

Thursday, February 9, 1995

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S2345–S2433*

**Measures Introduced:** Six bills were introduced, as follows: S. 377–382. Page S2399

**Balanced Budget Constitutional Amendment:** Senate continued consideration of H.J. Res. 1, proposing a balanced budget amendment to the Constitution of the United States, taking action on amendments proposed thereto:

Pages S2358–92, S2394–98

Pending:

Reid Amendment No. 236, to protect the Social Security system by excluding the receipts and outlays of Social Security from balanced budget calculations. Pages S2358–92, S2394–97

Dole Motion to refer H.J. Res. 1, Balanced Budget Constitutional Amendment, to the Committee on the Budget, with instructions. Page S2397

Dole Amendment No. 237, as a substitute to the instructions (to instructions to the motion to refer H.J. Res. 1 to the Committee on the Budget).

Pages S2397–98

Dole Amendment No. 238 (to Amendment No. 237), of a perfecting nature. Page S2398

A unanimous-consent time agreement was reached providing for further consideration of the pending motion and amendments pending thereto, on Friday, February 10, 1995, with votes to occur thereon.

Page S2433

Senate will resume consideration of the resolution on Friday, February 10, 1995.

**Committee Funding—Agreement:** A unanimous-consent time agreement was reached providing for the consideration of S. Res. 73, authorizing biennial expenditures by committees of the Senate, on Friday, February 10, 1995. Page S2433

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

Received on Wednesday, February 8, 1995, after the recess of the Senate:

Transmitting the report of a draft of proposed legislation entitled “Major League Baseball Restoration

Act”; to the Committee on Labor and Human Resources. (PM–14). Page S2398

Received today:

Transmitting the report of the National Endowment for the Humanities for calendar year 1994; to the Committee on Labor and Human Resources. (PM–15). Page S2398

Transmitting the report of a draft of proposed legislation entitled “The Omnibus Counterterrorism Act of 1995”; to the Committee on the Judiciary. (PM–16). Pages S2398–99

**Messages From the President:** Pages S2398–99

**Measures Referred:** Page S2399

**Measures Held at Desk:** Pages S2432–33

**Communications:** Page S2399

**Statements on Introduced Bills:** Pages S2399–S2420

**Additional Cosponsors:** Page S2420

**Amendments Submitted:** Page S2421

**Authority for Committees:** Page S2421

**Additional Statements:** Pages S2421–42

**Recess:** Senate convened at 9:15 a.m., and recessed at 6:39 p.m., until 9:30 a.m., on Friday, February 10, 1995. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s RECORD on page S2433.)

### Committee Meetings

*(Committees not listed did not meet)*

#### APPROPRIATIONS—FOREIGN ASSISTANCE

*Committee on Appropriations:* Subcommittee on Foreign Operations held hearings on proposed budget estimates for fiscal year 1996 for foreign assistance programs, focusing on political and economic reform in the New Independent States of the former Soviet Union, receiving testimony from Strobe Talbott, Deputy Secretary of State.

Subcommittee will meet again on Thursday, February 16.

#### AUTHORIZATION—DEFENSE

*Committee on Armed Services:* Committee held hearings on proposed legislation authorizing funds for fiscal

year 1996 for the Department of Defense and the future years defense program, receiving testimony from William J. Perry, Secretary of Defense; Gen. John M. Shalikashvili, USA, Chairman, Joint Chiefs of Staff; and John J. Hamre, Comptroller, Department of Defense.

Committee will meet again on Tuesday, February 14.

### ENERGY BUDGET

*Committee on Energy and Natural Resources:* Committee concluded hearings on the President's proposed budget request for fiscal year 1996 for the Department of Energy and the Federal Energy Regulatory Commission, after receiving testimony from Hazel R. O'Leary, Secretary of Energy; and Elizabeth A. Moler, Chair, Federal Energy Regulatory Commission.

### RETIREMENT SAVINGS PLANS

*Committee on Finance:* Committee held hearings on S. 287, to expand individual retirement accounts (IRA's) for spouses, and on proposals to expand IRA's, 401(k) plans, and other savings arrangements, receiving testimony from Senator Hutchison; and Paul Yakoboski, Employee Benefit Research Institute, Daniel Halperin, Georgetown University Law Center, Matthew P. Fink, Investment Company Institute, and John J. Motley III, National Federation of Independent Business, all of Washington, D.C.

Hearings were recessed subject to call.

### CONGRESSIONAL TERM LIMITS

*Committee on the Judiciary:* Committee ordered favorably reported, with amendments, S.J. Res. 21, proposing a constitutional amendment to limit congressional terms.

### EMPLOYEE INVOLVEMENT PROGRAMS: (TEAM) ACT

*Committee on Labor and Human Resources:* Committee concluded hearings on S. 295, to permit workers to

meet with supervisors to address issues of mutual concern, including quality and productivity issues, after receiving testimony from Don Skiba, Julie Smith, Johnny Albertson, and Angie Cowan, all of the TRW Plant, Cookeville, Tennessee; Lori Garrett and Kevin King, both of the Eastman Chemical Company, Kingsport, Tennessee; Chester McCammon, Universal Dynamics Inc., Woodbridge, Virginia; Harold P. Coxson, Coleman, Coxson, Penello, Fogleman & Cowen, and David M. Silberman, AFL-CIO, both of Washington, D.C.; and Berna Price, Electromation Inc., Elkhart, Indiana.

### AMERICAN INDIAN YOUTH

*Committee on Indian Affairs:* Committee concluded oversight hearings to examine the challenges that American Indian youth face in today's society, after receiving testimony from Letha Mae Lamb, Akimel O'Odham/Pee-Posh Youth Council, Gila River Indian Community, Arizona; Sleepy Eye LaFromboise, Akron, New York, on behalf of the National Indian Education Association; Justin Deegan, Fort Berthold Indian Reservation, Parshall, North Dakota; Michael Killer, Cherokee Nation Tribal Youth Council, Tahlequah, Oklahoma; Wilpita L. Bia, Native American Youth Leadership Council, Chinle, Arizona; J.R. Cook, United National Indian Tribal Youth, Inc., Oklahoma City, Oklahoma; Billy Mills, Sacramento, California, on behalf of Running Strong For American Indian Youth; Valora Washington, W.K. Kellogg Foundation, Battle Creek, Michigan; Barbara D. Finberg, Washington, D.C., on behalf of the Carnegie Corporation of New York; Joseph A. Myers, National Indian Justice Center, Petaluma, California; Walter Ahhaitty, Hacienda Heights, California; Michael N. Martin, Buffalo, New York; and Shauna Smith, Nixon, Nevada.

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# House of Representatives

## Chamber Action

**Bills Introduced:** Sixteen public bills, H.R. 872-887; and eleven resolutions, H. Res. 67, 68, 70-78, were introduced. Pages H1554-55

**Report Filed:** The following report was filed as follows: H. Res. 69, providing for the consideration of

H.R. 668, to control crime by further streamlining deportation of criminal aliens (H. Rept. 104-26).

Page H1554

**Violent Criminals Incarceration:** House completed all general debate and began consideration of amendments H.R. 667, to control crime by incarcerating violent criminals; but came to no resolution thereon. Consideration of amendments will resume on Friday, February 10. Pages H1479-H1530

## Agreed To:

The Canady of Florida amendment that further defines "relief", when part of provisions regarding litigation to remedy prison conditions, to mean all relief in any form to be granted or approved by the court except a settlement agreement the breach of which is not subject to any court enforcement other than reinstatement of the civil proceeding which such agreement settled;

Pages H1488-89

The Traficant amendment that provides that when a person convicted of a serious violent felony is to be released from prison, releasing authorities be required to notify victims of the crime, the families of such, the local media, and the convicting court of such release;

Pages H1491-92

The Weller amendment, as amended by the Doggett amendment, that permits a State or unit of local government located within a State, to use funds to build, expand, and operate juvenile correction facilities or pretrial detention facilities, provided that a State certifies to the Attorney General that exigent circumstances exist that warrant such a use of funds;

Pages H1506-08

The Canady of Florida amendment that permits States to use their prison grants to build, expand, and operate youth correction facilities; provides that, beginning in fiscal year 1998, fifteen percent of grants would be withheld from any State that does not have a system of increasingly severe "consequential sanctions" for repeat juvenile offenders;

Pages H1508-10

The McCollum amendment that requires that the first \$650 million of authorized funds for State "truth-in-sentencing" prison grants be reserved for the purpose of reimbursing States for the costs of incarcerating criminal aliens, beginning in fiscal year 1996 and continuing until fiscal year 2000;

Pages H1510-19

The Gallegly amendment that changes the way funds are allocated from a ratio relative to the general population to a percentage of violent crimes reported to the Federal Bureau of Investigation, thus intending that such funds go to a State based on actual need;

Pages H1519-20

The Burton of Indiana amendment that adds a requirement that any funds used to carry out the building and expansion of correctional facilities represent the best value for State governments at the lowest possible cost, employing the best available technology;

Pages H1520-21

The McCollum amendment, as amended by the Conyers amendment as modified, that provides any remaining unallocated funds which have been available for more than two fiscal years be made available for expenses of the Immigration and nationalization Service for investigators and for expenses of the Bu-

reau of Prisons, the Federal Bureau of Investigation, and the United States Attorneys for activities and operations related to the investigation, prosecution and conviction of persons accused of a serious violent felony, and the incarceration of persons convicted of such offenses, including the national Institute for Justice for law enforcement technology programs;

Pages H1521-25

The Zimmer amendment that provides that the Attorney General establish standards regarding conditions in the Federal prison system that provides prisoners the least amount of amenities and personal comforts consistent with constitutional requirements and good order and discipline in Federal prison; and

Page H1529

The Scott amendment that provides that a State receiving funds shall require that the appropriate public authorities report promptly to the Attorney General the death of each individual who dies in custody while in a municipal or county jail, State prison, or other similar place of confinement.

Pages H1529-30

## Rejected:

The Chapman amendment that sought to prohibit the expenditure of any prison grant funding, including funding for the general prison grant program and the truth-in-sentencing incentive grant program, until and unless the Attorney General certifies that at least fifty percent of States meet truth-in-sentencing requirements (rejected by a 169 ayes to 261 noes, Roll No. 110);

Pages H1489-91

The Schumer amendment that sought to eliminate the prison grant programs, including the general prison block grant program and the truth-in-sentencing incentive grant program; consolidate the violent offender and truth-in-sentencing grant programs into a single prison block grant program; provide that each State would receive a prison block grant based on the number of violent crimes among the States; provide that the block grant would be funded at the same annual level as the total State funding provided in the 1994 Crime Control Act; and provide that States that failed to use their allocated grant funding within two years would be required to refund unused moneys to the Federal Government for later distribution to States (rejected by a recorded vote of 179 ayes to 251 noes, Roll No. 111); and

Pages H1492-H1506

The Scott amendment that sought to require that one-tenth of one percent of all prison grant funding authorized be set aside each year for evaluation and research on the effectiveness of prisons on controlling and reducing crime.

Pages H1525-27

The Watt of North Carolina amendment was offered, but subsequently withdrawn, that would have required States to actually demonstrate declining

crime rates since 1993 in order to qualify for general prison grants.

Pages H1527-29

H. Res. 63, the rule under which the bill is being considered, was agreed to earlier by a voice vote.

Pages H1472-79

**Presidential Messages:** Read the following messages from the President:

**National Endowment for the Humanities:** Message wherein he transmits the 29th Annual Report of the National Endowment for the Humanities—referred to the Committee on Economic and Educational Opportunities; and

Page H1530

**Counterterrorism:** Message wherein he transmits proposed legislation entitled the “Omnibus Counterterrorism Act of 1995”—referred to the Committee on the Judiciary and ordered printed (H. Doc. 104-31).

Page H1530

**Committees to Sit:** It was made in order that the following committees and subcommittees be permitted to set on Friday, February 10, during proceedings of the House under the five-minute rule: Agriculture, Banking and Financial Services, Commerce, Government Reform and Oversight, Science, Small Business, and Transportation and Infrastructure.

Pages H1530-31

**Bill Re-Referred:** It was made in order that titles V, VI and section 4003 of H.R. 9, Job Creation and Wage Enhancement Act, be re-referred to the Committee on Small Business as an additional committee on jurisdiction.

Page H1531

**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on pages H1556-57.

**Quorum Calls—Votes:** Two recorded votes developed during the proceedings of the House and appear on pages H1491 and H1505-06. There were no quorum calls.

**Adjournment:** Met at 10 a.m. and adjourned at 8:50 p.m.

## Committee Meetings

### REFORMING THE PRESENT WELFARE SYSTEM

**Committee on Agriculture:** Subcommittee on Department Operations, Nutrition and Foreign Agriculture continued hearings on reforming the present welfare system. Testimony was heard from John Petraborg, Deputy Commissioner, Department of Human Services, State of Minnesota; and public witnesses.

Hearings continue February 14.

### TRANSPORTATION APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Transportation held a hearing on the ICC. Testimony was heard from Gail C. McDonald, Chairwoman, ICC.

### VA—HUD AND INDEPENDENT AGENCIES APPROPRIATIONS

**Committee on Appropriations:** Subcommittee on Veterans Affairs, HUD, and Independent Agencies held a hearing on restructuring Government. Testimony was heard from public witnesses.

### OVERSIGHT PLANS; U.S. AND INTERNATIONAL RESPONSE TO THE MEXICAN FINANCIAL CRISIS

**Committee on Banking, and Financial Services:** Approved oversight plans for the 104th Congress for submission to the Committee on Government Reform and Oversight and the Committee on House Oversight.

The Committee also held a hearing regarding the U.S. and international response to the Mexican financial crisis. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System; Robert E. Rubin, Secretary of the Treasury; Robert B. Reich, Secretary of Labor; and Peter Tarnoff, Under Secretary, Political Affairs, Department of State.

Hearings continue tomorrow.

### ADMINISTRATION'S BUDGET

**Committee on the Budget:** Held a hearing on the Administration's Budget proposals for fiscal year 1996. Testimony was heard from Laura D'Andrea Tyson, Chair, Counsel of Economic Advisers; and public witnesses.

Hearings continue tomorrow.

### JOB CREATION AND WAGE ENHANCEMENT ACT; COMMITTEE BUDGET

**Committee on Commerce:** On February 8, the Committee ordered reported amended Title III, Risk Assessment and Cost/Benefit Analysis for New Regulations of H.R. 9, Job Creation and Wage Enhancement Act.

The Committee also approved the Committee Budget.

### CLEAN AIR ACT AMENDMENTS—IMPLEMENTATION AND ENFORCEMENT

**Committee on Commerce:** Subcommittee on Oversight and Investigations held a hearing on the implementation and enforcement of the Clean Air Act Amendments of 1990. Testimony was heard from Carol M. Browner, Administrator, EPA; and the following Governors: George F. Allen, Virginia; John Engler, Michigan; and Pete Wilson, California.

## BLOCK GRANT/CONSOLIDATION OVERVIEW

*Committee on Economic and Educational Opportunities:* Subcommittee on Oversight and Investigations held a hearing on Block Grant/Consolidation Overview. Testimony was heard from Linda G. Morra, Director, Education and Employment Issues, Division of Health, Education, and Human Services, GAO; Steve Bartlett, Mayor, Dallas, Texas; Freeman Bosley, Jr., Mayor, St. Louis, Missouri; and Michael J. Horowitz, former General Counsel, OMB.

## CLOSED BRIEFING—CONCERNS IN CENTRAL, WEST, AND NORTH AFRICA

*Committee on International Relations:* Subcommittee on Africa met in executive session to receive a closed briefing on U.S. foreign policy concerns in Central, West, and North Africa. The Subcommittee was briefed by the following officials of the Department of State: George E. Moose, Assistant Secretary, African Affairs; and Robert H. Pelletreau, Assistant Secretary, Near Eastern Affairs.

## FOREIGN POLICY IN ASIA CHALLENGES

*Committee on International Relations:* Subcommittee on Asia and the Pacific held a hearing on Challenges to U.S. Foreign Policy in Asia. Testimony was heard from the following officials of the Department of State: Winston Lord, Assistant Secretary, East Asian and Pacific Affairs; and Robin L. Raphel, Assistant Secretary, South Asians Affairs.

## CLOSED BRIEFING

*Committee on International Relations:* Subcommittee on Western Affairs held a closed briefing on the Border Conflict: Between Ecuador and Peru. The Subcommittee was briefed by departmental witnesses.

## REVIEW FINANCIAL MANAGEMENT—NATIONAL PARK SERVICE AND NATIONAL PARK SERVICE REORGANIZATION

*Committee on Resources:* Subcommittee on National Parks, Forests and Lands and the Subcommittee on Interior and Related Agencies of the Committee on Appropriations held a joint oversight hearing to review financial management in the National Park Service and the National Park Service Reorganization Plan. Testimony was heard from the following officials of the Department of the Interior: Joyce N. Fleischman, Deputy Inspector General, and Roger Kennedy, Director, National Park Service; James Duffus III, Director, Natural Resources Management Issues, Resources, Community, and Economic Development Division, GAO; and a public witness.

## CRIMINAL ALIEN DEPORTATION IMPROVEMENT ACT

*Committee on Rules:* By a nonrecord vote, granted an open rule providing 1 hour of debate on H.R. 668, Criminal Alien Deportation Improvement Act of 1995. The rule waives section 302(f) of the Budget Act (prohibiting consideration of measures that would cause the appropriate subcommittee level or program-level ceilings to be exceeded) and section 303(a) of the Budget Act (prohibiting consideration of budgetary legislation prior to the adoption of the budget resolution) against consideration of the bill. The rule makes in order the Judiciary Committee amendment in the nature of a substitute as modified by the amendment printed in section 2 of the resolution (striking section 11 of the committee amendment) as an original bill for the purpose of amendment. Each section of the Committee amendment in the nature of a substitute, as modified, shall be considered as read. Priority in recognition will be given to Members who have pre-printed amendments in the CONGRESSIONAL RECORD prior to their consideration. Finally, the rule provides one motion to recommit, with or without instructions.

## JOB CREATION AND WAGE ENHANCEMENT ACT; OVERSIGHT PLANS

*Committee on Science:* On February 8, the Committee ordered reported amended Title III, Risk Assessment and Cost/Benefit Analysis for new regulations of H.R. 9, Job Creation and Wage Enhancement Act of 1995.

The Committee also approved oversight plans for the 104th Congress for submission to the Committee on Government Reform and Oversight and the Committee on House Oversight.

Committee recessed subject to call.

## COMMITTEE ORGANIZATION

*Committee on Standards of Official Conduct:* Met for organizational purposes.

## METROPOLITAN WASHINGTON AIRPORTS AUTHORITY BOARD REVIEW

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on the Metropolitan Washington Airports Authority Board of Review. Testimony was heard from Senator McCain; Representatives Morella, Wolf, and Moran; Robert Tardio, Chairman, Metropolitan Washington Airports Authority; and public witnesses.

## FEDERAL WATER POLLUTION CONTROL ACT REAUTHORIZATION

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held a hearing on the reauthorization of the Federal

Water Pollution Control Act. Testimony was heard from Steve Bartlett, Mayor, Dallas, Texas; Stephen F. John, member, City Council, Decatur, Illinois; and public witness.

Hearings continue February 16.

### ADMINISTRATION'S BUDGET PROPOSALS

*Committee on Ways and Means*: Concluded hearings on the Administration's fiscal year 1996 budget proposals. Testimony was heard from Alice M. Rivlin, Director, OMB; and Robert D. Reischauer, Director, CBO.

## Joint Meetings

### VETERANS PROGRAMS

*Joint Hearing*: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of various veteran organizations, after receiving testimony from Richard Grant, Paralyzed Veterans of America, and David H. Hymes, Jewish War Veterans of the USA, both of Washington, D.C.; Charles R. Jackson, Non-Commissioned Officers Association of the U.S.A., and Lt. Commander Virginia Torsch, MSC, USNR, Retired Officers Association, both of Alexandria, Virginia; and John Molino, Association of the United States Army, Arlington, Virginia.

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## COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 10, 1995

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on the Budget*, to hold hearings on the President's proposed budget request for fiscal year 1996 for the Department of Defense, 9:30 a.m., SD-608.

*Committee on the Judiciary*, to hold hearings on the national drug control strategy, 9 a.m., SD-226.

*Committee on Small Business*, to hold hearings on the future of the Small Business Administration, 10 a.m., SR-428A.

### House

*Committee on Appropriations*, to consider the following: Defense Supplemental Appropriations for Fiscal Year

1995; and Rescission for Fiscal Year 1995, 9:30 a.m., 2360 Rayburn.

*Committee on Banking, and Financial Services*, to continue hearings regarding the U.S. and international response to the Mexican financial crisis, 9:30 a.m., 2128 Rayburn.

*Committee on the Budget*, to continue hearings on the Administration's Fiscal Year 1996 Budget, 10 a.m., 210 Cannon.

*Committee on Commerce*, Subcommittee on Telecommunications and Finance, to continue hearings on Title II, Reform of Private Securities Litigation, of H.R. 10, Common Sense Legal Reform Act, 9:30 a.m., 2123 Rayburn.

*Committee on Government Reform and Oversight*, to mark up the following: Reauthorization of H.R. 830, Paperwork Reduction Act of 1995, and H.R. 450, Regulatory Transition Act of 1995, 9 a.m., 2154 Rayburn.

*Committee on the Judiciary*, Subcommittee on the Constitution, hearing on protecting private property rights with regulatory takings, 10 a.m., 2226 Rayburn.

Subcommittee on Courts and Intellectual Property, to continue hearing on issues related to the Legal Reform Issues in the Contract With America, 9:30 a.m., 2237 Rayburn.

*Committee on Resources*, Subcommittee on National Parks, Forests and Lands and the Subcommittee on Resources Conservation, Research, and Forestry of the Committee on Agriculture, joint oversight hearing on Forest Health and Emergency Salvage Sales, 10 a.m., 1324 Longworth.

*Committee on Rules*, to consider H.R. 728, Local Government Law Enforcement Block Grants Act of 1995, 10 a.m., H-313 Capitol.

*Committee on Science*, to mark up H.R. 655, Hydrogen Future Act of 1995, 12:30 p.m., 2318 Rayburn.

*Committee on Small Business*, hearing on amendments to strengthen the Regulatory Flexibility Act, 10 a.m., 2359A Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Public Buildings and Economic Development, hearing on the Economic Development Administration and the Appalachian Regional Commission, 8:30 a.m., 2253 Rayburn.

Subcommittee on Railroads, hearing on Amtrak's Current Situation, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means*, Subcommittee on Health, to continue hearings on Medicare related issues, 10 a.m., B-318 Rayburn.

Subcommittee on Trade, hearing on H.R. 553, Caribbean Basin Trade Security Act, 11 a.m., 1100 Longworth.

*Next Meeting of the SENATE*  
9:30 a.m., Friday, February 10

Senate Chamber

**Program for Friday:** After the recognition of three Senators for speeches and the transaction of any morning business (not to extend beyond 10 a.m.), Senate will continue consideration of H.J. Res. 1, Balanced Budget Constitutional Amendment.

*Next Meeting of the HOUSE OF REPRESENTATIVES*  
9 a.m., Friday, February 10

House Chamber

**Program for Friday:** Complete consideration of H.R. 667, the Violent Criminal Incarceration Act; and Consideration of H.R. 668, the Criminal Alien Deportation Act (open rule, 1 hour of general debate).

Extensions of Remarks, as inserted in this issue

HOUSE

Cunningham, Randy "Duke", Calif., E307, E312  
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