

Thursday, October 26, 1995

Daily Digest

HIGHLIGHT

House passed the budget reconciliation bill.

Senate

Chamber Action

Routine Proceedings, pages S15707–S15977

Measures Introduced: Three bills were introduced, as follows: S. 1364–1366. **Page S15849**

Measures Reported: Report made as follows:

S. 848, to grant the consent of Congress to an amendment of the Historic Chattahoochee Compact between the States of Alabama and Georgia.

Page S15849

Budget Reconciliation: Senate continued consideration of S. 1357, to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, taking action on motions/amendments pending thereto:

Pages S15707–70, S15773–S15840

Adopted:

(1) By a unanimous vote of 99 yeas (Vote No. 500), Abraham Amendment No. 2950, to establish beneficiary incentive programs to collect information on fraud and abuse against the Medicare program and to collect information on program efficiency.

Pages S15707, S15777

(2) By a unanimous vote of 99 yeas (Vote No. 504), Kassebaum Amendment No. 2962, to strike the provisions relating to loan payments from institutions, the elimination of the grace period interest subsidy, and the PLUS loan interest rate and rebate.

Pages S15773–76, S15779–81

(3) By a unanimous vote of 99 yeas (Vote No. 507), McCain Amendment No. 2964, to express the sense of the Senate regarding the need to raise the Social Security earnings limit. **Pages S15786–95, S15827**

(4) By 79 yeas to 20 nays (Vote No. 508), Helms Amendment No. 2965, to allow senior citizens to continue to choose their doctors.

Pages S15786–95, S15827

(5) By a unanimous vote of 99 yeas (Vote No. 509), Brown Amendment No. 2969, to provide that the \$1,000,000 limit on deductibility of compensation paid to an employee is extended to employees

of all businesses, and to use the resulting revenues to reduce the Social Security earnings penalty.

Pages S15795–96, S15827–28

(6) By 60 yeas to 39 nays (Vote No. 513), Chafee/Conrad Amendment No. 2973, to guarantee coverage under the Medicaid program for low-income aged, blind, and disabled individuals eligible for supplemental security income benefits under title XVI of the Social Security Act.

Pages S15805–07, S15829–30

(7) By a unanimous vote of 99 yeas (Vote No. 515), Bond/Pryor Modified Amendment No. 2975, to increase the health insurance deduction for self-employed individuals and to strike the long-term care insurance provisions. **Pages S15808–12, S15830**

(8) Snowe Amendment No. 2976, to express the sense of the Senate regarding the coverage of treatment of breast and prostate cancer under Medicare.

Page S15813

Rejected:

(1) By 46 yeas to 53 nays (Vote No. 499), Rockefeller motion to commit the bill to the Committee on Finance, with instructions, regarding Medicare.

Pages S15707, S15776

(2) Bradley motion to commit the bill to the Committee on Finance, with instructions, regarding Earned Income Tax Credit. (By 53 yeas to 46 nays (Vote No. 501), Senate tabled the motion.)

Pages S15707–13, S15777–78

(3) Graham motion to commit the bill to the Committee on Finance, with instructions, regarding Medicaid. (By 51 yeas to 48 nays (Vote No. 502), Senate tabled the motion.) **Pages S15713–33, S15778–79**

(4) Kennedy Amendment No. 2959, to strike those provisions that impose higher student loan costs on students and families. (By 51 yeas to 48 nays (Vote No. 503), Senate tabled the motion.)

Pages S15733–50, S15779

(5) Bumpers motion to commit the bill to the Committee on Finance, with instructions, regarding

deficit reduction. (By 53 yeas to 46 nays (Vote No. 505), Senate tabled the motion.)

Pages S15750–57, S15781–82

(6) By 46 yeas to 53 nays (Vote No. 512), Byrd/Ford Amendment No. 2972, to strike the reductions in highway demonstration projects and to provide an offsetting revenue increase.

Pages S15803–05, S15829

(7) Breaux Amendment No. 2963, to provide for a partially refundable child tax credit. (By 53 yeas to 46 nays (Vote No. 514), Senate tabled the amendment.)

Pages S15807–08, S15830

(8) Biden motion to commit the bill to the Committee on Finance, with instructions, regarding a tax deduction for costs of college education. (By 55 yeas to 44 nays (Vote No. 516), Senate tabled the motion.)

Pages S15812–13, S15831

Withdrawn:

(1) Brown Modified Amendment No. 2949 (to instructions of Rockefeller motion to commit), instructions that the committee should consider the findings of the trustees of the Federal Insurance Trust Fund.

Page S15707

(2) Harkin Amendment No. 2957 (to Amendment No. 2950), to strengthen efforts to combat Medicare waste, fraud and abuse.

Page S15707

(3) Nickles/Brown Amendment No. 2958 (to instructions of Bradley motion to commit the bill), to increase the Earned Income Tax Credit for families.

Page S15707

During consideration of this bill today, the following action also occurred:

By 46 yeas to 53 nays (Vote No. 506), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive certain provisions of the Congressional Budget Act with respect to consideration of the Baucus motion to commit the bill to the Committee on Finance, with instructions, regarding rural restoration. Subsequently, a point of order that the motion was in violation of the Congressional Budget Act was sustained, and the motion was ruled not in order.

Pages S15757–70, S15782

By 43 yeas to 56 nays (Vote No. 510), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305(b)(2) of the Congressional Budget Act with respect to consideration of Harkin Amendment No. 2970, to strengthen efforts to combat Medicare waste, fraud and abuse. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S15796–S15801, S15828

By 25 yeas to 74 nays (Vote No. 511), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305(b)(2) of the Congressional Budget

Act with respect to consideration of McCain Amendment No. 2971, to eliminate corporate welfare in Federal programs. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S15801–03, S15828–29

By 47 yeas to 52 nays (Vote No. 517), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive certain provisions of the Congressional Budget Act with respect to consideration of Dorgan Amendment No. 2977, to end deferral for United States shareholders on income of controlled foreign corporations attributable to property imported into the United States. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S15814–16, S15831–32

Pending:

Gramm Amendment No. 2978, to provide states additional flexibility in providing for Medicaid beneficiaries.

Pages S15816–17

Kerry/Kennedy Amendment No. 2979, to express the sense of the Senate that the Senate should debate and vote on whether to raise the minimum wage before the end of the first session of the 104th Congress.

Pages S15817–18

Domenici (for Murkowski/Johnston) Amendment No. 2980, of a technical nature.

Page S15818

Kennedy/Kassebaum Amendment No. 2981, to strike the provision allowing the transfer of excess pension assets.

Pages S15818–21

Wellstone Amendment No. 2982, to eliminate the tax deduction for oil drilling, to eliminate the corporate minimum tax provisions, to eliminate the foreign earned income exclusion, and to eliminate the section 936 possession tax credit.

Pages S15821–23

Pryor/Cohen Amendment No. 2983, to provide for the continuation of requirements for nursing facilities in the Medicaid program.

Pages S15823–25

Senate will continue consideration of the bill on Friday, October 27, 1995.

Messages From the House:

Page S15844

Communications:

Pages S15844–45

Petitions:

Pages S15845–49

Executive Reports of Committees:

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Statements on Introduced Bills:

Pages S15849–51

Additional Cosponsors:

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Amendments Submitted:

Pages S15852–971

Notices of Hearings:

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Authority for Committees:

Page S15971

Additional Statements:

Page S15971

Record Votes: Nineteen record votes were taken today. (Total—517) Pages S15776, S15777, S15778, S15779, S15781, S15782, S15827, S15828, S15828—29, S15829, S15829—30, S15830, S15831, S15831—32

Recess: Senate convened at 9 a.m., and recessed on Friday, October 27, 1995 at 12:23 a.m., to reconvene at 9:15 a.m. the same day. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S15771.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Banking, Housing, and Urban Development: Committee ordered favorably reported the following business items:

S. 1260, to reform and consolidate the public and assisted housing programs of the United States, and to redirect primary responsibility for these programs from the Federal Government to States and localities, with an amendment in the nature of a substitute; and

The nominations of Dwight P. Robinson, of Michigan, to be Deputy Secretary, John A. Knubel, of Maryland, to be Chief Financial Officer, Hal C. DeCell III, of Mississippi, to be an Assistant Secretary, and Kevin G. Chavers, of Pennsylvania, to be President, Government National Mortgage Association, all of the Department of Housing and Urban Development, Joseph H. Neely, of Mississippi, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation, Alicia Haydock Munnell, of Massachusetts, to be a Member of the Council of Economic Advisers, Norman S. Johnson, of Utah, and Isaac C. Hunt, Jr., of Ohio, both to be Members of the Securities and Exchange Commission, and Albert James Dwoskin, of Virginia, to be a Director of the Securities Investor Protection Corporation.

FEDERAL FOREST MANAGEMENT

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management held oversight hearings to review alternatives to federal forest management and ownership, receiving testimony from Sally K. Fairfax, University of California, Berkeley; Jon A. Souder, Northern Arizona University, Flagstaff; and Curtis Johnson, Pierre, South Dakota, and Jim Magagna, Cheyenne, Wyoming, both on behalf of the Western States Land Commissioners Association.

Hearings continue on Thursday, November 2.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

The nominations of R. Guy Cole, Jr., of Ohio, to be United States Circuit Judge for the Sixth Circuit, Susan J. Dlott, to be United States District Judge for the Southern District of Ohio, Stephen M. Orlofsky, to be United States District Judge for the District of New Jersey, Barry Ted Moskowitz, to be United States District Judge for the Southern District of California, John R. Tunheim, to be United States District Judge for the District of Minnesota, and Juan Abran DeHerrera, to be United States Marshal for the District of Wyoming;

H.R. 660, to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons, with an amendment in the nature of a substitute;

S. 848, to grant the consent of Congress to an amendment of the Historic Chattahoochee Compact between the States of Alabama and Georgia; and

S. 1136, to control and prevent commercial counterfeiting, with an amendment.

SADDLEBACK MOUNTAIN—ARIZONA SETTLEMENT ACT

Committee on Indian Affairs: Committee concluded hearings on S. 1341, to provide for the transfer of certain lands to the Salt River Pima-Maricopa Indian Community and the city of Scottsdale, Arizona, after receiving testimony from Terrance L. Virden, Acting Director, Office of Trust Responsibilities, Bureau of Indian Affairs, Department of the Interior; and Mayor Herbert R. Drinkwater, and Ivan Makil, Salt River Pima-Maricopa Indian Community, both of Scottsdale, Arizona.

MEDICAID REFORM: NURSING HOME QUALITY

Special Committee on Aging: Committee concluded hearings on Medicaid reform issues, focusing on proposals to strengthen the enforcement of uniform Federal protections and standards for nursing home residents, after receiving testimony from Scott R. Sevrens, National Citizens' Coalition for Nursing Home Reform, and Sheldon L. Goldberg, American Association of Homes and Services for the Aging, both of Washington, D.C.; John F. Willis, Texas Department on Aging, Austin, on behalf of the National Association of State Ombudsman Program; Ellen T. Reap, Delaware Office of Health Facilities Licensing and Certification, Wilmington, on behalf of the Association of Health Facility Survey Agencies; Catherine Hawes, Research Triangle Institute, Research Triangle Park, North Carolina; Keith Weikel, Health Care and Retirement Corporation of America,

Toledo, Ohio, on behalf of the American Health Care Association; William M. Russell, St. Elizabeth Home, Baltimore, Maryland; Dorothy Garrison, Mobile, Alabama; Mildred Manning, New Market, Virginia; and Gloria Messerley, Linville, Virginia.

WHITEWATER

Special Committee To Investigate Whitewater Development Corporation and Related Matters: Committee met to continue to discuss the status of the hearings to examine issues relating to the President's involvement with the Whitewater Development Corporation.

Committee recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 16 public bills, H.R. 2538–2553; 1 private bill, H.R. 2554; and 2 resolutions, H. Con. Res. 111, and H. Res. 246 were introduced.

Pages H10993–94

Reports Filed: Reports were filed as follows:

Conference report on H.R. 1905, making appropriations for energy and water development for the fiscal year ending September 30, 1996 (H. Rept. 104–293);

H.R. 2546, making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996 (H. Rept. 104–294); and

Conference report on H.R. 1868, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996.

Pages H10913–93

Committees To Sit: The following committees and their subcommittees received permission to sit today during the proceedings of the House under the 5-minute rule: Committees on Commerce, Government Reform and Oversight, International Relations, the Judiciary, Resources, and Transportation and Infrastructure.

Page H10853

Social Security Earnings Limit: By a yea-and-nay vote of 414 yeas to 5 nays, Roll No. 740, the House agreed to H. Con. Res. 109, expressing the sense of the Congress regarding the need for reform of the Social Security earnings limit. Pages H10868–72

Budget Reconciliation: By a yea-and-nay vote of 227 yeas to 203 nays, Roll No. 743, the House passed H.R. 2491, to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996. Page H10872–H11365

Rejected the Gephardt motion to recommit the bill to the Committee on Budget with modifications to preserve and protect the health and income security of our seniors and our children and to achieve

fairness by denying revenue reductions favoring the rich and excluding revenue increases on working class families and to retain section 5003 relating to Federal retirement provisions for Members of Congress and congressional employees (rejected by a yea-and-nay vote of 180 yeas to 250 nays, Roll No. 742).

Pages H11362–65

Agreed to the committee amendment in the nature of a substitute made in order by the rule (text of H.R. 2517, as modified by the rule).

Pages H10995–H11192

Rejected the Orton amendment in the nature of a substitute that sought to balance the budget in 7 years without a tax cut; reduce mandatory and discretionary spending; cut Medicare by \$170 billion over 7 years; cut Medicaid by \$82 billion; not include language in the bill relating to pension provisions or student loans; and scale back cuts in agriculture, Federal employees retirement and the Earned Income Tax Credits (rejected by a recorded vote of 72 yeas to 356 noes, with 1 voting "present", Role No. 741).

Pages H11221–H11362

H. Res. 245, the rule under which the concurrent resolution and the bill were considered, was agreed to earlier by a recorded vote of 235 yeas to 185 noes, Roll No. 739. Agreed to order the previous question on the resolution by a yea-and-nay vote of 228 yeas to 191 nays, Roll No. 738.

Pages H10853–68

Late Report: Conferees received permission to have until midnight tonight to file a report on H.R. 1868, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996. Page H11365

Legislative Program: The Majority Leader announced the legislative program for the week of October 30. Agreed to adjourn from Thursday to Monday.

Pages H11365–66

Calendar Wednesday: Agreed to dispense with Calendar Wednesday business of November 1.

Pages H11366

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H10867, H10867-68, H10872, H11361, H11364-65, and H11365. There were no quorum calls.

Adjournment: Met at 9 a.m. and adjourned at 8:59 p.m.

Committee Meetings

DISTRICT OF COLUMBIA APPROPRIATIONS

Committee on Appropriations: Ordered reported a measure making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said district for the fiscal year ending September 30, 1996.

REFORM OF SUPERFUND ACT

Committee on Commerce: Subcommittee on Commerce, Trade, and Hazardous Materials continued hearings on H.R. 2500, Reform of Superfund Act of 1995. Testimony was heard from Representatives McIntosh, and Zeliff; Carol M. Browner, Administrator, EPA; Lois Schiffer, Assistant Attorney General, Department of Justice; Sheri W. Goodman, Deputy Under Secretary, Environmental Security, Department of Defense; Barry Johnson, M.D., Assistant Administrator, Agency for Toxic Substances and Disease Registry, Department of Health and Human Services; Douglas Hall, Assistant Secretary, NOAA, Department of Commerce; Langdon Marsh, Director, Department of Environmental Quality, State of Oregon; Martin J. McHugh, Office of Natural Resources, Department of Environmental Protection, State of New Jersey; and public witnesses.

PROPANE EDUCATION AND RESEARCH ACT

Committee on Commerce: Subcommittee on Energy and Power held a hearing on H.R. 1514, Propane Education and Research Act of 1995. Testimony was heard from public witnesses.

CIVIL SERVICE REFORM

Committee on Government Reform and Oversight: Subcommittee on Civil Service held a hearing on Civil Service Reform 11: Performance and Accountability. Testimony was heard from Evangeline W. Swift, Director, Office of Policy and Evaluation, Merit Systems Protection Board; and public witnesses.

UN: MANAGEMENT, FINANCE, AND REFORM

Committee on International Relations: Subcommittee on International Operations and Human Rights held a hearing on the United Nations: Management, Finance, and Reform. Testimony was heard from Rep-

resentative Scarborough; Frank Ruddy, former Ambassador to Equatorial Guinea; and public witnesses.

PARENTAL RIGHTS AND RESPONSIBILITIES ACT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 1946, Parental Rights and Responsibilities Act of 1995. Testimony was heard from Senator Grassley; Representatives Largent and Parker; and public witnesses.

PRIOR DOMESTIC COMMERCIAL USE ACT

Committee on the Judiciary: Subcommittee on Courts and Intellectual Property held a hearing on H.R. 2235, Prior Domestic Commercial Use Act of 1995. Testimony was heard from Dieter Holnkes, Senior Counsel, Office of Legislative and International Affairs, Patent and Trademark Office, Department of Commerce; and public witnesses.

METHAMPHETAMINE IN AMERICA

Committee on the Judiciary: Subcommittee on Crime held a hearing on the Rising Scourge of Methamphetamine in America. Testimony was heard from Thomas Constantine, Administrator, DEA, Department of Justice; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Forests and Lands held a hearing on the following bills: H.R. 2067, to facilitate improved management of National Park Service Lands; H.R. 2025, Park Renewal Fund Act; H.R. 2465, National Park Service Professionalization Act; and H.R. 2464, to amend Public Law 103-93 to provide additional lands within the State of Utah for the Goshute Indian Reservation. Testimony was heard from the following officials of the Department of the Interior: Roger Kennedy, Director, National Park Service; Wilma Lewis, Inspector General; and Mat Millenbach, Deputy Director, Bureau of Land Management; and public witnesses.

COMMITTEE BUSINESS

Committee on Standards of Official Conduct: Met in executive session to consider pending business.

FAA REVITALIZATION ACT

Committee on Transportation and Infrastructure: Subcommittee on Aviation approved for full Committee action amended H.R. 2276, Federal Aviation Administration Revitalization Act of 1995.

BUILDING SALE

Committee on Transportation and Infrastructure: Subcommittee on Public Buildings and Economic Development held a hearing on the sale of 501 First

Street, S.E. Testimony was heard from Representatives Nussle and Brownback; George White, Architect of the Capitol; Gordon Creed, Deputy Assistant Commissioner, Office of Property Disposal, Public Buildings Service, GSA; Harold Brazil, member, City Council, District of Columbia; Natalie Gitelman, Executive Director, Capitol Hill Child Care Center; and public witnesses.

THRIFT BAD DEBT RECAPTURE

Committee on Ways and Means: Held a hearing on H.R. 2494, Thrift Charter Conversion Tax Act of

1995. Testimony was heard from Cynthia Beerbower, Deputy Assistant Secretary, Tax Policy, Department of the Treasury; and public witnesses.

**COMMITTEE MEETINGS FOR FRIDAY,
OCTOBER 27, 1995**

Senate

No meetings are scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE
9:15 a.m., Friday, October 27

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

Senate Chamber

House Chamber

Program for Friday: Senate will continue consideration of S. 1357, Budget Reconciliation.

Program for Friday: House will not be in session.

Extensions of Remarks, as inserted in this issue

HOUSE

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Congressional Record

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