

H.R. 3222: Mr. GORDON.

FRIDAY, AUGUST 19, 1994 (100)

The House was called to order by the SPEAKER.

¶100.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, August 18, 1994.

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

¶100.2 COMMUNICATIONS

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

3723. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled, "Review of the Office of People's Counsel Agency Fund Deposits and Expenditures for Fiscal Year 1992 and 1993", pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

3724. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Secretary's determination and justification to exercise the authority granted him under section 451 of the Foreign Assistance Act of 1961, as amended, authorizing funds for assistance to support third-country participation in the multinational observer group [MOG] to assist Dominican Republic authorities in enforcing a comprehensive trade embargo against Haiti, pursuant to U.N. Security Council Resolution 917, pursuant to 22 U.S.C. 2261(a)(2); to the Committee on Foreign Affairs.

3725. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a memorandum of Justification for Presidential Determination (94-41) regarding the drawdown of defense articles and services from the stocks of DOD for emergency military assistance to Jamaica, pursuant to Public Law 101-513, section 547(a). (104 Stat. 2019); to the Committee on Foreign Affairs.

3726. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Memorandum of Justification for Presidential Determination regarding the drawdown of defense articles and services for international disaster assistance in Rwanda and neighboring countries, pursuant to Public Law 103-87, section 515 (107 Stat. 949); jointly, to the Committees on Foreign Affairs and Appropriations.

¶100.3 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶100.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2406. An Act to amend title 17, United States Code, relating to the definition of a local service area of a primary transmitter, and for other purposes;

S. 2407. An Act to make improvements in the operation and administration of the Federal courts, and for other purposes; and

S. 2060. An Act to amend the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

¶100.5 PROVIDING FOR THE CONSIDERATION OF H.R. 4908

Mr. GORDON, by direction of the Committee on Rules, called up the following resolution (H. Res. 515):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4908) to authorize the hydrogen and fusion, research, development, and demonstration programs, and the high energy physics and nuclear physics programs of the Department of Energy, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by section. Each title shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

When said resolution was considered. After debate,

On motion of Mr. GORDON, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶100.6 MESSAGE FROM THE PRESIDENT—DEPARTMENTS OF LABOR AND HHS

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

To the Congress of the United States:

In accordance with section 26 of the Occupational Safety and Health Act of 1970 (Public Law 91-596; 29 U.S.C. 675), I transmit herewith the 1991 annual reports on activities of the Department of Labor and the Department of Health and Human Services. These reports were prepared by, and cover activities occurring exclusively during the previous Administration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, August 19, 1994.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Education and Labor.

¶100.7 HYDROGEN AND FUSION RESEARCH

The SPEAKER pro tempore, Mr. MONTGOMERY, pursuant to House Resolution 515 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4908) to authorize the hydrogen and fusion research, development, and demonstration programs, and the high energy physics and nuclear physics

programs of the Department of Energy, and for other purposes.

The SPEAKER pro tempore, Mr. MONTGOMERY, by unanimous consent, designated Mr. OLVER as Chairman of the Committee of the Whole; and after some time spent therein,

¶100.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WALKER:

Page 36, after line 7, insert the following new section:

SEC. 403. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this Act shall be available for any activity, or the publication or distribution of literature, that in any way tends to promote public support for or opposition to any legislative proposal on which congressional action is not complete. If any funds are used for purposes prohibited by this section, the organization to whom such funds were provided shall not be eligible to receive any further funding pursuant to this Act.

It was decided in the { Yeas 187
negative } Nays 239

¶100.9 [Roll No. 412] AYES—187

Allard	Gillmor	McKeon
Andrews (NJ)	Gilman	McMillan
Archer	Gingrich	Meyers
Armey	Goodlatte	Mica
Bachus (AL)	Goodling	Michel
Baker (CA)	Goss	Miller (FL)
Baker (LA)	Grams	Molinari
Ballenger	Grandy	Moorhead
Barrett (NE)	Greenwood	Morella
Bartlett	Gunderson	Myers
Bentley	Hancock	Nussle
Bereuter	Hansen	Orton
Bilirakis	Hastert	Oxley
Bliley	Hayes	Packard
Blute	Hefley	Paxon
Boehlert	Herger	Penny
Boehner	Hobson	Petri
Bonilla	Hoekstra	Pombo
Bunning	Hoke	Porter
Burton	Horn	Portman
Buyer	Huffington	Pryce (OH)
Callahan	Hunter	Quillen
Calvert	Hutchinson	Quinn
Camp	Hyde	Ramstad
Canady	Inglis	Ravenel
Carr	Inhofe	Regula
Castle	Istook	Ridge
Clinger	Johnson (CT)	Roberts
Coble	Johnson (SD)	Rogers
Collins (GA)	Johnson, Sam	Rohrabacher
Combest	Kasich	Ros-Lehtinen
Condit	Kim	Roth
Cox	King	Roukema
Crane	Kingston	Royce
Crapo	Klink	Santorum
Cunningham	Klug	Saxton
Danner	Knollenberg	Schaefer
DeLay	Kolbe	Schiff
Diaz-Balart	Kreidler	Sensenbrenner
Dickey	Kyl	Shaw
Doolittle	Lazio	Shays
Dornan	Leach	Shepherd
Dreier	Levy	Shuster
Duncan	Lewis (CA)	Skeen
Dunn	Lewis (FL)	Smith (IA)
Ehlers	Lewis (KY)	Smith (MI)
Emerson	Lightfoot	Smith (NJ)
Everett	Linder	Smith (OR)
Ewing	Livingston	Smith (TX)
Fawell	Lucas	Snowe
Fields (TX)	Machtley	Solomon
Fish	Manzullo	Spence
Fowler	Margolies-	Stearns
Franks (CT)	Mezvinsky	Stump
Franks (NJ)	McCandless	Swett
Galleghy	McCollum	Talent
Gallo	McCrery	Taylor (NC)
Gekas	McHugh	Thomas (CA)
Gilchrest	McInnis	Thomas (WY)

Torkildsen	Walsh	Young (FL)
Upton	Weldon	Zeliff
Vucanovich	Wolf	Zimmer
Walker	Young (AK)	

NOES—239

Abercrombie	Gibbons	Owens
Ackerman	Glickman	Pallone
Andrews (ME)	Gonzalez	Parker
Andrews (TX)	Gordon	Pastor
Applegate	Green	Payne (NJ)
Bacchus (FL)	Gutierrez	Payne (VA)
Baesler	Hall (OH)	Pelosi
Barca	Hall (TX)	Peterson (FL)
Barcia	Hamburg	Peterson (MN)
Barlow	Hamilton	Pickett
Barrett (WI)	Harman	Pickle
Barton	Hastings	Pomeroy
Bateman	Hefner	Poshard
Becerra	Hilliard	Price (NC)
Beilenson	Hinchey	Rahall
Berman	Hoagland	Rangel
Bevill	Hochbruckner	Reed
Bilbray	Holden	Reynolds
Bishop	Hoyer	Richardson
Blackwell	Hughes	Roemer
Bonior	Hutto	Romero-Barcelo
Borski	Inslee	(PR)
Boucher	Jacobs	Rose
Brewster	Jefferson	Rostenkowski
Brooks	Johnson (GA)	Rowland
Browder	Johnson, E.B.	Roybal-Allard
Brown (CA)	Johnston	Rush
Brown (FL)	Kanjorski	Sabo
Brown (OH)	Kaptur	Sanders
Bryant	Kennedy	Sangmeister
Byrne	Kennelly	Sarpalius
Cantwell	Kildee	Sawyer
Cardin	Klecza	Schenk
Chapman	Klein	Schroeder
Clay	Kopetski	Schumer
Clayton	LaFalce	Scott
Clement	Lambert	Serrano
Clyburn	Lancaster	Sharp
Collins (IL)	LaRocco	Sisisky
Collins (MI)	Laughlin	Skaggs
Conyers	Lehman	Skelton
Cooper	Levin	Slaughter
Coppersmith	Lewis (GA)	Spratt
Costello	Lipinski	Stark
Coyne	Lloyd	Stenholm
Cramer	Long	Stokes
Darden	Lowey	Strickland
de la Garza	Maloney	Studds
de Lugo (VI)	Mann	Stupak
Deal	Manton	Synar
DeFazio	Markey	Tanner
DeLauro	Martinez	Tauzin
Dellums	Matsui	Taylor (MS)
Derrick	Mazzoli	Tejeda
Deutsch	McCloskey	Thompson
Dicks	McCurdy	Thornton
Dingell	McDermott	Thurman
Dixon	McHale	Torres
Dooley	McKinney	Torricelli
Durbin	McNulty	Towns
Edwards (CA)	Meehan	Traficant
Edwards (TX)	Meek	Tucker
English	Menendez	Underwood (GU)
Eshoo	Mfume	Unsoeld
Evans	Miller (CA)	Valentine
Farr	Mineta	Velazquez
Fazio	Minge	Vento
Fields (LA)	Mink	Visclosky
Filner	Moakley	Volkmer
Fingerhut	Mollohan	Waters
Flake	Montgomery	Watt
Foglietta	Murphy	Waxman
Ford (MI)	Murtha	Wheat
Ford (TN)	Nadler	Williams
Frank (MA)	Neal (MA)	Wilson
Frost	Norton (DC)	Wise
Furse	Oberstar	Woolsey
Gejdenson	Obey	Wyden
Gephardt	Olver	Wynn
Geren	Ortiz	Yates

NOT VOTING—13

Coleman	Lantos	Sundquist
Engel	McDade	Swift
Faleomavaega	Moran	Washington
(AS)	Neal (NC)	Whitten
Houghton	Slattery	

So the amendment was not agreed to.

After some further time,

The SPEAKER resumed the Chair.

When Mr. OLVER, Chairman, pursuant to House Resolution 515, reported the bill back to the House with sundry

amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 21, strike lines 12 through 21 and insert in lieu thereof the following:

(c) TOKAMAK PHYSICS EXPERIMENT.—(1) Except as provided in paragraph (2), there are authorized to be appropriated to the Secretary for the period encompassing fiscal years 1992 through 2000 not to exceed \$700,000,000 from within the Fusion Energy Research Program, to complete the design, development, and construction of the Tokamak Physics Experiment.

(2) None of the funds described in paragraph (1) are authorized to be appropriated for any fiscal year unless, within 60 days after the submission of the President's budget request for that fiscal year, the Secretary—

Page 22, line 23, insert "This limitation shall not apply to the design or engineering of fusion materials irradiation test facilities. Upon completion of the concept design for a fusion materials irradiation test facility, the Secretary shall transmit to the Congress a report which includes the estimated cost for design, engineering, and construction of the facility, the expected participation of international partners, and the planned dates for starting and completing construction." after "Physics Experiment."

Page 36, after line 7, insert the following new section:

SEC. 403. FOREIGN PARTICIPATION REPORT.

Within 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall report to the Congress on the status of foreign participation in and contributions to projects for which funding is authorized under this Act.

Page 36, after line, 7, insert the following new section:

SEC. 403. MERIT REVIEW REQUIREMENT FOR AWARDS OF FINANCIAL ASSISTANCE.

(a) MERIT REVIEW REQUIREMENT.—Except as provided in sections 204 and 205, the Secretary may not award financial assistance to any person under this Act for research, development, or precommercial demonstration activities, including related facility construction, unless an objective merit review process is used to award the financial assistance.

(b) REQUIREMENT OF SPECIFIC MODIFICATION OF MERIT REVIEW PROVISION.—

(1) IN GENERAL.—A provision of law may not be construed as modifying or superseding subsection (a), or as requiring that financial assistance be awarded by the Secretary in a manner inconsistent with subsection (a), unless such provision of law—

(A) specifically refers to this section;

(B) specifically states that such provision of law modifies or supersedes subsection (a); and

(C) specifically identifies the person to be awarded the financial assistance and states that the financial assistance to be awarded pursuant to such provision of law is being awarded in a manner inconsistent with subsection (a).

(2) NOTICE AND WAIT REQUIREMENT.—No financial assistance may be awarded pursuant to a provision of law that requires or authorizes the award of the financial assistance in a manner inconsistent with subsection (a) until—

(A) the Secretary submits to the Congress a written notice of the Secretary's intent to award the financial assistance; and

(B) 180 days has elapsed after the date on which the notice is received by the Congress.

(c) DEFINITIONS.—For purposes of this section:

(1) The term "objective merit review process" means a thorough, consistent, and independent examination of requests for financial assistance based on pre-established criteria and scientific a technical merit by persons knowledgeable in the field for which the financial assistance is requested.

(2) The term "financial assistance" means the transfer of funds or property to a recipient or subrecipient to accomplish a public purpose of support or stimulation authorized by Federal law. Such term includes grants, cooperative agreements, and subawards but does not include cooperative research and development agreements as defined in subsection 12(d)(1) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

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

¶100.10 RECOMMITTED TO CONFERENCE—
H.R. 3355

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, the conference report to accompany (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, be considered as recommitted to conference.

¶100.11 ORDER OF BUSINESS—
CONSIDERATION OF THE CONFERENCE
REPORT ON H.R. 3355

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House be waived on the legislative day of Saturday, August 20, 1994, with respect to any resolution providing for consideration of disposition of a conference report to accompany 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.

¶100.12 HOUR OF MEETING

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12

o'clock noon on Saturday, August 20, 1994.

¶100.13 APPOINTMENT OF ADDITIONAL CONFEREES—H.R. 3355

The SPEAKER, pursuant to clause 6(f) of rule X, announced the appointment of the following Members as additional conferees on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendments of the House to 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; Ms. SCHROEDER, Mr. FRANK, and Mr. CASTLE.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶100.14 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. ABERCROMBIE, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report on 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; together with a statement thereon, for printing in the Record under the rule.

¶100.15 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4603) "An Act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes."

¶100.16 MESSAGES FROM THE PRESIDENT

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

¶100.17 MESSAGE FROM THE PRESIDENT—U.S.-UNITED NATIONS ACTIVITIES

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

To The Congress of the United States:

I am pleased to transmit herewith a report of the activities of the United

States Government in the United Nations and its affiliated agencies during the calendar year 1993. The report is required by the United Nations Participation Act (Public Law 264, 79th Congress; 22 U.S.C. 287b).

WILLIAM J. CLINTON.

THE WHITE HOUSE, August 19, 1994.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs.

¶100.18 MESSAGE FROM THE PRESIDENT—EXPORT ADMINISTRATION ACT EXTENSION

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

To The Congress of the United States:

Pursuant to section 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b), I hereby report to the Congress that I have today exercised the authority granted by this Act to continue in effect the system of controls contained in 15 C.F.R., Parts 768-799, including restrictions on participation by U.S. persons in certain foreign boycott activities, which heretofore have been maintained under the authority of the Export Administration Act of 1979, as amended, 50 U.S.C. App. 2401 *et seq.* In addition, I have made provision for the administration of section 38(e) of the Arms Export Control Act, 22 U.S.C. 2778(e).

The exercise of this authority is necessitated by the expiration of the Export Administration Act of August 20, 1994, and the lapse that would result in the system of controls maintained under that Act.

In the absence of controls, foreign parties would have unrestricted access to U.S. commercial products, technology, technical data, and assistance, posing an unusual and extraordinary threat to national security, foreign policy, and economic objectives critical to the United States. In addition, U.S. persons would not be prohibited from complying with certain foreign boycott requests. This would seriously harm our foreign policy interests, particularly in the Middle East.

Controls established in 15 C.F.R. 768-799, and continued by this action, include the following:

- National security export controls aimed at restricting the export of goods and technologies, which would make a significant contribution to the military potential of certain other countries and which would prove detrimental to the national security of the United States.

- Foreign policy controls that further the foreign policy objectives of the United States or its declared international obligations in such widely recognized areas as human rights, antiterrorism, regional stability, missile technology nonproliferation, and chemical and biological weapons nonproliferation.

- Nuclear nonproliferation controls that are maintained for both national security and foreign policy reasons, and which support the objectives of the Nuclear Nonproliferation Act.

- Short supply controls that protect domestic supplies, and antiboycott regulations that prohibit compliance with foreign boycotts aimed at countries friendly to the United States.

Consequently, I have issued an Executive order (a copy of which is attached) to continue in effect all rules and regulations issued or continued in effect by the Secretary of Commerce under the authority of the Export Administration Act of 1979, as amended, and all orders, regulations, licenses, and other forms of administrative actions under the Act, except where they are inconsistent with sections 203(b) and 206 of the International Emergency Economic Powers Act (IEEPA). In this Executive order I have also revoked the previous Executive Order No. 12923 of June 30, 1994, invoking IEEPA authority for the prior lapse of the Export Administration Act of 1979, as amended, extended on July 5, 1994, by Public Law 103-277.

The Congress and the Executive have not permitted export controls to lapse since they were enacted under the Export Control Act of 1949. Any termination of controls could permit transactions to occur that would be seriously detrimental to the national interests we have heretofore sought to protect through export controls and restrictions on compliance by U.S. persons with certain foreign boycotts. I believe that even a temporary lapse in this system of controls would seriously damage our national security, foreign policy, and economic interests and undermine our credibility in meeting our international obligations.

The countries affected by this action vary depending on the objectives sought to be achieved by the system of controls instituted under the Export Administration Act. Potential adversaries may seek to acquire sensitive U.S. goods and technologies. Other countries serve as conduits for the diversion of such items. Still other countries have policies that are contrary to U.S. foreign policy or nonproliferation objectives, or foster boycotts against friendly countries. For some goods or technologies, controls could apply even to our closest allies in order to safeguard against diversion to potential adversaries.

WILLIAM J. CLINTON.

THE WHITE HOUSE, August 19, 1994.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 103-295).

¶100.19 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2407. An Act to make improvements in the operation and administration of the Federal courts, and for other purposes; to the Committee on the Judiciary.

¶100.20 BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following title:

On August 18, 1994:

H.R. 2815. An Act to designate a portion of the Farmington River in Connecticut as a component of the National Wild and Scenic Rivers System; and

H.R. 4812. An Act to direct the Administrator of General Services to acquire by transfer the Old U.S. Mint in San Francisco, California, and for other purposes.

¶100.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. MCDADE, for today; and
To Mr. MORAN, for today.

And then,

¶100.22 ADJOURNMENT

On motion of Mr. SERRANO, pursuant to the special order heretofore agreed to, at 5 o'clock and 52 minutes p.m., the House adjourned until 12 o'clock noon on Saturday, August 20, 1994.

¶100.23 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CLAY: Committee on Post Office and Civil Service. H.R. 2721. A bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to improve the effectiveness of administrative review of employment discrimination claims made by Federal employees, and for other purposes; with an amendment (Rept. No. 103-599 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 2305. A bill to authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission; with an amendment (Rept. No. 103-710, Pt. 1). Ordered to be printed.

¶100.24 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. DINGELL (for himself, Mr. CONDIT, and Mr. SWIFT):

H.R. 4995. A bill to require the disclosure of service and other charges on tickets, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARRETT of Wisconsin (for himself and Mr. BARCA of Wisconsin):

H.R. 4996. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 and the Housing and Community Development Act of 1992 for employment relocation activities; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BROWN of California (for himself, Mr. EDWARDS of California, Mr. BEILENSON, Mr. WILSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEHAN, Ms. WOOLSEY, Mr. TORRES, Mr. FARR, Mrs. MALONEY, Mr. STUDDS, Mr. NADLER, Mr. MANN, Mr. LANTOS, Mr. MORAN, Mr. SWETT, and Ms. PELOSI):

H.R. 4997. A bill to amend title 18, United States Code, to prohibit interstate-connected conduct relating to exotic animals; to the Committee on the Judiciary.

By Mr. CRAMER (for himself, Mr. MCCLOSKEY, Mr. ROEMER, Mr. BEVILL, Mrs. LLOYD, Ms. LONG, Mr. BARLOW, Ms. KAPTUR, and Mr. POSHARD):

H.R. 4998. A bill to provide for an independent review of the implementation of the national implementation plan for modernization of the National Weather Service at specific sites, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. EDWARDS of California:

H.R. 4999. A bill to amend the United States Commission on Civil Rights Act of 1983; to the Committee on the Judiciary.

By Mr. GLICKMAN (for himself, Mr. ROBERTS, Mr. SLATTERY, and Mrs. MEYERS of Kansas):

H.R. 5000. A bill to provide for the establishment of the Tallgrass Prairie National Preserve in Kansas; to the Committee on Natural Resources.

By Mr. JACOBS:

H.R. 5001. A bill to establish the Federal right of every unemancipated child to be supported by such child's parent or parents and, therefore, to confer upon certain local courts of the District of Columbia and every State and territory of the United States jurisdiction to enforce such right regardless of such child's residence; to the Committee on the Judiciary.

By Mrs. JOHNSON of Connecticut:

H.R. 5002. A bill to amend the Internal Revenue Code of 1986 to provide that disabled individuals shall be eligible for the one-time exclusion of gain from sale of principal residence; to the Committee on Ways and Means.

H.R. 5003. A bill to amend the Internal Revenue Code of 1986 to allow certain expenses for overnight camps to qualify for the credit and exclusion relating to dependent care expenses; to the Committee on Ways and Means.

H.R. 5004. A bill to amend the Internal Revenue Code of 1986 to provide that a consent to waive a survivor annuity form of retirement benefit shall also be effective if made before marriage; jointly, to the Committees on Ways and Means and Education and Labor.

By Mr. TORRICELLI (for himself, Mr. ROMERO-BARCELO, Mr. GILMAN, Mr. WHEAT, Mr. GALLEGLEY, Mr. ANDREWS of New Jersey, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. HASTINGS, and Mrs. MEEK of Florida):

H.R. 5005. A bill to require periodic plebiscites in United States territories and to require congressional notification of executive branch actions impacting the status of United States territories, and for other purposes; to the Committee on Natural Resources.

By Mr. LEVY (for himself, Ms. MOLINARI, Mr. KING, Mr. SAXTON, Mr. ENGEL, Mr. MCCOLLUM, Mr. ZIMMER, Ms. ROS-LEHTINEN, Ms. LOWEY, Mr. LAZIO, Mr. COOPER, Mr. DORNAN, Mr. McNULTY, Mr. ANDREWS of New Jersey, Mr. CANADY, Ms. SCHENK, Mr. SCHIFF, Ms. MARGOLIES-MEZVINSKY, Mr. HOCHBRUECKNER, Mr. KLEIN, Mrs. MALONEY, Mr. CUNNINGHAM, Mr. LINDER, Mr. MANTON, Mr. PALLONE, Mr. OWENS, Mr. SOLOMON, Mr. ROHRABACHER, Mr. COX, and Mr. ROYCE):

H. Con. Res. 287. Concurrent resolution condemning inflammatory statements made by Yassir Arafat relating to certain terrorist activities; to the Committee on Foreign Affairs.

By Mr. GILMAN (for himself, Mr. GEJDENSON, Mr. GOODLING, Mr. LANTOS, Mr. LEACH, Mr. ACKERMAN, Mr. HYDE, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. FALEOMAVAEGA, Mrs. MEYERS of Kansas, Mr. BORSKI, Mr. GALLEGLEY, Mr. ANDREWS of New Jersey, Mr. BALLENGER, Mr. BROWN of Ohio, Mr. ROHRABACHER, Ms. MCKINNEY, Mr. LEVY, Mr. HASTINGS, Mr. DIAZ-BALART, Mr. FINGERHUT, Mr. ROYCE, Mr. DEUTSCH, Mr. WOLF, Mr. WYNN, and Mr. GUTIERREZ):

H. Con. Res. 288. Concurrent resolution expressing the sense of the Congress with respect to children infected with AIDS in Romania; to the Committee on Foreign Affairs.

¶100.25 ADDITIONAL SPONSORS

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

H.R. 65: Mr. MCKEON.
H.R. 127: Mr. HOEKSTRA and Mr. JOHNSTON of Florida.
H.R. 746: Mr. FIELDS of Texas.
H.R. 1080: Mr. QUINN.
H.R. 1337: Mr. HASTINGS.
H.R. 1600: Mr. PRICE of North Carolina.
H.R. 1671: Mr. LEWIS of Georgia.
H.R. 1924: Ms. ROYBAL-ALLARD.
H.R. 1961: Mr. PRICE of North Carolina.
H.R. 2004: Mr. BISHOP and Mr. MANTON.
H.R. 2019: Mr. CLAY.
H.R. 2227: Mr. MINGE.
H.R. 2292: Ms. FURSE.
H.R. 2310: Mr. FALEOMAVAEGA.
H.R. 2418: Mr. BEREUTER.
H.R. 2541: Mr. LEWIS of Kentucky.
H.R. 3261: Mr. KNOLLENBERG and Mr. SHAYS.
H.R. 3397: Mr. UNDERWOOD.
H.R. 3722: Mrs. UNSOELD.
H.R. 3795: Mr. THOMAS of Wyoming.
H.R. 3797: Mr. TORRICELLI.
H.R. 3875: Mr. MANZULLO and Mr. TEJEDA.
H.R. 3906: Ms. ENGLISH of Arizona, Mr. HANCOCK, Mr. KIM, and Mr. KILDEE.
H.R. 3990: Ms. WOOLSEY.
H.R. 4019: Mr. SHAYS.
H.R. 4026: Mr. THOMPSON.
H.R. 4051: Mr. HASTINGS and Ms. KAPTUR.
H.R. 4063: Mr. KOPETSKI.
H.R. 4138: Mr. MCCREERY.
H.R. 4161: Mr. THOMAS of Wyoming.
H.R. 4291: Mr. DEAL, Mr. SPENCE, Mr. STUPAK, and Mr. KILDEE.
H.R. 4314: Mr. KREIDLER and Mr. HINCHEY.
H.R. 4318: Ms. MCKINNEY and Mr. FORD of Michigan.
H.R. 4711: Ms. WOOLSEY.
H.R. 4739: Mr. JOHNSON of Georgia.
H.R. 4758: Mr. LEVY.
H.R. 4767: Mr. HINCHEY and Mr. TORRES.
H.R. 4793: Mr. HUGHES.
H.R. 4828: Mr. RANGEL and Mr. SERRANO.
H.R. 4831: Mr. MCHUGH.
H.R. 4839: Mr. LEHMAN, Mr. LIPINSKI, Mr. LANTOS, Mrs. SCHROEDER, Mr. DEFAZIO, and Mr. MILLER of California.
H.R. 4887: Mr. PENNY and Mr. RAMSTAD.
H.R. 4912: Mr. EMERSON, Mr. BEILENSON, Mr. FROST, Mr. LIPINSKI, Mr. CRAMER, Mr. VALENTINE, Mr. TRAFICANT, Mr. RANGEL, Mr. BLACKWELL, Mr. DE LUGO, Mr. TOWNS, Mr. EWING, and Mr. PETE GEREN of Texas.
H.R. 4938: Mr. GILMAN and Mr. BEREUTER.
H.R. 4967: Mr. DINGELL, Mr. FORD of Michigan, Mr. CONYERS, Mr. BARCIA of Michigan, Mr. EHLERS, Mr. CAMP, Mr. UPTON, Mr. SMITH of Michigan, Mr. CARR, Mr. KILDEE, Mr. KNOLLENBERG, Mr. STUPAK, Mr. HOEKSTRA, and Mr. BONIOR.

H.R. 4971: Mr. EDWARDS of California.
H.J. Res. 349: Mr. HASTINGS, Mr. ANDREWS of New Jersey, Mr. McDERMOTT, Mr. MEEHAN, Mr. THOMPSON, and Mr. BURTON of Indiana.

H.J. Res. 358: Mr. HUTTO, Mr. QUILLEN, and Mrs. MEEK of Florida.

H.J. Res. 383: Mr. DELAY and Mr. MARTINEZ.

H. Con. Res. 17: Mr. GINGRICH and Mr. HALL of Texas.

H. Con. Res. 148: Mr. HERGER.

H. Con. Res. 166: Ms. PELOSI, Mr. STRICKLAND, Mr. BONIOR, Mrs. LLOYD, Mr. INHOFE, Mr. HEFLEY, Mr. BORSKI, Mr. ANDREWS of New Jersey, and Mr. RUSH.

H. Con. Res. 254: Mr. MANTON, Ms. VELAZQUEZ, Mr. ROHRBACHER, Mr. YATES, Mr. WOLF, and Mrs. BYRNE.

H. Con. Res. 274: Mr. LEWIS of Georgia, Mr. MCCURDY, Mr. GALLO, Mr. ROSE, Mr. JOHNSON of South Dakota, Mr. LIVINGSTON, Mr. FROST, Mr. ACKERMAN, Mr. MANTON, Mr. LANCASTER, Mr. GLICKMAN, Mr. GORDON, Mr. HEFLEY, Mr. BERMAN, Mr. FIELDS of Texas, Mr. OXLEY, Mr. FRANKS of New Jersey, Mr. ANDREWS of Texas, Mr. ROEMER, Mr. POMEROY, and Mr. PAYNE of New Jersey.

H. Con. Res. 286: Mr. ARMEY, Mr. BAKER of California, Mr. BILIRAKIS, Mr. BLILEY, Mr. BOEHNER, Mr. BONILLA, Mr. BUNNING, Mr. COX, Mr. CUNNINGHAM, Mr. COBLE, Mr. DELAY, Mr. DREIER, Mr. GILMAN, Mr. GOODLING, Mr. GOSS, Mr. HASTINGS, Mr. HAYES, Mr. HERGER, Mr. HOUGHTON, Mr. KNOLLENBERG, Mr. LUCAS, Mr. MCCOLLUM, Mr. MURTHA, Mr. KYL, Mr. RAHALL, Ms. ROSLEHTINEN, Mr. SAXTON, Mr. SERRANO, Mr. SMITH of New Jersey, Mr. SMITH of Oregon, Mr. SKELTON, Mr. SWIFT, Mr. TORRICELLI, Mr. WILSON, and Mr. WOLF.

H. Res. 510: Mr. ACKERMAN, Mr. DORNAN, Mr. FINGERHUT, Mr. FRANK of Massachusetts, Mr. FROST, Mr. KING, Mr. LEACH, Mrs. MALONEY, Mr. McDADE, Mr. McNULTY, Mr. ROHRBACHER, Ms. ROSLEHTINEN, Mr. SARPALIUS, Mr. SAXTON, Mr. WAXMAN, and Mr. WILSON.

¶100.26 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. 4291: Mr. STUMP.

SATURDAY, AUGUST 20, 1994 (101)

The House was called to order by the SPEAKER.

¶101.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, August 19, 1994.

Mr. MONTGOMERY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MONTGOMERY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶101.2 COMMUNICATIONS

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

3727. A letter from the Acting Director, Office of Management and Budget, transmitting the OMB Sequestration Update Report to the President and Congress, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); to the Committee on Appropriations.

3728. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

3729. A letter from the Secretary of Education, transmitting a copy of the annual report of the Helen Keller National Center for Deaf-Blind Youths and Adults [HKNC] for the 1993 program year, pursuant to 29 U.S.C. 1903(b)(2); to the Committee on Education and Labor.

3730. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed approval of manufacturing license agreement with Japan (Transmittal No. DTC-24-94), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3731. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting text of agreements in which the American Institute in Taiwan is a party between January 1, 1993, and December 31, 1993, pursuant to 22 U.S.C. 3311(a); to the Committee on Foreign Affairs.

¶101.3 RECESS—12:41 P.M.

The SPEAKER *pro tempore*, Mr. MONTGOMERY, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 41 minutes p.m., subject to the call of the Chair.

SUNDAY, AUGUST 21 (LEGISLATIVE DAY OF AUGUST 20), 1994

¶101.4 AFTER RECESS—1:40 A.M.

The SPEAKER called the House to order.

¶101.5 ORDER OF BUSINESS—

CONSIDERATION OF THE CONFERENCE REPORT ON H.R. 3355

On motion of Mr. MOAKLEY, by unanimous consent,

Ordered, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House be waived on the legislative day of Sunday, August 21, 1994, with respect to a resolution providing for consideration or disposition of a conference report to accompany 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.

¶101.6 HOUR OF MEETING

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns today (legislative day of August

20), 1994, it adjourn to meet at 1 o'clock p.m. on Sunday, August 21, 1994.

¶101.7 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. GEPHARDT, by unanimous consent, the managers on the part of the House were granted permission until 12 o'clock noon Sunday, August 21, 1994 to file a conference report on 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; together with a statement thereon, for printing in the Record under the rule.

¶101.8 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Friday, August 19, 1994.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

So the Journal was approved.

And then,

¶101.9 ADJOURNMENT

On motion of Mr. MOAKLEY, pursuant to the special order heretofore agreed to, at 1 o'clock and 47 minutes a.m., Sunday, August 21 (legislative day of Saturday, August 20), 1994, the House adjourned until 1 o'clock p.m. today.

¶101.10 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. PICKLE (for himself, Mr. THOMAS of California, Mr. NEAL of Massachusetts, Mr. MAZZOLI, Mr. GEKAS, Mr. ANDREWS of Texas, Mrs. JOHNSON of Connecticut, Mr. SUNDQUIST, Mr. CRANE, Mr. McNULTY, Mr. HANCOCK, Mr. ACKERMAN, Mr. FIELDS of Texas, Mr. LIPINSKI, Mr. GENE GREEN of Texas, Mr. HUTTO, Mr. WILSON, Ms. ESHOO, Mr. LEVY, Mr. FAZIO, Mr. JEFFERSON, Mr. McCRERY, Mr. FISH, Mr. SARPALIUS, Mr. HASTINGS, Mr. HAYES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BROWN of California, Mr. FROST, Mr. EMERSON, Mr. GREENWOOD, Mr. PACKARD, Mr. LEWIS of California, Mr. HYDE, Mr. DOOLITTLE, Mr. ROGERS, Mr. LEWIS of Florida, Mr. HEFNER, Mr. EVANS, Mr. RAHALL, Mr. SWIFT, Mr. HANSEN, Mr. BRYANT, Mr. SPENCE, Mr. CALLAHAN, Mr. CAMP, Mr. TORKILDSEN, Mr. CALVERT, Mr. BEVILL, Mr. SENSENBRENNER, Mr. HALL of Texas, Mr. ROMERO-BARCELO, Mr. LIVINGSTON, Mr. PARKER, Mr. SAXTON, Mr. CHAPMAN, Mr. MARTINEZ, Mr. HERGER, Mr. SAWYER, Mr. MINGE, and Mr. PETE GEREN of Texas):

H.R. 5006. A bill to amend the Internal Revenue Code of 1986 to encourage savings and investment through individual retirement