

HATCH] was added as a cosponsor of amendment No. 401 proposed to S. 4, a bill to grant the power to the President to reduce budget authority.

## AMENDMENTS SUBMITTED

### LEGISLATIVE LINE ITEM VETO ACT OF 1995

#### BRADLEY (AND OTHERS) AMENDMENT NO. 403

Mr. BRADLEY (for himself, Mr. WELLSTONE, Mr. ROBB, Mr. GLENN, Mr. KOHL, Mr. KERREY, Mr. HARKIN, Mr. FEINGOLD, Mr. EXON, Mr. HOLLINGS, and Mr. SIMON) proposed an amendment to amendment No. 347 proposed by Mr. DOLE to the bill (S. 4) to grant the power to the President to reduce budget authority; as follows:

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

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

#### HOLLINGS (AND OTHERS) AMENDMENT NO. 404

Mr. HOLLINGS (for himself, Mr. KERREY, and Mr. EXON) proposed an amendment to amendment No. 347, proposed by Mr. DOLE, to the bill, S. 4, supra; as follows:

At the appropriate place insert the following:

#### "SEC. . PAY-AS-YOU-GO.

"At the end of title III of the Congressional Budget Act of 1974, insert the following new section:

##### "ENFORCING PAY-AS-YOU-GO

"SEC. 314. (a) PURPOSE.—The Senate declares that it is essential to—

"(1) ensure continued compliance with the deficit reduction embodied in the Omnibus Budget Reconciliation Act of 1993; and

"(2) continue the pay-as-you-go enforcement system.

##### "(b) POINT OF ORDER.—

"(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct-spending or receipts legislation (as defined in paragraph (3)) that would increase the deficit for any one of the three applicable time periods (as defined in paragraph (2)) as measured pursuant to paragraphs (4) and (5).

"(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term "applicable time period" means any one of the three following periods—

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

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

"(C) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget.

"(3) DIRECT-SPENDING OR RECEIPTS LEGISLATION.—For purposes of this subsection, the term "direct-spending or receipts legislation" shall—

"(A) include any bill, resolution, amendment, motion, or conference report to which this subsection otherwise applies;

"(B) include concurrent resolutions on the budget;

"(C) exclude full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990;

"(D) exclude emergency provisions so designated under section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985;

"(E) include the estimated amount of savings in direct-spending programs applicable to that fiscal year resulting from the prior year's sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985, if any (except for any amounts sequestered as a result of a net deficit increase in the fiscal year immediately preceding the prior fiscal year); and

"(F) except as otherwise provided in this subsection, include all direct-spending legislation as that term is interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

"(4) BASELINE.—Estimates prepared pursuant to this section shall use the most recent Congressional Budget Office baseline, and for years beyond those covered by that Office, shall abide by the requirements of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that references to "outyears" in that section shall be deemed to apply to any year (other than the budget year) covered by any one of the time periods defined in paragraph (2) of this subsection.

"(5) PRIOR SURPLUS AVAILABLE.—If direct-spending or receipts legislation increases the deficit when taken individually (as a bill, joint resolution, amendment, motion, or conference report, as the case may be), then it must also increase the deficit when taken together with all direct-spending and receipts legislation enacted after the date or enactment of the Omnibus Budget Reconciliation Act of 1993, in order to violate the prohibition of this subsection.

"(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

"(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

"(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and receipts for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

"(f) SUNSET.—Subsections (a) through (e) of this section shall expire September 30, 1998."

#### GLENN AMENDMENT NO. 405

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

At the appropriate place insert the following:

#### SEC. . EVALUATION AND SUNSET OF TAX EXPENDITURES.

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

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

"(30) beginning with fiscal year 1999, a Federal Government performance plan for measuring the overall effectiveness of tax expenditures, including a schedule for periodically assessing the effects of specific tax expenditures in achieving performance goals."

(c) PILOT PROJECTS.—Section 1118(c) of title 31, United States Code, is amended by—

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

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

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

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

(d) CONGRESSIONAL BUDGET ACT.—Title IV of the Congressional Budget Act of 1974 is amended by adding at the end thereof the following:

##### "TAX EXPENDITURES

"SEC. 409. It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that contains a tax expenditure unless the bill, joint resolution, amendment, motion, or conference report provides that the tax expenditure will terminate not later than 10 years after the date of enactment of the tax expenditure."

#### LEVIN (AND OTHERS) AMENDMENT NO. 406

Mr. LEVIN (for himself, Mr. MURKOWSKI, and Mr. EXON) proposed an amendment to the amendment No. 347 proposed by Mr. DOLE to the bill, S. 4, supra; as follows:

At the end of Section 5(4)(A), strike "and" and add the following:

"but shall not include a provision which does not appropriate funds, direct the President to expend funds for any specific project, or create an express or implied obligation to expend funds and—

"(i) rescinds or cancels existing budget authority;

"(ii) only limits, conditions, or otherwise restricts the President's authority to spend otherwise appropriated funds; or

"(iii) conditions on an item of appropriation not involving a positive allocation of funds by explicitly prohibiting the use of any funds; and"

#### HATCH (AND OTHERS) AMENDMENT NO. 407

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

On page 3, line 21, after "separately" insert "except for items of appropriation provided

for the judicial branch, which shall be enrolled together in a single measure. For purposes of this paragraph, the term 'items of appropriation provided for the judicial branch' means only those functions and expenditures that are currently included in the appropriations accounts of the judiciary, as those accounts are listed and described in the Department of Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act, 1995 (Public Law 104-317)".

## THE WEST VIRGINIA HYDRO-ELECTRIC PROJECTS ACT OF 1995

### BYRD (AND ROCKEFELLER) AMENDMENTS NOS 408-409

(Ordered referred to the Committee on Energy and Natural Resources.)

Mr. BYRD (for himself and Mr. ROCKEFELLER) submitted two amendments intended to be proposed by them to the bill (S. 359) to provide for the extension of certain hydroelectric projects located in the State of West Virginia; as follows:

#### AMENDMENT No. 408

In section 1(a), strike "6901 and 6902" and insert "6901, 6902, and 7307".

In section 1 (a) and (c), strike "October 3, 1999" each place it appears and insert "September 26, 1999".

#### AMENDMENT No. 409

In section \_\_\_\_ (a), strike "6901 and 6902" and insert "6901, 6902, and 7307".

In section \_\_\_\_ (a) and (c), strike "October 3, 1999" each place it appears and insert "September 26, 1999".

## NOTICE OF HEARING

### COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing on Tuesday, April 4, 1995, at 10 a.m., in room 216 of the Hart Senate Office Building. The focus of the hearing is the Small Business Administration's 8(a) Minority Business Development Program.

For further information, please contact Paul Cooksey at 224-5175.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, March 21, at 9:30 a.m., in SDG-50, to discuss the confirmation of Agriculture Secretary-Designee Daniel Robert Glickman. The continuation of this nomination hearing, if necessary, will take place on Wednesday, March 22, at 9:30 a.m., in SR-332, and Thursday, March 23, at 9:30 a.m. in SR-332.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, March 22, 1995, for purposes of conducting a Full Committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this oversight hearing is to review the findings of a report prepared for the Committee on the clean-up of the Hanford Nuclear Reservation.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a hearing on Wednesday, March 22, at 9:30 a.m. on the impact of regulatory reform proposals on environmental and other laws within the jurisdiction of the Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 22, 1995, at 2 p.m. to hold a business meeting to vote on pending items.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, March 22, 1995, beginning at 2:30 p.m., in room 485 of the Russell Senate Office Building on S. 441, a bill to reauthorize Public Law 101-630, the Indian Child Protection and Family Violence Prevention Act, and S. 510, a bill to extend the reauthorization for certain programs under the Native American Programs Act of 1974, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON SECURITIES

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Subcommittee on Securities of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, March 22, 1995, to conduct a hearing on securities litigation reform proposals.

The PRESIDING OFFICER. Without objection, it is so ordered.

### SUBCOMMITTEE ON SOCIAL SECURITY AND FAMILY POLICY

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Subcommittee on Social Security and Family Policy of the Finance Committee be permitted to meet Wednesday, March 22, 1995, beginning at 10 a.m. in room SD-215, to conduct a hearing on

the soaring costs of Social Security's two disability programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

### THE ILLEGAL IMMIGRATION CONTROL AND ENFORCEMENT ACT OF 1995

● Mrs. FEINSTEIN. Mr. President, yesterday I introduced and spoke on the Illegal Immigration Control and Enforcement Act of 1995.

As I indicated then, I look forward to working with all of my colleagues on the Immigration Subcommittee, Judiciary Committee and in the full Senate to craft comprehensive legislation in this session of Congress to stop illegal immigration. I believe that the widest possible dissemination of my bill, and of all other responsible proposals, will help us meet that goal.

I ask that the text of my legislation, S. 580, be printed in today's RECORD.

The bill follows:

#### S. 580

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Illegal Immigration Control and Enforcement Act of 1995".

#### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

#### TITLE I—ILLEGAL IMMIGRATION CONTROL AND ENFORCEMENT

##### PART A—INCREASED BORDER PATROL, SUPPORT, TRAINING, AND RESOURCES

Sec. 111. Border Patrol expansion and deployment.

Sec. 112. Hiring preference for bilingual Border Patrol agents.

Sec. 113. Improved Border Patrol training.

Sec. 114. Border equipment and infrastructure improvement authority.

##### PART B—EXPANDED BORDER INSPECTION PERSONNEL, SUPPORT, AND FACILITIES

Sec. 121. Additional land border inspectors.

##### PART C—DETENTION AND DEPORTATION

Sec. 131. Bar to collateral attacks on deportation orders in unlawful re-entry prosecutions.

Sec. 132. Form of deportation hearings.

Sec. 133. Deportation as a condition of probation.

##### PART D—ENHANCED CRIMINAL ALIEN DEPORTATION AND TRANSFER

Sec. 141. Expansion in definition of "aggravated felony".

Sec. 142. Restricting defenses to deportation for certain criminal aliens.

Sec. 143. Denial of discretionary relief to aliens convicted of aggravated felonies.

Sec. 144. Judicial deportation.

Sec. 145. Negotiations for international agreements.

Sec. 146. Annual report.

Sec. 147. Admissibility of videotaped witness testimony.