

32.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, February 23, 1995.

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

32.2 COMMUNICATIONS

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

400. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's annual report on military expenditures, pursuant to section 511(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1993; to the Committee on Appropriations.

401. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Korea for defense articles and services (Transmittal No. 95-10), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

402. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Korea for defense articles and services (Transmittal No. 95-11), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

403. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-8, "Walter C. Pierce Community Park Designation Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

404. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-9, "Day Care Policy Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

405. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-10, "Prevention of the Human Immunodeficiency Virus and Acquired Immunodeficiency Syndrome Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

406. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-11, "The United Church Equitable Real Property Tax Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

407. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-12, "Dumbarton United Methodist Church Equitable Real Property Tax Relief Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

408. A letter from the Special Counsel, U.S. Office of Special Counsel, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(e); to the Committee on Government Reform and Oversight.

409. A letter from the Administrator, General Services Administration, transmitting informational copies of prospectuses for three U.S. courthouses located in Jacksonville, FL, Albany, GA, and Corpus Christi, TX, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

410. A letter from the Administrator, U.S. Small Business Administration, transmit-

ting a draft of proposed legislation entitled, "Small Business Amendments Act of 1995"; to the Committee on Small Business.

32.3 REGULATORY MORATORIUM

The SPEAKER pro tempore, Mr. DICKEY, pursuant to House Resolution 93 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. 450) to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes.

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

32.4 RECORDED VOTE

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

At the end of the bill add the following new section:

SEC. . DELAYING EFFECTIVE DATE OF RULES WITH RESPECT TO SMALL BUSINESSES.

(a) DELAY EFFECTIVENESS.—For any rule resulting from a regulatory rulemaking action that is suspended or prohibited by this Act, the effective date of the rule with respect to small business may not occur before six months after the end of the moratorium period.

(b) SMALL BUSINESS DEFINED.—In this section, the term "small business" means any business with 100 or fewer employees.

It was decided in the affirmative ..... Yeas ..... 370 Nays ..... 45 Answered present 1

32.5 [Roll No. 167] AYES—370

- Ackerman Bunning DeLay
Allard Burr Deutsch
Archer Burton Diaz-Balart
Armye Buyer Dickey
Bachus Callahan Dicks
Baesler Calvert Dixon
Baker (CA) Camp Doggett
Baker (LA) Canady Dooley
Baldacci Cardin Doolittle
Ballenger Castle Dornan
Barr Chabot Doyle
Barrett (NE) Chambliss Dreier
Chenoweth Duncan
Christensen Dunn
Chrysler Edwards
Clayton Ehrlich
Clement Emerson
Clinger Engel
Clyburn English
Coble Ensign
Coburn Eshoo
Coleman Evans
Collins (GA) Everett
Combest Ewing
Condit Fattah
Cooley Fawell
Costello Fazio
Cox Fields (LA)
Fields (TX) Flake
Flanagan
Foglietta
Cubin Foley
Cunningham Forbes
Danner Ford
Davis Fowler
de la Garza Fox
Deal Franks (CT)
DeFazio Franks (NJ)
DeLauro Frelinghuysen

- Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gekas
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klecicka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McDermott
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Minge
Moakley
Molinaro
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Reynolds
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Visclosky
Volkmer
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—45

- Abercrombie
Barrett (WI)
Beilenson
Clay
Collins (IL)
Collins (MI)
Conyers
Coyne
Dellums
Dingell
Durbin
Filner
Frank (MA)
Gejdenson
Green
Hilliard
Hinchee
Johnson, E. B.
Johnston
Kanjorski
LaFalce
Lewis (GA)
McHale
McKinney
Mfume
Miller (CA)
Mink
Nadler
Oliver
Owens
Payne (NJ)
Pelosi
Rangel
Sabo
Slaughter
Stark
Stokes
Studds
Thompson

Velazquez Waters Waxman
Vento Watt (NC) Yates

ANSWERED "PRESENT"—1

Souder
NOT VOTING—18

Andrews Farr Ortiz
Barton Gibbons Rush
Becerra Gonzalez Smith (NJ)
Brewster Hilleary Towns
Chapman McCarthy Tucker
Ehlers Meek Vucanovich

So the amendment was agreed to.
After some further time,

32.6 RECORDED VOTE

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

At the end of section 5 (page—, after
line— ), add the following new subsection:

(c) AIRCRAFT, MINE, AND NUCLEAR SAFETY
REGULATIONS.—Section 3(a) (or 4(a), or both,
shall not apply to any of the following regu-
latory, rulemaking actions (or any such ac-
tion relating thereto):

(1) AIRCRAFT SAFETY.—Any regulatory
rulemaking action to improve aircraft safe-
ty, including such an action to improve the
airworthiness of aircraft engines.

(2) MINE SAFETY.—Any regulatory rule-
making action by the Mine Safety and
Health Administration that relates to reduc-
ing death, injury, or illnesses in mines, in-
cluding such an action—

(A) to require better ventilation to avoid
buildup of explosive methane gas, taken
under section 101 of the Federal Mine Safety
and Health Act of 1977 (30 U.S.C. 811) and
with respect to which notice of proposed
rulemaking was published at 59 Federal Reg-
ister 26356; or

(B) to restrict the use of diesel equipment
to avoid coal mine fires, taken under that
section and section 508 of that Act (30 U.S.C.
957) and with respect to which a notice of
proposed rulemaking was published at 54
Federal Register 40960.

(2) NUCLEAR WASTE DISPOSAL.—Any regu-
latory rulemaking action to ensure that be-
fore beginning the disposal of radioactive
waste, the Waste Isolation Pilot Plant in
New Mexico complies with appropriate dis-
posal standards, taken under the Waste Iso-
lation Pilot Plant Land Withdrawal Act and
with respect to which a proposed rule was
published on January 30, 1995 (60 Fed. Reg.
5766).

It was decided in the Yeas ..... 194
negative ..... Nays ..... 228

32.7 [Roll No. 168]
AYES—194

Abercrombie Clyburn Engel
Ackerman Coleman Eshoo
Baesler Collins (IL) Evans
Baldacci Collins (MI) Farr
Barcia Condit Fattah
Barrett (WI) Conyers Fazio
Beilenson Costello Fields (LA)
Bentsen Coyne Filner
Berman Cramer Foglietta
Bevill Crapo Ford
Bishop Danner Frank (MA)
Bonior de la Garza Frost
Borski Deal Furse
Boucher DeFazio Gejdenson
Browder DeLauro Gephardt
Brown (CA) Dellums Geren
Brown (FL) Deutsch Gordon
Brown (OH) Dicks Green
Bryant (TX) Dingell Gutierrez
Cardin Dixon Hall (OH)
Chapman Doggett Hall (TX)
Chenoweth Dooley Hamilton
Clay Doyle Harman
Clayton Durbin Hastings (FL)
Clement Edwards Hayes

Hefner Menendez Sawyer
Hilliard Mfume Schroeder
Hinchey Miller (CA) Schumer
Holden Mineta Scott
Hoyer Minge Serrano
Jackson-Lee Mink Skaggs
Jacobs Moakley Skelton
Jefferson Mollohan Slaughter
Johnson (SD) Montgomery Spratt
Johnson, E. B. Moran Stark
Johnston Murtha Stenholm
Kanjorski Nadler Stokes
Kaptur Neal Studds
Kennedy (MA) Ney Stupak
Kennedy (RI) Oberstar Tanner
Kennelly Obey Tauzin
Kildee Olver Taylor (MS)
Klecza Orton Tejada
Klink Owens Thompson
LaFalce Pallone Thornton
Lantos Pastor Thurman
Laughlin Payne (NJ) Torres
Levin Payne (VA) Torricelli
Lewis (GA) Pelosi Trafficant
Lincoln Peterson (FL) Tucker
Lipinski Peterson (MN) Velazquez
Lofgren Pomeroy Vento
Loweey Poshard Visclosky
Luther Rahall Volkmer
Maloney Rangel Ward
Manton Reed Waters
Markey Reynolds Watt (NC)
Martinez Richardson Waxman
Mascara Rivers Williams
Matsui Roemer Wise
McDermott Rogers Woolsey
McHale Rose Wyden
McKinney Roybal-Allard Wynn
McNulty Sabo Yates
Meehan Sanders

NOES—228

Allard Ehrlich King
Archer Emerson Kingston
Armey English Klug
Bachus Ensign Knollenberg
Baker (CA) Everett Kolbe
Baker (LA) Ewing LaHood
Ballenger Fawell Largent
Barr Fields (TX) Latham
Barrett (NE) Flake LaTourette
Bartlett Flanagan Lazio
Bass Foley Leach
Bateman Forbes Lewis (CA)
Bereuter Fowler Lewis (KY)
Bilbray Fox Lightfoot
Bilirakis Franks (CT) Linder
Biley Franks (NJ) Livingston
Blute Frelinghuysen LoBiondo
Boehlert Frisa Longley
Boehner Funderburk Lucas
Bonilla Gallegly Manzullo
Bono Ganske Martini
Brewster Gekas McCollum
Brownback Gilchrest McCreary
Bryant (TN) Gillmor McDade
Bunn Gilman McHugh
Bunning Goodlatte McInnis
Burton Goodling McIntosh
Buyer Goss McKeon
Callahan Graham Metcalf
Calvert Greenwood Meyers
Camp Gunderson Mica
Canady Gutknecht Miller (FL)
Castle Hancock Molinari
Chabot Hansen Moorhead
Chambliss Hastert Morella
Christensen Hastings (WA) Myers
Chrysler Hayworth Myrick
Clinger Hefley Nethercutt
Coble Heineman Neumann
Coburn Herger Norwood
Collins (GA) Hilleary Nussle
Combest Hobson Oxley
Cooley Hoekstra Packard
Cox Hoke Parker
Crane Horn Paxon
Creameans Hostettler Petri
Cubin Houghton Pickett
Cunningham Hunter Pombo
Davis Hutchinson Porter
DeLay Hyde Portman
Diaz-Balart Inglis Pryce
Dickey Istook Quillen
Doolittle Johnson (CT) Quinn
Dornan Johnson, Sam Radanovich
Dreier Jones Ramstad
Duncan Kasich Regula
Dunn Kelly Riggs
Kim Roberts

Rohrabacher Skeen Vucanovich
Ros-Lehtinen Smith (MI) Waldholtz
Roth Smith (TX) Walker
Roukema Smith (WA) Walsh
Royce Solomon Wamp
Salmon Souder Watts (OK)
Sanford Spence Weldon (FL)
Saxton Stearns Weldon (PA)
Scarborough Stockman Weller
Schaefer Stump White
Schiff Talent Whitfield
Seastrand Tate Wicker
Sensenbrenner Taylor (NC) Wilson
Shadegg Thomas Wolf
Shaw Thornberry Young (AK)
Shays Tiahrt Young (FL)
Shuster Shuster Zeliff
Sisisky Upton Zimmer

NOT VOTING—12

Andrews Gibbons Ortiz
Barton Torres Rush
Becerra McCarthy Smith (NJ)
Ehlers Meek Towns

So the amendment was not agreed to.

32.8 RECORDED VOTE

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

At the end of section 5 (page 4, after line 5),
add the following new subsection:

(c) FAMILY AND MEDICAL LEAVE REGULA-
TIONS.—Section 3(a) or 4(a), or both, shall not
apply to any regulatory rulemaking action
(or any such action relating thereto) to clar-
ify requirements under the Family and Med-
ical Leave Act of 1993 with respect to which
a final rule was published on January 6, 1995
(60 Fed. Reg. 2180).

It was decided in the Yeas ..... 177
negative ..... Nays ..... 241

32.9 [Roll No. 169]
AYES—177

Abercrombie Filner Markey
Ackerman Flake Martinez
Baesler Foglietta Mascara
Baldacci Frank (MA) Matsui
Barcia Frost McDermott
Barrett (WI) Furse McHale
Beilenson Gejdenson McKinney
Bentsen Gephardt McNulty
Berman Gillmor Meehan
Bishop Gordon Menendez
Boehlert Green Mfume
Bonior Gutierrez Miller (CA)
Borski Hall (OH) Mineta
Boucher Harman Minge
Brown (CA) Hastings (FL) Mink
Brown (FL) Hefner Moakley
Brown (OH) Hilliard Mollohan
Bryant (TX) Hinchey Moran
Cardin Holden Morella
Chapman Horn Murtha
Clay Hoyer Nadler
Clayton Hyde Neal
Clement Jackson-Lee Oberstar
Clyburn Jacobs Obey
Coleman Jefferson Olver
Collins (IL) Johnson (CT) Owens
Collins (MI) Johnson (SD) Pallone
Conyers Johnson, E. B. Pastor
Coyne Johnston Payne (NJ)
Danner Neumann Pelosi
de la Garza Kaptur Peterson (FL)
DeFazio Kennedy (MA) Pomeroy
DeLauro Kennedy (RI) Poshard
Dellums Kennelly Quinn
Deutsch Rahall
Dicks Kleczka Rangel
Dingell Klink Reed
Dixon LaFalce Reynolds
Dooley Lantos Richardson
Doyle Levin Rivers
Durbin Lewis (GA) Roemer
Engel Lincoln Rose
Eshoo Lipinski Roukema
Farr Lofgren Roybal-Allard
Fattah Lowey Sabo
Fazio Luther Sanders
Fields (LA) Manton Sawyer
Schroeder