

Ms. KAPTUR, Mr. DURBIN, Mr. MINGE, Ms. DELAURO, Mr. KANJORSKI, and Mr. SCHUMER):

H. Res. 40. Resolution to amend the Rules of the House of Representatives concerning the receipt of gifts from lobbyists and other persons and for other purposes; to the Committee on Standards of Official Conduct, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

#### ADDITIONAL SPONSORS

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

H.R. 2: Ms. PRYCE.  
 H.R. 5: Mr. ALLARD, Mr. COBLE, and Mr. LEWIS of California.  
 H.R. 28: Mr. WALSH, Mr. ROYCE, Mr. HANCOCK, and Mr. HUTCHINSON.  
 H.R. 38: Mr. BEVILL, Mrs. FOWLER, Ms. FURSE, Mr. BARCIA of Michigan, Mr. COLEMAN, Mr. HEFLEY, Mr. RAHALL, Mr. TEJEDA, Mr. LEWIS of California, Mr. ACKERMAN, Mr. BLUTE, and Mr. HEFNER.  
 H.R. 46: Mr. WALKER, Mr. FOX, Mr. ENGLISH of Pennsylvania, Mr. HOLDEN, Mr. SOLOMON, Mr. BUNNING of Kentucky, Mr. HANSEN, Mr. BARTLETT of Maryland, Mr. ROHRBACHER, Mr. DAVIS, Mr. KNOLLENBERG, Mr. BAKER of Louisiana, Mr. PICKETT, and Mr. NEUMANN.  
 H.R. 56: Mrs. FOWLER, Mr. FOX, Mrs. VUCANOVICH, Mr. COBURN, Mr. SKEEN, Ms. MOLINARI, Mr. CHABOT, Mr. TATE, Mr. INGLIS of South Carolina, and Mr. MCHUGH.  
 H.R. 62: Mr. HAYES, Mr. BONILLA, Mr. HERGER, Mr. KNOLLENBERG, Mr. SKEEN, Mr. LEWIS of California, Mr. GALLEGLY, Mr. SMITH of Texas, and Mr. WALSH.  
 H.R. 65: Mr. ENGLISH of Pennsylvania, Mr. EMERSON, Mr. CHAPMAN, Mr. SANDERS, Mr. WOLF, Mr. FROST, Mr. FILNER, Mr. BARTLETT of Maryland, and Mr. SCHIFF.  
 H.R. 76: Mr. NEUMANN.  
 H.R. 77: Mr. BALLENGER and Mr. NEUMANN.  
 H.R. 78: Mr. FIELDS of Texas and Mr. WAMP.  
 H.R. 95: Mr. DOOLEY, Mr. FROST, Mr. WYNN, Mr. HEFNER, Mr. GEJDENSON, Ms. VELÁZQUEZ, Mr. ENGLISH of Pennsylvania, Mr. POMEROY, Mr. TORRES, Ms. DANNER, Mr. DELLUMS, and Mr. FATTAH.  
 H.R. 103: Mr. SCHUMER, Mr. STEARNS, Mrs. MEEK of Florida, and Mr. SCHIFF.  
 H.R. 107: Mr. ENGLISH of Pennsylvania and Mr. SANDERS.  
 H.R. 109: Mr. EMERSON, Mr. FROST, Mr. KNOLLENBERG, Mr. BAKER of California, Mr. SANDERS, Mr. BALLENGER, and Mr. FRANK of Massachusetts.  
 H.R. 139: Mr. SAXTON.  
 H.R. 142: Mr. KING, Mr. HANCOCK, and Mr. EMERSON.  
 H.R. 218: Mr. HANCOCK and Mr. LIGHTFOOT.  
 H.R. 230: Mr. LIPINSKI.  
 H.R. 303: Mr. ENGLISH of Pennsylvania, Mr. EMERSON, Mr. CHAPMAN, Mr. SANDERS, Mr. FROST, Mr. FILNER, and Mr. SCHIFF.  
 H.R. 325: Mr. BILBRAY, Mr. CASTLE, Mr. FOX, Mr. BONO, Mr. SENSENBRENNER, Mr. EMERSON, Mr. PORTMAN, Mr. CONDIT, and Mr. ROBERTS.  
 H.R. 326: Mr. DELAY, Mr. BEREUTER, Mr. DREIER, Mr. DOOLITTLE, Mr. MILLER of Florida, Mr. LARGENT, Mr. HASTERT, Mr. ROHRBACHER, Mr. MCKEON, Mr. ROYCE, Mr. BILBRAY, Mr. HANSEN, Mr. SKEEN, Mr. WICKER, Mr. BONO, Mr. PORTER, and Mr. BAKER of California.  
 H.R. 335: Mr. BREWSTER, Mr. McNULTY, Mr. FROST, Mr. MCHUGH, Ms. DANNER, Mr. FILNER, Mr. MANZULLO, Mr. RAHALL, Mrs. RIVERS, Mr. OLVER, Mr. UNDERWOOD, Mr.

WICKER, Mr. FORBES, Mr. GANSKE, Mr. ROYCE, Mr. SAWYER, and Mr. PETE GEREN of Texas.

H.R. 353: Mr. WILLIAMS, Mr. TORRES, Mr. BEILINSON, Mr. LIPINSKI, Mr. MANTON, Mr. WALSH, Mr. BARRETT of Nebraska, Mrs. MALONEY, and Mr. WILSON.

H.R. 359: Mr. FATTAH, Mr. TALENT, Mr. POSHARD, and Mr. BARCIA of Michigan.

H.R. 367: Mr. BEILINSON, Mr. CLAY, Mr. DELLUMS, Mr. FARR, Mr. FATTAH, Mr. FOGLETTA, Mr. FRANK of Massachusetts, Mr. GONZALEZ, Mr. HINCHEY, Mr. MCDERMOTT, Ms. MCKINNEY, Mr. MILLER of California, Mr. OLVER, Mr. OWENS, Ms. PELOSI, Mr. SABO, Mr. STARK, Mr. TORRES, and Mr. UNDERWOOD.  
 H.R. 386: Mr. HILLIARD.  
 H.R. 390: Mr. ENGLISH of Pennsylvania, Mr. DOOLITTLE, Mr. HEFLEY, Mr. BAKER of California, Mr. BARTLETT of Maryland, Ms. MOLINARI, and Mr. WISE.  
 H.R. 394: Mr. CUNNINGHAM, Mr. HANCOCK, Mr. ROYCE, and Mr. SANFORD.  
 H.R. 404: Mr. GREENWOOD.  
 H.R. 463: Mr. BEREUTER and Mr. FRANK of Massachusetts.  
 H.R. 464: Mr. HAYES, Mr. TALENT, Mr. WAMP, and Mr. BARTON of Texas.  
 H.R. 489: Mr. COMBEST, Mr. WELLER, Mr. ROYCE, Mr. DOOLITTLE, Mr. PACKARD, Mr. STUMP, Mr. HERGER, and Mr. GOODLATTE.  
 H.R. 490: Mr. SAM JOHNSON, Mr. PACKARD, Mr. HOSTETTLER, and Mr. HERGER.  
 H.R. 493: Mr. WYNN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HILLIARD, and Mr. ACKERMAN.  
 H.R. 494: Mr. CLYBURN, Mr. HILLIARD, Mr. FLAKE, and Mr. DELLUMS.  
 H.R. 502: Mr. BAKER of Louisiana and Mr. MCCOLLUM.  
 H.R. 513: Mr. GALLEGLY.  
 H.R. 519: Mr. SAXTON, Mr. HANCOCK, and Mr. SHADEGG.  
 H.R. 555: Mr. ENGEL and Mr. FILNER.  
 H.J. Res. 3: Mr. PETERSON of Minnesota.  
 H.J. Res. 48: Mr. SALMON, Mr. BALLENGER, Mr. COLLINS of Georgia, Ms. DUNN of Washington, Mr. STEARNS, Mr. QUINN, Mr. LINDER, Ms. PRYCE, Mr. BARTLETT of Maryland, Mr. JONES, Mr. LIGHTFOOT, and Mr. ROGERS.  
 H. Res. 30: Mr. BLUTE, Mr. ZIMMER, Mr. FILNER, Mr. ROHRBACHER, Mr. DOOLEY, Mr. MOORHEAD, Mr. SPENCE, Mr. GREENWOOD, Ms. FURSE, Mr. YATES, and Mr. RAMSTAD.

#### AMENDMENTS

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

H.R. 5

OFFERED BY: MR. ALLARD

AMENDMENT NO. 26: In section 202(a), in the matter preceding paragraph (1), strike "prepare a written statement containing—" and insert "prepare and submit to Congress a written statement identifying the provision of Federal law under which the rule is being promulgated and containing—".

At the end of section 202 add the following:  
 (d) LIMITATION ON EFFECTIVENESS OF CERTAIN RULES.—A rule that includes any Federal intergovernmental mandate that may result in the expenditure by States, local governments, or tribal governments, of \$50,000,000, in the aggregate, or more (adjusted annually for inflation) in any 1 year shall not take effect unless the rule is—

(1) specifically authorized by a law in effect on the date of the issuance of the rule in final form; or

(2) approved by a law enacted after that date.

H.R. 5

OFFERED BY: MR. BARTLETT OF MARYLAND  
 AMENDMENT NO. 27: At the end of section 102(a)(2) insert:

"(G) the process by which States are required to adopt and enforce implementation plans to achieve emission and pollution standards under the Clean Air Act and determine if this process is based on the most unbiased science data available.

At the end of section 102(a)(2)(E), strike "and".

In section 102(a)(2)(F), strike the period and insert "; and".

H.R. 5

OFFERED BY: MR. BECERRA

AMENDMENT NO. 28: At the end of paragraph (6) of section 4 strike "or", at the end of paragraph (7) strike the period and insert "; or", and add after paragraph (7) the following:

(8) is necessary to protect children from exploitation in the workplace.

H.R. 5

OFFERED BY: MR. BECERRA

AMENDMENT NO. 29: In section 422 of the Congressional Budget Act of 1974, strike "or" at the end of paragraph (6), strike the period and insert "; or" at the end of paragraph (7), and add after paragraph (7) the following:

(8) is necessary to protect children from exploitation in the workplace.

H.R. 5

OFFERED BY: MR. BECERRA

AMENDMENT NO. 30: In section 4(2) insert "age," before "race".

H.R. 5

OFFERED BY: MR. BECERRA

AMENDMENT NO. 31: In the proposed section 422(2) of the Congressional Budget Act of 1974, insert "age," before "race".

H.R. 5

OFFERED BY: MR. BEILINSON

AMENDMENT NO. 32: In the proposed section 421(a)(4)(ii) of the Congressional Budget Act of 1974 insert "or the amount of appropriations" after "appropriations".

In the heading for the proposed section 424(a) of the Congressional Budget Act of 1974, strike "OTHER THAN APPROPRIATIONS BILLS AND JOINT RESOLUTIONS".

In paragraphs (1) and (2) of the proposed section 424(a) of the Congressional Budget Act of 1974, strike "of authorization".

In the proposed section 425(b) of the Congressional Budget Act of 1974, insert "(2)" after "(a)".

H.R. 5

OFFERED BY: MR. BEILINSON

AMENDMENT NO. 33: Amend section 425 of the Congressional Budget Act of 1974 to read as follows:

#### SEC. 425. POINT OF ORDER.

(a) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any bill or joint resolution that is reported by a committee unless the committee has published the statement of the Director pursuant to section 424(a) prior to such consideration, except that this paragraph shall not apply to any supplemental statement prepared by the Director under section 424(a)(4).

(b) LIMITATION ON APPLICATION TO APPROPRIATIONS BILLS.—Subsection (a) shall not apply to a bill that is reported by the Committee on Appropriations or an amendment thereto.

Strike the proposed section 426 of the Congressional Budget Act of 1974 and strike the reference to such section in the amendment made by section 304.

H.R. 5

OFFERED BY: MR. BEILENSON

AMENDMENT NO. 34: At the end of title III add the following:

**SEC. 307. SUNSET.**

The amendments made by this title shall have no legal effect after the date of the final adjournment of the one hundred and fourth Congress and effective on that date such amendments are repealed.

H.R. 5

OFFERED BY: MR. BORSKI

AMENDMENT NO. 35: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) establishes or enforces any condition or limitation on the addition into waters of the United States of pollutants that are—

(A) known to cause or can reasonably be anticipated to cause significant adverse acute human health effects; or

(B) known to cause or can reasonably be anticipated to cause in humans—

(i) cancer or teratogenic effects; or

(ii) serious or irreversible—

(I) reproductive dysfunctions;

(II) neurological disorders;

(III) heritable genetic mutations; or

(IV) other chronic health effects.

H.R. 5

OFFERED BY: MR. BORSKI

AMENDMENT NO. 36: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) establishes or enforces any condition or limitation on the addition into waters of the United States of pollutants that are—

"(A) known to cause or can reasonably be anticipated to cause significant adverse acute human health effects; or

"(B) known to cause or can reasonably be anticipated to cause in humans—

"(i) cancer or teratogenic effects; or

"(ii) serious or irreversible—

"(I) reproductive dysfunctions;

"(II) neurological disorders;

"(III) heritable genetic mutations; or

"(IV) other chronic health effects.

H.R. 5

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 37: In section 301(2), in the matter proposed to be added as a new Part B to title IV of the Congressional Budget Act of 1974, strike the closing quotation marks at the end and after that add the following new section:

**"SEC. 426. UNIFORM APPLICATION.**

"If a bill, joint resolution, amendment, motion, or conference report contains a Federal private sector mandate and a Federal intergovernmental mandate that would, if enacted, impose identical duties on both State and local governments and on the private sector, then, in such cases in which the Federal private sector mandate applies to private sector entities which are competing directly or indirectly with States, local governments, or tribal governments for the purpose of providing substantially similar goods or services to the public, this part shall apply to the Federal private sector mandate in that measure or matter in the same manner and to the same extent as it does to the Federal intergovernmental mandate."

H.R. 5

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 38: In section 301(2), in the matter proposed to be added as a new section

424(a)(2)(A) to the Congressional Budget Act of 1974, strike "\$100,000,000" and insert "\$50,000,000".

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 39: At the end of paragraph (6) of section 4 strike "or", at the end of paragraph (7) strike the period and insert "; or", and add after paragraph (7) the following:

(8) is necessary to protect children from hunger or homelessness.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 40: At the end of paragraph (6) of section 4 strike "or", at the end of paragraph (7) strike the period and insert "; or", and add after paragraph (7) the following:

(8) is necessary to protect the health and safety of those, including children and discouraged workers, who, through no fault of their own, receive welfare assistance.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 41: In section 422 of the Congressional Budget Act of 1974, strike "or" at the end of paragraph (6), strike the period and insert "; or", at the end of paragraph (7), and add after paragraph (7) the following:

(8) is necessary to protect children from hunger or homelessness.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 42: In section 422 of the Congressional Budget Act of 1974, strike "or" at the end of paragraph (6), strike the period and insert "; or", at the end of paragraph (7), and add after paragraph (7) the following:

(8) is necessary to protect the health and safety of those, including children and discouraged workers, who, through no fault of their own, receive welfare assistance.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 43: At the end of paragraph (6) of section 4 strike "or", at the end of paragraph (7) strike the period and insert "; or", and add after paragraph (7) the following:

(8) is necessary to protect school children from exposure to dangerous conditions in schools, including exposure to asbestos and lead paint.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 44: In section 422 of the Congressional Budget Act of 1974, strike "or" at the end of paragraph (6), strike the period and insert "; or", at the end of paragraph (7), and add after paragraph (7) the following:

(8) is necessary to protect school children from exposure to dangerous conditions in schools, including exposure to asbestos and lead paint.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 45: In the proposed section 421(4) of the Congressional Budget Act of 1974, strike the period at the end of subparagraph (B) and insert a comma and insert after and below subparagraph (B) the following:

except that such term does not include a provision in any bill, joint resolution, motion, amendment, or conference report that would apply in the same manner to both the activities, facilities, or services of State, local, or tribal governments and the private sector.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 46: In section 4 strike "or" at the end of paragraph (6), strike the period

at the end of paragraph (7) and insert "; or", and add after paragraph (7) the following:

(8) would apply in the same manner to both the activities, facilities, or services of State, local, or tribal governments and the private sector.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 47: In section 4 strike "or" at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and add after paragraph (7) the following:

(8) would amend the Fair Labor Standards Act of 1938, the Act of March 3, 1931 (known as the Davis-Bacon Act), the Service Contract Act of 1965, the Family and Medical Leave Act of 1993, the Occupational Safety and Health Act of 1970, the Employee Polygraph Protection Act of 1988, or the Age Discrimination in Employment Act of 1967.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 48: In the proposed section 421(4) of the Congressional Budget Act of 1974, strike the period at the end of subparagraph (B) and insert a comma and insert after and below subparagraph (B) the following:

except that such term does not include a provision in any bill, joint resolution, motion, amendment, or conference report that would amend the Fair Labor Standards Act of 1938, the Act of March 3, 1931 (known as the Davis-Bacon Act), the Service Contract Act of 1965, the Family and Medical Leave Act of 1993, the Occupational Safety and Health Act of 1970, the Employee Polygraph Protection Act of 1988, or the Age Discrimination in Employment Act of 1967.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 49: At the end of paragraph (6) of section 4 strike "or", at the end of paragraph (7) strike the period and insert "; or", and add after paragraph (7) the following:

(8) is necessary to protect the health, safety or welfare of children, pregnant women, and the elderly.

H.R. 5

OFFERED BY: MR. CLAY

AMENDMENT NO. 50: In section 422 of the Congressional Budget Act of 1974, strike "or" at the end of paragraph (6), strike the period and insert "; or" at the end of paragraph (7), and add after paragraph (7) the following:

(8) is necessary to protect the health, safety or welfare of children, pregnant women, and the elderly.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 51: In section 306, strike "October 1, 1995" and insert "at the end of the 10-day period beginning on the date of the enactment of this Act".

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 52: In section 301, in the text proposed to be added as section 425 of the Congressional Budget Act of 1974, strike subsection (b) (and redesignate the subsequent subsections accordingly).

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 53: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) pertains to title XIV of the Public Health Service Act (42 U.S.C. 300f et seq.),

commonly referred to as the "Safe Drinking Water Act".

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 54: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) pertains to title XIV of the Public Health Service Act (42 U.S.C. 300f et seq.), commonly referred to as the 'Safe Drinking Water Act'.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 55: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) pertains to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), commonly referred to as the "Clean Water Act".

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 56: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) pertains to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) commonly referred to as the 'Clean Water Act'.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 57: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) pertains to the Clean Air Act.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 58: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) pertains to the Clean Air Act.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 59: In section 4(5), before the semicolon at the end insert the following: ", or provides for protection of the health or safety of infants or children".

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 60: In section 301, in the proposed section 422(5) of the Congressional Budget Act of 1974, before the semicolon at the end insert the following: ", or provides for protection of the health or safety of infants or children".

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 61: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) provides for protection of the health or safety of infants or children.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 62: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) provides for protection of the health or safety of infants or children.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 63: In section 301, in the proposed section 425(d) of the Congressional Budget Act of 1974, after "Chairman" each place it appears insert "and ranking minority party member".

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 64: After section 4, insert the following new section:

**SEC. . JUDICIAL REVIEW.**

(a) IN GENERAL.—Any statement or report prepared under this Act, any compliance or noncompliance with the provisions of this Act, and any determination concerning the applicability of the provisions of this Act shall not be subject to judicial review.

(b) RULE OF CONSTRUCTION.—No provision of this Act and no amendment made by this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any person in any administrative or judicial action. No ruling or determination made under the provisions of this Act and no amendment made by this Act shall be considered by any court in determining the intent of Congress or for any other purpose.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 65: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) provides for protection of the health of infants, children, pregnant women, or the elderly.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 66: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) provides for protection of the health of infants, children, pregnant women, or the elderly.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 67: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) provides for the protection of public health, safety, or the environment.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 68: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon in paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) provides for the protection of public health, safety, or the environment.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 69: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) provides for aviation security or airport security.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 70: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) provides for aviation security or airport security.

H.R. 5

OFFERED BY: MRS. COLLINS OF ILLINOIS

AMENDMENT NO. 71: In section 301, in the proposed section 421(4)(A)(ii) of the Congressional Budget Act of 1974, after "amount of" insert "appropriations or".

H.R. 5

OFFERED BY: MR. COOLEY

AMENDMENT NO. 72: In section 425(a) of the Congressional Budget Act of 1974, strike "or" at the end of paragraph (1), strike the period at the end of paragraph (2) and insert "; or", and add after paragraph (2) the following:

"(3) any bill, joint resolution, amendment, motion, or conference report that contains a Federal private sector mandate having direct costs that exceed the threshold specified in section 424(a)(2)(A), or that would cause the direct costs of any other Federal private sector mandate to exceed the threshold specified in section 424(a)(2)(A), unless—

"(A) the bill, joint resolution, amendment, motion, or conference report provides new budget authority or new entitlement authority in the House of Representatives or direct spending authority in the Senate for each fiscal year for the Federal private sector mandate included in the bill, joint resolution, amendment, motion, or conference report in an amount that equals or exceeds the estimated direct costs of such mandate;

"(B) the bill, joint resolution, amendment, motion, or conference report provides an increase in receipts or a decrease in new budget authority or new entitlement authority in the House of Representatives or direct spending authority in the Senate and an increase in new budget authority or new entitlement authority in the House of Representatives or an increase direct spending authority for each fiscal year for the Federal private sector mandate included in the bill, joint resolution, amendment, motion, or conference report in an amount that equals or exceeds the estimated direct costs of such mandate; or

"(C) the bill, joint resolution, amendment, motion, or conference report provides that such mandate shall be effective for any fiscal year only if all direct costs of such mandate in the fiscal year are provided in appropriations Acts, and in the case of such a mandate contained in the bill, joint resolution, amendment, motion, or conference report, the mandate is repealed effective on the first day of any fiscal year for which all direct costs of such mandate are not provided in appropriations Acts.

H.R. 5

OFFERED BY: MR. GENE GREEN OF TEXAS

AMENDMENT NO. 73: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the

semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

“(8) regulates the licensing, construction, or operation of nuclear reactors or the disposal of nuclear waste.

H.R. 5

OFFERED BY: MR. HAYES

AMENDMENT NO. 74: In section 202(a), in the matter preceding paragraph (1), after “\$100,000,000 (adjusted annually for inflation)” insert “or a net elimination of 10,000 jobs”.

H.R. 5

OFFERED BY: MR. HAYES

AMENDMENT NO. 75: In section 301, in the matter proposed as section 424(a)(2)(A) of the Congressional Budget Act of 1974, after “\$100,000,000 (adjusted annually for inflation)” insert “or a net elimination of 10,000 jobs”.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 76: At the end, add the following new title:

#### TITLE IV—SUNSET

##### SEC. 401. TERMINATION DATE.

This Act shall cease to be in effect on January 3, 2000.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 77: In section 301(2), in the matter proposed to be added as a new section 425 to the Congressional Budget Act of 1974, at the end add the following new subsection: “(f) LIMITATION ON APPLICATION IF DIRECTOR FAILS TO PRODUCE TIMELY REPORT.— Subsection (a) shall not apply to a bill, joint resolution, amendment, motion, or conference report if the Director has 30 calendar days in which to review that measure or matter and does not issue a statement pursuant to section 424(a).

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 78: In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) pertains to Medicare.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 79: In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) requires State governments and local governments to participate in establishing and maintaining a national database for the identification of child molesters, child abusers, persons convicted of sex crimes, persons under a restraining order, or persons who have failed to pay child support.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 80: In section 103(a), in the matter preceding paragraph (1), strike “9” and insert “8”.

In section 103(a), strike paragraphs (1), (2), and (3) and insert the following new paragraphs:

(1) 2 members appointed by the Speaker of the House of Representatives.

(2) 1 member appointed by the minority leader of the House of Representatives.

(3) 2 members appointed by the majority leader of the Senate.

(4) 1 member appointed by the minority leader of the Senate.

(5) 2 members appointed by the President.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 81: In section 4(2), after “national origin,” insert “age.”.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 82: In section 301, in the matter proposed as section 422(2) of the Congressional Budget Act of 1974, after “national origin,” insert “age.”.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 83: In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) pertains to child support or alimony.

H.R. 5

OFFERED BY: MR. KANJORSKI

AMENDMENT NO. 84: In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) pertains to investor protection, the safe and sound operation of financial markets, federally insured depository institutions and credit unions (as those terms are defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) or section 101 of the Federal Credit Union Act (12 U.S.C. 1752), respectively), or the deposit insurance funds that insure the deposits or member accounts in those depository institutions or credit unions.

H.R. 5

OFFERED BY: MR. LATOURETTE

AMENDMENT NO. 85:

##### SEC. 205. CLARIFICATION OF MANDATE ISSUE AS TO GREAT LAKES WATER QUALITY GUIDANCE.

Section (c)(2)(C) of the Federal Water Pollution Control Act (33 U.S.C. Section 1268(c)(2)) is amended by adding at the end thereof the following new sentence:

“For purposes of this subparagraph, the requirement that the States adopt programs ‘consistent with’ the Great Lakes guidance shall mean that the States are required to take the guidance into account in adopting their programs for waters within the Great Lakes System, but are in no event required to adopt programs that are identical or substantially identical to the provisions in the guidance.”

H.R. 5

OFFERED BY: MR. LEVIN

AMENDMENT NO. 86: In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) relates to study, control, deterring, preventing, prohibition, or other mitigation of child pornography.

H.R. 5

OFFERED BY: MR. LEVIN

AMENDMENT NO. 87: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

“(8) relates to study, control, deterring, preventing, prohibition, or other mitigation of child pornography.

H.R. 5

OFFERED BY: MS. LOFGREN

AMENDMENT NO. 88: In section 2(7), before the semicolon insert the following: “, and that Congress shall not impose any Federal mandate on a State (including a requirement to pay matching amounts) unless the State is prohibited under Federal law from requiring, without consent of a local government, that the local government perform the activities that constitute compliance with the mandate”.

H.R. 5

OFFERED BY: MS. LOFGREN

AMENDMENT NO. 89: In section 102(a)(1), before the semicolon insert the following: “, including by investigating and reviewing the extent to which States require local governments, without their consent, to perform duties imposed on State governments by unfunded Federal mandates (including any duty to pay a matching amount as a condition of Federal assistance)”.

H.R. 5

OFFERED BY: MS. LOFGREN

AMENDMENT NO. 90: In section 301, at the end and immediately below the matter proposed as section 421(4)(B) of the Congressional Budget Act of 1974, add the following: Subparagraph (A)(i) (I) and (II) shall not apply to a condition or duty, respectively, unless each State that is subject to the condition or duty is prohibited under Federal law from requiring, without the consent of a local government, that the local government perform the activities that constitute fulfillment of the condition or performance of the duty.

H.R. 5

OFFERED BY: MRS. MALONEY

AMENDMENT NO. 91: In section 301(2), in the matter proposed to be added as a new section 422 to the Congressional Budget Act of 1974, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and at the end add the following new paragraph:

“(8) provides for the protection of the health of children.

H.R. 5

OFFERED BY: MRS. MALONEY

AMENDMENT NO. 92: In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and at the end add the following new paragraph:

(8) provides for the protection of the health of children.

H.R. 5

OFFERED BY: MR. MARTINEZ

AMENDMENT NO. 93: In section 4, before “This Act” insert “(a) IN GENERAL.—”, and at the end of the section add the following:

(b) REQUIREMENTS UNDER OTHER LAWS.— This Act shall not apply to any requirement in effect on December 31, 1994, under—

(1) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.); or

(2) the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.).

H.R. 5

OFFERED BY: MR. MASCARA

AMENDMENT NO. 94: In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) requires compliance with section 402(a)(27) of the Social Security Act, any provision of part D of title IV of the Social Security Act, or any other Federal law relating

to establishment or enforcement of child support obligations.

H.R. 5

OFFERED BY: MR. MINETA

AMENDMENT NO. 95: In section 301, at the end of the proposed section 421(4) of the Congressional Budget Act of 1974, add the following:

Such term shall not be construed to include a provision in legislation, statute, or regulation that preempts a State, local, or tribal government from enacting or enforcing a law, regulating, or other provision having the force of law related to economic regulation, including limitations on revenues to such governments.

H.R. 5

OFFERED BY: MRS. MINK OF HAWAII

AMENDMENT NO. 96: In section 301, in the matter proposed as section 421(4)(A)(i)(II) of the Congressional Budget Act of 1974, strike "except as provided in subparagraph (B)".

In section 301, in the matter proposed as section 421(4) of the Congressional Budget Act of 1974, strike subparagraph (B).

In Section 301, in the matter proposed as section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and insert at the end the following:

"(8) requires compliance with certain conditions necessary to receive grants or other money provided by the Federal Government in programs for which the States, local governments, or tribal governments voluntarily apply.

H.R. 5

OFFERED BY: MR. MOAKLEY

AMENDMENT NO. 97: In the proposed section 425 of the Congressional Budget Act of 1974, strike subsection (d).

H.R. 5

OFFERED BY: MR. MOAKLEY

AMENDMENT NO. 98: In the proposed section 426 of the Congressional Budget Act of 1974, strike "10 minutes" and insert "30 minutes".

H.R. 5

OFFERED BY: MR. MORAN

AMENDMENT NO. 99: In the proposed section 421(4) of the Congressional Budget Act of 1974, add after and below subparagraph (B) the following:

A mandate which would apply an enforceable mandate equally on State, local, or tribal governments and the private sector shall not, for purposes of section 425(a)(2), be considered a Federal intergovernmental mandate.

H.R. 5

OFFERED BY: MS. NORTON

AMENDMENT NO. 100: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) establishes or enforces an obligation to pay child support.

In section 301, in proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) establishes or enforces an obligation to pay child support.

H.R. 5

OFFERED BY: MR. OBERSTAR

AMENDMENT NO. 101: In section 4, strike "or" after the semicolon at the end of para-

graph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) requires actions to further aviation safety or aviation security.

H.R. 5

OFFERED BY: MR. OBERSTAR

AMENDMENT NO. 102: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) requires actions to further aviation safety or aviation security.

H.R. 5

OFFERED BY: MR. PETERSON OF FLORIDA

AMENDMENT NO. 103: At the end of title II, add the following:

**SEC. . PROHIBITION ON USE OF FEDERAL AMOUNTS TO PROVIDE ASSISTANCE OR PAY CLAIMS RELATING TO FAILURE TO COMPLY WITH FEDERAL MANDATES.**

Notwithstanding any other law, amounts provided by the Federal Government may not be used to—

(1) provide any assistance with respect to any injury incurred as a result of a failure by a State, local government, or tribal government to comply with a Federal mandate; or  
(2) pay any claim arising from such a failure.

H.R. 5

OFFERED BY: MR. PETERSON OF MINNESOTA

AMENDMENT NO. 104: In section 301, in the proposed section 424(a)(1)(A) of the Congressional Budget Act of 1974, strike "\$50,000,000" and insert "\$25,000,000".

In section 301, in the proposed section 424(a)(2)(A) of the Congressional Budget Act of 1974, strike "\$100,000,000" and insert "\$50,000,000".

H.R. 5

OFFERED BY: MR. PORTMAN

AMENDMENT NO. 105: In section 301, in the proposed section 423(b)(2) of the Congressional Budget Act of 1974, amend subparagraph (C) to read as follows:

"(C) a statement of—

"(i) the degree to which the Federal mandate affects each of the public and private sectors, including a description of the actions, if any, taken by the committee to avoid any adverse impact on the private sector or on the competitive balance between the public sector and the private sector; and

"(ii) in the case of a Federal mandate that is a Federal intergovernmental mandate, the extent to which limiting or eliminating the Federal intergovernmental mandate or Federal payment of direct costs of the Federal intergovernmental mandate (if applicable) would affect the competitive balance between States, local governments, or tribal governments and the private sector.

H.R. 5

OFFERED BY: MS. PRYCE

AMENDMENT NO. 106: At the end of title II insert the following:

**SEC. 206. ANNUAL STATEMENTS TO CONGRESS ON AGENCY COMPLIANCE WITH REQUIREMENTS OF TITLE.**

Not later than one year after the effective date of title III and annually thereafter, the Director of the Office of Management and Budget shall submit to Congress, including the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate, written statements detailing the compliance with the requirements of sec-

tions 201 and 202 by each agency during the period reported on.

H.R. 5

OFFERED BY: MR. SANDERS

AMENDMENT NO. 107: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) establishes a minimum labor standard, including any prohibition of child labor, establishment of a minimum wage, or establishment of minimum standards for occupational safety.

H.R. 5

OFFERED BY: MR. SANDERS

AMENDMENT NO. 108: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) establishes a minimum labor standard, including any prohibition of child labor, establishment of a minimum wage, or establishment of minimum standards for occupational safety.

H.R. 5

OFFERED BY: MR. SANDERS

AMENDMENT NO. 109: Insert the following new paragraphs at the end of the proposed section 424(a) of the Congressional Budget Act of 1974:

"(5) CONSIDERATION OF COST SAVINGS FROM FEDERAL MANDATES.—For each bill or joint resolution of a public character reported by any committee that establishes, modifies, or repeals a Federal mandate, the Director shall prepare and submit to the committee a statement describing the cost savings that would accrue to the private and public sectors from such Federal mandate, including long and short term health care cost savings. Such statement shall include a quantitative assessment of such cost savings to the extent practicable.

"(6) CONSIDERATION OF BENEFITS OF FEDERAL MANDATES.—For each bill or joint resolution of a public character reported by any committee that establishes, modifies, or repeals a Federal mandate, the Director shall prepare and submit to the committee a statement describing the benefits of such Federal mandate, including benefits to human health, welfare, and the environment. Such statement shall include a quantitative assessment of such benefits to the extent practicable.

H.R. 5

OFFERED BY: MR. SANDERS

AMENDMENT NO. 110: Insert the following new paragraph at the end of the proposed section 424(a) of the Congressional Budget Act of 1974:

"(5) CONSIDERATION OF COST SAVINGS FROM FEDERAL MANDATES.—For each bill or joint resolution of a public character reported by any committee that establishes, modifies, or repeals a Federal mandate, the Director shall prepare and submit to the committee a statement describing the cost savings that would accrue to the private and public sectors from such Federal mandate, including long and short term health care cost savings. Such statement shall include a quantitative assessment of such cost savings to the extent practicable.

H.R. 5

Offered By: Mr. Schiff

AMENDMENT NO. 111: Amend title I to read as follows:

TITLE I—REVIEW OF UNFUNDED  
FEDERAL MANDATES**SEC. 101. REPORT ON UNFUNDED FEDERAL MANDATES BY ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS.**

(A) IN GENERAL.—The Advisory Commission shall in accordance with this section—

(1) investigate and review the role of unfunded Federal mandates in intergovernmental relations and their impact on State, local, tribal, and Federal Government objectives and responsibilities; and

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

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

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

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

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

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

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

Each recommendation under paragraph (2) shall, to the extent practicable, identify the specific unfunded Federal mandates to which the recommendation applies.

**(b) CRITERIA.—**

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

(2) ISSUANCE OF PROPOSED CRITERIA.—The Advisory Commission shall issue proposed criteria under this subsection not later than 60 days after the date of the enactment of this Act, and thereafter provide a period of 30 days for submission by the public of comments on the proposed criteria.

(3) FINAL CRITERIA.—Not later than 45 days after the date of issuance of proposed criteria, the Advisory Commission shall—

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

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

(C) issue final criteria under this subsection.

**(c) PRELIMINARY REPORT.—**

(1) IN GENERAL.—Not later than 9 months after the date of the enactment of this Act, the Advisory Commission shall—

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

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

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

(2) PUBLIC HEARINGS.—The Advisory Commission shall hold public hearings on the

preliminary recommendations contained in the preliminary report of the Advisory Commission under this subsection.

(d) FINAL REPORT.—Not later than 3 months after the date of the publication of the preliminary report under subsection (c), the Advisory Commission shall submit to the Congress, including the committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate, and to the President a final report on the findings, conclusions, and recommendations of the Advisory Commission under this section.

**SEC. 102. SPECIAL AUTHORITIES OF ADVISORY COMMISSION.**

(a) EXPERTS AND CONSULTANTS.—The Advisory Commission may procure temporary and intermittent services of experts or consultants under section 3109(b) of title 5, United States Code.

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

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

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

**SEC. 103. DEFINITION.**

In this title:

(1) ADVISORY COMMISSION.—The term “Advisory Commission” means the Advisory Commission on Intergovernmental Relations.

(2) FEDERAL MANDATE.—The term “Federal mandate” means any provision in statute or regulation that imposes an enforceable duty upon States, local governments, or tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 112: Section 4 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to air pollution abatement or control.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 113: Section 4 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to air pollution abatement or control.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to air pollution abatement or control.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 114: Section 4 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to the abatement or control of hazardous air pollutants.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking “or” at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to the abatement or control of hazardous air pollutants.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 115: The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to air pollution abatement or control.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 116: Section 4 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to attaining and maintaining national ambient air quality standards.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to attaining and maintaining national ambient air quality standards.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 117: Section 4 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to attaining and maintaining national ambient air quality standards.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to attaining and maintaining national ambient air quality standards.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 118: Section 4 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to attaining and maintaining national ambient air quality standards.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking “or” at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting “; or” and by adding after paragraph (7) the following new paragraph:

“(8) pertains to attaining and maintaining national ambient air quality standards.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 119: The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

"(8) pertains to atmospheric acid deposition control.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 120: Section 4 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

(8) pertains to atmospheric acid deposition control.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 121: Section 4 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

(8) pertains to atmospheric acid deposition control.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

"(8) pertains to atmospheric acid deposition control.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 122: Section 4 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

(8) pertains to abatement or control of motor vehicle emissions.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 123: The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

"(8) pertains to abatement or control of motor vehicle emissions.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 124: Section 4 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

(8) pertains to abatement or control of motor vehicle emissions.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

"(8) pertains to abatement or control of motor vehicle emissions.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 125: Section 4 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of para-

graph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

(8) pertains to the abatement and control of emissions from stationary sources of air pollution.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 126: the proposed section 422 of the Congressional Budget Act of 1974 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

"(8) pertains to the abatement and control of emissions from stationary sources of air pollution.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 127: Section 4 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

(8) pertains to the abatement and control of emissions from stationary sources of air pollution.

The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

"(8) pertains to the abatement and control of emissions from stationary sources of air pollution.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 128: Section 4 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

(8) pertains to the abatement or control of hazardous air pollutants.

H.R. 5

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 129: The proposed section 422 of the Congressional Budget Act of 1974 is amended by striking "or" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; or" and by adding after paragraph (7) the following new paragraph:

"(8) pertains to the abatement or control of hazardous air pollutants.

H.R. 5

OFFERED BY: MR. SPRATT

AMENDMENT NO. 130: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) regulates the generation, transportation, storage, or disposal of toxic, hazardous, or radio-active substances.

H.R. 5

OFFERED BY: MR. TAYLOR OF MISSISSIPPI

AMENDMENT NO. 131: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) provides for protection of public health through effluent limitations (as that term is defined in section 502(11) of the Federal Water Pollution Control Act (33 U.S.C. 1362(11)).

H.R. 5

OFFERED BY: MR. TAYLOR OF MISSISSIPPI

AMENDMENT NO. 132: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) provides for protection of public health through effluent limitations (as that term is defined in section 502(11) of the Federal Water Pollution Control Act (33 U.S.C. 1362(11)).

H.R. 5

OFFERED BY: MR. TOWNS

AMENDMENT NO. 133: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

"(8) regulates the conduct of States, local governments, or tribal governments with respect to matters that significantly impact the health or safety of residents of other States, local governments, or tribal governments, respectively.

H.R. 5

OFFERED BY: MR. TOWNS

AMENDMENT NO. 134: In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and after paragraph (7) add the following new paragraph:

(8) regulates the conduct of States, local governments, or tribal governments with respect to matters that significantly impact the health or safety of residents of other States, local governments, or tribal governments, respectively.

H.R. 5

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 135: In section 103(a), after "elected officials" insert "and officials representing working men and women".

H.R. 5

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 136: In section 202(a), after "productive jobs," insert "worker benefits and pensions,".

H.R. 5

OFFERED BY: MR. VENTO

AMENDMENT NO. 137: In section 4, strike "or" after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert "; or", and at the end add the following new paragraph:

(8) applies to life threatening public health and safety matters.

H.R. 5

OFFERED BY: MR. VENTO

AMENDMENT NO. 138: In section 301(2), in the matter proposed to be added as a new section 424(a)(1) to the Congressional Budget Act of 1974, at the end add the following new subparagraph:

"(C) The estimate required by subparagraph (A) shall include a cost-benefit analysis comparing the direct cost of complying with the Federal intergovernmental mandates in the bill or joint resolution with the social costs (such as environmental or public health costs) of not implementing such mandates.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 139: At the end of paragraph (6) of section 4 strike "or", at the end of paragraph (7) strike the period and insert

“; or”, and add after paragraph (7) the following:

(8) establishes or enforces standards for protecting or enhancing human health, welfare, or the environment that apply to State, local, and tribal governments in the same manner as such standards apply to the private sector.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 140: Amend section 201(b) to—

(1) strike “AND TRIBAL GOVERNMENT” in the subsection heading and insert “TRIBAL GOVERNMENT, AND CONCERNED CITIZENS”, and

(2) strike “and tribal governments” and insert “tribal governments, and concerned citizens”.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 141: Add at the end of title II the following:

**SEC. 206. JUDICIAL REVIEW.**

(a) AVOIDING BURDENSOME LITIGATION.—Any statement or report prepared under this title, any compliance or noncompliance with this title, and any determination concerning the applicability of the provisions of this title shall not be subject to judicial review.

(b) AGENCY COMPLIANCE.—The Advisory Commission On Intergovernmental Relations shall evaluate agency compliance with this title. Within 2 years of the date of the enactment of this Act, the Commission shall submit to the committees of the House of Representatives and the Senate with jurisdiction its report on such compliance together with any recommendations for enhancing compliance.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 142: In the proposed section 421(a)(4)(ii) of the Congressional Budget Act of 1974 insert “or the amount of appropriations” after “appropriations”.

In the heading for the proposed section 424(a) of the Congressional Budget Act of 1974, strike “OTHER THAN APPROPRIATIONS BILLS AND JOINT RESOLUTIONS”.

In paragraphs (1) and (2) of the proposed section 424(a) of the Congressional Budget Act of 1974, strike “of authorization”.

In the proposed section 425(b) of the Congressional Budget Act of 1974, insert “(2)” after “(a)”.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 143: In the proposed section 421(4) of the Congressional Budget Act of 1974, add the following new sentence at the end of the section:

Clause (i)(I) of subparagraph (B) shall not apply to provisions that are designed to protect the health or safety of individuals receiving benefits under the Federal program.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 144: In the proposed section 421(4) of the Congressional Budget Act of 1974, add the following new sentence at the end of the section:

Clause (i)(I) of subparagraph (B) shall not apply to provisions that are designed to prevent fraud or abuse or to increase fiscal accountability of the program administered by the States, local governments, or tribal governments receiving assistance.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 145 Insert the following new paragraph at the end of the proposed section 424(a) of the Congressional Budget Act of 1974:

“(5) CONSIDERATION OF BENEFITS OF FEDERAL MANDATES.—For each bill or joint reso-

lution of a public character reported by any committee that establishes, modifies, or repeals a Federal mandate, the director shall prepare and submit to the committee a statement describing the benefits of such Federal mandate, including benefits to human health, welfare, and the environment. Such statement shall include a quantitative assessment of such benefits to the extent practicable.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 146: Add the following at the end of the proposed section 424(a)(1) of the Congressional Budget Act of 1974:

“(C) If the Director determines that it is not feasible to make a reasonable estimate that would be required under subparagraphs (A) and (B), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement.

Add the following at the end of the proposed section 424(a) of the Congressional Budget Act.

“(5) CONFIDENCE OF DIRECTOR.—In the statement the Director is required to submit to a committee, the Director shall include a statement of the confidence the Director has in the reliability of the cost estimates included in the statement.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 147: Add at the end of the proposed section 424(a) of the Congressional Budget Act of 1974 the following:

“(5) In the statement that the Director is required to submit to a committee of the Congress, the Director shall include an analysis of the potential that full Federal funding of any Federal intergovernmental mandate will lead to wasteful State, local, or tribal government spending or investment of such funding and recommendations for preventing any such wasteful spending or investment.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 148: In section 4(2) insert “familial status,” after “race.”.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 149: In section 422(2) of the Congressional Budget Act of 1974, insert “familial status,” after “race.”.

H.R. 5

OFFERED BY: MR. WAXMAN

AMENDMENT NO. 150: In section 422 of the Congressional Budget Act of 1974, strike “or” at the end of paragraph (6), strike the period and insert “; or” at the end of paragraph (7), and add after paragraph (7) the following:

“(8) establishes or enforces standards for protecting or enhancing human health, welfare, or the environment that apply to State, local, and tribal governments in the same manner as such standards apply to the private sector.

H.J. RES. 1

OFFERED BY: MR. ALLARD

AMENDMENT NO. 6: Strike all after the enacting clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE —

“SECTION 1. Except as provided by this Article, beginning with the fiscal year 1997 or

for the first fiscal year beginning after ratification, whichever is later, the President shall submit a budget of revenues and outlays to Congress, and Congress shall adopt a budget that reduces the deficit existing the year prior to ratification of this Article by not less than 16.7 percent per year in order to balance the budget within 6 fiscal years.

“SECTION 2. Except as provided by this Article, beginning with the 7th year beginning after ratification and for every year thereafter, budgeted outlays shall not exceed budgeted revenues.

“SECTION 3. Beginning with the 7th year after ratification, the actual revenues shall exceed actual outlays in order to provide for the reduction of the gross Federal debt which is outstanding at the end of the 6th year after ratification.

“The amount of such reduction will be equal to the amount required to amortize the debt over the next 24 years, in order to repay the entire debt by the end of the 30th year after ratification.

“SECTION 4. Congress may waive the provisions of this Article (except for section 5) for any fiscal year in which a declaration of war is in effect.

“SECTION 5. No bill to increase revenues shall become law unless approved by a majority of the total membership of each House of Congress by a roll call vote.

“SECTION 6. Congress shall review actual revenues on a quarterly basis and adjust appropriations to assure compliance with this Article.

“SECTION 7. For purposes of this Article, revenues shall include all revenues of the United States excluding borrowing and outlays shall include all outlays of the United States excluding repayment of debt principal.”.

H.J. RES. 1

OFFERED BY: MR. FRANKS OF NEW JERSEY

AMENDMENT NO. 7: Strike all after the enacting clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE —

“SECTION 1. Prior to each fiscal year, Congress shall, by law, adopt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than total receipts. Congress may, by law, amend that statement provided revised outlays are not greater than revised receipts. Congress may provide in that statement for a specific excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

“SECTION 2. Actual outlays shall include the cost to a State of any requirement imposed by Federal law upon a State that is not paid for by the Federal Government, and the cost to a State of complying with any condition imposed by Federal law on the receipt by a State of appropriated funds other than a condition directly and substantially related to the purpose of the appropriation. For the purposes of this section, Federal law does not include an obligation imposed by this Constitution or a law intended to enforce that obligation, nor does it include any



law enacted before Congress submits this Article to the States.

"SECTION 3. Prior to each fiscal year, the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

"SECTION 4. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

"SECTION 5. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal.

"SECTION 6. The amount of the debt of the United States held by the public as of the date this Article takes effect shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

"SECTION 7. All votes taken by the House of Representatives or the Senate under this Article shall be rollcall votes.

"SECTION 8. Congress shall enforce and implement this Article by appropriate legislation.

"SECTION 9. This Article shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later."

H. J. RES. 1

OFFERED BY: MR. HOKE

AMENDMENT NO. 8: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE —

"SECTION 1. Congress may not increase the limit on the debt of the United States held by the public without the approval of three-fifths of the whole number of each House of Congress.

"SECTION 2. No bill to increase tax revenue shall become law unless approved by three-fifths of the whole number of each House of Congress.

"SECTION 3. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

"SECTION 4. Congress shall enforce and implement this Article by appropriate legislation.

"SECTION 5. This Article shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later."

H. J. RES. 1

OFFERED BY: MR. HOKE

AMENDMENT NO. 9: Strike sections 1, 3, 5, and 7 (and redesignate accordingly).

H.J. RES. 1

OFFERED BY: MR. ISTOOK

AMENDMENT NO. 10: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE —

"SECTION 1. Prior to each fiscal year, Congress shall, by law, adapt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than total receipts. Congress may, by law, amend that statement provided revised outlays are not greater than revised receipts. Congress may provide in that statement for a specific excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

"SECTION 2. No bill to increase receipts shall become law unless approved by a three-fifths majority of the whole number of each House of Congress.

"SECTION 3. Prior to each fiscal year, the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

"SECTION 4. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

"SECTION 5. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal.

"SECTION 6. The amount of Federal public debt as of the first day of the second fiscal year beginning after the ratification of this Article shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

"SECTION 7. All votes taken by the House of Representatives or the Senate under this Article shall be roll-call votes.

"SECTION 8. Congress shall enforce and implement this Article by appropriate legislation.

"SECTION 9. This Article (except section 2) shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later.

"SECTION 10. Section 2 shall take effect upon the date of ratification of this Article and shall be in effect only until the close of fiscal year 2004 or for the fourth fiscal year beginning after its ratification, whichever is later."

H. J. RES. 1

OFFERED BY: MR. ISTOOK

AMENDMENT NO. 11: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution

when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission to the States for ratification:

"ARTICLE —

"SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a rollcall vote.

"SECTION 2. No bill to increase receipts shall become law unless approved by a three-fifths majority of the whole number of each House of Congress.

"SECTION 3. The limit on the debt of the United States held by the public shall not be increased, unless three-fifths of the whole number of each House shall provide by law for such an increase by a rollcall vote.

"SECTION 4. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year, in which total outlays do not exceed total receipts.

"SECTION 5. No bill to increase revenue shall become law unless approved by a majority of the whole number of each House by a rollcall vote.

"SECTION 6. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

"SECTION 7. The Congress shall enforce and implement this article by appropriate legislation, which may rely on estimates of outlays and receipts.

"SECTION 8. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except for those for repayment of debt principal.

"SECTION 9. This Article (except section 2) shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later.

"SECTION 10. Section 2 shall take effect upon the date of ratification of this Article and shall be in effect only until the close of fiscal year 2004 or for the fourth fiscal year beginning after its ratification, whichever is later."

H.J. RES. 1

OFFERED BY: MR. OBEY

AMENDMENT NO. 12: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE —

"SECTION 1. Total outlays of the United States for any fiscal year shall not exceed total receipts to the United States for that year.

"SECTION 2. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a

majority of the whole number of each House of Congress, that becomes law. If real economic growth has been or will be negative for two consecutive quarters, Congress may by law, passed by a majority of the whole number of each House of Congress, waive this article for the current and next fiscal year.

"SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which total outlays shall not exceed total receipts.

"SECTION 4. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal. The receipts (including attributable interest) and outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall not be counted as receipts or outlays for purposes of this article.

"SECTION 5. Congress shall enforce and implement this article by appropriate legislation, which may rely on estimates of outlays and receipts.

"SECTION 6. This section and section 5 of this article shall take effect upon ratification. All other sections of this article shall take effect beginning in the fiscal year 2002 or the second fiscal year beginning after its ratification, whichever is later."

H.J. RES. 1

OFFERED BY: MR. SCHIFF

AMENDMENT NO. 13: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE—

"SECTION 1. Prior to each fiscal year, Congress shall, by law, adopt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than total receipts. Congress may, by law, amend that statement provided revised outlays are not greater than revised receipts. Congress may provide in that statement for a specific excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

"SECTION 2. For any fiscal year for which this Article is in effect, receipts and outlays for any trust fund of the United States shall be subject to the provisions of this article in the same manner as total receipts and total outlays of the United States (except that if a trust fund has an accumulated surplus from prior years, then that surplus may be counted as a receipt for purposes of the statement required by section 1 for the fiscal year to which the statement applies), including the requirement of section 3 insofar as it affects any trust fund.

"SECTION 3. No bill to increase tax revenue shall become law unless approved by a three-fifths majority of the whole number of each House of Congress.

"SECTION 4. Prior to each fiscal year, the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

"SECTION 5. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The

provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

"SECTION 6. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal.

"SECTION 7. The amount of the debt of the United States held by the public as of the date this Article takes effect shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

"SECTION 8. All votes taken by the House of Representatives or the Senate under this Article shall be rollcall votes.

"SECTION 9. Congress shall enforce and implement this Article by appropriate legislation.

"SECTION 10. This Article shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later."

H.J. RES. 1

OFFERED BY: MR. SKAGGS

AMENDMENT NO. 14: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE —

"SECTION 1. Congress shall provide that total operating expenditures of the United States Government for any fiscal year shall not exceed total operating receipts, except in a fiscal year for which Congress shall have determined that a condition of national security emergency or national economic emergency exists.

"SECTION 2. Not later than eight months prior to the start of a fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for such fiscal year in which total operating expenditures do not exceed total receipts.

"SECTION 3. Congress shall have the power to enforce and implement this article by appropriate legislation.

"SECTION 4. Section 3 of this article shall take effect upon ratification. Other sections of this article shall take effect with respect to fiscal year 2002 or the third fiscal year beginning after ratification, whichever is later.

H.J. RES. 1

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 15: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE —

"SECTION 1. Except as provided in this article, total outlays of the United States Government shall be limited as follows:

"(1) Total outlays in any fiscal year shall not increase by a percentage greater than the percentage increase in nominal gross do-

mestic product in the last calendar year ending prior to the beginning of such fiscal year.

"(2) Total outlays in any fiscal year shall not exceed the ratio of the outlays in the fiscal year at the time of submission of this proposed amendment to the States to gross domestic product in the last calendar year ending prior to the fiscal year at the time of submission to the States, times gross domestic product in the last calendar year ending prior to the fiscal year for which this limitation is being calculated.

"(3) If inflation for the last calendar year ending prior to the beginning of any fiscal year is more than 3 percent, the permissible percentage increase in total outlays for that fiscal year shall be reduced by one-fourth of the excess of inflation over 3 percent.

"SECTION 2. Total receipts shall include all receipts of the United States except those derived from borrowing, and total outlays shall include all outlays of the United States, both on-budget and off-budget, except those for the repayment of debt principal. Inflation shall be measured by the difference between the percentage increase in nominal gross domestic product and the percentage increase in real gross domestic product. Total outlays shall include the cost to any State or local government of engaging in any activity or service mandated by any law of the United States beyond that required by existing law or this Constitution at the time of the submission of this proposed amendment to the States, unless an appropriation is made and disbursed to pay that State or local government for such cost.

"SECTION 3. When, for any fiscal year, total receipts received by the United States exceed total outlays, the surplus shall be used to reduce the public debt of the United States until such debt is eliminated.

"SECTION 4. Prior to each fiscal year, the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this article.

"SECTION 5. Following the declaration of an emergency by the President, Congress may authorize, by a two-thirds vote of both Houses, a specified amount of emergency outlays in excess of the limit for the current fiscal year.

"SECTION 6. For each of the first 4 fiscal years after ratification of this article, total grants to States and local governments shall not be a smaller fraction of total outlays than the average of the 3 fiscal years prior to the ratification of this article.

"SECTION 7. This article may be enforced by one or more Members of the Congress, or by the President, in an action brought in the United States District Court for the District of Columbia, and by no other persons. The action shall name as defendant the Treasurer of the United States, who shall have authority over outlays by any unit or agency of the Government of the United States when required by a court order enforcing the provisions of this article. The order of the court shall not specify the particular outlays to be made or reduced. Changes in outlays necessary to comply with the order of the court shall be made no later than the end of the first full fiscal year following the court order."

H.J. RES. 1

OFFERED BY: MR. SMITH OF MICHIGAN

AMENDMENT NO. 16: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven

years after the date of its submission for ratification:

“ARTICLE—

“SECTION 1. Prior to each fiscal year, Congress shall, by law, adopt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than total receipts. Congress may, by law, amend that statement provided revised outlays are not greater than revised receipts. Congress may provide in that statement for a specific excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

“SECTION 2. No bill to increase tax revenue shall become law unless approved by a three-fifths majority of the whole number of each House of Congress.

“SECTION 3. Prior to each fiscal year, the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

“SECTION 4. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

“SECTION 5. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal. Total outlays shall include the cost to any State or local government of engaging in any activity or service mandated by any law of the United States beyond that required by existing law or this Constitution at the time of the submission of this proposed amendment to the States, unless an appropriation is made and disbursed to pay that State or local government for such cost.

“SECTION 6. The amount of the debt of the United States held by the public as of the date this Article takes effect shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

“SECTION 7. All votes taken by the House of Representatives or the Senate under this Article shall be roll-call votes.

“SECTION 8. Congress shall enforce and implement this Article by appropriate legislation.

“SECTION 9. This Article shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later.”

H.J. RES. 1

OFFERED BY: MR. STUPAK OF MICHIGAN

AMENDMENT NO. 17: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE —

“SECTION 1. Prior to each fiscal year, Congress shall, by law, adopt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than

total receipts. Congress may, by law, amend that statement provided revised outlays are not greater than revised receipts. Congress may provide in that statement for a specific excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

“SECTION 2. Prior to each fiscal year, the President shall transmit to Congress a proposal statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

“SECTION 3. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

“SECTION 4. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal. Total receipts shall not include receipts (including attributable interest) of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, or any successor funds, and total outlays shall not include outlays for disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, or any successor funds.

“SECTION 5. The amount of the debt of the United States held by the public as of the date this Article takes effect shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

“SECTION 6. All votes taken by the House of Representatives or the Senate under this Article shall be rollcall votes.

“SECTION 7. Congress shall enforce and implement this Article by appropriate legislation.

“SECTION 8. This Article shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later.”

H.J. RES. 1

OFFERED BY: MR. THORNTON

AMENDMENT NO. 18: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within 7 years after the date of its submission for ratification:

“ARTICLE —

“SECTION 1. Total outlays of the operating fund of the United States for any fiscal year shall not exceed total receipts to those funds for that fiscal year plus any operating fund balances carried over from previous fiscal years.

“SECTION 2. The Congress may waive the provisions of this article for any fiscal year by a declaration of national urgency by the President that is approved by a majority vote of both Houses of the Congress.

“SECTION 3. Not later than the first Monday in February in each calendar year, the President shall transmit to the Congress a proposed budget for the United States Gov-

ernment for the fiscal year beginning in that calendar year in which the total outlays of the operating fund of the United States for that fiscal year shall not exceed total receipts to those funds for that fiscal year.

“SECTION 4. Total receipts of the operating funds shall exclude those derived from net borrowing. Total outlays of the operating funds of the United States shall exclude those for repayment of debt principal and for capital and developmental investments that provide demonstrable long-term economic returns but shall include an annual debt servicing charge. The receipts (including attributable interest) and outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund together with outlays for benefits earned by veterans of military service shall not be counted as receipts or outlays for purposes of this article.

“SECTION 5. This article shall be implemented and enforced only in accordance with appropriate legislation enacted by Congress, which may rely on estimates of outlays and receipts.

“SECTION 6. This section and section 5 of this article shall take effect upon ratification. All other sections of this article shall take effect beginning with fiscal year 2001 or the second fiscal year beginning after its ratification, whichever is later.”

H.J. RES. 1

OFFERED BY: MS. WATERS

AMENDMENT NO. 19: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE —

“SECTION 1. Prior to each fiscal year, Congress shall, by law, adopt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than total receipts. Congress may, by law, amend that statement provided revised outlays are not greater than revised receipts. Congress may provide in that statement for a specific excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

“SECTION 2. No bill to increase tax revenue or that would have the effect of increasing receipts (including attributable interest) of the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund, or any successor funds, or outlays for disbursements of the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund, or any successor funds shall become law unless approved by a three-fifths majority of the whole number of each House of Congress.”

“SECTION 3. Prior to each fiscal year, the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

“SECTION 4. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared

by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

"SECTION 5. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal.

"SECTION 6. The amount of the debt of the United States held by the public as of the date this Article takes effect shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

"SECTION 7. All votes taken by the House of Representatives or the Senate under this Article shall be rollcall votes.

"SECTION 8. Congress shall enforce and implement this Article by appropriate legislation.

"SECTION 9. This Article shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later."

H.J. RES. 1

OFFERED BY: MS. WATERS

AMENDMENT NO. 20: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE —

"SECTION 1. Prior to each fiscal year, Congress shall, by law, adopt a statement of receipts and outlays for such fiscal year in which total outlays are not greater than total receipts. Congress may, by law, amend that statement provided revised outlays are not greater than revised receipts. Congress may provide in that statement for a specific

excess of outlays over receipts by a vote directed solely to that subject in which three-fifths of the whole number of each House agree to such excess. Congress and the President shall ensure that actual outlays do not exceed the outlays set forth in such statement.

"SECTION 2. No bill to increase tax revenue shall become law unless approved by a three-fifths majority of the whole number of each House of Congress.

"SECTION 3. Prior to each fiscal year, the President shall transmit to Congress a proposed statement of receipts and outlays for such fiscal year consistent with the provisions of this Article.

"SECTION 4. Congress may waive the provisions of this Article for any fiscal year in which a declaration of war is in effect. The provisions of this Article may be waived for any fiscal year in which the United States faces an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

"SECTION 5. Total receipts shall include all receipts of the United States except those derived from borrowing and total outlays shall include all outlays of the United States except those for the repayment of debt principal.

"SECTION 6. Total receipts of the operating funds shall exclude those derived from net borrowing. Total outlays of the operating funds of the United States shall exclude those for the repayment of debt principal and for capital investments in criminal justice, personal security, and fire prevention, but shall include an annual debt servicing charge.

"SECTION 7. The amount of the debt of the United States held by the public as of the date this Article takes effect shall become a permanent limit on such debt and there shall be no increase in such amount unless three-fifths of the whole number of each House of Congress shall have passed a bill approving such increase and such bill has become law.

"SECTION 8. All votes taken by the House of Representatives or the Senate under this Article shall be roll-call votes.

"SECTION 9. Congress shall enforce and implement this Article by appropriate legislation.

"SECTION 10. This Article shall take effect for the fiscal year 2002 or for the second fiscal year beginning after its ratification, whichever is later."

H.J. RES. 1

OFFERED BY: MR. WATT OF NORTH CAROLINA

AMENDMENT NO. 21: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE —

"SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year. Total outlays shall include all outlays of the United States Government except those for repayment of debt principal. Total receipts shall include all receipts of the United States Government except those derived from borrowing.

"SECTION 2. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year, in which total outlays do not exceed total receipts.

"SECTION 3. Congress may waive the provisions of this article for any fiscal year by majority of the whole number of each House by a recorded vote.

"SECTION 4. Congress shall have power to enforce this article by appropriate legislation.

"SECTION 5. This article shall take effect beginning with fiscal year 2002 or with the second fiscal year beginning after its ratification, whichever is later."