

Tuesday, February 27, 1996

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S1317–S1377*

**Measures Introduced:** Six bills and one resolution were introduced, as follows: S. 1574–1579, and S.J. Res. 49. **Pages S1345–46**

**D.C. Appropriations—Conference Report:** Senate resumed consideration of the conference report on H.R. 2546, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996. **Pages S1321–40, S1344**

During consideration of this measure today, Senate took the following action:

By 54 yeas to 44 nays (Vote No. 20), three fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to close further debate on the conference report on H.R. 2546, D.C. Appropriations. **Page S1339**

A second motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Thursday, February 29, 1996. **Page S1344**

**Measures Referred:** **Page S1344**

**Communications:** **Pages S1344–45**

**Executive Reports of Committees:** **Page S1345**

**Statements on Introduced Bills:** **Pages S1346–68**

**Additional Cosponsors:** **Pages S1368–69**

**Notices of Hearings:** **Page S1369**

**Authority for Committees:** **Page S1369**

**Additional Statements:** **Pages S1369–77**

**Record Votes:** One record vote was taken today. (Total—20). **Page S1339**

**Recess:** Senate convened at 10 a.m., and recessed at 4:17 p.m., until 11:30 a.m., on Wednesday, February 28, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1377.)

### Committee Meetings

*(Committees not listed did not meet)*

#### RAIL SAFETY

*Committee on Commerce, Science, and Transportation:* Committee concluded hearings to examine the safety of the United States rail network, after receiving testimony from Senators Lautenberg and Mikulski; Representative Wynn; James E. Hall, Chairman, and Bob Laubey, Head, Rail Division, both of the National Transportation Safety Board; Jolene M. Molitoris, Administrator, and Grady Cothen, Associate Administrator of Safety Standards, both of the Federal Railroad Administration, and Grace Crunican, Deputy Administrator, Federal Transit Administration, both of the Department of Transportation; Thomas M. Downs, National Railroad Passenger Corporation, Edwin L. Harper, Association of American Railroads, and Ronald P. McLaughlin, Brotherhood of Locomotive Engineers, all of Washington, D.C.; and Thomas F. Prendergast, Metropolitan Transit Authority Long Island Rail Road, Jamaica Station, New York, on behalf of the American Public Transit Association.

#### TRAVEL BAN TO LEBANON

*Committee on Foreign Relations:* Subcommittee on Near Eastern and South Asian Affairs concluded hearings on proposals to prohibit United States citizens from travelling to Lebanon, including a related measure, S. Res. 202, after receiving testimony from Senators Graham and Abraham; Representatives Rahall, Hoke, and LaHood; former Senator Percy; Robert H. Pelletreau, Assistant Secretary of State for Near Eastern Affairs; Bruce O. Riedel, Deputy Assistant Secretary of Defense for Near Eastern and South Asian Affairs; former U.S. Ambassador to Bahrain Sam Zakhem; Peter J. Tanous, American Task Force for Lebanon, Ralph R. DiSibio, Parsons Corporation, and Khalil E. Jahshan, National Association of Arab Americans, all of Washington, D.C.; and Casey Kasem, Los Angeles, California.

**NOMINATION**

*Committee on the Judiciary:* Committee concluded hearings on the nomination of Barry R. McCaffrey, of Washington, to be Director of National Drug Control Policy, after the nominee, who was introduced by Senators Warner and Nunn, testified and answered questions in his own behalf.

**PHARMACEUTICAL PATENT PROTECTION**

*Committee on the Judiciary:* Committee held hearings to examine the interrelationship between the intellectual property provisions of the GATT Treaty implementing law and food and drug law and its impact on the creation of new breakthrough drugs and production of lower cost generic copies, and S. 1277, to provide equitable relief for the generic drug industry, receiving testimony from Senators Pryor, Faircloth, and Chafee; Michael Kantor, United States Trade Representative; William E. Brock, The Brock Group, former U.S. Trade Representative, Gerald J. Mossinghoff, former Commissioner, Patent and Trademark Office, and Charles J. Cooper, Shaw, Pittman, Potts & Trowbridge, both on behalf of the Pharmaceutical Research and Manufacturers of America, and James P. Firman, National Council on

the Aging, on behalf of the Generic Drug Equity Coalition, all of Washington, D.C.; Robert J. Gunter, Novopharm USA, Schaumburg, Illinois, on behalf of the National Pharmaceutical Alliance; and Judith Simpson, United Patients' Association for Pulmonary Hypertension, DeKalb, Illinois.

Hearings continue on Tuesday, March 5.

**FAIR LABOR STANDARDS REFORM**

*Committee on Labor and Human Resources:* Committee concluded oversight hearings on the implementation of the Fair Labor Standards Act and its impact on workplace flexibility, after receiving testimony from Senator Ashcroft; Maggi Coil, Motorola, Schaumburg, Illinois, and John H. Shamley, Washington, D.C., both on behalf of the American Compensation Association; Arlyce Robinson, Computer Sciences Corporation, Falls Church, Virginia; Phyllis G. Diosey, Malcolm Pirnie, Inc., White Plains, New York; E. Glenn Baker, John Alden Life Insurance Company, Miami, Florida; Douglas P. Kight, Boeing Company, Seattle, Washington; and Michael T. Leibig, Zwerdling, Paul, Leibig, Kahn, Thompson & Wolly, Fairfax, Virginia.

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# House of Representatives

***Chamber Action***

**Bills Introduced:** 7 public bills, H.R. 2972–2978; and 1 resolution, H. Res. 365 were introduced.

Page H1324

**Report Filed:** One report was filed as follows: H. Res. 366, providing for the consideration of H.R. 2854, to modify the operation of certain agricultural programs (H. Rept. 104–463).

Page H1324

**Recess:** House recessed at 1:36 p.m. and reconvened at 2 p.m.

Page H1260

**Presidential Message—Deferrals and Recissions:** Read a letter from the President wherein he transmits three new deferrals, one revised deferral, and four recission proposals of budgetary resources, in accordance with the Congressional Budget and Impoundment Act of 1974—referred to the Committee on Appropriations and ordered printed (H. Doc. 104–180).

Page H1260

**Technology Transfer:** House voted to suspend the rules and agree to the Senate amendment to H.R. 2196, to amend the Stevenson-Wydler Technology Innovation Act of 1980 with respect to inventions

made under cooperative research and development agreements.

Pages H1262–67, H1290

**Housing Opportunity Program Extension Act:** House voted to suspend the rules and pass S. 1494, to provide an extension for fiscal year 1996 for certain programs administered by the Secretary of Housing and Urban Development and the Secretary of Agriculture.

Pages H1267–78, H1290

**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on pages H1325–97.

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

**Adjournment:** Met at 12:30 p.m. and adjourned at 10:01 p.m.

***Committee Meetings*****ENERGY AND WATER APPROPRIATIONS**

*Committee on Appropriations:* Subcommittee on Energy and Water began appropriation hearings. Testimony was heard from Congressional and public witnesses.

## LABOR-HHS-EDUCATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education began appropriation hearings. Testimony was heard from public witnesses.

## LEGISLATIVE APPROPRIATIONS

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

## TRANSPORTATION APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Transportation began appropriation hearings. Testimony was heard from Congressional and public witnesses.

## COUNTERFEITING OF U.S. CURRENCY ABROAD

*Committee on Appropriations:* Subcommittee on General Oversight and Investigations held a hearing on the Counterfeiting of U.S. Currency Abroad. Testimony was heard from the following officials of the GAO: JayEtta Hecker, Director, International Trade, Finance and Competitiveness; and Kate Monahan, Evaluator; the following officials of the Department of the Treasury: John Hawke, Under Secretary, Domestic Finance; and Eljay Bowron, Director, U.S. Secret Service; Theodore Allison, Assistant, Board of Governors, Federal Reserve System; Robert Sims, Special Advisor to the Assistant Secretary, International Arms and Narcotics, Department of State; and public witnesses.

## NATIVE AMERICAN HOUSING ASSISTANCE

*Committee on Banking and Financial Services:* Subcommittee on Housing and Community Development held a hearing on proposals for Native American Housing Assistance and Self-Determination. Testimony was heard from public witnesses.

## OVERSIGHT—ELECTRICITY: STATE OF THE STATES

*Committee on Commerce:* Subcommittee on Energy and Power held an oversight hearing on Electricity: State of the States. Testimony was heard from the following State Representatives: Jeb Bradely and Clifton Below, New Hampshire; Warren Chisum, Texas; and George D. Caruolo, Rhode Island; David L. O'Connor, Commissioner, Division of Energy Resources

and John B. Howe, Chairman, Department of Public Utilities, State of Massachusetts; Patrick Wood, III, Chairman, Public Utility Commission, State of Texas; John Hanger, Commissioner, Public Utility Commission, State of Pennsylvania; Jessie J. Knight, Jr., Commissioner, Public Utility Commission, State of California; Herb Tate, President, Board of Public Utilities, State of New Jersey; Allyson K. Duncan, Commissioner, Utility Commission, State of North Carolina; and a public witness.

## FDA REFORM

*Committee on Commerce:* Subcommittee on Health and Environment held a hearing on the Need for FDA Reform. Testimony was heard from public witnesses.

## WORLDWIDE PERSECUTION OF JEWS

*Committee on International Relations:* Subcommittee on International Operations and Human Rights held a hearing on worldwide persecution of Jews. Testimony was heard from public witnesses.

## HEALTH CARE REFORM ISSUES

*Committee on the Judiciary:* Held a hearing on Health Care Reform Issues: Antitrust, Medical Malpractice Liability, and Volunteer Liability, including discussion of the following measures: H.R. 2925, Antitrust Health Care Advancement Act of 1996; H.R. 911, Volunteer Protection Act; and H.R. 2938, Charitable Medical Care Act of 1996. Testimony was heard from Representatives Porter and Weldon of Florida; Robert Pitofsky, Chairman, FTC; and public witnesses.

Hearing to continue tomorrow.

## WATER RESOURCES DEVELOPMENT ACT

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held a hearing on the Water Resources Development Act of 1996. Testimony was heard from John J. Haley, Jr., Deputy Executive Director, Port Authority of New York and New Jersey; Jack Caldwell, Secretary, Department of Natural Resources, State of Louisiana; and public witnesses.

Hearings continue tomorrow.

## AGRICULTURAL MARKET TRANSITION ACT; BUDGET VIEWS AND ESTIMATES

*Committee on Rules:* Granted, by voice vote, a modified closed rule on H.R. 2854, to modify the operation of certain agricultural programs, providing 2 hours of general debate divided equally between the chairman and ranking minority member of the Committee on Agriculture. The rule waives all points of order against consideration of the bill. The rule makes in order the Committee on Agriculture

amendment in the nature of a substitute now printed in the bill. All points of order are waived against the amendment in the nature of a substitute, and provides that it shall be considered as read. Only the amendments referenced in the report of the Committee on Rules are in order and shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except as specified in the report), and shall not be subject to a demand for a division of the question in the House or in the Committee on the Whole. All points of order against the amendments referenced in the report of the Committee on Rules are waived. The rule further provides that a separate vote may be demanded in the House on any amendment adopted to the committee amendment in the nature of a substitute. The rule also provides one motion to recommit, with or without instructions. The chairman of the Committee on Agriculture or a designee may offer amendments en bloc consisting of amendments not previously disposed of which are printed in the report of the Committee on Rules or germane modifications thereof which may include a perfecting amendment to text proposed to be stricken by such an amendment. The amendments offered en bloc shall be considered as read (except that modifications shall be reported), shall be debatable for 20 minutes equally divided between the chairman and ranking minority member of the Committee on Agriculture or their designees. Finally, the rule permits the original proponent of an amendment included in an en bloc amendment to insert a statement in the Congressional Record immediately prior to the disposition of the amendments en bloc.

Testimony was heard from Chairman Roberts and Representatives Barrett of Nebraska, Smith of Michigan, Foley, Chambliss, Stenholm, Volkmer, Peterson of Minnesota, Dooley, Pomeroy, Farr, Jacobs, Petri, Roth, Shays, Kingston, Miller of Florida, Chabot, Tiahrt, Hamilton, Obey, Schumer, Kennedy of Massachusetts, Olver, Sanders, Waters, and Deutsch.

The Committee approved its Budget Views and Estimates for submission to the Committee on the Budget.

## COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 28, 1996

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Armed Services*, to hold hearings to review the role of the Department of Defense Joint Requirements Oversight Council (JROC), 9:30 a.m., SR-222.

*Committee on Finance*, to resume hearings on the bipartisan National Governors' Association proposals to reform the Federal Medicaid and welfare programs, focusing on the Administration's views, 10 a.m., SD-215.

*Committee on Governmental Affairs*, to hold hearings to review the United States/Euratom Agreement for Peaceful Nuclear Cooperation, 9:30 a.m., SD-342.

*Committee on the Judiciary*, Subcommittee on Terrorism, Technology, and Government Information to hold joint hearings with the Select Committee on Intelligence, on proposed legislation to combat economic espionage, 9:30 a.m., SD-106.

Subcommittee on Youth Violence, to hold hearings on the changing nature of youth violence, 10 a.m., SD-226.

Full Committee, Business Meeting, to consider pending calendar business, time and room to be announced.

Full Committee, to hold hearings on pending nominations, 2:15 p.m., SD-226.

*Committee on Labor and Human Resources*, business meeting, to consider pending calendar business, 9 a.m., SD-430.

*Committee on Small Business*, to hold hearings on S. 917, to facilitate small business involvement in the regulatory development processes of the Environmental Protection Agency and the Occupational Safety and Health Administration, and S. 942, to promote increased understanding of Federal regulations and increased voluntary compliance with such regulations by small entities, to provide for the designation of regional ombudsmen and oversight boards to monitor the enforcement practices of certain Federal agencies with respect to small business concerns, and to provide relief from excessive and arbitrary regulatory enforcement actions against small entities, 9:30 a.m., SR-428A.

*Committee on Veterans Affairs*, to hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Disabled American Veterans, 9:30 a.m., 345 Cannon Building.

*Select Committee on Intelligence*, to hold joint hearings with the Committee on the Judiciary's Subcommittee on Terrorism, Technology, and Government Information, on proposed legislation to combat economic espionage, 9:30 a.m., SD-106.

*Special Committee on Aging*, to hold hearings to examine mental illness among the elderly and the potential savings to the overall health care system that can result from prompt, accurate diagnosis and treatment of mental diseases, 9:30 a.m., SD-562.

## House

*Committee on Appropriations*, Subcommittee on Energy and Water, to continue on Congressional and public witnesses, 10 a.m. and 2 p.m., 2362B Rayburn.

Subcommittee on Interior, on Indian Programs (public witnesses), 10 a.m. and 1 p.m., B308 Rayburn.

Subcommittee on Labor, Health and Human Services, and Education, to continue on public witnesses, 10 a.m. and 2 p.m., 2358 Rayburn.

Subcommittee on Legislative, on Joint Economic Committee and Capitol Police Board, 9:30 a.m., and on Congressional Budget Office, Architect of the Capitol, and Botanic Garden, 1:30 p.m., H-144 Capitol.

Subcommittee on Military Construction, on Marsh Task Force, 9:30 a.m., B300 Rayburn.

Subcommittee on Transportation, to continue on Congressional and public witnesses, 10 a.m., 2358 Rayburn.

*Committee on Banking and Financial Services*, to consider pending Committee business, 9:45 a.m., and to hold a hearing on the Threat that Organized Criminal Groups Pose to the International Banking System, 10 a.m., 2128 Rayburn.

*Committee on Commerce*, Subcommittee on Energy and Power, hearing on H.R. 2967, to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978, 10 a.m., 2322 Rayburn.

Subcommittee on Telecommunications and Finance, hearing and markup of H.R. 2972, Securities and Exchange Commission Authorization Act of 1996, 10 a.m., 2123 Rayburn.

*Committee on Government Reform and Oversight*, Subcommittee on the Postal Service, hearing on H.R. 1963, Postmark Prompt Payment Act of 1995, 10 a.m., 2247 Rayburn.

*Committee on International Relations*, Subcommittee on Western Hemisphere Affairs, hearing on Haiti: After The Departure of the U.S. Contingent from UNMIH, 1 p.m., 2172 Rayburn.

*Committee on the Judiciary*, to continue hearings on Health Care Reform Issues: Antitrust, Medical Malpractice Liability, and Volunteer Liability, including discussion of the following measures: H.R. 2925, Antitrust Health Care Advancement Act of 1996; H.R. 911, Volunteer Protection Act; and H.R. 2938, Charitable Medical Care Act of 1996, 9:30 a.m., 2141 Rayburn.

*Committee on National Security*, hearing on Ballistic Missile Defense, 2 p.m., 2118 Rayburn.

*Committee on Resources*, Subcommittee on Energy and Mineral Resources, to mark up H.R. 1975, Federal Oil and Gas Royalty Simplification Act of 1995, 1:30 p.m., 1334 Longworth.

*Committee on Science*, hearing on Allocating Federal Funds for Science and Technology, 10 a.m., 2318 Rayburn.

*Committee on Small Business*, hearing on small business' access to capital, 10 a.m., 2359 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Water Resources and Environment, to continue hearings on the Water Resources Development Act of 1996, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means*, to mark up the following bills: H.R. 2778, to provide that members of the Armed Forces peacekeeping effort in the Republic of Bosnia and Herzegovina be entitled to certain tax benefits; H.R. 2853, to authorize the extension of nondiscriminatory treatment to the products of Bulgaria; and H.R. 2969, Federal Tea Tasters Repeal Act of 1996, 2 p.m., 1100 Longworth.

## Joint Meetings

*Conferees*, on H.R. 927, to seek international sanctions against the Castro Government in Cuba, and to plan for support of a transition government leading to a democratically elected government in Cuba, 10 a.m., S-116, Capitol.

*Conferees*, on H.R. 1561, to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for the United States foreign assistance programs for fiscal years 1996 and 1997, 4 p.m., S-116, Capitol.

*Joint Hearing*: Senate Committee on Veterans Affairs, to hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the Disabled American Veterans, 9:30 a.m., 345 Cannon.

*Commission on Security and Cooperation in Europe*, to hold a briefing on the forthcoming elections in Bosnia and the role of the Organization for Security and Cooperation in Europe (OSCE), 2 p.m., 2200 Rayburn.

*Next Meeting of the SENATE*

11:30 a.m., Wednesday, February 28

*Next Meeting of the HOUSE OF REPRESENTATIVES*

11 a.m., Wednesday, February 28

## Senate Chamber

**Program for Wednesday:** After the recognition of two Senators for speeches and the transaction of any morning business (not to extend beyond 1 p.m.), Senate's program is uncertain.

## House Chamber

**Program for Wednesday:** Consideration of H.R. 2854, Agriculture Market Transition Act (subject to a rule being granted).

## Extensions of Remarks, as inserted in this issue

## HOUSE

Barrett, Thomas M., Wis., E215  
Brown, George E., Jr., Calif., E215  
Eshoo, Anna G., Calif., E212, E214  
Furse, Elizabeth, Ore., E216  
Hastings, Alcee L., Fla., E216

Kelly, Sue W., N.Y., E 209, E211  
Lantos, Tom, Calif., E 210, E212, E213  
Lipinski, William O., Ill., E209, E210, E212, E213, E214,  
E216, E217  
Montgomery, G.V. (Sonny), Miss., E209, E210  
Moran, James P., Va., E214  
Morella, Constance A., Md., E209

Ortiz, Solomon P., Tex., E209, E211  
Reed, Jack, R.I., E212  
Ros-Lehtinen, Ileana, Fla., E213  
Stokes, Louis, Ohio, E213  
Wynn, Albert Russell, Md., E216



## Congressional Record

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