

Wednesday, February 5, 1997

# Daily Digest

## HIGHLIGHTS

The House passed H.R. 499, to designate the "Frank M. Tejada Post Office Building" in San Antonio, Texas.

## Senate

### Chamber Action

*Routine Proceedings, pages S981–S1047*

**Measures Introduced:** Eighteen bills and two resolutions were introduced, as follows: S. 263–280, S. Res. 50, and S. Con. Res. 5. **Pages S1017–18**

**Measures Reported:** Reports were made as follows: S. 279, to amend the Internal Revenue Code of 1986 to reinstate the Airport and Airway Trust Fund excise taxes. (S. Rept. No. 105–4) **Page S1017**

**Balanced Budget Constitutional Amendment:** Senate began consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States to require a balanced budget. **Pages S994–S1015**

Senate will continue consideration of the resolution on Thursday, February 6, 1997.

**Nomination—Agreement:** A unanimous-consent time-agreement was reached providing for the consideration of the nomination of Rodney E. Slater, of Arkansas, to be Secretary of Transportation. **Pages S1044–45**

**Nominations Received:** Senate received the following nominations: Sophia H. Hall, of Illinois, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2000.

Lyle Weir Swenson, of South Dakota, to be United States Marshal for the District of South Dakota for the term of four years.

Marsha Mason, of New Mexico, to be a Member of the National Council on the Arts for a term expiring September 3, 2002.

Theodore Francis Verheggen, of the District of Columbia, to be a Member of the Federal Safety and Health Review Commission for a term expiring August 30, 2002.

2 Air Force nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Navy, and Coast Guard. **Pages S1046–47**

**Nomination Withdrawn:** Senate received notification of the withdrawal of the following nomination:

Sophia H. Hall, of Illinois, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2002. **Page S1047**

**Measures Referred:** **Page S1016**

**Communications:** **Pages S1016–17**

**Executive Reports of Committees:** **Page S1017**

**Statements on Introduced Bills:** **Pages S1018–27**

**Additional Cosponsors:** **Page S1027**

**Authority for Committees:** **Pages S1035–36**

**Additional Statements:** **Pages S1036–44**

**Adjournment:** Senate convened at 11 a.m., and adjourned at 7:13 p.m., until 11 a.m., on Thursday, February 6, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1045.)

### Committee Meetings

*(Committees not listed did not meet)*

#### BREAST CANCER SCREENING

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education and Related Agencies held hearings to examine the recommendation of the National Institutes of Health Consensus Development Conference on Breast Cancer Screening in Women Ages 40–49, receiving testimony from Richard D. Klausner, Director, National Cancer Institute, and Susan J. Blumenthal, Deputy Assistant Secretary for Health/Assistant Surgeon General, both of the Department of Health and Human Services; David G. Hoel, Medical University

of South Carolina, Charleston; Marilyn Leitch, University of Texas Southwestern Medical School, on behalf of the American Cancer Society, and Susan Braun and Diana Rowden, both of the Susan G. Komen Breast Cancer Foundation, all of Dallas, Texas; Frances M. Visco, National Breast Cancer Coalition, Philadelphia, Pennsylvania; and Barbara Monsees, Washington University School of Medicine, St. Louis, Missouri.

Hearings were recessed subject to call.

## NOMINATION

*Committee on Armed Services:* Committee concluded hearings on the nomination of Federico Peña, of Colorado, to be Secretary of Energy, after the nominee testified and answered questions in his own behalf.

## NOMINATION

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded hearings on the nomination of Janet L. Yellen, of California, to be a Member of the Council of Economic Advisers, after the nominee, who was introduced by Senator Boxer, testified and answered questions in her own behalf.

## EDUCATION REFORM AND ECONOMIC GROWTH

*Committee on the Budget:* Committee held hearings on the President's budget request for education for fiscal year 1998 and to examine the Federal role in educational reform, receiving testimony from Marshall S. Smith, Under Secretary of Education; Eric A. Hanushek, University of Rochester, Rochester, New York; and Caroline Minter Hoxby, Harvard University, Westborough, Massachusetts.

Committee will meet again on Friday, February 7.

## BUSINESS MEETING

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the nomination of Rodney E. Slater, of Arkansas, to be Secretary of Transportation.

Also, committee announced the following subcommittee assignments:

*Subcommittee on Aviation:* Senators Gorton (Chairman), Stevens, Burns, Lott, Hutchison, Ashcroft, Frist, Snowe, Brownback, Ford, Hollings, Inouye, Bryan, Rockefeller, Breaux, Dorgan, and Wyden.

*Subcommittee on Communications:* Senators Burns (Chairman), Stevens, Gorton, Lott, Ashcroft, Hutchison, Abraham, Frist, Brownback, Hollings, Inouye, Ford, Kerry, Breaux, Rockefeller, Dorgan, and Wyden.

*Subcommittee on Consumer Affairs, Foreign Commerce and Tourism:* Senators Ashcroft (Chairman), Gorton, Abraham, Burns, Brownback, Breaux, Ford, and Bryan.

*Subcommittee on Manufacturing and Competitiveness:* Senators Abraham (Chairman), Snowe, Ashcroft, Frist, Brownback, Bryan, Hollings, Dorgan, and Rockefeller.

*Subcommittee on Oceans and Fisheries:* Senators Snowe (Chairman), Stevens, Gorton, Hutchison, Kerry, Inouye, and Breaux.

*Subcommittee on Science, Technology, and Space:* Senators Frist (Chairman), Burns, Hutchison, Stevens, Abraham, Rockefeller, Kerry, Bryan, and Dorgan.

*Subcommittee on Surface Transportation and Merchant Marine:* Senators Hutchison (Chairman), Stevens, Burns, Snowe, Frist, Abraham, Ashcroft, Inouye, Breaux, Dorgan, Bryan, and Wyden.

## NUCLEAR WASTE POLICY ACT

*Committee on Energy and Natural Resources:* Committee concluded hearings on S. 104, to reform United States policy with regard to the management and disposal of spent nuclear fuel and high-level radioactive waste, after receiving testimony from Thomas P. Grumbly, Under Secretary of Energy; Jared L. Cohon, Yale University, New Haven, Connecticut, on behalf of the Nuclear Waste Technical Review Board; Emmit J. George, Jr., Iowa Utilities Board, Des Moines, on behalf of the National Association of Regulatory Utility Commissioners; Susan F. Clark, Florida Public Service Commission, Tallahassee, on behalf of the Nuclear Waste Strategy Coalition; Michael Mariotte, Nuclear Information Resource Service, Washington, D.C.; and James T. Rhodes, Virginia Power, Richmond.

## CLEAN AIR—OZONE EXPOSURE

*Committee on Environment and Public Works:* Subcommittee on Clean Air, Wetlands, Private Property and Nuclear Safety held oversight hearings on science issues with regard to the Environmental Protection Agency proposed revisions to the ozone and particulate matter national ambient air quality standards, receiving testimony from George T. Wolff, General Motors Company, Detroit, Michigan, on behalf of EPA's Clean Air Scientific Advisory Committee's Panels on Ozone and Particulate Matter; Morton Lippman, New York University Medical Center, and George D. Thurston, New York University School of Medicine, both of New York, New York; Daniel B. Menzel, University of California, Irvine; Roger O. McClellan, Chemical Industry Institute of Toxicology, Research Triangle Park, North Carolina; Anne E. Smith, Decision Focus Incorporated, Mountain View, California; Joel Schwartz, Harvard University Medical School, Cambridge, Massachusetts; and Ronald E. Wyzga, Electric Power Research Institute, Palo Alto, California.

Hearings will continue on Wednesday, February 12.

**AIRPORT AND AIRWAY TRUST FUND TAX REINSTATEMENT ACT**

*Committee on Finance:* Committee ordered favorably reported an original bill (S. 279) to reinstate the Airport and Airway Trust Fund excise taxes.

**JUDGESHIP ALLOCATION**

*Committee on the Judiciary:* Subcommittee on Administrative Oversight and the Courts concluded hearings to examine the appropriate allocation of judgeships in the United States Court of Appeals for the Fourth Circuit, after receiving testimony from J. Harvie Wilkinson III, Chief Judge, and Sam J. Ervin, III, Circuit Judge, both of the United States Court of Appeals for the Fourth Circuit; Gerald Bard Tjoflat, Circuit Judge, United States Court of Appeals for the Eleventh Circuit; and Julia Smith Gibbons, Chief Judge, United States District Court for the Western District of Tennessee, on behalf of the Committee on Judicial Resources of the Judicial Conference of the United States.

**COMMITTEE BUDGET REQUESTS**

*Committee on Rules and Administration:* Committee continued 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:

*Committee on Appropriations:* (S. Res. 33), Senator Stevens;

*Committee on Small Business:* (S. Res. 40), Senators Bond and Kerry;

*Committee on the Judiciary:* (S. Res. 43), Senators Hatch and Leahy;

*Committee on Agriculture, Nutrition, and Forestry:* (S. Res. 20), Senators Lugar and Harkin;

*Committee on Armed Services:* (S. Res. 38), Senators Warner and Levin; and

*Committee on Veterans' Affairs:* (S. Res. 45), Senators Specter and Rockefeller.

Hearings continue tomorrow.

**NATIONAL SECURITY THREATS**

*Select Committee on Intelligence:* Committee held open and closed hearings to examine current and projected national security threats to the United States, receiving testimony from Toby T. Gati, Assistant Secretary of State for Intelligence and Research; Lt. Gen. Patrick M. Hughes, USA, Director, Defense Intelligence Agency; and George J. Tenet, Acting Director of Central Intelligence.

Hearings were recessed subject to call.

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# House of Representatives

**Chamber Action**

**Bills Introduced:** 39 public bills, H.R. 585–623; and 12 resolutions, H.J. Res. 42–45, H. Con. Res. 14–15, and H. Res. 36–41, were introduced.

Pages H345–48

**Reports Filed:** No reports were filed today.

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

Page H289

**Guest Chaplain:** The prayer was offered by the guest chaplain, Dr. Ronald Christian of Washington, D.C.

Page H289

**Journal Vote:** By a recorded vote of 376 ayes to 28 noes, Roll No. 10, the House agreed to the Speaker's approval of the Journal of Tuesday, February 4.

Pages H289, H298

**Committee Resignation:** Read a letter from Representative Brady wherein he resigned from the Committee on Government Reform and Oversight.

Page H290

**Frank M. Tejeda Post Office Building:** By a yeand-nay vote of 400 yeas, Roll No. 9, the House voted to suspend the rules and pass H.R. 499, to designate the facility of the United States Postal Service under construction at 7411 Barlite Boulevard in San Antonio, Texas, as the "Frank M. Tejeda Post Office Building."

Pages H292–97

**Committee Resignations:** Read a letter from Representative Gejdenson wherein he resigned from the Committee on Resources and read a letter from Representative Peterson of Minnesota wherein he resigned from the Committee on Government Reform and Oversight.

Page H298

**Committee Election:** The House agreed to H. Res. 36, designating minority membership on certain standing committees of the House.

Pages H298–99

**Referrals:** One Senate-passed measure was referred to the appropriate House committee. **Page H337**

**Senate Messages:** Message received from the Senate today appears on page H289.

**Quorum Calls—Votes:** One yea-and-nay vote and one recorded vote developed during the proceedings of the House today and appear on pages H297 and H298. There were no quorum calls.

**Adjournment:** Met at 11 a.m. and adjourned at 4:52 p.m.

## Committee Meetings

### COMMITTEE ORGANIZATION

*Committee on Appropriations:* Met for organizational purposes.

### COMMITTEE ORGANIZATION

*Committee on Banking and Financial Services:* Met for organizational purposes.

### “WHY THE BALANCED BUDGET AMENDMENT IS GOOD FOR AMERICANS”

*Committee on the Budget:* Held a hearing on “Why the Balanced Budget Amendment is Good for Americans.” Testimony was heard from public witnesses.

### “CELLULAR PRIVACY: IS ANYONE LISTENING? YOU BETCHA!”

*Committee on Commerce:* Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on “Cellular Privacy: Is Anyone Listening? You Betcha!” Testimony was heard from the following officials of the Department of Justice: James K. Kallstrom, Assistant Director in Charge, New York Division, FBI; and Robert S. Litt, Deputy Assistant Attorney General, Criminal Division; William Kennard, General Counsel, FCC; and public witnesses.

### WORKING FAMILIES FLEXIBILITY ACT

*Committee on Education and the Workforce:* Subcommittee on Workforce Protections held a hearing on H.R. 1, Working Families Flexibility Act of 1997. Testimony was heard from Representatives Granger, Myrick and Fowler; and public witnesses.

### MISCELLANEOUS MEASURES; COMMITTEE ORGANIZATION

*Committee on International Relations:* By unanimous consent adopted a motion urging the Chairman to request that S. Con. Res. 4, commending and thanking Honorable Warren Christopher for his exemplary service as Secretary of State, be considered on the Suspension Calendar.

The Committee also approved a resolution to be introduced in appreciation of the late Pamela Harri-man, Ambassador to France.

The Committee also met for organizational purposes.

### BALANCED BUDGET AMENDMENT

*Committee on the Judiciary:* Began markup of 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.

Will continue February 11.

### COMMITTEE ORGANIZATION

*Committee on National Security:* Met for organizational purposes.

### COMMITTEE ORGANIZATION

*Committee on Resources:* Met for organizational purposes.

### TRUTH IN BUDGETING ACT; OVERSIGHT PLAN

*Committee on Transportation and Infrastructure:* Ordered reported H.R. 4, Truth in Budgeting Act.

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

### USER FEES FOR FAA SERVICES

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on Airlines' Proposals to Establish User Fees for FAA Services. Testimony was heard from John H. Anderson, Jr., Director, Transportation Issues, Resources, Community and Economic Development Division, GAO; and public witnesses.

Hearings continue February 13.

### COMMITTEE ORGANIZATION

*Committee on Veterans' Affairs:* Met for organizational purposes.

### AIRPORT AND AIRWAY TRUST FUND SOLVENCY; COMMITTEE ORGANIZATION

*Committee on Ways and Means:* Held a hearing on the solvency of the Airport and Airway Trust Fund. Testimony was heard from Donald C. Lubick, Assistant Secretary, Tax Policy, Department of the Treasury; and Louise F. Stoll, Assistant Secretary, Budget and Programs, Department of Transportation.

The Committee also met for organizational purposes.

### COMMITTEE ORGANIZATION

*Committee on Ways and Means:* Subcommittee on Human Resources met for organizational purposes.

COMMITTEE MEETINGS FOR THURSDAY,  
FEBRUARY 6, 1997

*(Committee meetings are open unless otherwise indicated)*

## Senate

*Committee on Armed Services*, to hold open and closed hearings on the worldwide threat facing the United States, 10 a.m., SR-222.

*Committee on Energy and Natural Resources*, to hold hearings on S. 210, to amend the Organic Act of Guam, the Revised Organic Act of the Virgin Islands, and the Compact of Free Association Act, 9:30 a.m., SD-366.

*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.

*Committee on Small Business*, to hold hearings to examine women-owned and home-based businesses, 9:30 a.m., SR-428A.

## Notice

For a listing of Senate Committee Meetings scheduled ahead, see pages E177-78 in today's Record.

## House

*Committee on Agriculture*, to hold an organizational meeting, 10:30 a.m., 1300 Longworth.

*Committee on Commerce*, Subcommittee on Oversight and Investigations, hearing on FDA Policy on Home Drug Testing Kits, 9:30 a.m., 2123 Rayburn.

*Committee on Education and the Workforce*, Subcommittee on Early Childhood, Youth and Families, to continue hearings on H.R. 5, to amend the Individuals with Disabilities Education Act, to reauthorize and make improvements on that act, 9:30 a.m., 2175 Rayburn.

*Committee on Rules*, to consider a measure to release all fiscal year 1997 population assistance funds and to reinstate the provisions of the Mexico City policy on U.S. population control assistance, 11:30 a.m., H-313 Capitol.

*Next Meeting of the SENATE*  
11 a.m., Thursday, February 6

*Next Meeting of the HOUSE OF REPRESENTATIVES*  
10 a.m., Thursday, February 6

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Senate Chamber

**Program for Thursday:** After the recognition of four Senators for speeches and the transaction of any routine morning business (not to extend beyond 12 noon), Senate will resume consideration of S.J. Res. 1, Balanced Budget Constitutional Amendment. Senate may also consider the nomination of Rodney E. Slater, of Arkansas, to be Secretary of Transportation.

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House Chamber

**Program for Thursday:** No legislative business.

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Extension of Remarks, as inserted in this issue

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