

A quorum not being present,  
The roll was called under clause 4,  
rule XV, and the call was taken by  
electronic device.

When there appeared { Yeas ..... 245  
                                  Nays ..... 180

180.9 [Roll No. 342]  
YEAS—245

- |              |               |               |
|--------------|---------------|---------------|
| Abercrombie  | Gutierrez     | Orton         |
| Ackerman     | Hall (OH)     | Owens         |
| Andrews (ME) | Hall (TX)     | Pallone       |
| Andrews (NJ) | Hamburg       | Parker        |
| Andrews (TX) | Hamilton      | Pastor        |
| Applegate    | Harman        | Payne (NJ)    |
| Bacchus (FL) | Hastings      | Payne (VA)    |
| Baesler      | Hayes         | Pelosi        |
| Barca        | Hefner        | Peterson (FL) |
| Barcia       | Hilliard      | Peterson (MN) |
| Barlow       | Hinchey       | Pickett       |
| Barrett (WI) | Hoagland      | Pickle        |
| Becerra      | Hochbrueckner | Pomeroy       |
| Beilenson    | Holden        | Poshard       |
| Berman       | Hoyer         | Price (NC)    |
| Bevill       | Hughes        | Rahall        |
| Bilbray      | Hutto         | Rangel        |
| Bishop       | Inslee        | Reed          |
| Blackwell    | Jefferson     | Reynolds      |
| Bonior       | Johnson (GA)  | Richardson    |
| Borski       | Johnson (SD)  | Roemer        |
| Boucher      | Johnson, E.B. | Rose          |
| Brewster     | Johnston      | Rostenkowski  |
| Browder      | Kanjorski     | Rowland       |
| Brown (CA)   | Kaptur        | Roybal-Allard |
| Brown (FL)   | Kennedy       | Rush          |
| Brown (OH)   | Kennely       | Sabo          |
| Bryant       | Kildee        | Sanders       |
| Byrne        | Kleczka       | Sangmeister   |
| Cantwell     | Klein         | Sarpalius     |
| Cardin       | Klink         | Sawyer        |
| Chapman      | Kopetski      | Schenk        |
| Clay         | Kreidler      | Schroeder     |
| Clayton      | LaFalce       | Schumer       |
| Clement      | Lambert       | Scott         |
| Clyburn      | Lancaster     | Serrano       |
| Coleman      | Lantos        | Sharp         |
| Collins (IL) | LaRocco       | Shepherd      |
| Collins (MI) | Laughlin      | Sisisky       |
| Condit       | Lehman        | Skaggs        |
| Conyers      | Levin         | Skelton       |
| Costello     | Lewis (GA)    | Slattery      |
| Coyne        | Lipinski      | Slaughter     |
| Cramer       | Lloyd         | Smith (IA)    |
| Danner       | Long          | Spratt        |
| Darden       | Lowe          | Stark         |
| de la Garza  | Maloney       | Stenholm      |
| Deal         | Mann          | Stokes        |
| DeFazio      | Manton        | Strickland    |
| DeLauro      | Margolies-    | Studds        |
| Dellums      | Mezvinsky     | Stupak        |
| Derrick      | Markey        | Swett         |
| Deutsch      | Martinez      | Swift         |
| Dicks        | Matsui        | Synar         |
| Dingell      | Mazzoli       | Tanner        |
| Dixon        | McCloskey     | Tauzin        |
| Dooley       | McCurdy       | Taylor (MS)   |
| Durbin       | McDermott     | Tejeda        |
| Edwards (CA) | McHale        | Thompson      |
| Edwards (TX) | McKinney      | Thornton      |
| Engel        | McNulty       | Thurman       |
| English      | Meehan        | Torres        |
| Eshoo        | Meek          | Torricelli    |
| Evans        | Menendez      | Towns         |
| Farr         | Mfume         | Traficant     |
| Fazio        | Miller (CA)   | Unsoeld       |
| Fields (LA)  | Mineta        | Valentine     |
| Filner       | Minge         | Vento         |
| Fingerhut    | Mink          | Visclosky     |
| Flake        | Moakley       | Volkmer       |
| Foglietta    | Mollohan      | Washington    |
| Ford (TN)    | Montgomery    | Waters        |
| Frank (MA)   | Moran         | Watt          |
| Frost        | Murphy        | Waxman        |
| Furse        | Murtha        | Wheat         |
| Gejdenson    | Nadler        | Williams      |
| Gephardt     | Neal (MA)     | Wilson        |
| Geren        | Neal (NC)     | Wise          |
| Glickman     | Oberstar      | Woolsey       |
| Gonzalez     | Obey          | Wyden         |
| Gordon       | Olver         | Wynn          |
| Green        | Ortiz         | Yates         |

NAYS—180

- |              |              |          |
|--------------|--------------|----------|
| Allard       | Baker (CA)   | Bartlett |
| Archer       | Baker (LA)   | Barton   |
| Armey        | Ballenger    | Bateman  |
| Bacchus (AL) | Barrett (NE) | Bentley  |

- |              |              |               |
|--------------|--------------|---------------|
| Bereuter     | Hancock      | Nussle        |
| Bilirakis    | Hansen       | Oxley         |
| Bliley       | Hastert      | Packard       |
| Blute        | Hefley       | Paxon         |
| Boehkert     | Herger       | Penny         |
| Boehner      | Hobson       | Petri         |
| Bonilla      | Hoekstra     | Pombo         |
| Bunning      | Hoke         | Porter        |
| Burton       | Horn         | Portman       |
| Buyer        | Houghton     | Pryce (OH)    |
| Callahan     | Huffington   | Quillen       |
| Calvert      | Hunter       | Quinn         |
| Camp         | Hutchinson   | Ramstad       |
| Canady       | Hyde         | Ravenel       |
| Castle       | Inglis       | Regula        |
| Clinger      | Inhofe       | Ridge         |
| Coble        | Istook       | Roberts       |
| Collins (GA) | Jacobs       | Rogers        |
| Combest      | Johnson (CT) | Rohrabacher   |
| Cooper       | Johnson, Sam | Roth          |
| Coppersmith  | Kasich       | Roukema       |
| Cox          | Kim          | Royce         |
| Crane        | King         | Santorum      |
| Crapo        | Kingston     | Saxton        |
| Cunningham   | Klug         | Schaefer      |
| DeLay        | Knollenberg  | Schiff        |
| Diaz-Balart  | Kolbe        | Sensenbrenner |
| Dickey       | Kyl          | Shaw          |
| Doolittle    | Lazio        | Shays         |
| Dornan       | Leach        | Shuster       |
| Dreier       | Levy         | Skeen         |
| Duncan       | Lewis (CA)   | Smith (MI)    |
| Dunn         | Lewis (FL)   | Smith (NJ)    |
| Ehlers       | Lewis (KY)   | Smith (OR)    |
| Emerson      | Lightfoot    | Smith (TX)    |
| Everett      | Linder       | Snowe         |
| Ewing        | Livingston   | Solomon       |
| Fawell       | Lucas        | Spence        |
| Fields (TX)  | Machtley     | Stearns       |
| Fish         | Manzullo     | Stump         |
| Fowler       | McCandless   | Sundquist     |
| Franks (CT)  | McCollum     | Talent        |
| Franks (NJ)  | McCrery      | Taylor (NC)   |
| Galleghy     | McDade       | Thomas (CA)   |
| Gekas        | McHugh       | Thomas (WY)   |
| Gilchrest    | McInnis      | Torkildsen    |
| Gillmor      | McKeon       | Upton         |
| Gilman       | McMillan     | Vucanovich    |
| Gingrich     | Meyers       | Walker        |
| Goodlatte    | Mica         | Walsh         |
| Goodling     | Michel       | Weldon        |
| Goss         | Miller (FL)  | Wolf          |
| Grams        | Molinari     | Young (AK)    |
| Grandy       | Moorhead     | Young (FL)    |
| Greenwood    | Morella      | Zeliff        |
| Gunderson    | Myers        | Zimmer        |

NOT VOTING—9

- |           |              |           |
|-----------|--------------|-----------|
| Brooks    | Gallo        | Tucker    |
| Carr      | Gibbons      | Velazquez |
| Ford (MI) | Ros-Lehtinen | Whitten   |

So the previous question on the resolution was ordered.

The question being put, *viva voce*,  
Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BILBRAY, announced that the yeas had it.

So the resolution was agreed to.  
A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

180.10 SUBPOENA

The SPEAKER pro tempore, Mr. BILBRAY, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,  
*Washington, DC, July 20, 1994.*

Hon. THOMAS S. FOLEY,  
*Speaker, U.S. House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: The purpose of this letter is to notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the United States Bankruptcy Court for the Middle District of Pennsylvania for materials related to a bankruptcy case.

This subpoena was issued to my office at 3:30 p.m. on July 19, 1994, seeking my pres-

ence and documents in Bankruptcy Court at 10:00 a.m., July 20, 1994, when I will be in Washington conducting official business.

After consultation with the General Counsel, he has determined that compliance with the subpoena at this time is not consistent with the privileges and precedents of the House. I acknowledge his determination and have agreed not to provide documents which might infringe on the rights of the House of Representatives.

Sincerely,  
PAUL E. KANJORSKI,  
*Member of Congress.*

180.11 MESSAGE FROM THE PRESIDENT—  
BULGARIA-MFN

The SPEAKER pro tempore, Mr. BILBRAY, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

On June 3, 1993, I determined and reported to the Congress that Bulgaria is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This determination allowed for the continuation of most-favored-nation (MFN) status and certain United States Government financial programs for Bulgaria without the requirement of a waiver.

As required by law, I am submitting an updated Report to Congress concerning emigration laws and policies of the Republic of Bulgaria. You will find that the report indicates continued Bulgarian compliance with U.S. and international standards in areas of emigration and human rights policy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *July 21, 1994.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 103-283).

180.12 BUDGET CONTROL

The SPEAKER pro tempore, Mr. BILBRAY, pursuant to House Resolution 484 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4604) to establish direct spending targets, and for other purposes.

The SPEAKER pro tempore, Mr. BILBRAY, by unanimous consent, designated Mr. VISCLOSKEY as Chairman of the Committee of the Whole; and after some time spent therein,

180.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. KASICH:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mandatory Spending Control Act of 1994".

SEC. 2. ESTABLISHMENT AND ENFORCEMENT OF MANDATORY SPENDING LIMITS.

(a) DEFINITIONS.—Section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in paragraph (3), by inserting "(A)" after "(3)" and by adding at the end the following new subparagraph:

“(B) The term ‘mandatory spending breach’ means, for any fiscal year, the amount (if any) by which estimated outlays for that year for mandatory spending exceed the mandatory spending limit for that year set forth in the most recently adopted joint resolution on the budget.”; and

(2) by adding at the end the following new paragraph:

“(22) The term ‘mandatory spending’ means direct spending excluding—

“(A) social security;

“(B) net interest;

“(C) deposit insurance;

“(D) any program with projected annual spending of less than \$50 million in outlays for the budget year;

“(E) payments from one direct spending account to another;

“(F) offsetting receipts and collections; or

“(G) other non-budgetary activities and prior legal obligations set forth in section 252B(u).”.

(b) MANDATORY SPENDING LIMITS.—(1) Part C of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding after section 252 the following new sections:

**“SEC. 252A. ENFORCING MANDATORY SPENDING LIMITS.**

“(a) FISCAL YEARS 1996–1998 ENFORCEMENT.—

“(1) SEQUESTRATION.—Within 15 calendar days after Congress adjourns to end a session and on the same day as a sequestration (if any) under sections 251, 252, and 253, but after such sequestrations, there shall be a sequestration to eliminate a budget-year mandatory spending breach, if any, of the mandatory spending limit. OMB shall use current economic and technical estimates to carry out this section and in making its estimates of mandatory spending shall take into account any enacted legislation and any savings resulting from a section 252 sequestration.

“(2) ELIMINATING A MANDATORY SPENDING BREACH.—Each mandatory spending program (or accounts comprising a program) that exceeds its mandatory spending program cap established by law under section 310 of the Congressional Budget Act of 1974 for the budget year shall be reduced by the amount by which estimated outlays for that program exceeds its mandatory spending program cap. If that sequestration is insufficient to eliminate the mandatory spending breach, then each mandatory spending account for which no mandatory spending program cap was established by law under section 310 of the Congressional Budget Act of 1974 for the budget year shall be reduced by the uniform percentage necessary to eliminate the remaining budget-year mandatory spending breach of the mandatory spending limit.

“(3) LOOK-BACK.—If legislation is enacted providing mandatory spending that causes a mandatory spending breach for the current year that was not included in the final sequester report for that year, the mandatory spending limit for the next fiscal year shall be reduced by the amount of that breach.

“(b) SCOREKEEPING AND ADJUSTMENTS FOR EMERGENCIES.—

“(1) SCOREKEEPING.—OMB and CBO shall prepare estimates under this subsection in conformance with scorekeeping guidelines determined after consultation among the House and Senate Committees on the Budget, CBO, and OMB.

“(2) TREATMENT OF EMERGENCIES.—When OMB submits a sequestration report under section 254(g), the sequestration report shall exclude any provision of mandatory spending legislation that is enacted and that the President designates as emergency requirements and the Congress so designates in statute as an emergency.

**“SEC. 252B. GENERAL AND SPECIAL SEQUESTRATION RULES.**

“(a) PERMANENT SEQUESTRATION OF MANDATORY SPENDING.—

“(1) The rules set forth in this section apply only to sequestrations that occur under section 252A.

“(2) Obligations in sequestered mandatory spending accounts shall be reduced in the fiscal year in which a sequestration occurs and in all succeeding fiscal years. Notwithstanding any other provision of this section, after the first mandatory spending sequestration, any later sequestration shall reduce mandatory spending by an amount in addition to, rather than in lieu of, the reduction in mandatory spending in place under the existing sequestration or sequestrations.

“(b) UNIFORM PERCENTAGES.—

“(1) In the case of a program for which a mandatory spending program cap has been established under section 310 of the Congressional Budget Act of 1974, the uniform percentage is the percentage reduction in spending required to reduce spending for that program to its cap level. In the case of a program for which no mandatory spending program cap has been established under that section, the uniform percentage is the percentage reduction in spending required to eliminate the remaining budget-year breach of the mandatory spending limit.

“(2) The sequestrable base for mandatory spending rules and activities is the total budget-year level of outlays for those programs or activities in the current policy baseline minus—

“(A) those budget-year outlays resulting from obligations incurred in the current or prior fiscal years, and

“(B) those budget-year outlays resulting from exemptions.

“(3) For any direct spending program in which—

“(A) outlays pay for entitlement benefits,

“(B) a budget-year sequestration takes effect after the 1st day of the budget year, and

“(C) that delay reduces the amount of entitlement authority that is subject to sequestration in the budget year,

the uniform percentage otherwise applicable to the sequestration of that program in the budget year shall be increased as necessary to achieve the same budget-year outlay reduction in that program as would have been achieved had there been no delay.

“(4) If the uniform percentage otherwise applicable to the budget-year sequestration of a program or activity is increased under paragraph (3), then it shall revert to the uniform percentage calculated under paragraph (2) when the budget year is completed.

“(c) GENERAL RULES FOR SEQUESTRATION.—

“(1) INDEFINITE AUTHORITY.—Except as otherwise provided, sequestration in accounts for which obligations are indefinite shall be taken in a manner to ensure that obligations in the fiscal year of a sequestration and succeeding fiscal years are reduced, from the level that would actually have occurred, by the applicable sequestration percentage or percentages.

“(2) CANCELLATION OF BUDGETARY RESOURCES.—Budgetary resources sequestered from any account other than an entitlement trust, special, or revolving fund account shall revert to the Treasury and be permanently canceled or repealed.

“(3) INDEXED BENEFIT PAYMENTS.—If, under any entitlement program—

“(A) benefit payments are made to persons or governments more frequently than once a year, and

“(B) the amount of entitlement authority is periodically adjusted under existing law to reflect changes in a price index,

then for the first fiscal year to which a sequestration order applies, the benefit reduc-

tions in that program accomplished by the order shall take effect starting with the payment made at the beginning of January or 7 weeks after the order is issued, whichever is later. For the purposes of this subsection, Veterans Compensation shall be considered a program that meets the conditions of the preceding sentence.

“(4) PROGRAMS, PROJECTS, OR ACTIVITIES.—Except as otherwise provided, the same percentage sequestration shall apply to all programs, projects, and activities within a budget account (with programs, projects, and activities as delineated in the appropriation Act or accompanying report for the relevant fiscal year covering that account, or for accounts not included in appropriation Acts, as delineated in the most recently submitted President’s budget).

“(5) IMPLEMENTING REGULATIONS.—Administrative regulations or similar actions implementing the sequestration of a program or activity shall be made within 120 days of the effective date of the sequestration of that program or activity.

“(6) DISTRIBUTION FORMULAS.—To the extent that distribution or allocation formulas differ at different levels of budgetary resources within an account, program, project, or activity, a sequestration shall be interpreted as producing a lower total appropriation, with that lower appropriation being obligated as though it had been the pre-sequestration appropriation and no sequestration had occurred.

“(7) CONTINGENT FEES.—In any account for which fees charged to the public are legally determined by the level of appropriations, fees shall be charged on the basis of the pre-sequestration level of appropriations.

“(d) NON-JOBS PORTION OF AFDC.—Any sequestration order shall accomplish the full amount of any required reduction in payments for the non-jobs portion of the aid to families with dependent children program under the Social Security Act by reducing the Federal reimbursement percentage (for the fiscal year involved) by multiplying that reimbursement percentage, on a State-by-State basis, by the uniform percentage applicable to the sequestration of nonexempt direct spending programs or activities.

“(e) JOBS PORTION OF AFDC.—

“(1) FULL AMOUNT OF SEQUESTRATION REQUIRED.—Any sequestration order shall accomplish the full amount of any required reduction of the job opportunities and basic skills training program under section 402(a)(19), and part F of title VI, of the Social Security Act, in the manner specified in this subsection. Such an order may not reduce any Federal matching rate pursuant to section 403(l) of the Social Security Act.

“(2) NEW ALLOTMENT FORMULA.—

“(A) GENERAL RULE.—Notwithstanding section 403(k) of the Social Security Act, each State’s percentage share of the amount available after sequestration for direct spending pursuant to section 403(l) of such Act shall be equal to that percentage of the total amount paid to the States pursuant to such section 403(l) for the prior fiscal year that is represented by the amount paid to such State pursuant to such section 403(l) for the prior fiscal year, except that a State may not be allotted an amount under this subparagraph that exceeds the amount that would have been allotted to such State pursuant to such section 403(k) had the sequestration not been in effect.

“(B) REALLOTMENT OF AMOUNTS REMAINING UNALLOTTED AFTER APPLICATION OF GENERAL RULE.—Any amount made available after sequestration for direct spending pursuant to section 403(l) of the Social Security Act that remains unallotted as a result of subparagraph (A) of this paragraph shall be allotted among the States in proportion to the absolute difference between the amount allotted,

respectively, to each State as a result of such subparagraph and the amount that would have been allotted to such State pursuant to section 403(k) of such Act had the sequestration not been in effect, except that a State may not be allotted an amount under this subparagraph that results in a total allotment to the State under this paragraph of more than the amount that would have been allotted to such State pursuant to such section 403(k) had the sequestration not been in effect.

“(f) CHILD SUPPORT ENFORCEMENT PROGRAM.—Any sequestration order shall accomplish the full amount of any required reduction in payments under sections 455 and 458 of the Social Security Act by reducing the Federal matching rate for State administrative costs under the program, as specified (for the fiscal year involved) in section 455(a) of such Act, to the extent necessary to reduce such expenditures by that amount.

“(g) COMMODITY CREDIT CORPORATION.—

“(1) EFFECTIVE DATE.—For the Commodity Credit Corporation, the date on which a sequestration order takes effect in a fiscal year shall vary for each crop of a commodity. In general, the sequestration order shall take effect when issued, but for each crop of a commodity for which 1-year contracts are issued as an entitlement, the sequestration order shall take effect with the start of the sign-up period for that crop that begins after the sequestration order is issued. Payments for each contract in such a crop shall be reduced under the same terms and conditions.

“(2) DAIRY PROGRAM.—(A) As the sole means of achieving any reduction in outlays under the milk price-support program, the Secretary of Agriculture shall provide for a reduction to be made in the price received by producers for all milk produced in the United States and marketed by producers for commercial use. That price reduction (measured in cents per hundredweight of milk marketed) shall occur under subparagraph (A) of section 201(d)(2) of the Agricultural Act of 1949 (7 U.S.C. 1446(d)(2)(A)), shall begin on the day any sequestration order is issued, and shall not exceed the aggregate amount of the reduction in outlays under the milk price-support program, that otherwise would have been achieved by reducing payments made for the purchase of milk or the products of milk under this subsection during that fiscal year.

“(3) EFFECT OF DELAY.—For purposes of subsection (b)(1), the sequestrable base for the Commodity Credit Corporation is the budget-year level of gross outlays resulting from new budget authority that is subject to reduction under paragraphs (1) and (2), and subsection (b)(2) shall not apply.

“(4) CERTAIN AUTHORITY NOT TO BE LIMITED.—Nothing in this Act shall restrict the Corporation in the discharge of its authority and responsibility as a corporation to buy and sell commodities in world trade, or limit or reduce in any way any appropriation that provides the Corporation with funds to cover its net realized losses.

“(h) CONSERVATION RESERVE PROGRAM.—Multiyear contracts under the conservation reserve program shall be considered binding and not subject to sequestration, but any contract entered into after a sequestration applicable to that program takes effect shall provide for payments reduced by the uniform percentage or percentages applicable to that sequestration.

“(i) EXTENDED UNEMPLOYMENT COMPENSATION.—(1) A State may reduce each weekly benefit payment made under the Federal-State Extended Unemployment Compensation Act of 1970 for any week of unemployment occurring during any period with respect to which payments are reduced under any sequestration order by a percentage not to exceed the percentage by which the Fed-

eral payment to the State under section 204 of such Act is to be reduced for such week as a result of such order.

“(2) A reduction by a State in accordance with subparagraph (A) shall not be considered as a failure to fulfill the requirements of section 3304(a)(11) of the Internal Revenue Code of 1986.

“(j) FEDERAL EMPLOYEES HEALTH BENEFITS FUND.—For the Federal Employees Health Benefits Fund, a sequestration order shall take effect with the next open season. The sequestration shall be accomplished by annual payments from that Fund to the General Fund of the Treasury. Those annual payments shall be financed solely by charging higher premiums. For purposes of subsection (b)(1), the sequestrable base for the Fund is the budget-year level of gross outlays resulting from claims paid after the sequestration order takes effect, and subsection (b)(2) shall not apply.

The premium increases under paragraph (2) shall begin with the open season that occurs nearest to September 30 of the fiscal year to which the sequestration first applies. If those premium increases take effect in the first fiscal year of a sequestration, the amount collected by the Fund in that fiscal year as a result shall be used to partially finance the payment to the Treasury required in that year, and the amount of the recall under paragraph (1) shall be diminished accordingly.

“(k) FEDERAL HOUSING FINANCE BOARD.—Any sequestration of the Federal Housing Finance Board shall be accomplished by annual payments (by the end of each fiscal year) from that Board to the general fund of the Treasury, in amounts equal to the uniform sequestration percentage for that year times the gross obligations of the Board in that year.

“(l) FEDERAL PAY.—

“(1) IN GENERAL.—Except as provided in section 111(b)(3), new budget authority to pay Federal personnel shall be reduced by the uniform percentage calculated under section 252A, but no sequestration order may reduce or have the effect of reducing the rate of pay to which any individual is entitled under any statutory pay system (as increased by any amount payable under section 5304 of title 5, United States Code, or section 302 of the Federal Employees Pay Comparability Act of 1990) or the rate of any element of military pay to which any individual is entitled under title 37, United States Code, or any increase in rates of pay which is scheduled to take effect under section 5303 of title 5, United States Code, section 1009 of title 37, United States Code, or any other provision of law.

“(2) DEFINITIONS.—For purposes of this subsection:

“(A) The term “statutory pay system” shall have the meaning given that term in section 5302(1) of title 5, United States Code.

“(B) The term “elements of military pay” means—

“(i) the elements of compensation of members of the uniformed services specified in section 1009 of title 37, United States Code,

“(ii) allowances provided members of the uniformed services under sections 403a and 405 of such title, and

“(iii) cadet pay and midshipman pay under section 203(c) of such title.

“(C) The term “uniformed services” shall have the meaning given that term in section 101(3) of title 37, United States Code.

“(m) GUARANTEED STUDENT LOANS.—(A) For all loans under part B and part D of title IV of the Higher Education Act of 1965 made on or after the date of a sequestration, the origination fees shall be increased by a uniform percentage sufficient to produce the dollar savings in student loan programs for

the fiscal year of the sequestration required by section 252A, and all subsequent origination fees shall be increased by the same percentage, notwithstanding any other provision of law.

“(B) The origination fees to which paragraph (A) applies are those specified in sections 455(c) and 438(c) of that Act.

“(n) INSURANCE PROGRAMS.—Any sequestration in a Federal program that sells insurance contracts to the public (including the Federal Crop Insurance Fund, the National Insurance Development Fund, the National Flood Insurance Fund, insurance activities of the Overseas Private Insurance Corporation, and Veterans’ life insurance programs) shall be accomplished by annual payments from the insurance fund or account to the general fund of the Treasury. The amount of each annual payment by each such fund or account shall be the amount received by the fund or account by increasing premiums on contracts entered into after the date a sequestration order takes effect by the uniform sequestration percentage, and premiums shall be increased accordingly.

“(o) MEDICAID.—The November 15th estimate of medicaid spending by States shall be the base estimate from which the uniform percentage reduction under any sequestration, applied across-the-board by State, shall be made. Succeeding Federal payments to States shall reflect that reduction. The Health Care Financing Administration shall reconcile actual medicaid spending for each fiscal year with the base estimate as reduced by the uniform percentage, and adjust each State’s grants as soon as practicable, but no later than 100 days after the end of the fiscal year to which the base estimate applied, to comply with the sequestration order.

“(p) MEDICARE.—

“(1) TIMING OF APPLICATION OF REDUCTIONS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), if a reduction is made in payment amounts pursuant to a sequestration order, the reduction shall be applied to payment for services furnished after the effective date of the order. For purposes of the previous sentence, in the case of inpatient services furnished for an individual, the services shall be considered to be furnished on the date of the individual’s discharge from the inpatient facility.

“(B) PAYMENT ON THE BASIS OF COST REPORTING PERIODS.—In the case in which payment for services of a provider of services is made under title XVIII of the Social Security Act on a basis relating to the reasonable cost incurred for the services during a cost reporting period of the provider, if a reduction is made in payment amounts pursuant to a sequestration order, the reduction shall be applied to payment for costs for such services incurred at any time during each cost reporting period of the provider any part of which occurs after the effective date of the order, but only (for each such cost reporting period) in the same proportion as the fraction of the cost reporting period that occurs after the effective date of the order.

“(2) NO INCREASE IN BENEFICIARY CHARGES IN ASSIGNMENT-RELATED CASES.—If a reduction in payment amounts is made pursuant to a sequestration order for services for which payment under part B of title XVIII of the Social Security Act is made on the basis of an assignment described in section 1842(b)(3)(B)(ii), in accordance with section 1842(b)(6)(B), or under the procedure described in section 1870(f)(1) of such Act, the person furnishing the services shall be considered to have accepted payment of the reasonable charge for the services, less any reduction in payment amount made pursuant to a sequestration order, as payment in full.

“(3) NO EFFECT ON COMPUTATION OF AAPCC.—In computing the adjusted average per capita

cost for purposes of section 1876(a)(4) of the Social Security Act, the Secretary of Health and Human Services shall not take into account any reductions in payment amounts which have been or may be effected under this part.

“(q) **POSTAL SERVICE FUND.**—Any sequestration of the Postal Service Fund shall be accomplished by annual payments from that Fund to the General Fund of the Treasury, and the Postmaster General of the United States shall have the duty to make those payments during the fiscal year to which the sequestration order applies and each succeeding fiscal year. The amount of each annual payment shall be—

“(1) the uniform sequestration percentage, times

“(2) the estimated gross obligations of the Postal Service Fund in that year other than those obligations financed with an appropriation for revenue foregone for that year.

Any such payment for a fiscal year shall be made as soon as possible during the fiscal year, except that it may be made in installments within that year if the payment schedule is approved by the Secretary of the Treasury. Within 30 days after the sequestration order is issued, the Postmaster General shall submit to the Postal Rate Commission a plan for financing the annual payment for that fiscal year and publish that plan in the Federal Register. The plan may assume efficiencies in the operation of the Postal Service, reductions in capital expenditures, increases in the prices of services, or any combination, but may not assume a lower Fund surplus or higher Fund deficit and must follow the requirements of existing law governing the Postal Service in all other respects. Within 30 days of the receipt of that plan, the Postal Rate Commission shall approve the plan or modify it in the manner that modifications are allowed under current law. If the Postal Rate Commission does not respond to the plan within 30 days, the plan submitted by the Postmaster General shall go into effect. Any plan may be later revised by the submission of a new plan to the Postal Rate Commission, which may approve or modify it.

“(r) **POWER MARKETING ADMINISTRATIONS AND T.V.A.**—Any sequestration of the Department of Energy power marketing administration funds or the Tennessee Valley Authority fund shall be accomplished by annual payments from those funds to the General Fund of the Treasury, and the administrators of those funds shall have the duty to make those payments during the fiscal year to which the sequestration order applies and each succeeding fiscal year. The amount of each annual payment by a fund shall be—

“(1) the direct spending uniform sequestration percentage, times

“(2) the estimated gross obligations of the fund in that year other than those obligations financed from discretionary appropriations for that year.

Any such payment for a fiscal year shall be made as soon as possible during the fiscal year, except that it may be made in installments within that year if the payment schedule is approved by the Secretary of the Treasury. Annual payments by a fund may be financed by reductions in costs required to produce the pre-sequester amount of power (but those reductions shall not include reductions in the amount of power supplied by the fund), by reductions in capital expenditures, by increases in rates, or by any combination, but may not be financed by a lower fund surplus or a higher fund deficit and must follow the requirements of existing law governing the fund in all other respects. The administrator of a fund or the TVA Board is authorized to take the actions specified above in order to make the annual payments to the Treasury.

“(s) **URANIUM ENRICHMENT.**—Any sequestration of the uranium enrichment program shall be accomplished through annual payments from that program to the general fund of the Treasury, and the program administrator shall have the duty to make those payments during the fiscal year to which the sequestration order applies and each succeeding fiscal year. The Secretary of Energy has the authority to reduce costs or increase receipts, or a combination, as necessary to finance those annual payments.

“(t) **VETERANS' HOUSING LOANS.**—(1) For all housing loans guaranteed, insured, or made under chapter 37 of title 38, United States Code, on or after the date of a sequestration, the origination fees shall be increased by a uniform percentage sufficient to produce the dollar savings in veterans' housing programs for the fiscal year of the sequestration required by section 252A, and all subsequent origination fees shall be increased by the same percentage, notwithstanding any other provision of law.

“(2) The origination fees to which paragraph (1) applies are those referred to in section 3729 of title 38, United States Code.

“(u) As used in section 250(c)(22), other non-budgetary activities and prior legal obligations mean the following:

(1) expenses to the extent they result from private donations, bequests, or voluntary contributions to the Government;

(2) nonbudgetary activities, including but not limited to—

(A) credit liquidating and financing accounts;

(B) the Pension Benefit Guarantee Corporation Trust Funds;

(C) the Thrift Savings Fund;

(D) the Federal Reserve System; and

(E) appropriations for the District of Columbia to the extent they are appropriations of locally raised funds;

(3) payments resulting from Government insurance, Government guarantees, or any other form of contingent liability, to the extent those payments result from contractual or other legally binding commitments of the Government at the time of any sequestration;

(4) the following accounts, which largely fulfill requirements of the Constitution or otherwise make payments to which the Government is committed—

Administration of Territories, Northern Mariana Islands Covenant grants (14-0412-0-1-806);

Bureau of Indian Affairs, miscellaneous payments to Indians (14-2303-0-1-452);

Bureau of Indian Affairs, miscellaneous trust funds, tribal trust funds (14-9973-0-7-999);

Claims, defense;

Claims, judgments, and relief act (20-1895-0-1-806);

Compact of Free Association, economic assistance pursuant to Public Law 99-658 (14-0415-0-1-806);

Compensation of the President (11-0001-0-1-802);

Customs Service, miscellaneous permanent appropriations (20-9992-0-2-852);

Eastern Indian land claims settlement fund (14-2202-0-1-806)

Farm Credit System Financial Assistance Corporation, interest payments (20-1850-0-1-351);

Internal Revenue collections of Puerto Rico (20-5737-0-2-852);

Panama Canal Commission, operating expenses and capital outlay (95-5190-0-2-403);

Payments of Vietnam and USS Pueblo prisoner-of-war claims (15-0104-0-1-153);

Payments to copyright owners (03-5175-0-2-376);

Payments to the United States territories, fiscal assistance (14-0418-0-1-801);

Salaries of Article III judges;

Soldier's and Airmen's Home, payment of claims (84-8930-0-7-705);

Washington Metropolitan Area Transit Authority, interest payments (46-0300-0-1-401).

(5) the following noncredit special, revolving, or trust-revolving funds—

Coinage profit fund (20-5811-0-2-803);

Exchange Stabilization Fund (20-4444-0-3-155);

Foreign Military Sales trust fund (11-82232-0-7-155);

(6)(A) any amount paid as regular unemployment compensation by a State from its account in the Unemployment Trust Fund (established by section 904(a) of the Social Security Act);

(B) any advance made to a State from the Federal unemployment account (established by section 904(g) of such Act) under title XII of such Act and any advance appropriated to the Federal unemployment account pursuant to section 1203 of such Act; and

(C) any payment made from the Federal Employees Compensation Account (as established under section 909 of such Act) for the purpose of carrying out chapter 85 of title 5, United States Code, and funds appropriated or transferred to or otherwise deposited in such Account;

(7) the earned income tax credit (payments to individuals pursuant to section 32 of the Internal Revenue Code of 1986)."

(2) The table of contents set forth in section 250(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting after the item relating to section 252 the following new items:

"Sec. 252A. Enforcing mandatory spending limits.

"Sec. 252B. General and special sequestration rules."

### SEC. 3. PRESIDENT'S BUDGET.

When the President submits the budget under section 1105(a) of title 31, United States Code, for fiscal year 1996, 1997, or 1998, the estimated actual mandatory spending set forth in that budget may not exceed a direct spending limit which shall also be set forth in that budget submission.

### SEC. 4. CROSS-REFERENCE LIST OF MANDATORY SPENDING PROGRAMS AND ACCOUNTS.

**UP-TO-DATE LIST OF PROGRAMS AND ACCOUNTS.**—After consultation with the Directors of the Office of Management and Budget and of the Congressional Budget Office, when the President submits the budget under section 1105(a) of title 31, United States Code, beginning with fiscal year 1996, the budget submission shall contain a list of programs and corresponding budget accounts for purposes of establishing mandatory spending program caps under section 252A of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) **MANDATORY SPENDING LIMIT, ALLOCATIONS OF MANDATORY SPENDING, AND PROGRAM SPENDING CAPS BASED UPON PRESIDENT'S LIST.**—The mandatory spending limit established under section 301(a)(6) of the Congressional Budget Act of 1974, allocations of total mandatory spending made pursuant to section 602(a) of that Act, and the mandatory spending program caps under section 252A of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be predicated upon the most recent list submitted by the President under subsection (a).

### SEC. 5. CONGRESSIONAL BUDGET.

(a) **JOINT RESOLUTIONS ON THE BUDGET.**—(1) Sections 3, 300, 301, 302, 303, 304, 305, 308, 310, and 311 of the Congressional Budget and Impoundment Control Act of 1974 are amended by striking "concurrent resolution" each place it appears and by inserting "joint resolution".

(2) The table of contents set forth in section 1(b) of the Congressional Budget and Im-

poundment Control Act of 1974 is amended by striking "Concurrent" in the items relating to sections 301, 303, and 304 and inserting "Joint".

(3) Clauses 4(a)(2), 4(b)(2), 4(g), and 4(h) of rule X, clause 8 of rule XXIII, and rule XLIX of the Rules of the House of Representatives are amended by striking "concurrent" each place it occurs and inserting "joint".

(4) Section 258C(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking "concurrent" and by inserting "joint".

(b) DEFINITION OF MANDATORY SPENDING.—Section 3 of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding at the end the following new paragraph:

"(11) The term 'mandatory spending' means direct spending excluding social security, net interest, and deposit insurance."

(c) SECTION 602 ALLOCATIONS.—Section 602(a) of the Congressional Budget Act of 1974 is amended—

(1)(A) in paragraph (1)(A), by striking "and" at the end of clause (ii), by striking the semicolon and inserting ", and" at the end of clause (iii), and by inserting after clause (iii) the following new clause:

"(iv) total mandatory spending;" and  
(2) in paragraph (2), by striking "and" at the end of subparagraph (B), by inserting "; and" at the end of subparagraph (C), and by inserting after subparagraph (C) the following new subparagraph:

"(D) total mandatory spending;"

(d) CONTENT OF JOINT RESOLUTION ON THE BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively, and by inserting after paragraph (5), the following new paragraph:

"(6) the total mandatory spending limit;"

(e) RECONCILIATION DIRECTIVES.—Section 310(a)(1) of the Congressional Budget Act of 1974 is amended by striking "and" at the end of subparagraph (C), by striking the comma and inserting "; and" at the end of subparagraph (D), and by inserting after subparagraph (D) the following new subparagraph:

"(E) mandatory spending for such fiscal year for each mandatory spending program subject to section 252A and consistent with section 602(a) allocations;"

(f) ESTABLISHMENT OF MANDATORY SPENDING PROGRAM CAPS.—Section 310 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

"(h) ESTABLISHMENT OF MANDATORY SPENDING PROGRAM CAPS.—

"(1) Each committee of the House of Representatives or Senate that receives a mandatory spending allocation under section 602(a) for a budget year for the most recently enacted joint budget resolution shall propose a mandatory spending cap for each mandatory spending program within its jurisdiction for that year and include that as part of its recommendations submitted to the Committee on the Budget of its House for inclusion in the reconciliation bill or resolution. The total of all mandatory spending program caps within the jurisdiction of a committee for a budget year may not exceed the total mandatory spending allocation made to that committee for that year under section 602(a)."

"(2) It shall not be in order in either the House of Representatives or the Senate to consider any bill or resolution, or amendment thereto or conference report thereon, that establishes or increases a mandatory spending program cap established under section 310 for a budget year that, when combined with all other such caps for that year, would cause a breach of the mandatory spending limit."

(g) COMPLIANCE WITH RECONCILIATION DIRECTIONS.—Section 310(c)(1) of the Congressional Budget and Impoundment Control Act of 1974 is amended—

(1) by inserting "or of subsection (h)" after "of subsection (a)"; and

(2) in subparagraph (A), by adding at the end the following new clause:

"(iii) if that committee fails to include mandatory spending program caps for all mandatory spending programs within its jurisdiction or if the sum of the mandatory spending program caps for all mandatory spending programs within its jurisdiction exceeds the total mandatory spending allocation made to that committee for that fiscal year under section 602(a); and"

(h) CONFORMING CHANGES IN SCORING CONVENTIONS.—Section 310 of the Congressional Budget Act of 1974 (as amended by subsection (f)) is amended by adding at the end the following new subsection:

"(i) CONFORMING CHANGES IN SCORING CONVENTIONS.—The Committees on the Budget of the House or Representatives and the Senate, in consultation with the Directors of the Office of Management and Budget and of the Congressional Budget Office, may make such changes in scoring procedures as are necessary to ensure sufficient mathematical consistency between section 602(a) allocations, reconciliation directions, and the House and Senate-passed versions of any reconciliation bill or resolution."

(i) CONFORMING CHANGE TO BYRD RULE.—Section 313(b) of the Congressional Budget Act of 1974 is amended by adding at the end the following new paragraph:

"(4) A provision or a reconciliation bill or resolution shall not be considered extraneous under this section if it proposes a mandatory spending program cap for any program pursuant to section 310(h)."

(j) SPECIAL RECONCILIATION PROCESS.—Section 258C of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in subsection (a)(1), by inserting "252A," after "section 252";

(2) by inserting "or House of Representatives" after "Senate" each place it appears except for subsection (b)(4);

(3) in the second sentence of paragraph (3), by inserting "or in mandatory spending" after "deficit";

(4) in the second sentence of paragraph (4), by inserting "or mandatory spending reduction, as the case may be," after "deficit reduction"; and

(5) in paragraph (5), by inserting "or amount of mandatory spending" after "deficit for such fiscal year" and by inserting "or mandatory spending limit, as the case may be," after "maximum deficit amount".

**SEC. 6. ENFORCING DEFICIT TARGETS.**

Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in subsection (d)(1), by inserting "mandatory spending," before "deficit";

(2) in subsection (d), by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively, and by inserting after paragraph (3) the following new paragraph:

"(4) MANDATORY SPENDING SEQUESTRATION REPORTS.—The preview reports shall set forth, for the current year and the budget year, estimates of the amount of reduction in mandatory spending, if any, required under section 252A."; and

(3) in subsection (g)(3), by inserting "MANDATORY SPENDING," before "AND" in its side heading and by inserting "mandatory spending," before "pay-as-you-go" in the first sentence.

**SEC. 7. PROTECTION OF SOCIAL SECURITY.**

No reductions in benefits payable under the old-age, survivors, and disability insurance program established under title II of the Social Security Act shall be made as a consequence of this Act.

**SEC. 8. EFFECTIVE DATE.**

(a) IN GENERAL.—Notwithstanding section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985—

(1) the expiration date set forth in that section shall not apply to the amendments made by this Act to the Balanced Budget and Emergency Deficit Control Act of 1985; and

(2) and all sections of that Act, including sections 252 and 252A, necessary to carry out the amendments made by this Act (but only for the purpose of carrying out those amendments) shall remain in full force and effect.

(b) TITLE VI OF CONGRESSIONAL BUDGET ACT OF 1974.—Section 607 of the Congressional Budget Act of 1974 is repealed.

It was decided in the } Yeas ..... 194  
negative ..... } Nays ..... 233

80.14 [Roll No. 343] AYES—194

Allard	Gooding	Moorhead
Andrews (NJ)	Gordon	Morella
Archer	Goss	Myers
Armey	Grams	Nussle
Bachus (AL)	Greenwood	Oxley
Baker (CA)	Gunderson	Packard
Baker (LA)	Hall (TX)	Paxon
Ballenger	Hancock	Peterson (MN)
Barrett (NE)	Hansen	Petri
Bartlett	Harman	Pickett
Barton	Hastert	Pombo
Bateman	Hefley	Porter
Bentley	Heger	Portman
Bereuter	Hoagland	Poshard
Bilirakis	Hobson	Pryce (OH)
Biley	Hoekstra	Quillen
Blute	Hoke	Quinn
Boehlert	Horn	Ramstad
Boehner	Houghton	Ravenel
Bunning	Huffington	Regula
Buyer	Hunter	Ridge
Callahan	Hutchinson	Roberts
Calvert	Hyde	Rogers
Camp	Inglis	Rohrabacher
Canady	Inhofe	Roth
Castle	Inslee	Roukema
Clement	Istook	Royce
Clinger	Johnson (CT)	Santorum
Coble	Johnson, Sam	Saxton
Collins (GA)	Kasich	Schaefer
Combest	Kim	Schenk
Condit	King	Schiff
Cooper	Kingston	Sensenbrenner
Coppersmith	Klug	Shaw
Cox	Knollenberg	Shays
Crane	Kolbe	Shuster
Crapo	Kreidler	Skeen
Cunningham	Kyl	Smith (MI)
Deal	Lazio	Smith (NJ)
DeLay	Leach	Smith (OR)
Diaz-Balart	Levy	Smith (TX)
Dickey	Lewis (FL)	Snowe
Doolittle	Lewis (KY)	Solomon
Dornan	Lightfoot	Spence
Dreier	Linder	Stearns
Duncan	Lipinski	Stump
Dunn	Livingston	Sundquist
Ehlers	Lucas	Swett
Emerson	Machtley	Talent
Ewing	Mann	Tanner
Fawell	Manzullo	Taylor (MS)
Fields (TX)	McCandless	Taylor (NC)
Fingerhut	McCollum	Thomas (CA)
Fish	McCrery	Thomas (WY)
Fowler	McCurdy	Torkildsen
Franks (CT)	McDade	Upton
Franks (NJ)	McHugh	Walker
Gallegly	McInnis	Walsh
Gekas	McKeon	Weldon
Geren	McMillan	Wolf
Gilchrest	Meyers	Young (AK)
Gillmor	Mica	Young (FL)
Gilman	Michel	Zeliff
Gingrich	Miller (FL)	Zimmer
Goodlatte	Molinari	

NOES—233

Abercrombie	Barcia	Bishop
Ackerman	Barlow	Blackwell
Andrews (ME)	Barrett (WI)	Bonilla
Andrews (TX)	Becerra	Bonior
Applegate	Beilenson	Borski
Bacchus (FL)	Berman	Boucher
Baesler	Bevill	Brewster
Barca	Bilbray	Brooks