H.R. 392: Mr. UPTON.
H.R. 493: Mr. KNOLLENBERG.
H.R. 643: Mr. UPTON.
H.R. 823: Mr. POMEROY and Mr. ANDREWS of Texas.
H.R. 962: Mr. BORSKI and Mrs. BENTLEY.
H.R. 972: Mr. BROWN of California.
H.R. 1015: Ms. PELOSI.
H.R. 1017: Mr. CRAMER.
H.R. 1082: Mr. CRAMER.
H.R. 1083: Ms. HARMAN.
H.R. 1116: Mr. CARDIN.
H.R. 1126: Mr. UPTON.
H.R. 1127: Mr. UPTON.
H.R. 1128: Mr. UPTON.
H.R. 1129: Mr. UPTON.
H.R. 1130: Mr. UPTON.
H.R. 1164: Ms. LAMBERT.
H.R. 1296: Mr. ANDREWS of New Jersey.
H.R. 1534: Mr. MINETA, Mr. SCOTT, and Mr. FROST.
H.R. 1552: Ms. DUNN.
H.R. 1595: Mr. GILCHREST.
H.R. 1889: Mr. FISH.
H.R. 2043: Mr. GINGRICH.
H.R. 2121: Mr. FIELDS of Texas, Mr. SPENCE, Ms. LOWEY, Mr. FRANK of Massachusetts, Mr. ALLARD, Mr. GILMAN, Mr. MICHEL, Mr. BILIRAKIS, Mr. POMBO, Mr. FINGERHUT, and Mr. THOMAS of Wyoming.
H.R. 2159: Ms. FURSE.
H.R. 2191: Mr. FOGLIETTA.
H.R. 2326: Mr. SANTORUM, Mr. THOMAS of Wyoming, Mr. KYL, Mr. COPPERSMITH, Mrs. LLOYD, Mrs. ROUKEMA, Ms. BYRNE, and Mr. HOLDEN.
H.R. 2467: Mr. BARCA of Wisconsin, Mr. BLACKWELL, Mr. GOSS, Mr. HASTINGS, Mr. HUTCHINSON, Mrs. SCHROEDER, Mr. UNDERWOOD, and Ms. VALAZQUEZ.
H.R. 2469: Mr. WALSH.
H.R. 2501: Mr. MCCLOSKEY, Mr. GEJDENSON, Mr. FISH, Mr. MILLER of California, and Ms. BROWN of Florida.
H.R. 2547: Mr. NADLER.
H.R. 2587: Mr. WHEAT.
H.R. 2602: Mr. CALVERT.
H.R. 2680: Mr. INHOFE, Mr. VALENTINE, Mr. RAHALL, Mr. BARCIA of Michigan, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2738: Mr. DELLUMS, Mr. MCCANDLESS, Mr. OWENS, Mr. TRAFICANT, and Mr. ABERCROMBIE.
H.R. 2788: Ms. SHEPHERD.
H.R. 2837: Mr. SMITH of New Jersey.
H.R. 2841: Mr. VOLKMER.
H.R. 2873: Mr. OBERSTAR, Mr. LEVY, Mr. LEWIS of California, Mr. KLECZKA, Mr. GENE GREEN of Texas, Mr. SWIFT, Mr. MOLINARI, Mr. RAHALL, Mr. CALLAHAN, and Mrs. LLOYD.
H.R. 2884: Mr. SANDERS.
H.R. 3087: Mr. NATCHER, Mr. BARLOW, and Mr. SAWYER.
H.R. 3098: Mr. CALVERT and Ms. HARMAN.
H.R. 3173: Mr. BAKER of Louisiana.
H.R. 3205: Ms. KAPTUR, Mr. LAUGHLIN, Mr. CRAPO, and Mr. BARCA of Wisconsin.
H.R. 3260: Mr. QUINN.
H.R. 3321: Mr. BLUTE.
H.R. 3363: Mrs. ROUKEMA, Mr. CALVERT, Mr. CUNNINGHAM, and Mr. STEARNS.
H.R. 3405: Mr. ACKERMAN, Mr. GOODLING, and Mr. HYDE.
H.J. Res. 79: Mr. COYNE, Mr. CRANE, Mr. BILBRAY, Mr. HOBSON, Mr. LAZIO, Mr. LEVY, Mrs. MEYERS of Kansas, Mr. ORTON, Mrs. VUCANOVICH, Mr. ROSE, Mr. RICHARDSON, Ms. ROYBAL-ALLARD, Mr. PAYNE of Virginia, Mr. BATEMAN, AND Ms. SLAUGHTER.
H.J. Res. 197: Mr. CARR, Miss COLLINS of Michigan, Mr. DE LA GARZA, Mr. DINGELL, Mr. HASTINGS, Mr. JEFFERSON, Mr. KOPETSKI, Mrs. MALONEY, Mr. MCDADE, Mr. MENENDEZ, Mr. MILLER of California, Mr. MINETA, Mr. MURTHA, Mr. MYERS of Indiana, Mr. REYNOLDS, Mr. SCHUMER, Mr. STUPAK, Ms. WOOLSEY, Mr. WYDEN, Mr. NEAL of North Carolina, Mr. BISHOP, Mr. STOKES, Mr. HOBSON, Mr. HYDE, and Mr. PALLONE.
H.J. Res. 212: Mr. KOPETSKI.
H.J. Res. 234: Ms. VELAZQUEZ, Mr. FRANKS of New Jersey, Mr. ROEMER, Mr. SWETT, Mr. MACHTLEY, and Ms. PELOSI.
H.J. Res. 246: Mr. CALLAHAN, Mr. FAZIO, Mr. GEJDENSON, Mr. HASTINGS, Mr. HINCHEY, Mr. HOAGLAND, Mr. HOLDEN, Mr. KREIDLER, Mr. LAZIO, Mr. LIVINGSTON, Mr. MATSUI, Mr. MOORHEAD, Mr. RANGEL, Mr. SABO, Mr. SARPALIUS, and Mr. TORRICELLI.
H.J. Res. 264: Mr. MARTINEZ, Mr. FAZIO, and Mr. EVANS.
H.J. Res. 272: Mr. KREIDLER, Ms. MARGOLIES-MEZVINSKY, Ms. WATERS, Mr. HASTERT, Mr. BROWN of Ohio, Mr. CONYERS, Mr. STUDDS, Mr. BLILEY, Mr. REGULA, Mr. ROSE, Mr. CARDIN, and Mr. TORKILDSEN.
H.Con. Res. 147: Ms. MARGOLIES-MEZVINSKY and Mr. HEFNER.
H. Res. 38: Ms. SHEPHERD.

¶127.29 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 101: Mr. QUINN.

WEDNESDAY, NOVEMBER 3, 1993 (128)

The House was called to order by the SPEAKER.

¶128.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, November 2, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

¶128.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

2100. A letter from the Secretary of Housing and Urban Development, transmitting notification that the 75 per centum of authority to make commitments to insure mortgages and loans, under the National Housing Act, has been utilized, pursuant to 12 U.S.C. 1721 nt; to the Committee on Banking, Finance and Urban Affairs.

2101. A letter from the Interim Chief Executive Officer, Resolution Trust Corporation, Executive Director, Thrift Depositor Protection Oversight Board, transmitting a report on the activities and efforts of the RTC, the FDIC, and the Oversight Board for the 6 month period ending September 30, 1993, pursuant to Public Law 101–73, section 501(a) (103 Stat. 387); to the Committee on Banking, Finance and Urban Affairs.

2102. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of Korea, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

2103. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting the Agency's report on hydrogen sulfide emissions associated with the extraction of oil and natural gas resources, pursuant to Public Law 101–549, section 301 (104 Stat. 2560); to the Committee on Energy and Commerce.

2104. A letter from the Director, Division of Commissioned Personnel, Department of Health and Human Services, transmitting the annual pension plan report for the plan year ending September 30, 1992, for the Public Health Service commissioned corps retirement system, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

2105. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting the fiscal year 1993 annual report as required by the Inspector General Act Amendments of 1988, pursuant to Public Law 95–452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2106. A letter from the Director, U.S. Trade and Development Agency, transmitting the fiscal year 1993 annual report as required by the Inspector General Act Amendments of 1988, pursuant to Public Law 95–452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2107. A letter from the Director, U.S. Office of Personnel Management, transmitting OPM's fiscal year 1992 annual report to Congress on veterans' employment in the Federal Government, pursuant to 38 U.S.C. 4214(e)(1); to the Committee on Veterans' Affairs.

¶128.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2202. An Act to amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer.

The message also announced that the Senate insisted upon its amendment to the bill (H.R. 2202) entitled ''An Act to amend the Public Health Service Act to revise and extend the program of grants relating to preventive health measures with respect to breast and cervical cancer,'' requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. KENNEDY, Mr. METZENBAUM, Mr. SIMON, Mrs. KASSEBAUM, and Mr. HATCH, to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 479. An Act to amend the Securities Act of 1933 and the Investment Company Act of 1940 to promote capital formation for small businesses and others through exempted offerings under the Securities Act and through investment pools that are excepted or exempted from regulation under the Investment Company Act of 1940 and through business development companies;

S. 843. An Act to amend title 38, United States Code, to improve reemployment rights and benefits of veterans and other benefits of employment of certain members of the uniformed services;

S. 1613. An Act to amend the Three Affiliated Tribes and Standing Rock Sioux Tribe Equitable Compensation Act; and

S.J. Res. 55. Joint resolution to designate the periods commencing on November 28, 1993, and ending on December 4, 1993, and commencing on November 27, 1994, and ending on December 3, 1994, as ''National Home Care Week.''

¶128.4 RELIGIOUS FREEDOM RESTORATION

On motion of Mr. BROOKS, by unanimous consent, the bill (H.R. 1308) to

protect the free exercise of religion; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Religious Freedom Restoration Act of 1993''.

SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the framers of the Constitution, recognizing free exercise of religion as an unalienable right, secured its protection in the First Amendment to the Constitution;

(2) laws ''neutral'' toward religion may burden religious exercise as surely as laws intended to interfere with religious exercise;

(3) governments should not substantially burden religious exercise without compelling justification;

(4) in Employment Division v. Smith, 494 U.S. 872 (1990) the Supreme Court virtually eliminated the requirement that the government justify burdens on religious exercise imposed by laws neutral toward religion; and

(5) the compelling interest test as set forth in prior Federal court rulings is a workable test for striking sensible balances between religious liberty and competing prior governmental interests.

(b) PURPOSES.—The purposes of this Act are—

(1) to restore the compelling interest test as set forth in Sherbert v. Verner, 374 U.S. 398 (1963) and Wisconsin v. Yoder, 406 U.S. 205 (1972) and to guarantee its application in all cases where free exercise of religion is substantially burdened; and

(2) to provide a claim or defense to persons whose religious exercise is substantially burdened by government.

SEC. 3. FREE EXERCISE OF RELIGION PROTECTED.

(a) IN GENERAL.—Government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability, except as provided in subsection (b).

(b) EXCEPTION.—Government may substantially burden a person's exercise of religion only if it demonstrates that application of the burden to the person—

(1) is in furtherance of a compelling governmental interest; and

(2) is the least restrictive means of furthering that compelling governmental interest.

(c) JUDICIAL RELIEF.—A person whose religious exercise has been burdened in violation of this section may assert that violation as a claim or defense in a judicial proceeding and obtain appropriate relief against a government. Standing to assert a claim or defense under this section shall be governed by the general rules of standing under article III of the Constitution.

SEC. 4. ATTORNEYS FEES.

(a) JUDICIAL PROCEEDINGS.—Section 722 of the Revised Statutes (42 U.S.C. 1988) is amended by inserting ''the Religious Freedom Restoration Act of 1993,'' before ''or title VI of the Civil Rights Act of 1964''.

(b) ADMINISTRATIVE PROCEEDINGS.—Section 504(b)(1)(C) of title 5, United States Code, is amended—

(1) by striking ''and'' at the end of clause (ii);

(2) by striking the semicolon at the end of clause (iii) and inserting '', and''; and

(3) by inserting ''(iv) the Religious Freedom Restoration Act of 1993;'' after clause (iii).

SEC. 5. DEFINITIONS.

As used in this Act—

(1) the term ''government'' includes a branch, department, agency, instrumentality, and official (or other person acting under color of law) of the United States, a State, or a subdivision of a State;

(2) the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, and each territory and possession of the United States;

(3) the term ''demonstrates'' means meets the burdens of going forward with the evidence and of persuasion; and

(4) the term ''exercise of religion'' means the exercise of religion under the First Amendment to the Constitution.

SEC. 6. APPLICABILITY.

(a) IN GENERAL.—This Act applies to all Federal and State law, and the implementation of that law, whether statutory or otherwise, and whether adopted before or after the enactment of this Act.

(b) RULE OF CONSTRUCTION.—Federal statutory law adopted after the date of the enactment of this Act is subject to this Act unless such law explicitly excludes such application by reference to this Act.

(c) RELIGIOUS BELIEF UNAFFECTED.—Nothing in this Act shall be construed to authorize any government to burden any religious belief.

SEC. 7. ESTABLISHMENT CLAUSE UNAFFECTED.

Nothing in this Act shall be construed to affect, interpret, or in any way address that portion of the First Amendment prohibiting laws respecting the establishment of religion (referred to in this section as the ''Establishment Clause''). Granting government funding, benefits, or exemptions, to the extent permissible under the Establishment Clause, shall not constitute a violation of this Act. As used in this section, the term ''granting'', used with respect to government funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.

On motion of Mr. BROOKS, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶128.5 COMMUNITY POLICING

Mr. BROOKS moved to suspend the rules and pass the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety; as amended.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. BROOKS and Mr. SENSENBRENNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.6 SUBSTANCE ABUSE TREATMENT FOR FEDERAL PRISONERS

Mr. BROOKS moved to suspend the rules and pass the bill (H.R. 3350) to establish a program of residential substance abuse treatment within Federal prisons; as amended.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. BROOKS and Mr. SENSENBRENNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HEFNER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BROOKS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered

The SPEAKER pro tempore, Mr. HEFNER, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶128.7 ALTERNATIVE PUNISHMENTS FOR YOUNG OFFENDERS

Mr. BROOKS moved to suspend the rules and pass the bill (H.R. 3351) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation; as amended.

The SPEAKER pro tempore, Mr. HEFNER, recognized Mr. BROOKS and Mr. SENSENBRENNER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HEFNER, announced that two-thirds of the Members present had voted in the affirmative.

Pending a division demanded by Mr. SENSENBRENNER,

Mr. BROOKS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. HEFNER, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶128.8 ANTI-JUVENILE GANGS AND DRUG TRAFFICKING GRANTS

Mr. BROOKS moved to suspend the rules and pass the bill (H.R. 3353) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to develop more effective programs to reduce juvenile gang participation and juvenile drug trafficking; as amended.

The SPEAKER pro tempore, Mr. HEFNER, recognized Mr. BROOKS and