

There was no objection.

Mr. LAZIO of New York. Mr. Speaker, I yield myself such time as I may consume.

I would conclude and again thank Members on both sides of the aisle for their remarkable efforts to move this bill forward.

Mr. GUTIERREZ. Mr. Speaker, I rise today in support of S. 1494 that seeks to authorize a variety of housing programs for fiscal year 1996. Two programs contained in this bill are critical to the well-being and safety of residents and will assure the continuation of decent, affordable housing.

The problems in housing inhabited by both seniors and persons with disabilities are much too serious and dangerous to ignore. I am very glad to see the attention this issue has received. Seniors in my district are frightened and they are angry. HUD and many housing authorities, including the Chicago Housing Authority, have been slow to take this problem seriously.

I believe the bill before the House today will aid housing authorities in evicting those people who pose a serious threat to other residents. As I have indicated since January of last year, the need to address this issue is critical. On January 15, 1995, I wrote to Chairman LAZIO asking that the Housing Subcommittee hold hearings on this issue. Unfortunately, another year passed while many seniors have continued to live in fear.

I believe S. 1494 is a good bill. I believe this legislation will assist housing authorities in the critical area of keeping problem residents out of elderly housing from the start. I commend the will of this House to address this most troubling problem and trust that the final solution will provide seniors and persons with disabilities who reside in public housing with some measure of relief.

In addition, I am pleased to see that S. 1494 includes provisions authorizing the housing preservation program. This program has provided thousands of Chicago's low-income elderly citizens and families with safe, affordable, and quality housing. Although additional reforms may be needed, S. 1494 does include those reforms contained in H.R. 2099, the VA-HUD appropriations bill for 1996.

One important reform measure gives funding priority to tenant and nonprofit purchasers. For many buildings I believe this is a preferable option and will help ensure that the property is retained as affordable housing for the remainder of its useful life. One building in my district, Northwest Tower, will benefit greatly from this provision. HUD is currently reviewing the application of the Northwest Tower Residents Association to purchase the building. This would not only save the building as a valuable affordable housing source, but, after the initial renovation, will significantly decrease the subsidy currently being provided by HUD.

I believe the authorization of these two programs will prove beneficial to those concerned with the provision of safe and affordable housing for low-income tenants. Congress must protect the elderly from those residents who are disruptive and often violent. We also must continue to support the preservation program and the tenants currently residing in these buildings. S. 1494 accomplishes those two objectives. Therefore, I urge my colleagues to support this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. LAZIO] that the House suspend the rules and pass the Senate bill, S. 1494, as amended.

The question was taken.

Mr. LAZIO of New York. 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. Pursuant to clause 5 of rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

REPORT FROM THE CONGRESSIONAL BUDGET OFFICE ON UNFUNDED FEDERAL MANDATES

CONGRESSIONAL BUDGET OFFICE STATEMENT
SUBMITTED PURSUANT TO SECTION 423(f)(2)
OF THE CONGRESSIONAL BUDGET ACT

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 8, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Unfunded Mandates Reform Act of 1995 (Public Law 104-4) took effect on January 1, 1996. The new law requires the Congressional Budget Office (CBO) and Congressional committees to carry out a number of new activities. I am writing to you today to let you know how CBO plans to fulfill its responsibilities under the new law and to provide you with mandate cost statements for those bills under your jurisdiction that were on the House calendar as of January 23, 1996.

New Responsibilities Under the Act. The new law requires CBO to provide a statement to authorizing committees as to whether reported bills contain federal mandates. For legislation that contains identifiable federal mandates, CBO is required to estimate their aggregate direct costs. If those costs are above a specified threshold in the fiscal year that the mandate is first effective or in any of the four following years, CBO must provide an estimate of the costs, if feasible, and the basis of the estimate. The threshold is \$50 million for intergovernmental mandates and \$100 million for private-sector mandates.

Any member may raise a point of order against any reported bill unless the committee has published a CBO statement about mandate costs. A member may also raise a point of order against any bill, amendment, motion, or conference report that would increase the direct costs of federal intergovernmental mandates by more than \$50 million unless the bill provides for funding (either by creating direct spending authority or by authorizing future appropriations), and provides a mechanism for terminating or scaling back mandates if agencies determine that there are not sufficient funds to cover those costs. We have enclosed with this letter a more detailed description of the new law and a brief summary of the new responsibilities assigned to CBO and Congressional committees.

Whenever possible in future cost estimates, CBO will be explicit about whether a bill contains mandates. If we are uncertain, we will say so in the mandate statement and provide as much detail as possible so that

the Congress can decide whether points of order apply to the bill.

In order to have sufficient time to prepare mandate cost statements, we will need to know about potential legislation as early as possible, particularly those bills that might contain mandates. Because it takes time to prepare mandate analyses, we would greatly appreciate receiving early notification about your legislative agenda for the year. It might also be helpful—for both your committee and ourselves—if your staff would contact us early in the process of dealing with legislation that might contain mandates. The CBO staff contacts for your committee are: For intergovernmental mandates: Theresa Gullo (225-3220); and, for private sector mandates: Elliot Schwartz (226-2940).

Bills on the House Calendar. Enclosed with this letter are two lists of the legislation on the calendar as of January 23, 1996, that is under your committee's jurisdiction: one for intergovernmental mandates and one for private-sector mandates. The lists group the legislation into three categories: those that do not contain mandates as defined in Public Law 104-4; those that contain mandates but the direct costs are below the relevant thresholds; and legislation that we need to review further.

We look forward to working with your committee in these new endeavors. Your assistance will be extremely important to us as we strive to provide high quality and timely statements of mandate costs to the Congress. If you have any questions about CBO's new activities or about the enclosed lists, please feel free to contact me or the staff contacts listed above.

Sincerely,

JUNE E. O'NEILL,
Director.

THE UNFUNDED MANDATES REFORM ACT

CBO's New Responsibilities. The Unfunded Mandates Reform Act (Public Law 104-4) requires the Congressional Budget Office (CBO) to provide a statement to authorizing committees about whether reported bills contain federal mandates. If the total direct costs of all mandates in the bill are above a specified threshold in the fiscal year that the mandate is first effective or in any of the four following years, CBO must provide an estimate of those costs, if feasible, and the basis of the estimate. The threshold is \$50 million for intergovernmental mandates and \$100 million for private-sector mandates.

A mandate is defined as any provision in legislation, statute, or regulation that would impose an enforceable duty on state, local, or tribal governments, or the private sector or that would reduce or eliminate the amount of authorization of appropriation for federal financial assistance to cover the costs of existing mandates. Direct costs are defined as amounts that state, local, or tribal governments and the private sector are required to spend to comply with the enforceable duty.

Beyond that, the terms "mandates" and "direct costs" are defined narrowly. For example, the act would not apply to legislation enforcing constitutional rights or enforcing prohibitions against discrimination (for example, the Americans With Disabilities Act). The act would also not apply to conditions of federal assistance or duties arising from participation in a voluntary federal program (unless the program meets specific criteria in the bill).

Direct costs would exclude amounts spent under current laws or programs and would be limited to spending directly resulting from the legislation rather than broad effects on the economy. The amounts that states, localities, and tribes "would be prohibited

from raising in revenues" are also included in the definition of "direct costs." In this way, the act allows for consideration of the impact of federal legislation on the revenue-raising capabilities of these governments.

The CBO statement must also include an assessment of whether the bill authorizes or otherwise provides funding to cover the costs of the mandates. For intergovernmental mandates, the cost statement must estimate the appropriations needed to fund such authorizations for up to 10 years after the mandate is effective.

CBO must "to the greatest extent practicable" prepare statements for conference agreements if they contain mandates not previously considered by either House or if they impose greater direct costs than the previously considered versions of the bill. If an individual Senator requests it, CBO must prepare estimates of the costs of intergovernmental mandates contained in an amendment the Senator may wish to offer.

The Congress may also call on CBO to do analyses at other stages of the legislative process. If asked by the chair or ranking minority member of a committee, and to the extent practicable, CBO will: conduct special studies on legislative proposals; compare an agency's estimate of the costs of proposed regulations implementing a federal mandate with CBO's estimate prepared when the law was enacted; and conduct continuing studies to enhance comparisons of budget outlays, credit authority, and tax expenditures. CBO's ability to carry out those additional activities will depend on available resources.

Although the act does not specifically require CBO to analyze the cost of mandates in appropriation bills, a point of order would lie against legislative provisions in such bills—or amendments to such bills—that increase the direct costs of intergovernmental mandates but do not have the appropriate CBO statement. CBO will also be required, when requested, to assist committees by preparing studies of legislative proposals containing federal mandates. For intergovernmental mandates, CBO is directed to solicit information or comments from elected officials and to consider establishing advisory panels.

Enforcement and Implementation Mechanisms Related to CBO's Work. A point of order will now lie against any reported bill unless the committee has published a CBO statement about mandate costs. A point of order will also lie against any bill, amendment, motion, or conference report that would increase the direct costs of federal intergovernmental mandates by more than \$50 million, unless it provides spending authority or authorizes appropriations sufficient to cover those costs. Such authorizations would have to be specified for each year up to 10 years after the effective date, and—in the Senate—would have to be consistent with the estimated costs of the bill, amendment, motion, or conference report as determined by the Budget Committee. Finally, a point of order will lie against any bill, amendment, motion, or conference report that would increase the direct costs of federal intergovernmental mandates by more than \$50 million, unless it provides a procedure for terminating or scaling back mandates if agencies determine that funds are not sufficient to cover those costs.

How CBO Is Responding. Although CBO has been preparing estimates of the impacts of federal legislation on state and local governments since 1982, the passage of the Unfunded Mandates Reform Act has signaled Congressional interest in having more and better information on the costs of mandates. This heightened interest on the part of the Congress makes it clear that CBO must devote more time and resources to providing the Congress with high quality and timely estimates.

CBO has done several things to enhance our state and local government cost-estimating efforts. Most important, we have established a new unit in the Budget Analysis Division—the State and Local Government Cost Estimates Unit. In addition to preparing cost estimates, the unit will do special studies related to mandates and their budgetary impacts and will provide ongoing support to Congressional committees as they address the issues of intergovernmental mandates. The new unit is currently staffed with a unit chief and four analysts who have begun developing those capabilities.

For private-sector analyses, CBO has hired additional staff in our program divisions to prepare cost estimates and to conduct special studies when requested. The policy divisions also will provide ongoing support to congressional committees as they address the issues of private-sector mandates.

New Responsibilities of Congressional Committees. The Unfunded Mandates Reform Act also contains a number of new requirements for committees. In general, when an authorizing committee reports a bill or joint resolution that includes a federal mandate, the report must identify and describe those mandates and include a statement from the Director of the Congressional Budget Office on their estimated costs. If that statement cannot be published with the report, the committee is responsible for ensuring that it is published in the Congressional Record in advance of floor consideration. The committee is responsible for promptly providing CBO with a copy of the bill and for identifying mandates contained in the bill.

In addition, the report must contain a qualitative and, if practical, a quantitative assessment of costs and benefits anticipated from the mandates (including the effects on health and safety and the protection of the natural environment). Finally, the committee must state the degree to which a federal mandate affects both the public and private sectors, and the effect on the competitive balance between those sectors if federal payments are made to compensate for costs imposed on the public sector.

If the bill imposes intergovernmental mandates, the committee report shall contain a statement of how those mandates are to be funded by the federal government; whether the committee intends for the mandate to be partially or fully funded; how the funding mechanism relates to the expected direct costs to the respective levels of state, local, and tribal governments; and any existing source of funds in addition to those already identified that would assist governments in meeting the direct costs of the mandate.

Bills must also provide for agencies to determine whether funds are sufficient to cover the costs of new intergovernmental mandates. If funding is insufficient, the agency must notify the authorizing committee within 30 days of the beginning of the fiscal year. The agency can submit a reestimate of the costs or recommend a less costly approach. If the Congress takes no action within 60 days, the mandate becomes ineffective.

For amended bills, joint resolutions and conference reports, the committee of conference shall ensure, to the greatest extent possible, that the Director of CBO prepare a statement if the amended form contains a federal mandate not previously considered by either House, or contains an increase in the direct costs of a previously considered mandate.

Finally, the committees are required to identify in their annual views and estimates reports to the Budget Committees, issues that they will consider that will have costs for state, local, or tribal governments or for the private sector.

CONGRESSIONAL BUDGET OFFICE—INTERGOVERNMENTAL MANDATE STATEMENT FOR BILLS ON THE HOUSE CALENDAR

(AS OF JANUARY 23, 1996)

Committee: Resources.

Bills that do not contain mandates: H.R. 260—National Park System Reform Act of 1995; H.R. 1077—BLM Reauthorization Act of 1995; H.R. 1122—Alaska Power Administration Sale Act; H.R. 1175—Marine Resources Revitalization Act of 1995; H.R. 1675—National Wildlife Refuge Improvement Act of 1995; H.R. 1745—Utah Public Lands Management Act of 1995; H.R. 1815—National Oceanic and Atmospheric Administration Authorization Act of 1995; H.R. 2402—Snowbasin Land Exchange Act of 1995; H.R. 2726—A bill to make certain technical corrections in laws relating to Native Americans; and S. 1341—Saddleback Mountain-Arizona Settlement Act of 1995.

Bills that contain mandates, but aggregate net costs are below \$50 million: None.

Bills that require further review: None.

CONGRESSIONAL BUDGET OFFICE—PRIVATE SECTOR MANDATE STATEMENT FOR BILLS ON THE HOUSE CALENDAR

(AS OF JANUARY 23, 1996)

Committee: Resources.

Bills that do not contain mandates: H.R. 1077—BLM Reauthorization Act of 1995; H.R. 1122—Alaska Power Administration Sale Act; H.R. 1175—Marine Resources Revitalization Act of 1995; H.R. 1815—National Oceanic and Atmospheric Administration Authorization Act of 1995; H.R. 2402—Snowbasin Land Exchange Act of 1995; H.R. 2726—A bill to make certain technical corrections in laws relating to Native Americans.

Bills that require further review: H.R. 260—National Park System Reform Act of 1995; H.R. 1675—National Wildlife Refuge Improvement Act of 1995; H.R. 1745—Utah Public Lands Management Act of 1995; and S. 1341—Saddleback Mountain-Arizona Settlement Act of 1995.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

TRADE DEFICITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, the Presidential campaigns, particularly the Republican primary campaign, is in the full swing right now, and there has been a lot of derogatory comments made by one candidate or another about their opponents.

I think we have a good field of Republican candidates, and I wish they would quit the terrible rhetoric about one another and really stick to the facts. I think if they do that, the American people will find them to be the kind of people they want to elect President and will elect the nominee we can all live with and be happy with and can elect in November to the Presidency of the United States.

One of the problems that I have is that there has been a lot of misinformation about one of the candidates,