

Tuesday, February 4, 1997

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate and House met in Joint Session and received the President's State of the Union Message.

Senate

Chamber Action

Routine Proceedings, pages S921–S980

Measures Introduced: Eight bills and six resolutions were introduced, as follows: S. 255–262, S.J. Res. 14, and S. Res. 45–49. **Page S945**

Measures Reported: Reports were made as follows: Reported on Monday, February 3, during the adjournment:

S. Res. 42, authorizing expenditures by the Committee on Rules and Administration.

S.J. Res. 1, proposing an amendment to the Constitution of the United States to require a balanced budget. (S. Rept. No. 105–3)

S. Res. 43, authorizing expenditures by the Committee on the Judiciary.

S. Res. 44, authorizing expenditures by the Committee on the Budget.

S.J. Res. 5, waiving certain provisions of the Trade Act of 1974 relating to the appointment of the United States Trade Representative. **Page S945**

Reported today:

S. Res. 45, authorizing expenditures by the Committee on Veterans' Affairs.

S. Res. 46, authorizing expenditures by the Committee on Indian Affairs. **Page S945**

Measures Passed:

Breast Cancer Screening: By a unanimous vote of 98 yeas (Vote No. 5), Senate agreed to S. Res. 47, expressing the sense of the Senate concerning the need for accurate guidelines for breast cancer screening for women between the ages of 40 and 49. **Pages S928–34, S936–37**

Temporary and Intermittent Service: Senate agreed to S. Res. 48, providing for service on a temporary and intermittent basis by the Director of the Office of Senate Fair Employment Practices. **Page S979**

Death of Representative Tejeda: Senate agreed to S. Res. 49, expressing the condolences of the Senate on the death of Representative Frank Tejeda. **Pages S979–80**

Balanced Budget Constitutional Amendment—Agreement: A unanimous-consent agreement was reached providing for the consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States to require a balanced budget, on Wednesday, February 5, 1997. **Page S922**

Appointments:

Board of Regents/Smithsonian: The Chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, appointed Senators Cochran and Frist as members of the Board of Regents of the Smithsonian Institution. **Page S922**

Board of Trustees/JFK Center: The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, appointed Senators Lott and Stevens to the Board of Trustees of the John F. Kennedy Center for the Performing Arts. **Page S922**

Stennis Center for Public Service Training and Development: The Chair, on behalf of the Majority Leader, pursuant to Public Law 100–458, appointed William E. Cresswell, of Mississippi, to a term on the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, effective October 11, 1996. **Page S922**

Messages From the President: Senate received the following messages from the President of the United States: Transmitting a report on an agreement between the United States and Lithuania; which was referred jointly, pursuant to Public Law 94–265, 16 U.S.C. 1823(b), to the Committee on Commerce, Science, and Transportation, and to the Committee on Foreign Relations. (PM–7). **Page S938**

Transmitting a report on an agreement between the United States and Estonia; which was referred jointly, pursuant to Public Law 94-265, 16 U.S.C. 1823(b), to the Committee on Commerce, Science, and Transportation, and to the Committee on Foreign Relations. (PM-8). Page S939

Nominations received: Senate received the following nomination:

Jeffrey A. Frankel, of California, to be a Member of the Council of Economic Advisers, vice Martin Neil Baily, resigned. Page S980

Messages From the President: Pages S938-43

Messages From the House: Page S943

Communications: Pages S943-45

Statements on Introduced Bills: Pages S945-67

Additional Cosponsors: Pages S967-68

Notices of Hearings: Page S971

Authority for Committees: Page S971

Additional Statements: Pages S971-79

Record Votes: One record vote was taken today. (Total-5) Pages S936-37

Adjournment: Senate convened at 11 a.m., and as a further mark of respect to the memory of the late Representative Frank Tejeda, of Texas, in accordance with S. Res. 49, adjourned at 10:28 p.m., until 11 a.m., on Wednesday, February 5, 1997. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S980.)

Committee Meetings

(Committees not listed did not meet)

DOD SEXUAL HARASSMENT POLICIES

Committee on Armed Services: Committee concluded hearings to examine the Army sexual harassment incidents at Aberdeen Proving Ground and sexual harassment policies within the Department of Defense, after receiving testimony from Togo D. West, Jr., Secretary, Gen. Dennis J. Reimer, Chief of Staff, Lt. Gen. Jared L. Bates, Inspector General, and Brig. Gen. Daniel L. Doherty, Commanding General, Criminal Investigation Command, each of the Department of the Army, Edwin Dorn, Under Secretary (Personnel and Readiness), John H. Dalton, Secretary of the Navy, and Sheila E. Widnall, Secretary of the Air Force, all of the Department of Defense.

ORGANIZATIONAL MEETING

Committee on the Budget: On Thursday, January 30, committee approved for reporting an original resolution (S. Res. 44) requesting \$3,105,190 for operating expenses for the period from March 1, 1997

through February 28, 1998, and \$3,188,897 for operating expenses for the period from March 1, 1998 through February 28, 1999.

Also, committee adopted its rules of procedure for the 105th Congress.

AIRPORT AND AIRWAY TRUST FUND TAXES

Committee on Finance: Committee held hearings to examine the current operation of the Airport and Airway Trust Fund, focusing on excise taxes and proposals to modify the domestic passenger ticket tax or substitute an alternative funding system, receiving testimony from Senator McCain; Donald C. Lubick, Assistant Secretary of the Treasury for Tax Policy; Louise Frankel Stoll, Assistant Secretary for Budget and Programs and Chief Financial Officer, Department of Transportation; John H. Anderson, Jr., Director, Transportation Issues, Resources, Community, and Economic Development Division, General Accounting Office; Stephen A. Alterman, Air Freight Association, and Edward M. Bolen, General Aviation Manufacturers Association, both of Washington, D.C.; Geoffrey T. Crowley, Wisconsin Airlines Corporation, Appleton; Herbert D. Kelleher, Southwest Airlines Company, Dallas, Texas; and Michael E. Levine, Northwest Airlines, Incorporated, Eagan, Minnesota.

Hearings were recessed subject to call.

FLEXIBLE WORKPLACE OPTIONS

Committee on Labor and Human Resources: Subcommittee on Employment and Training held hearings to examine proposals to reform the Fair Labor Standards Act, focusing on recent changes in the American workforce and the need for flexible work schedules, and on S. 4, to provide to private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs as Federal employees currently enjoy to help balance the demands and needs of work and family, to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, receiving testimony from Senator Hutchison; Sandra J. Boyd, Flexible Employment Compensation and Scheduling Coalition, Mark Wilson, The Heritage Foundation, William J. Kilberg, Fair Labor Standards Act Reform Coalition, Karen Nussbaum, AFL-CIO, and Edith Rasell, Economic Policy Institute, all of Washington, D.C.; Michael R. Losey, Society for Human Resource Management, Alexandria, Virginia; and Sallie Larsen and Christine Korzendorfer, both of TRW Systems Integration Group, Fairfax, Virginia.

Hearings continue on Thursday, February 13.

COMMITTEE BUDGET REQUESTS

Committee on Rules and Administration: Committee held hearings to receive testimony from Senators, as indicated, in support of resolutions requesting funds for operating expenses of their respective committees for periods from March 1, 1997 through February 28, 1998, and from March 1, 1998 through February 28, 1999, as follows:

Special Committee on Aging: (S. Res. 41), Senators Grassley and Breaux;

Committee on the Budget: (S. Res. 44), Senators Domenici and Lautenberg;

Committee on Commerce, Science, and Transportation: (S. Res. 29), Senators McCain and Hollings;

Committee on Indian Affairs: (S. Res. 46), Senators Campbell and Inouye;

Committee on Banking, Housing, and Urban Affairs: (S. Res. 28), Senators D'Amato and Sarbanes; and

Committee on Labor and Human Resources: (S. Res. 35), Senators Jeffords and Kennedy.

Hearings continue tomorrow.

ORGANIZATIONAL MEETING

Committee on Veterans' Affairs: On Monday, February 3, committee approved for reporting an original resolution (S. Res. 45) requesting \$2,776,450 for operating expenses for the period from March 1, 1997 through February 28, 1998, and \$1,153,263 for operating expenses for the period from March 1, 1998 through February 28, 1999.

House of Representatives

Chamber Action

Bills Introduced: 85 public bills, H.R. 497–543, 545–582; 3 private bills, H.R. 544, 583–584; and 9 resolutions, H.J. Res. 36–41, H. Con. Res. 12–13, and H. Res. 35 were introduced. **Pages H282–85**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Gutknecht to act as Speaker pro tempore for today.

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Recess: The House recessed at 12:49 p.m. and reconvened at 2 p.m. **Page H249**

Messages from the Senate: Read letters from the Clerk wherein she transmitted messages received from the Senate on January 22 and January 23.

Pages H249–50

National Commission on Restructuring the Internal Revenue Service: The Speaker announced the reappointment of Representative Portman to the National Commission on Restructuring the Internal Revenue Service. Subsequently, read a letter from the Democratic Leader wherein he appointed Representative Coyne to the commission. **Page H250**

Permanent Select Committee on Intelligence: The Speaker announced the appointment of Representative Goss as Chairman of the Permanent Select Committee on Intelligence. **Page H250**

Oath of Office: Pursuant to H. Res. 11, read a letter from the Honorable S. Hugh Dillin wherein he reported that he administered the oath of office to

Representative Carson on January 9 at Indianapolis, Indiana. **Page H250**

Oath of Office: Pursuant to H. Res. 10, read a letter from the Honorable Orlando L. Garcia wherein he reported that he administered the oath of office to Representative Tejada on January 8 at San Antonio, Texas. **Page H250**

Condolence Resolution: The House agreed to H. Res. 35, expressing the condolences of the House on the death of Representative Frank Tejada. **Pages H252–59**

Funeral Committee: The Chair announced the Speaker's appointment on Monday, February 3 of the following members to attend the funeral of the late Honorable Frank Tejada: Representatives Gonzalez, Arme y, Gephardt, DeLay, Bonior, Fazio of California, Kennelly, Archer, Frost, Stenholm, Hall of Texas, Ortiz, Barton of Texas, Combest, Smith of Texas, Edwards, Sam Johnson of Texas, Bonilla, Green, Eddie Bernice Johnson of Texas, Bentsen, Doggett, Jackson-Lee of Texas, Thornberry, Paul, Brady, Granger, Hinojosa, Lampson, Reyes, Sandlin, Sessions, Turner, Martinez, Kleczka, Becerra, Bishop, Diaz-Balart, McHale, Menendez, Velázquez, Jackson of Illinois, Resident Commissioner Romero-Barceló of Puerto Rico, and Delegate Underwood of Guam. **Page H259**

Relating to the Late Honorable Frank Tejada: It was made in order that the Speaker entertain a motion on Wednesday, February 5 to suspend the rules and pass a bill or resolution relating to the late Honorable Frank Tejada of Texas. **Page H259**

Presidential Messages: Read the following messages from the President:

Fisheries off the Coasts of the United States: Message wherein he transmits his agreement between the United States and the Republic of Estonia—referred to the Committee on Resources and ordered printed (H. Doc. 105–39); and

Page H259

Fisheries off the Coasts of the United States: Message wherein he transmits his agreement between the United States and the Republic of Lithuania—referred to the Committee on Resources and ordered printed (H. Doc. 105–40).

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Recess: The House recessed at 4:23 p.m. and reconvened at 8:40 p.m.

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State of the Union Address: President Clinton delivered his State of the Union address before a joint session of Congress. He was escorted into the House Chamber by a committee composed of Senators Lott, Nickles, Mack, Coverdell, Craig, McConnell, Hutchinson, Daschle, Ford, Mikulski, Breaux, Kerry of Massachusetts, Reid, Rockefeller, Dorgan, Torricelli, and Representatives Armev, DeLay, Boehner, Cox of California, Dickey, Hutchinson, Gephardt, Bonior, Fazio of California, Kennelly, Berry, and Snyder. The President's message was referred to the Committee of the Whole House on the State of the Union and ordered printed as a House Document (H. Doc. 105–1).

Pages H273–78

Quorum Calls—Votes: No quorum calls or votes developed during the proceedings of the House today.

Adjournment: Met at 12:30 p.m. and, pursuant to the provisions of H. Res. 35, adjourned at 10:30 p.m. as a further mark of respect to the memory of the Honorable Frank Tejeda.

Committee Meetings

LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative held a hearing on the U.S. House of Representatives. Testimony was heard from the following officials of the House of Representatives: Jeff Trandahl, Acting Chief Administrative Officer; Robin H. Carle, Clerk; Wilson S. Livingood, Sergeant at Arms; John W. Lainhart IV, Inspector General; John R. Miller, Acting Law Revision Counsel; David E. Meade, Legislative Counsel; and John F. Eisold, M.D., Attending Physician.

COMMITTEE ORGANIZATION

Committee on the Budget: Met for organizational purposes.

The Committee also approved an oversight plan for the 105th Congress.

DISABILITIES EDUCATION ACT AMENDMENTS

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth and Families held a hearing on H.R. 5, to amend the Individuals with Disabilities Education Act, to reauthorize and make improvements to that act. Testimony was heard from the following officials of the Department of Education: Judy Heumann, Assistant Secretary, Office of Special Education and Rehabilitative Services; and Thomas Bloom, Inspector General; and public witnesses.

Hearings continue February 6.

TERM LIMITS—MEMBERS OF CONGRESS

Committee on the Judiciary: Ordered reported, without recommendation, H.J. Res. 2, proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Health met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Oversight met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Trade met for organizational purposes.

NEW PUBLIC LAWS

H.J. Res. 25, making technical corrections to the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104–208). Signed February 3, 1997. (P.L. 105–1)

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 5, 1997

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine the recommendation of the National Institutes of Health consensus development conference on breast screening for women ages 40–49, 9:15 a.m., SD–192.

Committee on Armed Services, to hold hearings on the nomination of Federico Peña, of Colorado, to be Secretary of Energy, 2 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs, to hold hearings on the nomination of Janet L. Yellen, of

California, to be a Member of the Council of Economic Advisers, 10:30 a.m., SD-538.

Committee on the Budget, to hold hearings to examine education reform and economic growth, 10 a.m., SD-608.

Committee on Commerce, Science, and Transportation, business meeting, to consider pending calendar business, 10 a.m., SR-253.

Committee on Energy and Natural Resources, to hold hearings on S. 104, to amend the Nuclear Waste Policy Act of 1982, 9:30 a.m., SD-366.

Committee on Environment and Public Works, Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety, to hold hearings on ozone particulate matter standards proposed by the Environmental Protection Agency, 9:30 a.m., SD-406.

Committee on Finance, business meeting, to mark up an original bill extending the Airport and Airway Trust Fund taxes through September 30, 1997 and to correct transfer authority, 9:30 a.m., SD-215.

Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, to hold hearings on conserving judicial resources, focusing on the consideration of appropriate allocation of judgeships in the United States Court of Appeals for the Fourth Circuit, 2 p.m., SD-226.

Committee on Rules and Administration, to continue hearings on proposed committee resolutions requesting funds for operating expenses for 1997 and 1998, 9:30 a.m., SR-301.

Select Committee on Intelligence, to hold hearings on intelligence matters, 10 a.m., SH-216.

House

Committee on Appropriations, to hold an organizational meeting, 11:30 a.m., 2360 Rayburn.

Committee on Banking and Financial Services, to hold an organizational meeting, 10 a.m., 2128 Rayburn.

Committee on the Budget, hearing on "Why the Balanced Budget Amendment is Good for Americans," 10 a.m., 210 Cannon.

Committee on Commerce, Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on "Cellular Privacy: Is Anyone Listening? You Betcha!" 9:30 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing on H.R. 1, Working Families Flexibility Act of 1997, 9:45 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, to hold an organizational meeting, 11 a.m., 2154 Rayburn.

Committee on International Relations, to hold an organizational meeting, 3 p.m., 2172 Rayburn.

Committee on the Judiciary, to markup H.J. Res. 1, proposing an amendment to the Constitution to provide for a balanced budget for the U.S. Government and for greater accountability in the enactment of tax legislation, 9:30 a.m., 2141 Rayburn.

Committee on National Security, to hold an organizational meeting, 10 a.m., 2118 Rayburn.

Committee on Resources, to hold an organizational meeting, 11 a.m., 1324 Longworth.

Committee on Transportation and Infrastructure, to consider the following: to hold an organizational meeting; to approve an Oversight Plan for the 105th Congress; and H.R. 4, Truth in Budgeting Act, 4 p.m., 2167 Rayburn.

Subcommittee on Aviation, hearing on Airlines' Proposals to Establish User Fees for FAA Services, 10:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, to hold an organizational meeting, 4 p.m., 334 Cannon.

Committee on Ways and Means, to hold an organizational meeting, 11:30 a.m., and to hold a hearing on the solvency of the Airport and Airway Trust Fund, 2 p.m. 1100 Longworth.

Subcommittee on Human Resources, to hold an organizational meeting, 9:30 a.m., B-318 Rayburn.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED FIFTH 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 3 through January 31, 1997

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session	8	4	..
Time in session	41 hrs., 19'	11 hrs., 52'	..
Congressional Record:			
Pages of proceedings	917	245	..
Extensions of Remarks	112	..
Public bills enacted into law	0	0	..
Private bills enacted into law	0	0	..
Bills in conference	0	0	..
Measures passed, total	26	23	..
Senate bills	0	0	..
House bills	0	0	..
Senate joint resolutions	0	0	..
House joint resolutions	1	1	..
Senate concurrent resolutions	4	3	..
House concurrent resolutions	1	1	..
Simple resolutions	20	18	..
Measures reported, total	*18	*0	..
Senate bills	0	0	..
House bills	0	0	..
Senate joint resolutions	1	0	..
House joint resolutions	0	0	..
Senate concurrent resolutions	0	0	..
House concurrent resolutions	0	0	..
Simple resolutions	17	0	..
Special reports	2	1	..
Conference reports	0	0	..
Measures pending on calendar	8	0	..
Measures introduced, total	313	576	..
Bills	254	496	..
Joint resolutions	13	35	..
Concurrent resolutions	4	11	..
Simple resolutions	42	34	..
Quorum calls	1	1	..
Yea-and-nay votes	4	6	..
Recorded votes	1	..
Bills vetoed	0	0	..
Vetoes overridden	0	0	..

DISPOSITION OF EXECUTIVE NOMINATIONS

January 7 through January 31, 1997

Civilian nominations, totaling 123, disposed of as follows:	
Confirmed	5
Unconfirmed	118
Civilian nominations (FS, PHS, CG, NOAA), totaling 1,149, disposed of as follows:	
Confirmed	373
Unconfirmed	776
Air Force nominations, totaling 770, disposed of as follows:	
Confirmed	37
Unconfirmed	733
Army nominations, totaling 1,445, disposed of as follows:	
Confirmed	72
Unconfirmed	1,373
Navy nominations, totaling 491, disposed of as follows:	
Confirmed	474
Unconfirmed	17
Marine Corps nominations, totaling 17, disposed of as follows:	
Confirmed	8
Unconfirmed	9

Summary

Total nominations received this session	3,995
Total confirmed	969
Total unconfirmed	3,026

* These figures include all measures reported, even if there was no accompanying report. A total of 2 reports has been filed in the Senate, 1 report has been filed in the House.

Next Meeting of the SENATE

11 a.m., Wednesday, February 5

Senate Chamber

Program for Wednesday: After the recognition of four Senators for speeches and the transaction of any routine morning business (not to extend beyond 3 p.m.), Senate will begin consideration of S.J. Res. 1, Balanced Budget Constitutional Amendment.

Next Meeting of the HOUSE OF REPRESENTATIVES

11 a.m., Wednesday, February 5

House Chamber

Program for Wednesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

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 Wynn, Albert Russell, Md., E155
 Yates, Sidney R., Ill., E147



Congressional Record

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