CONGRESSIONAL RECORD – SENATE
S 4281

March 21, 1995

S. 397

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

S. 412

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

S. 434

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

S. 440

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

S. 448

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

S. 495

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

S. 508

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

S. 511

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

S. 530

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

S. 571

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

S. 397

At the request of Mr. Boxer, the name of the Senator from Mississippi [Mr. Cochran] was added as a cosponsor of S. 397, a bill to require the bottled drinking water standards provisions, and for other purposes.

S. 448

At the request of Mr. Kennedy, the names of the Senator from Maine [Ms. Stivers], the Senator from Colorado [Mr. Campbell], and the Senator from New Hampshire [Mr. Gregg] were added as cosponsors of S. 448, a bill to amend the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 440

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

S. 443

At the request of Mr. Kennedy, the names of the Senator from Maine [Ms. Stivers], the Senator from Colorado [Mr. Campbell], and the Senator from New Hampshire [Mr. Gregg] were added as cosponsors of S. 443, a bill to amend the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 397

At the request of Mr. Kennedy, the names of the Senator from Maine [Ms. Stivers], the Senator from Colorado [Mr. Campbell], and the Senator from New Hampshire [Mr. Gregg] were added as cosponsors of S. 397, a bill to require the bottled drinking water standards provisions, and for other purposes.

S. 443

At the request of Mr. Kennedy, the names of the Senator from Maine [Ms. Stivers], the Senator from Colorado [Mr. Campbell], and the Senator from New Hampshire [Mr. Gregg] were added as cosponsors of S. 443, a bill to amend the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 448

At the request of Mr. Kennedy, the names of the Senator from Maine [Ms. Stivers], the Senator from Colorado [Mr. Campbell], and the Senator from New Hampshire [Mr. Gregg] were added as cosponsors of S. 448, a bill to amend section 118 of the Internal Revenue Code of 1986 to provide for certain exceptions from rules for determining contributions in aid of construction, and for other purposes.

S. 440

At the request of Mr. Kennedy, the names of the Senator from Maine [Ms. Stivers], the Senator from Colorado [Mr. Campbell], and the Senator from New Hampshire [Mr. Gregg] were added as cosponsors of S. 440, a bill to amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

S. 397

At the request of Mr. Kennedy, the names of the Senator from Maine [Ms. Stivers], the Senator from Colorado [Mr. Campbell], and the Senator from New Hampshire [Mr. Gregg] were added as cosponsors of S. 397, a bill to require the bottled drinking water standards provisions, and for other purposes.
each House shall introduce (by request) the draft that the other House shall introduce. If the bill is not introduced as provided in the preceding sentence in either House, then, on the third day of session of that House, the Member of that House having charge of the bill shall present to the appropriate committee of the other House a copy of the draft of that special message, any Member of that House may introduce the bill.

(1) The term 'Special Message' means any message transmitted by the President to Congress or transmitted by the House of Representatives to the Senate, any Member of the House of Representatives may move the consideration of a bill under this subsection or to the motion shall not be in order, nor shall privileged and not debatable. An amendment bill under this subsection shall be highly

(2) The term 'budget item' means—

(a) an amount, in whole or in part, of the budget as provided in section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(b) in subsection (d), by striking "section 1017''.

(c) Section 904 of the Congressional Budget Act of 1974 is amended by inserting after the text of the Senate bill, as passed. Debate in the other House on the companion bill shall be referred to the appropriate committee or (in the House of Representatives) committee or (in the House of Representatives) committee or (in the House of Representatives) committee and, without intervening action, vote on the companion bill; or

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

(e) The term "cancellation of a budget item" means—

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

(B) the repeal of any targeted tax benefit.

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

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

(h) The term 'companion bill' means—

(A) an amount, in whole or in part, of the budget as provided in section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(i) in subsection (d), by striking "section 1017''.

(j) Section 904 of the Congressional Budget Act of 1974 is amended by inserting after the text of the Senate bill, as passed. Debate in the other House on the companion bill shall be referred to the appropriate committee or (in the House of Representatives) committee and, without intervening action, vote on the companion bill; or

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

(l) The term 'companion bill' means—

(A) an amount, in whole or in part, of the budget as provided in section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(m) Section 904 of the Congressional Budget Act of 1974 is amended by inserting after the text of the Senate bill, as passed. Debate in the other House on the companion bill shall be referred to the appropriate committee or (in the House of Representatives) committee and, without intervening action, vote on the companion bill; or

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

(o) The term 'companion bill' means—

(A) an amount, in whole or in part, of the budget as provided in section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(p) Section 904 of the Congressional Budget Act of 1974 is amended by inserting after the text of the Senate bill, as passed. Debate in the other House on the companion bill shall be referred to the appropriate committee or (in the House of Representatives) committee and, without intervening action, vote on the companion bill; or

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

(r) The term 'companion bill' means—

(A) an amount, in whole or in part, of the budget as provided in section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(s) Section 904 of the Congressional Budget Act of 1974 is amended by inserting after the text of the Senate bill, as passed. Debate in the other House on the companion bill shall be referred to the appropriate committee or (in the House of Representatives) committee and, without intervening action, vote on the companion bill; or

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

(u) The term 'companion bill' means—

(A) an amount, in whole or in part, of the budget as provided in section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(v) Section 904 of the Congressional Budget Act of 1974 is amended by inserting after the text of the Senate bill, as passed. Debate in the other House on the companion bill shall be referred to the appropriate committee or (in the House of Representatives) committee and, without intervening action, vote on the companion bill; or

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

(x) The term 'companion bill' means—

(A) an amount, in whole or in part, of the budget as provided in section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(y) Section 904 of the Congressional Budget Act of 1974 is amended by inserting after the text of the Senate bill, as passed. Debate in the other House on the companion bill shall be referred to the appropriate committee or (in the House of Representatives) committee and, without intervening action, vote on the companion bill; or

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

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(d) **Effective Period.**—The amendments made by this Act shall—

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

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

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

**DASCHLE AND OTHERS AMENDMENT NO. 349**

(Ordered to lie on the table.)

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

At the appropriate place, insert the following:

**SECTION 1. SHORT TITLE.**—This Act may be cited as the “Balanced Budget Act of 1995.”

**SEC. 2. ENFORCEMENT OF A BALANCED BUDGET.**

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

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

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

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

(b) Point of Order Against Budget Resolutions That Fail To Set Forth a Glide Path to a Balanced Budget.—Section 301 of the Congressional Budget Act of 1974 (as amended by inserting “301(j),” after “301(i),”.)

SEC. 3. USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.

(a) Congressional Budget Act.—

(1) Budget Resolutions and Legislation.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

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

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

“(f) Use of Reductions in Discretionary Spending Caps.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section.”

**AMENDMENT NO. 351**

At the appropriate place insert the following:

**SEC. 4. USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.**

(a) **Congressional Budget Act.**—

(1) Budget Resolutions and Legislation.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

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

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

“(f) Use of Reductions in Discretionary Spending Caps.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section.”

**AMENDMENT NO. 352**

At the appropriate place insert the following:

**SEC. 5. USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.**

(a) **Congressional Budget Act.**—

(1) Budget Resolutions and Legislation.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

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

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

“(f) Use of Reductions in Discretionary Spending Caps.—A decrease in the discretionary spending limits may only be used for deficit reduction and may not be used to offset all or part of an increase in direct spending or decrease in receipts under this section.”

**AMENDMENT NO. 353**

At the appropriate place insert the following:

**SEC. 6. USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.**

(a) **Congressional Budget Act.**—

(1) Budget Resolutions and Legislation.—Section 301 of the Congressional Budget Act of 1974 is amended by adding at the end the following:

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

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

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

AMENDMENT No. 354

At the appropriate place insert the following:

SEC. . USE OF THE REDUCTIONS IN DISCRETIONARY SPENDING CAPS.
(a) CONGRESSIONAL APPROPRIATIONS.—
(i) BUDGET RESOLUTIONS AND LEGISLATION.—Section 301 of the Congressional Budget Act of 1974 is amended by inserting after the end the following:

"(j) USE OF REDUCTIONS IN DISCRETIONARY SPENDING CAPS.—The House or Senate may not use any provisions that are not so designated, but shall designate any such amounts of new budget authority, outlays or receipts as emergency requirements in the report required under sub-section (b) if it determines that statute contains any other provisions that are not so designated, but that statute may contain provisions that reduce direct spending."

AMENDMENT No. 355

Ordered to lie on the table.

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

On page 3, line 21, after "separately" insert "except for items of appropriation provided for the judicial branch, which shall be enrolled together in a single measure. For purposes of this paragraph, the term 'items of appropriation provided for the judicial branch' means only those functions and expenditures that are currently included in the appropriation accounts of the judiciary, as those accounts are listed and described in the Department of Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act, 1995 (Public Law 103-317)."

AMENDMENT No. 356

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

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

SEC. . TREATMENT OF EMERGENCY SPENDING.
(a) EMERGENCY APPROPRIATIONS.—Section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following:

"However, OMB shall not designate any such amounts of new budget authority, outlays or receipts as emergency requirements under this clause for any statute that designates appropriations as emergency requirements if that statute contains any other provisions that are not so designated, but that statute may contain provisions that reduce direct spending."
(3) continuing Federal budget deficits and growing Federal debt reduce savings and capital formation;
(4) continuing Federal budget deficits contribute to a higher level of interest rates than would otherwise occur, raising capital costs and curtailing total investment;
(5) continuing Federal budget deficits also contribute to significant trade deficits and dependence on foreign capital;
(6) the Federal debt that results from persistent Federal deficits transfers a potentially crushing burden to future generations, making living standards lower than they otherwise would have been;
(7) efforts to reduce the Federal deficit should be among the highest economic priorities of the 104th Congress;
(8) enacting across-the-board or so-called middle class tax cuts measures could impede efforts during the 104th Congress to significantly reduce the Federal deficit, and;
(9) it is the Sense of the Senate that reducing the Federal deficit should be one of the nation's highest priorities, that enacting an across-the-board or so-called middle class tax cut during the 104th Congress would hinder efforts to reduce the Federal deficit.

HOLLINGS AMENDMENT NO. 363
(Ordered to lie on the table.)
Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill S. 4, supra; as follows:

At the appropriate place, insert the following new section:

``SEC. 363. (a) PURPOSE.ÐThe Senate declares that to:
``(1) ensure continued compliance with the deficit reduction embodied in the Omnibus Budget Reconciliation Act of 1985 and
``(2) continue the pay-as-you-go enforcement system.
``(b) POINT OF ORDER.ÐIt shall not be in order in the Senate to:
``(1) introduce any direct-spending or receipts legislation (as defined in paragraph (2)) as measured pursuant to paragraphs (4) and (5).
``(2) APPLICABLE TIME PERIODS.ÐFor purposes of this subsection, the term "applicable time periods" means any one of the three following periods:
``(A) the first fiscal year covered by the most recently adopted concurrent resolution on the budget;
``(B) the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget;
``(C) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget;
``(3) DIRECT-SPENDING OR RECEIPTS LEGISLATION.ÐFor purposes of this subsection, the term "direct-spending or receipts legislation" means:
``(A) include any bill, resolution, amendment, motion, or conference report to which this subsection otherwise applies;
``(B) include concurrent resolutions on the budget;
``(C) exclude full funding of, and continuation of, the deposit insurance guarantee commitment on the date of enactment of the Budget Enforcement Act of 1990;
``(D) exclude emergency provisions so designated under section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985;
``(E) include the estimated amount of savings in direct-spending programs applicable to that fiscal year resulting from the prior year's sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985, if any (except for any amounts sequestered as a result of a net deficit increase in the fiscal year immediately preceding the prior fiscal year);
``(F) except as otherwise provided in this subsection, all direct-spending legislation as that term is interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985;
``(G) BASELINE.ÐEstimates prepared pursuant to this section shall use the most recent Congressional Budget Office baseline, and, for years beyond those covered by that Office, shall abide by the requirements of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that references to "outyears" in that section shall be deemed to apply to any other (other than the budget year) covered by any one of the time periods defined in paragraph (2) of this subsection.
``(H) PRIOR SURPLUS AVAILABLE.ÐIf direct-spending or receipts legislation increases the deficit when taken individually (as a bill, joint resolution, motion, or conference report, as the case may be), then it must also increase the deficit when taken together with all direct-spending and receipts legislation enacted after the date of enactment of the Omnibus Budget Reconciliation Act of 1993, in order to violate the prohibitions of this subsection.
``(i) WAIVER.ÐThis section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.
``(j) APPEAL.ÐAppeals in the Senate from the decision of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the apellant and the manager of the time of the Senate, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.
``(k) DETERMINATION OF BUDGET LEVELS.ÐFor purposes of this section, the levels of direct-spending or receipts legislation enacted after the date of enactment of this Act shall be determined on the basis of estimates made by the Congressional Budget Office; and
``(l) SUNSET.ÐSubsections (a) through (j) of this section shall expire September 30, 1998.

BRADLEY AMENDMENT NO. 364
(Ordered to lie on the table.)
Mr. BRADLEY submitted an amendment intended to be proposed by him to amendment No. 347 proposed by Mr. Dole to the bill S. 4, supra; as follows:

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

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

APPEAL IN THE SENATE.ÐSection 904 of the Congressional Budget Act of 1974, as amended by section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, is amended by adding the following new subsection:

``(k) C ONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.Ð
``(1) POINT OF ORDER.ÐIt shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) unless that resolution—
``(A) sets forth a fiscal year (by 2002 or the earliest possible fiscal year) in which, for the budget as defined by section 13301 of the Budget Enforcement Act of 1990 (excluding the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund), the level of outlays for that fiscal year and any subsequent fiscal year does not exceed the level of revenues for that fiscal year;
``(B) sets forth appropriate levels for all items of outlays described in paragraphs (1) through (7) for all fiscal years through and including the fiscal year described in paragraph (A);
``(C) includes specific reconciliation instructions under section 310 to carry out any assumption of either—
``(i) reductions in direct spending, or
``(ii) increases in revenues.
``(2) NO AMENDMENT WITHOUT THIRD FIFTHS VOTE IN THE SENATE.ÐIt shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, motion, or conference report that would amend or otherwise supersede this section.
``(3) REQUIREMENT FOR 60 VOTES TO WAIVE OR AMEND IN THE SENATE.ÐSection 904 of the Congressional Budget Act of 1974 is amended by inserting "(301)(a)," after "(301)(i)," in both places that it appears.

AMENDMENT NO. 365
At the end of the bill, insert the following new title:

TITLE II—BALANCED BUDGET
SEC. 201. SHORT TITLE.
This title may be cited as the "Balanced Budget Act of 1995."

SEC. 202. ENFORCEMENT OF A BALANCED BUDGET.
(a) PURPOSE.ÐThe Congress declares it essential that the Congress:
(1) require that the Government balance the Federal budget without counting the surpluses of the Social Security trust funds;
(2) set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced budget would require; and
(3) enforce through the congressional budget process the requirement to achieve a balanced Federal budget.
(b) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT FAIL TO SET FORTH A GLIDE PATH TO A BALANCED BUDGET.ÐSection 301 of the Congressional Budget Act of 1974 is amended by inserting into the end thereof the following new subsection:

``(j) C ONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.Ð
``(1) POINT OF ORDER.ÐIt shall not be in order in the Senate to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) unless that resolution—
``(A) sets forth a fiscal year (by 2002 or the earliest possible fiscal year) in which, for the budget as defined by section 13301 of the Budget Enforcement Act of 1990 (excluding the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund), the level of outlays for that fiscal year and any subsequent fiscal year does not exceed the level of revenues for that fiscal year;
``(B) sets forth appropriate levels for all items of outlays described in paragraphs (1) through (7) for all fiscal years through and including the fiscal year described in paragraph (A);
``(C) includes specific reconciliation instructions under section 310 to carry out any assumption of either—
``(i) reductions in direct spending, or
``(ii) increases in revenues.
``(2) NO AMENDMENT WITHOUT THIRD FIFTHS VOTE IN THE SENATE.ÐIt shall not be in order in the Senate or the House of Representatives to consider any bill, resolution, amendment, motion, or conference report that would amend or otherwise supersede this section.
``(3) REQUIREMENT FOR 60 VOTES TO WAIVE OR AMEND IN THE SENATE.ÐSection 904 of the Congressional Budget Act of 1974 is amended by inserting "(301)(a)," after "(301)(i)," in both places that it appears.

Suspension in the Event of War or Congressionally Declared Low Growth.ÐSection 259b(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting "(301)(a)," after "sections".
At the end of the bill, insert the following:

**Title 1—Balanced Budget**

**Section 201. Short Title.**

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

**Section 202. Enforcement of a Balanced Budget**

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

1. agree that the Government balance the Federal budget without counting the surpluses of the Social Security trust funds;  
2. set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced budget would require; and  
3. enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

**(b) Point of Order Against Budget Resolution That Fail to Set Forth a Glide Path to a Balanced Budget.**—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

"(j) Congressional Enforcement of a Balanced Budget.——

1. **Point of Order.**—It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) unless that resolution—

(a) sets forth a fiscal year by 2002 or the earliest possible fiscal year in which, for the budget as defined by section 13301 of the Budget Enforcement Act of 1990 (excluding the reconciliation and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund), the amount for that fiscal year or any subsequent fiscal year does not exceed the level of revenues for that fiscal year;  
(b) sets forth amounts for the deficit that for any fiscal year are equal to or less than the amounts set forth for the deficit for that fiscal year in the most recently adopted concurrent resolution on the budget;  
(c) sets forth appropriate levels for all items described in subsection (a)(1) through (7) for all fiscal years through and including the fiscal year in which it is submitted;  
(d) includes specific reconciliation instructions under section 310 to carry out any such assumptions.

2. **Requirement for 60 Votes to Waive or Appeal in the Senate.**—Section 904 of the Congressional Budget Act of 1974 is amended by inserting "301(j)," after "301(i)," in both places that it appears.

**(c) Suspension in the Event of War or Congressionally-Declared Low Growth.**—Section 258(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting "301(j)," after "301(i)," in both places that it appears.

**Exon Amendments Nos. 367-372**

(Ordained to lie on the table.)

Mr. EXON submitted 6 amendments intended to be proposed by him to amendment No. 347 by Mr. Dole to the bill, S. 4, supra; as follows:

**Amendment No. 367**

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

**Section.**—**Congressional Enforcement of a Balanced Budget.**

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

1. set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced Federal budget would require; and  
2. enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

**(b) Point of Order Against Budget Resolution That Fail to Set Forth a Glide Path to a Balanced Budget.**—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

"(j) Congressional Enforcement of a Balanced Budget.——It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) that—

1. fails to set forth appropriate levels for all items described in subsection (a) (1) through (7) for all fiscal years through 2002;  
2. sets forth amounts for the deficit that for any fiscal year are equal to or less than the amounts set forth for the deficit for that fiscal year in the most recently adopted concurrent resolution on the budget; or  
3. amends by inserting "301(j)," after "sec-

**Exon (and Daschle) Amendments Nos. 373-374**

(Ordained to lie on the table.)

Mr. EXON (for himself and Mr. DASCHLE) submitted 12 amendments intended to be proposed by them to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

**Amendment No. 373**

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

1. the first fiscal year covered by the most recently adopted concurrent resolution on the budget;  
2. the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or  
3. the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget; and".

**Amendment No. 374**

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

**Exon Amendments Nos. 375-386**

(Ordained to lie on the table.)

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

**Amendment No. 375**

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

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

1. reduce the discretionary spending limits under section 603 of the Congressional Budget Act of 1974 for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 by amount contained in vetoed items.

2. adjust the balanced for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the amount contained in vetoed items.

**Amendment No. 376**

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

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

1. reduce the discretionary spending limits under section 603 of the Congressional Budget Act of 1974 for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 by amount contained in vetoed items.

2. adjust the balanced for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the amount contained in vetoed items.

**Amendment No. 377**

In the language proposed to be inserted, strike subsection (b) and insert "(b) For any one of the three following periods—

1. the first fiscal year covered by the most recently adopted concurrent resolution on the budget;  
2. the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or  
3. the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget; and".

**Amendment No. 378**

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

**Exon Amendment Nos. 379-386**

(Ordained to lie on the table.)

Mr. EXON (for himself and Mr. DASCHLE) submitted 12 amendments intended to be proposed by them to amendment No. 347 by Mr. DOLE to the bill, S. 4, supra; as follows:

**Amendment No. 379**

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

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

1. reduce the discretionary spending limits under section 603 of the Congressional Budget Act of 1974 for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 by amount contained in vetoed items.

2. adjust the balanced for the budget year and each outyear under section 252(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 to reflect the amount contained in vetoed items.

**Amendment No. 380**

In the language proposed to be inserted, strike subsection (b) and insert "(b) For any one of the three following periods—

1. the first fiscal year covered by the most recently adopted concurrent resolution on the budget;  
2. the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or  
3. the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget; and".

This Act may be cited as the "Legislative Line Item Veto Act."
SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PROPOSED CANCELLATIONS OF BUDGET ITEMS.

(a) In General.—Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 601 et seq.) is hereby amended by adding after section 102 the following new section:

"EXPEDITED CONSIDERATION OF CERTAIN PROPOSED CANCELLATIONS OF BUDGET ITEMS."

Sec. 102A. (a) Proposed Cancellation of Budget Item.—If the President proposes to cancel any budget item provided in any Act, an item for which the President proposes to cancel shall be provided in an Act. A separate special message shall be transmitted for each Act that contains budget items the President proposes to cancel.

(b) Time Limitations.—A special message may be transmitted under this section—

(i) during the 20-calendar-day period (excluding Saturdays, Sundays, and legal holidays) after the date of receipt of the special message transmitted to Congress under subsection (b), the cancellation of any budget item is proposed to be rescinded or repealed; or

(ii) at the time and in the manner provided in subsection (b), the cancellation of any budget item is proposed to be rescinded or repealed.

(c) Draft Bill.—The President shall include in each special message transmitted under paragraph (1) a draft bill that, enacted, would cancel those budget items as provided in this section. The draft bill shall—

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

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

(d) Special Message.—Each special message shall specify, with respect to the budget item proposed to be canceled—

(A) the amount that the President proposes to cancel;

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

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

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

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

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

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

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

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

(iv) Conference Reports.—In the Senate, any joint or concurrent resolution shall be considered as provided in this section except that the rule shall be subject to any amendment, and

(d) Amendments and Divisions Prohibited. — Except as otherwise provided by this section, any amendment to a bill considered under this section shall be in order in either the Senate or the House of Representatives. It shall not be in order to demand a division of the question in the Senate or in the House of Representatives (or in a Committee of the Whole). No motion to reconsider the vote by which the conference report was agreed to or disagreed to is in order.

(B) Failure of Conference Act.—If the conference committee on a bill considered under this section fails to submit a report within 10 calendar days after the conferences have been appointed by each House, any Member of either House may introduce a bill containing only the text of the language proposed to be inserted, strike “1998” and insert “1997”. The bill so introduced shall be considered as provided in this section except that the bill shall not be subject to any amendment.

(e) Temporary Presidential Authorization to Cancel.—If the President transmits to Congress a special message under subsection (b)(I)(I)(I)(I) proposing to cancel budget items, the President may direct that any budget item or items proposed to be canceled in that special message shall not be made available for obligation or take effect for a period not to exceed 45 calendar days. In the case that the President transmits a special message to Congress the President may make any budget item or items canceled pursuant to the preceding sentence available at a time earlier than the time specified by the President if the President determines that continuation of the cancellation would not further the purposes of this Act.

(f) Definitions. — For purposes of this section—

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

(2) the term ‘direct spending’ shall have the same meaning given such term in section 250(a)(18) of the Balanced Budget and Emergency Deficit Control Act of 1985 but such term shall not include spending for social security;

(3) the term ‘budget item’ means—

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

(B) an amount of direct spending; or

(C) a targeted tax benefit;

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

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

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

(C) the repeal of any targeted tax benefit;

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

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

(2) The term ‘direct spending’ shall have the same meaning given such term in section 250(a)(18) of the Balanced Budget and Emergency Deficit Control Act of 1985 but such term shall not include spending for social security.

(3) The term ‘budget item’ means—

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

(B) an amount of direct spending; or

(C) a targeted tax benefit.

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

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

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

(C) the repeal of any targeted tax benefit.

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

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

(b) Exercise of Rulemaking Powers. — Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

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

(2) in subsection (a)(1), by striking “sections 1012A and 1017” from the table of sections for part II of title X of the Congressional Budget and Impoundment Control Act of 1974 and inserting after the item relating to section 1012 the following: “Sec. 1012A. Expedited consideration of certain proposed cancellations of budget items.”;

(d) Effective Period. — The amendments made by this Act shall—

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

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

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

Amendment No. 382

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

Amendment No. 383

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

Amendment No. 380

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

SEC. 1. JUDICIAL REVIEW.

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

(b) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representa-
budget outlays and total new budget authority among each committee of the Senate which has jurisdiction over bills and resolutions providing such new budget authority."

and insert the following:

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

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

"(2) In the Senate—At any time after the Congress has completed action on the concurrent resolution on the budget required to be reported under section 303(a) for a fiscal year, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report, that provides for budget outlays, new budget authority, or new spending authority (as defined in section 401(c)) in excess of:

(A) the appropriate allocation of such outlays or authority reported under subsection (a) for the fiscal year of the resolution or for the total of that year and the four succeeding years."

and insert the following:

"(2) In the Senate—At any time after the Congress has completed action on the concurrent resolution on the budget required to be reported under section 303(a) for a fiscal year, it shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report, that provides for budget outlays, new budget authority, or new spending authority (as defined in section 401(c)) in excess of:

(A) the appropriate allocation of such outlays or authority reported under subsection (a) for the fiscal year of the resolution or for the total of that year and the four succeeding years.

and the nine succeeding years."

AMENDMENT NO. 335
At the end of the matter proposed to be inserted, insert the following new section:

SEC. 7. BALANCED FEDERAL BUDGET.

It is the sense of the Congress that the current resolution on the budget for fiscal year 1996 should be reported under section 301 of the Congressional Budget Act of 1974 as follows:

Section 301(a) in connection with the most recently adopted concurrent resolution on the budget, or

the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget.

AMENDMENT NO. 336
At the end of the matter proposed to be inserted, insert the following new section:

SEC. 8. SENSE OF THE SENATE ON USE OF THE CBO BASELINE.

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

MURKOWSKI AMENDMENT NO. 387
(ordered to lie on the table.)

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

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

"(3) Any action brought under paragraph (1) of this section, if the plaintiff is a class of taxpayers, shall be heard and determined by a three-judge court.

MURRAY AMENDMENT NO. 388
(ordered to lie on the table.)

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

On page 5, line 7, after "and" insert the following:

"shall not mean appropriations authorized in a previously passed authorization bill; and"

PRYOR AMENDMENT NO. 389
(ordered to lie on the table.)

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

At the appropriate place insert the following:

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

WELLSTONE AMENDMENT NO. 390
(ordered to lie on the table.)

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

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

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

SIMON AMENDMENTS NOS. 391±392
(ordered to lie on the table.)

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

AMENDMENT NO. 391
In the language proposed to be inserted, strike section 5(i) and insert "(5) The term 'targeted tax benefit' shall have the same meaning as the term 'tax expenditure' as defined in section 301 of the Congressional Budget Act of 1974.''

AMENDMENT NO. 392
Strike section 5 of the language proposed to be inserted and insert "(5) The term 'targeted tax benefit' means any provision "(A) estimated by the Joint Committee on Taxation as losing revenue for any one of the three following periods—

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

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

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

and

(8) having the practical effect of providing a more favorable tax treatment to a particular taxpayer or a limited group of taxpayers.'"
Nothing in this section or in any other law shall infringe upon the right of the House of Representatives or the Senate to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to that effect.

ATTACHMENT OF AN ORDER TO FILE A NOTICE OF APPEAL

(b) APPEAL TO SUPREME COURT.—

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

(c) EXPEDITED CONSIDERATION.—

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

GLEN AMENDMENTS NOS. 394-398

(Ordered to lie on the table.)

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

AMENDMENT NO. 394

At the appropriate place insert the following:

SEC. 1. EVALUATION AND SUNSET OF EXISTING TAX EXPENDITURES.

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

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Section 1105(a) of title 31 United States Code, is amended by adding at the end of paragraph (1) the following:

``(d) P ILOT PROJECTS.ÐSection 1118(c) of title 31 United States Code, is amended by—

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

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

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

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

AMENDMENT NO. 396

On page 3, line 22 strike the period following ". . .

AMENDMENT NO. 399

The joint resolution shall be placed on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

SECTION 1. SHORT TITLE.

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

SEC. 2. JOINT RESOLUTION ALLOCATING APPROPRIATED SPENDING.

(a) COMMITTEE ON APPROPRIATIONS RESOLUTION.—Section 102(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

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Mr. EXON proposed an amendment to amendment No. 347 proposed by Mr. Dole to the bill, S. 4, supra, as follows: For purposes of the end of the matter proposed to be inserted, insert the following:  

SEC. 2. (a) Not later than 45 days of continuous session after the President vetoes an appropriation measure or authorization measure, the President shall—  

(1) with respect to appropriation measures, reduce the discretionary spending limit in subsection (b)(1) of section 601 of the Congressional Budget Act of 1974 for the fiscal year and each outyear by the amount by which the measure would have increased the deficit in each respective year; and  

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

(b) Exceptions:  

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

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

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

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

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

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