

HOUSE OF REPRESENTATIVES—Tuesday, February 6, 1996

The House met at 8 p.m. and was called to order by the Speaker pro tempore [Mrs. MORELLA].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 1, 1996.

I hereby designate the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore on Tuesday, February 6, 1996.

NEWT GINGRICH,

Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

In all our days, we pray for faith; in all the hours we yearn for hope; in every moment of our time, we pray that Your presence of love will be in us and with us and about us. O gracious God, from whom we have come and to whom we shall return, bless us, each one, whatever our need in the depths of our hearts and souls. Amen.

ELECTION OF THE HONORABLE CONSTANCE A. MORELLA AS SPEAKER PRO TEMPORE UNTIL NOT LATER THAN TUESDAY, FEBRUARY 27, 1996

Mr. DAVIS. Madam Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 363

Resolved, That the Honorable CONSTANCE A. MORELLA, a Representative from the State of Maryland, be, and she is hereby, elected Speaker pro tempore during any absence of the Speaker, such authority to continue not later than Tuesday, February 27, 1996.

SEC. 2. The Clerk of the House shall notify the President and the Senate of the election of the Honorable CONSTANCE A. MORELLA as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SWEARING IN OF THE HONORABLE CONSTANCE A. MORELLA AS SPEAKER PRO TEMPORE DURING ABSENCE OF THE SPEAKER

The SPEAKER pro tempore. Will the gentleman from Virginia [Mr. DAVIS]

please come to the well of the House and administer the oath of office.

Mrs. MORELLA took the oath of office administered to her by the gentleman from Virginia [Mr. DAVIS] as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

FEBRUARY 6, 1996.

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 U.S. House of Representatives, the Clerk received the following messages from the Secretary of the Senate on Friday, February 2, 1996, at 11:30 a.m.: that the Senate passed without amendment H.R. 2924.

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

SCHEDULE OF ADJOURNMENTS OF THE HOUSE FROM TUESDAY, FEBRUARY 6, 1996, TO FRIDAY, FEBRUARY 23, 1996, AND MEETING HOUR

Mr. DAVIS. Madam Speaker, I ask unanimous consent that when the House adjourns on Tuesday, February 6, 1996, it adjourn to meet at 11 a.m. on Friday, February 9, 1996; and further, that when the House adjourns on Friday, February 9, 1996, it adjourn to meet at 11 a.m. on Tuesday, February 13, 1996; and further, that when the House adjourns on Tuesday, February 13, 1996, it adjourn to meet at 11 a.m. on Friday, February 16, 1996; and further, that when the House adjourns on Friday, February 16, 1996, it adjourn to meet at 11 a.m. on Tuesday, February 20, 1996; and further, that when the House adjourns on Tuesday, February 20, 1996, it adjourn to meet at 11 a.m. on Friday, February 23, 1996; and further, that when the House adjourns on Friday, February 23, 1996, it adjourn to meet at 12:30 p.m. on Monday, February 26, 1996, for morning hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO REVISE AND EXTEND REMARKS IN CONGRESSIONAL RECORD THROUGH MONDAY, FEBRUARY 26, 1996

Mr. DAVIS. Madam Speaker, I ask unanimous consent that all Members be permitted to extend their remarks and to include extraneous material in that section of the RECORD entitled "Extension of Remarks" through Monday, February 26, 1996.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 5, 1996.

HON. NEWT GINGRICH,
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 U.S. House of Representatives, I have the honor to transmit a sealed envelop received from the White House on Monday, February 5 at 10:00 a.m. and said to contain a message from the President whereby he submits the Budget of the United States Government for fiscal year 1997.

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

BUDGET OF THE UNITED STATES GOVERNMENT, FISCAL 1997—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with 31 U.S.C. §1105(a), I am transmitting my 1997 Budget to Congress.

This budget provides a thematic overview of my priorities as we continue to discuss how to balance the

budget over the next seven years. It also includes the Administration's new economic assumptions.

Because of the uncertainty over 1996 appropriations as well as possible changes in mandatory programs and tax policy, the Office of Management and Budget was not able to provide, by today, all of the material normally contained in the President's budget submission. I anticipate transmitting that material to Congress the week of March 18, 1996.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 5, 1996.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 6, 1996.

Hon. NEWT GINGRICH,
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 U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Tuesday, February 6 at 12:05 p.m. and said to contain a message from the President whereby he reports that it is in the national interest of the United States to waive restrictions on the export of U.S.-origin satellites to the People's Republic of China, specifically restrictions on the MABUHAY project.

With warm regards,

ROBIN H. CARLE, Clerk,
House of Representatives.

WAIVER OF RESTRICTIONS PERTAINING TO MABUHAY PROJECT ON EXPORT OF UNITED STATES-ORIGIN SATELLITES TO THE PEOPLE'S REPUBLIC OF CHINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Pursuant to the authority vested in me by section 902(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246), and as President of the United States, I hereby report to the Congress that it is in the national interest of the United States to waive the restrictions contained in that Act on the export to the People's Republic of China of U.S.-origin satellites insofar as such restrictions pertain to the MABUHAY project.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 6, 1996.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 6, 1996.

Hon. NEWT GINGRICH,
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 U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Tuesday, February 6 at 12:05 p.m. and said to contain a message from the President whereby he reports that it is in the national interest of the United States to waive restrictions on the export of U.S.-origin satellites to the People's Republic of China, specifically restrictions on the CHINA SAT project.

With warm regards,

ROBIN H. CARLE, Clerk,
House of Representatives.

WAIVER OF RESTRICTIONS PERTAINING TO COSAT PROJECT ON EXPORT OF UNITED STATES-ORIGIN SATELLITES TO THE PEOPLE'S REPUBLIC OF CHINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

Pursuant to the authority vested in me by section 902(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246), and as President of the United States, I hereby report to the Congress that it is in the national interest of the United States to waive the restrictions contained in that Act on the export to the People's Republic of China of U.S.-origin satellites insofar as such restrictions pertain to the COSAT project.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 6, 1996.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, February 6, 1996.

Hon. NEWT GINGRICH,
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 U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on Tuesday, February 6 at 12:05 p.m. and said to contain

a message from the President whereby he reports that it is in the national interest of the United States to waive restrictions on the export of U.S.-origin satellites to the People's Republic of China, specifically restrictions on the CHINASAT project.

With warm regards,

ROBIN H. CARLE, Clerk,
House of Representatives.

WAIVER OF RESTRICTIONS PERTAINING TO CHINASAT PROJECT ON EXPORT OF UNITED STATES-ORIGIN SATELLITES TO THE PEOPLE'S REPUBLIC OF CHINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

Pursuant to the authority vested in me by section 902(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246), and as President of the United States, I hereby report to the Congress that it is in the national interest of the United States to waive the restrictions contained in that Act on the export to the People's Republic of China of U.S.-origin satellites insofar as such restrictions pertain to the CHINASAT project.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 6, 1996.

COMMUNICATION FROM THE HONORABLE MARTIN R. HOKE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable MARTIN R. HOKE:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 2, 1996.

Hon. NEWT GINGRICH,
Speaker of the House,
The Capitol
Washington, DC.

Dear Mr. Speaker: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that Matt Felber, District Scheduler in my Fairview Park, Ohio office has been served with a subpoena issued by the Cuyahoga County, Ohio Court of Common Pleas in the case of *Niz v. Hill*.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Kindest personal regards.

Very truly yours,

MARTIN R. HOKE,
Member of Congress.

RESIGNATION OF THE HONORABLE RON WYDEN AS MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House of Representatives the

following communication: from the Honorable RON WYDEN, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 4, 1996.

Hon. JOHN KITZHABER,
Governor of Oregon,
Salem, OR.

DEAR GOVERNOR KITZHABER: On January 30, 1996, the citizens of Oregon elected me to the U.S. Senate to fill the unexpired term of former Senator Bob Packwood. I am deeply honored to have the opportunity to serve our state in the U.S. Senate, and plan to begin performing those duties on February 5, 1996.

It is my understanding that Oregon's Secretary of State has certified the election and has already transmitted the original documentation of my election to the Secretary of the U.S. Senate.

Based on this understanding, I will resign my House seat representing Oregon's Third Congressional District effective at 8:00 a.m. (E.S.T.), February 5, 1996.

It is with great anticipation that I look forward to working with you in the days to come on a range of issues affecting our state.

Sincerely,

RON WYDEN.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee has examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2657. An act to award a congressional gold medal to Ruth and Billy Graham.

H.R. 2924. An act to guarantee the timely payment of social security benefits in March 1996.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 652. An act to promote competition and reduce regulation in order to secure lower price and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following day present to the President, for his approval, bills of the House of the following titles:

H.R. 2657. An act to award a congressional gold medal to Ruth and Billy Graham.

H.R. 2924. An act to guarantee the timely payment of social security benefits in March 1996.

ADJOURNMENT

Mr. DAVIS. Madam Speaker, I move that the House to now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 14 minutes p.m.), under its previous order, the

House adjourned until Friday, February 9, 1996, at 11 a.m.).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2012. A letter from the Secretary of the Navy, transmitting notification that the Department of Navy intends to donate to the Naval Aviation Museum Foundation two civilian aircraft currently in the possession of the National Museum of Naval Aviation, U.S. Naval Air Station, Pensacola, FL, pursuant to 10 U.S.C. 7545(c); to the Committee on National Security.

2013. A letter from the Assistant Secretary for Legislative Affairs and Public Affairs, Department of the Treasury, transmitting a copy of the ninth monthly report pursuant to the Mexican Debt Disclosure Act of 1995, pursuant to Public Law 104-6, section 404(a) (109 Stat. 90); to the Committee on Banking and Financial Services.

2014. A letter from the Secretary of Energy, transmitting the quarterly report for the strategic petroleum reserve covering the third quarter of the calendar year 1995, pursuant to 42 U.S.C. 6245(b); to the Committee on Commerce.

2015. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Analysis of the Revised Fiscal Year 1996 General Fund Revenue Estimates in Support of the Mayor's Budget for Fiscal Year 1996," pursuant to D.C. Code, section 47-117(d); to the Committee on Government Reform and Oversight.

2016. A letter from the Comptroller General of the United States, transmitting the list of all reports issued or released in December 1995, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform and Oversight.

2017. A letter from the Comptroller General of the United States, transmitting a copy of his report for fiscal year 1995 on each instance a Federal agency did not fully implement recommendations made by the GAO in connection with a bid protest decided during the fiscal year, pursuant to 31 U.S.C. 3554(e)(2); to the Committee on Government Reform and Oversight.

2018. A letter from the Federal Co-Chairman, Appalachian Regional Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2019. A letter from the Deputy Secretary of Defense, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2020. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

2021. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

2022. A letter from the Deputy Associate Director for Compliance, Department of the

Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

2023. A letter from the Director, National Legislative Commission, the American Legion, transmitting the proceedings of the 77th national convention of the American Legion, held in Indianapolis, IN, September 4, 5, and 6, 1995 as well as a report on the organization's activities for the year preceding the convention, pursuant to 35 U.S.C. 49 (H. Doc. No. 104-170); to the Committee on Veterans' Affairs and ordered to be printed.

2024. A letter from the General Sales Manager, Foreign Agriculture Service, transmitting notification that the minimum quantity of agricultural commodities prescribed to be distributed under title III of Public Law 83-480 during fiscal year 1995 has been amended, pursuant to 7 U.S.C. 1721(b); jointly, to the Committees on Agriculture and International Relations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MCHALE (for himself, Mr. OBERSTAR, Mr. YATES, Mr. MEEHAN, Mr. HANSEN, Mr. DURBIN, Mr. REED, Mr. HINCHEY, and Ms. RIVERS):

H.R. 2962. A bill to amend the Internal Revenue Code of 1986 to disallow deductions for advertising expenses for tobacco products; to the Committee on Ways and Means.

By Mrs. MEEK of Florida (for herself, Mr. DAVIS, Mr. HOYER, Mr. MORAN, Ms. NORTON, and Mr. WYNN):

H.R. 2963. A bill to amend subchapter III of chapter 13 of title 31, United States Code, popularly known as the Anti-Deficiency Act, to allow the United States to enter into contracts or obligations during a lapse in appropriations if the President determines that a sufficient appropriation is likely to be made for that purpose before the end of the fiscal year, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. DAVIS:

H. Res. 363. Resolution electing Representative Constance A. Morella of Maryland to act as Speaker pro tempore; considered and agreed to.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. WISE.

H.R. 497: Mr. TALENT, Mr. COYNE, and Mr. COBURN.

H.R. 1462: Mr. EHLERS, Mr. BAKER of California, Ms. SLAUGHTER, and Ms. DELAURO.

H.R. 1547: Mr. TOWNS.

H.R. 1884: Mr. MARTINEZ and Mr. LEWIS of Georgia.

H.R. 2276: Mr. SCARBROUGH.

H.R. 2480: Mr. CANADY.

H.R. 2740: Mr. METCALF.

H.R. 2259: Mr. FOGLETTA, Mrs. JOHNSON of Connecticut, Mr. ENGEL, Mrs. MEEK of Florida, Mr. BEILSON, Mr. CARDIN, Mr. FILNER, Mr. HILLIARD, Mr. TORRICELLI, Mr. GONZALEZ, Ms. JACKSON-LEE, Mr. LANTOS, and Ms. LOFGREN.

H. Con. Res. 134: Mr. POMBO, Mr. BALLENGER, and Mr. ENGLISH of Pennsylvania.

H. Res. 220: Ms. RIVERS and Ms. JACKSON-LEE.