

Tuesday, November 14, 1995

Daily Digest

HIGHLIGHT

House passed ICC termination bill.

Senate

Chamber Action

Routine Proceedings, pages S17009–S17044

Measures Introduced: Two bills were introduced, as follows: S. 1410 and 1411. **Page S17038**

Alaskan Power Act—Conference Report: By 69 yeas to 29 nays (Vote No. 574), Senate agreed to the conference report on S. 395, to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil, clearing the measure for the President. **Pages S17019–26, S17032–35**

Messages From the House: **Page S17038**

Measures Referred: **Page S17038**

Measures Placed on Calendar: **Page S17038**

Additional Cosponsors: **Pages S17038–39**

Additional Statements: **Pages S17039–43**

Notice of Proposed Rulemaking: **Page S17012–19**

Record Votes: One record vote was taken today. (Total—574) **Page S17035**

Adjournment: Senate convened at 12:03 p.m., and adjourned at 7:37 a.m., until 12 noon, on Wednesday, November 15, 1995. (For Senate's program, see the remarks of the Majority Leader in today's RECORD on pages S17043–44.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Armed Services: Committee concluded hearings on the nomination of Arthur L. Money, of California, to be an Assistant Secretary of the Air Force, after the nominee testified and answered questions in his own behalf.

DOJ SOLICITOR GENERAL

Committee on the Judiciary: Committee concluded oversight hearings to examine the operation and activities of the Office of the Solicitor General of the Department of Justice, after receiving testimony from Drew Days, Solicitor General, Department of Justice; Paul Cassell, University of Utah, Salt Lake City; and Thomas Hungar, Gibson, Dunn & Crutcher, and William Coleman, O'Melveny & Myers, both of Washington, D.C.

MEDICAL RECORDS CONFIDENTIALITY ACT

Committee on Labor and Human Resources: Committee concluded hearings on S. 1360, to ensure personal privacy with respect to medical records and health care-related information, after receiving testimony from Senators Bennett and Leahy; Don Detmer, University of Virginia, Charlottesville; James Schulte Scott, CSI Technologies, McLean, Virginia; Carolyn Roberts, American Hospital Association, Morrisville, Vermont; Denise Nagel, Coalition for Patients' Rights, Lexington, Massachusetts; and Kathleen Frawley, American Health Information Management Association, Aimee Berenson, AIDS Action Council, and Janlori Goldman, Center for Democracy and Technology, all of Washington, D.C.

House of Representatives

Chamber Action

Bills Introduced: 9 public bills, H.R. 2627–2635; and 2 resolutions, H.J. Res. 119, and H. Res. 266 were introduced. **Pages H12349–50**

Reports Filed: Reports were filed as follows:

H.R. 2525, to modify the operation of the anti-trust laws, and of State laws similar to the antitrust laws, with respect to charitable gift annuities (H. Rept. 104–336);

H. Res. 250, to amend the Rules of the House of Representatives to provide for gift reform (H. Rept. 104–337);

H. Res. 267, waiving points of order against the conference report to accompany H.R. 2020, making appropriations for the Treasury Department the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996 (H. Rept. 104–338);

H.R. 2564, to provide for the disclosure of lobbying activities to influence the Federal Government (H. Rept. 104–339, Part 1); and

H. Res. 254, making technical corrections in the Rules of the House of Representatives, amended (H. Rept. 104–340). **Page H12349**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Pryce to act as Speaker pro tempore for today. **Page H12195**

Recess: House recessed at 9:50 a.m. and reconvened at 10 a.m. **Page H12201**

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 Banking and Financial Services, Commerce, Government Reform and Oversight, International Relations, National Security, and Resources. **Page H12206**

Corrections Calendar: On the call of the Corrections Calendar, the House passed the following bills:
Sent to the Senate without amendment:

Pacemaker reporting requirement: H.R. 2366, to repeal an unnecessary medical device reporting requirement. **Pages H12206–12**

Sent to the Senate, amended:

Federal reports elimination: S. 790, to provide for the modification or elimination of Federal reporting requirements. **Pages H12212–32**

Use of Federal Trust Funds: By a yea-and-nay vote of 247 yeas to 179 nays, Roll No. 791 (two-thirds of those present not voting in favor), the

House failed to suspend the rules and pass H.R. 2621, to enforce the public debt limit and to protect the social security trust funds and other Federal trust funds and accounts invested in public debt obligations. **Pages H12232–38, H12247–48**

Veto Message—Further Continuing Appropriations: Read a message from the President wherein he announces his veto of H.J. Res. 115, making further continuing appropriations for the fiscal year 1996; and explains his reasons therefor—ordered printed (H. Doc. 104–134). **Pages H12238–47**

Subsequently, by a yea-and-nay vote of 229 yeas to 199 nays, Roll No. 790, the House agreed to the Livingston motion to postpone further consideration of the veto message and joint resolution until Friday, December 1. **Pages H12239–47**

ICC Termination: By a recorded vote of 417 yeas to 8 noes, Roll No. 792, the House passed H.R. 2539, to abolish the Interstate Commerce Commission, and to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation. **Pages H12253–H12312**

Agreed to the committee amendment in the nature of a substitute. **Page H12311**

Agreed to the Shuster amendment that retains existing “Long Cannon factors” that must be considered to evaluate the reasonableness of rail rates; strikes language allowing the panel to enlarge the scope of a rail abandonment in order to improve the viability of a line; permits purchase of a line proposed for abandonment up to four months after the filing date; retains the “Feeder Line Development Program”; retains the current law 20-day advance notice requirement for rail rate changes; names the Attorney General as the commentator whose views should be given “substantial weight” in certain types of rail merger proceedings; retains current law requiring users of motor carrier industry standard guides to participate in determining such guides; establishes the right of a motor carrier that is part of a joint-motor carrier agreement to independently establish its own rates, classifications and mileage guides; extends certain provisions of the Negotiated Rates Act of 1994 to any new motor carrier undercharges; stipulates that, after deregulation, motor carriers will be able to establish released value liability rates, and makes numerous technical, conforming, and clarifying changes; **Pages H12262–66**

The Latham amendment that requires the Transportation Adjudication Panel to implement administrative complaint remedies similar to current law

with regard to contracts for the transportation of agricultural commodities; **Pages H12296–97**

The Whitfield amendment that increases the labor protections afforded to employees of small and mid-size railroads during acquisitions or mergers (agreed to by a recorded vote of 241 ayes to 184 noes, Roll No. 792); and **Pages H12297–H12306**

The Davis amendment that provides credibility of annual leave for purposes of meeting minimum eligibility requirements for an immediate annuity. **Pages H12306–07**

The Sam Johnson of Texas amendment was offered but subsequently withdrawn that sought to exempt small movers of household goods which exclusively operate vehicles weighing less than 13 tons from intrastate economic regulation. **Page H12296**

H. Res. 259, the rule under which the bill was considered, was agreed to earlier by a voice vote. **Pages H12248–53**

Senate Messages: Message received from the Senate today appears on page H12201.

Amendments Ordered Printed: Amendment ordered printed pursuant to the rule appears on page H12350.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H12246–47, H12247–48, H12306, and H12311–12. There were no quorum calls.

Adjournment: Met at 9 a.m. and adjourned at 11:45 p.m.

Committee Meetings

COMMEMORATIVE COIN MEASURES

Committee on Banking and Financial Services: Subcommittee on Domestic and International Monetary Policy approved for full Committee action the following bills; H.R. 2336, to amend the Doug Barnard, Jr., 1996 Atlanta Centennial Olympic Games Commemorative Coin Act; and H.R. 2614, Commemorative Coin Authorization and Reform Act of 1995.

CAPITAL MARKETS DEREGULATION AND LIBERALIZATION ACT

Committee on Commerce: Subcommittee on Telecommunications and Finance held a hearing on H.R. 2131, Capital Markets Deregulation and Liberalization Act of 1995. Testimony was heard from public witnesses.

DEPARTMENT OF DEFENSE—FINANCIAL MANAGEMENT

Committee on Government Reform and Oversight: Subcommittee on Government Management, Informa-

tion, and Technology held a hearing on the Department of Defense's Financial Management Problems. Testimony was heard from the following officials of the Department of Defense: John J. Hamre, Comptroller; Alvin Tucker, Deputy Chief Financial Officer; Richard F. Keevey, Director, Finance and Accounting Service; Helen T. McCoy, Assistant Secretary of the Army, Financial Management and Comptroller; Deborah P. Christie, Assistant Secretary of the Navy, Financial Management and Comptroller; Robert F. Hale, Assistant Secretary of the Air Force, Financial Management and Comptroller; and Eleanor J. Hill, Inspector General, Gene L. Dodaro, Assistant Comptroller General, GAO; and G. Edward DeSeve, Controller, Office of Federal Financial Management, OMB.

STATES OF FORMER SOVIET UNION—UNITED STATES POLICY AND ASSISTANCE

Committee on International Relations: Held a hearing on Newly Independent States of the Former Soviet Union: United States Policy and Assistance. Testimony was heard from the following officials of the Department of State: James F. Collins, Senior Coordinator, Office of Ambassador-at-Large for the Newly Independent States; and Richard Morningstar, Coordinator, U.S. Assistance to the Newly Independent States; Thomas Dine, Assistant Administrator, Europe and the Newly Independent States, AID, U.S. International Development Cooperation Agency; Anne Sigmund, Director, Office of East European and Newly Independent States Affairs, U.S. Information Agency; Harold Smith, Assistant to the Secretary, Atomic Energy, Department of Defense; and public witnesses.

SRI LANKA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Sri Lanka in Turmoil: Implications of Intensified Conflict. Testimony was heard from E. Gibson Lanpher, Deputy Assistant Secretary, South Asia, Department of State; and public witnesses.

INDOCHINA—POW/MIAs

Committee on National Security: Subcommittee on Military Personnel held a hearing on Vietnamese Government knowledge and accountability of United States POW/MIAs in Indochina. Testimony was heard from the following officials of the Department of Defense: James W. Wold, Deputy Assistant Secretary, POW/MIA Affairs; Lt. Col. Johnnie E. Webb, USA (Ret.), Deputy to the Commander, Central Identification Laboratory; and Capt. James C. Grover, USN; Col. Michael J. Kelly, USAF; and Col. John M. Kennerly, USA, all members of the Armed

Forces Identification Review Board; and public witnesses.

NATIONAL PARK SERVICE—HANDLING OF INHOLDINGS

Committee on Resources: Subcommittee on National Parks, Forests and Lands held a hearing on the following bills: H.R. 2528, to require the Secretary of the Interior to renew to the heirs of permittees permits for historic cabins located in the Mineral King Addition of the Sequoia National Park; and H.R. 1666, to amend the Act of October 21, 1970, establishing the Sleeping Bear Dunes National Lakeshore to permit certain persons to continue to use and occupy certain areas within the lakeshore. Testimony was heard from Representatives Stupak, Bartlett of Maryland, and Knollenberg; former Representative John Krebs of California; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Native American and Insular Affairs approved for full Committee action H.R. 377, Burt Lake Band of Ottawa and Chipewa Indians Act.

Prior to this action, the Subcommittee held a hearing on H.R. 377 and also on the following bills: H.R. 2490, Saddleback Mountain Arizona Settlement Act of 1995; and H.R. 2591, Indian Federal Recognition Administrative Procedures Act of 1995. Testimony was heard from Representatives Hayworth and Stupak; William C. Sturtevant, Curator, North American Ethnology, Smithsonian Institution; and public witnesses.

TREASURY—POSTAL SERVICE APPROPRIATIONS CONFERENCE REPORT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 2020, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1995; and against its consideration. The rule further provides that if the conference report is adopted, then a motion that the House insist on its disagreement to Senate amendment 132 shall be considered as adopted. Testimony was heard from Representatives Lightfoot, Istook, Obey, and Hoyer.

GIFT REFORM; RULES OF THE HOUSE TECHNICAL CORRECTIONS

Committee on Rules: Ordered reported amended, by voice vote, the following resolutions: H. Res. 250, to amend the Rules of the House of Representatives to provide for gift reform; and H. Res. 254, making technical corrections in the Rules of the House of Representatives.

COMMITTEE BUSINESS

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

Joint Meetings

BUDGET RECONCILIATION

Conferees met to resolve the differences between the Senate- and House-passed versions of H.R. 2491, to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, but did not complete action thereon, and recessed subject to call.

BILLS VETOED

H.J. Res. 115, making further continuing appropriations for the fiscal year 1996. (Vetoed November 13, 1995)

NEW PUBLIC LAWS

H.R. 1905, making appropriations for energy and water development for the fiscal year ending September 30, 1996. Signed November 13, 1995. (P.L. 104-46)

H.R. 2589, to extend authorities under the Middle East Peace Facilitation Act of 1994 until December 31, 1995. Signed November 13, 1995. (P.L. 104-47)

COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 15, 1995

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources, to hold oversight hearings to review the decision-making process of the Department of the Interior in preparing and releasing the United States Geological Survey's 1995 estimate for the 1002 areas of the Arctic National Wildlife Refuge, 9:30 a.m., SD-366.

Committee on the Judiciary, to hold joint hearings with the House Committee on the Judiciary's Subcommittee on the Courts and Intellectual Property on S. 1284, to amend title 17 to adapt the copyright law to the digital, networked environment of the National Information Infrastructure, and H.R. 2441, to amend title 17, United States Code, to adapt the copyright law to the digital, networked environment of the national information infrastructure, 10 a.m., 2237 Rayburn Building.

House

Committee on Commerce, Subcommittee on Energy and Power, oversight hearing on Tritium Production and the

Report of the Speaker's Task Force entitled "Getting on with Tritium Production", 10 a.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, to continue hearings on Allegations of FDA Abuses of Authority, 9 a.m., 2123 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Government Management, Information, and Technology, hearing on H.R. 1907, Federal-aid Facility Privatization Act of 1995, 2 p.m., 2247 Rayburn.

Subcommittee on the Postal Service, hearing on "The Postal Reorganization Act Twenty-Five Years Later: Time For A Change?", 10 a.m., 311 Cannon.

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

Committee on International Relations, hearing on Human Rights, Refugees, and War Crimes: The Prospects for Peace in Bosnia, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing on Nuclear Issues in the South Pacific, 2 p.m., 2200 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, hearing regarding the nature, extent and proliferation of federal law enforcement, 9:30 a.m., 2141 Rayburn.

Committee on National Security, to continue hearings on the proposed deployment of United States ground forces to Bosnia, 9:30 a.m., 2118 Rayburn.

Committee on Resources, to mark up the following bills: H.R. 33, Stuttgart National Aquaculture Research Center

Act of 1995; H.R. 2243, Trinity River Basin and Wildlife Management Reauthorization Act of 1995; H.R. 1784, to validate certain conveyances made by the Southern Pacific Transportation Company within the cities of Reno, Nevada, and Tulare, California; and H.R. 2402, Snowbasin Land Exchange Act of 1995, 11 a.m., 1324 Longworth.

Committee on Rules, to consider the following: H. Res. 250, to amend the Rules of the House of Representatives to provide for gift reform; and H.R. 2564, Lobbying Disclosure Act of 1995, 10 a.m., and to consider the Conference Report to accompany H.R. 2491, Seven-Year Balanced Budget Reconciliation Act, 4 p.m., H-313 Capitol.

Committee on Standards of Official Conduct, executive, to consider pending business, 2:20 p.m., HT-2M Capitol.

Joint Meetings

Joint Hearing: Senate Committee on the Judiciary, to hold joint hearings with the House Committee on the Judiciary's Subcommittee on the Courts and Intellectual Property on S. 1284, to amend title 17 to adapt the copyright law to the digital, networked environment of the National Information Infrastructure, and H.R. 2441, to amend title 17, United States Code, to adapt the copyright law to the digital, networked environment of the national information infrastructure, 10 a.m., 2237 Rayburn Building.

Next Meeting of the SENATE

12 noon, Wednesday, November 15

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 12:30 p.m.), Senate may resume consideration of S. 908, State Department Authorizations/Reorganization. Senate may also consider legislation providing further continuing appropriations and available conference reports.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, November 15

House Chamber

Program for Wednesday: Consideration of the conference reports on the following three bills:

1. H.R. 1868, Foreign Operations Appropriations for fiscal year 1996 (rule waiving points of order);
 2. H.R. 2020, Treasury-Postal Service Appropriations for fiscal year 1996 (rule waiving points of order); and
 3. H.R. 1977, Interior Appropriations for fiscal year 1996 (rule waiving points of order); and
- Possible consideration of a further continuing resolution.

Extensions of Remarks, as inserted in this issue

HOUSE

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