

Friday, February 3, 1995

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2075–S2146

Measures Introduced: Six bills were introduced, as follows: S. 351–356. **Page S2124**

Measures Reported: Reports were made as follows: S. 178, to amend the Commodity Exchange Act to extend the authorization for the Commodity Futures Trading Commission. (S. Rept. No. 104–7) **Page S2124**

Balanced Budget Constitutional Amendment: Senate continued consideration of H.J. Res. 1, proposing a balanced budget amendment to the Constitution of the United States. **Pages S2084–S2119**

Pending:

Daschle motion to commit the resolution, with instructions to report back forthwith, with Daschle Amendment No. 231, to require a budget plan before the amendment takes effect. **Pages S2089–S2119**

Dole Amendment No. 232 (with instructions to commit), to establish that if Congress has not passed a Balanced Budget Amendment to the Constitution by May 1, 1995, within 60 days thereafter, the President shall transmit to Congress a detailed plan to balance the budget by the year 2002. **Pages S2090–S2119**

Dole Amendment No. 233 (to Amendment No. 232), in the nature of a substitute. **Pages S2090–S2119**

Senate will resume consideration of the resolution on Monday, February 6.

Unfunded Mandate Reform: Senate disagreed to the amendments of the House to S. 1, to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local, and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and

regulations, agreed to the request of the House for a conference thereon, and the Chair appointed the following conferees: Senators Roth, Domenici, Kempthorne, Glenn, and Exon. **Pages S2140–45**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report on the national emergency with Haiti; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–8). **Pages S2122–23**

Transmitting the report of a proclamation to amend the Generalized System of Preferences; referred to the Committee on Finance. (PM–9). **Page S2123**

Nominations Received: Senate received the following nominations:

Eldon E. Fallon, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Routine lists in the Coast Guard, Air Force, Army, Marine Corps. **Pages S2145–46**

Messages From the President: **Pages S2122–23**

Messages From the House: **Page S2124**

Measures Referred: **Page S2145**

Communications: **Page S2124**

Statements on Introduced Bills: **Pages S2124–35**

Additional Cosponsors: **Page S2135**

Amendments Submitted: **Pages S2135–38**

Notices of Hearings: **Page S2138**

Additional Statements: **Pages S2138–39**

Recess: Senate convened at 9:30 a.m., and recessed at 4:55 p.m., until 10 a.m., on Monday, February 6, 1995. (For Senate's program, see the remarks of the Acting Majority Leader in today's RECORD on page S2145.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: Fourteen public bills, H.R. 813–826; three private bills, H.R. 827–829; and six resolutions, H.J. Res. 67, H. Con. Res. 22–23, and H. Res. 57–59, were introduced. **Pages H1207–08**

Presidential Message—Haiti: Read a message from the President wherein he transmits reports on United States activities with respect to Haiti—referred to the Committee on International Relations and ordered printed (H. Doc. No. 104–25). **Pages H1167–68**

Line-Item Veto: House continued consideration of H.R. 2, to give the President line-item veto authority over appropriation Acts and targeted tax benefits in revenue Acts; but came to no resolution thereon. Consideration of amendments will resume on Monday, February 6. **Pages H1168–91**

Agreed to the Obey amendment that allows the President to use the line-item veto authority established for items in fiscal year 1995 appropriations bills if the President notifies the Congress of such rescissions not later than ten calendar days after the enactment of the Line-Item Veto Act. **Pages H1190–91**
Rejected:

The Spratt amendment that sought to expand the types of provisions in tax bills that the President can propose be repealed under his new line-item veto authority (rejected by a recorded vote of 175 ayes to 243 noes, Roll No. 89); **Pages H1168–70**

The Wise amendment in the nature of a substitute that sought to provide that rescissions proposed by the President must be voted on by Congress under expedited consideration procedures, and that repeals of “targeted tax benefits” proposed by the President also must be voted on by Congress under expedited consideration procedures and would only become effective if approved by the House and Senate (rejected by a recorded vote of 167 ayes to 246 noes, Roll No. 90). **Pages H1171–87**

It was made in order that during further consideration of H.R. 2 that the Chairman of the Committee of the Whole may postpone until a time during further consideration a request for a recorded vote on any amendment, and that the Chairman may reduce to not less than five minutes the time for voting by electronic device without intervening business, provided that the time for voting by electronic device without intervening business on the first in any series of questions be not less than 15 minutes; and **Pages H1196–97**

It was made in order that when the Committee of the Whole meets under the five-minute rule on Monday, February 6, to consider amendments to H.R. 2 that four amendments, if offered will be considered; time to be divided equally between proponents and opponents of the amendment with debate not to exceed the time allotted: Amendment by Representative Orton, 1 hour; amendment by Representative Waters, 30 minutes; amendment by Representative Tauzin, 30 minutes, and amendment by Representative Traficant, 30 minutes. No amendments to the preceding amendments may be offered. Two substitutes, if offered, will also be considered, time to be equally divided between proponents and opponents and debate not to exceed one hour each: Substitute by Representative Slaughter; and substitute by Representative Stenholm. No amendments to the substitutes may be offered. **Page H1197**

Legislative Program: The Majority Leader announced the legislative program for the week of February 6. Agreed to adjourn from Friday to Monday. **Page H1187**

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of Wednesday, February 8. **Page H1193**

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on pages H1208–11.

Quorum Calls—Votes: Two recorded votes developed during the proceedings of the House today and appear on pages H1169–70 and H1186–87. There were no quorum calls.

Adjournment: Met at 10:00 a.m. and adjourned at 4:13 p.m.

Committee Meetings

LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

JOB CREATION AND WAGE ENHANCEMENT ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 9, Job Creation and Wage Enhancement Act of 1995, issues in the Contract With America dealing with Title VI: Strengthening Regulatory Flexibility; Title VII: Regulatory Impact Analysis; and

Title VIII: Protection Against Federal Regulatory Abuse. Testimony was heard from Representatives Skelton, Ewing, and DeLay; the following officials of the SBA: John Spotila, General Counsel; and Jere Glover, Chief Counsel for Advocacy; Jamie Gorelick, Deputy Attorney General, Department of Justice; and public witnesses.

Hearings continue on February 6.

TERM LIMITS—SENATE AND HOUSE MEMBERS

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on Term Limits for Members of the United States Senate and the House of Representatives. Testimony was heard from Senators Thompson and McConnell; Representatives Fowler, McCollum, Deal of Georgia, Peterson of Florida, and Payne of New Jersey; Thomas H. Fetzer, Mayor, Raleigh, North Carolina; former Senator Dennis DeConcini of Arizona; and public witnesses.

RISK ASSESSMENT AND COST-BENEFIT ANALYSIS

Committee on Science: Continued hearings on Risk Assessment and Cost-Benefit Analysis. Testimony was heard from Representatives Mica and Zimmer; Lynn Goldman, Assistant Administrator, Office of Prevention, Pesticides, and Toxic Substances, EPA; John H. Gibbons, Director, Office of Science and Technology Policy; Keith Collins, Chief Economist, Office of Risk Assessment, USDA; Bill Schultz, FDA, Department of Health and Human Services; and public witnesses.

CONTRACT WITH AMERICA; CHILD CARE/CHILD WELFARE

Committee on Ways and Means: Subcommittee on Human Resources and the Subcommittee on Early Childhood, Youth and Families of the Committee on Economic and Educational Opportunities held a joint hearing on Contract With America: Child Care/Child Welfare. Testimony was heard from Mary Jo Bane, Assistant Secretary, Children and Families, Department of Health and Human Services; and public witnesses.

Joint Meetings

EMPLOYMENT STATISTICS

Joint Economic Committee: Committee held hearings to examine the employment-unemployment situation for January, receiving testimony from Katharine G. Abraham, Commissioner of Labor Statistics, Department of Labor.

Committee recessed subject to call.

CONGRESSIONAL PROGRAM AHEAD

Week of February 6 through 11, 1995

Senate Chamber

During the week, Senate will continue consideration of H.J. Res. 1, Balanced Budget Constitutional Amendment, and consider any cleared executive and legislative business.

(Senate will recess on Tuesday, February 7, 1995, from 12:30 p.m. until 2:15 p.m., for respective party conferences.)

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: February 7, to hold hearings to examine what tax policy reforms will help strengthen agriculture and agribusiness, 9:30 a.m., SR-332.

Committee on Appropriations: February 9, Subcommittee on Foreign Operations, to hold hearings on proposed budget estimates for fiscal year 1996 for foreign assistance programs, focusing on United States policy toward Russia and the New Independent States, 10 a.m., SD-192.

Committee on Armed Services: February 7, to hold hearings on United States national security strategy, 9:30 a.m., SR-325.

February 9, Full Committee, to hold hearings on proposed legislation authorizing funds for fiscal year 1996 for the Department of Defense and the future years defense program, 9:30 a.m., SH-216.

Committee on the Budget: February 7, to hold hearings on the President's economic plan, 9 a.m., SD-608.

February 8, Full Committee, to hold hearings on the President's fiscal year 1996 budget for the Federal Government, 9:30 a.m., SD-608.

February 10, Full Committee, to hold hearings on the President's proposed budget request for fiscal year 1996 for the Department of Defense, 9:30 a.m., SD-608.

Committee on Energy and Natural Resources: February 9, to hold hearings on the President's proposed budget request for fiscal year 1996 for the Department of Energy and the Federal Energy Regulatory Commission, 9:30 a.m., SD-366.

Committee on Finance: February 8, to hold hearings to examine proposed tax cuts contained in the President's fiscal year 1996 budget for the Federal Government, 9:30 a.m., SD-215.

Committee on Governmental Affairs: February 7 and 8, to hold hearings to examine regulatory reform issues, Tuesday at 10 a.m. and Wednesday at 9:30 a.m., SD-342.

Committee on the Judiciary: February 8, to hold hearings on pending nominations, 2 p.m., SD-226.

February 10, Full Committee, to hold hearings on the national drug control strategy, 9 a.m., SD-226.

Committee on Labor and Human Resources: February 9, to hold hearings to examine employee involvement and worker management cooperation, 9:30 a.m., SD-430.

Committee on Small Business: February 10, to hold hearings on the future of the Small Business Administration, 10 a.m., SR-428A.

Committee on Veterans' Affairs: February 9, to hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the Paralyzed Veterans of America, Jewish War Veterans, Retired Officers Association, Non-Commissioned Officers Association, and the Association of the United States Army, 9:30 a.m., 345 Cannon Building.

Committee on Indian Affairs: February 9, to hold oversight hearings to review challenges facing Indian youth, 10 a.m., SR-485.

Select Committee on Intelligence: February 8, to hold closed hearings on intelligence matters, 2 p.m., SH-219.

House Chamber

Monday, Complete consideration of H.R. 2, Line-Item Veto Legislation.

Tuesday, and the balance of the week, Consideration of H.R. 665, Victim Restitution Act (subject to a rule being granted);

H.R. 666, Exclusionary Rule Reform Act (subject to a rule being granted);

H.R. 668, Criminal Alien Deportation Act (subject to a rule being granted);

H.R. 667, Violent Criminal Incarceration Act (subject to a rule being granted); and

H.R. 729, Effective Death Penalty Act (subject to a rule being granted).

NOTE.—Conference reports may be brought up at any time. Any further program will be announced later.

House Committees

Committee on Agriculture, February 7, to consider pending Committee business, 2 p.m., 1300 Longworth.

February 7, 8, and 9, Subcommittee on Department Operations, Nutrition and Foreign Agriculture, hearings on reforming the present welfare system, 9:30 a.m., 1300 Longworth.

Committee on Appropriations, February 7, Subcommittee on Transportation, on the Secretary of Transportation, 10 a.m., 2358 Rayburn.

February 8, Subcommittee on Transportation, on the National Transportation Safety Board, 10 a.m., 2358 Rayburn.

February 9, Subcommittee on Transportation, on the ICC, 10 a.m., 2358 Rayburn.

February 9, Subcommittee on Veterans Affairs, HUD, and Independent Agencies, on Restructuring Government, 10 a.m., and 2 p.m., H-143 Capitol.

Committee on Banking and Financial Services, February 9, to consider oversight plans for the 104th Congress for submission to the Committee on Government Reform and Oversight and the Committee on House Oversight, 9:30 a.m., and to hold a hearing regarding the United States and international response to the Mexican financial crisis, 2 p.m., 2128 Rayburn.

February 10, to continue hearings regarding the United States and international response to the Mexican financial crisis, 10 a.m., 2128 Rayburn.

Committee on the Budget, February 7, hearing on the Administration's Budget Submission for fiscal year 1996, 10 a.m., 210 Cannon.

Committee on Commerce, February 7, to mark up Title III, Risk Assessment and Cost/Benefit Analysis for New Regulations, of H.R. 9, Job Creation and Wage Enhancement Act, 10 a.m., 2123 Rayburn.

February 8, Subcommittee on Energy and Power, oversight hearing on the Department of Energy's proposed budget for fiscal year 1996, 10 a.m., 2123 Rayburn.

February 9, Subcommittee on Oversight and Investigations, hearing on the implementation and enforcement of the Clean Air Act Amendments of 1990, 9:30 a.m., 2123 Rayburn.

February 10, Subcommittee on Telecommunications and Finance, to continue hearings on Title II, Reform of Private Securities Litigation, of H.R. 10, Common Sense Legal Reform Act, 9:30 a.m., 2123 Rayburn.

Committee on Economic and Educational Opportunities, February 6 and 7, Subcommittee on Postsecondary Education, Training and Life-Long Learning, hearings on Training Issues, 1 p.m. on February 6 and 10:30 a.m. on February 7, 2175 Rayburn.

February 7, full Committee, to consider the following: oversight plans for the 104th Congress for submission to the Committee on Government Reform and Oversight and the Committee on House Oversight; and the Committee Budget, 9 a.m., 2175 Rayburn.

February 8, Subcommittee on Employer-Employee Relations, hearing on Removing Impediments to Employee Participation/Electromotion, 9:30 a.m., 2175 Rayburn.

February 9, Subcommittee on Oversight and Investigations, hearing on Block Grant/Consolidation Overview, 9:30 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, February 7, Subcommittee on Civil Service, hearing on restructuring the Office of Personnel Management, 9:30 a.m., 2203 Rayburn.

February 7, Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs, hearing on the following: reauthorization of the Paperwork Reduction Act; and Title III, Risk and Assessment and Cost/Benefit Analysis for New Regulations, of H.R. 9, Job Creation and Wage Enhancement Act of 1995, 9:30 a.m., 2154 Rayburn.

February 8, Subcommittee on National Growth, Natural Resources and Regulatory Affairs, to mark up the following: reauthorization of the Paperwork Reduction Act; and H.R. 450, Regulatory Transition Act of 1995, 9 a.m., 2154 Rayburn.

February 10, full Committee, to mark up the following: reauthorization of the Paperwork Reduction Act; and H.R. 450, Regulatory Transition Act of 1995, 9 a.m., 2154 Rayburn.

February 10, Subcommittee on Government Management, Information, and Technology, to hold an organizational meeting, 8:30 a.m., 2247 Rayburn.

Committee on House Oversight, February 8, to consider pending business, 11 a.m., 1310 Longworth.

Committee on International Relations, February 7, Subcommittee on Africa, executive, to receive a closed briefing on United States Military Operations in Somalia, 9 a.m., 2172 Rayburn.

February 9, Subcommittee on Africa, executive, to receive a closed briefing on Central, West, and North Africa, 1 p.m., 2255 Rayburn.

Committee on the Judiciary, February 6, Subcommittee on Commercial and Administrative Law, to continue hearings on H.R. 9, Job Creation and Wage Enhancement Act of 1995, issues in the Contract With America dealing with Title VI, Strengthening Regulatory Flexibility; Title VII, Regulatory Impact Analysis; and Title VIII, Protection Against Federal Regulatory Abuse, 2 p.m., 2226 Rayburn.

February 6 and 10, Subcommittee on Courts and Intellectual Property, hearing on issues related to the Legal Reform issues in the Contract With America, 10:30 a.m., on February 6 and 9:30 a.m., on February 10, 2237 Rayburn.

February 7, full Committee, to consider oversight plans for the 104th Congress for submission to the Committee on Government Reform and Oversight and the Committee on House Oversight, 9:30 a.m., 2141 Rayburn.

February 8, Subcommittee on Immigration and Claims, to hold an organizational meeting; followed by an oversight hearing on the management practices of the Immigration and Naturalization Service, 9:30 a.m., 2226 Rayburn.

February 10, Subcommittee on the Constitution, hearing on protecting private property rights with regulatory takings, 10 a.m., 2226 Rayburn.

Committee on National Security, February 8, hearing on the fiscal year 1996 National Defense authorization request, 9:30 a.m., and 1:30 p.m., 2118 Rayburn.

Committee on Resources, February 7, Subcommittee on National Parks, Forests and Lands, to mark up the following bills: H.R. 694, Minor Boundary Adjustments and Miscellaneous Park Amendments Act of 1995; and H.R. 606, to amend the Dayton Aviation Heritage Preservation Act of 1992, 10 a.m., 1324 Longworth.

February 8, full Committee, to mark up the following bills: H.R. 402, to amend the Alaska Native Claims Settlement Act; H.R. 421, to amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet Region; H.R. 715, Sea of Okhotsk Fisheries Enforcement Act; H.R. 716, to amend the Fishermen's Protective Act; H.R. 541, to reauthorize the Atlantic Tunas Convention Act of 1975; H.R. 622, to implement the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries; H.R. 535, to direct the Secretary of the Interior to convey the Corning National Fish Hatchery to the State of Arkansas; H.R. 584, to direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa; and H.R. 614, to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility, 11 a.m., 1324 Longworth.

February 9, Subcommittee on National Parks, Forests and Lands and the Subcommittee on Interior and Related Agencies of the Committee on Appropriations, joint oversight hearing to review financial management in the National Park Service and the National Park Service Reorganization Plan, 10 a.m., 1324 Longworth.

February 10, Subcommittee on National Parks, Forests and Lands and the Subcommittee on Resource Conservation, Research, and Forestry of the Committee on Agriculture, joint oversight hearing on Forest Health and Emergency Salvage Sales, 10 a.m., 1324 Longworth.

Committee on Rules, February 6, to consider the following: H.R. 665, Victim Restitution Act of 1995; and H.R. 666, Exclusionary Rule Reform Act, 2 p.m., H-313 Capitol.

Committee on Science, February 8, to mark up the following: H.R. 655, Hydrogen Future Act of 1995; and Title II, Risk Assessment and Cost/Benefit Analysis for new regulations of H.R. 9, Job Creation and Wage Enhancement Act of 1995; and to consider oversight plans for the 104th Congress for submission to the Committee on Government Reform and Oversight and the Committee on House Oversight, 10 a.m., 2318 Rayburn.

Committee on Small Business, February 9, hearing on amendments to strengthen the Regulatory Flexibility Act, 10 a.m., 2359A Rayburn.

Committee on Transportation and Infrastructure, February 7, Subcommittee on Railroads, hearing on Amtrak's Fiscal Crisis, 10 a.m., 2167 Rayburn.

February 7, Subcommittee on Water Resources and Environment, hearing on the Water Resources Development Act of 1995, 2 p.m., 2167 Rayburn.

February 8, Subcommittee on Surface Transportation, hearing on legislation to improve the National Highway System and Ancillary Issues relating to Highway and Transit Programs, 10 a.m., 2167 Rayburn.

February 9, Subcommittee on Aviation, hearing on the Metropolitan Washington Airports Authority Board of Review, 2 p.m., 2247 Rayburn.

February 9, Subcommittee on Water Resources and Environment, hearing on the reauthorization of the Federal Water Pollution Control Act, 10 a.m., 2167 Rayburn.

February 10, Subcommittee on Public Buildings and Economic Development, hearing on the Economic Development Administration and the Appalachian Regional Commission, 8:30 a.m., 2253 Rayburn.

February 10, Subcommittee on Railroads, hearing on Amtrak's Current Situation, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, February 6, 7, and 10, Subcommittee on Health, hearings on Medicare related issues, 10:00 a.m., on February 6 and February 10, and 2 p.m., on February 7, 1100 Longworth.

February 6, Subcommittee on Human Resources, to continue hearings on H.R. 4, Personal Responsibility Act, with emphasis on child support provisions, 12 p.m., B-318 Rayburn.

February 7, 8, and 9, full Committee, hearings on the Administration's fiscal year 1996 budget proposals, 10:30 a.m. on February 7; 10 a.m. on February 8; and 10 a.m. and 1 p.m. on February 9, 1100 Longworth.

February 8, full Committee, to mark up the following: oversight plans for the 104th Congress for submission to the Committee on Government Reform and Oversight and the Committee on House Oversight; Budget recommendations for the report to the Committee on the Budget; Committee Budget; and H.R. 697, to amend the Internal Revenue Code of 1986 to restore, for taxable years beginning in 1994, the deduction for the health insurance costs of self-employed, 1 p.m., 1100 Longworth.

February 10, Subcommittee on Trade, hearing on H.R. 553, Caribbean Basin Trade Security Act, 11 a.m., B-318 Rayburn.

Permanent Select Committee on Intelligence, February 7, executive, hearing on the Aldrich Ames Espionage Case, 2 p.m., H-405 Capitol.

Joint Meetings

Joint hearing: February 9, Senate Committee on Veterans' Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Paralyzed Veterans of America, Jewish War Veterans, Retired Officers Association, Non-Commissioned Officers Association, and the Association of the United States Army, 9:30 a.m., 345 Cannon Building.

Next Meeting of the SENATE
10 a.m., Monday, February 6

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., Monday, February 6

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will continue consideration of H.J. Res. 1, Balanced Budget Constitutional Amendment.

House Chamber

Program for Monday: Complete consideration of H.R. 2, Line-Item Veto Legislation.

Extensions of Remarks, as inserted in this issue

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