

H.R. 494: Mr. CLYBURN, Mr. HILLIARD, Mr. FLAKE, and Mr. DELLUMS.
 H.R. 502: Mr. BAKER of Louisiana and Mr. MCCOLLUM.
 H.R. 513: Mr. GALLEGLY.
 H.R. 519: Mr. SAXTON, Mr. HANCOCK, and Mr. SHADEGG.
 H.R. 555: Mr. ENGEL and Mr. FILNER.
 H.J. Res. 3: Mr. PETERSON of Minnesota.
 H.J. Res. 48: Mr. SALMON, Mr. BALLENGER, Mr. COLLINS of Georgia, Ms. DUNN of Washington, Mr. STEARNS, Mr. QUINN, Mr. LINDER, Ms. PRYCE, Mr. BARTLETT of Maryland, Mr. JONES, Mr. LIGHTFOOT, and Mr. ROGERS.
 H. Res. 30: Mr. BLUTE, Mr. ZIMMER, Mr. FILNER, Mr. ROHRBACHER, Mr. DOOLEY, Mr. MOORHEAD, Mr. SPENCE, Mr. GREENWOOD, Ms. FURSE, Mr. YATES, and Mr. RAMSTAD.

FRIDAY, JANUARY 20, 1995 (9)

The House was called to order by the SPEAKER.

9.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, January 19, 1995.

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

9.2 COMMUNICATIONS

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

188. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Army, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

189. A letter from the Secretary of Commerce, transmitting the Bureau of Export Administration's annual report for fiscal year 1994 and the 1995 report on foreign policy export controls; to the Committee on International Relations.

9.3 RULES OF THE HOUSE

The SPEAKER announced that consistent with clause 9 of rule XIV, statements and rulings of the Chair appearing in the Congressional Record will be a substantially verbatim account of those words as spoken during the proceedings of the House, subject only to technical, grammatical and typographical corrections.

By unanimous consent, the Congressional Record of January 18, 1995, at pages H301 and H303 reflect this policy.

9.4 UNFUNDED FEDERAL MANDATES

The SPEAKER pro tempore, Mr. GUNDERSON, pursuant to House Resolution 38 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to

ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes.

Mr. EMERSON, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

9.5 RECORDED VOTE

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

In section 2(7), before the semicolon insert the following: “, and that Congress shall not impose any Federal mandate on a State (including a requirement to pay matching amounts) unless the State is prohibited under Federal law from requiring, without consent of a local government, that the local government perform the activities that constitute compliance with the mandate”.

It was decided in the } Yeas 157
 negative } Nays 267

9.6 [Roll No. 22]

AYES—157

Abercrombie	Green	Pallone
Ackerman	Gutierrez	Pastor
Baessler	Hall (OH)	Payne (NJ)
Baldacci	Hastings (FL)	Payne (VA)
Barrett (WI)	Hefner	Pelosi
Becerra	Hilliard	Pickett
Beilenson	Hinchey	Pomeroy
Bentsen	Holden	Poshard
Berman	Hoyer	Rahall
Bishop	Jackson-Lee	Rangel
Bonior	Jacobs	Reed
Borski	Jefferson	Richardson
Boucher	Johnson, E. B.	Rose
Brown (CA)	Johnston	Roybal-Allard
Brown (FL)	Kanjorski	Rush
Brown (OH)	Kaptur	Sanders
Bryant (TX)	Kennedy (MA)	Schroeder
Clay	Kennedy (RI)	Schumer
Clayton	Kennelly	Scott
Clyburn	Kildee	Serrano
Collins (IL)	Kleczka	Sisisky
Collins (MI)	Lantos	Skaggs
Conyers	Lewis (GA)	Slaughter
Costello	Lipinski	Spratt
Coyne	Lofgren	Stark
Danner	Lowe	Stokes
de la Garza	Maloney	Studds
DeFazio	Manton	Stupak
DeLauro	Markey	Tejeda
Dellums	Martinez	Thompson
Deutsch	Mascara	Thornton
Dicks	Matsui	Thurman
Dingell	McCarthy	Torres
Dixon	McDermott	Torricelli
Doggett	McHale	Towns
Doyle	McKinney	Traficant
Durbin	McNulty	Tucker
Engel	Meek	Velazquez
Eshoo	Menendez	Vento
Evans	Mfume	Visclosky
Farr	Miller (CA)	Volkmer
Fattah	Mineta	Ward
Fazio	Mink	Waters
Fields (LA)	Moakley	Watt (NC)
Filner	Mollohan	Waxman
Foglietta	Montgomery	Williams
Ford	Nadler	Wilson
Frank (MA)	Neal	Wise
Frost	Oberstar	Woolsey
Gejdenson	Obey	Wyden
Gephardt	Olver	Wynn
Gonzalez	Ortiz	
Gordon	Owens	

NOES—267

Allard	Barrett (NE)	Bliley
Andrews	Bartlett	Blute
Armey	Barton	Boehler
Bachus	Bass	Boehner
Baker (CA)	Bateman	Bonilla
Baker (LA)	Bereuter	Bono
Ballenger	Bevill	Brewster
Barcia	Bilbray	Browder
Barr	Bilirakis	Brownback

Bryant (TN)	Hamilton	Orton
Bunn	Hancock	Oxley
Bunning	Hansen	Packard
Burr	Harman	Parker
Burton	Hastert	Paxon
Buyer	Hastings (WA)	Peterson (FL)
Callahan	Hayes	Peterson (MN)
Calvert	Hayworth	Petri
Camp	Hefley	Pombo
Canady	Heineman	Porter
Cardin	Herger	Portman
Castle	Hilleary	Pryce
Chabot	Hobson	Quillen
Chambliss	Hoekstra	Quinn
Chapman	Hoke	Radanovich
Chenoweth	Horn	Ramstad
Christensen	Hostettler	Regula
Chrysler	Houghton	Riggs
Clement	Hunter	Rivers
Clinger	Hutchinson	Roberts
Coble	Hyde	Roemer
Coburn	Inglis	Rogers
Coleman	Istook	Rohrabacher
Collins (GA)	Johnson (CT)	Ros-Lehtinen
Combest	Johnson (SD)	Roth
Condit	Johnson, Sam	Roukema
Cooley	Jones	Royce
Cox	Kasich	Sabo
Cramer	Kelly	Salmon
Crane	Kim	Sanford
Crapo	King	Sawyer
Creameans	Kingston	Saxton
Cubin	Klink	Scarborough
Cunningham	Klug	Schaefer
Davis	Knollenberg	Schiff
Deal	Kolbe	Seastrand
DeLay	LaFalce	Sensenbrenner
Diaz-Balart	LaHood	Shadegg
Dickey	Largent	Shaw
Dooley	Latham	Shays
Doolittle	LaTourette	Shuster
Dornan	Laughlin	Skeen
Dreier	Lazio	Skelton
Duncan	Leach	Smith (TX)
Dunn	Lewis (CA)	Smith (WA)
Edwards	Lewis (KY)	Solomon
Ehlers	Lightfoot	Souder
Emerson	Linder	Spence
English	Livingston	Stearns
Ensign	LoBiondo	Stenholm
Everett	Longley	Stockman
Ewing	Lucas	Stump
Fawell	Luther	Talent
Fields (TX)	Manzullo	Tanner
Flanagan	Martini	Tate
Foley	McCollum	Tauzin
Forbes	McCrery	Taylor (MS)
Fowler	McDade	Taylor (NC)
Fox	McHugh	Thomas
Franks (CT)	McInnis	Thornberry
Franks (NJ)	McIntosh	Tiahrt
Frelinghuysen	McKeon	Torkildsen
Frisa	Meehan	Upton
Funderburk	Metcalf	Vucanovich
Furse	Meyers	Waldholtz
Galleghy	Mica	Walker
Ganske	Miller (FL)	Walsh
Gekas	Minge	Wamp
Geren	Molinar	Watts (OK)
Gilchrest	Moorhead	Weldon (FL)
Gillmor	Moran	Weldon (PA)
Gilman	Morella	Weller
Goodlatte	Murtha	White
Goodling	Myers	Whitfield
Goss	Myrick	Wicker
Graham	Nethercutt	Wolf
Greenwood	Neumann	Young (AK)
Gunderson	Ney	Young (FL)
Gutknecht	Norwood	Zeliff
Hall (TX)	Nussle	Zimmer

NOT VOTING—10

Archer	Levin	Smith (NJ)
Ehrlich	Lincoln	Yates
Flake	Reynolds	
Gibbons	Smith (MI)	

So the amendment was not agreed to. After some further time,

9.7 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendments en bloc submitted by Mr. TAYLOR of Mississippi:

In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the

period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) provides for protection of public health through effluent limitations (as that term is defined in section 502(11) of the Federal Water Pollution Control Act (33 U.S.C. 1362(11)).

In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) provides for protection of public health through effluent limitations (as that term is defined in section 502(11) of the Federal Water Pollution Control Act (33 U.S.C. 1362(11)).

It was decided in the { Yeas 173 negative 249

¶9.8 [Roll No. 23] AYES—173

- Abercrombie Gibbons Olver
Ackerman Gordon Ortiz
Baesler Green Owens
Barrett (WI) Gutierrez Pallone
Becerra Hall (OH) Pastor
Beilenson Hall (TX) Payne (NJ)
Bentsen Hastings (FL) Pelosi
Berman Hefner Peterson (FL)
Bevill Hilliard Pickett
Bishop Hinchey Pomeroy
Bonior Holden Rahall
Borski Hoyer Rangel
Boucher Jackson-Lee Reed
Browder Jacobs Richardson
Brown (CA) Jefferson Rivers
Brown (FL) Johnson, E. B. Rose
Brown (OH) Kanjorski Roybal-Allard
Bryant (TX) Kaptur Rush
Cardin Kennedy (RI) Sabo
Clay Kennelly Sanders
Clayton Kildee Sawyer
Clement Kleczka Schroeder
Clyburn Klink Schumer
Coleman LaFalce Scott
Collins (IL) Lantos Serrano
Collins (MI) Laughlin Skaggs
Conyers Levin Slaughter
Costello Lewis (GA) Spratt
Coyne Lipinski Stark
Cramer Lofgren Studds
Danner Lowey Stupak
Deal Luther Tanner
DeFazio Maloney Taylor (MS)
DeLauro Manton Tejada
Dellums Markey Thompson
Deutsch Martinez Thornton
Dingell Mascarara Thurman
Dixon Matsui Torres
Doggett McCarthy Torricelli
Doyle McDermott Towns
Durbin McHale Traficant
Edwards McKinney Tucker
Engel McNulty Velazquez
Eshoo Meek Vento
Evans Menendez Visclosky
Farr Mfume Volkmer
Fattah Miller (CA) Ward
Fazio Mineta Waters
Fields (LA) Mink Watt (NC)
Filner Moakley Waxman
Flake Mollohan Whitfield
Foglietta Montgomery Williams
Ford Moran Wilson
Frost Murtha Wise
Furse Nadler Woolsey
Gejdenson Neal Wyden
Gephardt Oberstar Wynn
Geren Obey

NOES—249

- Allard Bartlett Bonilla
Andrews Barton Bono
Armey Bass Brewster
Bachus Bateman Brownback
Baker (CA) Bereuter Bryant (TN)
Baker (LA) Bilbray Bunn
Baldacci Bilirakis Bunning
Ballenger Bliley Burr
Barcia Blute Burton
Barr Boehlert Buyer
Barrett (NE) Boehner Calvert

- Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combust
Condit
Cooley
Cox
Crane
Crapo
Creameans
Cubin
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrist
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (MA)
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
LoBiondo
Longley
Lucas
Manzullo
Martini
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Ming
Molinaro
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Wicker
Wolf
Yong (AK)
Yong (FL)
Zeliff
Zimmer

NOT VOTING—12

- Archer Johnston Reynolds
Callahan Lincoln Stokes
de la Garza Livingston Walsh
Dicks McCollum Yates

So the amendments en bloc were not agreed to.

After some further time,

¶9.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendments en bloc submitted by Mr. TOWNES:

In section 4, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) regulates the conduct of States, local governments, or tribal governments with respect to matters that significantly impact the health or safety of residents of other

States, local governments, or tribal governments, respectively.

In section 301, in the proposed section 422 of the Congressional Budget Act of 1974, strike “or” after the semicolon at the end of paragraph (6), strike the period at the end of paragraph (7) and insert “; or”, and after paragraph (7) add the following new paragraph:

(8) regulates the conduct of States, local governments, or tribal governments with respect to matters that significantly impact the health or safety of residents of other States, local governments, or tribal governments, respectively.

It was decided in the { Yeas 153 negative 252

¶9.10 [Roll No. 24] AYES—153

- Abercrombie Hall (OH) Owens
Baldacci Hall (TX) Pallone
Barcia Hastings (FL) Pastor
Barrett (WI) Hefner Payne (NJ)
Becerra Hilliard Payne (VA)
Beilenson Hinchey Pelosi
Bentsen Holden Peterson (FL)
Berman Hoyer Pickett
Bishop Jackson-Lee Pomeroy
Bonior Jacobs Rahall
Borski Jefferson Rangel
Boucher Johnson (SD) Reed
Brown (CA) Johnson, E. B. Richardson
Brown (FL) Kanjorski Rivers
Brown (OH) Kaptur Rose
Bryant (TX) Kennedy (MA) Roybal-Allard
Cardin Kennedy (RI) Rush
Clay Kildee Sabo
Clayton Kleczka Sanders
Clyburn Klink Sawyer
Coleman LaFalce Schroeder
Collins (IL) Lantos Schumer
Conyers Levin Scott
Coyne Lewis (GA) Serrano
Danner Lofgren Skaggs
DeFazio Lowey Slaughter
DeLauro Luther Spratt
Dellums Maloney Stark
Deutsch Manton Stokes
Dingell Markey Studds
Dixon Martinez Stupak
Doggett Mascara Taylor (MS)
Doyle Matsui Tejada
Durbin McCarthy Thompson
Edwards McDermott Thurman
Engel McHale Torres
Eshoo McKinney Torricelli
Evans Meehan Towns
Farr Meek Tucker
Fattah Mfume Vento
Fazio Miller (CA) Volkmer
Fields (LA) Mineta Ward
Filner Mink Waters
Flake Moakley Watt (NC)
Foglietta Mollohan Waxman
Ford Moran Williams
Furse Nadler Wilson
Gejdenson Oberstar Wise
Gordon Obey Woolsey
Green Olver Wyden
Gutierrez Orton Wynn

NOES—252

- Ackerman Brewster Collins (GA)
Allard Browder Combust
Andrews Brownback Condit
Armey Bryant (TN) Cooley
Bachus Bunn Costello
Baesler Bunning Cox
Baker (CA) Burr Cramer
Baker (LA) Buyer Crane
Ballenger Callahan Crapo
Barr Calvert Creameans
Barrett (NE) Camp Cubin
Bartlett Canady Cunningham
Bass Castle Davis
Bateman Chabot Deal
Bereuter Chambliss DeLay
Bevill Chapman Dickey
Bilbray Chenoweth Dooley
Bilirakis Christensen Doolittle
Blute Chrysler Dornan
Boehlert Clement Dreier
Boehner Clinger Duncan
Bonilla Coble Dunn
Bono Coburn Ehlers