

[Roll No. 184]

YEAS—386

Aderholt Dixon Kilpatrick
 Allen Doggett Kind (WI)
 Andrews Doollittle King (NY)
 Archer Doyle Kingston
 Armev Dreier Kleczka
 Baca Dunn Knollenberg
 Bachus Edwards Kolbe
 Baird Ehlers Kuykendall
 Baker Ehrlich LaHood
 Baldacci Emerson Lampson
 Baldwin Engel Lantos
 Ballenger English Larson
 Barcia Eshoo Latham
 Barr Etheridge LaTourette
 Barrett (NE) Evans Lazio
 Bartlett Everett Leach
 Barton Ewing Levin
 Bass Farr Lewis (CA)
 Bateman Fattah Lewis (GA)
 Becerra Filner Lewis (KY)
 Bentsen Fletcher Linder
 Bereuter Foley Lipinski
 Berkley Forbes Lowey
 Berman Ford Lucas (KY)
 Berry Fossella Lucas (OK)
 Biggert Fowler Luther
 Bilbray Frelinghuysen Maloney (NY)
 Billarakis Frost Manzullo
 Bishop Gallegly Martinez
 Blagojevich Ganske Mascara
 Bliley Gejdenson Matsui
 Blumenauer Gekas McCarthy (MO)
 Blunt Gephardt McCarthy (NY)
 Boehlert Gibbons McCreery
 Boehner Gilchrest McGovern
 Bonilla Gillmor McHugh
 Bonior Gilman McInnis
 Bono Gonzalez McIntyre
 Borski Goode McKeon
 Boswell Goodlatte Meehan
 Boucher Goodling Meek (FL)
 Boyd Gordon Meeks (NY)
 Brady (PA) Goss Menendez
 Brady (TX) Graham Metcalf
 Brown (FL) Granger Mica
 Brown (OH) Green (TX) Millender-
 Bryant Green (WI) McDonald
 Burr Greenwood Miller (FL)
 Burton Gutierrez Miller, Gary
 Buyer Hall (OH) Miller, George
 Callahan Hall (TX) Minge
 Calvert Hansen Mink
 Camp Hastings (FL) Moakley
 Canady Hastings (WA) Mollohan
 Cannon Hayes Moore
 Capps Hayworth Moran (KS)
 Cardin Hefley Moran (VA)
 Carson Herger Morella
 Castle Hill (IN) Murtha
 Chabot Hill (MT) Myrick
 Chambliss Hilleary Napolitano
 Chenoweth-Hage Hilliard Nethercutt
 Clayton Hinojosa Ney
 Clement Hobson Northup
 Clyburn Hoeffel Norwood
 Coble Hoekstra Nussle
 Coburn Holden Oberstar
 Collins Holt Obey
 Combest Hooley Olver
 Condit Horn Ortiz
 Cook Hostettler Ose
 Cooksey Hoyer Oxley
 Costello Hulshof Packard
 Cox Hunter Pallone
 Coyne Hutchinson Pascarell
 Cramer Hyde Pastor
 Crane Insee Pease
 Crowley Isakson Pelosi
 Cubin Istook Peterson (MN)
 Cummings Jackson (IL) Peterson (PA)
 Cunningham Jackson-Lee Petri
 Davis (FL) (TX) Phelps
 Davis (IL) Jefferson Pickering
 Davis (VA) Jenkins Pickett
 Deal John Pitts
 DeFazio Johnson (CT) Pomo
 DeGette Johnson, E. B. Pomeroy
 Delahunt Johnson, Sam Porter
 DeLauro Jones (NC) Portman
 DeLay Jones (OH) Price (NC)
 DeMint Kanjorski Pryce (OH)
 Deutsch Kaptur Quinn
 Diaz-Balart Kasich Radanovich
 Dickey Kelly Rahall
 Dicks Kennedy Ramstad
 Dingell Kildee Rangel

Regula Shuster Tiahrt
 Reyes Simpson Toomey
 Reynolds Sisisky Towns
 Riley Skeen Traficant
 Rodriguez Slaughter Turner
 Roemer Smith (MI) Udall (CO)
 Rogan Smith (NJ) Upton
 Rogers Smith (TX) Velazquez
 Rohrabacher Smith (WA) Vislosky
 Ros-Lehtinen Snyder Vitter
 Rothman Souder Walden
 Roukema Spence Walsh
 Roybal-Allard Spratt Wamp
 Rush Stabenow Waters
 Ryan (WI) Stearns Watkins
 Ryan (KS) Stenholm Watt (NC)
 Sabo Strickland Watts (OK)
 Sanchez Stump Waxman
 Sanders Sununu Weiner
 Sandlin Sweeney Weldon (FL)
 Sanford Talent Weller
 Sawyer Tancredo Wexler
 Saxton Tanner Weygand
 Scarborough Tauscher Whitfield
 Schaffer Tauzin Wicker
 Schakowsky Taylor (MS) Wilson
 Scott Taylor (NC) Wise
 Sessions Terry Wolf
 Shadegg Thomas Woolsey
 Shaw Thompson (CA) Wynn
 Shays Thompson (MS) Young (AK)
 Sherman Thornberry Young (FL)
 Sherwood Thune
 Shimkus Thurman

NAYS—22

Barrett (WI) Lofgren Rivers
 Capuano Markey Royce
 Conyers McDermott Sensenbrenner
 Duncan McKinney Stark
 Frank (MA) Nadler Tierney
 Klink Owens Wu
 Kucinich Paul
 Lee Payne

NOT VOTING—26

Abercrombie Houghton Salmon
 Ackerman LaFalce Serrano
 Campbell Largent Shows
 Clay LoBiondo Skelton
 Danner Maloney (CT) Stupak
 Dooley McCollum Udall (NM)
 Franks (NJ) McIntosh Vento
 Gutknecht McNulty Weldon (PA)
 Hinchey Neal

□ 1251

Messrs. CAPUANO, OWENS and PAYNE changed their vote from "yea" to "nay".

Mr. MCGOVERN changed his vote from "nay" to "yea".

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SALMON. Mr. Speaker, due to an unavoidable absence, I was unable to be present for House consideration of H.R. 4425, Military Construction Appropriations for FY 2001 (roll-call No. 184). Had I been present I would have voted "yea."

Mr. GUTKNECHT. Mr. Speaker, I was unavoidably detained earlier today and was not present for rollcall vote No. 184. Had I been present, I would have voted "aye."

COMPREHENSIVE BUDGET PROCESS REFORM ACT OF 1999

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 499 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 499

Resolved, That at any time after the adoption of this resolution the Speaker may, pur-

suant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed 90 minutes, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Rules, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule.

In lieu of the amendments recommended by the Committee on the Budget, the Committee on Rules, and the Committee on Appropriations now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 4397. That amendment in the nature of a substitute shall be considered as read. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HAYES). The gentleman from Florida (Mr. GOSS) is recognized for 1 hour.

Mr. GOSS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from the Commonwealth of Massachusetts (Mr. MOAKLEY); pending which I yield myself such time as I

may consume. During consideration of this resolution, all time yielded is for the purpose of debate on this subject only.

(Mr. GOSS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. GOSS. Mr. Speaker, this is an appropriate structured rule for consideration of the Comprehensive Budget Reform Act of 1999. As one of the authors of the underlying bill, I can tell my colleagues that great pains were taken to accommodate the concerns of our House committees and Members in this legislation.

In fashioning this rule, we have taken similar care to ensure, as best as possible, a nonpartisan substantive debate about our budget process. Leaving aside our budget policy differences, and I emphasize policy, we do hope to come to a consensus on an improved, outcome-neutral budget process.

The rule provides for 90 minutes of general debate, divided fairly between the three committees of jurisdiction, the Committee on Budget, the Committee on Rules, and Committee on Appropriations. The rule makes in order seven amendments from both sides of the aisle. Three of those amendments are attempts to put a section back into the bill that were dropped at the request of committees. One aims to strike altogether the linchpin of the bill, the Joint Budget Resolution. So I think that the Committee on Rules has clearly erred on the side of the inclusion of the amendment process, if we have erred at all on this.

Mr. Speaker, when I came to Congress, I suspect I was like most Americans out there watching the debate on budget process. I knew little about how the budget process worked in Washington, and what I did know did not make a whole lot of sense.

Since becoming the chairman of the Subcommittee on Legislative and Budget Process nearly 6 years ago, I had a chance to learn a great deal about the inner workings of our congressional budget process. I have really been down in the weeds on a lot of the issues and listened to the best and the brightest budget experts we can find and all their green eye shade associates who have come forward and tried to help us along in this process.

□ 1300

I have also lived through a number of our annual budget battles, which have not been particularly pretty, as many will recall. Through these experiences, I have arrived at one simple truth about our budget process. The best reforms in the world are meaningless if at the end of the day, Members are not committed to enforcing them. So enforcement is a big issue, and we have certainly provided for it in this rule when we get to the debate.

H.R. 853 recognizes this is a reality. It properly encourages the President and Congress to agree on a joint budget

resolution, but provides the flexibility of a fallback in years they elect not to do that, although we create the incentives to do that. We get real about budgeting for emergencies by adding a rainy day reserve fund, but we do so in a way that is workable and serious.

Instead of creating rigid procedural sticks that will be ignored, we encourage committees and Members to be better stewards of their programs and agencies under their jurisdiction. In Florida, we believe in sunshine, and I am hopeful a little sunshine will enhance oversight and accountability inside the Beltway as well.

Along those lines, I think that the amendment of the chairman of the Committee on Rules, the gentleman from California (Mr. DREIER), to convert the current annual budget and appropriations process to a biennial one is a particularly good fit for this bill. By structuring our calendar to prefer budget matters in the first year and oversight in the second, we will create an atmosphere where both responsibilities show signs of improvement. It is a good amendment, and I hope it is adopted once we consider it.

Let me be very clear, H.R. 853 is not a panacea for all that ails us, and it is certainly not foolproof. We will still have our policy differences and we will still use, possibly abuse, the budget process to advance individual causes. But this is a good bipartisan work product, primarily because it does not attempt to solve every problem.

The gentleman from Iowa (Mr. NUSSLE) and the gentleman from Maryland (Mr. CARDIN), from opposite sides of the aisle, should be commended for resisting the temptation to use this vehicle for partisan manipulation. While H.R. 853 has many parents, I would like to congratulate them in particular for their leadership and resolve throughout the last few years. As I say, this has been in the works for a long time.

Whatever our view on the individual budget process reform pieces that are going to be offered up, we should be able to support this rule. All of the major substantive amendments presented to us have been made in order. We have not gamed the system to give preference to any controversial provision. We have taken the guidance of the Speaker, the gentleman from Illinois (Mr. HASTERT), to heart and let the House work its will on a nonpartisan basis. I urge a "yes" vote on the rule.

BIENNIAL BUDGETING AMENDMENT TO H.R. 853, THE COMPREHENSIVE BUDGET PROCESS REFORM ACT OF 1999

SECTION-BY-SECTION SUMMARY

Offered by Reps. Dreier, Luther, Regula, Hall (OH), Bass, McCarthy (MO), Goss, Condit, et al.

"To provide for a biennial budget and appropriations process and to enhance programmatic oversight and the management, efficiency, and performance of the Federal Government."

Short Summary: Establishes a two-year budgeting and appropriations cycle and timetable. Defines the budget biennium as

the two consecutive fiscal years beginning on October 1 of any odd-numbered year. Sets forth a special timetable for any first session that begins in any year during which the term of a President begins (except one who starts a second consecutive term).

Adds a New Title VII Entitled "Biennial Budgeting"

Section 701. Findings. Outlines nine congressional findings on the budget process and biennial budgeting.

Section 702. Revision of Timetable. Amends section 300 of the Congressional Budget and Impoundment Control Act of 1974 to revise the timetable of the congressional budget process to reflect a biennial budget schedule. The first session of any Congress is primarily devoted to the consideration of the budget resolution, the regular appropriations bills, and any necessary reconciliation legislation. In general, the revised timetable is similar to the current timetable except that most of the milestones only apply to the first session of a Congress. The timetable is modified to extend the deadline for completion of the biennial budget resolution to May 15th. The revised timetable contains only three deadlines for the second session: (1) The President must submit a mid-biennium budget review to Congress by February 15th; (2) the Congressional Budget Office must submit its annual report to the Budget Committees of the House and the Senate no later than six weeks after the President submits the budget review; and (3) Congress must complete action on bills and resolutions authorizing new budget authority for the succeeding biennium by the last day of the session. This section also creates a new section 300(b) of the Budget Act that establishes a special timetable for the submission and consideration of a budget in the case of any first session of Congress that begins in any year during which the term of a President (except a President who succeeds himself) begins. Generally, the budget deadlines are extended by 6 weeks to give a new President more time to prepare and submit the budget.

Section 701. Amendments to the Congressional Budget and Impoundment Control Act of 1974. Section 703(a) amends section 2(2) of the Budget Act relating to the "Declaration of Purposes" of the Budget Act to account for the congressional determination biennially of the appropriate level of Federal revenues and expenditures.

Section 703(b)(1) amends the definition of a budget resolution in section 3(4) of the Budget Act to reflect its application to a biennium as opposed to a fiscal year.

Section 703(b)(2) amends section 3 of the Budget Act by adding a new paragraph (13) to define the term biennium as "the period of two consecutive fiscal years beginning on October 1 of any odd-number year."

Section 703(c) amends the Budget Act to make the budget resolution a biennial concurrent resolution on the budget.

Section 703(c)(1) amends section 301(a) of the Budget Act regarding the required contents of the budget resolution to conform its application to the biennium beginning on October 1 of each odd-numbered year and its consideration to the biennial timetable for completion, which is by May 15 of each odd-numbered year.

Section 703(c)(2) amends section 301(b) of the Budget Act to ensure that the additional matters which may be included in the budget resolution apply to a biennium.

Section 703(c)(3) amends section 301(d) of the Budget Act to conform the submission of committee views and estimates to the Budget Committees to a biennial cycle.

Section 703(c)(4) amends section 301(e)(1) of the Budget Act to conform the requirements of the Budget Committee's hearings on the

budget and the Budget Committee's reporting of the budget resolution to a biennial schedule. The House Budget Committee would report a biennial budget resolution by April 1st of each odd-numbered year.

Section 703(c)(5) amends section 301(f) of the Budget Act relating to the achievement of goals for reducing unemployment to conform it to a biennial cycle.

Section 703(c)(6) amends section 301(g)(1) of the Budget Act to conform the provisions relating to the economic assumptions of the budget resolution to a biennial schedule.

Section 703(c)(7) and 8) amend section 301 to make conforming changes to the section heading and the table of contents of the Budget Act.

Section 703(d) amends section 302(a) of the Budget Act regarding committee allocations in the budget resolution, to require the conference report on a budget resolution to include an allocation of budget authority and outlays to each committee for each year in the biennium and the total of all fiscal years covered by the resolution as well as makes conforming change to subsections (f) and (g) of section 302 to reflect a biennial cycle and the biennial timetable.

Section 701(e)(1) amends section 303(a) of the Budget Act, which prohibits consideration of legislation, as reported, providing new budget authority, changes in revenues, or changes in the public debt for a fiscal year until the budget resolution for that year has been agreed to, to reflect the application of the budget resolution to a biennium.

Section 703(e)(2) amends section 303(b) of the Budget Act relating to the exceptions in the House of Representatives from the application of this point of order, to account for a biennial budget cycle. The application of these exceptions are also amended to reflect the special biennial timetable utilized during the first term of a new President.

Section 703(e)(3) amends section 303(c)(1) of the Budget Act to conform the application of this point of order in the Senate to a biennial budget cycle.

Section 703(f) amends section 304 of the Budget Act, regarding permissible revisions of budget resolutions, to conform to the biennial budget cycle. This subsection maintains current law which allows Congress to revise the budget resolution at any time during the biennium.

Section 703(g) amends section 305(a)(3) of the Budget Act, relating to the procedures for consideration of the budget resolution, to conform references to the budget resolution to account for its application to a biennium.

Section 703(h) amends section 307 of the Budget Act to conform the timetable for completing House Appropriations Committee action on regular appropriations bills by June 10 to a biennial cycle. This section also makes conforming amendments to reflect the special biennial timetable utilized during the first term of a new President.

Section 703(i) amends section 308 of the Budget Act to require the Congressional Budget Office to file quarterly budget reports with the House and Senate Budget Committees. These reports are to compare revenues, spending, and the deficit or surplus for the current fiscal year with the assumptions used in the congressional budget resolution. CBO is also required to make the reports available to other interested parties upon request. These reports will enable the Congress to compare actual budget results to earlier estimates. The frequent periodic reports by CBO on the progress of fiscal policy and economic developments since action on the budget resolution will inform the Congress about current status of the budget and its earlier underlying projections by using updated projects and actual budget figures to date. The reports can also serve to facilitate

additional reconciliation legislation (between biennial budget resolutions) as necessary due to changes in the economy or policy emphasis.

Section 703(j) amends section 309 of the Budget Act to conform the timetable for completion of all House action on the regular appropriation bills before the House adjourns for more than three calendar days during the month of July. This section also makes conforming amendments to reflect the special biennial timetable utilized during the first term of a new President.

Section 703(k) amends section 310 of the Budget Act to conform the reconciliation process to a biennial budget cycle. It also strikes subsection (f) which currently prohibits the House from adjourning for more than 3 calendar days during the month of July until all required reconciliation legislation is completed. This is necessary to reflect the budget resolutions application to the biennium and the possibility of considering reconciliation legislation during the second session.

Section 703(l)(1) and (2) amend section 311(a)(1) and (2) of the Budget Act respectively, to prohibit consideration in the House or Senate of any legislation that would cause the total levels of budget authority or total levels of outlays to greater than or that would cause the total level of revenues to be less than those levels set forth in the most recently agreed to budget resolution for either fiscal year of the biennium or for the total of each fiscal year in the biennium and the ensuing fiscal years for which allocations are provided in the budget resolution.

Section 703(l)(3) amends section 311(a)(3) of the Budget Act to conform the point of order in the Senate against any legislation that would cause a decrease in the Social Security levels set forth in the budget resolution for a biennial budget cycle.

Section 703(m) amends section 312(c) of the Budget Act to conform the Senate's maximum deficit amount point of order for a biennial budget cycle.

Section 704. Amendments to the Rules of the House of Representatives. Section 704(a) amends clause 4(a)(1)(A) of rule X of the Rules of the House of Representatives, relating to the required Appropriations Committee hearings on the President's budget submission, to conform to the biennial timetable.

Section 704(b) amends clause 4(a)(4) of Rule X of the Rules of the House, relating to the suballocations of the Appropriations Committee, to conform to a biennial budget resolution.

Section 704(c) amends clause 4(b)(2) of Rule X of the Rules of the House, relating to the Budget Committee's hearings on the budget, to conform to a biennial budget resolution.

Section 704(d) amends clause 4(b) of Rule X of the Rules of the House to add a new subparagraph (7), to require the House Budget committee to use the second session of each Congress to study issues with long-term budgetary and economic implications, including holding hearings and receiving testimony from committees of jurisdiction to identify problem areas and to report on the results of their oversight activities. The Budget Committee should issue to the Speaker by January 1 of each odd-numbered year a report identifying the key issues facing the Congress in the next biennium.

Section 704(e) amends clause 11(i) of Rule X of the Rules of the House, relating to the duties of the Permanent Select Committee on Intelligence, to conform to a biennial budget cycle.

Section 704(f) amends clause 4(e) of Rule X of the Rules of the House, relating to the duties of the standing committees of the House

to maximize annual appropriations for the programs and actives within their jurisdictions, to establish a new preference for biennial appropriations.

Section 704(g) amends clause 4(f) of Rule X of the Rules of the house, relating to the Budget Act responsibilities of the standing committees of the House, to conform to a biennial timetable.

Section 704(h) amends clause 3(d)(2)(A) of Rule XIII of the Rules of the House, relating to committee cost estimates, to conform to a biennial timetable.

Section 704(i) amends clause 5(a)(1) of Rule XIII of the Rules of the House, relating to privileged reports from the Appropriations Committee, to conform to a biennial timetable.

Section 705. Amendments to Title 31, United States Code. Section 705(a) amends section 1101 of Title 31 to define the term biennium as "the period of two consecutive fiscal years beginning on October 1 of any odd-numbered year." This is the same definition given such term in paragraph (11) of section 3 of the Budget Act.

Section 705(b)(1) amends section 1105 of Title 31 to require that on or before the first Monday in February of each odd-numbered year (or, if applicable, as provided by section 300(b) of the Budget Act), the President shall transmit to Congress, the budget for the biennium beginning on October 1 of such calendar year. The President must include a budget message and summary and supporting information with the budget submission.

Section 705(b)(2) amends section 1105(a)(5) of Title 31 to conform the required contents of the budget submission with respect to expenditures to account for a biennial budget cycle.

Section 705(b)(3) amends section 1105(a)(6) of Title 31 to conform the required contents of the budget submission with respect to receipts to account for a biennial budget cycle.

Section 705(b)(4) amends section 1105(a)(9)(C) of Title 31 to conform the required contents of the budget submission with respect to balance statements to account for a biennial budget cycle.

Section 705(b)(5) amends section 1105(a)(12) of Title 31 to conform the required contents of the budget submission with respect to government functions and activities to account for a biennial budget cycle.

Section 705(b)(6) amends section 1105(a)(13) of Title 31 to conform the required contents of the budget submission with respect to allowances to account for a biennial budget cycle.

Section 705(b)(7) amends section 1105(a)(14) of Title 31 to conform the required contents of the budget submission with respect to allowances for unanticipated and uncontrollable expenditures to account for a biennial budget cycle.

Section 705(b)(8) amends section 1105(a)(16) of Title 31 to conform the required contents of the budget submission with respect to tax expenditures to account for a biennial budget cycle.

Section 705(b)(9) amends section 1105(a)(17) of Title 31 to conform the required contents of the budget submission with respect to estimates for future fiscal years to account for a biennial budget cycle.

Section 705(b)(10) amends section 1105(a)(18) of Title 31 to conform the required contents of the budget submission with respect to prior year outlays to account for a biennial budget cycle.

Section 705(b)(11) amends section 1105(a)(19) of Title 31 to conform the required contents of the budget submission with respect to prior year receipts to account for a biennial budget cycle.

Section 705(c) amends section 1105(b) of Title 31, regarding estimated expenditures

and proposed appropriations for the legislative and judicial branches, to require the submission of these proposals to the President by October 16th of even-number years.

Section 705(d) amends section 1105(c) of Title 31, regarding the President's recommendations if there is a proposed deficit or surplus, to conform to a biennial budget cycle.

Section 705(e) amends section 1105(e)(1) of Title 31, regarding capitol investment analyses, to conform to a biennial budget cycle.

Section 705(f)(1) and (2) amends section 1106 (a) and (b) of Title 31 respectively, relating to the President's submission of supplemental budget estimates and changes, to conform to a biennial budget cycle. The President is still required to submit a Mid-session Review of the budget by July 16 of each year as well as will now be required to also submit a Mid-biennium Review on or before February 15 of each year even numbered year.

Section 705(g)(1) amends section 1109(a) of Title 31, regarding the President's submission of current program and activity estimates, to conform to a biennial budget cycle and require its submission with the overall budget submission for each odd-numbered year as required by section 1105.

Section 705(g)(2) amends section 1109(b) of Title 31, regarding the Joint Economic Committee's analysis of the President's current program and activity estimates, to require the Joint Economic Committee to submit an economic evaluation of such estimates to the Budget Committee as part of its views and estimates within 6 weeks of the President's budget submission for each odd-numbered year.

Section 705(h) amends section 1110 of Title 31, regarding advance requests for authorization legislation to require the President to submit requests for authorization legislation by March 31st of even-numbered years.

Section 706. Two-Year Appropriations; Title and Style of Appropriations Acts. Section 706 amends section 105 of Title I of the U.S. Code to conform the statutory style and definition of appropriations Acts to require that they cover each of two fiscal years of a biennium.

Section 707. Multi-Year Authorizations. Section 707(a) amends Title III of the Budget Act by adding a new section 318 that establishes a new point of order in the House and Senate against the consideration of any bill, joint resolution, amendment, motion or conference report that does contain a specific authorization of appropriations for any purpose for less than each fiscal year in one or more bienniums. This prohibition does not apply to an authorization of appropriations for a single fiscal year. For any program, project or activity if the measure (defined as a bill, joint resolution, amendment, motion or conference report) containing that authorization includes a provision expressly stating the following: "Congress finds that no authorization of appropriation will be required for [Insert name of applicable program, project, or activity] for any subsequent fiscal year." It further defines a specific authorization of appropriations as an authorization for the enactment of an amount of appropriations or amounts not to exceed an amount of appropriations (whether stated as a sum certain, as a limit, or as such sums as may be necessary) for any purpose for a fiscal year.

Section 707(b) amends section 1(b) of the Budget Act to conform the table of contents of the Budget Act to account for this new section 318.

Section 708. Government Strategic and Performance Plans on a Biennial Basis. Section 708 amends the Government and Performance and Results Act of 1993 (the Re-

sults Act) to incorporate GPRA into the biennial budget cycle. The Results Act requires federal agencies to develop strategic plans, performance plans, and performance reports. Strategic plans set out the agencies' missions and general goals. Performance plans lay out the specific quantifiable goals and measures. Performance reports compare actual performance with the goals of past performance plans. The Results Act currently requires federal agencies to consult with congressional committees as they develop their strategic plans. The Results Act requires all federal agencies to submit their strategic and performance plans to the Office of Management and Budget, along with their budget submissions, by September 30 of each year. Finally, the Results Act requires the President to include a performance plan for the entire government.

Sections 708(a) through (g) amend section 306 of title 5, sections 1105, 1119 and 9703 of title 31, and sections 2802 and 2803 of title 39 require agencies to prepare strategic and performance plans every two years, in conjunction with the President's development of a biennial budget. In addition, these amendments make other changes to conform strategic and performance plans to a biennial budget cycle.

Section 708(h) amends section 301(d) of the Budget Act to require Congressional committees to review the strategic plans, performance plans, and performance reports of agencies in their jurisdiction. Committees may then provide their views on the agency's plans or reports as part of their views and estimates on the President's budget submitted to the Budget Committees.

Section 708(i) provides that the amendments by this section shall take effect on March 1, 2003.

Section 709. Biennial Appropriations Bills. Section 709(a)(1) amends clause 2(a) of House Rule XXI to provide that in the House of Representatives an appropriation may not be reported in a general appropriation bill (other than a supplemental appropriation bill), and may not be in order as an amendment thereto, unless it provides new budget authority or establishes a level of obligations under contract authority for each fiscal year of a biennium. If further provides that this prohibition shall not apply with respect to an appropriation for a single fiscal year for any program, project, or activity if the bill or amendment thereto containing that appropriation includes a provision expressly stating the following: Congress finds that no additional funding beyond one fiscal year will be required and the [Insert name of applicable program, project, or activity] will be completed or terminated after the amount provided has been expended." The subparagraph is further amended to provide that such a statement shall not constitute legislating on an appropriation bill if it is included with an appropriation for a single fiscal year for any program, project, or activity.

Section 709(a)(2) amends clause 5(b)(1) of House Rule XXII to apply similar prohibitions against appropriation conference reports.

Section 709(b)(1) amends Title III of the Congressional Budget Act of 1974 to add a new section 319 to create a point of order in the Senate against consideration in any odd-numbered year of any regular appropriation bill providing new budget authority or a limitation on obligations under the jurisdiction of the Committee on Appropriations for only the first fiscal year of a biennium, unless the program, project, or activity for which the new budget authority or obligation limitation is provided will require no additional authority beyond one year and will be completed or terminated after the amount provided has been expended.

Section 709(b)(2) amends section 1(b) of the Budget Act to conform the table of contents of the Budget Act to account for this new section 319.

Section 710. Assistance By Federal Agencies to Standing Committees of the House of Representatives and the Senate. Section 710(a) requires the head of each Federal agency under the jurisdiction of a standing committee to provide to committee those studies, information, analyses, reports, and assistance as may be requested by the chairman and ranking minority member of the committee.

Section 710(b) requires the head of each Federal agency to furnish to such committee documentation containing information received, compiled, or maintained by the agency as part of the operation or administration of a program, or specifically compiled pursuant to a request in support of a review of a program, as may be requested by the chairman and ranking minority member of such committee.

Section 710(c) requires that, within 30 days after the receipt of a request from a chairman and ranking minority member of a standing committee having jurisdiction over a program being reviewed, the Comptroller General furnish to the committee summaries of any audits or reviews of such program the Comptroller General has completed during the preceding six years.

Section 710(d) reaffirms the role of the Comptroller General, the Director of the Congressional Research Service, and the Director of the Congressional Budget Office to furnish (consistent with established protocols) to each standing committee of the House and Senate such information, studies, analyses, and reports as the chairman and ranking minority member may request to assist the committee in conducting reviews and studies of programs under its jurisdiction.

Section 711. Report on Two-Year Fiscal Period. Requires that, not later than 180 days after the enactment of this Act, the Director of OMB shall determine the impact of changing the definition of a fiscal year and the budget process based on that definition to a 2 year fiscal period with a biennial budget process based on the 2 year period, and shall report his findings to the Committees on Budget in the House and Senate and the Committee on Rules in the House.

Section 712. Special Transition Period for the 107th Congress. Section 712(a) requires the President to include in the FY 2002 budget submission an identification of the budget accounts for which an appropriation should be made for each fiscal year of the FY 2002-2003 biennium and any necessary budget authority that should be provided for each such fiscal year for those identified budget accounts.

Section 712(b) requires the Appropriations Committees of each House to review the President's recommendations and include an assessment of those recommendations and any recommendations of their own in the committee's overall views and estimates on the President's budget which they are required to submit to their respective Budget Committees.

Section 712(c)(1) requires the Budget Committees of each House to review the recommendations of both the President and the Appropriations Committees with respect to those budget accounts that should be funded for the biennium.

Section 712(c)(2) requires the report of the Committee on the Budget of each House and the joint explanatory statement of the managers accompanying the budget resolution for FY 2002 to include an allocation to the Appropriations Committees for FY 2003 from which the Appropriations Committee can

fund certain accounts in the FY 2002 appropriations bills for each of the fiscal years in the FY 2003–2004 biennium.

Section 712(c)(3) requires the report of the Committee on the Budget of each House and the joint explanatory statement of the managers accompanying the budget resolution for FY 2002 to include the assumptions upon which the allocation to the Appropriations Committees for FY 2003 is made.

Section 712(d)(2) directs the GAO to work with the Committees of Congress during the first session of 107th Congress to develop plans to transition program authorizations to a multi-year schedule.

Section 712(d)(2) requires GAO to continue to provide assistance to the Congress with respect to programmatic oversight and in particular to assist committees in designing and conforming programmatic oversight procedures for the Fiscal Year 2003–2004 biennium.

Section 712(e) provides for a CBO report to Congress (before January 15, 2002) listing all those programs and activities that were funded during FY 2002 with no authorization and all those programs and activities whose authorizations will expire during that fiscal year, FY 2003 and FY 2004.

Section 712(f) requires the President's budget submission for FY 2003 to include an evaluation of and recommendations regarding the transitional biennial budget process for the fiscal year 2002–2003 biennium.

Section 712(g) requires CBO to issue a report on or before March 31, 2002 include an evaluation of and recommendations regarding the transitional biennial budget process for the fiscal year 2002–2003 biennium.

Section 713. Effective Date. Except as provided by sections 708, 711 and 712, the Act is effective January 1, 2003, and applicable to budget, authorization and appropriations legislation for the biennium beginning in FY 2004.

—
COUNCIL FOR
CITIZENS AGAINST GOVERNMENT WASTE,
Washington, DC, May 8, 2000.

Hon. DAVID DREIER,
*Cannon House Office Building,
Washington, DC.*

DEAR CHAIRMAN DREIER: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I would like to express my support for your biennial budget amendment to the Comprehensive Budget Process Reform Act.

Your amendment will build upon several significant reforms to the federal budget process that are embodied in the base bill. The creation of a biennial budget will allow Congress to perform its most critical responsibilities. Devoting the first session of each Congress to the budget and appropriation process will enable members to spend the second session on oversight into the effectiveness of that spending.

A two-year budget will save a great degree of time and resources that are being wasted on the current process. This reform will streamline the budget process and make Congress more accountable to the American taxpayer.

CCAGW urges your House colleagues to support your amendment. The vote on your bill will be among those considered for CCAGW's 2000 Congressional Ratings.

Sincerely,

THOMAS SCHATZ,
President.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, May 12, 2000.

Hon. DAVID DREIER,
*House of Representatives,
Washington, DC.*

DEAR REPRESENTATIVE DREIER: The U.S. House of Representatives is expected to consider H.R. 853, the Comprehensive Budget Reform Act sponsored by Representatives Jim Nussle (R-IA), Ben Cardin (D-MD), and Porter Goss (R-FL) in the next few days. The U.S. Chamber of Commerce urges you to support this common-sense legislation.

This measure, the product of extensive bipartisan negotiations and congressional hearings, will strengthen the existing federal budget process and provide additional—and needed—accountability of federal spending decisions.

Among its major provisions, this legislation establishes a reserve fund to better budget for emergency needs; requires more legislation be subjected to budgetary enforcement rules; prohibits the consideration of legislation creating new spending programs unless the authorization is for ten years or less; and requires that both the President and Congress better budget for many long-term unfunded federal liabilities.

During consideration of H.R. 853, Representative David Dreier is expected to offer a biennial budget amendment. The U.S. Chamber of Commerce earlier this year testified before the Committee on Rules in support of a biennial federal budget and we strongly support the Dreier amendment. Biennial budgeting would help streamline budget decisions and allow the Congress and Federal agencies more time to manage and oversee federal programs.

The U.S. Chamber of Commerce, the world's largest business federation, representing more than three million organizations of every size, sector, and region, urges you to support H.R. 853 and the Dreier biennial budget amendment to their eventual enactment into law.

Sincerely,

R. BRUCE JOSTEN,
*Executive Vice President,
Government Affairs.*

—
THE CONCORD COALITION,
Washington, DC, May 11, 2000.

Hon. DAVID DREIER,
Hon. BILL LUTHER,
House of Representatives, Washington, DC.

DEAR CHAIRMAN DREIER AND REPRESENTATIVE LUTHER: The Concord Coalition is pleased to support your amendment to H.R. 853, The Comprehensive Budget Process Reform Act, which would move the budget and appropriations processes to biennial cycles.

Putting the President's budget, the Congressional Budget Resolution, appropriations, and oversight on a two-year cycle that coincides with the sessions of Congress is an excellent proposal. Moving to a biennial budget process would make the legislative and executive branches more efficient, while helping to shield the budget process from the gamesmanship and election year politics that have frequently spelled fiscal disaster in years past.

One of the strongest arguments in favor of your amendment is that it would enhance opportunities for Congressional oversight. As you know, many members of Congress have come to believe that the annual, repetitive battle over the budget makes it impossible to engage in any meaningful oversight. Evidence in support of this perception is the fact that, according to CBO, some \$121 billion worth of FY 2000 appropriations were made for programs and activities with expired authorizations. With biennial budgeting in place, the first session of each Con-

gress would ideally be spent on setting priorities and funding levels, which would leave a significant portion of the second session available for long-term planning and oversight.

The Concord Coalition believes that your amendment also makes sense from the perspective of government efficiency, given that Congress functions in a biennial mode. Conforming the budget cycle to the Congressional cycle is a sensible change that would replace budget politics with more productive work. Too much time is consumed needlessly in repetitious budget preparation, justification, and appropriation. With a two-year budget, policymakers will be able to spend less time negotiating budget agreements and invest more of their energy in improving government performance.

For these reasons, The Concord Coalition is pleased to support your amendment establishing biennial budgeting for the federal government. We commend you and the cosponsors for putting forward this bipartisan proposal, which we believe would produce a more efficient and fiscally responsible budget process.

Sincerely,

ROBERT L. BIXBY,
Executive Director.

—
COMMITTEE FOR A
RESPONSIBLE FEDERAL BUDGET
Washington, DC, May 10, 2000.

Hon. DAVID DREIER,
*Chairman, Committee on Rules,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: We understand that the House will take up the Comprehensive Budget Process Reform Act of 1999 on Thursday this week. We also understand that you will offer an amendment to that bill to convert to a biennial budget and appropriations cycle. We are writing to express support for that amendment.

Biennial budgeting and appropriations is not a panacea for all the ails the budget process. But a biennial cycle could save time and resources in the Administration and on Capitol Hill—time and resources that could be redirected to meet high priority public service needs.

It would be a real boon if a biennial cycle results in Congress and the Administration paying more attention to authorizations and oversight.

Biennial budgeting also could save the country money, though that is by no means certain. It does seem that every new appropriations cycle provides opportunities to ratchet up the baseline for federal expenditure.

We applaud your decision to stay with a one-year fiscal year (and single-year appropriations) even as you move to a biennial cycle. In all, we think your amendment is well conceived and deserving of our former colleagues' support.

If you have any questions or if you need further information, please call Carol Wait in the Committee's office.

Best Regards,
BILL FRENZEL,
TIM PENNY.

—
COMMITTEE FOR A
RESPONSIBLE FEDERAL BUDGET
Washington, DC, May 5, 2000.

Hon. JIM NUSSLE and
Hon. BEN CARDIN,
*House of Representatives
Washington, DC.*

DEAR JIM AND BEN: We understand that the House will take up the Comprehensive Budget Process Reform Act of 1999 this week. We are writing to express our strong support for that legislation.

This bill will not fix everything that is wrong with the budget process, but it is a giant step in the right direction.

Perhaps most importantly, the Comprehensive Budget Process Reform Act would change the current nonbinding concurrent budget resolution to a joint budget resolution to be signed or vetoed by the President. Once signed, the joint resolution would have the force of law. The importance of this change cannot be overstated. So long as the two policy branches of government operate off of different plans, there really is no such thing as a budget for the United States Government. This is the source of most confusion attributed to baselines.

Some say that Congress and the President cannot resolve their differences early in the budget process. We are convinced that they can agree on the big pieces: aggregate spending and revenues—mandatory and discretionary, defense and non-defense spending totals—and expenditure caps. We believe that such agreements could bring order to consideration of spending, revenue and reconciliation bills. The first time through this process may seem difficult; but subsequent budget cycles should go more smoothly, because all parties would have a tremendous incentive to act. Passing a new budget would permit them to set new spending caps and otherwise amend the most recently enacted budget law.

Who can argue against efforts to ameliorate the distortions caused by so-called "emergency provisions" in existing law? Not we, we think it is imperative for Congress to do something about this problem before the budget process loses all credibility. The Comprehensive Budget Reform Act would require Congress and the President to budget for emergencies and set up safeguards to keep the kinds of abuses abound today from recurring.

Who can argue against greater accountability in Federal spending? Discretionary spending is growing more rapidly than at any other time since the Viet Nam War. The provisions of this bill would not necessarily change that. It is not the objective of budget process legislation to etch in stone specific spending decisions. But the new law would require regularized reauthorization of all spending laws, programs and agencies and that should help to curb or eliminate lower priority spending. Further, it would limit new entitlement legislation. That is especially important as the time approaches when we will not be able to pay current law Social Security and Medicare benefits from dedicated tax receipts.

The changes that this bill would bring to budgeting for long-term obligations and baseline calculations also are desirable.

All in all, this is good legislation. We urge our former colleagues to support it.

Best regards,

BILL FRENZEL.
TIM PENNY.

AMERICANS FOR TAX REFORM,
Washington, DC, May 16, 2000.

Hon. JIM NUSSLE,
Chairman, Budget Committee Task Force on
Budget Process,
House of Representatives, Washington, DC.

DEAR CHAIRMAN NUSSLE: Americans for Tax Reform is very concerned about attempts to remove the legally binding joint resolution provision from the Budget Process Reform Act.

We enthusiastically support changing the current non-binding budget resolution into a legally enforceable joint resolution passed by both houses of Congress. Such a joint resolution, when signed by the president, will set the stage for meaningful budget negotiations between the legislative and executive

branches at the beginning of the year, with overall levels of spending being agreed to upfront.

Consequently, a joint resolution will avoid the type of brinkmanship that has allowed spending levels to eventually balloon far in excess of what was originally envisaged.

Taxpayers deserve a budget process that makes sense and whose limits and outlines have the force of law. A joint budget resolution will achieve that.

Sincerely yours,

GROVER G. NORQUIST,
President.

THE CONCORD COALITION,
Washington, DC, May 9, 2000.

Hon. JIM NUSSLE,
Hon. BEN CARDIN,
House of Representatives, Washington, DC.

DEAR MR. NUSSLE AND MR. CARDIN, The Concord Coalition is pleased to lend its strong support to H.R. 853, the Comprehensive Budget Process Reform Act. We commend the bill's sponsors for putting forward this bipartisan effort to strengthen the budget process.

In particular, The Concord Coalition supports:

Changing the budget resolution from a concurrent resolution that binds only Congress, but not the Administration, to a joint resolution that requires the President's signature. The allocation of constrained resources is a tough political process, and the earlier in the year that agreement can be reached on at least a general framework, the better.

Streamlining the budget resolution to just the major budget enforcement categories and the aggregates. The parts of the budget resolution that really matter and have teeth for enforcement purposes are not the 20 budget functions but rather the handful of limits that tell policy makers how much money they have to work with during the ensuring year—total spending, revenues, surplus or deficit, public debt, mandatory spending, non-defense discretionary spending, defense discretionary spending, and emergency spending. If the budget resolution continued to require function-by-function details, the Congress and the White House would seldom be able to agree on a joint resolution, particularly during times of divided party control. However, even with different parties in control of different chambers or branches of government, it should be possible most years to agree on aggregates. If not, H.R. 853 allows the present concurrent resolution process to kick in.

Setting up an advance reserve for emergencies in the budget resolution, and tightening the definition of "emergency" to a situation involving loss of life or property, or a threat to national security, that is unanticipated—sudden, urgent, unforeseen and temporary. Although we never know what disaster or emergency lies ahead, it's safe to assume that there will be one. Yet, year after year, insufficient funds are appropriated through the regular appropriations process to finance even an average level of disaster spending. Then, when disaster strikes, the only way to provide relief is through the emergency spending loophole. Abuse of this loophole has become the most egregious and flagrant disregard of the spirit of the budget process.

Entitlement reform measures including subjecting new entitlements to annual appropriations, barring enactment of new entitlements lasting longer than 10 years, requiring 10 year cost estimates, and requiring oversight review of all programs, including existing entitlements, at least every decade.

Reform of the budget rules for unfunded liabilities in federal insurance programs to get

a better handle on the creation of new long-term insurance obligations or expansion of existing ones. The current scoring procedures do not accurately reflect the long-term federal liabilities associated with various government insurance programs. H.R. 853 proposes setting up a new scoring and accounting system for federal insurance programs to deal with these problems.

Some have argued that the budget process is not broken, and does not need to be fixed. The Concord Coalition disagrees. Lately, the closing days of the session have deteriorated into a very costly and unstatesmanlike cross between a fiscal food fight and a game of budgetary chicken in which the aim of each side seems to be to inflict maximum political embarrassment on the other while getting as much as possible for one's own spending or tax priorities.

No amount of process reform can guarantee a better result. But, in Concord's view, H.R. 853 focuses on the places where budget enforcement has broken down most flagrantly—emergency spending, end-game tactics, scoring of federal insurance programs, lack of entitlement oversight, and lack of enforcement of the existing budget discipline. You and the other co-sponsors have worked hard to reach bipartisan agreement on this important legislation. The Concord Coalition congratulates you and looks forward to working with you in the future.

Sincerely,

ROBERT L. BIXBY,
Executive Director.
COUNCIL FOR CITIZENS
AGAINST GOVERNMENT WASTE,
Washington, DC, May 12, 2000.

Hon. JIM NUSSLE,
Cannon House Office Building, Washington,
DC.

DEAR REPRESENTATIVE NUSSLE: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I would like to express my support for the Comprehensive Budget Process Reform Act.

This legislation makes several significant reforms to the federal budget process. By transforming the non-binding concurrent budget resolution into a joint resolution, the budget would become a document with the force of law. The legislation provides further order to the budget process by enabling Congress to adopt a concurrent budget resolution under expedited procedures if the president vetoes the joint budget resolution.

By creating an emergency reserve fund and clearly defining what would qualify as an emergency, the legislation will allow for expedited funding for truly unanticipated events while preventing the manipulation of this designation for other purposes. The Comprehensive Budget Process Reform Act also strengthens fiscal responsibility by requiring the Budget Committee to certify that each spending bill is in compliance with budgetary levels set forth by the budget resolution, establishing regular authorization for government programs, and prohibiting new spending programs from being authorized for more than ten years at a time. Your legislation also includes the requirement that new spending requests are compared to actual previous levels.

I would also like to express my opposition to any amendment that would weaken the reforms in your bill. Chief among these is an amendment that may be offered which would prevent the budget from having the force of law. It is in the interest of the taxpayers that Congress and the president be bound by law to certain spending limitations.

I appreciate your leadership on this important issue. CCAGW urges your colleagues to support your legislation. The vote on your bill will be among those considered for

CCAGW's 2000 Congressional Ratings. In addition, any amendment offered that would strike the force of law provision will also be considered for CCAGW's 2000 Congressional Ratings.

Sincerely,

THOMAS SCHATZ.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, May 12, 2000.

Hon. JIM NUSSLE,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NUSSLE: The U.S. House of Representatives is expected to consider H.R. 853, the Comprehensive Budget Reform Act sponsored by Representatives Jim Nussle (R-IA), Ben Cardin (D-MD), and Porter Goss (R-FL) in the next few days. The U.S. Chamber of Commerce urges you to support this common-sense legislation.

This measure, the product of extensive bipartisan negotiations and congressional hearings, will strengthen the existing federal budget process and provide additional—and needed—accountability of federal spending decisions.

Among its major provisions, this legislation establishes a reserve fund to better budget for emergency needs; requires more legislation be subjected to budgetary enforcement rules; prohibits the consideration of legislation creating new spending programs unless the authorization is for ten years or less; and requires that both the President and Congress better budget for many long-term unfunded federal liabilities.

During consideration of H.R. 853, Representative David Dreier is expected to offer a biennial budget amendment. The U.S. Chamber of Commerce earlier this year testified before the Committee on Rules in support of a biennial federal budget and we strongly support the Dreier amendment. Biennial budgeting would help streamline budget decisions and allow the Congress and Federal agencies more time to manage and oversee federal programs.

The U.S. Chamber of Commerce, the world's largest business federation, representing more than three million organizations of every size, sector, and region, urges you to support H.R. 853 and the Dreier biennial budget amendment to their eventual enactment into law.

Sincerely,

R. BRUCE JOSTEN.

TAXPAYERS FOR COMMON SENSE,
Washington, DC, May 11, 2000.

Hon. JIM NUSSLE,
Hon. BEN CARDIN,
House of Representatives, Washington, DC.

Re: Support for H.R. 853

DEAR CONGRESSMEN NUSSLE AND CARDIN: When the House considers H.R. 853, the Comprehensive Budget Process Reform Act, Taxpayers for Common Sense urges all members to support this important bill. TCS believes that it represents a valuable and serious effort by you and your bipartisan cosponsors, to fix some of the worst things about the budget process.

H.R. 853 should be called "The Dire Emergency Budget Process Reform Act of 2000." It is likely to be more important than any similarly-named supplemental appropriations bill that will be presented to the House this year.

The budget process is broken. It is cluttered with numbers that mostly count for nothing, like the budget function subtotals. It ignores the annual reality that emergencies happen. It allows unfunded federal insurance liabilities. It puts too many programs on fiscal autopilot. Finally, it gen-

erates debates and votes that resolve nothing. All of this wastes time and political energy in Congress, as well as taxpayer money. Your bill would address all of these problems.

No one should believe that H.R. 853 or any other process reform will guarantee fiscally responsible budgeting. Ultimately, that results from a political will and seriousness of purpose that have been lacking in Congress in recent years on both sides of the aisle and in many different congressional committees.

But no one should oppose H.R. 853 on the grounds that its significant and badly-needed improvements in the budget process would not be the perfect solution to all problems. That would be a flimsy excuse, and process reform might create a climate for progress on other fronts. We urge all members to become part of the solution, and to support H.R. 853.

Sincerely,

RALPH DEGENNARO,
President & CEO.

CAPITOLWATCH,
Washington, DC, May 8, 2000.

Hon. JIM NUSSLE,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR REPRESENTATIVE NUSSLE: On behalf of the 250,000 supporters of CapitolWatch, I thank you for introducing H.R. 853, "The Comprehensive Budget Process Reform Act of 1999."

H.R. 853 will create a better budget process by amending the rules to encourage Congress and the President to agree on a Joint Budget Resolution at the beginning of the budget process. Such a resolution would help force Congress and the President to keep within spending limits.

H.R. 853 will also stop Congress and the President from passing additional spending outside the normal budget process. The bill strictly defines "emergency" spending as funding for the "loss of life or property, or a threat to national security" and an "unanticipated" situation.

CapitolWatch believes that "sunlight is the greatest disinfectant" and that H.R. 853 will allow the time needed for a full and open debate on budget issues that will replace the usual process—a hodgepodge omnibus bill negotiated at the last minute with the possibility of a government shutdown. CapitolWatch believes that H.R. 853 will bring about a budget process that is less wasteful and leads to more effective government.

CapitolWatch and its 250,000 citizen lobbyists are urging all members of the House of Representatives to support your bill. We wish you much success and look forward to assisting you in the passage of this much-needed legislation.

Sincerely,

ANDREW F. QUINLAN,
Executive Director.

COUNCIL FOR CITIZENS
AGAINST GOVERNMENT WASTE,
Washington, DC, May 5, 2000.

Hon. JIM NUSSLE,
Cannon House Office Building, Washington,
DC.

DEAR REPRESENTATIVE NUSSLE: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I would like to express my support for the Comprehensive Budget Process Reform Act.

This legislation makes several significant reforms to the federal budget process. By transforming the non-binding concurrent budget resolution into a joint budget resolution, the budget would become a document with the force of law. The legislation pro-

vides further order to the budget process by enabling Congress to adopt a concurrent budget resolution under expedited procedures if the president vetoes the joint budget resolution.

By creating an emergency reserve fund and clearly defining what would qualify as an emergency, the legislation will allow for expedited funding for truly unanticipated events while preventing the manipulation of this designation for other purposes. The Comprehensive Budget Process Reform Act also strengthens fiscal responsibility by requiring the Budget Committee to certify that each spending bill is in compliance with budgetary levels set forth by the budget resolution, establishing regular authorization for government programs, and prohibiting new spending programs from being authorized for more than ten years at a time. Your legislation also includes the requirement that new spending requests are compared to actual previous levels.

We appreciate your leadership on this important issue. CCAGW urges your House colleagues to support your legislation. The vote on your bill will be among those considered for CCAGW's 2000 Congressional Ratings.

Sincerely,

THOMAS SCHATZ.

AMERICANS FOR TAX REFORM,
Washington, DC, May 8, 2000.

Hon. JIM NUSSLE,
House of Representatives, Cannon House Office
Building, Washington, DC.

SIR: Americans for Tax Reform would like to express its support for your bill "The Comprehensive Budget Process Reform Act." This sound proposal would introduce fiscal restraint to a frequently incoherent procedure that now aids and abets profligate spending. Your legislation would not only repair a faltering system, it would safeguard the interests of our nation's overburdened taxpayers.

Most notably, your bill would make the all-important switch from a concurrent budget resolution (which ultimately serves to invite counterproductive and often pointless inter-branch conflict) to a joint budget resolution. This would compel the President and Congress to agree on overall levels of spending at the beginning of the process, when consensus should be reached, and not at the last possible moment, as is currently done. Consequently, inserting superfluous spending provisions into appropriations bills will be more tightly controlled. This alone is ample reason to support your legislation.

In addition, your bill requires committees to reauthorize the departments and programs under their purview every ten years. Today, nearly every federal activity is underwritten by its own essentially permanent and self-perpetuating spending authority. As a result, Executive agencies have license to automatically devour money. It's often been said that the closest thing to immortality is a government program. This is unfortunately true, but your bill would render that witticism anachronistic.

Furthermore, your bill's measures for curbing spurious demands for "emergency spending" will save taxpayers millions upon millions of dollars every year; no more allocations for such "unforeseen threats" to the commonwealth as dangerously non-existent parking garages. All told, the Comprehensive Budget Process Reform Act is a well-constructed and perfectly reasonable proposal worthy of passage.

We will seriously consider rating Congress' vote on this bill. The time for budget reform is long overdue. We're glad that you have taken the initiative to make it a reality.

Sincerely,

GROVER NORQUIST.

NATIONAL TAXPAYERS UNION

Washington, DC, May 9, 2000.

Hon. JIM NUSSLE,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR CONGRESSMAN NUSSLE: On behalf of the 300,000-member National Taxpayers Union, (NTU) I write to endorse H.R. 853, the Comprehensive Budget Process Reform Act, and to urge all Members to work toward its passage.

The end of the year "omnibus appropriation," "emergency spending," and "supplemental appropriation" bills that have characterized Congressional budgeting and spending over the last decade clearly demonstrate that the current budget process used on Capitol Hill is incapable of instituting, or ensuring, fiscal responsibility and discipline in Washington. The result has been end of the year spending sprees initiated by a President bent on hijacking the budget process in order to spend the surpluses resulting from the hard work of American taxpayers. Clearly, a mechanism for fiscal responsibility in Washington is needed.

Your bill moves Washington in that direction. By giving budgetary limitations the force of law, requiring clearly distinguished standards for emergency spending, and requiring accountability for federal programs, H.R. 853 will provide some much needed restraint on the federal spending train that is currently out of control.

Once again, NTU endorses the Comprehensive Budget Process Reform Act, and encourages all Members to work toward its passage.

Sincerely,

ERIC V. SCHLECHT,

Director, Congressional Relations.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume, and I thank my dear colleague, the gentleman from Florida (Mr. GOSS), for yielding me the appropriate time.

Mr. Speaker, I rise in opposition to this rule which fails to protect veterans, student loans, and prescription drugs from possible elimination. Last week, the Committee on Rules, my colleagues, refused to make in order three excellent amendments that would have made great improvements to this bill.

The gentleman from New Jersey (Mr. HOLT) offered an amendment to exempt student loans from the sunset requirements in this bill. Without the Holt amendment, our student loan programs are on the chopping block every 10 years. And, Mr. Speaker, I believe that American families want that program protected.

I believe they also want Medicare and prescription drug benefits protected, and last week, the gentlewoman from Nevada (Ms. BERKLEY) offered an amendment doing just that. But, unfortunately, Mr. Speaker, the amendment of the gentlewoman from Nevada protecting Medicare was also defeated by my Republican colleagues.

The gentleman from New York (Mr. FORBES) offered an amendment protecting veterans programs from the chopping block, but my Republican colleagues, once again, decided not to make his amendment in order either.

So this budget process reform bill will endanger student loans, Medicare, and veterans programs, and, Mr.

Speaker, I am afraid that is only the beginning. First of all, this bill changes the budget resolution from a concurrent resolution to a joint resolution and, in doing so, this bill slows down a process that is already too slow.

As long as one party controls the White House and one party controls the Congress, there will never be serious negotiations on a budget resolution. Mr. Speaker, different parties have no reason whatsoever to compromise with one another at the budget resolution stakes of the process.

As everyone knows, the budget resolution is only a political statement, and I believe the majority in Congress should have the opportunity to set out their own plan in the budget resolution. By requiring the budget resolution be signed into law, my colleagues will stall the appropriations process even further, while Congress and the White House struggle and struggle to agree.

Mr. Speaker, as it is, our appropriations process takes far too long. This joint resolution is going to make that deadline even more difficult to make than it already is.

Secondly, Mr. Speaker, this bill changes the way we designate emergencies. Now, I agree that far too many spending programs are falling under the category of emergency these days; programs like the Census, which could hardly be called a surprise. But the reason for so many nonemergencies being pushed into that category is because it is impossible to live within the caps. Emergencies give Congress a way around the caps. So until we have more realistic caps, Congress will continue to resort to emergencies or some other gimmick no matter how high we raise that bar.

Finally, Mr. Speaker, I understand my chairman will offer an amendment changing our budget to a biennial system. As I have said before, many times, I believe biennial budgeting will encourage more supplemental appropriation bills, it will weaken Congress' ability to set budget priorities, and it will require decisions to be made much too far in advance. It is hard enough to predict where we will need to spend the money 1 month in advance much less 2 years in advance.

Although my colleagues made some changes in this bill which does improve the bill tremendously, last week the Committee on Rules made in order amendments to reverse those changes. They removed the dangerous pay-go system that will endanger Social Security and Medicare, then they made in order an amendment to restore it. They removed the automatic continuing resolution which would make it easier to avoid compromise, then they made an amendment in order to restore that, too.

Mr. Speaker, my Republican colleagues did not see fit to protect Medicare, student loans, or veterans programs. They decided those programs, like a lot of the spending programs,

should be up for grabs every 10 years, but they made in order amendments restoring portions of the bill that they themselves decided were too unwise.

So, Mr. Speaker, I am asking my colleagues to stand up for student loans, Medicare, veterans benefits and to oppose this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. NUSSLE), who is indeed an author of this and has worked long and hard, and in a very distinguished nonpartisan manner, to bring this process to Members to debate.

Mr. NUSSLE. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to start by giving my appreciation to my good friend from Florida for his good work on the Committee on Rules, and for the Committee on Rules as a whole, for their patience, for their understanding, for the thoroughness in which they have conducted this budget process, reform process.

That is really what we are talking about today, is process. As much as there are a few Members in our body that are rushing to the floor now at the last minute wanting to inject into this a certain level of political substance, let me caution Members that this has been a bipartisan process which has not gone to the level of political substance or political theater.

I would suggest that while there are many viewpoints on exactly how the budget process should be conducted, exactly how our budget should be arrived at, we have, in this process with the Committee on Rules, with the Committee on the Budget, with the Committee on Appropriations, stayed completely away from substantive outcome determinant procedures. This is outcome neutral in its process.

I had to describe this to a group of kids back home in Iowa, and they wanted to find out what I was going to be working on this week. And budget process reform, quite honestly, is pretty much a yawn, I would have to suggest. Even the gentleman from Massachusetts would probably agree with me on that. But I told them, I said, it is a lot like when we play the game Monopoly. We dust off the board game, Monopoly, and we open it up and look on the back of the box and it never tells us who is going to win the game. It never says one player gets to pass go and collect \$200 but another does not; one specific player gets to be the shoe today and another gets to be the thimble. Nowhere in the game do we see that. And that is what we have tried to preserve here too.

The gentleman from Massachusetts is correct when he stated that we do not protect specifically prescription drugs or Social Security or student loans, nor do we protect the United States Capitol building. According to our budget process reform, there is nothing in there that prevents us from

tearing it down and moving it to maybe even Des Moines, Iowa. In fact, we could get rid of the Energy Department, according to this. There is no protection in there for Energy, no protection for the Commerce Department, no protection in there for any of the programs, the bureaucracies, the agencies, the departments, the buildings, and, even for that matter, the people within them. We could eliminate all sorts of budgets within this. There are no special protections.

There is a reason for that. We do not want to determine the outcome. We want Congress to work its will. But we also believe it needs to be real. The gentleman from Massachusetts said this is nothing but a political document. That is what is wrong. That is what is wrong. From the time this bill was first introduced, back in 1974, when the Committee on the Budget was first established, when the budget process was first established, it was established because the Committee on Appropriations, the Committee on Ways and Means, the Congress as a whole could not come together and understand what the final outcome was going to look like.

It established a reconciliation process, so that before anything began, everyone had to sit down and look and see what it was going to look like, just like a normal home budget would look like. What are we going to spend, generally, how much money are we taking in, how much money do we think we should expend. The Committee on Appropriations should be allowed to put in the details. The Committee on Ways and Means should be allowed and have the power to put in the details. But someone had to come in and put an umbrella over the entire document, and that is the reason why the Committee on the Budget and the budget process was first instituted.

So the question today is, is the process broken? Yes, the process is broken. We should not mess with a process if it is not broken. But go back and pick a year, any year my colleagues want to pick in the last decade, except for 1997, interestingly enough, and I will come back to that. Pick a year, any year, and every single year there was chaos, there were train wrecks, there were final negotiations at Andrews Air Force Base between the Congress and the President scrambling, with sometimes only three people in the room. And I see the smiles on the faces. Sometimes the Democrats were in the majority and it was the Republicans in control of the White House.

Neither side can be happy with the current process that gets us to a train wreck. So we said what year worked? 1997 worked. Why did it work? Why did we finally get to a balanced budget for the first time in 40 years? Because the Congress and the President sat down early in the process and came up with a memorandum of agreement that decided what the big picture was going to look like; how much money were we

taking in in taxes; how much generally we were going to expend in spending; what was the national debt going to look like; what was Social Security going to look like, and they put together a memorandum of agreement. The big picture.

From that, we had success. We wrote this bill to encourage that success in the future, and that is why we should support this rule and this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. HALL), a member of the Committee on Rules.

Mr. HALL of Ohio. Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. MOAKLEY) for yielding me this time.

This rule makes in order the Dreier amendment. Actually, it is the Dreier-Luther-Regula-Hall amendment, which establishes a 2-year budget process for Congress and the administration. As a former member of the Ohio General Assembly, which follows a 2-year budget process, I learned the value of considering budgets on a 2-year cycle instead of devoting each year to spending bills.

In 1982, shortly after joining the House Committee on Rules, I was appointed to a task force on the budget process. At that time, I favored a biennial budget, and since then I have not changed my mind. Passing budgets and appropriation bills for 2 years will increase funding stability, permitting more efficient management of government programs. It will also reduce the amount of time Congress spends on considering the appropriation bills, allowing us to spend more time on serious problems that we have with oversight.

□ 1315

Under the current budget process, we are constantly missing deadlines for making decisions on spending. Moreover, our record on oversight in the last few years is poor. Many have blamed the unacceptable performance on the lack of time we have to spend on oversight.

A 2-year budget process should free up time for House Members to spend on oversight. Properly carried out, oversight will give Congress greater insight into the execution of the laws that we pass and improve Government performance.

The biennial budget process amendment has support on both sides of the aisle. It is an experiment worth trying.

Mr. Speaker, I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I am again privileged to yield such time as he may consume to the distinguished gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, let me begin by extending my congratulations, since he is walking out of the

Chamber, I am going to mention him first, and that is to my very good friend the gentleman from Ohio (Mr. HALL) and fellow member of the Committee on Rules.

Now that he is out of the chamber, the gentleman from Florida (Mr. GOSS) is still here; so I would say that the distinguished vice-chairman of the Committee on Rules, the gentleman from Florida (Mr. GOSS), has done a great job.

And even though he is no longer in the chamber, I am going to say the name of the gentleman from Iowa (Mr. NUSSLE). He did a spectacular job in his presentation that he just made here. Maybe he is in the cloakroom and is able to hear my words here.

There are a lot of people who have spent a great deal of time working on this issue of budget process reform, and we are beginning what is clearly an historic debate. For the first time in over a decade, the House will debate fundamental reform of the budget process.

The bill that we will be making in order with this rule is a product of the work of both the Committee on the Budget and the Committee on Rules and the efforts that we have put in for a long time. It also represents a landmark process in which those two committees of jurisdiction over the budget process have come together in a bipartisan manner. And I have got to stress that word "bipartisan" again.

The gentleman from Maryland (Mr. CARDIN) has been working for years and years on this with the gentleman from Iowa (Mr. NUSSLE) and with the gentleman from Florida (Mr. GOSS) and with the rest of us, and it is due to their spectacular leadership that we have gotten to the point where we are today.

As the gentleman from Iowa (Mr. NUSSLE) said just a few minutes ago, it is very clear that the budget process that we have now does not work. It is a disorganized patchwork of decades' old rules and laws.

The bipartisan Comprehensive Budget Reform Act will make the process more rational, it improves accountability, and it strengthens enforcement in the budget process. Is it a panacea to all the ailments of society? No. Is it a cure-all for all of the challenges that we face on the budget process? No. But I will tell my colleagues, it is a very, very important step, which enjoys, again, bipartisan support.

One item in here I will say, as a Californian, that I think is a very important aspect is the issue of dealing with natural disasters. We all know that they are a fact of life, whether it is hurricanes in Florida, or ice storms in upstate New York, or floods in Iowa, or in my home State we all know what we get, we get earthquakes in California, we know that there is going to be some kind of disaster and it will have an impact on the budget.

This bill requires the President and the Congress to face reality and set

aside a disaster reserve fund within the budget. We do not need to pit the victims of Mother Nature against those who desire sound fiscal policies. This is just one of the many sensible reforms that have been put into place in this bill.

The rule also makes in order a number of amendments for Members with very, very diverse views on this issue. Such amendments include biennial budgeting, which the gentleman from Ohio (Mr. HALL) mentioned and I will be offering later, an automatic continuing resolution, and pay-go.

All of these amendments are very important reform issues, and they deserve to be fully and openly considered in this debate, which is what this rule actually does.

Now, I will take just a moment to talk about this issue which I feel so strongly about, and that is the question of biennial budgeting. That process could lead to the most significant change in the budget process that we have had in over a quarter century. Really, since the 1974 Budget Empowerment Act was put into place, biennial budgeting would be the most sweeping reform.

The enormous amount of resources that are expended by the executive branch in preparing multiple annual budgets at the same time would be diverted to long-term strategic planning and improving the performance of Federal programs. Again, this effort is put together with strong bipartisan support and enjoys the strong support of President Clinton, who, in his budget submission earlier this year, called for biennial budgeting.

Vice President AL GORE, the presumptive Democratic nominee for the President of the United States, he is a strong proponent of biennial budgeting.

Governor George Bush of Texas, the presumptive nominee and I hope the next President of the United States, is in fact a strong proponent. He has a 2-year budget process in Texas and believes that we should do it here in Washington, D.C.

When combined with other significant bipartisan budget reforms contained in the base bill, I believe that the biennial budget amendment which I will be offering represents a whole package of very comprehensive reforms.

I urge my colleagues to resist the harsh partisan politics and to come together on what will be, as I said, a significant Government reform package that will benefit the American taxpayers. There will be tremendous taxpayer dollars saved if we can move in the direction of bringing about biennial budgeting and some of these other budget process reform issues.

So I want to again congratulate all of those who have been involved: the gentleman from Florida (Mr. GOSS), the gentleman from Ohio (Mr. HALL), the gentleman from Maryland (Mr. CARDIN), the gentleman from Iowa (Mr. NUSSLE) and others who have worked

on this measure and to congratulate them for their hard work and to say that I urge my colleagues to vote in favor of this rule that we will be offering and also in favor of the budget process reform package and vote "yes" on the biennial budgeting amendment.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. FORBES), the author of one of the amendments.

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

Mr. FORBES. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today in opposition to this rule and, unfortunately, in opposition to this bill, a bill that enjoys bipartisan opposition.

Like many of my colleagues, I certainly want to see us reform the budget process so all Americans can understand how we are spending their tax dollars.

Sadly, this bill does nothing to make the process better. Instead, I would suggest, it is going to make it worse. And nothing, I might add, nothing in this bill would end the annual political standoff that we see, the so-called train wrecks that characterize this budget process. There is nothing in this bill that would end those kind of stalemates.

Unfortunately, this bill would give to the executive an inordinate amount of power. Currently, in these coequal branches of Government, we have the right of the executive to offer up his or her budget and the right of the legislature to, in turn, offer up their budget and then negotiate. But to require a joint resolution is to abdicate to the President an inordinate amount of power that takes away from the legislature its right to do the budgeting. I think that is inappropriate.

I regret that this rule does not contain an amendment that I think is necessary. It takes a certain program for veterans and makes it uncertain. The majority would have us believe, for some reason, that they do not do this. But I would remind my colleagues that in this bill that we will be soon debating, this bill protects the certainty of Social Security while at the same time opening up an uncertainty for veterans' programs, for Medicare programs, and others.

I had offered an amendment, frankly, that I hoped would be in bipartisan spirit accepted so that we could tell our veterans' community that, as we try to reform a budget process, we are not going to every 10 years subject them to the possible elimination of veterans' programs or Medicare programs.

So I find it curious that they went to a great degree here to protect Social Security programs but they would not protect the Medicare programs, they would not protect the veterans' programs. I think this is a major weakness of this bill. It suggests to our veterans'

community that the budget reform process is somehow more important than protecting a compact that we made with veterans so long ago.

I urge my colleagues to look at the mail in their office from many veterans' organizations who are concerned about the tenuous nature that this leaves their programs in. I urge my colleagues to defeat this rule, to allow the committee to go back to the drawing board, include some protections for veterans, include protections for senior citizens, and then take another look at this budget reform process and start over again, take the good things out of it like emergency spending reservations and some of the things that we might want to get done here.

Let us reform the process, but let us not make it worse, as this legislation would do. It would not avoid the annual train wrecks, the standoffs that we see between the President and the Congress; and I think it is a fallacy to suggest otherwise.

Mr. GOSS. Mr. Speaker, may I inquire as to the time remaining on both sides, please?

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from Florida (Mr. GOSS) has 15 minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 21 minutes remaining.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from the Commonwealth of Pennsylvania (Mr. GEKAS).

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

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the Committee on Rules, very properly in my judgment, has acceded to my request long-standing now to include in the debate on the new budget process an amendment which would bring about forever an end to Government shutdowns.

Lest there be anybody in the United States or in the western hemisphere who does not recognize the possibility and reality of a Government shutdown in the United States, let me remind everyone, for the record, that, in the last 20 years, more than 17 times the Government of the United States was at shutdown or near shutdown because of the inability of the Congress to pass appropriations bills and complete the budgets by September 30, the last day of the fiscal year.

What happens in that case? When the budget is not completed, the next day, October 1, the Government automatically shuts down.

How have we prevented that in the past when we have prevented it? By passing temporary continuing resolutions to keep the flow of appropriations going until the negotiations can be completed for a new budget to be adopted.

Well, that always leads to a further deadline and yet another deadline; and

each time that deadline appears for the completion of a budget, lo and behold, Government shutdown or a threat of Government shutdown.

What does that mean?

It means not just that the Smithsonian Institute has to shut its doors, as happened several times while tourists are waiting to get in and unable to do so because the Smithsonian Institute is out of business with a Government shutdown, as is every other institution of our Government.

That is so embarrassing and so shameful and so inappropriate that my legislation has to be passed simply to avoid the shame of a Government shutdown.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman and colleague from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, it is so important that we discuss and debate how we can improve the budget and the budget process.

Right now we are approaching \$1.8 trillion in annual spending. We are dealing with overspending in the past that has left us with approximately a \$5.7 trillion total national debt.

We are going to talk about ways we can improve this process. We are going to talk about the hopeful ideas to increase the efficiency of budgeting and spending. But the bottom line is the intestinal fortitude and the will of the Members of Congress to do a better job.

It does not make any difference if we have a 2-year budget with biennial or 1 year. I think biennial, by the way, shifts more power to the administrative branch. It does not matter if we have supplemental appropriations bills. It boils down to the determination, the will power to do a better job in the way we spend taxpayer dollars. That is the bottom line.

The debate is going to be good. I congratulate the Committee on Rules for getting this before us.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, before any of us can speak on this floor, we first have to take an oath to defend the Constitution of the United States.

That Constitution was created by our Founding Fathers because they had a huge suspicion of power, especially executive power. That is why they created an Article I of the Constitution, the Congress of the United States, an independent branch of Government. And to keep it independent and to make certain that we would never have excess power in the hands of the executive, they lodged in this institution the power of the purse.

□ 1330

Today if we pass this proposal, we are walking away from our constitutional

obligation to defend the power of the purse. The chairman of the Committee on Rules is absolutely right. There is absolutely nothing partisan about this debate. This is a debate about power and the use and misuse of power and how you best maintain checks on that use of power.

I think there are two fundamental problems with this proposition. First of all, because we create a joint resolution instead of a concurrent resolution when the budget resolution passes, that means for the first time the President imposes himself right in the middle of Congress' obligation to define its own budget resolution. So the President gets two kicks at the cat: once when he submits his budget and then another when he puts together a huge budget summit out at Andrews or some other place like they have been in the past, and the President will come to totally dominate that debate. And every rank and file Member of this place will be on the outside looking in, passing notes in, hoping that a handful of people on the inside will give them an occasional listen. We do not want to do that.

Secondly, it will enhance the power of the Senate vis-a-vis the House. The House has a Committee on Rules but the Senate runs on unanimous consent and a system of holds, and in order to get anything done in the Senate, the Senate leadership is going to be vulnerable to having any Senate chairman come to them and say, "I'm not going to vote for your budget resolution unless you add my authorization bill to the budget resolution," and you will have a huge incentive to have everything but the kitchen sink added in the Senate.

Secondly, we have another problem with this proposition, and that is 2-year budgeting. Right now every year, every agency of government has to justify every action to the people's representatives. What will happen if we move to a system of 2-year budgeting is that we will move to a system of permanent supplementals and it is far more difficult to control spending on supplementals than it is on regular appropriation bills, because again in the House we have a germaneness rule, but in the Senate there is no germaneness rule. And so they can add virtually anything they want. That in my view weakens the House vis-a-vis the Senate; it allows Senators to add amendment after amendment and project after project. House Members will not have that same privilege or opportunity. And most of all, it makes the agencies of government even more independent of legislative power than they are right now. Because once you have passed an agency budget, they have their money for a 2-year period and they do not have to come to this House for anything.

Now, Members will say, "Well, but if you have supplementals, they'll have to come back here for those." That is true. But supplementals are always to

add money to their programs. They are programmatic supplementals. They have nothing whatsoever to do with agency staffing levels, agency bureaucratic structure, and so they will have been able to pocket what they want on the administrative end of their budgets, and that means that they will be far more immune to the legitimate Congressional questioning of their actions than they are right now. I think in the end that makes this institution fundamentally weaker in constitutional terms than it is right now, both vis-a-vis the executive branch of government and vis-a-vis the other body. I think both actions would be a mistake.

I would urge the House to cast a bipartisan "no" on this proposition when we get the opportunity.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, last week I appeared before the Committee on Rules to focus attention on one section of H.R. 853 that threatens to undermine the American public's confidence in Medicare. I am referring to provisions in title IV that require authorizing committees to establish a schedule for sunset and reauthorizing all mandatory spending programs, including Medicare, over 10 years and that limit the authorization of any new mandatory program to 10 years.

Congress needs to ensure that taxpayers' funds are spent wisely. However, the authorizing committees already have both the responsibility and authority to conduct such oversight. Lack of effective oversight is not a consequence of the way that the budget process operates. Nor is it due to the permanent authorization of fundamental programs such as Medicare. In fact, the authorizing committees regularly review the programs under their jurisdiction and report legislation updating them.

The Committee on Ways and Means has regularly held hearings on Medicare and has proposed a number of reforms in recent years to modernize the program. For instance, we are now considering creating a prescription drug benefit for seniors that would, I hope, become part of Medicare. Why would we want to create the uncertainty of limiting a prescription drug benefit to only 10 years? And why should Medicare itself be put on a schedule that might call into doubt the future of the program? Such outcomes would do little good and possibly great harm.

For these reasons, I urge my colleagues to vote against this legislation that weakens our existing budget process, our committees and the entire Congress and brings uncertainty to such programs like Medicare that millions of older Americans depend on for their very survival. I am puzzled and dismayed that my colleagues on the Committee on Rules refused to consider my amendment to exclude mandatory spending programs such as

Medicare from this measure. I urge a "no" vote on this legislation.

Mr. GOSS. Mr. Speaker, I am happy to yield 3 minutes to the distinguished gentleman from the great State of Delaware (Mr. CASTLE), the former governor.

Mr. CASTLE. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in total support of the rule which I think allows amendments, some of which I will support, some of which I will not, but really in strong support of the legislation. I have been sitting here listening to this debate and it is sort of like inside baseball only it is inside Congress where we have various Members of Congress standing up and saying, well, this committee is going to have to give up jurisdiction or power to another committee, we have other people getting up and saying that the most likely things to always be reauthorized such as Medicare and veterans benefits and others may be threatened if we do away with this in 10 years, which is nonsense, that is never going to happen.

My view is the public really does not care about this. What the public cares about is that we spend their money wisely. The public also cares greatly that we sit down with the President of the United States and that together, even though we are in different parties and have differences of opinion, which we should, that we sit down and we work out a budget process which is fiscally sound and which accommodates the problems that exist in the United States of America. They are not interested in the committee fights. They are not interested in the politics of Congress. They are not interested in the politics of Washington. They are interested in good spending of their money.

Believe me, this legislation, this process, budget process reform legislation more than any legislation I have seen since I have been here incorporates, particularly with some of the amendments which are hopefully going to be addressed to it, the aspects of budgeting which would make a huge difference in terms of how we present ourselves to the public by making sure that the money we spend is not just for the district of a particular Member of Congress or committee or whatever it may be but in the best interests of the people of the United States of America. So I applaud all those people who put it together.

I would like particularly to address just one aspect of it because I do not have unlimited time, and that is the emergency spending provisions. I have been pushing for this since I arrived in the Congress some 7 or 8 years ago now, because I am a strong believer that we should limit how we spend emergency spending. In 1994, we passed legislation to prevent nonemergency spending from being added to emergency spending bills. That sounded all well and good at the time. I thought it was a good act until I realized you can call anything an emergency here in the House of Representatives.

What is the problem with emergency spending? The problem is it is completely unrestricted, it is very open-ended, there is no accountability for it. You do it on requests that come in from various sources, States, in the case of emergencies, military or whatever it may be. There are absolutely no limits. It is not counted against the other money which we have spent. We do not appropriate it. In spite of the fact they do that in virtually every State in this country, we do not do it in the Congress of the United States. This is extra money which is added to the debt that we have in this country. So as a matter of course, I think we are taking the wrong steps with respect to how we are handling emergency spending.

How do we do this? We basically set forth in this legislation a sum of money equal to a 5-year rolling average, we set up a group which will look at that, will look at the emergencies as they come in, make the decisions, make sure that the appropriations are made through our regular appropriations process, not added to the debt and then they will do the accounting as that money is spent. It is pretty simple, it is a little more complex than that, but it is the way to go.

It is a good bill, that is a good measure, it is something we should pass, it is bipartisan, and I hope we get a strong bipartisan vote in favor of the rule and the bill.

Mr. GOSS. Mr. Speaker, I am happy to yield 4 minutes to the distinguished gentleman from California (Mr. COX), who has been instrumental in providing a good deal of the substance for this particular piece of legislation.

Mr. COX. Mr. Speaker, I thank the gentleman for yielding me this time. It is in fact my purpose to rise to thank the gentleman from Florida (Mr. GOSS) and the gentleman from Iowa (Mr. NUSSLE), who chaired the budget task force that produced this product, along with the gentleman from Maryland (Mr. CARDIN) and, of course, the gentleman from Ohio (Mr. KASICH), the chairman of the Committee on the Budget, and also the gentleman from Texas (Mr. STENHOLM), who did such good work on this in his capacity as a member of the task force, and the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules. All of the people who are associated with this project are owed a great debt of gratitude by the Members of this House and indeed by the other body as well, because proposals to overhaul the badly broken budget process have been under debate and under consideration in this Congress for as long as I have been here.

I came to Congress 12 years ago, having already spent 2 years working as a lawyer for President Reagan in the White House trying to overhaul our badly broken budget process. President Reagan in 1986 appointed a White House working group on budget process reform, a Cabinet level working group,

that put together many of the recommendations that have found their way into this legislation.

I did not know at the time that 2 years later I would be a Member of this House myself, but in my initial term in Congress I was the cochair of a task force on budget process reform that produced legislation very similar to this that had over 100 sponsors the first year that it was introduced. I introduced that legislation in successive Congresses. In the 105th Congress it had over 200 sponsors. The legislation was introduced and authored on the Senate side, in the other body, by the gentleman from Mississippi (Mr. LOTT).

What is before us right now is not about Republicans and Democrats. It is not about more spending or less spending. It is not about higher taxes or lower taxes. It is about doing business properly, in an organized way. It means that we are going to have a budget first and spending second. In this legislation, it is made very plain that we are not to get to the business of spending money until we have agreed between the executive branch and the legislative branch on the outer limits of what we think we can afford. It is the same way that anyone would produce a budget in the private sector, in a nonprofit organization or in your own home.

In Congress, too often for many years we have simply spent money on what we considered to be worthy projects and added it up at the end to find out what our budget was. Our budget was nothing more or less than the residue of all those small decisions, or all those relatively small decisions. Our budget, since 1974, has been a nonbinding resolution.

□ 1345

We can ignore it if we please. We can even not pass a budget if we please. We have supplemental bills that come to the floor whenever there is a natural disaster that break the budget. If we happen to have a horrible earthquake or flood in a given year, no provision is made for it, no forethought, as if these things had never happened before in our country. So, in a cash budget, all of the money runs out of operations in that current year.

None of these things is consistent with the way a significant substantial operation in America today conducts its business. Least of all, is this the way a trillion dollar annual enterprise should run its business? The Budget Process Reform Act, which I am very, very happy to see come to the floor under this rule, gives us an opportunity, a first opportunity after many, many years of effort, to rationalize all of this work that we do here.

Also one more important thing needs to be said about this: The process will become increasingly transparent, understandable to our constituents. The budget process has been very arcane in the past. Making it clearer for everyone to understand inside of Congress and outside of Congress is yet another noble objective of this legislation.

Mr. Speaker, I want to commend the rule for being broad and including many amendments, and I want to commend the legislation to all of my colleagues.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in opposition to the rule. I speak on one aspect of the bill and the rule, and, although it is only one aspect, I think it is a serious enough problem that it warrants the rejection of the rule. The Comprehensive Budget Process Reform Act, H.R. 853, contains serious problems that I think could actually weaken Congress' ability to budget. Unfortunately, the rule before us today does nothing to improve this flawed bill.

Last week I proposed an amendment before the Committee on Rules to address one section of the legislation that is particularly troubling, the section that calls for Federal mandatory spending programs to be sunsetted. Others have addressed this problem today. If this language becomes law, important benefits that our constituents rely on, Medicare, veterans' benefits, student loans, will lose their permanence and their existence will be made subject to the whims of future Congresses.

My amendment would have exempted the Federal student loan programs from these provisions. Unfortunately, the amendment was not made in order.

Now, many of us would like to see improvements in the budget process. I sit on the Committee on the Budget and I can imagine some improvements we should make. But I do not believe a majority of Members, Republican, Democratic or independent, really believe that the problems in the budget process are due to the permanent authorization of essential programs such as student loans.

The Committee on Rules should have, I think, shown more willingness to work in a bipartisan fashion and allowed my amendment to be considered. The people we represent, America's students and their parents, need to know that the Federal student loan program will be there when they need it. These programs and the legislation that created them were designed to give stability and certainty to the financial future planning process. Their existence should not be subject to the whims of a future Congress and President, regardless of which party is in power.

We want our families to plan ahead for college education for their children, and they should know that the student loan program will be around for the long term. They should know that the student loan program will be around for the long term, that they can count on it for their future planning.

Mr. Speaker, for these reasons, I urge my colleagues to defeat the rule, so that my amendment and other amend-

ments to improve this bill may be offered.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from California.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman from California (Mr. CUNNINGHAM) is recognized for 2 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I rise in opposition to this bill. We have bipartisan support in opposition to this bill.

I think the gentleman from Wisconsin (Mr. OBEY) spoke eloquently about some of the pitfalls of the existing conditions of the bill as it exists right now. My friend, the gentleman from Delaware (Mr. CASTLE), talked about exchange of power and that our people do not care. Well, the framers of the Constitution understood that too much power in the hands of a single source will corrupt, and it will.

I want to tell my friends on the other side of the aisle, it is a very frustrating process, both for them and for us as well, but I think the framers of the Constitution understood that, and it should be difficult to pass things, because if too much power on the left is there, too much power on the right is there, then it is going to be lopsided, and the framers understood that it should be difficult so that no single group can tilt the scales.

Is it frustrating? Absolutely. But the gentleman from Missouri (Mr. GEPHARDT) talks about in-house, he says "Republicans are our adversary; the Senate is our enemy." That is because a single Senator can stop legislation over there. That is too much power in one hand. This body is going to attempt to do the same thing by shifting the power to the White House.

Imagine, the President's budget failed 425 to 2 in this body, and 94 to 6 in the Senate because it was a political bill, too much power. Can you imagine what would have happened if we had given that power to the White House?

The Constitution, under Article I, says that Congress shall initiate spending bills. By that, the President has two whacks at it. As has been mentioned before, that is a spreading of power, and that is good.

What this bill attempts to do I believe is wrong. I would support the Gekas amendment.

Mr. HALL of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. SPRATT), the ranking minority member on the Committee on the Budget.

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

Mr. SPRATT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I would be the first to admit that the budget process needs an overhaul, but not this overhaul, not this bill, for many reasons. It is not the

right fix. Parts of it I agree with, but many parts of it not only are not the right fix, I think they would be counterproductive.

Back in 1990, we sat down in earnest with the budget process as part of the budget summit agreement, and we made some budget process changes that laid the foundation for deficit reduction throughout the last decade and for the surpluses that we enjoy today. We adopted what we call a "pay-as-you-go" rule, a pay-go rule, with respect to tax cuts and entitlements. Basically, we said nobody can worsen the deficit. If you want to propose a tax cut, you have got to have an offsetting tax increase or an offsetting decrease or cut in entitlement, or permanent spending, and if you want to add to or liberalize the entitlement benefit, you have to identify a revenue stream to pay for it or diminish some other entitlement benefit so it is deficit neutral.

This rule served us well. But recently, in recent years, we have flouted it, and flouted it with impunity. We started this budget year, this legislative session, with a major tax cut bill.

I stood right here in the well of the House and said this bill violates pay-go. It also violates section 303(a) of the Congressional Budget Act, which basically says that pieces of legislation of this significance, whether they are spending legislation or tax legislation, will not be considered until we have a budget resolution. It was ignored.

Now, today, we bring this bill to the House floor which would change the architecture of our budget process, and yet the most significant fault right now, the most significant fault with our budget process, is the fact that the discretionary spending ceilings that we established back in 1990, set again in 1993, reset again in 1997, are an anachronism today. They are out of date.

The ceiling which we legislated several years ago for fiscal year 2001 is \$541 billion. The 302 allocation to the Committee on Appropriations and the budget resolution that the Congress passed exceeds that ceiling by \$60 billion. That is not small change. That is not a non-trivial excess.

The 302 allocation is \$600.3 billion, \$60 billion above the ceiling. We have got that problem, and the consequence of it, if we do not do something about it, is sequestration, an automatic process we set up for across-the-board cuts. The committee and the Congress were able to avoid it by function 920, unallocated cuts in the budget resolution. That is just treading water. We have got that problem.

We today started the appropriations process with the military construction appropriations bill. The first order of business, if we are starting the appropriations process, should be to adjust these ceilings, because we all know that the appropriators are not going to cut those 13 bills down to \$541 billion. They will be lucky to bring them in at \$600.3 billion.

If we were earnest, sincere about amending the budget process, we would

do something about the pay-go rule and violations like the bill we brought to the floor where section 303(a) was just totally ignored, and we would do something right now, here and now, with the most immediate and relevant problem with the budget process, and that is, the fact that we are well above, inevitably going to be far above, the discretionary spending ceiling, and we are going to trigger sequestration.

That is the order of business today, and that is why we ought to vote down this rule and get down to what we really should be doing in the way of budget process and budgeting.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask my colleagues to vote no on the previous question. If the previous question is defeated, I will offer an amendment to make in order three amendments: An amendment by the gentlewoman from Nevada (Ms. BERKLEY) to protect any new prescription drug benefits and Medicare programs; an amendment by the gentleman from New York (Mr. FORBES) to protect veterans benefits; and an amendment by the gentleman from New Jersey (Mr. HOLT) to protect student loan programs.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment I will offer in the CONGRESSIONAL RECORD, to appear immediately before the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MOAKLEY. Mr. Speaker, I urge my colleagues to vote no on the previous question.

Mr. Speaker, I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 4 minutes.

Mr. GOSS. Mr. Speaker, I will just take a minute to close up here.

Mr. Speaker, first of all I think that the gentleman from Wisconsin (Mr. OBEY) hit it pretty well on the head in his remarks that this is really not a partisan matter, and it is certainly not a partisan rule. Consequently, I cannot think of a reason not to support the rule. The rule is, I think, a good rule, and it clearly will get us to the debate, which is the purpose of rules.

We have been having a lot of conversation here and testimony about the elements and the substance of the legislation. The purpose is to get that forward into the debate mode, and that is what this rule purports to do.

I think obviously there are differing opinions on the various pieces that we have talked about on our budget process reform. We know we need some reform. Some think it is too much, some think it is too little, some think we have the right pieces, some think we have the wrong pieces. Obviously, we should have the debate. The rule gets

us to the debate. I suggest we follow the logic of that, vote for the rule, get on with the debate and vote up or down the pieces you like or do not like.

As for some concerns we have heard a little bit about here on these three carveouts that were not made in order in the Committee on Rules, I suppose it would have been possible to make a bunch of carveouts for special elements and special programs. I do not know where one stops and starts that process. Do we leave out the environmentalist issues? Do we leave out the defense issues? Do we leave out one program or another at the expense of another? It seemed to us on the Committee on Rules, at least on the majority side, if you give one carveout, you tilt the budget process. We are talking about budget process reform, with a clean slate. Consequently, we did not make those amendments in order.

Now, those amendments have been, I believe, mischaracterized, perhaps inadvertently, as sunset. I do not believe the word "sunset" shows up anywhere, and I think if you go to your word processor, I do not think you are going to find any program sunsetted, certainly not veterans or students or the Medicare programs.

So I would suggest what is happening here is that perhaps over some confusion about the word "sunset," which is not warranted in any way, that what we are calling for in budget process reform is enhanced transparency, enhanced accountability and enhanced oversight.

□ 1400

Now, if enhanced oversight, that is reviewing programs every 10 years or so, which is kind of the thing we are sent here to do on behalf of the people we represent who pay us our salaries, is threatening, then that is a debate we can have; but I suggest that really our responsibility is to make sure the taxpayers' dollars are being used wisely, and I believe that is called oversight.

Mr. MOAKLEY. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Massachusetts.

Mr. MOAKLEY. Mr. Speaker, the gentleman is correct. I used the word "sunset" when I should have said "sunset like." It was not a sunset; it was just looking at it after 10 years and then deciding whether to sunset it.

Mr. GOSS. Reclaiming my time, I appreciate the clarification. The brilliance of it, I am sure, will shine through immediately to everybody.

In any event, there is no sunseting and the fact that we are reviewing programs every 10 years, I hope, does not come as an alarm bell. I hope it comes as confidence that Congress is doing its job. That is, as I said, what we are supposed to be here for.

I do not feel that there is anything except politics involved in these things that suggest even that somehow veterans' programs are going to not survive after 10 years or students' programs or so forth.

It reminds me of those Meals on Wheels scares and the school lunch scares that we went through a few years ago that were made out of, well, I guess I will not say what they were made out of but they were not true, and I do not think that these are serious worries. I think these are perhaps political debating points and they do not deserve much attention.

Therefore, I am going to ask that we move the previous question and we support the move for the previous question and then we support the rule and then we support those elements of this good legislation that we like.

Mr. Speaker, I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, the amendment to H. Res. 499 that I previously spoke of is as follows:

AMENDMENT TO BE OFFERED IF THE PREVIOUS QUESTION IS DEFEATED

AMENDMENT TO H. RES. 499, PROVIDING FOR THE CONSIDERATION OF H.R. 853

On page 3, line 8 after "Rules" add "or in section 2 of this resolution" and at the end of the resolution, add the following:

"Section 2. The following amendments shall be considered as if they appeared after the amendment numbered 7 in House Report 106-613.

8. An amendment to be offered by Representative BERKLEY of Nevada, or a designee, debatable for 20 minutes.

PROTECT THE MEDICARE PROGRAM

Strike section 411 and insert the following new section:

SEC. 411. FIXED-YEAR AUTHORIZATIONS REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

"(b) LIMITATION OF DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

"(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years."; and

(2) by redesignating subsection (c) as subsection (d), striking "(a) and (b)" both places it appears in such redesignated subsection (d) and inserting "(a), (b), and (c)", and inserting the following new paragraph in such redesignated subsection (d):

"(3) Subsections (b) and (c) shall not apply to any new prescription drug benefit."

Strike subsection (a) of section 421 and insert the following new subsection:

(a) TIMETABLE FOR REVIEW.—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivisions:

"(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the

committee's jurisdiction will be reauthorized at least once every 10 years; and

“(C) exempt the medicare trust fund from the provisions of subdivision (B).”.

9. An amendment to be offered by Representative FORBES of New York, or a designee, debatable for 20 minutes.

PROTECT VETERANS' BENEFITS

Strike section 411 and insert the following new section:

SEC. 411 FIXED-YEAR AUTHORIZATION REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

“(b) LIMITATION ON DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

“(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years.”.

(2) by redesignating subsection (c) as subsection (d), striking “(a) and (b)” both places it appears in such redesignated subsection (d) and inserting “(a), (b), and (c)”, and inserting the following new paragraph in such redesignated subsection (d):

“(3) Subsections (b) and (c) shall not apply to any new veterans benefit, program, and compensation.”.

Strike subsection (a) of section 421 and insert the following new subsection:

(a) TIMETABLE FOR REVIEW.—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivisions:

“(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the committee's jurisdiction will be reauthorized at least once every 10 years; and

“(C) exempt veterans benefits from the provisions of subdivision (B) program, and compensation.”.

10. An amendment to be offered by Representative HOLT of New Jersey, or a designee, debatable for 20 minutes.

PROTECT STUDENT LOAN PROGRAMS

Strike section 411 and insert the following new section:

SEC. 411. FIXED-YEAR AUTHORIZATIONS REQUIRED FOR NEW PROGRAMS.

Section 401 of the Congressional Budget Act of 1974 is amended—

(1) by striking subsection (b) and inserting the following new subsections:

“(b) LIMITATION ON DIRECT SPENDING.—It shall not be in order in the House of Representatives or in the Senate to consider a bill or joint resolution, or an amendment, motion, or conference report that provides direct spending for a new program, unless such spending is limited to a period of 10 or fewer fiscal years.

“(c) LIMITATION ON AUTHORIZATION OF DISCRETIONARY APPROPRIATIONS.—It shall not be in order in the House of Representatives or in the Senate to consider any bill, joint resolution, amendment, or conference report

that authorizes the appropriation of new budget authority for a new program, unless such authorization is specifically provided for a period of 10 or fewer fiscal years.”; and

(2) by redesignating subsection (c) as subsection (d), striking “(a) and (b)” both places it appears in such redesignated subsection (d) and inserting “(a), (b), and (c)”, and inserting the following new paragraph in such redesignated subsection (d):

“(3) Subsections (b) and (c) shall not apply to any new student loan program.”.

Strike subsection (a) of section 421 and insert the following new subsection:

(a) TIMETABLE FOR REVIEW.—Clause 2(d)(1) of rule X of the Rules of the House of Representatives is amended by striking subdivisions (B) and (C) and inserting the following new subdivisions:

“(B) provide in its plans a specific timetable for its review of those laws, programs, or agencies within its jurisdiction, including those that operate under permanent budget authority or permanent statutory authority and such timetable shall demonstrate that each law, program, or agency within the committee's jurisdiction will be reauthorized at least once every 10 years; and

“(C) exempt student loan programs from the provisions of subdivision (B).”.

Mr. GOSS. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 221, nays 200, not voting 13, as follows:

[Roll No. 185]

YEAS—221

Aderholt	Calvert	Dunn
Archer	Camp	Ehlers
Armey	Canady	Ehrlich
Bachus	Cannon	Emerson
Baker	Cardin	English
Ballenger	Castle	Everett
Barr	Chabot	Ewing
Barrett (NE)	Chambliss	Fletcher
Bartlett	Chenoweth-Hage	Foley
Barton	Coble	Fossella
Bass	Coburn	Fowler
Bateman	Collins	Frelinghuysen
Bereuter	Combest	Gallely
Biggett	Cook	Ganske
Bilbray	Cooksey	Gekas
Bilirakis	Cox	Gibbons
Billey	Crane	Gilchrest
Blunt	Cubin	Gillmor
Boehkert	Cunningham	Gilman
Boehner	Davis (VA)	Goode
Bonilla	Deal	Goodlatte
Bono	DeLay	Goodling
Brady (TX)	DeMint	Goss
Burr	Diaz-Balart	Graham
Burton	Dickey	Granger
Buyer	Doolittle	Green (WI)
Callahan	Dreier	Greenwood
	Duncan	Gutknecht

Hall (OH)	Metcalf	Sessions
Hansen	Mica	Shadegg
Hastings (WA)	Miller (FL)	Shaw
Hayes	Miller, Gary	Shays
Hayworth	Moore	Sherwood
Hefley	Moran (KS)	Shimkus
Herger	Morella	Shuster
Hill (MT)	Myrick	Simpson
Hilleary	Nethercutt	Skeen
Hobson	Ney	Smith (MI)
Hoekstra	Northup	Smith (NJ)
Horn	Norwood	Smith (TX)
Hostettler	Nussle	Souder
Houghton	Ose	Spence
Hulshof	Oxley	Stearns
Hunter	Packard	Stump
Hutchinson	Paul	Sununu
Hyde	Pease	Sweeney
Isakson	Peterson (PA)	Talent
Istook	Petri	Tancredo
Jenkins	Pickering	Tauzin
Johnson (CT)	Pitts	Taylor (NC)
Johnson, Sam	Pombo	Terry
Jones (NC)	Porter	Thomas
Kasich	Portman	Thornberry
Kelly	Pryce (OH)	Thune
King (NY)	Quinn	Tiahrt
Kingston	Radanovich	Toomey
Knollenberg	Ramstad	Traficant
Kolbe	Regula	Upton
Kuykendall	Reynolds	Vitter
LaHood	Riley	Walden
Latham	Rogan	Walsh
LaTourette	Rogers	Wamp
Lazio	Rohrabacher	Watkins
Leach	Ros-Lehtinen	Watts (OK)
Lewis (CA)	Roukema	Weldon (FL)
Lewis (KY)	Royce	Weldon (PA)
Linder	Ryan (WI)	Weller
Lucas (OK)	Ryun (KS)	Whitfield
Manzullo	Salmon	Wicker
Martinez	Sanford	Wilson
McCrery	Saxton	Wolf
McHugh	Scarborough	Young (AK)
McInnis	Schaffer	Young (FL)
McKeon	Sensenbrenner	

NAYS—200

Abercrombie	Doyle	Lee
Allen	Edwards	Levin
Andrews	Engel	Lewis (GA)
Baca	Eshoo	Lipinski
Baird	Etheridge	Lofgren
Baldacci	Evans	Lowey
Baldwin	Farr	Lucas (KY)
Barcia	Fattah	Luther
Barrett (WI)	Filner	Maloney (CT)
Becerra	Forbes	Maloney (NY)
Bentsen	Ford	Markley
Berkley	Frank (MA)	Mascara
Berman	Frost	Matsui
Berry	Gejdenson	McCarthy (MO)
Bishop	Gephardt	McCarthy (NY)
Blagojevich	Gonzalez	McDermott
Blumenauer	Gordon	McGovern
Bonior	Green (TX)	McIntyre
Borski	Gutierrez	McKinney
Boswell	Hall (TX)	Meehan
Boucher	Hastings (FL)	Meek (FL)
Boyd	Hill (IN)	Meeks (NY)
Brady (PA)	Hilliard	Menendez
Brown (FL)	Hinchee	Miller, George
Brown (OH)	Hinojosa	Minge
Capps	Hoefel	Mink
Capuano	Holden	Moakley
Carson	Holt	Mollohan
Clay	Hoolley	Moran (VA)
Clayton	Hoyer	Murtha
Clement	Inslee	Napolitano
Clyburn	Jackson (IL)	Neal
Condit	Jackson-Lee	Oberstar
Conyers	(TX)	Obey
Costello	Jefferson	Olver
Coyne	John	Ortiz
Cramer	Johnson, E. B.	Owens
Crowley	Jones (OH)	Pallone
Cummings	Kanjorski	Pascarell
Davis (FL)	Kaptur	Pastor
Davis (IL)	Kennedy	Payne
DeFazio	Kildee	Pelosi
DeGette	Kilpatrick	Peterson (MN)
Delahunt	Kind (WI)	Phelps
DeLauro	Kleczka	Pickett
Deutsch	Klink	Pomeroy
Dicks	Kucinich	Price (NC)
Dingell	LaFalce	Rahall
Dixon	Lampson	Rangel
Doggett	Lantos	Reyes
Dooley	Larson	Rivers

Rodriguez	Skelton	Towns
Roemer	Slaughter	Turner
Rothman	Smith (WA)	Udall (CO)
Roybal-Allard	Snyder	Velazquez
Rush	Spratt	Vento
Sabo	Stabenow	Visclosky
Sanchez	Stark	Waters
Sanders	Stenholm	Watt (NC)
Sandlin	Strickland	Waxman
Sawyer	Tanner	Weiner
Schakowsky	Tauscher	Wexler
Scott	Taylor (MS)	Weygand
Serrano	Thompson (CA)	Wise
Sherman	Thompson (MS)	Woolsey
Shows	Thurman	Wu
Sisisky	Tierney	Wynn

NOT VOTING—13

Ackerman	LoBiondo	Millender-
Campbell	McCollum	McDonald
Danner	McIntosh	Nadler
Franks (NJ)	McNulty	Stupak
Largent		Udall (NM)

□ 1421

Mr. SHOWS changed his vote from "yea" to "nay."

Messrs. METCALF, MOORE, and HOUGHTON changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Ms. MILLENDER-MCDONALD. Mr. Speaker, on rollcall No. 185, I was detained by constituents and was unable to get to the floor in time. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. LOBIONDO. Mr. Speaker, I regret I was attending a family funeral today and unable to be present for the following rollcall votes, 183, 184 and 185. Had I been here I would have voted "yea" on all three votes.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 499 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 853.

□ 1424

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 853) to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Iowa (Mr. NUSSLE) and the gentleman

from South Carolina (Mr. SPRATT) each will control 20 minutes; the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 10 minutes; and the gentleman from California (Mr. DREIER) and the gentleman from Massachusetts (Mr. MOAKLEY) each will control 15 minutes.

The Chair understands that each committee will consume or yield back its entire time as just mentioned before the next committee is recognized.

The Chair recognizes the gentleman from Iowa (Mr. NUSSLE).

Mr. NUSSLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to commend a number of Members on both sides of the aisle for their work on budget process reform. There are maybe a few Members of Congress and a few people watching who may think that this all of a sudden just came up in the last couple of weeks, but it did not.

In fact, I remember talking to Members of Congress when I first arrived as a freshman Member who were concerned about that year's budget process, 1990, when, as we may recall, as the body may recall, Members of Congress and administration officials were being shuttled back and forth from Andrews Air Force Base in a very "democratic process" in order to try and arrive at the end year result of what the budget would look like.

There were probably only a handful of people in this entire country divvying up the final \$1.3 trillion worth of spending tax increases, at that point. There were just a few Members in a little barracks, I guess, right off of Andrews Air Force Base, and they were making the final decisions of what was then the budget process.

At that point, as a freshman Member, and just about every year since, I made the commitment that this is something that I wanted to do. Well, there were many people that I worked with. I certainly could not and did not do this alone.

I first would like to commend my partner in this, and that is the gentleman from Maryland (Mr. CARDIN). The two of us were given the task of sitting down and trying to take all of the good ideas from Members since the 1974 Act was passed and to try and put them together in a comprehensive bill that addressed many of the problems that we were facing at that time.

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So I want to commend the gentleman from Maryland (Mr. CARDIN), the gentleman from Minnesota (Mr. MINGE), the gentleman from Texas (Mr. STENHOLM), the gentleman from New Hampshire (Mr. SUNUNU), the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Ohio (Mr. KASICH), so many people, the gentleman from California (Mr. COX), and the gentleman from Texas (Mr. BARTON), that we stand on their shoulders as we work together.

Why is this process broken, or how do we know it is broken? Well, one does not have to go back to my very first year as a freshman to 1990. Just go back to 1995, the government shut-down. Everybody certainly remembers that. In fact, that is the poster child for budget process reform. The same is true with 1998 when we did not even get a budget, did not even pass a budget that particular year.

So we have a number of different dynamics that proved to us as Members that the process is broken. So one can pick any year one wants and see a number of opportunities for the budget process to break down.

We also considered just about every alternative that was put before the Congress, both past and present. We considered every kind of lockbox one can imagine. We considered joint resolutions. We considered concurrent resolutions. We considered all sorts of things which people outside might glaze over in their eyes. They may not even be following.

But as I explained to a group of young people that I spoke to back in my district when they were asking me what I was going to be working on this week, I told them budget process reform. Of course, they do not quite understand what that would mean.

I said, well, it is the rules in which we govern our behavior in coming up with a budget. Those rules are not much different than when one dusts off that old Monopoly box that one pulls out from under one's bed, and one dusts it off because one has not played it in a while. So one is trying to remember the rules. One opens the box, and one looks on the back of the box, and there it says very clearly the non-outcome, in other words, it does not determine the outcome, but it says how one plays the games in a fair way so that the process can work its will, and that the players can achieve their end result on their own, based on those rules.

That is what we tried to do here. We did not game it. We did not say there is a special rule for this or a special rule for that. We did not take advantage for the Committee on Ways and Means or the Committee on Appropriations or any of the authorizing committees. We said, what is the best way for us to get a common sense result?

So what did we do? We looked back and we said, since 1994, when has the process worked? Do my colleagues know what? Mr. Chairman, we could only find one year where the budget process truly worked. Do my colleagues know what year that was? That was the year that we did not follow the budget process. It was 1997.

Let me remind my colleagues what happened. Early in that year, Democrats and Republicans met with both the House, the Senate, the administration together, and they said, how can we make sure that the budget process works? They came up with what was called a memorandum of agreement. That memorandum of agreement set