

Thursday, September 19, 1996

# Daily Digest

## HIGHLIGHTS

The House voted to override the President's veto of H.R. 1833, Partial Birth Abortion Ban.

## Senate

### Chamber Action

*Routine Proceedings, pages S10899–S11059*

**Measures Introduced:** Five bills were introduced, as follows: S. 2092–2096. **Page S11033**

**Measures Reported:** Reports were made as follows: S. 389, for the relief of Nguyen Quy An and his daughter, Nguyen Ngoc Kim Quy. **Page S11033**

#### Measures Passed:

*Sustainable Fisheries Act:* By a unanimous vote of 100 yeas (Vote No. 295), Senate passed S. 39, to amend the Magnuson Fishery Conservation and Management Act to authorize appropriations, and to provide for sustainable fisheries, after agreeing to a committee amendment in the nature of a substitute and the following amendment proposed thereto:

**Pages S10906–34**

Hutchison Modified Amendment No. 5383, to make certain modifications to provisions with regard to fishery management. **Pages S10907–09**

*Crow Creek Sioux Tribe Infrastructure Development Trust Fund:* Senate passed H.R. 2512, to provide certain benefits of the Pick-Sloan Missouri River basin program to the Crow Creek Sioux Tribe, clearing the bill for the President. **Pages S11049–50**

*Goshute Indian Reservation Lands:* Senate passed H.R. 2464, to amend Public Law 103–93 to provide additional lands within the State of Utah for the Goshute Indian Reservation, clearing the bill for the President. **Pages S11050–51**

*Indian Health Care:* Senate passed H.R. 3378, to amend the Indian Health Care Improvement Act to extend the demonstration program for direct billing of Medicare, and Medicaid, after agreeing to the following amendment proposed thereto: **Pages S11051–53**

Stevens (for McCain) Amendment No. 5392, in the nature of a substitute. **Pages S11051–53**

*Prairie Island Indian Community:* Senate passed H.R. 3068, to accept the request of the Prairie Island Indian Community to revoke their charter of incorporation issued under the Indian Reorganization Act, after agreeing to a committee amendment in the nature of a substitute. **Pages S11053–54**

*Witness Retaliation/Tampering:* Senate passed H.R. 3120, to amend title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering, clearing the bill for the President. **Page S11054**

*Crawford National Fish Hatchery Conveyance:* Committee on Environment and Public Works was discharged from further consideration of H.R. 3287, to direct the Secretary of the Interior to convey the Crawford National Fish Hatchery to the city of Crawford, Nebraska, and the bill was then passed, clearing the measure for the President. **Page S11054**

*Carbon Hill National Fish Hatchery Conveyance:* Senate passed H.R. 2982, to direct the Secretary of the Interior to convey the Carbon Hill National Fish Hatchery to the State of Alabama, clearing the bill for the President. **Page S11054**

**Accountable Pipeline Safety and Partnership Act:** Senate began consideration of S. 1505, to reduce risk to public safety and the environment associated with pipeline transportation of natural gas and hazardous liquids, agreeing to a modified committee amendment in the nature of a substitute. **Pages S10936–42, S10947–50**

**Maritime Security Act:** Senate began consideration of H.R. 1350, to amend the Merchant Marine Act, 1936, to revitalize the United States-flag merchant marine, taking action on the following amendment proposed thereto: **Pages S10950–53, S10955–65, S10969, S10972–78**

## Pending:

Grassley Amendment No. 5391, to provide for a uniform system of incentive pay for certain hazardous duties performed by merchant seamen.

Pages S10977-78

A unanimous-consent-time agreement was reached providing for the further consideration of the bill, with a vote on a motion to table the proposed amendment, to occur at 10 a.m., on Friday, September 30, 1996.

Page S11054

**Veto Message on Partial-Birth Abortion Ban Act:** A unanimous-consent agreement was reached providing for the consideration of a veto message on H.R. 1833, to amend title 18, United States Code, to ban partial-birth abortions.

Page S10955

**FAA Authorization—Conferees:** The Chair was authorized to appoint conferees to H.R. 3539, to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, as follows: Senators Pressler, Stevens, McCain, Hollings, and Ford.

Page S11054

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

Transmitting the report concerning the national emergency with respect to Angola; referred to the Committee on Banking, Housing, and Urban Affairs. (PM-170).

Pages S11030-31

**Nominations Confirmed:** Senate confirmed the following nominations:

8 Air Force nominations in the rank of general.

52 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

36 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy.

Pages S11047-49

**Nominations Received:** Senate received the following nominations:

Joseph Lane Kirkland, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 1997.

Joseph Lane Kirkland, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2001.

Routine lists in the Air Force, Army, Foreign Service.

Pages S11056-59

**Messages From the President:**

Pages S11030-31

**Messages From the House:**

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**Measures Placed on Calendar:**

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**Communications:**

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**Executive Reports of Committees:** Page S11033

**Statements on Introduced Bills:** Pages S11033-41

**Additional Cosponsors:** Page S11041

**Amendments Submitted:** Pages S11041-42

**Notices of Hearings:** Page S11042

**Authority for Committees:** Page S11042

**Additional Statements:** Pages S11043-47

**Text of H.R. 3159 as Previously Passed:**  
Pages S11028-30

**Notice of Proposed Rulemaking:**  
Pages S10984-S11027

**Record Votes:** One record vote was taken today. (Total—295)  
Page S10913

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 10:04 p.m., until 9:30 a.m., on Friday, September 20, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S11054-55.)

## Committee Meetings

(Committees not listed did not meet)

### NATIONAL INVASIVE SPECIES ACT

**Committee on Environment and Public Works:** Subcommittee on Drinking Water, Fisheries and Wildlife concluded hearings on S. 1660, to authorize funds for and expand the programs of the Non-indigenous Aquatic Nuisance Prevention and Control Act of 1990, focusing on efforts to reduce the threat posed by nonindigenous aquatic nuisance species originating from ballast water discharge, after receiving testimony from Senator Glenn; Rowan W. Gould, Deputy Assistant Director of the Interior for Fisheries; Commander Richard M. Gaudiosi, Chief, Plans and Preparedness Division, Marine Safety and Environmental Protection Office of Response, U.S. Coast Guard, Department of Transportation; James T. Carlton, Maritime Studies Program/Williams College and Mystic Seaport, Mystic, Connecticut; Ann P. Swanson, Chesapeake Bay Commission, Annapolis, Maryland; Stephen Hall, Association of California Water Agencies, Sacramento; and Joseph J. Cox, United States Chamber of Shipping, Washington, D.C.

### ECONOMIC DEVELOPMENT

**Committee on Foreign Relations:** Committee held hearings to examine the promotion of economic freedom through development aid, receiving testimony from

Nicholas N. Eberstadt, American Enterprise Institute, Bryan T. Johnson, Heritage Foundation, Richard E. Messick, Freedom House, and David F. Gordon, Overseas Development Council, all of Washington, D.C.

Hearings were recessed subject to call.

## IRAQ

*Committee on Foreign Relations:* Committee concluded hearings to examine the current situation in Iraq, focusing on the recent U.S. cruise missile strikes on Iraq, after receiving testimony from Kathryn C. Porter, Human Rights Alliance, Fairfax, Virginia; and Rend Rahim Francke, Iraq Foundation, Paul Wolfowitz, Johns Hopkins University, and Michael Eisenstadt, Washington Institute for Near East Policy, all of Washington, D.C.

## BUSINESS MEETING

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

The nominations of Colleen Kollar-Kotelly, to be United States District Judge for the District of Columbia, and Alan H. Flanigan, of Virginia, to be Deputy Director for Supply Reduction, office of National Drug Control Policy; and

S. 389, for the relief of Nguyen Quy An and his daughter, Nguyen Ngoc Kim Quy.

## JUDICIAL TAXATION

*Committee on the Judiciary:* Subcommittee on Administrative Oversight and the Courts concluded hearings on S. 1817, to limit the authority of Federal courts to fashion remedies that require local jurisdictions to assess, levy, or collect taxes, after receiving testimony from Senator Thurmond; Representative Manzullo; Mary M. Cheh, George Washington University Law School, and Roger Pilon, Center for

Constitutional Studies/Cato Institute, both of Washington, D.C.; Alfred A. Lindseth, Sutherland, Asbill and Brennan, Atlanta, Georgia; and William R. Neblock, Rockford, Illinois.

## HERBICIDE EXPOSURE

*Committee on Veterans' Affairs:* Committee concluded hearings on the implementation of the Agent Orange Act (P.L. 102-4), focusing on the medical and scientific bases for compensating Vietnam veterans and their children with diseases which may have been caused by exposure to herbicides, including Agent Orange, after receiving testimony from Jesse Brown, Secretary of Veterans Affairs; William H. Farland, Director, National Center for Environmental Assessment, Office of Research and Development, Environmental Protection Agency; Joel E. Michalek, Principal Investigator of the Air Force Health Study/Armstrong Laboratory/Human Systems Center/Brooks Air Force Base, Texas; Daniel Wartenberg, Environmental and Occupational Health Sciences Institute/UMDNJ-Robert Wood Johnson Medical School, Piscataway, New Jersey; David Tollerud, Allegheny University School of the Health Sciences, Philadelphia, Pennsylvania, representing the Committee to Review the Health Effects in Vietnam Veterans of Exposure to Herbicides; Ellen K. Silbergeld, University of Maryland Medical School, Baltimore; Michael Gough, Cato Institute, Washington, D.C.; and Raoul Frevel, Shriners Hospitals for Children, Atlanta, Georgia.

## IRAQ

*Select Committee on Intelligence:* Committee held hearings to examine the situation in Iraq, focusing on security issues with regard to the Middle East, receiving testimony from John M. Deutch, Director of Central Intelligence.

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# House of Representatives

## Chamber Action

**Bills Introduced:** 12 public bills, H.R. 4114, 4115, 4117-4126; 2 private bills, H.R. 4116, 4127; and 3 resolutions, H. Res. 524, 526, 527 were introduced.

Pages H10720-21

**Reports filed:** Reports were filed as follows:

H.R. 3828, to amend the Indian Child Welfare Act of 1978 (H. Rept. 104-808); and

H. Res. 525, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain

resolutions reported from the Committee on Rules (H. Rept. 104-809).

Page H10720

**Journal:** By a yea-and-nay vote of 339 yeas to 58 nays with one voting "present", Roll No. 420, the House agreed to the Speaker's approval of the Journal of Wednesday, September 18.

Pages H10603, H10608

**Dispute Resolution Conference:** The House disagreed with the Senate amendments to H.R. 2977, to reauthorize alternative means of dispute resolution in the Federal administrative process, and agreed to

a conference. Appointed as conferees Hyde, Gekas, Flanagan, Conyers, and Reed. **Page H10607**

**Partial Birth Abortion Ban:** By a yea-and-nay vote of 285 yeas to 137 nays, Roll No. 422, the House voted to override the President's veto of H.R. 1833, to amend title 18, United States Code, to ban partial-birth abortions—clearing the measure for Senate action. **Pages H10621–42**

Earlier, by a yea-and-nay vote of 288 yeas to 133 nays, Roll No. 421, agreed to the Canady motion to discharge the Committee on the Judiciary from the further consideration of the President's veto message and the bill. **Pages H10608–20**

**Question of Privilege of the House:** The Chair ruled that H. Res. 524, relating to a question of the privileges of the House, did constitute a question of privilege of the House and was in order. **Pages H10642–43**

Subsequently, agreed to the Arney motion to table the resolution (agreed to by a recorded vote of 395 yeas to 9 noes with 10 voting "present", Roll No. 423). **Pages H10642–43**

**Question of Privilege of the House:** The Chair ruled that H. Res. 526, relating to a question of the privileges of the House, did constitute a question of privilege of the House and was in order. **Pages H10643–44**

Subsequently, agreed to the Arney motion to table the resolution (agreed to by a recorded vote of 225 yeas to 179 noes with 10 voting "present", Roll No. 424). **Pages H10643–44**

**Legislative Program:** The Majority Leader announced the legislative program for the week of September 23. Agreed that when the House adjourns on Friday, September 20, it adjourn to meet at noon on Monday, September 23. **Page H10645**

**Meeting Hour:** Agreed that when the House adjourns on Monday, it adjourn to meet at 10:30 a.m., Tuesday, September 24, for morning hour debates. **Pages H10644–45**

**Calendar Wednesday:** Agreed to dispense with Calendar Wednesday business of September 25. **Page H10645**

**Presidential Message—National Emergency re Angola:** Read a message from the President wherein he transmits his report concerning the national emergency with respect to Angola—referred to the Committee on International Relations and ordered printed (H. Doc. 104–266). **Pages H10645–46**

**Referral:** One Senate-passed bill, S. 982, to protect the national information infrastructure, was referred to the Committee on the Judiciary. **Page H10672**

**Senate Messages:** Messages received from the Senate today appear on page H10603.

**Quorum Calls—Votes:** Three yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H10608, H10620, H10641–42, H10642–43, and H10643–44. There were no quorum calls.

**Adjournment:** Met at 10 a.m., and adjourned at 5:24 p.m.

## Committee Meetings

### CONSERVATION RESERVE PROGRAM

**Committee on Agriculture:** Held a hearing to review the Conservation Reserve Program, regulations, and the implementation of the Conservation Title of the Federal Agriculture Improvement Reform Act of 1996. Testimony was heard from Richard Rominger, Deputy Secretary, USDA.

### MISCELLANEOUS MEASURES

**Committee on Commerce:** Ordered reported amended the following bills: H.R. 2508, Animal Drug Availability Act of 1995; and H.R. 1791, Medicaid Certification Act of 1995.

### MISCELLANEOUS MEASURES

**Committee on Commerce:** Subcommittee on Health and Environment held a hearing on the following: H.R. 3142, Uniformed Services Medicare Subvention Demonstration Project Act; and the Military Beneficiaries Medicare Reimbursement Model Project Act of 1996. Testimony was heard from Stephen C. Joseph, M.D., Assistant Secretary, Health Affairs, Department of Defense; and Kathleen A. Buto, Associate Administrator, Policy, Health Care Financing Administration, Department of Health and Human Services.

### PHARMACEUTICAL PRICING PRACTICES

**Committee on Commerce:** Subcommittee on Oversight and Investigations held a hearing on Perspectives on Pharmaceutical Pricing Practices. Testimony was heard from the following officials of the GAO: Sally Jaggard, Director, Health Services, Quality and Public Health Issues, Health Education and Human Services Division; John C. Hanson, Assistant Director, Health Financing and Public Health; and George Silberman, Assistant Director; and public witnesses.

### FEDERALLY FUNDED YOUTH PROGRAMS

**Committee on Economic and Educational Opportunities:** Subcommittee on Early Childhood, Youth and Families held a hearing on Federally Funded Youth Programs and Local Initiatives. Testimony was heard from Representatives Watts of Oklahoma and Payne of New Jersey; and public witnesses.

**IRS FINANCIAL MANAGEMENT**

*Committee on Government Reform and Oversight:* Subcommittee on Government Management, Information and Technology held a hearing on Internal Revenue Service Financial Management: Has There Been Any Improvement? Testimony was heard from Gene L. Dodaro, Assistant Comptroller General, Accounting and Information Management Division, GAO; the following officials of the Department of the Treasury: Steven O. App, Deputy Chief Financial Officer; and Anthony Musick, Chief Financial Officer, IRS.

**PERSIAN GULF WAR SYNDROME**

*Committee on Government Reform and Oversight:* Subcommittee on Human Resources and Intergovernmental Resources continued hearings on "The Status of Efforts to Identify Persian Gulf War Syndrome, Part IV". Testimony was heard from Sylvia Copeland, Chief, PGW Veterans Illnesses Task Force, CIA; Frances Murphy, M.D., Director, Environmental Agents Services, Department of Veterans Affairs; Stephanie Padilla, Neurotoxicology Division, EPA; and public witnesses.

**HEROIN: THE RE-EMERGING THREAT**

*Committee on Government Reform and Oversight:* Subcommittee on National Security, International Affairs, and Criminal Justice held a hearing on Heroin: The Re-Emerging Threat. Testimony was heard from Gen. Barry E. McCaffrey, Director, Office of National Drug Control Policy; Thomas A. Constantine, Administrator, DEA, Department of Justice; and public witnesses.

**MISCELLANEOUS MEASURES; COMMITTEE BUSINESS**

*Committee on House Oversight:* Oredere reported the following bills: S. 1970, to amend the National Museum of the American Indian Act to make improvements in the Act; H.R. 4011, amended, Congressional Pension Forfeiture Act of 1996; and H.R. 3700, amended, Internet Election Information Act of 1996.

The Committee also considered other pending Committee business.

**BOSNIAN ELECTIONS**

*Committee on International Relations:* Held a hearing on Bosnian Elections: A Postmortem. Testimony was heard from John Kornblum, Assistant Secretary, European and Canadian Affairs, Department of State; and a public witness.

**U.S.-CHINA RELATIONS: NEXT STEPS**

*Committee on International Relations:* Subcommittee on International Economic Policy and Trade and the

Subcommittee on Asia and the Pacific held a joint hearing on U.S.-China Relations: Next Steps. Testimony was heard from public witnesses.

**INDEPENDENT COUNSEL ACCOUNTABILITY AND REFORM ACT OF 1996**

*Committee on the Judiciary:* Subcommittee on Crime approved for full Committee action H.R. 3239, Independent Counsel Accountability and Reform Act of 1996.

**RICKY RAY HEMOPHILIA RELIEF FUND ACT OF 1995**

*Committee on the Judiciary:* Subcommittee on Immigration and Claims held a hearing on H.R. 1023, Ricky Ray Hemophilia Relief Fund Act of 1995. Testimony was heard from Senator DeWine; Representative Goss, Philip R. Lee, M.D., Assistant Secretary, Health, Department of Health and Human Services; Eva M. Plaza, Deputy Assistant Attorney General, Civil Division, Department of Justice; and public witnesses.

**OVERSIGHT—NUCLEAR WEAPONS ACTIVITIES**

*Committee on National Security:* Subcommittee on Military Procurement held an oversight hearing on Department of Energy nuclear weapons activities. Testimony was heard from the following officials of the Department of Energy: Charles B. Curtis, Deputy Secretary; and Victor Reis, Assistant Secretary, Defense Programs; and Maj. Gen. Al Joersz, USA, Assistant Secretary, Military Applications, Department of Defense.

**NATIONAL WILDLIFE REFUGE SYSTEM**

*Committee on Resources:* Subcommittee on Fisheries, Wildlife and Oceans concluded oversight hearings on the National Wildlife Refuge System, examining in some detail the operation and maintenance of the 510 units that comprise the System. Testimony was heard from Representative Brewster; and public witnesses.

**OVERSIGHT—HYDROPOWER MARKETING**

*Committee on Resources:* Subcommittee on Water and Power Resources held an oversight hearing on accounting practices for Federal hydropower marketing. Testimony was heard from the following officials of the Department of Energy: J.M. Shafer, Administrator, Western Area Power Administration; Michael A. Deihl, Administrator, Southwestern Power Administration; and Charles A. Borchardt, Administrator, Southeastern Power Administration; and the following officials of the Accounting and Information Management Division, GAO: Linda

Calbom, Director; Greg Kutz, Assistant Director; and Thomas H. Armstrong, Assistant General Counsel.

### EXPEDITED PROCEDURES

*Committee on Rules:* Ordered reported, by voice vote, a resolution waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules. The resolution also makes it in order to consider motions to suspend the rules on any day during the remainder of the 2nd Session of the 104th Congress provided that at least one hour's advance notice is given on the floor and the Speaker or his designee consults with the Minority Leader or his designee.

### AVIATION SECURITY

*Committee on Science:* Held a hearing on Technological Solutions to Improve Aviation Security. Testimony was heard from Brian Michael Jenkins, Deputy Chairman, President's Commission on Aviation Safety and Security; David R. Hinson, Administrator, FAA, Department of Transportation; Keith O. Fultz, Assistant Comptroller General, GAO; James Chapek, Sandia National Laboratory; and public witnesses.

### COMMITTEE BUSINESS

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

### ISTEA REAUTHORIZATION: HIGHWAY SAFETY PROGRAMS

*Committee on Transportation and Infrastructure:* Subcommittee on Surface Transportation continued hearings on ISTEA reauthorization: The Highway Safety Programs—the Section 402, 403, and 410 Programs and other Traffic Safety Initiatives. Testimony was heard from Ricardo Martinez, Administrator, National Highway Traffic Safety Administration, Department of Transportation; Elizabeth Baker, Chief, Traffic Safety Division, State Highway Administration and Highway Safety Coordinator, State of Maryland; and public witnesses.

Hearing continues September 26.

### WELFARE REFORM

*Committee on Ways and Means:* Subcommittee on Human Resources concluded hearings on implementation of the recently-enacted welfare reform law. Testimony was heard from David Gray Ross, Deputy Director, Office of Child Support Enforcement, De-

partment of Health and Human Services; Leslie L. Frye, Chief, Office of Child Support, Department of Social Services, State of California; Marilyn Ray Smith, Associate Deputy Commissioner and Chief Legal Counsel, Department of Revenue, Child Support Enforcement Division, State of Massachusetts; and public witnesses.

### ACCESSION OF CHINA AND TAIWAN TO THE WORLD TRADE ORGANIZATION

*Committee on Ways and Means:* Subcommittee on Trade held a hearing on Accession of China and Taiwan to the World Trade Organization. Testimony was heard from Representative Solomon, Spratt, Cox of California, Brownback and Latham; Charlene Barshefsky, Acting U.S. Trade Representative; and public witnesses.

### DIVERSITY/HUMAN RESOURCES

*Permanent Select Committee on Intelligence:* Held a hearing on Diversity/Human Resources. Testimony was heard from the following officials of the CIA: John M. Deutch, Director; and Nora Slatkin, Executive Director; the following officials of the Department of Defense: Joan A. Dempsey, Deputy Assistant Secretary, Intelligence and Security; Jeremy C. Clark, Deputy Director, Defense Intelligence Agency; and Lt. Gen. Kenneth A. Minihan, Director, NSA; and Robert Bryant, Assistant Director, FBI, Department of Justice.

## Joint Meetings

### AUTHORIZATION—COAST GUARD

*Conferees* met to resolve the differences between the Senate- and House-passed versions of S. 1004, authorizing funds for the United States Coast Guard, but did not complete action thereon, and recessed subject to call.

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### COMMITTEE MEETINGS FOR FRIDAY, SEPTEMBER 20, 1996

#### Senate

No meetings are scheduled.

#### House

*Committee on Government Reform and Oversight,* Subcommittee on Civil Service, hearing on Drug Free Workplace: White House Standards, 9 a.m., 2154 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Friday, September 20

Senate Chamber

Program for Friday: Senate will resume consideration of H.R. 1350, Maritime Security Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, September 20

House Chamber

Program for Friday: No Legislative Business.

## Extensions of Remarks, as inserted in this issue

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