

# JOURNAL OF THE HOUSE OF REPRESENTATIVES

## CONGRESS OF THE UNITED STATES

Begun and held at the Capitol, in the City of Washington, in the District of Columbia, on Wednesday, the fourth day of January, in the year of our Lord nineteen hundred and ninety-five, being the *first session* of the ONE HUNDRED FOURTH CONGRESS, held under the Constitution of the United States, and in the two hundred and nineteenth year of the independence of the United States.

### MONDAY, OCTOBER 30, 1995 (136)

#### ¶136.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 a.m., by the SPEAKER pro tempore, Mr. EVERETT, who laid before the House the following communication:

WASHINGTON, DC,  
October 30, 1995.

I hereby designate the Honorable TERRY EVERETT to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

Whereupon, pursuant to the order of the House of Friday, May 12, 1995, Members were recognized for "morning hour" debates.

#### ¶136.2 RECESS—12:57 P.M.

The SPEAKER pro tempore, Mr. EVERETT, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 57 minutes p.m., until 2 o'clock p.m.

#### ¶136.3 AFTER RECESS—2:00 P.M.

The SPEAKER pro tempore, Mr. EVERETT, called the House to order.

#### ¶136.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. EVERETT, announced he had examined and approved the Journal of the proceedings of Thursday, October 26, 1995.

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

#### ¶136.5 COMMUNICATIONS

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

1571. A letter from the Energy Information Administration, Department of Energy, transmitting a copy of a report entitled "Emissions of Greenhouse Gases in the United States, 1987-1994," the third in a series of annual reports; to the Committee on Commerce.

1572. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Norway for defense articles and services (Transmittal No. 96-05), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1573. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Denmark for defense articles and services (Transmittal No. 96-06), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

#### ¶136.6 IMMIGRATION CLASSIFICATION OF CHILDREN

On motion of Mr. SMITH of Texas, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 457) to amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

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

*Ordered,* That the Clerk notify the Senate thereof.

#### ¶136.7 NATIONAL CHILDREN'S ISLAND

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 1508) to require the transfer of title to the District of Columbia of certain real property in Anacostia Park to facilitate the construction of National Children's Island, a cultural, educational, and family-oriented park; as amended.

The SPEAKER pro tempore, Mr. EVERETT, recognized Mr. HANSEN and Mr. RICHARDSON, 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. EVERETT, 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.

#### ¶136.8 COASTAL BARRIER SYSTEM MAP CORRECTION

Mr. TORKILDSEN moved to suspend the rules and pass the bill (H.R. 2005) to direct the Secretary of the Interior to make technical corrections in maps relating to the Coastal Barrier Resources System.

The SPEAKER pro tempore, Mr. EVERETT, recognized Mr. TORKILDSEN and Mr. STUDDS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. EVERETT, 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 was passed.

A motion to reconsider the vote whereby the rules were suspended and 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.

¶136.9 GLOUCESTER FEDERAL MARINE LABORATORY CONVEYANCE

Mr. TORKILDSEN moved to suspend the rules and pass the bill (H.R. 1358) to require the Secretary of Commerce to convey the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, Massachusetts; as amended.

The SPEAKER pro tempore, Mr. EVERETT, recognized Mr. TORKILDSEN and Mr. STUDDS, 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. EVERETT, 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.

¶136.10 RECESS—2:36 P.M.

The SPEAKER pro tempore, Mr. EVERETT, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 31 minutes p.m., until approximately 4:30 p.m.

¶136.11 AFTER RECESS—4:40 P.M.

The SPEAKER pro tempore, Mr. EVERETT, called the House to order.

¶136.12 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment a bill of the House of the following title:

H.R. 2491, An Act to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996.

The message also announced that pursuant to Public Law 86-380, the Chair, on behalf of the Vice President, appoints Mr. THOMAS to the Advisory Commission on Intergovernmental Relations, vice Mr. DORGAN.

¶136.13 HOMESTEADING AND NEIGHBORHOOD RESTORATION

Mr. LAZIO moved to suspend the rules and pass the bill (H.R. 1691) to provide for innovative approaches for homeownership opportunity and provide for the temporary extension of the rural rental housing program, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. EVERETT, recognized Mr. LAZIO and Mr. GONZALEZ, 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. EVERETT, 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.

¶136.14 U.S. ARMED FORCES IN BOSNIA

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 247):

*Resolved*, That it is the sense of the House of Representatives that—

(1) in the negotiation of any peace agreement between the parties to the conflict in the Republic of Bosnia and Herzegovina, there should not be a presumption, and it should not be considered to be a prerequisite to the successful conclusion of such a negotiation, that enforcement of such an agreement will involve deployment of United States Armed Forces on the ground in the territory of the Republic of Bosnia and Herzegovina; and

(2) no United States Armed forces should be deployed on the ground in the territory of the Republic of Bosnia and Herzegovina to enforce a peace agreement until the Congress has approved such a deployment.

The SPEAKER pro tempore, Mr. EVERETT, recognized Mr. GILMAN and Mr. HAMILTON, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

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

Mr. GILMAN 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. EVERETT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶136.15 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1905

Mr. QUILLEN, by direction of the Committee on Rules, reported (Rept. No. 104-297) the resolution (H. Res. 248) waiving points of order against the conference report to accompany the bill (H.R. 1905) making appropriation for the fiscal year ending September 30, 1995, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶136.16 BUDGET RECONCILIATION, FY 1996

Mr. KASICH, pursuant to rule XX and by direction of the Committee on the Budget, moved to take from the

Speaker's table the bill (H.R. 2491) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996; together with the amendment of the Senate thereto, disagree to the amendment of the Senate and request a conference with the Senate thereon.

After debate,

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

A motion to reconsider the vote whereby the motion to disagree to the amendment of the Senate and request a conference with the Senate thereon was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶136.17 MOTION TO INSTRUCT CONFEREES—H.R. 2491

Mr. SABO moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2491 be instructed to do everything possible, within the scope of the conference, to minimize both tax cuts for the wealthy and tax increases on low- and middle-income working families, to preserve and protect the health and income security of senior citizens, and to avoid increasing the number of Americans lacking access to health care and that the House conferees be further instructed to (1) agree to the Senate-passed provisions requiring continued Medicaid coverage for low-income pregnant women and children and for disabled persons; (2) agree to the Senate-passed provisions continuing to apply Federal nursing home standards; and (3) recede to the Senate position on pension reversions, thereby continuing current law protections for workers' pensions.

After debate,

On motion of Mr. SABO, the previous question was ordered on the motion to instruct to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said the motion to instruct?

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

Mr. KASICH demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the 

{	Yeas .....	198
	negative .....	219

¶136.18 [Roll No. 744] AYES—198

Abercrombie	Bentsen	Brown (CA)
Ackerman	Berman	Brown (FL)
Andrews	Bevill	Brown (OH)
Baesler	Boehlert	Bryant (TX)
Baldacci	Bonior	Cardin
Barcia	Borski	Clay
Barrett (WI)	Boucher	Clayton
Becerra	Brewster	Clement
Beilenson	Browder	Clyburn