

¶1.13 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶1.14 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. WALKER, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, December 28, 1995.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 5 of rule III of the Rules of the House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Thursday, December 28, 1995 at 5:30 p.m. and said to contain a message from the President whereby he returns without his approval H.R. 1530, "National Defense Authorization Act for Fiscal Year 1996."

With warm regards,
ROBIN H. CARLE,
Clerk.

¶1.15 MESSAGE FROM THE PRESIDENT—VETO OF H.R. 1530

The SPEAKER pro tempore, Mr. WALKER, laid before the House a message from the President, which was read as follows:

To the House of Representatives:

I am returning herewith without my approval H.R. 1530, the "National Defense Authorization Act for Fiscal Year 1996."

H.R. 1530 would unacceptably restrict my ability to carry out this country's national security objectives and substantially interfere with the implementation of key national defense programs. It would also restrict the President's authority in the conduct of foreign affairs and as Commander in Chief, raising serious constitutional concerns.

First, the bill requires deployment by 2003 of a costly missile defense system able to defend all 50 States from a long-range missile threat that our Intelligence Community does not foresee in the coming decade. By forcing such an unwarranted deployment decision now, the bill would waste tens of billions of dollars and force us to commit prematurely to a specific technological option. It would also likely require a multiple-site architecture that cannot be accommodated within the term of the existing ABM Treaty. By setting U.S. policy on a collision course with the ABM Treaty, the bill would jeopardize continued Russian implementation of the START I Treaty as well as Russian ratification of START II—two treaties that will significantly lower the threat to U.S. national security, reducing the number of U.S. and Russian strategic nuclear warheads by two-thirds from Cold War levels. The missile defense provisions would also jeopardize our current efforts to agree on an ABM/TMD (Theater Missile De-

fense) demarcation with the Russian Federation.

Second, the bill imposes restrictions on the President's ability to conduct contingency operations essential to national security. Its restrictions on funding of contingency operations and the requirement to submit a supplemental appropriations request within a time certain in order to continue a contingency operation are unwarranted restrictions on a President's national security and foreign policy prerogatives. Moreover, by requiring a Presidential certification to assign U.S. Armed Forces under United Nations operational or tactical control, the bill infringes on the President's constitutional authority as Commander in Chief.

Third, H.R. 1530 contains other objectionable provisions that would adversely affect the ability of the Defense Department to carry out national defense programs or impede the Department's ability to manage its day-to-day operations. For example, the bill includes counterproductive certification requirements for the use of Nunn-Lugar Cooperative Threat Reduction (CTR) funds and restricts use of funds for individual CTR programs.

Other objectionable provisions eliminate funding for the Defense Enterprise Fund; restrict the retirement of U.S. strategic delivery systems; slow the pace of the Defense Department's environmental cleanup efforts; and restrict Defense's ability to execute disaster relief, demining, and military-to-military contact programs. The bill also directs the procurement of specific submarines at specific shipyards although that is not necessary for our military mission to maintain the Nation's industrial base.

H.R. 1530 also contains two provisions that would unfairly affect certain service members. One requires medically unwarranted discharge procedures for HIV-positive service members. In addition, I remain very concerned about provisions that would restrict service women and female dependents of military personnel from obtaining privately funded abortions in military facilities overseas, except in cases of rape, incest, or danger to the life of the mother. In many countries, these U.S. facilities provide the only accessible, safe source for these medical services. Accordingly, I urge the Congress to repeal a similar provision that became law in the "Department of Defense Appropriations Act, 1996."

In returning H.R. 1530 to the Congress, I recognize that it contains a number of important authorities for the Department of Defense, including authority for Defense's military construction program and the improvement of housing facilities for our military personnel and their families. It also contains provisions that would contribute to the effective and efficient management of the Department, including important changes in Federal acquisition law.

Finally, H.R. 1530 includes the authorization for an annual military pay raise of 2.4 percent, which I strongly support. The Congress should enact this authorization as soon as possible, in separate legislation that I will be sending up immediately. In the meantime, I will today sign an Executive order raising military pay for the full 2.0 percent currently authorized by the Congress and will sign an additional order raising pay by a further 0.4 percent as soon as the Congress authorizes that increase.

I urge the Congress to address the Administration's objections and pass an acceptable National Defense Authorization Act promptly. The Department of Defense must have the full range of authorities that it needs to perform its critical worldwide missions.

WILLIAM J. CLINTON.

THE WHITE HOUSE, December 28, 1995.

The SPEAKER pro tempore, Mr. WALKER, ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 104-155) and spread upon the pages of the Journal of the House.

The question being on passage of the bill, the objections of the President to the contrary notwithstanding.

After debate,

By unanimous consent, the previous question was ordered on the bill.

The question being put,

Will the House, upon reconsideration, agree to pass the bill, the objections of the President to the contrary notwithstanding?

It was decided in the { Yeas 240
negative } Nays 156

¶1.16 [Roll No. 3] YEAS—240

Allard	Clement	Franks (CT)
Archer	Clinger	Frelinghuysen
Armey	Coble	Frisa
Bachus	Coburn	Frost
Baesler	Collins (GA)	Funderburk
Baker (CA)	Combest	Gekas
Baker (LA)	Coolley	Geren
Ballenger	Costello	Gilchrist
Barr	Cox	Gillmor
Barrett (NE)	Cramer	Gilman
Bartlett	Crane	Gingrich
Barton	Crapo	Goodlatte
Bass	Creameans	Goodling
Bateman	Cubin	Goss
Bereuter	Cunningham	Graham
Bevill	Danner	Greenwood
Bilbray	Davis	Hall (OH)
Bilirakis	de la Garza	Hall (TX)
Bishop	Deal	Hamilton
Bliley	DeLay	Hancock
Boehlert	Diaz-Balart	Hansen
Boehner	Dickey	Harman
Bonilla	Doolittle	Hastert
Bono	Dornan	Hastings (WA)
Brewster	Dreier	Hayes
Browder	Duncan	Hayworth
Brownback	Dunn	Hefley
Bryant (TN)	Edwards	Heineman
Bunn	Ehlers	Herger
Bunning	Ehrlich	Hilleary
Burr	Emerson	Hobson
Burton	English	Hoekstra
Buyer	Ensign	Horn
Calvert	Everett	Hostettler
Campbell	Ewing	Houghton
Canady	Fawell	Hunter
Castle	Flanagan	Hyde
Chambliss	Foley	Inglis
Chenoweth	Forbes	Istook
Christensen	Fowler	Johnson (CT)
Chrysler	Fox	Johnson, Sam

Jones
Kasich
Kelly
Kennedy (RI)
Kennelly
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Longley
Lucas
Manzullo
McCrery
McDade
McHugh
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Myrick

Nethercutt
Neumann
Ney
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Sisisky

Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Spence
Stearns
Stenholm
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

Fields (TX)
Foglietta
Gallegly
Gibbons
Hoke
Hutchinson
LaTourette
Lightfoot
McCollum

Meek
Mfume
Norwood
Pastor
Pelosi
Quillen
Roukema
Sawyer
Shuster

Souder
Stark
Stockman
Studds
Tanner
Visclosky
Wilson
Wyden

The SPEAKER pro tempore, Mr. WALKER, announced that 240 Members had voted in the affirmative and 156 Members had voted in the negative.

So, two-thirds of the Members present not having voted in favor thereof, the bill was not passed.

Ordered. That the Clerk notify the Senate thereof.

The veto message and accompanying bill were referred to the Committee on National Security.

¶1.17 MESSAGE FROM THE PRESIDENT—
MFN STATUS FOR ROMANIA

The SPEAKER pro tempore, Mr. WALKER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

On May 19, 1995, I determined and reported to the Congress that Romania is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Romania and certain other activities without the requirement of an annual waiver.

As required by law, I am submitting an updated report to the Congress concerning emigration laws and policies of Romania. You will find that the report indicates continued Romanian compliance with U.S. and international standards in the area of emigration policy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 3, 1996.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 104-156).

¶1.18 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO LIBYA

The SPEAKER pro tempore, Mr. WALKER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1662(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Libyan emergency is to continue in effect beyond January 7, 1996, to the *Federal Register* for publication.

The crisis between the United States and Libya that led to the declaration of a national emergency on January 7,

1986, has not been resolved. The Government of Libya has continued its actions and policies in support of terrorism, despite the calls by the United Nations Security Council, in Resolutions 731 (1992), 748 (1992), and 883 (1993) that it demonstrate by concrete actions its renunciation of such terrorism. Such Libyan actions and policies pose a continuing unusual and extraordinary threat to the national security and vital foreign policy interests of the United States. For these reasons, the national emergency declared on January 7, 1986, and the measures adopted on January 7 and January 8, 1986, to deal with that emergency, must continue in effect beyond January 7, 1996. I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to the Government of Libya to reduce its ability to support international terrorism.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *January 3, 1996.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 104-157).

¶1.19 COMMERCE, JUSTICE, STATE,
JUDICIARY APPROPRIATIONS

Mr. ROGERS moved to discharge the Committee on Appropriations from further consideration of the veto message on the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. WALKER, announced that the yeas had it.

So the motion was agreed to.

Accordingly,

¶1.20 UNFINISHED BUSINESS—VETO OF
H.R. 2076

The SPEAKER pro tempore, Mr. WALKER, announced the unfinished business to be the consideration of the veto of the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

The question being on the passage of the bill, the objections of the President to the contrary notwithstanding.

After debate,

By unanimous consent, the previous question was ordered on the bill.

The question being put,

Will the House, upon reconsideration, agree to pass the bill, the objections of the President to the contrary notwithstanding?

NAYS—156

Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Blute
Bonior
Borski
Boucher
Brown (CA)
Camp
Cardin
Chabot
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Ford
Frank (MA)
Franks (NJ)
Furse
Ganske
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gunderson
Gutierrez
Gutknecht

Hastings (FL)
Hefner
Hilliard
Hinchev
Holden
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kildee
Klecza
Klink
Klug
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McInnis
McKinney
Meehan
Menendez
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Morella
Murtha
Nadler

Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Payne (NJ)
Peterson (FL)
Peterson (MN)
Pomeroy
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Schumer
Serrano
Shays
Skaggs
Slaughter
Spratt
Stokes
Stupak
Thompson
Thornton
Thurman
Torres
Torrice
Towns
Upton
Velazquez
Vento
Volkmer
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wynn
Yates
Zimmer

NOT VOTING—38

Abercrombie
Berman
Brown (FL)
Brown (OH)

Bryant (TX)
Callahan
Chapman
Clay

DeFazio
Dixon
Durbine
Fazio