

Monday, June 23, 1997

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6049-S6103

Measures Introduced: One bill was introduced, as follows: S. 950. Page S6097

Measures Passed

National Literacy Day: Senate agreed to S. Res. 92, designating July 2, 1997, and July 2, 1998, as "National Literacy Day". Page S6103

Budget Reconciliation: Senate began consideration of S. 947, to provide for reconciliation pursuant to section 104(a) of the concurrent resolution on the budget for fiscal year 1998, taking action on amendments proposed thereto, as follows:

Pages S6058-72, S6074-93

Pending:

Gregg Modified Amendment No. 426, to provide for terms and conditions of imposing Medicare premiums. Pages S6066-72, S6074-77

Harkin Amendment No. 428, to reduce health care fraud, waste, and abuse. Pages S6077-78

Kennedy/Wellstone Amendment No. 429, to strike the provision relating to the imposition of a copayment for part B home health services. Pages S6078-93

Motion to waive a point of order that section 5611 of the bill violates section 313(b)(1)(A) of the Congressional Budget Act of 1974. Page S6092

A unanimous-consent agreement was reached providing for further consideration of the bill on Tuesday, June 24, 1997. Page S6103

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

Transmitting the annual report on Federal Advisory Committees for fiscal year 1995; referred to the Committee on Governmental Affairs. (PM-47). Pages S6095-96

Nominations Received: Senate received the following nominations:

Martin S. Indyk, of the District of Columbia, to be an Assistant Secretary of State.

Routine lists in the Army, Marine Corps. Page S6103

Messages From the President: Pages S6095-96

Messages From the House: Page S6096

Communications: Pages S6096-97

Statements on Introduced Bills: Pages S6097-99

Additional Cosponsors: Pages S6099-S6100

Amendments Submitted: Pages S6100-01

Additional Statements: Pages S6101-03

Adjournment: Senate convened at 10 a.m., and recessed at 7:45 p.m., until 9:30 a.m., on Tuesday, June 24, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6103.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 5 public bills, H.R. 2009-2013; and 2 resolutions, H. Con. Res. 103-104, were introduced. Page H4221

Reports Filed: Reports were filed as follows:

H.R. 1581, to reauthorize the program established under chapter 44 of title 28, United States Code, relating to arbitration (H. Rept. 105-143);

H.R. 1866, to continue favorable treatment for need-based educational aid under the antitrust laws (H. Rept. 105-144);

H.R. 1901, to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission (H. Rept. 105-145);

H.R. 1902, to immunize donations made in the form of charitable gift annuities and charitable remainder trusts from the antitrust laws and State laws similar to the antitrust laws; (H. Rept. 105-146);

H.R. 849, to prohibit an alien who is not lawfully present in the United States from receiving assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, amended (H. Rept. 105-147);

H.R. 2014, Revenue Reconciliation Act of 1997 (H. Rept. 105-148); and

H.R. 2015, Balanced Budget Act of 1997 (H. Rept. 105-149). Page H4221

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Pease to act as Speaker pro tempore for today. Page H4137

Recess: The House recessed at 10:50 a.m. and reconvened at 12 noon. Page H4139

Suspensions: The House voted to suspend the rules and pass the following measures:

Federal Tort Claims Act Clarification: H.R. 1901, to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission; Pages H4140-41

Charitable Donation Antitrust Immunity: H.R. 1902, to immunize donations made in the form of charitable gift annuities and charitable remainder trusts from the antitrust laws and State laws similar to the antitrust laws; Pages H4141-42

Veterans' Cemetery Protection Act: H.R. 1532, amended, to amend title 18, United States Code, to create criminal penalties for theft and willful vandalism at national cemeteries. Agreed to amend the title; Pages H4142-45, H4212

Need-Based Educational Aid Antitrust Protection: H.R. 1866, to continue favorable treatment for need-based educational aid under the antitrust laws; Pages H4145-46

Program Relating to Arbitration: H.R. 1581, to reauthorize the program established under chapter 44 of title 28, United States Code, relating to arbitration; and Pages H4146-47

John F. Kennedy Assassination Records Review Board: H.R. 1553, to amend the President John F. Kennedy Assassination Records Collection Act of 1992 to extend the authorization of the Assassination Records Review Board until September 30, 1998. Pages H4149-50

Cost of Government Day—Vote Postponed: The House completed debate on the motion to suspend the rules and agree to H. Con. Res. 102, expressing the sense of the Congress that the cost of government spending and regulatory programs should be reduced so that American families will be able to keep more of what they earn. The vote was postponed until Wednesday, June 25. Pages H4147-49

Recess: The House recessed at 2:35 p.m. and reconvened at 5:36 p.m. Page H4166

Order of Business—MFN to China: It was made in order that at any time on June 24, 1997, to consider in the House the joint resolution (H.J. Res. 79) disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China; that the joint resolution be considered as read for amendment; that all points of order against the joint resolution and against its consideration be waived; that the joint resolution be debatable for three and one-half hours equally divided and controlled by the Chairman of the Committee on Ways and Means (in opposition to the joint resolution) and a Member in support of the joint resolution; that pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question be considered as ordered on the joint resolution to final passage without intervening motion; and that the provisions of sections 152 and 153 of the Trade Act of 1974 shall not otherwise apply to any joint resolution disapproving the extension of most-favored-nation treatment to the People's Republic of China for the remainder of the first session of the One Hundred Fifth Congress. Pages H4166-67

Department of Defense Authorization Act: The House continued consideration of amendments to H.R. 1119, to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999. The House completed general debate and considered amendments to the bill on June 19 and 20. Pages H4150-H4212

Agreed To:

The Frank of Massachusetts amendment, as modified, that limits the U.S. share of payments for the cost of NATO expansion to 10 percent of the total cost or \$2 billion whichever is less; and if at any time the U.S. share exceeds 10 percent, then no funds may be expended until the percentage is reduced to 10 percent; Pages H4151-54, H4167

The Bachus amendment that prohibits the performance of military honors at the funeral of a person who has been convicted of a crime under State

or Federal law for which death is a possible punishment and for which the person was sentenced to death or life imprisonment (agreed to by a recorded vote of 416 ayes with none voting "no", Roll No. 225);

Pages H4155-56, H4167-68

The Talent amendment that revises DOD missing persons authorities; requires a preliminary assessment within 48 hours unless hostile actions prevent timely reporting but in no case later than ten days; establishes reporting procedures and frequency of subsequent reviews; requires a certification by a forensic science practitioner for bodies that are not identifiable; requires that the identity of the missing person's counsel be provided to the next of kin; and establishes personnel files for Korean Conflict cases (agreed to by a recorded vote of 415 ayes to 2 noes, Roll No. 226);

Pages H4157-60, H4168-69

The Buyer amendment that requires a joint plan from the Secretary of Defense and the Secretary of Veterans Affairs to provide appropriate health care to Persian Gulf veterans and their dependents who suffer from a Gulf War illness, including follow up treatment after initial examination as part of registration in the Persian Gulf War Veterans Health Registry or the Comprehensive Clinical Evaluation Program; requires a Comptroller General Study of revised disability criteria to ensure accurate ratings related to a diagnosis of a Persian Gulf illness; requires a medical tracking system for members deployed overseas; requires reports on plans to track the daily location of units serving in a theater of operations and plans to improve the detection of chemical and biological hazards; requires the Secretary of Defense to provide a notice with specified information to each member of the armed forces whenever an investigational new drug is administered; requires a report evaluating the effectiveness of medical research initiatives regarding Gulf War illnesses; and provides \$4.5 million to establish a Persian Gulf illness clinical trials program (agreed to by a recorded vote of 417 ayes with none voting "no", Roll No. 227);

Pages H4160-66, H4169

The Rohrabacher amendment that prohibits any Cooperative Threat Reduction funds to be expended when it becomes known to the Secretary of Defense that Russia has transferred to the People's Republic of China an SS-N-22 missile system (agreed to by a recorded vote of 215 ayes to 206 noes, Roll No. 230); and

Pages H4198-H4201

The Spence en bloc amendment, as modified, that requires a study of the U.S. capacitor and resistor industries; strikes limitation on funds for development of the Integrated Defensive Electronic Countermeasures program for the F/A 18 aircraft and AV-8B aircraft; expresses the sense of Congress that the U.S. should maintain approximately 100,000

military personnel in the Asia and Pacific region; expresses the sense of Congress that the armed forces should not be deployed to provide environmental preservation activities for other nations; expands reserve affiliations bonus to include the Coast Guard reserve; prohibits any funding for the United States Man and Biosphere Program; states the support for the Army in its Comanche program technology transfer and acquisition efforts; requires a report on the utility of permitting U.S. nationals to participate in the Senior Reserve Officers' Training Corps program; clarifies that the gross tonnage for purposes of tank vessel double hull requirements shall be the gross tonnage of the vessel on the most recent certificate; provides \$3.910 million for the fire range/maintenance shop construction project at Camp Roberts, California; includes additionally in the report on future military capabilities of the People's Republic of China, Chinese capabilities in nuclear weapons development, electronic warfare, telecommunications, advanced aerospace technologies, antisubmarine warfare, and an assessment of the potential threat to U.S. strategic interests by U.S. and other sales to China; specifies that the POW/MIA flag shall be displayed at each Department of Veterans Affairs medical center on each day on which the U.S. flag is displayed; allows veterans' preference to reservist veterans of the Persian Gulf War who were deployed but did not serve in the theater of operations; requires a report evaluating the feasibility of transferring jurisdiction of the Modular Airborne Fire Fighting System from the Department of Agriculture to the Department of Defense; provides \$6.2 million for a barracks construction project at Fort Indiantown Gap, Pennsylvania; provides transfers of real and personal property at certain Department of Energy facilities; requires an annual report on the development and deployment of narcotics detection technologies; requires the Secretary of Defense to delegate certain authorities to the site manager of Hanford Reservation, Richland, Washington; requires the Secretary of Energy to conduct a study on the effects of workforce restructuring plans for defense nuclear facilities; requires a report on the feasibility of conversion of members of the Army or Air Force reserve components who are on active duty (AGR personnel) to military technicians; sense of Congress that all promising technology and treatments relating to Gulf War illnesses should be fully explored and tested; increases funding for the Navy Land Attack technology program by \$10 million and reduces the Air Systems and Weapons Advance Technology program by \$5 million and reduces the Ship Hull Mechanical and Electrical Technology by \$5 million; prohibits the Secretary of Defense from determining the allowability of costs of employee

stock ownership plans described in the rule proposed by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council; requires a report on the Operational Field Assessments program; establishes the Sikes Act Improvement Amendments of 1997 and authorizes \$9 million for the next five years for cooperative wildlife management at military installations; conveys land from Fort Dix to the Borough of Wrightstown, New Jersey; requires a study to evaluate the requirement for military medical facilities in the National Capital region; requires a report describing anti-terrorism activities; provides limited expansion to the Community College of the Air Force; requires the Director of OMB to report on counter-terrorism and anti-terrorism programs and activities and establish a government-wide reporting system on the budget and expenditure of funds; expands the number of personnel eligible to participate in a demonstration project relating to acquisition workforce; conveys certain real property at Ellsworth Air Force Base to the Greater Box Elder Area Economic Development Corporation, Box Elder, South Dakota; requires a random audit of U.S. military installations to determine the extent to which installations procured goods not made in the United States; revises from 120 days to 60 days the time for submission of the annual report relating to the Buy America Act; requires a report from the Secretary of the Army concerning the implementation of the amendments made to the Armament Retooling and Manufacturing Support Act of 1992; and expresses the sense of Congress concerning the need for Russian openness on the Yamantau Mountain project.

Pages H4201–12

Rejected:

The Dellums amendment, as modified, that sought to terminate production of the B–2 bomber and reduce funding by \$331.2 million, allow \$21.8 million for curtailment of the production line, and increase funding by \$332.2 million for procurement of equipment for the reserve components (rejected by a recorded vote of 209 ayes to 216 noes, Roll No. 228); and

Pages H4169–89

The Everett amendment, as modified, that sought to strike section 333, restrictions on contracts for performance of depot-level maintenance and repair at certain facilities; section 334, core logistics functions of Department of Defense; and section 335, centers of industrial and technical excellence (rejected by a recorded vote of 145 ayes to 278 noes, Roll No. 229).

Pages H4189–98

Withdrawn:

The Skelton amendment was offered but subsequently withdrawn that sought to expand criminal offenses resulting in forfeiture of veterans' burial benefits to include those convicted of crimes involv-

ing weapons of mass destruction against federal properties, law enforcement officers, or employees;

Page H4156

Agreed to H. Res. 169, as amended, the rule providing for consideration of the bill on June 19.

Pages H3934–45

Presidential Message—Advisory Committees: Read a message from the President wherein he transmitted his annual report on Federal Advisory Committees, covering fiscal year 1995—referred to the Committee on Government Reform and Oversight.

Page H4212

Senate Messages: Message received today from the Senate appears on page H4137.

Quorum Calls—Votes: Six recorded votes developed during the proceedings of the House today and appear on pages H4167–68, H4168–69, H4169, H4188–89, H4198, and H4200–01. There were no quorum calls.

Adjournment: Met at 10:30 a.m. and adjourned at 11:50 p.m.

Committee Meetings

No committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 24, 1997

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations with the *Committee on Governmental Affairs*, on the implementation of the Government Performance and Results Act, 10 a.m., SD–192.

Full Committee, business meeting, to mark up proposed legislation making appropriations for foreign assistance programs for the fiscal year ending September 30, 1998, 2:30 p.m., SH–216.

Committee on Commerce, Science, and Transportation, to hold hearings on the nomination of Jane Garvey, of Massachusetts, to be Administrator of the Federal Aviation Administration, 10:30 a.m., SR–253.

Committee on Energy and Natural Resources, to meet to further discuss proposals to advance the goals of deregulation and competition in the electric power industry, 10:30 a.m., SD–366.

Committee on Governmental Affairs with the *Committee on Appropriations*, on the implementation of the Government Performance and Results Act, 10 a.m., SD–192.

Committee on the Judiciary, business meeting, to consider the nomination of Eric H. Holder, Jr., of the District of Columbia, to be Deputy Attorney General, Department of Justice, 9:45 a.m., S–214, Capitol.

Full Committee, to hold hearings to examine the Rand report relating to punitive damages in financial injury cases, 10 a.m., SD–226.

NOTICE

For A listing of Senate Committee Meetings scheduled ahead, see page E1302 in today's Record.

House

Committee on Appropriations, to mark up Military Construction appropriations for fiscal year 1998, 9:30 a.m., 2360 Rayburn.

Subcommittee on Legislative, to mark up appropriations for fiscal year 1998, immediately following full Committee, H-144 Capitol.

Subcommittee on Transportation, to mark up appropriations for fiscal year 1998, 3 p.m., 2358 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Housing and Community Opportunity, hearing on The Adequacy of Available Homeowners' Insurance in Disaster Prone Areas—The Problem, 10:00 a.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Finance and Hazardous Materials, hearing on Financial Services Reform, 10:00 a.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Oversight and Investigations, hearing on Education at a Crossroads, What Works, What's Wasted in Federal Drug and Violence Prevention Programs, 11:00 a.m., 2261 Rayburn.

Subcommittee on Workforce Protections, hearing on the Occupational Safety and Health Administration's reinvention project, 10:00 a.m., 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Government Management, Information, and Technology, oversight hearing on Investigative Practices of Inspectors General, 9:30 a.m., 2247 Rayburn.

June 24, Subcommittee on Human Resources, hearings on Status of Efforts to Identify Gulf War Syndrome, 10 a.m., 2154 Rayburn.

Committee on International Relations, Subcommittee on Africa, to mark up the following: H. Con. Res. 99, expressing concern over recent events in the Republic of Sierra Leone in the wake of the recent military coup d'etat of that country's first democratically elected President; and a resolution urging a restoration of peace in Congo-Brazzaville, 1 p.m., 2200 Rayburn.

Subcommittee on International Economic Policy and Trade, to mark up H.R. 695, Security and Freedom Through Encryption (SAFE) Act, 4 p.m., 2172 Rayburn.

Subcommittee on International Operations and Human Rights, hearing on Human Rights in Northern Ireland, 10:00 a.m., 2172 Rayburn.

Committee on Resources, hearing on the following bills: H.R. 700, to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; H.R. 948, Burt Lake Band of Ottawa and Chippewa Indians Act; H.R. 976, Mississippi Sioux Tribes Judgment Fund Distribution Act of 1997; and H.R. 1604, to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R before the Indian Claims Commission, 10:00 a.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, oversight hearing on Resident Exotic Plants and Pests threatening the health of the National Forests, 2:00 p.m., 1324 Longworth.

Subcommittee on National Parks and Public Lands, hearing on the following measures: H.R. 1952, Utah Wilderness and School Trust Lands Protection Act of 1997; and H.R. 1500, to designate certain Federal lands in the State of Utah as wilderness, 10:00 a.m., 1334 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 134, to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain Water Storage Project and H.R. 1400, Tumalo Irrigation District Water Conservation Project Authorization Act, 2:00 p.m., 1334 Longworth.

Committee on Rules, to consider the following: Budget Reconciliation Spending Component; and the Taxpayer Relief Act, 9:30 a.m., H-313 Capitol.

Committee on Science, Subcommittee on Technology, hearing on The Role of R&D in Improving Civilian Air Traffic Management, 2:30 p.m., 2318 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, to continue hearings on The Future of Social Security for this Generation and the Next, 10 a.m., B-318 Rayburn.

Permanent Select Committee on Intelligence, executive, briefing on NATO Enlargement, 2 p.m., H-405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Tuesday, June 24

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, June 24

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 947, Budget Reconciliation.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

House Chamber

Program for Tuesday: Consideration of 1 Corrections Day measure, H.R. 1316, Federal Beneficiary Clarification Act;

Consideration of H.J. Res. 79, disapprove Most-Favored-Nation treatment to products of the People's Republic of China (considered under unanimous consent, 3½ hours of general debate); and

Complete consideration of H.R. 1119, Defense Authorization Act for FY 1998 and 1999 (structured rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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Capps, Walter H., Calif., E1298
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Congressional Record

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