

H.R. 887: Mr. PETERSON of Minnesota.
 H.R. 895: Mr. GUTKNECHT, Mr. ROMERO-BARCELO, Ms. LOFGREN, and Mr. KNOLLENBERG.
 H.R. 939: Mrs. KELLY.
 H.R. 971: Ms. FURSE.
 H.R. 977: Mr. DORNAN.
 H.R. 1010: Mr. TEJEDA, Mr. MCDERMOTT, Mr. UNDERWOOD, Mr. GREENWOOD, Mr. SCOTT, and Mr. EVANS.
 H.R. 1023: Mr. WELDON of Pennsylvania.
 H.R. 1029: Mrs. SCHROEDER, Mrs. JOHNSON of Connecticut, Mr. MANTON, Mr. WELLER, Ms. LOWEY, Mr. UNDERWOOD, and Ms. LOFGREN.
 H.R. 1047: Mr. SHUSTER.
 H. Con. Res. 12: Mr. FUNDERBURK, Mr. PALLONE, Mr. BOEHNER, and Mr. PETE GEREN of Texas.
 H. Res. 25: Mr. ROYCE, Mr. EMERSON, and Mr. NETHERCUTT.

¶35.28 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.J. Res. 2: Mr. HILLEARY, Mr. MCINTOSH, and Mr. ROYCE.

THURSDAY, MARCH 2, 1995 (36)

The House was called to order by the SPEAKER.

¶36.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, March 1, 1995.

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

¶36.2 COMMUNICATIONS

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

430. A letter from the Director, Standards of Conduct Office, Department of Defense, transmitting a report of individuals who filed DD Form 1787, Report of DOD and Defense Related Employment, for fiscal year 1993, pursuant to 10 U.S.C. 2397(e); to the Committee on National Security.

431. A letter from the Deputy Under Secretary of Defense (Environmental Security), transmitting a letter concerning the annual report on the progress DOD has made concerning environmental compliance at military installations; to the Committee on National Security.

432. A letter from the President, Export-Import Bank, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

433. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to various countries, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

434. A letter from the Chairman of the Board, National Credit Union Administration, transmitting the office's pay structure for fiscal year 1994 and fiscal year 1995, pursuant to Public Law 101-73, section 1206 (103 Stat. 523); to the Committee on Banking and Financial Services.

435. A letter from the Secretary of Housing and Urban Development, transmitting a report entitled, "Effect of the 1990 Census on CDBG Program Funding"; to the Committee on Banking and Financial Services.

436. A letter from the Executive Director, Thrift Depositor Protection Oversight Board, transmitting a report on the status of various savings associations, pursuant to 12 U.S.C. 1441a(k); to the Committee on Banking and Financial Services.

437. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the 1995 international narcotics control strategy report, pursuant to 22 U.S.C. 2291(b)(2); to the Committee on International Relations.

438. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's certification of the 29 major illicit narcotics producing and transit countries pursuant to section 490 of the Foreign Assistance Act; to the Committee on International Relations.

439. A communication from the President of the United States, transmitting a report regarding United States Armed Forces in Somalia (H. Doc. No. 104-42); to the Committee on International Relations and ordered to be printed.

440. A letter from the Director, U.S. Information Agency, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1996 and 1997 for the U.S. Information Agency, and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on International Relations.

441. A letter from the Comptroller General of the United States, transmitting a report on independence of legal services provided to inspectors general appointed by the President; to the Committee on Government Reform and Oversight.

442. A letter from the Special Assistant for Management and Administration, Executive Office of the President, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

443. A letter from the Chairman, Merit Systems Protection Board, transmitting the 16th annual report on the activities of the Board during fiscal year 1994, pursuant to 5 U.S.C. 1209(b); to the Committee on Government Reform and Oversight.

444. A letter from the Chairman, National Endowment for the Arts, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

445. A letter from the Executive Secretary, National Security Council, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

446. A letter from the Director, Peace Corps, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

447. A letter from the Chairman, Railroad Retirement Board, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

448. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

449. A letter from the Executive Director, Thrift Depositor Protection Oversight Board, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

450. A letter from the Director, U.S. Trade and Development Agency, transmitting a re-

port of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

451. A letter from the Director, U.S. Information Agency, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

452. A letter from the Secretary of the Interior, transmitting the Department's views to H.R. 925; to the Committee on Government Reform and Oversight.

453. A letter from the Secretary, Department of Transportation, transmitting a report on tanker safety and liability, pursuant to Public Law 102-241, section 32 (105 Stat. 2222); to the Committee on Transportation and Infrastructure.

454. A letter from the Secretary, Department of Veterans Affairs, transmitting the 1994 annual report, pursuant to 38 U.S.C. 214, 221(c), 664; to the Committee on Veterans' Affairs.

455. A letter from the Chairman, Prospective Payment Assessment Commission, transmitting the annual report on the Prospective Payment Assessment Commission, pursuant to 42 U.S.C. 1395ww(e)(6)(G)(i); to the Committee on Ways and Means.

456. A letter from the U.S. Trade Representative, transmitting a draft of proposed legislation to authorize appropriations for fiscal years 1996 and 1997 for the Office of the U.S. Trade Representative; to the Committee on Ways and Means.

457. A letter from the Under Secretary of Defense, transmitting the DOD implementation plan of matching of disbursements to obligations before payment, pursuant to Public Law 103-335, section 8137; jointly, to the Committees on National Security and Appropriations.

¶36.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 20. Concurrent resolution permitting the use of the rotunda of the Capitol for ceremonies as part of the commemoration of the days of remembrance of victims of the Holocaust.

The message also announced that pursuant to section 2761 of title 22, United States Code, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Republican leader, appoints Mr. STEVENS as chairman of the Senate delegation to the British-American Interparliamentary Group during the 104th Congress.

The message also announced that pursuant to section 201(a)(2) of Public Law 93-344, the Chair announces, on behalf of the President pro tempore of the Senate and the Speaker of the House of Representatives, the appointment of Ms. June Ellenoff O'Neill as Director of the Congressional Budget Office for the term of office beginning on January 3, 1995, effective March 1, 1995.

The message also announced that pursuant to sections 276d-276g of title 22, United States Code, the Chair, on behalf of the Vice President, appoints Mr. MURKOWSKI as chairman of the Senate delegation to the Canada-United States Interparliamentary Group during the 104th Congress.

The message also announced that pursuant to sections 276h-276k of title 22, United States Code, the Chair, on behalf of the Vice President, appoints Mr. KYL as chairman of the Senate delegation to the Mexico-United States Interparliamentary Group during the 104th Congress.

The message also announced that pursuant to sections 276h-276k of title 22, United States Code, as amended the Chair, on behalf of the Vice President, appoints Mr. DODD as vice chairman of the Senate delegation to the Mexico-United States Interparliamentary Group during the 104th Congress.

The message also announced that pursuant to sections 276a of title 22, United States Code, the Chair, on behalf of the Vice President, appoints Mr. BURNS as chairman of the Senate delegation to the Interparliamentary Union during the 104th Congress.

The message also announced that pursuant to sections 1928a-1928d of title 22, United States Code, the Chair, on behalf of the Vice President, appoints Mr. ROTH as chairman of the Senate delegation to the North Atlantic Assembly during the 104th Congress.

The message also announced that pursuant to sections 1928a-1928d of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints Mr. HEFLIN as vice chairman of the Senate delegation to the North Atlantic Assembly during the 104th Congress.

36.4 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

The SPEAKER, pursuant to the provisions of Public Law 84-372, appointed to the Franklin Delano Roosevelt Memorial Commission, Mr. LEWIS of California, on the part of the House.

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

36.5 H. RES. 101—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. QUINN, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 101) providing for the consideration of the bill (H.R. 925) to compensate owners of private property for the effect of certain regulatory restrictions.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 271 Nays 151

36.6 [Roll No. 189] YEAS—271

- Allard Archer Armye Bachus Baesler Baker (CA) Baker (LA) Ballenger Barcia Barr Barrett (NE) Bartlett Barton Bass Bateman Bereuter Beville Bilirakis Bliley Blute Boehlert Boehner Bonilla Bono Brewster Browder Brownback Bryant (TN) Bunn Bunning Burr Burton Buyer

- Callahan Calvert Camp Canady Castle Chabot Chambliss Chenoweth Christensen Chryslar Clinger Coble Coburn Collins (GA) Combest Condit Cooley Cox Cramer Crane Crapo Cremeans Cubin Cunningham Davis de la Garza Deal Diaz-Balart Dickey Doolittle Dornan Dreier Duncan Dunn Edwards Ehlers Ehrlich Emerson English Ensign Everett Ewing Fawell Fazio Fields (TX) Flanagan Foley Forbes Fowler Fox Franks (CT) Franks (NJ) Frelinghuysen Frisa Frost Funderburk Gallegly Ganske Gekas Geren Gilchrest Gillmor Gilman Goodlatte Goodling Gordon Goss Graham Green Greenwood Gunderson Gutknecht Hall (TX) Hancock Hansen Hastert Hastings (WA) Hayworth Hefley Hefner Heineman Herger Hillery Hobson Hoekstra Hoke Holden Horn Hostettler Houghton Hunter Hutchinson Hyde Inglis Istook Johnson (CT) Johnson, Sam Jones Kasich Kelly Kennelly Kim King Kingston Klink Klug Knollenberg Kolbe LaHood Largent Latham LaTourrette Laughlin Lazio Leach Lewis (CA) Lewis (KY) Lightfoot Linder Livingston LoBiondo Longley Lucas Manzullo Martinez Martini McCollum McCrery McDade McHale McHugh McInnis McIntosh McKeon McNulty Meehan Meyers Mica Miller (FL) Molinari Mollohan Montgomery Moorhead Morella Murtha Myers Myrick Nethercutt Neumann Ney Norwood Nussle Oxley Packard Parker Paxon Payne (VA) Peterson (MN) Petri Pickett

NAYS—151

- Abercrombie Ackerman Andrews Baldacci Barrett (WI) Becerra Beilenson Bentsen Berman Bishop Bonior Borski Boucher Brown (CA) Brown (FL) Brown (OH) Cardin Chapman Clayton Clement Clyburn Coleman Collins (IL) Collins (MI) Conyers Costello Coyne Danner DeFazio DeLauro Dellums Deutsch Dixon Doggett Dooley Durbin Engel Eshoo Evans Farr Fattah Fields (LA) Filner Flake Foglietta Ford Frank (MA) Furse Gejdenson Gephardt Gibbons Gutierrez Hall (OH)

- Pombo Porter Portman Poshard Pryce Quillen Quinn Radanovich Ramstad Regula Rigggs Roberts Rogers Rohrabacher Ros-Lehtinen Rose Roth Roukema Royce Salmon Sanford Saxton Scarborough Schaefer Schiff Schumer Seastrand Sensenbrenner Shadegg Shaw Shays Shuster Sisisky Skewn Skelton Smith (MI) Smith (NJ) Smith (TX) Smith (WA) Solomon Souder Spence Stearns Stenholm Stockman Stump Stupak Talent Tanner Tate Tauzin Taylor (NC) Tejada Thomas Thornberry Tiahrt Torikildsen Torricelli Traficant Upton Vucanovich Waldholtz Walsh Wamp Watts (OK) Weldon (FL) Weldon (PA) Weller White Whitfield Wicker Wilson Wolf Wyden Young (AK) Young (FL) Zeliff Zimmer

- Hamilton Harman Hastings (FL) Hayes Hilliard Hinchey Hoyer Jackson-Lee Jacobs Jefferson Johnson (SD) Johnson, E.B. Johnston Kanjorski Kaptur Kennedy (MA) Kennedy (RI) Kildee Kleczka LaFalce Lantos Levin Lewis (GA) Lincoln Lipinski Lofgren Lowey Luther Maloney Manton Markey Mascara Matsui McCarthy McDermott McKinney Meek Menendez Mfume Miller (CA) Mineta Minge Mink Moran Nadler Neal Oberstar Olver Ortiz Orton Owens Pallone Pastor Payne (NJ) Pelosi Peterson (FL) Pomeroy Rahall Rangel Reed Reynolds Richardson Rivers Roemer Roybal-Allard

NOT VOTING—12

- Bilbray Bryant (TX) Clay DeLay Dicks Dingell Gonzalez Metcalf Moakley Stokes Torres Towns

So 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.

36.7 PRIVATE PROPERTY RIGHTS

The SPEAKER pro tempore, Mr. QUINN, pursuant to House Resolution 101 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. 925) to compensate owners of private property for the effect of certain regulatory restrictions.

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

36.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TAUZIN to the amendment in the nature of a substitute submitted by Mr. CANADY:

Amendment submitted by Mr. TAUZIN:

In section 3(a) after "agency action" the first place it appears insert ", under a specified regulatory law".

Add at the end of section 3(a) "If the diminution in value of a portion of that property is greater than 50 percent, at the option of the owner, the Federal Government shall buy that portion of the property for its fair market value."

In section 4, strike the first sentence and amend the second sentence to read "If a use is a nuisance as defined by the law of a State or is already prohibited under a local zoning ordinance, no compensation shall be made under this Act with respect to a limitation on that use."

In the heading for section 8, strike "Rule" and insert "Rules".

At the beginning of section 8, strike "Nothing" and insert:

(a) EFFECT ON CONSTITUTIONAL RIGHT TO COMPENSATION.—NOTHING

At the end of section 8, insert the following:

(b) EFFECT OF PAYMENT.—Payment of compensation under this Act (other than when the property is bought by the Federal Government at the option of the owner) shall not confer any rights on the Federal Government other than the limitation on use resulting from the agency action.

In section 9, after paragraph (4) insert the following:

(5) the term "specified regulatory law" means—

(A) section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344);

(B) the Endangered Species Act of 1979 (16 U.S.C. 1531 et seq.);

(C) title XIII of the Food Security Act of 1985 (16 U.S.C. 3821 et seq.); or

(D) with respect to an owner's right to use or receive water only—

(i) the Act of June 17, 1902, and all Acts amendatory thereof or supplementary thereto, popularly called the "Reclamation Acts" (43 U.S.C. 371 et seq.);

(ii) the Federal Land Policy Management Act (43 U.S.C. 1701 et seq.); or

(iii) section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604);

Redesignate succeeding paragraphs accordingly.

Amendment in the nature of a substitute submitted by Mr. CANADY:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Private Property Protection Act of 1995".

SEC. 2. FEDERAL POLICY AND DIRECTION.

(a) GENERAL POLICY.—It is the policy of the Federal Government that no law or agency action should limit the use of privately owned property so as to diminish its value.

(b) APPLICATION TO FEDERAL AGENCY ACTION.—Each Federal agency, officer, and employee should exercise Federal authority to ensure that agency action will not limit the use of privately owned property so as to diminish its value.

SEC. 3. RIGHT TO COMPENSATION.

(A) IN GENERAL.—The Federal Government shall compensate an owner of property whose use of any portion of that property has been limited by an agency action that diminishes the fair market value of that portion by 10 percent or more. The amount of the compensation shall equal the diminution in value that resulted from the agency action.

(b) DURATION OF LIMITATION ON USE.—Property with respect to which compensation has been paid under this Act shall not thereafter be used contrary to the limitation imposed by the agency action, even if that action is later rescinded or otherwise vitiated. However, if that action is later rescinded or otherwise vitiated, and the owner elects to refund the amount of the compensation, adjusted for inflation, to the Treasury of the United States, the property may be so used.

SEC. 4. EFFECT OF STATE LAW.

No compensation shall be made under this Act if the use limited by Federal agency action is proscribed under the law of the State in which the property is located (other than a proscription required by a Federal law, either directly or as a condition for assistance). If a use is a nuisance as defined by the law of a State or is prohibited under a local zoning ordinance, that use is proscribed for the purposes of this subsection.

SEC. 5. EXCEPTIONS.

(a) PREVENTION OF HAZARD TO HEALTH OR SAFETY OR DAMAGE TO SPECIFIC PROPERTY.—No compensation shall be made under this

Act with respect to an agency action the primary purpose of which is to prevent an identifiable—

(1) hazard to public health or safety; or

(2) damage to specific property other than the property whose use is limited.

(b) NAVIGATION SERVITUDE.—No compensation shall be made under this Act with respect to an agency action pursuant to the Federal navigation servitude, as defined by the courts of the United States, except to the extent such servitude is interpreted to apply to wetlands.

SEC. 6. PROCEDURE.

(a) REQUEST OF OWNER.—An owner seeking compensation under this Act shall make a written request for compensation to the agency whose agency action resulted in the limitation. No such request may be made later than 180 days after the owner receives actual notice of that agency action.

(b) NEGOTIATIONS.—The agency may bargain with that owner to establish the amount of the compensation. If the agency and the owner agree to such an amount, the agency shall promptly pay the owner the amount agreed upon.

(c) CHOICE OF REMEDIES.—If, not later than 180 days after the written request is made, the parties do not come to an agreement as to the right to and amount of compensation, the owner may choose to take the matter to binding arbitration or seek compensation in a civil action.

(d) ARBITRATION.—The procedures that govern the arbitration shall, as nearly as practicable, be those established under title 9, United States Code, for arbitration proceedings to which that title applies. An award made in such arbitration shall include a reasonable attorney's fee and other arbitration costs (including appraisal fees). The agency shall promptly pay any award made to the owner.

(e) CIVIL ACTION.—An owner who does not choose arbitration, or who does not receive prompt payment when required by this section, may obtain appropriate relief in a civil action against the agency. An owner who prevails in a civil action under this section shall be entitled to, and the agency shall be liable for, a reasonable attorney's fee and other litigation costs (including appraisal fees). The court shall award interest on the amount of any compensation from the time of the limitation.

(f) SOURCE OF PAYMENTS.—Any payment made under this section to an owner, and any judgment obtained by an owner in a civil action under this section shall, notwithstanding any other provision of law, be made from the annual appropriation of the agency whose action occasioned the payment or judgment. If the agency action resulted from a requirement imposed by another agency, then the agency making the payment or satisfying the judgment may seek partial or complete reimbursement from the appropriated funds of the other agency. For this purpose the head of the agency concerned may transfer or reprogram any appropriated funds available to the agency. If insufficient funds exist for the payment or to satisfy the judgment, it shall be the duty of the head of the agency to seek the appropriation of such funds for the next fiscal year.

SEC. 7. LIMITATION.

Notwithstanding any other provision of law, any obligation of the United States to make any payment under this Act shall be subject to the availability of appropriations.

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to limit any right to compensation that exists under the Constitution or under other laws of the United States.

SEC. 9. DEFINITIONS.

For the purposes of this Act—

(1) the term "property" means land and includes the right to use or receive water;

(2) a use of property is limited by an agency action if a particular legal right to use that property no longer exists because of the action;

(3) the term "agency action" has the meaning given that term in section 551 of title 5, United States Code, but also includes the making of a grant to a public authority conditioned upon an action by the recipient that would constitute a limitation if done directly by the agency;

(4) the term "agency" has the meaning given that term in section 551 of title 5, United States Code;

(5) the term "State" includes the District of Columbia, Puerto Rico, and any other territory or possession of the United States; and

(6) the term "law of the State" includes the law of a political subdivision of a State.

It was decided in the } Yeas 301
affirmative } Nays 128

¶36.9 [Roll No. 190]
AYES—301

Allard	DeLay	Hutchinson
Andrews	Deutsch	Hyde
Archer	Diaz-Balart	Inglis
Armye	Dickey	Istook
Bachus	Dicks	Johnson (CT)
Baesler	Dooley	Johnson (SD)
Baker (CA)	Doolittle	Johnson, Sam
Baker (LA)	Dornan	Jones
Ballenger	Doyle	Kanjorski
Barcia	Dreier	Kasich
Barr	Duncan	Kelly
Barrett (NE)	Dunn	Kennelly
Bartlett	Durbin	Kim
Barton	Edwards	King
Bass	Ehrlich	Kingston
Bateman	Emerson	Klink
Bereuter	English	Klug
Bevill	Ensign	Knollenberg
Bilbray	Everett	Kolbe
Bilirakis	Ewing	LaFalce
Bishop	Fawell	LaHood
Billey	Fazio	Largent
Blute	Fields (TX)	Latham
Boehner	Flanagan	LaTourette
Bonilla	Foley	Laughlin
Bono	Forbes	Lazio
Boucher	Fowler	Leach
Brewster	Fox	Lewis (CA)
Browder	Franks (CT)	Lewis (KY)
Brown (OH)	Frisa	Lincoln
Brownback	Frost	Linder
Bryant (TN)	Funderburk	Livingston
Bunn	Gallegly	LoBiondo
Bunning	Ganske	Longley
Burr	Gephardt	Lucas
Burton	Geran	Maloney
Buyer	Gillmor	Manton
Callahan	Gilman	Manzullo
Calvert	Goodlatte	Martinez
Camp	Goodling	Mascara
Canady	Gordon	Matsui
Castle	Goss	McCollum
Chabot	Graham	McCrery
Chambliss	Green	McDade
Chapman	Greenwood	McHale
Chenoweth	Gunderson	McHugh
Christensen	Gutknecht	McInnis
Chrysler	Hall (TX)	McIntosh
Clement	Hancock	McKeon
Clinger	Hansen	McNulty
Clyburn	Harman	Metcalf
Coble	Hastert	Mica
Coburn	Hastings (WA)	Miller (FL)
Coleman	Hayes	Minge
Collins (GA)	Hayworth	Mollinari
Combest	Hefley	Mollohan
Condit	Hefner	Montgomery
Cooley	Heineman	Moorhead
Cox	Herger	Moran
Cramer	Hilleary	Murtha
Crane	Hilliard	Myers
Crapo	Hobson	Myrick
Creameans	Hoekstra	Neal
Cubin	Holden	Nethercutt
Cunningham	Horn	Neumann
Danner	Hostettler	Ney
Davis	Houghton	Norwood
de la Garza	Hoyer	Nussle
Deal	Hunter	Obey

Ortiz Sanford Taylor (NC)
Orton Sawyer Tejada
Oxley Schaefer Thomas
Packard Schiff Thornberry
Parker Schumer Thornton
Paxon Scott Thurman
Payne (VA) Seastrand Tiahr
Peterson (FL) Sensenbrenner Torkildsen
Peterson (MN) Shadegg Traficant
Petri Shaw Upton
Pickett Shays Volkmer
Pombo Shuster Vucanovich
Pomeroy Sisisky Waldholtz
Porter Skeen Walker
Portman Skelton Walsh
Poshard Smith (MI) Wamp
Pryce Smith (TX) Watts (OK)
Quillen Smith (WA) Weldon (FL)
Quinn Solomon Weller
Radanovich Souder White
Ramstad Spence Whitfield
Regula Spratt Wicker
Riggs Stearns Williams
Roberts Stenholm Wilson
Roemer Stockman Wise
Rogers Stump Wolf
Rohrabacher Stupak Wynn
Ros-Lehtinen Talent Young (AK)
Rose Tanner Young (FL)
Roth Tate Zeliff
Royce Tuzin
Salmon Taylor (MS)

NOES—128

Abercrombie Gjdenson Pallone
Ackerman Gibbons Pastor
Baldacci Gilchrist Payne (NJ)
Barrett (WI) Gutierrez Pelosi
Becerra Hall (OH) Rahall
Beilenson Hamilton Rangel
Bentsen Hastings (FL) Reed
Berman Hinchey Reynolds
Boehlert Jackson-Lee Richardson
Bonior Jacobs Rivers
Borski Jefferson Roukema
Brown (CA) Johnson, E. B. Roybal-Allard
Brown (FL) Johnston Rush
Bryant (TX) Kaptur Sabo
Cardin Kennedy (MA) Sanders
Clay Kennedy (RI) Saxton
Clayton Kildee Scarborough
Collins (IL) Kleczka Schroeder
Collins (MI) Lantos Serrano
Conyers Levin Skaggs
Costello Lewis (GA) Slaughter
Coyne Lipinski Smith (NJ)
DeFazio Lofgren Stark
DeLauro Lowey Stokes
Dellums Luther Studds
Dingell Markey Thompson
Dixon Martini Torres
Doggett McCarthy Torricelli
Ehlers McDermott Towns
Engel McKinney Tucker
Eshoo Meehan Velazquez
Evans Meek Vento
Farr Menendez Visclosky
Fattah Meyers Ward
Fields (LA) Mfume Waters
Filner Miller (CA) Watt (NC)
Flake Mineta Waxman
Foglietta Mink Weldon (PA)
Ford Morella Woolsey
Frank (MA) Nadler Wyden
Franks (NJ) Oberstar Yates
Frelinghuysen Olver Zimmer
Furse Owens

NOT VOTING—5

Gekas Hoke Moakley
Gonzalez Lightfoot

So the amendment to the amendment in the nature of a substitute was agreed to.

After some further time,

36.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. PORTER to the foregoing amendment in the nature of a substitute submitted by Mr. CANADY:

Page 3, after line 11, insert the following:

SEC. 6 EFFECT OF PRIVATE PROPERTY IMPACT ANALYSIS.

(a) IN GENERAL.—No compensation shall be made under this Act with respect to any agency action for which the agency has completed a private property impact analysis before taking that agency action.

(b) CONTENT.—For the purposes of this section, a private property impact analysis is a written statement that includes.—

(1) the specific purpose of the agency action;
(2) an assessment of the likelihood that a taking of private property will occur under such action; and

(3) alternatives to the agency action, if any, that would achieve the intended purpose and lessen the likelihood of a taking of private property.

(c) PRECLUSION OF JUDICIAL REVIEW.—Neither the sufficiency nor any other aspect of a private property impact analysis made under this section is subject to judicial review.

(d) EFFECT ON OTHER RIGHTS.—The fact that compensation may not be made under this Act by reason of this section does not affect the right to compensation for takings of private property for public use under the fifth article of amendment to the Constitution.

(e) DEFINITION.—As used in this section, the term "taking of private property" means an action whereby property is taken in such a way as to require compensation under the fifth article of amendment to the Constitution.

Redesignated succeeding sections accordingly.

It was decided in the { Yeas 186
negative } Nays 241

36.11 [Roll No. 191]
AYES—186

Abercrombie Flake Markey
Ackerman Foglietta Martinez
Andrews Ford Martini
Baldacci Fox Mascara
Barrett (WI) Frank (MA) Matsui
Becerra Franks (NJ) McCarthy
Beilenson Frelinghuysen McDade
Bentsen Frost McDermott
Bereuter Furse McHale
Berman Gjdenson McKinney
Bishop Gephardt Meehan
Blute Gibbons Meek
Boehlert Gilchrist Menendez
Bonior Gilman Meyers
Borski Greenwood Mfume
Boucher Gutierrez Miller (CA)
Brown (FL) Hall (OH) Mineta
Brown (OH) Hamilton Minge
Cardin Hastings (FL) Mink
Castle Hinchey Mollohan
Clay Hoyer Moran
Clayton Jackson-Lee Morella
Clement Jacobs Murtha
Clyburn Jefferson Nadler
Coleman Johnson (CT) Neal
Collins (IL) Johnson (SD) Oberstar
Collins (MI) Johnson, E. B. Obey
Conyers Johnston Olver
Costello Kanjorski Owens
Coyne Kaptur Pallone
DeFazio Kelly Payne (NJ)
DeLauro Kennedy (MA) Pelosi
Dellums Kennedy (RI) Peterson (FL)
Deutsch Kennelly Pomeroy
Dicks Kildee Porter
Dingell Klink Quinn
Dixon Klug Rahall
Doggett LaFalce Ramstad
Doyle Lantos Rangel
Durbin LaTourrette Reed
Ehlers Lazio Reynolds
Engel Levin Richardson
Eshoo Lewis (GA) Rivers
Evans Lipinski Roemer
Farr Lofgren Roukema
Fattah Lowey Roybal-Allard
Fazio Luther Rush
Fields (LA) Maloney Sabo
Filner Manton

Sanders Stark Walsh
Sawyer Stokes Ward
Saxton Studds Waters
Schiff Stupak Watt (NC)
Schroeder Thompson Waxman
Schumer Thornton Weldon (PA)
Scott Torkildsen Williams
Serrano Torres Wise
Shays Towns Woolsey
Skaggs Tucker Wyden
Slaughter Velazquez Yates
Smith (NJ) Vento Zimmer
Spratt Visclosky

NOES—241

Allard Frisa Ney
Archer Funderburk Norwood
Army Gallegly Nussle
Bachus Ganske Ortiz
Baker (CA) Gekas Orton
Baker (LA) Geren Oxley
Ballenger Gillmor Packard
Barcia Goodlatte Parker
Barr Goodling Paxon
Barrett (NE) Gordon Payne (VA)
Bartlett Goss Peterson (MN)
Barton Graham Petri
Bass Green Pickett
Bateman Gunderson Pombo
Bevill Gutknecht Portman
Bilbray Hall (TX) Poshard
Bilirakis Hancock Pryce
Billey Hansen Quillen
Boehner Harman Radanovich
Bonilla Hastert Regula
Bono Hastings (WA) Riggs
Brewster Hayes Roberts
Browder Hayworth Rogers
Brownback Hefley Rohrabacher
Bryant (TN) Hefner Ros-Lehtinen
Bunn Heineman Rose
Bunning Herger Roth
Burr Hilleary Royce
Burton Hilliard Salmon
Buyer Hobson Sanford
Callahan Hoekstra Scarborough
Calvert Hoke Schaefer
Camp Holden Seastrand
Canady Canady Stenholm
Chabot Chabot Sensenbrenner
Chambliss Houghton Shadegg
Chapman Hunter Shaw
Chenoweth Hutchinson Shuster
Christensen Hyde Sisisky
Chrysler Inglis Skeen
Clinger Clinger Skelton
Coble Johnson, Sam Smith (MI)
Coburn Jones Smith (TX)
Collins (GA) Kasich Smith (WA)
Combust Kim Solomon
Condit King Souder
Cooley Kingston Spence
Cox Knollenberg Stearns
Cramer Kramer Stenholm
Crane Crane LaHood Stockman
Crapo Crapo Largent
Creameans Latham Stump
Cubin Laughlin Talent
Cunningham Leach Tanner
Danner Danner Lewis (CA) Tate
Davis Davis Lewis (KY) Tuzin
de la Garza Lightfoot Taylor (MS)
Deal Lincoln Taylor (NC)
DeLay Linder Tejada
Diaz-Balart Livingston Thomas
Dickey LoBiondo Thornberry
Dooley Longley Thurman
Doolittle Lucas Tiahr
Dornan Manzanillo Traficant
Dreier McCollum Upton
Duncan McCrery Volkmer
Dunn McHugh Vucanovich
Edwards McInnis Waldholtz
Ehrlich McIntosh Walker
Emerson McKeon Wamp
English McNulty Watts (OK)
Ensign Metcalf Weldon (FL)
Everett Mica Weller
Ewing Miller (FL) White
Fawell Molinari Whitfield
Fields (TX) Montgomery Wicker
Flanagan Moorhead Wilson
Foley Myers Wolf
Forbes Myrick Young (AK)
Fowler Nethercutt Young (FL)
Franks (CT) Neumann Zeliff

NOT VOTING—7

Baesler
Brown (CA)
Bryant (TX)

Gonzalez
Kleczka
Moakley

Torricelli

So the amendment to the amendment in the nature of a substitute was not agreed to.

After some further time,

36.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GOSS to the foregoing amendment in the nature of a substitute submitted by Mr. CANADY:

In section 3(a), strike “any portion” and all that follows through “10 percent” and insert “that property has been limited by an agency action, under a specified regulatory law, that diminishes the fair market value of that property by 30 percent”.

It was decided in the
negative 210
Yeas 211
Nays 211

36.13 [Roll No. 192]
AYES—210

Abercrombie	Gejdenson	Mink
Ackerman	Gephardt	Mollohan
Andrews	Gibbons	Moran
Baldacci	Gilchrest	Morella
Barcia	Gilman	Nadler
Barrett (WI)	Gordon	Neal
Bass	Goss	Nethercutt
Becerra	Green	Oberstar
Beilenson	Greenwood	Obey
Bentsen	Gutierrez	Olver
Bereuter	Hall (OH)	Pallone
Berman	Hamilton	Pastor
Bilbray	Harman	Payne (NJ)
Bilirakis	Hastings (FL)	Pelosi
Bishop	Hefner	Peterson (FL)
Blute	Hilliard	Pomeroy
Boehlert	Hinchey	Porter
Bonior	Hobson	Portman
Borski	Jackson-Lee	Poshard
Boucher	Jacobs	Pryce
Brown (FL)	Jefferson	Quinn
Brown (OH)	Johnson (CT)	Rahall
Cardin	Johnson (SD)	Ramstad
Castle	Johnson, E. B.	Rangel
Clay	Johnston	Reed
Clayton	Kanjorski	Regula
Clement	Kaptur	Reynolds
Clinger	Kelly	Richardson
Clyburn	Kennedy (MA)	Rivers
Coleman	Kennedy (RI)	Roemer
Collins (IL)	Kennelly	Ros-Lehtinen
Collins (MI)	Kildee	Rose
Conyers	Kleczka	Roukema
Costello	Klink	Roybal-Allard
Coyne	Klug	Rush
Davis	Kolbe	Sabo
DeFazio	LaFalce	Sanders
DeLauro	Lantos	Sanford
Dellums	Lazio	Sawyer
Deutsch	Leach	Schroeder
Dicks	Levin	Schumer
Dingell	Lewis (GA)	Scott
Dixon	Lincoln	Serrano
Doggett	Lipinski	Shaw
Dooley	Lofgren	Shays
Doyle	Lowe	Skaggs
Durbin	Luther	Slaughter
Ehlers	Maloney	Smith (NJ)
Engel	Manton	Spratt
English	Markey	Stark
Eshoo	Martini	Stokes
Evans	Mascara	Studds
Farr	Matsui	Stupak
Fattah	McCarthy	Taylor (MS)
Fazio	McDermott	Thompson
Fields (LA)	McHale	Thurman
Filner	McKinney	Torkildsen
Flake	Meehan	Torres
Foglietta	Meek	Towns
Foley	Menendez	Tucker
Forbes	Meyers	Upton
Ford	Mfume	Velazquez
Fowler	Miller (CA)	Vento
Frank (MA)	Miller (FL)	Visclosky
Franks (NJ)	Mineta	Walsh
Furse	Minge	Ward

Waters
Watt (NC)
Waxman
Weldon (PA)

Williams
Wise
Wolf
Woolsey

Wyden
Wynn
Young (FL)
Zimmer

NOES—211

Allard	Frelinghuysen	Neumann
Archer	Frisa	Ney
Armey	Frost	Norwood
Bachus	Funderburk	Nussle
Baker (CA)	Gallegly	Ortiz
Baker (LA)	Ganske	Orton
Ballenger	Gekas	Oxley
Barr	Geren	Packard
Barrett (NE)	Gillmor	Parker
Bartlett	Goodlatte	Paxon
Barton	Goodling	Payne (VA)
Bateman	Graham	Peterson (MN)
Bevill	Gunderson	Petri
Bliley	Gutknecht	Pickett
Boehner	Hall (TX)	Pombo
Bonilla	Hancock	Quillen
Bono	Hansen	Radanovich
Brewster	Hastert	Riggs
Browder	Hastings (WA)	Roberts
Brownback	Hayes	Rogers
Bryant (TN)	Hayworth	Rohrabacher
Bunn	Hefley	Rohr
Bunning	Heineman	Royce
Burr	Hergert	Salmon
Burton	Hillery	Saxton
Buyer	Hoekstra	Scarborough
Callahan	Hoke	Schaefer
Calvert	Holden	Seastrand
Camp	Hostettler	Sensenbrenner
Canady	Houghton	Shadegg
Chabot	Hunter	Shuster
Chambliss	Hutchinson	Sisisky
Chapman	Hyde	Skeel
Chenoweth	Inglis	Skelton
Christensen	Istook	Smith (MI)
Chryslers	Johnson, Sam	Smith (TX)
Coble	Jones	Smith (WA)
Coburn	Kasich	Solomon
Collins (GA)	Kim	Souder
Collins (MI)	King	Spence
Combest	Kingston	Stearns
Condit	Knollenberg	Stenholm
Cooley	LaHood	Stockman
Cox	Largent	Stump
Cramer	Latham	Talent
Crane	LaTourrette	Tanner
Crapo	Lewis (CA)	Tate
Creameans	Lewis (KY)	Tauzin
Cubin	Lightfoot	Taylor (NC)
Cunningham	Linder	Tejeda
Danner	Livingston	Thomas
de la Garza	LoBiondo	Thornberry
Deal	Longley	Thornton
DeLay	Lucas	Tiahrt
Diaz-Balart	Manzullo	Traficant
Dickey	McCollum	Volkmer
Doolittle	McCrary	Vucanovich
Dornan	McDade	Waldholtz
Dreier	McHugh	Walker
Duncan	Mclnnis	Wamp
Dunn	McIntosh	Watts (OK)
Edwards	McKeon	Weldon (FL)
Ehrlich	McNulty	Weller
Emerson	Metcalf	White
Ensign	Mica	Whitfield
Everett	Molinari	Wicker
Ewing	Montgomery	Wilson
Fawell	Moorhead	Young (AK)
Fields (TX)	Murtha	Zeliff
Flanagan	Myers	
Fox	Myrick	

NOT VOTING—13

Baesler
Brown (CA)
Bryant (TX)
Gonzalez
Horn

Hoyer
Laughlin
Martinez
Moakley
Owens

Schiff
Torricelli
Yates

So the amendment to the amendment in the nature of a substitute was not agreed to.

After some further time,

36.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WYDEN to the foregoing amendment in the nature of a substitute submitted by Mr. CANADY:

In section 5(a)(2) strike the period and insert “, or”.

At the end of section 5(a), insert: with respect to an agency action that would prevent or restrict any activity likely to diminish the fair market value of any private homes.

In section 9, insert the following new paragraph after paragraph (4), and redesignate subsequent paragraphs accordingly:

(5) the term “private home” means any owner occupied dwelling, including any multi-family dwelling and any condominium.

It was decided in the
negative 260
Yeas 165
Nays 260

36.15 [Roll No. 193]
AYES—165

Abercrombie	Gordon	Neal
Ackerman	Goss	Oberstar
Andrews	Green	Obey
Baldacci	Gutierrez	Olver
Barrett (WI)	Hall (OH)	Owens
Becerra	Hastings (FL)	Pallone
Beilenson	Hefner	Pastor
Bentsen	Hilliard	Payne (NJ)
Berman	Hinchey	Pelosi
Bishop	Hoyer	Peterson (FL)
Boehlert	Jackson-Lee	Pomeroy
Bonior	Jacobs	Porter
Borski	Jefferson	Poshard
Boucher	Johnson (CT)	Rahall
Browder	Johnson (SD)	Reed
Brown (CA)	Johnson, E. B.	Reynolds
Brown (FL)	Johnston	Richardson
Brown (OH)	Kanjorski	Rivers
Cardin	Kaptur	Roukema
Clay	Kelly	Roybal-Allard
Clayton	Kennedy (MA)	Rush
Clement	Kennedy (RI)	Sabo
Clyburn	Kennelly	Sanders
Coleman	Kildee	Sawyer
Collins (IL)	Klink	Schroeder
Collins (MI)	LaFalce	Schumer
Conyers	Lantos	Scott
Coyne	Levin	Serrano
DeFazio	Lewis (GA)	Shays
DeLauro	Lipinski	Skaggs
Dellums	Lofgren	Slaughter
Deutsch	Lowe	Spratt
Dicks	Luther	Stark
Dingell	Maloney	Stokes
Dixon	Manton	Studds
Doggett	Markey	Stupak
Dooley	Mascara	Thompson
Doyle	Matsui	Thurman
Durbin	McCarthy	Torres
Ehlers	McDermott	Towns
Engel	McHale	Traficant
English	McKinney	Tucker
Eshoo	Meehan	Velazquez
Evans	Meek	Vento
Farr	Menendez	Visclosky
Fattah	Meyers	Ward
Fazio	Mfume	Waters
Fields (LA)	Miller (CA)	Watt (NC)
Filner	Mineta	Waxman
Flake	Mink	Williams
Foglietta	Mollohan	Wise
Foley	Moran	Woolsey
Forbes	Morella	Wyden
Ford	Murtha	Wynn
Fowler	Nadler	Zimmer
Frank (MA)		
Franks (NJ)		
Furse		

NOES—260

Allard	Boehner	Clinger
Archer	Bonilla	Coble
Armey	Bono	Coburn
Bachus	Brewster	Collins (GA)
Baesler	Brownback	Combest
Baker (CA)	Bryant (TN)	Condit
Baker (LA)	Bunn	Cooley
Ballenger	Bunning	Costello
Barcia	Burr	Cox
Barr	Burton	Cramer
Barrett (NE)	Buyer	Crane
Bartlett	Callahan	Crapo
Barton	Calvert	Creameans
Bass	Camp	Cubin
Bateman	Canady	Cunningham
Bereuter	Castle	Danner
Bevill	Chabot	Davis
Bilbray	Chambliss	de la Garza
Bilirakis	Chapman	Deal
Bliley	Christensen	DeLay
Blute	Chryslers	Diaz-Balart

Dickey	Kasich	Riggs
Dooley	Kim	Roberts
Doolittle	King	Roemer
Dornan	Kingston	Rogers
Dreier	Kleczka	Rohrabacher
Duncan	Klug	Ros-Lehtinen
Dunn	Knollenberg	Rose
Edwards	Kolbe	Roth
Ehlers	LaHood	Royce
Ehrlich	Largent	Salmon
Emerson	Latham	Sanford
English	LaTourette	Saxton
Ensign	Laughlin	Scarborough
Everett	Lazio	Schaefer
Ewing	Leach	Schiff
Fawell	Lewis (CA)	Seastrand
Fields (TX)	Lewis (KY)	Sensenbrenner
Flanagan	Lightfoot	Shadegg
Foley	Lincoln	Shaw
Forbes	Linder	Shuster
Fowler	Livingston	Sisisky
Fox	LoBiondo	Skeen
Franks (CT)	Longley	Skelton
Franks (NJ)	Lucas	Smith (MI)
Frelinghuysen	Manzullo	Smith (NJ)
Frisa	Martini	Smith (TX)
Funderburk	McCollum	Smith (WA)
Gallegly	McCrery	Solomon
Ganske	McDade	Souder
Gekas	McHugh	Spence
Geran	McInnis	Stearns
Gillmor	McIntosh	Stenholm
Gilman	McKeon	Stockman
Goodlatte	McNulty	Stump
Goodling	Metcalf	Talent
Graham	Mica	Tanner
Greenwood	Miller (FL)	Tate
Gunderson	Minge	Tauzin
Gutknecht	Molinari	Taylor (MS)
Hall (TX)	Montgomery	Taylor (NC)
Hamilton	Moorhead	Tejeda
Hancock	Myers	Thomas
Hansen	Myrick	Thornberry
Harman	Nethercutt	Thornton
Hastert	Neumann	Tiahrt
Hastings (WA)	Ney	Torkildsen
Hayes	Norwood	Upton
Hayworth	Nussle	Volkmer
Hefley	Ortiz	Vucanovich
Heineman	Orton	Waldholtz
Herger	Oxley	Walker
Hilleary	Packard	Walsh
Hobson	Parker	Wamp
Hoekstra	Paxon	Watts (OK)
Hoke	Payne (VA)	Weldon (FL)
Holden	Peterson (MN)	Weldon (PA)
Horn	Petri	Weller
Hostettler	Pickett	White
Houghton	Pombo	Whitfield
Hunter	Portman	Wicker
Hutchinson	Pryce	Wilson
Hyde	Quillen	Wolf
Inglis	Quinn	Young (AK)
Istook	Radanovich	Young (FL)
Johnson, Sam	Ramstad	Zeliff
Jones	Regula	

NOT VOTING—9

Bryant (TX)	Gonzalez	Ranger
Chenoweth	Martinez	Torricelli
Flake	Moakley	Yates

So the amendment to the amendment in the nature of a substitute was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. MCHUGH, assumed the Chair.

When Mr. SHUSTER, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

36.16 COMMITTEES AND SUBCOMMITTEES TO SIT

On motion of Mr. BONILLA, by unanimous consent, the following committees and their subcommittees were granted permission to sit during the 5-minute rule on Friday, March 3, 1995: the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on the Judiciary, and the Committee on Transportation and Infrastructure.

And then,

36.17 ADJOURNMENT

On motion of Mr. FRANKS of Connecticut, at 11 o'clock and 44 minutes p.m., the House adjourned.

36.18 REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 956. A bill to establish legal standards and procedures for product liability litigation, and for other purposes, with an amendment; referred to the Committee on Commerce for a period ending not later than March 7, 1995, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(e), rule X (Rept. No. 104-64, Pt. 1). Ordered to be printed.

36.19 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. THORNTON:

H.R. 1109. A bill to improve budgetary information by requiring that the unified budget presented by the President contain information which facilitates consideration of choices between spending which is consumption oriented, spending which is of a development character, and spending which is in the nature of a capital investment, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. ALLARD (for himself, Mr. HERGER, Mr. CRANE, and Mr. DUNCAN):

H.R. 1110. A bill to amend the Congressional Budget Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985 to limit the rate of growth of Federal outlays to 2 percent per year; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DORNAN (for himself, Mr. HYDE, and Mr. FUNDERBURK):

H.R. 1111. A bill to clarify the war powers of Congress and the President in the post-cold war period; to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BREWSTER (for himself, Mr. YOUNG of Alaska, Mr. COBURN, Mr. ISTOOK, Mr. LARGENT, Mr. LUCAS, Mr. WATTS of Oklahoma, Mr. ABERCROMBIE, Mr. BAESLER, Mr. BAKER of California, Mr. BALLENGER, Mr. BARCIA, Mr. BARRETT of Nebraska, Mr. BONILLA, Mr. BROWDER, Mr. CAMP, Mrs. CHENOWETH, Mr. COBLE, Mr. CONDIT, Mr. CRAMER, Mr. CRAPO, Ms. DANNER, Mr. DEAL of Georgia, Mr. DELAY, Mr. DICKEY, Mr. DOOLEY, Mr. EDWARDS, Mr. FIELDS of Texas, Mr. GANSKE, Mr. PETE GEREN of Texas, Mr. GENE GREEN of Texas, Mr. HALL of Texas, Mr. HANCOCK, Mr. HAYES, Mr. HERGER, Mr. HOBSON, Mr. LAUGHLIN, Mr. LIPINSKI, Mr. MCINNIS, Mr. MONTGOMERY, Mr. NEY, Mr.

ORTON, Mr. ORTIZ, Mr. PARKER, Mr. PETERSON of Minnesota, Mr. POSHARD, Mr. ROBERTS, Mr. ROSE, Mr. SCHAEFER, Mr. SCHUMER, Mr. SMITH of Michigan, Mr. STENHOLM, Mr. TANNER, Mr. TAUZIN, Mr. THORNTON, Mrs. THURMAN, Mr. VOLKMER, and Mr. ZELIFF):

H.R. 1112. A bill to transfer management of the Tishomingo National Wildlife Refuge in Oklahoma to the State of Oklahoma; to the Committee on Resources.

By Mr. BURTON of Indiana:

H.R. 1113. A bill to suspend until January 1, 1998, the duty on Floridone aquatic herbicide; to the Committee on Ways and Means.

By Mr. EWING (for himself, Mr. COMBEST, Mr. KLINK, Mr. HOEKSTRA, Mr. MARTINEZ, Mr. PASTOR, Mr. FAWELL, and Mr. BONILLA):

H.R. 1114. A bill to authorize minors who are under the child labor provisions of the Fair Labor Standards Act of 1938 and who are under 18 years of age to load materials into balers and compactors that meet appropriate American National Standards Institute design safety standards; to the Committee on Economic and Educational Opportunities.

By Mrs. LOWEY (for herself, Mrs. MORELLA, Mrs. CLAYTON, Ms. MCKINNEY, Ms. LOFGREN, Mr. FROST, Mr. BEILSON, Ms. PELOSI, Ms. WATERS, and Mr. SERRANO):

H.R. 1115. A bill to amend title IV of the Social Security Act to reduce teenage pregnancy, to encourage parental responsibility, and for other purposes; to the Committee on Ways and Means.

By Mr. MONTGOMERY (for himself, Mr. STUMP, Mr. BUYER, Ms. WATERS, Mr. EVANS, Mr. CLYBURN, and Mr. MASCARA):

H.R. 1116. A bill to amend title 10, United States Code, to increase the educational assistance allowance with respect to skills or specialties for which there is a critical shortage of personnel; to the Committee on National Security.

By Mr. PARKER:

H.R. 1117. A bill to provide for the establishment of the Margaret Walker Alexander National African-American Research Center; to the Committee on Economic and Educational Opportunities.

By Mr. POMBO (for himself and Mr. DOOLITTLE):

H.R. 1118. A bill to amend title 10, United States Code, to prohibit any Federal grant or contract from being awarded to any institution of higher education that does not allow the Secretary of Defense to maintain or establish Senior Reserve Officers' Training Corps units at that institution; to the Committee on National Security.

By Mr. RAMSTAD:

H.R. 1119. A bill to amend the Internal Revenue Code of 1986 to revise the treatment of deferred compensation plans of State and local governments and tax-exempt organizations; to the Committee on Ways and Means.

By Mr. ZELIFF (for himself, Mr. KASICH, Mr. MICA, Mr. MCCOLLUM, Mr. SHAYS, Mr. ZIMMER, Mr. INGLIS of South Carolina, Mr. GILCHREST, Mr. HOKE, Mr. RAMSTAD, Mr. TALENT, Mr. COX, Mr. SOLOMON, Mr. SMITH of Michigan, Mr. HANCOCK, Mr. BLUTE, Mr. HERGER, Mr. BASS, Mr. DOOLITTLE, Mr. BURR, Mr. JONES, Mr. FUNDERBURK, Mr. RADANOVICH, Mr. DORNAN, Mrs. SEASTRAND, and Mr. STEARNS):

H.R. 1120. A bill to provide for the consolidation of Federal employment assistance programs, to provide increased notice of the availability of the earned income tax credit, and to repeal the temporary FUTA surtax; to the Committee on Economic and Educational Opportunities, and in addition to

the Committees on Ways and Means, Agriculture, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOLLUM:

H.J. Res. 73. Joint resolution proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives; to the Committee on the Judiciary.

¶36.20 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

19. By the SPEAKER: Memorial of the Legislature of the State of Wyoming, relative to repealing the Gun-Free Schools Act of 1994; to the Committee on Economic and Educational Opportunities.

20. By the SPEAKER: Memorial of the House of Representatives of the State of New Mexico, relative to block grants; to the Committee on Economic and Educational Opportunities.

21. By the SPEAKER: Memorial of the Legislature of the State of Wyoming, relative to the Conference of the States; to the Committee on the Judiciary.

22. By the SPEAKER: Memorial of the Legislature of the State of Wyoming, relative to health reform matters; jointly, to the Committees on Ways and Means, Commerce, and Economic and Educational Opportunities.

¶36.21 ADDITIONAL SPONSORS

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

H.R. 24: Mr. LOBIONDO.

H.R. 44: Mr. MCDADE, Mr. LIPINSKI, Mr. DOYLE, Mr. SAXTON, Mr. GEJDENSON, Mr. RIGGS, Mr. WELLER, Mr. CRAMER, Mr. MURTHA, and Mr. KILDEE.

H.R. 70: Mr. CLEMENT.

H.R. 127: Mr. BONIOR, Mr. WELDON of Florida, Mr. WARD, and Ms. KAPTUR.

H.R. 195: Mr. EMERSON, Mr. BARRETT of Wisconsin, Mr. ZIMMER, and Mr. FROST.

H.R. 218: Mr. STEARNS.

H.R. 303: Mr. BERUTEER.

H.R. 312: Mr. ROYCE.

H.R. 326: Mr. BAKER of Louisiana and Mr. HERGER.

H.R. 330: Mr. KLUG.

H.R. 371: Mr. MONTGOMERY and Mr. LEWIS of California.

H.R. 373: Mr. PACKARD.

H.R. 438: Mrs. CHENOWETH and Ms. LOWEY.

H.R. 493: Ms. MCKINNEY and Mr. JOHNSTON of Florida.

H.R. 530: Mr. BOEHNER, Mr. FAWELL, Mr. HUTCHINSON, Mr. BURTON of Indiana, Mr. BAKER of Louisiana, Mr. KLUG, Mr. FIELDS of Texas, Mr. GILLMOR, Mr. FORBES, Mr. SOLOMON, Mr. MCINTOSH, Mr. TRAFICANT, Mr. BALLENGER, Mrs. MEYERS of Kansas, Mr. REGULA, Mr. HASTINGS of Florida, Mr. CALVERT, Mr. MONTGOMERY, Mr. BUYER, Mr. JACOBS, and Mr. LAHOOD.

H.R. 539: Mr. MCCREERY and Mr. MONTGOMERY.

H.R. 582: Mr. FOX and Mr. LUCAS.

H.R. 607: Mr. FRANK of Massachusetts, Mr. CHRYSLER, Mr. SOLOMON, and Mr. EHRlich.

H.R. 674: Mr. SERRANO.

H.R. 682: Mr. JONES, Mr. HUTCHINSON, Mr. HAYES, Mr. UPTON, Mr. CALVERT, and Mr. NETHERCUTT.

H.R. 753: Mr. ROHRBACHER, Mr. BURR, Mr. BAKER of Louisiana, Mr. GUTKNECHT, Mr. BARCIA of Michigan, and Mr. FORBES.

H.R. 762: Mr. KLINK.

H.R. 783: Mr. CRAPO, Mr. WELLER, Mr. EVERETT, and Mr. BOUCHER.

H.R. 809: Mr. LIPINSKI.

H.R. 840: Mr. JONES.

H.R. 852: Mr. SMITH of New Jersey, Ms. PELOSI, Mr. LIPINSKI, Mr. FRAZER, and Mr. BEILINSON.

H.R. 860: Mr. STOCKMAN.

H.R. 873: Mr. PETERSON of Minnesota, Mr. REED, Mr. MOORHEAD, Mr. SOLOMON, Mr. MINGE, and Mr. CLEMENT.

H.R. 881: Mrs. CLAYTON, Mr. EVANS, and Mr. NADLER.

H.R. 936: Mr. RANGEL and Mr. OWENS.

H.R. 939: Mrs. ROUKEMA.

H.R. 969: Mr. UNDERWOOD and Mr. HANSEN.

H.R. 982: Mr. PAYNE of Virginia, Mr. BAESLER, and Mr. TAUZIN.

H.R. 1066: Mr. VISCLOSKEY, Mr. ZIMMER, and Mr. UNDERWOOD.

H. Con. Res. 10: Mr. SOUDER, Mr. TORRES, Mr. BACHUS, Mr. FILNER, Mr. PACKARD, Ms. WOOLSEY, and Mr. DICKS.

H. Con. Res. 12: Mr. MONTGOMERY, Mr. FALCOMAVEGA, and Mr. ROYCE.

H. Res. 45: Ms. WOOLSEY, Mr. LIPINSKI, Mr. JOHNSON of South Dakota, and Mr. DEFazio.

FRIDAY, MARCH 3, 1995 (37)

The House was called to order by the SPEAKER.

¶37.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, March 2, 1995.

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

¶37.2 COMMUNICATIONS

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

458. A letter from the Deputy Secretary of Defense, transmitting a report pursuant to section 1075 of the National Defense Authorization Act for fiscal year 1995; to the Committee on National Security.

459. A letter from the Department of Defense, Director of Defense Research and Engineering, transmitting a report on creation and operation of new federally funded research center, pursuant to 10 U.S.C. 2367(d)(1); to the Committee on National Security.

460. A letter from the Director, Defense Security Assistance Agency, transmitting the quarterly reports in accordance with sections 36(a) and 26(b) of the Arms Export Control Act, the March 24, 1979 report by the Committee on Foreign Affairs, and the seventh report by the Committee on Government Operations for the first quarter of fiscal year 1995, October 1, 1994 through December 31, 1994, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

461. A letter from the Chairman, Board for International Broadcasting, transmitting the Board's annual report on its activities, as well as its review and evaluation of the operation of Radio Free Europe/Radio Liberty for the period October 1, 1993, through September 30, 1994, pursuant to 22 U.S.C. 2873(a)(9); to the Committee on International Relations.

462. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the nonproliferation and disarmament fund report, fiscal year 1994, pursuant to section 504 of the Freedom Support Act of 1992; to the Committee on International Relations.

463. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-16, "Salvation Army 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.

464. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-17, "Methodist Cemetery Association 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.

465. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-18, "Christ 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.

466. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-19, "Real Property Deed Recordation Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

467. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-21, "Metropolitan Baptist 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.

468. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-22, "Riverside Baptist 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.

469. A letter from the Assistant Secretary (Management), Department of Treasury, 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.

470. A letter from the General Counsel, Federal Emergency Management Agency, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

471. A letter from the Chairman, Federal Maritime Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

472. A letter from the Secretary of Health and Human Services, transmitting the annual report with respect to actions taken to recruit and train Indians to qualify them for positions subject to Indian preference; the annual report on actions taken to place non-Indians employed by the Indian Health Service in other Federal agencies, pursuant to 25 U.S.C. 472a(d); to the Committee on Resources.

473. A letter from the Chairman, Administrative Conference of the United States, the Conference's report entitled, "Toward Improved Agency Dispute Resolution: Implementing the ADR Act"; to the Committee on the Judiciary.

¶37.3 PRIVATE PROPERTY RIGHTS

The SPEAKER pro tempore, Mr. DOOLITTLE, pursuant to House Resolution 101 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. 925) to compensate owners of private property for the effect of certain regulatory restrictions.

Mr. SHUSTER, Chairman of the Committee of the Whole, resumed the