BY: MR. WOLF

AMENDMENT NO. 79: Page 25, line 12, strike "\$2,775,000" and insert "\$2,775,001".

H.R. 1158

OFFERED BY: MR. YOUNG OF FLORIDA

AMENDMENT NO. 80: Page 48, strike lines 10 through 24.

Page 53, line 13, strike "\$210,000,000" and insert "\$416,110,000".

Page 53, line 14, insert "\$386,212,000 of" after "That".

H.R. 1158

OFFERED BY: MR. YOUNG OF FLORIDA

AMENDMENT NO. 81: Page 48, strike lines 20 through 24.

Page 53, line 13, strike "\$210,000,000" and insert "\$366,110,000".