

Wednesday, November 1, 1995

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate agreed to Foreign Operations Appropriations, 1996 Conference Report.

Senate

Chamber Action

Routine Proceedings, pages S16449–S16556

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1373–1377, and S. Res. 191. **Page S16495**

Measures Passed:

American Indian Heritage Month: Senate agreed to S. Res. 191, designating the month of November 1995 as "National American Indian Heritage Month." **Pages S16555–56**

Foreign Operations Appropriations, 1996—Conference Report: By 90 yeas to 6 nays (Vote No. 559), Senate agreed to the 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 S16470–76**

By 53 yeas to 44 nays (Vote No. 561), Senate concurred in the amendment of the House to the amendment of the Senate No. 115, with the following amendment proposed thereto: **Page S16495**

Leahy/Kassebaum Amendment No. 3041, to strike the prohibition on funds to foreign non-government organizations which employ abortion as a means of family planning. **Pages S16476–77, S16480–95**

Rejected:

McCain/Kerry Amendment No. 3042 (to Amendment No. 3041), to permit the continued provision of assistance to Burma only if certain conditions are satisfied. (By 50 yeas to 47 nays (Vote No. 560), Senate tabled the amendment.) **Pages S16477–80**

Measure Indefinitely Postponed:

Ethics Investigation: Senate indefinitely postponed further consideration of S. Res. 168, concerning the Select Committee on Ethics Investigation of Senator Packwood of Oregon. **Page S16555**

Messages From the House: **Page S16495**

Measures Referred: **Page S16495**

Measures Placed on Calendar:
Pages S16495, S16554, S16555

Statements on Introduced Bills:
Pages S16496–S16508

Additional Cosponsors: **Pages S16508–09**

Amendments Submitted: **Page S16509**

Notices of Hearings: **Page S16509**

Authority for Committees: **Page S16509**

Additional Statements: **Page S16509**

Record Votes: Three record votes were taken today. (Total—561) **Pages S16476, S16480, S16495**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:06 p.m., until 9:30 a.m., on Thursday, November 2, 1995. (For Senate's program, see the remarks of the Acting Majority Leader in today's RECORD on page S16556.)

Committee Meetings

(Committees not listed did not meet)

MARITIME REGULATORY REFORM

Committee on Commerce, Science, and Transportation: Committee concluded hearings on S. 1356, to deregulate the United States ocean shipping industry and sunset the Federal Maritime Commission, after receiving testimony from former Senator William D. Hathaway, Chairman, Austin Schmitt, Director, Bureau of Economics, and Robert D. Bourgon, General Counsel, all of the Federal Maritime Commission; Edward M. Emmett, National Industrial Transportation League, Arlington, Virginia; Geoffrey N. Giovanetti, Wine and Spirits Shippers Association,

Inc., Reston, Virginia, on behalf of the Shippers' Association Coalition; Bill McInerney, Phoenix International Freight Services, Chicago, Illinois, on behalf of the American International Freight Association; Peter H. Powell Sr., C.H. Powell Company, Peabody, Massachusetts, on behalf of the National Customs Brokers and Forwarders Association of America, Inc.; Herzl S. Eisenstadt, Brooklyn, New York, on behalf of the International Longshoremen's Association; Christopher L. Koch, Sea-Land Service, Inc., Timothy J. Rhein, American President Companies, and Murray Graham, Council of European and Japanese National Shipowners' Association, all of Washington, D.C.; John P. LaRue, Port of Corpus Christi Authority, Corpus Christi, Texas; W. Don Welch, South Carolina State Ports Authority, Charleston; Brian McWilliams, International Longshoremen's and Warehousemen's Union, San Francisco, California; and William P. Verdon, Crowley Maritime Corporation, Oakland, California.

WETLANDS PROTECTION

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety concluded hearings on S. 851, to reform the Section 404 wetlands permitting program under the Clean Water Act to focus Federal regulatory authority on functioning wetlands and to ensure that citizens can obtain permits within a reasonable period of time, after receiving testimony from John H. Zirschky, Acting Assistant Secretary of the Army for Civil Works; Robert Perciasepe, Assistant Administrator for Water, Environmental Protection Agency; Bernard N. Goode, former Chief, National Regulatory Program, United States Corps of Engineers; John D. Echeverria, National Audubon Society, Washington, D.C.; James S. Burling, Pacific Legal Foundation, Sacramento, California; Robert D. Sokolove, U.S. Wetland Services, Inc., Bethesda, Maryland; William D. Lane, Lane Corporation, Goldsboro, North Carolina; Steven N. Moyer, Trout Unlimited, Arlington, Virginia; and Kenneth F. Bierly, Oregon Division of State Lands, Salem, on behalf of the Association of State Wetland Managers.

PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

Committee on Governmental Affairs: Permanent Subcommittee on Investigations continued hearings to examine the threat of global proliferation of chemical, biological and nuclear weapons and weapons-material, receiving testimony from Gordon C. Oehler, Director, Nonproliferation Center, Central Intelligence Agency; Connie J. Fenchel, Assistant Director, Strategic Investigations Division, Office of Investigations, U.S. Customs Service, Department of the Treasury; John P. O'Neill, Special Supervisory Agent, Chief, Counterterrorism Section, Federal Bureau of Investigation, Department of Justice; H. Allen Holmes, Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict; Frank E. Young, Director, National Disaster Medical System, Office of Emergency Preparedness, Public Health Service, Department of Health and Human Services; Amy E. Smithson, Henry L. Stimson Center, Washington, D.C.; Vil S. Mirzayanov, Moscow, Russia, on behalf of the State Research Institute of Organic Chemistry and Technology; Milton Leitenberg, University of Maryland, College Park; and Michael Moodie, Chemical and Biological Arms Control Institute, Alexandria, Virginia.

Hearings were recessed subject to call.

WACO AFTERMATH

Committee on the Judiciary: Committee concluded hearings to examine changes in Federal law enforcement as a result of the incident in Waco, Texas, after receiving testimony from Kenneth V. Lanning, Supervisory Special Agent, Behavioral Science Unit, Robin Montgomery, Special Agent in Charge, Critical Incident Response Group, Gary W. Noesner, Supervisory Special Agent, Critical Incident Response Group, and William J. Esposito, Assistant Director, Criminal Investigative Division, all of the Federal Bureau of Investigation, Department of Justice; Frank A. Bolz, Frank A. Bolz Associates, Inc., Huntington Station, New York; Clint R. Van Zandt, Van Zandt & Associates, Fredericksburg, Virginia; Peter Smerick, The Academy Group, Manassas, Virginia; and Graeme Craddock, an incarcerated witness.

House of Representatives

Chamber Action

Bills Introduced: 8 public bills, H.R. 2567–2574 were introduced. **Page H11686**

Reports Filed: Reports were filed as follows:

H.R. 2149, to reduce regulation, promote efficiencies, and encourage competition in the international ocean transportation system of the United States, and to eliminate the Federal Maritime Commission (H. Rept. 104–303); and

H. Res. 253, waiving points of order against the further conference report on H.R. 1977, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996 (H. Rept. 104–304). **Pages H11685–86**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Hefley to act as Speaker pro tempore for today. **Page H11589**

Committees To Sit: The following committees and their subcommittees received permission to sit today during proceedings of the House under the 5-minute rule: Committees on Commerce, Economic and Educational Opportunities, International Relations, the Judiciary, Science, and Transportation and Infrastructure. **Page H11593**

Partial-Birth Abortion Ban: By a yea-and-nay vote of 288 yeas to 139 nays with 1 voting "present", the House passed H.R. 1833, to amend title 18, United States Code, to ban partial-birth abortions. **Pages H11604–18**

Agreed to the committee amendment in the nature of a substitute pursuant to the rule. **Page H11618**

By a recorded vote of 332 yeas to 86 noes, Roll No. 755, it was made in order to use certain exhibits in the Committee of the Whole. **Page H11605**

H. Res. 251, the rule under which the bill was considered, was agreed to earlier by a yea-and-nay vote of 237 yeas to 190 nays, Roll No. 754. **Pages H11593–H11602**

D.C. Appropriations: House completed all general debate and began consideration of amendments on 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; but came to no resolution thereon. Consideration of amendments will resume on Thursday, November 2. **Pages H11627–61**

Agreed To:

The Walsh amendment that clarifies the definition of unmarried couples so that qualified single

persons seeking to adopt will not be turned away in the adoption process; **Page H11643**

The Davis amendment that makes technical corrections to the Financial Responsibility and Management Assistance Act; and **Pages H11649–51**

The Hostettler amendment that repeals the District's Health Care Benefits Expansion Act which permits unmarried cohabiting adults to register with the District and receive certain health and other legal benefits (agreed to by a recorded vote of 249 yeas to 172 noes, Roll No. 759). **Pages H11656–61**

Rejected the Bonilla amendment that sought to revoke the National Education Association's exemption from District property taxes beginning in fiscal year 1996 (rejected to be a recorded vote of 210 yeas to 213 noes with 2 voting "present", Roll No. 758); **Pages H11651–56**

H. Res. 252, the rule under which the bill is being considered, was agreed to earlier by a yea-and-nay vote of 241 yeas to 181 nays, Roll No. 757. **Pages H11618–27**

Committee To Sit: The following committees and their subcommittees received permission to sit during proceedings of the House under the 5-minute rule on Thursday, November 2: Committees on Banking and Financial Services, Commerce, Economic and Educational Opportunities, Government Reform and Oversight, the Judiciary, National Security, Resources, Science, and Transportation and Infrastructure. **Page H11661**

Senate Messages: Message received from the Senate appears on page H11589.

Referral: One Senate-passed measure was referred to the appropriate House committee. **Page H11685**

Quorum Calls—Votes: Three yea-and-nay votes and three recorded votes developed during the proceedings of the House today and appear on pages H11602, H11605, H11618, H11626–27, H11655–56, and H11660–61. There were no quorum calls.

Adjournment: Met at 10 a.m. and adjourned at 10:15 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Commerce: Ordered reported the following bills: H.R. 2366, to repeal an unnecessary medical device reporting requirement; and H.R. 2519, amended, Philanthropy Protection Act of 1995.

REFORM OF SUPERFUND ACT

Committee on Commerce: Subcommittee on Commerce, Trade, and Hazardous Materials began markup of H.R. 2500, Reform of Superfund Act of 1995.

Will continue tomorrow.

ENGLISH—COMMON LANGUAGE

Committee on Economic and Educational Opportunities: Subcommittee on Early Childhood, Youth and Families continued hearings on English as the Common Language. Testimony was heard from Nimi McConigley, member, Legislature, State of Wyoming; and public witnesses.

OVERSIGHT—FAIR LABOR STANDARDS ACT

Committee on Economic and Educational Opportunities: Subcommittee on Workforce Protections continued oversight hearings on the Fair Labor Standards Act. Testimony was heard from public witnesses.

FOOD FOR PEACE REAUTHORIZATION ACT

Committee on International Relations: Held a hearing on the Food For Peace Reauthorizational Act of 1995. Testimony was heard from Christopher Goldthwait, General Sales Manager, USDA; M. Douglas Stafford, Assistant Administrator, Bureau for Humanitarian Response, AID, U.S. International Development Cooperation Agency; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Courts and Intellectual Property held a hearing on the following bills: H.R. 1733, Patent Application Publication Act of 1995; and H.R. 359, to restore the term of patents. Testimony was heard from Representative Rohrabacher; and public witnesses.

CONFERENCE REPORT—INTERIOR APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the further conference report to accompany H.R. 1977, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Regula.

X-33 REUSABLE LAUNCH VEHICLE

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on the X-33 Reusable Launch Vehicle: A New Way of Doing Business? Testimony was heard from the following officials of the NASA: John E. Mansfield, Associate Administrator, Office of Space Access and Technology; and

Lt. Col. Gary Payton, USAF (Ret.), Deputy Associate Administrator, Advanced Space Transportation; and public witnesses.

COMMITTEE BUSINESS

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

ICC TERMINATION ACT; FAA REVITALIZATION ACT

Committee on Transportation and Infrastructure: Ordered reported amended the following bills; H.R. 2539, by a vote of 36-22, ICC Termination Act of 1995; and H.R. 2276, Federal Aviation Administration Revitalization Act of 1995.

THRIFT CHARTER CONVERSION TAX ACT; REPEAL UNNECESSARY MEDICAL DEVICE REPORTING REQUIREMENT

Committee on Ways and Means: Ordered reported the following bills; H.R. 2494, amended, Thrift Charter Conversion Tax Act of 1995; and H.R. 2366, to repeal an unnecessary medical device reporting requirement.

**COMMITTEE MEETINGS FOR THURSDAY,
NOVEMBER 2, 1995**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources, Subcommittee on Forests and Public Land Management, to resume hearings to examine alternatives to Federal forest land management and to compare land management cost benefits on Federal and States lands, 9:30 a.m., SD-366.

Committee on Environment and Public Works, Subcommittee on Transportation and Infrastructure, to hold hearings on courthouse construction and related GSA public buildings program matters, 10 a.m., SD-406.

Committee on Finance, business meeting, to mark up S. 1318, to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and to consider other pending committee business, 10 a.m., SD-215.

Committee on Governmental Affairs, to hold hearings on S. 704, to establish the Gambling Impact Study Commission, 9:30 a.m., SD-342.

Special Committee on Aging, to hold hearings to examine fraud in the medicare and medicaid programs, 10 a.m., SD-562.

Special Committee To Investigate Whitewater Development Corporation and Related Matters, to resume hearings to examine issues relative to the President's involvement with the Whitewater Development Corporation, focusing on the handling of certain documents following the death of Deputy White House Counsel Vincent Foster, 10 a.m., SH-216.

NOTICE

For a listing of Senate Committee Meetings scheduled ahead, see page E2092 in today's RECORD.

House

Committee on Banking and Financial Services, to mark up H.R. 2406, United States Housing Act of 1995, 10 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Commerce, Trade, and Hazardous Materials, to continue markup of H.R. 2500, Reform of Superfund Act of 1995, 10 a.m., 2123 Rayburn.

Subcommittee on Energy and Power, oversight hearing on the Federal Energy Regulatory Commission's Proposed Rules Affecting the Electricity Industry, 10 a.m., 2322 Rayburn.

Committee on Economic and Educational Opportunities, Subcommittee on Early Childhood, Youth and Families, hearing on the Older Americans Act, 9 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Human Resources and Intergovernmental Relations, to continue oversight hearings on Protecting the Blood Supply from Infectious Agents: New Standards to meet New Threats, 9:30 a.m., 2247 Rayburn.

Committee on House Oversight, hearing on campaign finance reform, 10 a.m., 1310 Longworth.

Committee on the Judiciary, Subcommittee on the Constitution, to mark up H.R. 2564, Lobbying Disclosure Act of 1995, 11 a.m., 2226 Rayburn.

Subcommittee on Crime, hearing regarding the nature and threat of violent anti-government groups in America, 9:30 a.m., 2237 Rayburn.

Committee on National Security, executive, to receive a classified briefing on deployment of United States ground forces to Bosnia, 10 a.m., and to continue hearings on deployment of United States ground forces to Bosnia, 2 p.m., 2118 Rayburn.

Committee on Resources, Subcommittee on Fisheries, Wildlife and Oceans, hearing on H.R. 2243, Trinity River Basin Fish and Wildlife Management Reauthorization Act of 1995, 10 a.m., 1324 Longworth.

Subcommittee on Water and Power Resources, hearing on the following bills: H.R. 1803, Reclamation Recycling and Water Conservation Act of 1995; and H.R. 2549, to authorize the Secretary of the Interior to enter into contracts to assist the Pajaro Valley Water Management Agency, CA, to implement a basin management plan for the elimination of groundwater overdraft and seawater intrusion, 10 a.m., 1334 Longworth.

Committee on Rules, hearing on H. Res. 250, to amend the Rules of the House of Representatives to provide for gift reform, 10 a.m., H-313 Capitol.

Committee on Science, Subcommittee on Technology, hearing on Medical Technology Development and Commercialization, 9 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing on H.R. 2500, Reform of Superfund Act of 1995, 9 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, Subcommittee on Human Intelligence, Analysis, and Counterintelligence, executive, hearing on Terrorism, 10 a.m., H-405 Capitol.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED FOURTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through October 31, 1995

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session	167	137	..
Time in session	1,547 hrs., 58'	1,238 hrs., 20'	..
Congressional Record:			
Pages of proceedings	16,448	11,587	27,935
Extensions of Remarks .....	..	2,082	..
Public bills enacted into law	15	23	38
Private bills enacted into law .....	..	..	..
Measures passed, total	259	327	586
Senate bills	59	27	..
House bills	48	134	..
Senate joint resolutions	3	..	..
House joint resolutions	1	5	..
Senate concurrent resolutions	8	4	..
House concurrent resolutions	16	22	..
Simple resolutions	124	135	..
Measures reported, total	*192	*279	471
Senate bills	130	4	..
House bills	26	164	..
Senate joint resolutions	6	..	..
House joint resolutions	2	6	..
Senate concurrent resolutions	4	..	..
House concurrent resolutions	0	3	..
Simple resolutions	24	102	..
Special reports	14	5	..
Conference reports	0	18	..
Measures pending on calendar	116	37	..
Measures introduced, total	1,633	3,043	4,676
Bills	1,372	2,566	..
Joint resolutions	41	114	..
Concurrent resolutions	30	111	..
Simple resolutions	190	252	..
Quorum calls	3	17	..
Yea-and-nay votes	558	202	..
Recorded votes .....	..	534	..
Bills vetoed	1	3	..
Vetoes overridden	0	..	..

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through October 31, 1995

Civilian nominations, totaling 404, disposed of as follows:	
Confirmed	230
Unconfirmed	169
Withdrawn	5
Civilian nominations (FS, PHS, CG, NOAA), totaling 1,685, disposed of as follows:	
Confirmed	1,001
Unconfirmed	684
Air Force nominations, totaling 13,552, disposed of as follows:	
Confirmed	13,550
Unconfirmed	2
Army nominations, totaling 11,699, disposed of as follows:	
Confirmed	9,367
Unconfirmed	2,332
Navy nominations, totaling 12,090, disposed of as follows:	
Confirmed	10,842
Unconfirmed	1,248
Marine Corps nominations, totaling 2,833, disposed of as follows:	
Confirmed	2,832
Unconfirmed	0
Withdrawn	1
<i>Summary</i>	
Total nominations received this session	42,263
Total confirmed	37,822
Total unconfirmed	4,435
Total withdrawn	6

* These figures include all measures reported, even if there was no accompanying report. A total of 165 reports has been filed in the Senate; a total of 302 reports has been filed in the House.

Next Meeting of the SENATE

9:30 a.m., Thursday, November 2

Senate Chamber

Program for Thursday: After the recognition of eight Senators for speeches and the transaction of any morning business (not to extend beyond 12 noon), Senate may consider S. 1372, Social Security Earnings Limit, or H.R. 2492, Legislative Branch Appropriations, 1996.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, November 2

House Chamber

Program for Thursday: Motion to go to conference on H.R. 2099, VA–HUD Appropriations for fiscal year 1996; and
Complete consideration of H.R. 2546, District of Columbia Appropriations for fiscal year 1996.

Extensions of Remarks, as inserted in this issue

HOUSE

Cardin, Benjamin L., Md., E2086
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Cooley, Wes, Ore., E2090
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Jacobs, Andrew, Jr., Ind., E2089
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Maloney, Carolyn B., N.Y., E2088
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E2090



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