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#### OPPOSE THE ANTIFARMER LOWEY AMENDMENT

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

Mr. CHAMBLISS. Mr. Speaker, having lived in the middle of Georgia's farm belt all my adult life, I want to make sure the facts are on the table as we debate this year's agriculture appropriations bill.

It concerns me that big city representatives think that cutting farm programs is the simple solution to budget problems. For example, Mrs. LOWEY of New York plans to offer an amendment which would lower the support price of peanuts from \$678 per ton to \$550 per ton.

Now, she thinks that a cut like this will produce savings, but according to USDA it would cost taxpayers around \$100 million. That's right, a cut that would cost taxpayers millions.

But that is not all. She also believes that this cut will spell out savings for consumers. Wrong again. Reduction in the farm price for peanuts will not be passed on to the consumers.

In fact, 74 percent of the consumer's cost for peanut butter is added on by food processors after peanuts are sold by farmers. This amendment would actually increase profits for multinational commodity traders and food companies by paying farmers less for their peanuts.

Oppose the antifarmer Lowey amendment. It will not lower Government costs, it will not lower consumer prices, but it will devastate small, family farmers across the country.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 2020, TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1996

H. RES. 190

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2020) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: beginning with "Provided further" on page 33, line 2, through "Maryland:" on line 13; and page 42, line 9, through page 43, line 6. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. For purposes of debate only, Mr. Speaker, I yield the customary 30 minutes to the gentleman from California [Mr. BEILEN-SON], pending which I yield myself such time as I may consume. During consid-

eration of this resolution, all time yielded is for purposes of debate only.

(Mr. DIAZ-BALART asked and was given permission to include extraneous material.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 190 is an open rule, providing for the consideration of H.R. 2020, the Treasury, Postal Service, and general government appropriations bill for fiscal year 1996. H.R. 2020 provides funds for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certainly independent agencies.

The rule waives clause 2, prohibiting unauthorized and legislative provisions, and clause 6, prohibiting reapropriations, of rule XXI against provisions in the bill, except as otherwise specified in the rule.

The rule also provides for the reading of the bill by title, rather than by section, for amendment, and each title is considered as read. In addition, the Chair is authorized to accord priority in recognition to members who have preprinted their amendments in the CONGRESSIONAL RECORD. And finally, the rule provides for one motion to recommit with or without instructions.

I would like to stress that this rule is an open rule, so open that it does not even restrict dilatory tactics. We are hopeful that Members will not utilize stalling techniques that do not advance debate nor improve the substance of legislation.

This rule does not provide waivers of the rules for any amendments to H.R. 2020. It is a standard open rule, and Members who want to move funds around or reduce funding for certain programs will be able to do so within the parameters of House rules. Any battles regarding the level of funding for particular programs or projects can be decided on the floor in a deliberative manner.

I would like to commend Subcommittee Chairman LIGHTFOOT and Chairman LIVINGSTON for their hard work on this bill. As an open rule on this \$23 billion measure, House Resolution 190 could not be more fair, and I urge its adoption. Mr. Speaker, for the RECORD, I include the following information regarding amendments:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,<sup>1</sup> 103D CONGRESS V. 104TH CONGRESS

[As of July 17, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open <sup>2</sup>	46	44	35	73
Modified Closed <sup>3</sup>	49	47	12	25
Closed <sup>4</sup>	9	9	1	2
Totals:	104	100	48	100

<sup>1</sup> This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

<sup>2</sup> An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

<sup>3</sup> A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

<sup>4</sup> A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

## SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of July 17, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350-71 (1/19/95)
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255-172 (1/25/95)
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95)
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l Park and Preserve	A: voice vote (2/1/95)
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95)
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95)
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95)
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95)
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95)
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95)
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95)
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229-100; A: 227-127 (2/15/95)
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230-191; A: 229-188 (2/21/95)
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95)
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282-144 (2/22/95)
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252-175 (2/23/95)
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253-165 (2/27/95)
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95)
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271-151 (3/2/95)
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	
H. Res. 105 (3/6/95)	MO			A: voice vote (3/6/95)
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: 257-155 (3/7/95)
H. Res. 109 (3/8/95)	MC			A: voice vote (3/8/95)
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps.	PQ: 234-191; A: 247-181 (3/9/95)
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: 242-190 (3/15/95)
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95)
H. Res. 119 (3/21/95)	MC			A: 217-211 (3/22/95)
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423-1 (4/4/95)
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95)
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228-204 (4/5/95)
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253-172 (4/6/95)
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95)
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95)
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414-4 (5/10/95)
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95)
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95)
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95)
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252-170; A: 255-168 (5/17/95)
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233-176 (5/23/95)
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225-191; A: 233-183 (6/13/95)
H. Res. 167 (6/15/95)	O	H.R. 1817	MillCon Appropriations FY 1996	PQ: 223-180; A: 245-155 (6/16/95)
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232-196; A: 236-191 (6/20/95)
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221-178; A: 217-175 (6/22/95)
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95)
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258-170; A: 271-152 (6/28/95)
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps.	PQ: 236-194; A: 234-192 (6/29/95)
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235-193; D: 192-238 (7/12/95)
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230-194; A: 229-195 (7/13/95)
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	

Codes: O=open rule; MO=modified open rule; MC=modified closed rule; C=closed rule; A=adoption vote; D=defeated; PQ=previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

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

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

Mr. Speaker, we are not opposed to the rule for H.R. 2020, the bill making appropriations for the Treasury Department and Postal Service, Executive Office of the President, and several independent agencies for the fiscal year beginning October 1.

This is an open rule. It is not, however, the "open-plus rule" that the other side of the aisle requested just a year ago for this same appropriations bill. The rule waives several House rules that are violated by provisions of the bill, including the rule prohibiting unauthorized and legislative provisions in an appropriations bill, and the bill prohibiting reappropriations. Those same waivers were strongly criticized last year by our friends across the aisle, but as we have noted before in recent days, this is a new day, and the new leadership has now discovered the importance of those waivers of standing House rules in order to move legislation that is essential to the Federal Government's day-to-day operations.

We do not oppose the waivers provided by the rule. We are, however, concerned that the majority would not permit the same waivers for several key amendments that Members sought to offer. We attempted to make several

amendments in order last night when the Committee on Rules considered this resolution. Of particular importance to many of us was an amendment offered by the gentleman from Colorado [Mrs. SCHROEDER] which would have opened the Federal employees' health benefit plan to all Americans. The gentleman argued, we thought quite convincingly, that since the bill itself opens up the Federal Government's health plan to a significant change, she should be permitted to offer her amendment on this matter.

As my colleagues will recall, this was the one key feature of the health care reform debate that most of us seemed to agree on during that ill-fated debate on the issue last year, that all Americans should be able to participate in the health care plan that Members of Congress, their staffs, and Federal employees have access to. Unfortunately, we will not be permitted to debate that simple proposition today because the majority on the Committee on Rules voted on a straight party line vote not to provide the amendment with the gentleman from Colorado with the waivers it needed.

We also attempted unsuccessfully to make in order the amendment offered by the gentleman from Kentucky [Mr. WARD] which would have authorized the collection of taxes from former American citizens who renounced their citizenship in order to avoid paying

taxes. This is a very clearcut issue, Mr. Speaker. We feel strongly that any wealthy American who renounces his or her citizenship in order to avoid paying taxes on the wealth they have amassed while they have enjoyed the benefits of U.S. citizenship should not be rewarded. Unfortunately, the Members of the House have been denied again the right to vote on this amendment.

We also sought to make in order two amendments dealing with the deficit lockbox issue. The Members, including the gentleman from Oklahoma [Mr. BREWSTER] and the gentleman from California [Ms. HARMAN], have been tenacious in arguing their position on this important issue. We continue to believe that they should be allowed to offer their amendment to this year's appropriations bills. We understand the leadership has scheduled a markup session for this week on legislation dealing with this issue.

We certainly welcome that response to an issue that we have been discussing for weeks, but it does not completely allay our concerns. That is, after all, only a committee markup session. We do not know what will happen after that.

Mr. Speaker, it simply does not make sense to pass a measure requiring that all money cut be applied directly

to deficit reduction after the appropriations process is over. That is too late. The point is to take any spending cut amendments from these appropriations bills, including the one we are discussing today, and apply those to deficit reduction. If we approve a lockbox bill at the end of the process, that is too late. As it is, we are already behind schedule.

As Members should know, one of the Brewster amendments we sought to make in order last night would have amended House rules by creating a deficit reduction lockbox that would have applied all money cut to deficit reduction during not only the remainder of this year's appropriations cycle, but also would have travel locked in any spending cuts made by the House so far this year.

We also sought, Mr. Speaker, to make in order several other amendments, including four offered by the gentleman from Maryland [Mr. HOYER], the ranking minority member of the Subcommittee on Treasury, Postal Service, and General Government of the Committee on Appropriations that would have restored badly needed funding for the Federal Elections Commission and for the White House offices. We are particularly concerned about the political nature of these cuts.

As Members of the minority pointed out in their views on the committee report, the cuts in the President's Office are contrary to the longstanding practices of the committee, regardless of the political party in power in the White House. The Office of the White House is the office of the President, and should be treated in a nonpartisan manner.

In addition, the FEC is already operating under severe budgetary constraints, and the cuts in this bill will severely hamper its ability to carry out its responsibilities to assure the integrity of elections. We should all be very concerned about this cut, Mr. Speaker. We talk constantly about the need to protect our process and keep it free from outside interests, but this cut is clearly an attempt to reduce the effectiveness of the one agency that oversees in some objective manner the election process.

Many of us are deeply disappointed that H.R. 2020 prohibits Federal employees from choosing a health care policy that provides a full range of reproductive health services, including abortions. In 1993, we wisely reversed this policy that had been in place for a decade. The reinstatement of this policy threatens the right of Federal employees to choose to have an abortion, a right that has been guaranteed by the Supreme Court, and it discriminates against women in public service. I regret that we are taking one more step against ensuring that all women have the right to a safe and legal abortion.

Mr. Speaker, we are concerned about many other provisions of H.R. 2020, but we feel most of them can be addressed by the open rule this resolution pro-

vides. Unfortunately, we will be unable to address the restoration of funds for the Council on Economic Advisers, a panel that has always provided us with a long-term look at the economy that we in this body too often ignore.

The bill also cuts, we believe unwisely, funds for the Internal Revenue Service. That makes no sense to us, when we are trying to balance the budget to improve the ability of the IRS to bring in more revenues. In any event, Mr. Speaker, we do not oppose the rule, although we are very concerned, as I have tried to make clear, that we were unable to make in order several key amendments that should have been provided waivers by the committee on rules.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to my distinguished colleague, the gentleman from Florida [Mr. GOSS], a member of the Committee on Rules.

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

□ 1040

Mr. GOSS. Mr. Speaker, I thank my friend, the gentleman from Florida [Mr. DIAZ-BALART], for yielding me this time.

He is a very, very energetic member of the Committee on Rules and has brought us a very good rule today. I think it is a very fair rule. It is open. It provides necessary protection under the specific rules for the fact that the Congress as a whole we recognize is somewhat behind in all of our authorizing programs, and this rule was set up to help us get back on schedule in completing our appropriations work as soon as possible, which obviously is priority business for our Nation.

As the chairman of the Legislative and Budget Process Subcommittee, which has jurisdiction over the lockbox issue, I want to address the concern we have heard from a number of Members on this subject both in the Committee on Rules hearings and in the corridors and the cloakrooms, Members on both sides of the aisle.

We need to move ahead with the lockbox measure, and we are. Tuesday of last week, our subcommittee held a joint hearing with the Subcommittee on Government Management, Information, and Technology which is chaired by our colleague, the gentleman from California [Mr. HORN].

Our staff has been working practically nonstop since that time, including over the hot days of this weekend, to craft a workable lockbox mechanism. We now have scheduled a full Committee on Rules markup for this Thursday morning.

I know to some Members it seems that this is a simple concept and we should have gotten this done quickly. I would suggest that moving this fast around here is lightning-like, compared to the usual glacial pace.

Locking in savings for deficit reduction once the Congress votes to make cuts in spending bills sounds like a good idea, and it is, and it should be easy to implement, and it is not. There are important rules and technical considerations that simply have to be worked out. There are a lot of players in this.

The Budget Act is a very complicated document, as we all know, and we want to be sure we are closing all the loopholes while we are retaining the power to make the necessary decisions to bring our budget into balance, which we have also promised we will do and voted to do, and we are on that glide path.

It is incumbent upon all of us to make sure we get the thing right the first time, and I do not think I need to remind my colleagues of the countless times we have rushed headlong into something, swept by the momentum of the moment, only to find we have to go back and rewrite it because we made mistakes. The catastrophic health bill comes to mind, something I remember very well.

It is a bit like speeding to the airport to catch a plane. When the policeman pulls you over and gives you a ticket, you end up missing the plane and having to pay the speeding fine. I do not see any reason to do that.

I assure my colleagues that I and the chairman of our Committee on Rules, who has just entered the Chamber and I am sure will speak to this, are fully committed to bringing forward a workable product on a lockbox that can be applied to the appropriations work we have already done and are continuing to do for the fiscal year. In fact, we have the legislative draft ready and we are working that out now with the interested players. I see no reason why we do not have a good product that will survive the markup very well.

This is on fast track. It will be done. The plane is leaving the runway. We just want to make sure that we get to our destination of deficit reduction without hitting a mountain along the way.

I urge support for this rule. I think it is a good, fair rule. I have spoken on the lockbox because it is an issue of concern to a great many people on both sides. I would point out that if we do this the right way with the lockbox, we will be using as our guideposts our CBO figures, which are considerably better in terms of conserving dollars than the OMB figures, which are statutory, because our budget targets are lower.

I think that is an extremely important point. I realize it is technical, inside-the-beltway baseball to be talking about that, but I think our Members need to be sure that the savings are real and that they are made.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in opposition to the rule. I rise in opposition because of

the lockbox, an issue that I have been greatly concerned with over the last 4 or 5 years. In fact, the origins of this proposal occurred at one of our Democratic retreats when the gentleman from Oklahoma [Mr. BREWSTER], the gentleman from Texas [Mr. EDWARDS], the gentlewoman from California [Ms. HARMAN], and myself were sitting down and wondering why do we not do something like this?

My question to the majority is, why are we stalling on the lockbox? We all know that without this amendment, all spending cuts in appropriations bills are a sham. The funds cut from one program are transferred to another program during a closed-door conference. We have seen this happen year after year after year.

Let us try something completely novel in the appropriations process—honesty. If we are going to say that we are going to cut spending, if we are going to boast to our constituents that we cut waste and saved taxpayer dollars, let us be honest about it. Let us give Members a chance to dedicate those funds that are cut to deficit reduction.

Our constituents would be shocked to learn that spending cuts won in hard-fought floor battles have absolutely no impact on the deficit. I reject the notion that somehow the lockbox is too complicated to work procedurally. My constituents understand it immediately. Mr. Speaker, if there is a will, there is a way.

The lockbox should have been enacted before the House took up this year's appropriation bills because once again these bills are filled with pork. I have heard what the gentleman from Florida has said, but we have no guarantee a separate bill passes the Senate, where every Senator has lots of little goodies in every appropriation bill. We have no guarantee of anything other than that there will be some bill on the floor here. If you put it in the appropriations process, that is where it is going to happen. So let us not fool people.

Last year the Schumer-Crapo-Brewster-Harman lockbox had the support of 135 Members, including then Minority Whip GINGRICH, Representatives KASICH, SOLOMON, and ARMEY, and a whole bevy of spending cutters on the other side.

I do not understand why a bill that made so much sense to the Republican leadership in 1994 is anathema in 1995. I commend both Democrats and Republicans who say "no" to this restrictive rule and "yes" to the lockbox.

Mr. DIAZ-BALART. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, someone, if there is anyone, who proves that where there is a will, there is a way with regard to fiscal responsibility, so much so that on Thursday, just 2 days from now, he has scheduled a markup precisely of legislation on this lockbox issue.

I am very proud of that. I know we have other Members on the floor such as the gentleman from Florida [Mr. GOSS] and the gentleman from Florida [Mr. FOLEY] here who have worked very hard on this issue. I want to thank the chairman of the Committee on Rules for scheduling that markup and for working so hard and diligently with such extraordinary leadership on this issue.

Mr. SOLOMON. I thank the very distinguished gentleman from Miami, FL, for yielding me the time.

Mr. Speaker, I sort of hesitate to stand up now because I get my hackles up. I have a Siberian Husky dog. When he really gets concerned, the fur stands up on his back, and he is ready to attack. Well, I am not going to attack right now, but I just have to call attention to the previous speaker. He is a colleague of mine that I served with in the New York State Legislature. I will say this with all due respect because he probably is recognizing his constituency in New York City, but he is, according to the National Taxpayers Union, one of the biggest spenders in the Congress and has been since the day he arrived here—following through with his previous record in the New York State Legislature.

So when I hear people that are worried about a lockbox and they want to enact a lockbox because it is going to save money, I just sort of have to chuckle. But nevertheless, I will assume that he is going to vote for a lockbox. We are going to put a lockbox out on this floor. We are going to go to the Committee on Rules on Thursday.

I see some of the Members on the other side of the aisle flinching, because they really are worried about a lockbox becoming part of the law, not just a rule of the House but the law of the land. They are shrinking over there. But I am not. Neither are the sponsors of this legislation, H.R. 1923. This is 1,200 pages of cuts. It cuts everything. We put this together, our balanced budget task force, the gentleman from Florida [Mr. GOSS] and the other Members, so that it would be a guide to all of the Members who really are serious about getting this terrible, terrible deficit under control, this sea of red ink which is just literally turning this country into a debtor nation. What is less compassionate than that when we become a debtor nation, because you are not going to be able to take care of those people that truly need help?

Let me tell what the lockbox does that we will markup on Thursday. It may be subject to change because every Member should have input.

Number one, let me give an example. The House votes to reduce spending in an appropriations bill by \$100 million. I am going to vote for it. I have voted for all of these cuts that we see on the floor day by day, whether it is the National Endowment for the Arts, whatever it is. I am voting for it because we have to get this spending under control. But let us say the House passes a

\$100 million cut. Maybe it eliminates the space station or whatever it does. The Senate, the other body, enacts a \$50 million cut on that particular function in the budget. The difference is between \$50 and \$100 million. Now we go to conference. I see the gentleman from Maryland [Mr. HOYER] sitting over there. This proposal does not tie the hands of the appropriators. It lets the House work its will following the committee system, as it should, because that is the only way we are going to make sure that this body functions as it has functioned for 219 years.

The difference is now between \$50 and \$100 million. They compromise it out at \$75 million. It goes back to both Houses for approval. Both Houses approve it.

The \$75 million then is locked in. We automatically lower the 602(a) allocations, we automatically lower the 602(b) allocation. That is confusing to the people in the galleries and in the audience, but what that does is this: It means that once those 602(b) allocations are lowered, the money can never be spent again. It can never be redistributed. It is gone. But this is fair. To change that, we would have to come back on this floor of the House and the Senate and pass a resolution raising those 602(b) allocations or 602(a) allocations back up again.

Mr. Speaker, that is lockbox. This is not some phony thing to supposedly take some invisible money, put it in a box and leave it there for some later Congress, or later on in this particular Congress, for Congress to change its mind. We do not do that at all. We do not appropriate the money in the first place and we do not allow it to be spent in the second place later on. That is what we are going to do.

I am going to challenge everybody on both sides of the aisle, all the so-called deficit hawks. Put your vote where your mouth is. We are going to come to this floor with a lockbox bill. I expect every one of you to vote for it, especially those that have been standing up here saying "we're for it," and we are going to see how this Congress comes down.

I predict that this Congress will pass that legislation. Once we do pass the lockbox as a freestanding piece of legislation, then we have ready an amendment which we can attach to every appropriations bill if necessary, and we will have true savings in this Congress.

Mr. Speaker, that is what is going to happen. I do not know how we can move any faster than this, particularly when we have Members on the other side of the aisle and Members on our side of the aisle that do not want a lockbox. But the vast majority of us do. This is the way to get it.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Speaker, deficit hawks—freshmen Members—lockbox

supporters—Members of the House—defeat this rule.

Last week, the distinguished chairman of the Rules Committee told this Member on this floor of his intention to have the committee report a rule before the August recess that permitted consideration of the bipartisan lockbox deficit reduction amendment.

The gentleman is sincere and has worked diligently with me, the gentleman from Oklahoma [Mr. BREWSTER], and other lockbox supporters in that effort. And the news of Thursday's markup is heartening.

But prior experience in a related issue causes me to say, "Fool me once, shame on you; fool me twice, shame on me."

Let me remind my colleagues of similar promises made in the last Congress by leaders of my party. Democratic leaders promised that the A-to-Z bill, cosponsored by a majority of House Members, would come to the floor. "Soon" was the operative word.

Soon Labor Day passed. Soon Halloween passed. Soon Thanksgiving passed. No A-to-Z bill. Soon the Congress adjourned.

Now, with control transferred to the other party, the same kinds of promises are being made. The same kinds of institutional forces are coming into play. The gentleman from New York promised lockbox would be available as an amendment to an appropriations bill. Now we are told that lockbox can't come to the floor until after Labor Day—after the House has passed all its appropriations bills.

Today, however, we can avoid that scenario. We are asking Members to help make the gentleman from New York's commitment a reality. Today, a majority of this House can defeat the bill and direct the Rules Committee to make the bipartisan lockbox amendment in order.

As I said last week, Mr. Speaker, this is the lockbox. Look, it's empty. It's empty despite more than \$132 million in savings this body has voted in amendments to five appropriation bills.

It's empty because the Rules Committee has, at the direction of the House leadership, again declined to recommend a rule making in order the Brewster-Harman lockbox amendment requiring spending cuts made to bills during floor debate be used solely for deficit reduction.

And the lockbox will remain empty unless my colleagues join in voting to defeat the previous question and the rule providing for consideration of the Treasury-Postal appropriations bill.

Let the will of majority rule this House.

Vote "no" on ordering the previous question and vote "no" on the rule.

Mr. DIAZ-BALART. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida [Mr. FOLEY], someone who has arrived recently in the House and yet in the short time that he has been here has already dis-

tinguished himself on a number of issues and especially this issue of requiring deficit reduction by a specific mechanism that will be targeted to that purpose. Of course it has become known as the lockbox issue. As the chairman of the Committee on Rules has stated, on Thursday, just the day after tomorrow, we are going to mark up in the Committee on Rules specific legislation to carry this out.

Mr. FOLEY. Mr. Speaker, I want to thank my friend, the gentleman from Florida [Mr. DIAZ-BALART], the gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules, and the gentleman from Florida [Mr. GOSS] for hearing us on this issue.

The lockbox is critical to this freshman and to many like myself who came to Congress. I have heard the discussion from others that suggest that this is merely an attempt to stall and to delay. I have to have some faith in this process and for the Members I serve with in order for this House to work.

I have met with the gentleman from New York [Mr. SOLOMON]. I have met with the gentleman from Georgia [Mr. GINGRICH], the Speaker of the House. I have met with the gentleman from Texas [Mr. ARMEY], the majority leader, on this issue. They have looked me in the eye and assured me that the lockbox will be coming to the floor before the August recess.

The gentleman from New York [Mr. SOLOMON], chairman of the Rules Committee, has guaranteed us a Thursday hearing on the full bill. He has been a vocal proponent of the lockbox and has gone with us to every meeting so that we would not be on that proverbial branch hanging out by ourselves.

For those of my colleagues who are unaware of what the lockbox is, it is a simple accounting mechanism to ensure that spending reductions made in the House on appropriations bills are applied toward deficit reduction and not inserted as additional spending later in the appropriations process.

My friend, the gentlewoman from California [Ms. HARMAN], knows the frustration of saving money in the process, to have it swept away by another appropriator or another Member of this Congress to help them in their districts.

Mr. Speaker, we were elected to represent the entirety of the United States of America. It is time that each Member of Congress stopped looking at their district as the only thing they have to be concerned about. If we are to save this Nation, it is going to take 435 dedicated men and women preserving this democracy and the fiscal freedom that this Nation deserves for itself and future generations.

With the assurance from the chairman, I rise in support of the rule. The newspapers carry stories we were going to oppose the Treasury-Postal rule on the floor today. But I am going to give them this opportunity to prove me right, that the truth and the word of a Member is a bond to another Member.

It is the one thing I learned when I first got elected to the House of Representatives in the State of Florida. A Member's word was his bond. You had to trust it like the proverbial handshake amongst business associates. We are going to give it this one opportunity. I trust the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, I do trust the gentleman from Texas [Mr. ARMEY] is going to give us this vote next week, I say to the gentlewoman from California [Ms. HARMAN], I urge my colleagues, both Democrats and Republicans, to give us this one chance to prove them right. If they are not, we will join together in the next attempt to prove us willing to move this House in the direction of taking savings and making those savings accrue to the benefit of the American taxpayer.

□ 1100

#### TRIBUTE TO LENORE DONNELLY

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair acknowledges the contributions of Ms. Lenore Donnelly as chief Democratic page as she announces the Presidential messenger and as she plans to embark upon a well-deserved retirement.

Lenny has been truly instrumental in ensuring the integrity of the page program. She has contributed immeasurably to the education and sense of public service of many young men and young women and the House certainly wishes her well. Congratulations.

(By unanimous consent, Mr. HOYER was allowed to speak out of order for 1 minute.)

#### TRIBUTE TO LENORE DONNELLY

Mr. HOYER. I join the Speaker in his similar, kind remarks regarding Lenore Donnelly; as we affectionately know her, Lenny. She is an extraordinary public official. Too often the public does not see those who labor. They see the people at the front desk on the television from time to time, but there are so many others around this Chamber who are absolutely critical to the functioning of this organization, to the ensuring that we have the materials at our desks, the CONGRESSIONAL RECORD at our desks.

We recruit and appoint, from all over this country, young people to come here to learn about their democracy. I have, and others have, the opportunity to talk about our pages. But we put into the hands of a few people the stewardship of those pages and Lenny Donnelly is one of those people.

Mr. Speaker, you only need to talk to the pages to understand her vision for them, the affection with which she is held, and the respect with which she is held by so many of them.

We want to tell Lenny at this point in time, and there will be an opportunity over the next 24 hours to say some additional words, how very much all of us in this House appreciate the care and the commitment and contribution she has made to the functioning of this House.

Lenny has done an extraordinary service for her country and an extraordinary service for this House. She has befriended all of us who serve here with her and we thank her so much for that.

Mr. BEILENSEN. Mr. Speaker, I yield 4 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I think the rule we have before us today is a mixed blessing. The rule is good because it does not include a number of legislative riders that should be debated on other bills. The Committee on Rules has decided not to make these in order, and I hope it will set an example, frankly, for other bills. We are debating, right now, the VA-HUD bill, which is replete, a third of the bill is authorizing language, very frankly.

But, unfortunately, in an zeal to bring the Treasury-Postal bill to the floor, the Committee on Rules has failed to make in order a number of amendments that I personally wanted to propose. Although they meet the criteria for an appropriation bill, they do not meet the technical qualifications of the new House rule.

It seems to me that this is inappropriate, because they dealt with action taken on appropriations issues within the committee.

For instance, I had hoped to offer an amendment to restore funds for the Council of Economic Advisers, the CEA. The Council of Economic Advisers is a critical agency which advises the President. It was zero-funded in our bill.

This rule, unfortunately, because of the new rule dealing with titles, makes me unable, because there is no language in the bill, to even offer the amendment to have the policy judgment before this House as to whether or not we ought to restore funding, that is an appropriation, for the Council of Economic Advisers. It seems to me that that is right on point on this bill and ought to be allowed. Unfortunately, the Committee on Rules saw fit not to allow that amendment.

In addition, the agency responsible for monitoring Federal mandates, the Advisory Commission on Intergovernmental Relations, was also eliminated and it is not in order for me to suggest the restoration of that.

Mr. Speaker, I understand neither of these provisions are made in order under the rule. I will, however, continue to press for the approval for both of these important areas of government as this process moves forward.

Mr. Speaker, I am also disappointed that the Committee on Rules did not make in order an amendment by the gentleman from Kentucky [Mr. WARD] to close a loophole in the so-called billionaires tax. The amendment of the gentleman from Kentucky [Mr. WARD] would have given the Secretary of the Treasury the authority to collect taxes from individuals who have renounced their U.S. citizenship; billionaires profiting from being Americans in the greatest economic free-market system

in the world and who now simply move overseas and say, "Yeah, it was a great country and I earned a lot of money from it, but I am not going to help pay taxes."

I am sure the gentleman from Kentucky [Mr. WARD] will speak about it in the future; billionaires and other wealthy Americans who have renounced their U.S. citizenship yet are no longer participating.

Mr. Speaker, because of these inconsistencies, I regret that I am not going to be able to support this rule and I will oppose the previous question. I am hopeful that that will lose and that then we can offer an alternative rule which will give us an opportunity to consider items which are legitimately within the purview of the appropriations process and are not authorization issues, such as whether we ought to fund certain agencies.

The perverseness of the rule that was adopted at the beginning of this session in effect gags Members, if the Committee on Rules chooses to not protect them, whenever an appropriation committee decides to eliminate an agency. Clearly, Members ought to have the opportunity to come back and say, "No, we ought to restore that agency and have that debate." Under the circumstances of this rule, we will not be able to do that.

Mr. Speaker, I will have a lot to say, of course, on the substance of the bill when and if we get there. But I regret, Mr. Speaker, that I will not be able to support this particular rule.

Mr. DIAZ-BALART. Mr. Speaker, at this time, I do not believe we have any other speakers on this side of the aisle, and I reserve the balance of my time.

Mr. BEILENSEN. Mr. Speaker, yield 4 minutes to the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Mr. Speaker, before I begin my remarks on this issue, I want to join with my colleague, the gentleman from Maryland [Mr. HOYER], in talking about Lenny Donnelly. As a new member, she has been helpful and kind and generous with her time and with her advice and she is back doing it again now.

Mr. Speaker, I want to add my thoughts, my comments, to what the gentleman from Maryland [Mr. HOYER] has said. There are many people who work here who were not elected to work here and maybe could find jobs where they got to go home at night.

But Ms. Donnelly, Lenny, as of course we know her, has been here. She has stayed and she has worked and she has made a fine contribution to this body and to this Nation and for that I think we all owe her a special debt of appreciation.

Mr. Speaker, I rise today to speak in favor of voting against the previous question and against the rule. I say it that way because what I think Members need to understand is that today's vote on the previous question is the only way, the only opportunity we can get the Members of this body on record

on this issue of closing the expatriate billionaire's tax loophole.

I have to say it slowly, because it is a mouthful: The expatriate billionaire's tax loophole. What that means in real English is that people who have succeeded, people who have inherited, people who have benefited financially in an incredibly great way from the success that this country offers people and have become so wealthy, they have become so wealthy that it is economically valuable to them to renounce their citizenship are doing so. It is not hundreds, but it is dozens and it is an incredible thing to me.

Mr. Speaker, I ask myself when I think of this issue, and I ask those in the body to think of it this way, can they imagine, they are at home, they are coming out of church or are at a grocery, somewhere in the neighborhood, and somebody says, "Mike, I haven't seen you in a long time. Where have you been?" Can my colleagues imagine saying, "Well, I had to take up residence in the Bahamas, because I wanted to save on my taxes; I have renounced my citizenship?"

Mr. Speaker, I do not think any who are listening today can imagine saying that, but that is what people are doing. All we are asking, as we have asked 12 times before, all we are asking is that they pay their fair share of taxes.

We are not asking them to pay extra. Gracious no. We are not asking them to go beyond what others are doing. We are saying: Pay your fair share. Do what is right, what is expected of you as a citizen, to share in the obligations we have, really, in return for the success that the greatest economic power offers us.

Mr. Speaker, the reason I need an extra minute is to say that this is the 13th time that this issue has been brought up. The 13th time that the Members of this body have had an opportunity, in one form or another, to deal with this issue and do what is right.

So what I am asking my colleagues to do today is to vote "no" on the previous question and to consider that a vote on the issue of making sure that billionaires do not renounce their citizenship without paying their fair share. A "no" on the previous question will put us all on record on this issue.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma [Mr. BREWSTER].

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

Mr. BREWSTER. Mr. Speaker, the House this year has already passed amendments equalling over \$132 million in savings. Most of those so-called savings have already been swept up by the Appropriations Committee for additional spending. Just last week the Appropriations Committee reallocated over \$800 million in savings for additional spending.

The Brewster-Harman lockbox amendment to the Treasury-Postal appropriations bill would capture all savings achieved from cuts not only from this year, but in the years to come.

This morning I have learned that the Rules Committee has scheduled a markup for the lockbox on Thursday. I commend the committee for also recognizing the urgency and importance of the lockbox.

But, I would point out that the longer we wait to attach the lockbox to an appropriations bill, the more savings we lose, and the more difficult it becomes to ensure the lockbox's passage in the Senate.

I urge the Rules Committee to make a commitment today to bring the lockbox to the floor as an amendment to a appropriations bill before the August recess. We cannot continue to wait any longer to make sure the cuts we make on the floor directly to deficit reduction.

I have worked with many Members of both sides of the aisle over the last 2 years on the lockbox. And, every Member I have worked with agrees that savings from floor amendments should not be swallowed up and spent later. It must go to deficit reduction.

Mr. Speaker, I urge this House to bring the lockbox to the floor today, and allow Members to offer amendments to the lockbox. Let's have a fair and open debate of this House about the merits of the lockbox while we still have the chance to make it apply to this fiscal year.

Vote against this rule, and bring back the lockbox for floor debate today.

Mr. DIAZ-BALART. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, we shall offer an amendment to the rule that will add two new sections to the rule. The effect would be, first, to incorporate the Brewster-Harman lockbox amendments into House rules; and to make in order three amendments to the Treasury-Postal appropriations bill: The Brewster amendment to the bill, the Ward amendment and the Schroeder amendment, all of which I alluded to in my opening statement.

□ 1115

The new section 2 of the rule would amend House rules to do three things: First, reduce the 602(a) and 602(b) allocation in the House to reflect any amendments adopted by the House to cut Federal spending; second, to create a lockbox, to require all spending cuts made during the remainder of this year's appropriations cycle to deficit reduction; and, third, to retroactively lock in any spending cuts made in the House so far this year.

The new section 3 of the rule would waive points of order against three

amendments I just mentioned, a Brewster amendment to apply the lockbox to all appropriations bills, not just the 13 general appropriations bills, the amendment by the gentleman from Kentucky [Mr. WARD] to authorize the IRS to collect taxes from former American citizens who renounce citizenship in order to avoid paying taxes, and, finally, the Schroeder amendment to make all Americans eligible to participate in the Federal employees' health benefits plan.

I urge defeat of the previous question so these good amendments can be made in order.

Mr. Speaker, I am including at this point in the RECORD the amendments that we proposed, as follows:

At the end of the resolution add the following:

(a) clause 4(a) of rule XI of the Rules of the House of Representatives is amended by adding at the end the following new subparagraph:

"(4)(A) Upon the engrossment in the House of any general appropriation bill (or resolution making continuing appropriations (if applicable)), the chairman of the Committee on Appropriations shall—

"(i) reduce the suballocation of new budget authority to the appropriate subcommittee of that committee made under section 602(b)(1) of the Congressional Budget Act of 1974 by the net amount of reductions in new budget authority resulting from amendments agreed to by the House to that bill, and

"(ii) reduce the suballocation of outlays made under section 602(b)(1) of the Congressional Budget Act of 1974 to the appropriate subcommittee of that committee by the net amount of reductions in outlays resulting from amendments agreed to by the House to that bill, and promptly report those revisions to the House.

"(B) The reductions in suballocations made under subdivision (A) may not be reallocated by the Committee on Appropriations to any other subcommittee.

"(C) In the House of Representatives, the revised suballocations made under subdivision (A) shall be deemed to be suballocations made under section 602(b)(1) of the Congressional Budget Act of 1974."

(b) Clause 4(b) of rule XI of the Rules of the House of Representatives is amended by adding at the end the following new sentence: "Upon the reporting of revised suballocations to the House by the Committee on Appropriations under paragraph (a), the chairman of the Committee on the Budget shall make appropriate revisions in the allocations to the Committee on Appropriations to reflect the revised suballocations and report those revisions to the House. In the House of Representatives, those revised allocations shall be deemed to be allocations made under section 602(a)(1) of the Congressional Budget Act of 1974."

(c) Rule XXI of the Rules of the House of Representatives is amended by adding at the end the following new clause:

"9. (a) Any appropriation bill that is being marked up by the Committee on Appropriations (or a subcommittee thereof) of either House shall contain a line item entitled 'Deficit Reduction Lock-box'. The dollar amount set forth under that heading shall be an amount not to exceed the amount by which the appropriate 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill as reported by that committee.

"(b) Whenever the Committee on Appropriations of either House reports an appropriation bill, that bill shall contain a line item entitled 'Deficit Reduction Account' comprised of the following:

"(1) Only in the case of the first appropriation bill considered following enactment of this resolution, an amount equal to the amounts by which the discretionary spending limit for new budget authority and outlays set forth in the most recent Office of Management and Budget sequestration preview Report pursuant to section 601(a)(2) exceed the section 602(a) allocation for the fiscal year covered by that bill and the amount by which the appropriate 602(b) allocation of new budget authority for appropriations bills adopted by the House prior to enactment of this resolution exceeded the amount of new budget authority provided by such bill.

"(2) Only in the case of any general appropriation bill (or resolution making continuing appropriations (if applicable)), an amount not to exceed the amount by which the appropriate section 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill (as reported by that committee).

"(3) Only in the case of any bill making supplemental appropriations following enactment of all general appropriation bills for the same fiscal year, an amount not to exceed the amount by which the section 602(a) allocation of new budget authority exceeds the sum of all new budget authority provided by appropriation bills enacted for that fiscal year plus that supplemental appropriation bill (as reported by that committee).

"(e) Whenever a Member of either House of Congress offers an amendment (whether in subcommittee, committee, or on the floor) to an appropriation bill to reduce spending, that reduction shall be placed in the deficit reduction lock-box unless that Member indicates that it is to be utilized for another program, project, or activity covered by that bill. If the amendment is agreed to and the reduction was placed in the deficit reduction lock-box, then the line item entitled 'Deficit Reduction Lock-box' shall be increased by the amount of that reduction."

Sec. 3

All points of order are waived against the following amendments:

1. An amendment to be offered by Representative SCHROEDER of Colorado or her designee.

Page 84, after line 17, insert the following:  
SEC. 618. PROVISIONS TO MAKE FEHBP AVAILABLE TO THE GENERAL PUBLIC.—(a) IN GENERAL.—(1) Chapter 89 of title 5, United States Code, is amended by adding at the end the following:

**"§8915. Provisions to require that benefits be extended to the general public**

"(a) A contract may not be made or a plan approved unless the carrier agrees to offer to the general public, throughout each term for which the contract or approval remains effective, the same benefits (subject to the same maximums, limitations, exclusions, and other similar terms or conditions) as would be offered under such contract or plan to employees and annuitants and their family members.

"(b)(1) Premiums for coverage under this section shall be established in conformance with such requirements as the Office of Personnel Management shall be regulation prescribe, including provisions to ensure conformance with generally accepted standards and practices associated with community rating.

"(2) In no event shall the enactment of this section result in—

"(A) any increase in the level of individual or Government contributions required under



section 8906 or any other provision of this chapter, including copayments or deductibles;

"(B) any decrease in the types of benefits offered under this chapter; or

"(C) any other change that would adversely affect the coverage afforded under this chapter to employees and annuitants and their family members.

"(c) Benefits under this section shall, with respect to an individual who is entitled to benefits under part A of title XVIII of the Social Security benefits) to the same extent and in the same manner as if coverage were under the preceding provisions of this chapter, rather than under this section.

"(d)(1) A carrier may file an application with the Office setting forth reasons why it, or a plan provided by such carrier, should be excluded from the requirements of this section.

"(2) In reviewing any such application, the Office may consider such factors as—

"(A) any bona fide enrollment restrictions which would make the application of this section inappropriate, including those common to plans which are limited to individuals having a past or current employment relationship with a particular agency or other authority of the Government;

"(B) whether compliance with this section would jeopardize the financial solvency of the plan or carrier, or otherwise compromise its ability to offer health benefits under the preceding provisions of this chapter; and

"(C) the anticipated duration of the requested exclusion, and what efforts the plan or carrier proposes to take in order to be able to comply with this section.

"(e) Except as the Office may be regulation prescribe, any reference to this chapter (or any requirement of this chapter), made in any provision of law, shall not be considered to include this section (or any requirement of this section)."

(2) The table of sections for chapter 89 of title 5, United States Code, is amended by adding at the end the following:

"8915. Provisions to require that benefits be extended to the general public."

(b) STANDARDIZED CLAIMS PROCESSING.—Section 8902 of title 5, United States Code, is amended by adding at the end the following:

"(o) A claim for payment or reimbursement under this chapter (whether electronic or otherwise) shall be submitted on such a standard form or in such a standard manner as may be required by the Office in relation to health benefit plans. Each contract under this chapter shall include appropriate provisions to carry out the preceding sentence."

(c) ADVANCE DIRECTIVES.—Section 8907 of title 5, United States Code, is amended by adding at the end the following:

"(c) The Office shall—

"(1) prepare information relating to the use of advance directives regarding the type or intensity of care which an individual desires in the event that such individual becomes unable to communicate by reason of incapacity due to illness or injury; and

"(2) require, as a condition for approval of any contract under section 8902, that appropriate provisions be included so that such information may be made available to enrollees of the plan involved."

(d) DEMONSTRATION PROJECT TO EXAMINE THE FEASIBILITY OF OFFERING FEHBP ENROLLEES THE OPTION OF USING ARBITRATION INSTEAD OF LITIGATION TO RESOLVE MEDICAL MALPRACTICE CLAIMS.—(1) The Office of Personnel Management shall conduct a demonstration project to assess the feasibility and desirability of offering the use of arbitration, instead of litigation, to resolve medical malpractice claims arising out of covered health care services.

(2) For the purpose of this subsection, the term "covered health care services" means any care, treatment, or other service for which the individual who receives such service has coverage under chapter 89 of title 5, United States Code.

(3)(A) The demonstration project shall be conducted as a demonstration project under section 4703 of title 5, United States Code.

(B) In developing a plan for such project under section 4703 of title 5, United States Code, the Office shall include (in addition to any information otherwise required)—

(i) suggestions for incentives that may be offered in order to obtain the voluntary participation of enrollees, such as reductions in premiums, copayments, or deductibles;

(ii) the criteria for identifying the types of health benefit plans which are appropriate for inclusion, and the procedures and conditions in accordance with which any such plan may participate;

(iii) the general framework for arbitration, including (to the extent the Office considers appropriate) methods for the selection of arbitrators, length of hearings, and limitations on damages; and

(iv) the effect of an award resulting from the arbitration process, and the extent to which review of such an award may be obtained.

(4) The evaluation required under section 4703(h) of title 5, United States Code, with respect to the demonstration project shall include data and analysis relating to matters such as—

(A) the number of claims brought for arbitration;

(B) how those claims were disposed of (whether by settlement, hearing, or otherwise), and the percentage of the total number of claims represented by each;

(C) the average dollar amount of those awards or settlements;

(D) the various costs involved in connection with those claims; and

(E) the advantages and disadvantages of arbitration, relative to other methods of dispute resolution, and the extent to which arbitration should continue to be used under chapter 89 of such title.

(e) APPLICABILITY.—The amendments made by this section shall apply with respect to contract terms beginning after the end of the 6-month period beginning on the date of the enactment of this Act.

2. An amendment to be offered by Representative WARD of Kentucky or his designee.

On page 84, following line 17, insert the following provision:

SEC. 664. The Secretary of the Treasury or a designee of the Secretary of the Treasury is hereby granted the authority to collect taxes in the manner prescribed under the provisions of H.R. 1535, which provides tax rules on expatriation.

3. An amendment to be offered by Representative BREWSTER of Oklahoma or Representative HARMAN of California or their designee.

At the end add the following new title:

#### TITLE VII—DEFICIT REDUCTION LOCK-BOX

##### DEFICIT REDUCTION TRUST FUND

##### DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION MEASURES

SEC. 701. (a) DEFICIT REDUCTION LOCK-BOX PROVISIONS.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

##### "DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION BILLS

"SEC. 314. (a) Any appropriation bill that is being marked up by the Committee on Appropriations (or a subcommittee thereof) of

either House shall contain a line item entitled 'Deficit Reduction Lock-box'.

"(b) Whenever the Committee on Appropriations of either House reports an appropriation bill, that bill shall contain a line item entitled 'Deficit Reduction Account' comprised of the following:

"(1) Only in the case of any general appropriation bill containing the appropriations for Treasury and Postal Service (or resolution making continuing appropriations (if applicable)), an amount equal to the amounts by which the discretionary spending limit for new budget authority and outlays set forth in the most recent OMB sequestration preview report pursuant to section 601(a)(2) exceed the section 602(a) allocation for the fiscal year covered by that bill.

"(2) Only in the case of any general appropriation bill (or resolution making continuing appropriations (if applicable)), an amount not to exceed the amount by which the appropriate section 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill (as reported by that committee), but not less than the sum of reductions in budget authority resulting from adoption of amendments in the committee which were designated for deficit reduction.

"(3) Only in the case of any bill making supplemental appropriations following enactment of all general appropriation bills for the same fiscal year, an amount not to exceed the amount by which the section 602(a) allocation of new budget authority exceeds the sum of all new budget authority provided by appropriation bills enacted for that fiscal year plus that supplemental appropriation bill (as reported by that committee).

"(c) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution that restricts the offering of amendments to any appropriation bill adjusting the level of budget authority contained in a Deficit Reduction Account.

"(d) Whenever a Member of either House of Congress offers an amendment (whether in subcommittee, committee, or on the floor) to an appropriation bill to reduce spending, that reduction shall be placed in the deficit reduction lock-box unless that Member indicates that it is to be utilized for another program, project, or activity covered by that bill. If the amendment is agreed to and the reduction was placed in the deficit reduction lock-box, then the line item entitled 'Deficit Reduction Lock-box' shall be increased by the amount of that reduction. Any amendment pursuant to this subsection shall be in order even if amendment portions of the bill are not read for amendment with respect to the Deficit Reduction Lock-box.

"(e) It shall not be in order in the House of Representatives or the Senate to consider a conference report or amendment of the Senate that modifies any Deficit Reduction Lock-box provision that is beyond the scope of that provision as so committed to the conference committee.

"(f) It shall not be in order to offer an amendment increasing the Deficit Reduction Lock-box Account unless the amendment increases rescissions or reduces appropriations by an equivalent or larger amount, except that it shall be in order to offer an amendment increasing the amount in the Deficit Reduction Lock-box by the amount that the appropriate 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill.

"(g) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution which waives subsection (c)."

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control



Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

"Sec. 314. Deficit reduction lock-box provisions of appropriation measures."

#### CHANGES IN SUBALLOCATIONS

SEC. 702. (a) **DOWNWARD ADJUSTMENTS.**—The discretionary spending limit for new budget authority for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amount of budget authority transferred to the Deficit Reduction Lockbox for that fiscal year under section 314 of the Budget Control and Impoundment Act of 1974. The adjusted discretionary spending limit for outlays for that fiscal year and each outyear as set forth in such section 601(a)(2) shall be reduced as a result of the reduction of such budget authority, as calculated by the Director of the Office of Management and Budget based upon such programmatic and other assumptions set forth in the joint explanatory statement of managers accompanying the conference report on that bill. All such reductions shall occur within ten days of enactment of any appropriations bill.

(b) **DEFINITION.**—As used in this section, the term "appropriation bill" means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

(c) **RESCISSION.**—Funds in the Deficit Reduction Lockbox shall be rescinded upon reductions in discretionary limits pursuant to subsection (a).

SEC. 703. (a) **SECTION 302(E) AMENDMENT.**—Section 302(e) of the Congressional Budget Act of 1974 is amended to read as follows:

"(e) **CHANGES IN SUBALLOCATIONS.**—(1) After a committee reports suballocations under subsection (b), that committee may report a resolution to its House changing its House changing its suballocations, which resolution shall not take effect unless adopted by that House.

"(2) A resolution reported to the House of Representatives under paragraph (1) shall be placed on the Union Calendar and be privileged for consideration in the Committee of the Whole after the report on the resolution has been available to Members for a least three calendar days (excluding Saturday, Sundays and legal holidays). After general debate which shall not exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the committee reporting the resolution, the resolution shall be considered for amendment under the five-minute rule. No amendment shall be in order in the House or in the Committee of the Whole Except amendments in the nature of a substitute containing changes in suballocations under subsection (b) which do not breach any allocation made under subsection (a). Priority in recognition for offering the first such amendment shall be accorded to the chairman of the Committee on the Budget or a designee. No amendments to such amendments shall be in order except substitute amendments. Following the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House together with any amendment that may have been adopted. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion. It shall not be in order to consider a motion to reconsider the vote by which the resolution is agreed to or disagreed to."

(b) **SECTION 602(B)(1) AMENDMENT.**—The last sentence of section 602(b)(1) of the Congress-

sional Budget Act of 1974 is amended by striking "or revised".

#### CBO TRACKING

SEC. 704. Section 202 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

"(i) **SCOREKEEPING.**—To facilitate compliance by the Committee on Appropriations with section 314, the Office shall score all general appropriation measures (including conference reports) as passed by the House of Representatives, as passed the Senate and as enacted into law. The scorecard shall include amounts contained in the Deficit Reduction Lock-Box. The chairman of the Committee on Appropriations of the House of Representatives or the Senate, as the case may be, shall have such scorecard published in the Congressional Record."

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

Mr. DIAZ-BALART. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have enjoyed today's debate. I think it is important to emphasize, to recall that what we are bringing forth this morning is the rule to guide the debate on the appropriations bill for the Treasury Department, the Postal Service and the Office of the President. This is not a tax bill. This is the appropriations bill for those agencies of the Federal Government.

With regard to the lockbox issue that was debated, I think very well and at length, I would simply like to remind Members that day after tomorrow the Committee on Rules will hold a markup precisely on the issue of the lockbox. There is specific legislation to address that issue that has been worked on at considerable length that, of course, is always improvable but that we feel confident achieves the purposes that those who have worked so hard on this issue propose to achieve, and so we will be dealing with that issue with specific legislation that will be marked up in the Committee on Rules, as the chairman of the committee has committed to the day after tomorrow.

So this rule, Mr. Speaker, for the deliberation, the debate on the appropriations legislation, the appropriations bill for the Treasury, the Postal Service and the Office of the President, as I stated before, is an open rule. It is a fair rule. I would urge my colleagues to support it.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of passage of the resolution.

The vote was taken by electronic device, and there were—yeas 232, nays 192, not voting 10, as follows:

[Roll No. 516]

YEAS—232

Allard	Frisa	Myrick
Archer	Funderburk	Nethercutt
Armey	Gallegly	Neumann
Bachus	Ganske	Ney
Baker (CA)	Gekas	Norwood
Baker (LA)	Gilchrest	Nussle
Ballenger	Gillmor	Oxley
Barr	Gilman	Packard
Barrett (NE)	Goodlatte	Parker
Bartlett	Goodling	Paxon
Barton	Goss	Petri
Bass	Graham	Pombo
Bateman	Greenwood	Porter
Bereuter	Gunderson	Portman
Bilbray	Gutknecht	Pryce
Bilirakis	Hancock	Quillen
Bliley	Hansen	Quinn
Blute	Hastert	Radanovich
Boehlert	Hastings (WA)	Ramstad
Boehner	Hayworth	Regula
Bonilla	Hefley	Riggs
Bono	Heineman	Roberts
Brownback	Herger	Rogers
Bryant (TN)	Hilleary	Rohrabacher
Bunn	Hobson	Ros-Lehtinen
Bunning	Hoekstra	Roth
Burr	Hoke	Roukema
Burton	Horn	Royce
Buyer	Hostettler	Salmon
Callahan	Houghton	Sanford
Calvert	Hunter	Saxton
Camp	Hutchinson	Scarborough
Canady	Hyde	Schaefer
Castle	Inglis	Schiff
Chabot	Istook	Seastrand
Chambliss	Johnson (CT)	Sensenbrenner
Chenoweth	Johnson, Sam	Shadegg
Christensen	Jones	Shaw
Chrysler	Kasich	Shays
Clinger	Kelly	Shuster
Coble	Kim	Skeen
Coburn	King	Smith (MI)
Collins (GA)	Kingston	Smith (NJ)
Combest	Klug	Smith (TX)
Cooley	Knollenberg	Smith (WA)
Cox	Kolbe	Solomon
Crane	LaHood	Souder
Crapo	Largent	Spence
Creameans	Latham	Stearns
Cubin	LaTourette	Stockman
Cunningham	Laughlin	Stump
Davis	Lazio	Talent
Deal	Leach	Tate
DeLay	Lewis (CA)	Taylor (NC)
Diaz-Balart	Lewis (KY)	Thomas
Dickey	Lightfoot	Thornberry
Doolittle	Linder	Tiahrt
Dornan	Livingston	Torkildsen
Dreier	LoBiondo	Trafficant
Duncan	Longley	Upton
Dunn	Lucas	Vucanovich
Ehlers	Manzullo	Walker
Ehrlich	Martini	Walsh
Emerson	McCollum	Wamp
English	McCrery	Watts (OK)
Ensign	McDade	Weldon (FL)
Everett	McHugh	Weldon (PA)
Ewing	McInnis	Weller
Fawell	McIntosh	White
Fields (TX)	McKeon	Whitfield
Flanagan	Metcalfe	Wicker
Foley	Meyers	Wolf
Forbes	Mica	Young (AK)
Fowler	Miller (FL)	Young (FL)
Fox	Molinari	Zeliff
Franks (CT)	Moorhead	Zimmer
Franks (NJ)	Morella	
Frelinghuysen	Myers	

NAYS—192

Abercrombie	Baessler	Barrett (WI)
Ackerman	Baldacci	Becerra
Andrews	Barcia	Beilenson

Bentsen	Hamilton	Owens
Berman	Harman	Pallone
Bevill	Hastings (FL)	Pastor
Bishop	Hayes	Payne (NJ)
Bonior	Hefner	Payne (VA)
Borski	Hilliard	Pelosi
Boucher	Hinchey	Peterson (FL)
Brewster	Holden	Peterson (MN)
Browder	Hoyer	Pickett
Brown (FL)	Jackson-Lee	Pomeroy
Brown (OH)	Jacobs	Poshard
Bryant (TX)	Jefferson	Rahall
Cardin	Johnson, E. B.	Reed
Chapman	Johnston	Rivers
Clay	Kanjorski	Roemer
Clayton	Kaptur	Rose
Clement	Kennedy (MA)	Roybal-Allard
Clyburn	Kennedy (RI)	Rush
Coleman	Kennelly	Sabo
Collins (IL)	Kildee	Sanders
Condit	Kleczka	Sawyer
Conyers	Klink	Schroeder
Costello	LaFalce	Schumer
Coyne	Lantos	Scott
Cramer	Levin	Serrano
Danner	Lewis (GA)	Sisisky
de la Garza	Lincoln	Skaggs
DeFazio	Lipinski	Skelton
DeLauro	Lofgren	Slaughter
Dellums	Lowe	Spratt
Deutsch	Luther	Stark
Dicks	Maloney	Stenholm
Dingell	Manton	Stokes
Dixon	Markey	Studds
Doggett	Martinez	Stupak
Dooley	Mascara	Tanner
Doyle	Matsui	Tauzin
Durbin	McCarthy	Taylor (MS)
Edwards	McDermott	Tejeda
Engel	McHale	Thompson
Eshoo	McKinney	Thornton
Evans	McNulty	Thurman
Farr	Meehan	Torres
Fattah	Meek	Torricelli
Fazio	Menendez	Towns
Fields (LA)	Mfume	Tucker
Filner	Miller (CA)	Velázquez
Flake	Mineta	Vento
Foglietta	Minge	Visclosky
Frank (MA)	Mink	Volkmer
Frost	Mollohan	Ward
Furse	Montgomery	Waters
Gejdenson	Moran	Watt (NC)
Gephardt	Murtha	Waxman
Geren	Nadler	Williams
Gibbons	Neal	Wilson
Gonzalez	Oberstar	Wise
Gordon	Obey	Woolsey
Gutierrez	Olver	Wyden
Hall (OH)	Ortiz	Wynn
Hall (TX)	Orton	Yates

## NOT VOTING—10

Brown (CA)	Johnson (SD)	Richardson
Collins (MI)	Moakley	Waldholtz
Ford	Rangel	
Green	Reynolds	

□ 1139

The Clerk announced the following pair:

On this vote:

Mrs. Waldholtz for, with Mr. Moakley against.

Mr. REED, Mr. BARCIA, Mrs. MEEK of Florida, and Ms. VELÁZQUEZ changed their vote from "yea" to "nay."

Mrs. MEYERS of Kansas, Mr. NEY, and Mr. PORTMAN changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. LIGHTFOOT. Mr. Speaker, I ask unanimous consent that all Member may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2020) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1996, and for other purposes, and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

## TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 190 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2020.

□ 1140

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2020) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1996, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Iowa [Mr. LIGHTFOOT] and the gentleman from Maryland [Mr. HOYER] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Iowa [Mr. LIGHTFOOT].

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

Mr. LIGHTFOOT. Mr. Chairman, I am pleased to present H.R. 2020, a bill making appropriations for the Department of Treasury, the Executive Office of the President, General Services Administration, and various independent agencies for fiscal year 1996. The bill being considered today was given a very appropriate number, H.R. 2020.

□ 1145

We call it a bill with vision, starting with a strong vision for a future free of debt and deficits. This bill cuts \$403 million in real spending from 1995 enacted levels, and that is 3 percent less than last year.

Mr. Chairman, a couple of points I would like to make about the spending portion of the bill that I think may be of interest to some Members.

There are claims that this bill is over 1995 by \$401 million in budget author-

ity. That number has been shown in various charts and reflects a comparison of H.R. 2020 to 1995 assuming enactment of the rescission supplemental. The reason this number looks so high is quite simple. H.R. 1944 includes a rescission of \$580 million from GSA's Federal Building Fund. As the number for 1995 comes down, the number for 1996 simply looks bigger.

The fact is, the bill is actually a cut in outlays, and that is a real cut in spending by about \$403 million. There seems to be a lack of understanding or misunderstanding about the difference between budget authority and outlays among some of our colleagues, particularly some of our newer Members. The fact is, outlays are the money that is spent. It is quite simple. If you can cut outlays, you cut actual spending. We are cutting \$403 million in actual spending; these are dollars that will not be spent. That is the number that counts in deficit reduction, not budget authority, because budget authority is simply authority to spend the money. Until you spend it, it does not really count for anything.

As a result, I would like to remind my colleagues the bill is within its section 602(b) allocation in both budget authority and outlays and there are no Budget Act points of order against consideration of the bill.

Mr. Chairman, I will insert a table in the RECORD that compares the bill by account to the amounts appropriated in 1995 and the amounts requested by the President. I would urge my colleagues to look at this chart because, if they review it, I think they will see that each proposed spending level by program is below the 1995 level in every single instance, except for crimes, parts of IRS, and law enforcement activities.

I also would like to thank my colleague, the gentleman from Maryland [Mr. HOYER], and members of our subcommittee, for their work in helping us put this package together. I think it is important to note that about 90 percent of our budget was off limits. We could not touch it because it supports salaries and fixed expenses. We had to make our contributions to deficit reduction using only 10 percent of our allocation. The 602(b) number that we received was a tough one, and we had to make some tough decisions in the process. I think that will be reflected in the bill if people will take time to study and go through it.

Again I would like to thank the gentleman from Maryland [Mr. HOYER] as well as the other subcommittee Members for their cooperation, and also the great work our staff has done in working through this very difficult bill.

As reported, H.R. 2020 also has a vision of change for programs that are under our jurisdiction. One that requires agencies and activities to tighten their belts, to think better and smarter, and to use their resources more wisely. That vision includes the Executive Office of the President.