

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. FALCOMA, 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

chair; and after some time spent therein,

37.4 RECORDED VOTE

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

Amendment submitted by Mr. MINETA:

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 20 percent".

Amendment in the nature of a substitute, as amended, 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 under a specified regulatory law 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. 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.

(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.

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.

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. RULES OF CONSTRUCTION.

(a) EFFECT ON CONSTITUTIONAL RIGHT TO COMPENSATION.—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.

(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.

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 "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);

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

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

It was decided in the Yeas ..... 173
negative ..... Nays ..... 252

37.5 [Roll No. 194]
AYES—173

Table with 3 columns of names: Abercrombie, Ackerman, Andrews, Baldacci, Barcia, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Bishop, Bontor, Borski, Boucher, Brown (CA), Brown (FL), Brown (OH), Cardin, Clay, Clayton, Clement, Clyburn, Coleman, Collins (IL), Collins (MI), Conyers, Costello, Coyne, Cramer, Davis, DeFazio, DeLauro, Dellums, Deutsch, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Durbin, Ehlers, Engel, Eshoo, Evans, Farr, Fattah, Fazio, Fields (LA), Filner, Flake, Foglietta, Ford, Fox, Frank (MA), Frost, Gejdenson, Gephardt, Gibbons, Gilchrest, Greenwood, Gutierrez, Hall (OH), Hamilton, Hastings (FL), Hefner, Hilliard, Hinchey, Jackson-Lee, Jacobs, Jefferson, Johnson (CT), Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Kaptur, Kelly, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kleczka, Klink, LaFalce, Lantos, Levin, Lewis (GA), Lincoln, Lipinski, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Martinez, Mascara, Matsui, McCarthy, McDermott, McHale, McKinney, Meehan, Meek, Menendez, Meyers, Mfume, Miller (CA), Mineta, Minge, Mink, Mollohan, Moran, Morella, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Owens, Pallone, Pastor, Payne (NJ), Pelosi, Peterson (FL), Pomeroy, Poshard, Rahall, Reed, Richardson, Rivers, Roemer, Rose, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Schiff, Schroeder, Schumer, Scott, Serrano, Skaggs, Slaughter, Spratt, Stark, Stokes, Studds, Stupak, Thompson

Thornton  
Torres  
Torrice  
Towns  
Traficant  
Tucker  
Velazquez

Vento  
Visclosky  
Ward  
Waters  
Watt (NC)  
Waxman  
Williams

Wise  
Wooldsey  
Wyden  
Wynn  
Yates  
Zimmer

NOES—252

Allard  
Archer  
Arme  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Bevill  
Bilbray  
Bilirakis  
Biley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bono  
Brewster  
Browder  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Clinger  
Coble  
Coburn  
Collins (GA)  
Combest  
Condit  
Cooley  
Cox  
Crane  
Crapo  
Cremean  
Cubin  
Cunningham  
Danner  
de la Garza  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Edwards  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fawell  
Fields (TX)  
Flanagan  
Foley  
Forbes  
Fowler  
Franks (CT)  
Franks (NJ)  
Frelinghuysen

Frisa  
Funderburk  
Furse  
Gallegly  
Ganske  
Gekas  
Geren  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Gordon  
Goss  
Green  
Gunderson  
Gutknecht  
Hall (TX)  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Heineman  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Johnson, Sam  
Kasich  
Kim  
King  
Kingston  
Klug  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
LoBiondo  
Longley  
Lucas  
Manzullo  
Martini  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
McNulty  
Metcalf  
Mica  
Miller (FL)  
Molinari  
Montgomery  
Moorhead  
Myers  
Myrick  
Nethercutt  
Neumann  
Ney

Norwood  
Nussle  
Ortiz  
Orton  
Oxley  
Packard  
Parker  
Paxon  
Payne (VA)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Porter  
Portman  
Pryce  
Quillen  
Quinn  
Radanovich  
Ramstad  
Regula  
Riggs  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skeel  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stockman  
Stump  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thornberry  
Thurman  
Tiahrt  
Torkildsen  
Upton  
Volkmer  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Collins (GA)  
Condit  
Costello  
Cox  
Cramer  
Crane  
White  
Whitfield  
Wicker  
Wilson  
Wolf  
Young (AK)  
Young (FL)  
Zeliff

NOT VOTING—9

Bryant (TX)  
Gonzalez  
Graham

Hoyer  
Jones  
Moakley

Rangel  
Reynolds  
Roberts

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

After some further time,

37.6 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, as amended, submitted by Mr. CANADY:

In section 3(a), strike "10" and insert "20".  
It was decided in the affirmative { Yeas ..... 338  
Nays ..... 83

37.7 [Roll No. 195] AYES—338

Abercrombie  
Ackerman  
Allard  
Andrews  
Archer  
Arme  
Bachus  
Baesler  
Baker (LA)  
Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Bass  
Bateman  
Bentsen  
Bereuter  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bono  
Boucher  
Brewster  
Browder  
Brown (FL)  
Brown (OH)  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burton  
Burr  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Chabot  
Chambliss  
Chapman  
Christensen  
Chrysler  
Clinger  
Coble  
Coburn  
Collins (GA)  
Combest  
Condit  
Cooley  
Cox  
Crane  
Crapo  
Cremean  
Cubin  
Cunningham  
Danner  
de la Garza  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Dicks  
Doggett

Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards  
Ehrlich  
Engel  
English  
Ensign  
Eshoo  
Evans  
Everett  
Ewing  
Farr  
Fawell  
Fazio  
Fields (LA)  
Flanagan  
Foley  
Forbes  
Ford  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frisa  
Frost  
Funderburk  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gibbons  
Gillmor  
Girman  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green  
Greenwood  
Gunderson  
Gutierrez  
Gutknecht  
Hall (OH)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Hilleary  
Hilliard  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Houghton  
Hoyer  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson-Lee

Jacobs  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E.B.  
Johnson, Sam  
Johnston  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Kleczka  
Klink  
Klug  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Lipinski  
Livingston  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Martinez  
Martini  
Mascara  
Matsui  
McCarthy  
McCollum  
McCrery  
McDade  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
McNulty  
Menendez  
Metcalf  
Meyers  
Mica  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Molinari  
Mollohan  
Montgomery  
Moorhead  
Moran  
Murtha  
Myers

Myrick  
Nethercutt  
Ney  
Norwood  
Nussle  
Obey  
Olver  
Ortiz  
Orton  
Oxley  
Packard  
Pallone  
Paxon  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Rahall  
Ramstad  
Reed  
Regula  
Riggs  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose

Roth  
Roukema  
Royce  
Salmon  
Sanders  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schiff  
Schroeder  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (WA)  
Solomon  
Spence  
Spratt  
Stearns  
Stenholm  
Stump  
Stupak  
Talent  
Tanner  
Tate

Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thornston  
Thurman  
Tiahrt  
Torkildsen  
Torres  
Traficant  
Upton  
Volkmer  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Ward  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wilson  
Wise  
Wolf  
Wooldsey  
Wyden  
Wynn  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOES—83

Baker (CA)  
Barton  
Becerra  
Beilenson  
Bevill  
Bonilla  
Bonior  
Borski  
Cardin  
Chenoweth  
Clyburn  
Collins (IL)  
Collins (MI)  
Combest  
Conyers  
Cooley  
Coyne  
Crapo  
Cubin  
Dellums  
Dingell  
Dixon  
Ehlers  
Fattah  
Fields (TX)  
Filner  
Flake  
Foglietta

Frank (MA)  
Frelinghuysen  
Richardson  
Rivers  
Hall (TX)  
Hastings (FL)  
Herger  
Hinchey  
Hostettler  
Hunter  
Lewis (GA)  
LoBiondo  
Lofgren  
Markey  
McDermott  
McKinney  
Meehan  
Meek  
Mineta  
Morella  
Nadler  
Neal  
Neumann  
Oberstar  
Owens  
Parker  
Pastor  
Payne (NJ)

Porter  
Reynolds  
Richardson  
Rivers  
Roybal-Allard  
Rush  
Sabo  
Schaefer  
Serrano  
Smith (TX)  
Souder  
Stark  
Stockman  
Studds  
Thompson  
Thornberry  
Torrice  
Towns  
Tucker  
Velazquez  
Vento  
Visclosky  
Waters  
Watt (NC)  
Waxman  
Williams  
Yates

NOT VOTING—13

Berman  
Brown (CA)  
Bryant (TX)  
Clay  
Dornan

Emerson  
Gonzalez  
Largent  
Mfume  
Moakley

Radanovich  
Rangel  
Stokes

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

After some further time,

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

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

37.8 ORDER OF BUSINESS—DEBATE ON H.R. 925

On motion of Mr. CANADY, by unanimous consent,

Ordered, That the time for consideration under the 5-minute rule on the bill (H.R. 925) to compensate owners of private property for the effect of certain regulatory restrictions, as pro-

vided by House Resolution 101, be extended by ten minutes.

37.9 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 chair; and after some time spent therein,

37.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WATT of North Carolina to the foregoing amendment in the nature of a substitute, as amended, submitted by Mr. CANADY:

Strike section 6(f).

It was decided in the negative { Yeas ..... 127 Nays ..... 299

37.11 [Roll No. 196]

AYES—127

- Abercrombie Green Pastor
Ackerman Gutierrez Payne (NJ)
Becerra Hastings (FL) Pelosi
Beilenson Hefner Rahall
Bentsen Hilliard Reed
Berman Hinchey Reynolds
Bishop Hoyer Richardson
Bonior Jackson-Lee Rivers
Borski Jefferson Rose
Boucher Johnson, E. B. Roybal-Allard
Brown (FL) Johnston Rush
Cardin Kaptur Sabo
Clay Kennedy (MA) Sanders
Clayton Kennedy (RI) Sawyer
Clement Kennelly Schroeder
Clyburn Kildee Schumer
Coleman LaFalce Scott
Collins (MI) Lantos Serrano
Conyers Lewis (GA) Skaggs
Coyne Lofgren Slaughter
DeFazio Stark
DeLauro Maloney Stokes
Dellums Manton Studds
Deutsch Markey Thompson
Dingell Martinez Torres
Dixon Matsui Torricelli
Doggett McCarthy Towns
Engel McDermott Tucker
Evans McKinney Velazquez
Farr Meehan Vento
Fattah Meeke Visclosky
Fazio Menendez Ward
Fields (LA) Mfume Waters
Filner Miller (CA) Watt (NC)
Flake Mineta Waxman
Foglietta Mink Williams
Ford Nadler Wise
Frank (MA) Neal Woolsey
Frost Oberstar Wyden
Furse Obey Wynn
Gejdenson Olver Yates
Gephardt Owens
Gibbons Pallone

NOES—299

- Allard Bartlett Brewster
Andrews Barton Browder
Archer Bass Brown (OH)
Army Bateman Brownback
Bachus Bereuter Bryant (TN)
Baesler Beville Bunn
Baker (CA) Bilbray Bunning
Baker (LA) Bilirakis Burr
Baldacci Bliley Burton
Ballenger Blute Buyer
Barcia Boehlert Callahan
Barr Boehner Calvert
Barrett (NE) Bonilla Camp
Barrett (WI) Bono Canady

- Castle Hobson Peterson (MN)
Chabot Hoekstra Petri
Chambliss Hoke Pickett
Chenoweth Holden Pomo
Christensen Horn Pomeroy
Chrysler Hostettler Porter
Clinger Houghton Portman
Coble Hunter Poshard
Coburn Hutchinson Pryce
Collins (GA) Hyde Quillen
Combest Inglis Quinn
Condit Istook Radanovich
Cooley Jacobs Ramstad
Costello Johnson (CT) Regula
Cox Johnson (SD) Riggs
Cramer Johnson, Sam Roberts
Crane Jones Roemer
Crapo Kanjorski Rogers
Creameans Kasich Rohrabacher
Cubin Kelly Ros-Lehtinen
Cunningham Kim Roth
Danner King Roukema
Davis Kingston Royce
de la Garza Kleczka Salmon
Deal Klink Sanford
DeLay Klug Saxton
Diaz-Balart Knollenberg Scarborough
Dickey Kolbe Schaefer
Dicks LaHood Schiff
Dooley Largent Seastrand
Doolittle Latham Sensenbrenner
Doyle LaTourrette Shadegg
Dreier Laughlin Shaw
Duncan Lazio Shays
Dunn Leach Shuster
Durbin Levin Sisisky
Edwards Lewis (CA) Skeen
Ehlers Lewis (KY) Skelton
Ehrlich Lightfoot Smith (MI)
Emerson Lincoln Smith (NJ)
English Linder Smith (TX)
Ensign Lipinski Smith (WA)
Eshoo Livingstone Solomon
Everett LoBiondo Souder
Ewing Longley Spence
Fawell Lucas Spratt
Fields (TX) Luther Stearns
Flanagan Manzullo Stenholm
Foley Martini Stockman
Forbes Mascara Stump
Fowler McCollum Stupak
Fox McCrery Talent
Franks (CT) McDade Tanner
Franks (NJ) McHale Tate
Frelinghuysen McHugh Tauzin
Frisa McInnis Taylor (MS)
Funderburk McIntosh Taylor (NC)
Gallegly McKeon Tejeda
Ganske McNulty Thomas
Gekas Metcalf Thornberry
Geren Meyers Thornton
Gilchrist Mica Thurman
Gillmor Miller (FL) Tiahrt
Gilman Minge Torkildsen
Goodlatte Molinari Traficant
Goodling Mollohan Upton
Gordon Montgomery Volkmer
Goss Moorhead Vucanovich
Graham Moran Waldholtz
Greenwood Morella Walker
Gunderson Murtha Walsh
Gutknecht Myers Wamp
Hall (OH) Myrick Watts (OK)
Hall (TX) Nethercutt Weldon (FL)
Hamilton Neumann Weldon (PA)
Hancock Ney Weller
Hansen Norwood White
Harman Nussle Whitfield
Hastert Ortiz Wicker
Hastings (WA) Orton Wilson
Hayes Oxley Wolf
Hayworth Packard Young (AK)
Hefley Parker Young (FL)
Heineman Paxon Zeliff
Herger Payne (VA) Zimmer
Hilleary Peterson (FL)

NOT VOTING—8

- Brown (CA) Collins (IL) Moakley
Bryant (TX) Dornan Rangel
Chapman Gonzalez

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

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

When Mr. SHUSTER, Chairman, pursuant to House Resolution 101, reported

the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

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

Strike out all after the enacting clause and insert:

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, under a specified regulatory law, that diminishes the fair market value of that portion by 20 percent or more. The amount of the compensation shall equal the diminution in value that resulted from the agency action. 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.

(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.

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.

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. DUTY OF NOTICE TO OWNERS.

Whenever an agency takes an agency action limiting the use of private property, the agency shall give appropriate notice to the owners of that property directly affected explaining their rights under this Act and the procedures for obtaining any compensation that may be due to them under this Act.

SEC. 9. RULES OF CONSTRUCTION.

(a) EFFECT ON CONSTITUTIONAL RIGHT TO COMPENSATION.—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.

(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.

SEC. 10. 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 "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 XII 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);

(6) the term "fair market value" means the most probable price at which property would change hands, in a competitive and open market under all conditions requisite to a fair sale, between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of relevant facts, at the time the agency action occurs;

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

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

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

The question being put, viva voce, Will the House pass said bill?

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

Mr. CANADY 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 vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 277 Nays ..... 148

¶37.12

[Roll No. 197]

YEAS—277

- Allard Bryant (TN) Cunningham
Archer Bunn Danner
Armye Bunning Davis
Bachus Burr de la Garza
Baesler Burton Deal
Baker (CA) Buyer DeLay
Baker (LA) Callahan Diaz-Balart
Baldacci Calvert Dickey
Ballenger Camp Dooley
Barcia Canady Doolittle
Barr Chabot Doyle
Barrett Chambliss Dreier
Bartlett Chapman Duncan
Barton Chapmen Dunn
Bass Christensen Durbin
Bateman Chrysler Edwards
Bentsen Clinger Ehrlich
Beruter Coble Emerson
Bevill Coburn English
Bilbray Collins (GA) Ensign
Billrakis Combust Everrett
Bishop Condit Ewing
Bliley Cooley Fawell
Boehner Costello Fazio
Bonilla Cox Fields (TX)
Bono Cramer Flanagan
Brewster Crane Foley
Browder Crapo Forbes
Brown (OH) Cremeans Fowler
Brownback Cubin Fox

- Franks (CT)
Frisa
Frost
Funderburk
Gallegly
Ganske
Gekas
Gerens
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Graham
Green
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martinez
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Molinari
Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Portman
Poshard
Pryce
Quillen
Radanovich
Regula
Reynolds
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Traficant
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NAYS—148

- Abercrombie
Ackerman
Andrews
Barrett (WI)
Becerra
Beilenson
Berman
Blute
Boehlert
Bonior
Borski
Boucher
Brown (FL)
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)
Conyers
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Goss
Greenwood
Gutierrez
Hastings (FL)
Hinche
Hoyer
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennedy
Kildee
Kleczka
Klink
Klug
LaFalce
Lazio
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martini
Matsui
McCarthy
McDermott
Meehan
Meek
Menendez
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi

Table with 3 columns: Porter, Quinn, Rahall, Ramstad, Reed, Richardson, Rivers, Roukema, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Schiff, Schroeder; Schumer, Serrano, Shays, Skaggs, Slaughter, Stark, Stokes, Studts, Thompson, Torkildsen, Torres, Torricelli, Towns, Tucker, Velazquez; Vento, Visclosky, Ward, Waters, Watt (NC), Waxman, Williams, Wise, Woolsey, Wyden, Yates, Zimmer

NOT VOTING—9

Table with 3 columns: Brown (CA), Bryant (TX), Collins (IL); Dornan, Gonzalez, Johnston; McKinney, Moakley, Rangel

So the bill was passed.

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

37.13 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. CANADY, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

37.14 JOB CREATION AND WAGE ENHANCEMENT

Mr. DELAY, pursuant to section 2 of House Resolution 101, called up the bill (H.R. 9) to create jobs, enhance wages, strengthen property rights, maintain certain economic liberties, decentralize and reduce the power of the Federal Government with respect to the States, localities, and citizens of the United States and to increase the accountability of Federal officials.

When said bill was considered and read twice.

Mr. DELAY, pursuant to said resolution, submitted the following amendment:

Strike all after section 1 of the bill and insert the text composed of four divisions as follows:

- (1) division A, consisting of the text of H.R. 830, as passed by the House;
(2) division B, consisting of the text of H.R. 925, as passed by the House;
(3) division C, consisting of the text of H.R. 926, as passed by the House; and
(4) division D, consisting of the text of H.R. 1022, as passed by the House.

The previous question on the motion to amend and on the bill having been ordered by said resolution.

The question being put, viva voce, Will the House agree to the amendment?

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

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

Mr. SPRATT moved to recommit the bill to the Committee on Science with instructions to report the bill back to the House forthwith with the following amendment:

In Division D of H.R. 9, consisting of the text of H.R. 1022, as passed by the House, strike the following text:

Section 204. Environmental Clean-up. For the purposes of this title, any determination by a Federal agency to approve or reject any proposed or final environmental clean-up plan for a facility the costs of which are likely to exceed \$5,000,000 shall be treated as a major rule subject to the provisions of this title (other than the provisions of section 205(a)(5)). As used in this section, environmental clean-up means a corrective action under the Solid Waste Disposal Act, a remedial action under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and any other environmental restoration and waste management carried out by or on behalf of a Federal agency with respect to any substance other than municipal waste.

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. HANSEN, announced that the nays had it.

Mr. SPRATT 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 negative { Yeas ..... 180 Nays ..... 239

37.15 [Roll No. 198] AYES—180

Table with 3 columns: Abercrombie, Ackerman, Andrews, Baldacci, Barrett (WI), Becerra, Beilenson, Bentsen, Berman, Bevill, Bishop, Boehlert, Bonior, Borski, Boucher, Browder, Brown (FL), Brown (OH), Cardin, Chapman, Clay, Clayton, Clement, Clyburn, Coleman, Collins (MI), Conyers, Costello, Coyne, Cramer, Deal, DeFazio, DeLauro, Dellums, Deutsch, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Durbin, Edwards, Engel, Eshoo, Evans, Farr, Fattah, Fazio; Fields (LA), Filner, Flake, Foglietta, Ford, Frank (MA), Frost, Furse, Gejdenson, Gephardt, Geren, Gibbons, Gordon, Gutierrez, Hall (OH), Hamilton, Harman, Hastings (FL), Hefner, Hilliard, Hinchey, Holden, Hoyer, Jackson-Lee, Jacobs, Jefferson, Johnson (SD), Johnson, E.B., Kanjorski, Kaptur, Kennedy (MA), Kennedy (RI), Kennelly, Kildee, Kleczka, Klink, LaFalce, Lantos, Levin, Lewis (GA), Lincoln, Lipinski, Lofgren, Lowey, Luther, Maloney, Manton, Markey, Martinez; Mascara, Matsui, McCarthy, McDermott, McHale, McKinney, McNulty, Meehan, Meek, Menendez, Mfume, Mineta, Minge, Mink, Mollohan, Moran, Morella, Murtha, Nadler, Neal, Oberstar, Obey, Olver, Ortiz, Orton, Owens, Pallone, Pastor, Payne (NJ), Payne (VA), Peterson (FL), Peterson (MN), Pomeroy, Poshard, Rahall, Reed, Richardson, Rivers, Roemer, Rose, Roybal-Allard, Rush, Sabo, Sanders, Sawyer, Schroeder, Schumer, Scott, Serrano

Table with 3 columns: Skaggs, Skelton, Slaughter, Spratt, Stark, Stenholm, Stokes, Studts, Stupak, Tanner, Tejada; Thompson, Thornton, Thurman, Torres, Torricelli, Towns, Traficant, Tucker, Velazquez, Vento, Visclosky; Volkmer, Ward, Waters, Watt (NC), Waxman, Williams, Wise, Woolsey, Wyden, Yates

NOES—239

Table with 3 columns: Allard, Archer, Army, Bachus, Baesler, Baker (CA), Baker (LA), Ballenger, Barcia, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Bilbray, Bilirakis, Bilely, Blute, Boehner, Bonilla, Bono, Brewster, Brownback, Bryant (TN), Bunn, Bunning, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Chabot, Chambliss, Chenoweth, Christensen, Chrysler, Clinger, Coble, Coburn, Collins (GA), Combust, Condit, Cooley, Cox, Crane, Crapo, Cremeans, Cubin, Cunningham, Danner, Davis, de la Garza, DeLay, Diaz-Balart, Dickey, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Fields (TX), Flanagan, Foley, Forbes, Fowler, Fox, Franks (CT), Franks (NJ), Frelinghuysen; Frisa, Funderburk, Gallegly, Ganske, Gekas, Gilchrest, Gillmor, Gilman, Goodlatte, Goodling, Goss, Graham, Greenwood, Gunderson, Gutknecht, Hall (TX), Hancock, Hansen, Hastert, Hastings (WA), Hayworth, Hefley, Heineman, Herger, Hilleary, Hobson, Hoekstra, Hoke, Horn, Hostettler, Houghton, Hunter, Hutchinson, Hyde, Inglis, Istook, Johnson (CT), Johnson, Sam, Jones, Kasich, Kelly, Kim, King, Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Lazio, Leach, Lewis (CA), Lewis (KY), Lightfoot, Linder, Livingston, LoBiondo, Longley, Lucas, Manzullo, Martini, McCollum, McCrery, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Meyers, Mica, Miller (FL), Molinari, Moorhead, Myers, Myrick, Nethercutt, Neumann; Ney, Norwood, Nussle, Oxley, Packard, Parker, Paxon, Petri, Pickett, Pombo, Porter, Portman, Pryce, Quillen, Quinn, Radanovich, Ramstad, Regula, Reynolds, Riggs, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Salmon, Sanford, Saxton, Scarborough, Schaefer, Schiff, Seastrand, Sensenbrenner, Shadegg, Shaw, Shays, Shuster, Siskisky, Skeen, Smith (MI), Smith (NJ), Smith (TX), Smith (WA), Solomon, Souder, Spence, Stearns, Stockman, Stump, Talent, Tate, Tauzin, Taylor (MS), Taylor (NC), Thomas, Thornberry, Tiahrt, Torkildsen, Upton, Vucanovich, Waldholtz, Walker, Walsh, Wamp, Watts (OK), Weldon (FL), Weldon (PA), Weller, White, Whitfield, Wicker, Wilson, Wolf, Young (AK), Young (FL), Zeliff, Zimmer

NOT VOTING—15

Table with 3 columns: Brown (CA), Bryant (TX), Burr, Collins (IL), Dornan; Gonzalez, Green, Hayes, Johnston, Laughlin; Miller (CA), Moakley, Montgomery, Pelosi, Rangel

So the motion to recommit with instructions was not agreed to.

The question being put, *viva voce*, Will the House pass said bill?

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

Mr. POMBO 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 vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 277  
Nays ..... 141

¶37.16 [Roll No. 199]  
YEAS—277

Allard	Emerson	Leach
Archer	English	Lewis (CA)
Armey	Ensign	Lewis (KY)
Bachus	Everett	Lightfoot
Baesler	Ewing	Lincoln
Baker (CA)	Fawell	Linder
Baker (LA)	Fazio	Livingston
Ballenger	Fields (TX)	LoBiondo
Barcia	Flanagan	Longley
Barr	Foley	Lucas
Barrett (NE)	Forbes	Manzullo
Bartlett	Fowler	Martini
Barton	Fox	McCollum
Bass	Franks (CT)	McCrery
Bateman	Franks (NJ)	McDade
Bentsen	Frelinghuysen	McHugh
Bereuter	Frisa	McInnis
Bevill	Frost	McIntosh
Bilbray	Funderburk	McKeon
Bilirakis	Galleghy	McNulty
Bishop	Ganske	Metcalf
Bliley	Gekas	Meyers
Blute	Geren	Mica
Boehner	Gillmor	Miller (FL)
Bonilla	Gilman	Minge
Bono	Gingrich	Molinari
Brewster	Goodlatte	Mollohan
Browder	Goodling	Moorhead
Brownback	Gordon	Moran
Bryant (TN)	Goss	Myrick
Bunn	Graham	Nethercutt
Bunning	Gunderson	Neumann
Burr	Gutknecht	Ney
Burton	Hall (TX)	Norwood
Buyer	Hamilton	Nussle
Callahan	Hancock	Ortiz
Calvert	Hansen	Orton
Camp	Harman	Oxley
Canady	Hastert	Packard
Castle	Hastings (WA)	Parker
Chabot	Hayworth	Paxon
Chambliss	Hefley	Payne (VA)
Chapman	Hefner	Peterson (FL)
Chenoweth	Heineman	Peterson (MN)
Christensen	Heger	Petri
Chrysler	Hilleary	Pickett
Clinger	Hilliard	Pombo
Coble	Hobson	Pomeroy
Coburn	Hoekstra	Portman
Collins (GA)	Hoke	Poshard
Combest	Holden	Pryce
Condit	Horn	Quillen
Cooley	Hostettler	Quinn
Cox	Houghton	Radanovich
Cramer	Hunter	Ramstad
Crane	Hutchinson	Regula
Crapo	Hyde	Riggs
Creameans	Inglis	Roberts
Cubin	Istook	Roemer
Cunningham	Jacobs	Rogers
Danner	Johnson (SD)	Rohrabacher
Davis	Johnson, Sam	Ros-Lehtinen
de la Garza	Jones	Rose
Deal	Kasich	Roth
DeLay	Kelly	Royce
Diaz-Balart	Kim	Salmon
Dickey	King	Sanford
Dooley	Kingston	Saxton
Doolittle	Klug	Scarborough
Doyle	Knollenberg	Schaefer
Dreier	Kolbe	Schiff
Duncan	LaHood	Seastrand
Dunn	Largent	Sensenbrenner
Edwards	Latham	Shadegg
Ehlers	LaTourrette	Shaw
Ehrlich	Lazio	Shuster

Sisisky  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Spratt  
Stearns  
Stenholm  
Stockman  
Stump  
Stupak  
Talent

Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thornberry  
Thornton  
Thurman  
Tiahrt  
Torkildsen  
Traficant  
Upton  
Volkmer  
Vucanovich  
Waldholtz

Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wilson  
Wolf  
Young (AK)  
Young (FL)  
Zeliff

NAYS—141

Abercrombie  
Ackerman  
Andrews  
Baldacci  
Barrett (WI)  
Becerra  
Beilenson  
Berman  
Boehlert  
Bonior  
Borski  
Boucher  
Brown (FL)  
Brown (OH)  
Cardin  
Clay  
Clayton  
Clement  
Clyburn  
Coleman  
Conyers  
Costello  
Coyne  
DeFazio  
DeLauro  
Dellums  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Durbine  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fields (LA)  
Filner  
Flake  
Foglietta  
Ford  
Frank (MA)  
Furse  
Gejdenson  
Gephardt  
Gibbons

Gilchrest  
Greenwood  
Gutierrez  
Hall (OH)  
Hastings (FL)  
Hinche  
Hoyer  
Jackson-Lee  
Jefferson  
Johnson, E.B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Klecza  
Klink  
LaFalce  
Lantos  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowe  
Luther  
Maloney  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy  
McDermott  
McHale  
McKinney  
Meehan  
Meek  
Menendez  
Mfume  
Mineta  
Mink  
Morella  
Murtha  
Nadler  
Neal  
Oberstar

Obey  
Olver  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Porter  
Rahall  
Reed  
Reynolds  
Richardson  
Rivers  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sawyer  
Schroeder  
Schumer  
Scott  
Serrano  
Shays  
Skaggs  
Slaughter  
Stark  
Stokes  
Studds  
Thompson  
Torres  
Torricelli  
Towns  
Tucker  
Velazquez  
Vento  
Visclosky  
Ward  
Waters  
Watt (NC)  
Waxman  
Williams  
Wise  
Woolsey  
Wyden  
Wynn  
Yates  
Zimmer

NOT VOTING—17

Brown (CA)  
Bryant (TX)  
Collins (IL)  
Collins (MI)  
Dornan  
Gonzalez

Green  
Hayes  
Johnson (CT)  
Johnston  
Laughlin  
Miller (CA)

Moakley  
Montgomery  
Myers  
Pelosi  
Rangel

So the bill was passed.

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

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

¶37.17 ADJOURNMENT OVER

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, March 6, 1995, for "morning hour" debates.

¶37.18 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, March 8,

1995, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶37.19 PROVIDING FOR THE CONSIDERATION OF H.R. 1058

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 104-65) the resolution (H. Res. 103) providing for consideration of the bill (H.R. 1058) to reform Federal securities litigation, and for other purposes.

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

¶37.20 PROVIDING FOR THE CONSIDERATION OF H.R. 988

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 104-66) the resolution (H. Res. 104) providing for the consideration of the bill (H.R. 988) to reform the Federal civil justice system.

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

And then,

¶37.21 ADJOURNMENT

On motion of Mr. NORWOOD, pursuant to the special order heretofore agreed to, at 4 o'clock and 5 minutes p.m., the House adjourned until 12:30 p.m. on Monday, March 6, 1995.

¶37.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. DREIER: Committee on Rules. House Resolution 103. Resolution providing for consideration of the bill (H.R. 1058) to reform Federal securities litigation, and for other purposes (Rept. No. 104-65). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 104. Resolution providing for consideration of the bill (H.R. 988) to reform the Federal civil justice system (Rept. No. 104-66). Referred to the House Calendar.

¶37.23 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. ARCHER (for himself and Mr. GIBBONS):

H.R. 1121. A bill to make technical corrections relating to the Revenue Reconciliation Act of 1990 and the Revenue Reconciliation Act of 1993, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 1122. A bill to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and for other purposes; to the Committee on Resources, and in addition to the Committee on Commerce, 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. BROWDER:

H.R. 1123. A bill to repeal statutory limitations on the transportation of chemical munitions; to the Committee on National Security.

By Mr. COLEMAN:

H.R. 1124. A bill to amend chapters 83 and 84 of title 5, United States Code, to provide-

that, for civil service retirement purposes, inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the U.S. Customs Service, and revenue officers of the Internal Revenue Service shall be treated in the same way as law enforcement officers; to the Committee on Government Reform and Oversight.

By Mr. TRAFICANT:

H.R. 1125. A bill to prohibit economic assistance and military assistance or arms transfer to the Government of Trinidad and Tobago until appropriate action is taken to eliminate illicit drug trafficking in Trinidad and Tobago; to the Committee on International Relations.

By Mr. FRANKS of New Jersey (for himself, Mr. PALLONE, Mr. LIPINSKI, Mr. SAXTON, Mr. FLAKE, Mr. ZIMMER, Mr. PAYNE of New Jersey, Mr. LOBIONDO, Mr. TORRICELLI, Mrs. ROUKEMA, and Mr. MARTINI):

H.R. 1126. A bill to strengthen and improve the pipeline safety provisions of chapter 601 of title 49, United States Code, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Commerce, 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. GANSKE (for himself and Mr. WYDEN):

H.R. 1127. A bill to limit the issuance of patents on medical procedures; to the Committee on the Judiciary.

By Mr. GILMAN:

H.R. 1128. A bill to amend title 28, United States Code, to provide an additional place for holding court in the southern district of New York; to the Committee on the Judiciary.

By Mr. LEWIS of Georgia (for himself, Mr. HILLIARD, Mr. ACKERMAN, Mr. BALDACCIO, Mr. BARRETT of Wisconsin, Mr. BISHOP, Ms. BROWN of Florida, Mr. BRYANT of Texas, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. CRAMER, Mr. DELLUMS, Mr. DEFAZIO, Ms. DELAURO, Mr. ENGEL, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FLAKE, Mr. FRANK of Massachusetts, Mr. FRAZER, Mr. FROST, Mr. GENE GREEN of Texas, Mr. HINCHEY, Mr. JACOBS, Ms. JACKSON-LEE, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Ms. LOFGREN, Mrs. LOWEY, Mrs. MALONEY, Mr. MCDERMOTT, Mrs. MEEK of Florida, Mr. MILLER of California, Mr. OWENS, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. RANGEL, Mr. RICHARDSON, Mr. RUSH, Mr. SANDERS, Mrs. SCHROEDER, Mr. SCOTT, Mr. STUPAK, Mr. THOMPSON, Mr. TOWNS, Mr. TUCKER, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. WILLIAMS, Mr. WARD, Mr. WATT of North Carolina, Mr. WYNN, Mr. REYNOLDS, Miss COLLINS of Michigan, Ms. MCKINNEY, Mr. MFUME, Mr. WATERS, Mr. HASTINGS of Florida, Mr. STOKES, and Mr. DIXON):

H.R. 1129. A bill to amend the National Trails Systems Act to designate the route from Selma to Montgomery as a National Historic Trail; to the Committee on Resources.

By Mr. DORNAN:

H.R. 1130. A bill to prohibit award, grant, and contract recipients from lobbying for the continuation of their awards, grants, and contracts and to repeal authority for the payment of expenses of intervening and the payment of attorney's fees, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Government Reform and Oversight, for a pe-

riod 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. MCCRERY (for himself, Mr. HANCOCK, Mr. SHADEGG, and Mr. SMITH of Michigan):

H.R. 1131. A bill to balance the Federal budget by fiscal year 2002 through the establishment of Federal spending limits; to the Committee on the Budget, and in addition to the Committee on Rules, and Government Reform and Oversight, 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. OBERSTAR:

H.R. 1132. A bill to amend the Federal Water Pollution Control Act to establish requirements and provide assistance to prevent nonpoint sources of water pollution, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STEARNS:

H.R. 1133. A bill to provide that pay for Members of Congress may not be increased by any adjustment scheduled to take effect in a year immediately following a fiscal year in which a deficit in the budget of the U.S. Government exists; to the Committee on Government Reform and Oversight, and in addition to the Committee on House Oversight, 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. SMITH of Michigan (for himself, Mr. SHADEGG, Mr. HANCOCK, Mr. BARTON of Texas, Mr. HERGER, Mr. TAYLOR of Mississippi, Mr. LARGENT, Mr. BURR, Mr. SCARBOROUGH, and Mr. ZIMMER):

H.J. Res. 74. Joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

37.24 ADDITIONAL SPONSORS

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

H.R. 6: Mr. LEACH, Mr. NETHERCUTT, Mr. SKEEN, and Mr. SOUDER.

H.R. 26: Mr. HANCOCK and Mr. MEEHAN.

H.R. 28: Mr. SHAYS.

H.R. 52: Mr. HERGER and Mr. PARKER.

H.R. 104: Mr. PARKER and Mr. FOLEY.

H.R. 209: Mr. HERGER, Mr. DUNCAN, and Mr. CALVERT.

H.R. 312: Mr. SHAYS.

H.R. 441: Mr. COOLEY, Mr. LEACH, Mr. ENGLISH of Pennsylvania, Mrs. CLAYTON, Mr. WELLER, Mr. EHLERS, Mr. EVANS, and Mr. WICKER.

H.R. 462: Mr. BEILENSEN and Mr. UNDERWOOD.

H.R. 483: Mr. MEEHAN, Mr. BORSKI, Ms. ROYBAL-ALLARD, Mr. KIM, and Mr. BILBRAY.

H.R. 488: Mr. DELLUMS.

H.R. 548: Mr. LIPINSKI and Mr. PARKER.

H.R. 549: Mr. WICKER, Mr. CANADY, Mr. RIGGS, Mr. DIAZ-BALART, and Mr. MCCOLLUM.

H.R. 559: Mr. MEEHAN and Mr. BORSKI.

H.R. 575: Mr. DAVIS, Mr. CANADY, Mr. ENGLISH of Pennsylvania, Mr. FRANKS of New Jersey, Mr. BARTLETT of Maryland, Mr. TORKILDSEN, Mr. SOUDER, Mr. MCKEON, Mr. LARGENT, Mr. GRAHAM, Mr. LATOURETTE, Mr. SHAYS, Mr. NEY, and Mr. GUTKNECHT.

H.R. 592: Mr. SKEEN, Mr. PARKER, and Mr. FOLEY.

H.R. 645: Mr. PAYNE of New Jersey and Mr. SERRANO.

H.R. 658: Mr. OLVER and Mr. WATT of North Carolina.

H.R. 708: Mr. SMITH of Texas and Mr. FORBES.

H.R. 777: Mr. ANDREWS, Mr. BENTSEN, Mr. BILBRAY, Mr. BORSKI, Mr. BUNNING of Kentucky, Mr. FOX, Mr. KING, Mr. LIPINSKI, Ms. MOLINARI, Mrs. MORELLA, Mr. OLVER, Ms. PRYCE, Mr. RANGEL, Mr. ROMERO-BARCELO, Mrs. SEASTRAND, and Mr. PARKER.

H.R. 778: Mr. ANDREWS, Mr. BENTSEN, Mr. BILBRAY, Mr. BORSKI, Mr. BUNNING of Kentucky, Mr. FOX, Mr. KING, Mr. LIPINSKI, Ms. MOLINARI, Mrs. MORELLA, Mr. OLVER, Ms. PRYCE, Mr. RANGEL, Mr. ROMERO-BARCELO, Mrs. SEASTRAND, and Mr. PARKER.

H.R. 779: Mr. FALEOMAVAEGA, Mr. FOX, Mr. MARTINEZ, Mrs. MORELLA, Mr. OLVER, Mr. RANGEL, Mr. ROMERO-BARCELO, Mr. SCOTT, Mr. VENTO, Mr. WYNN, and Mr. PARKER.

H.R. 780: Mr. FALEOMAVAEGA, Mr. FOX, Mr. MARTINEZ, Mrs. MORELLA, Mr. OLVER, Mr. RANGEL, Mr. SCOTT, Mr. VENTO, Mr. WYNN, and Mr. PARKER.

H.R. 789: Mr. ROTH, Mr. FOX, Mr. BARR, and Mr. BOEHNER.

H.R. 800: Mr. ENGLISH of Pennsylvania and Mr. LATHAM.

H.R. 803: Mr. LEWIS of California and Mr. BILBRAY.

H.R. 820: Mr. TOWNS, Mr. CRAMER, and Mr. WAMP.

H.R. 860: Mr. KINGSTON.

H.R. 899: Mrs. SMITH of Washington, Mrs. CHENOWETH, Mr. NETHERCUTT, Mr. GORDON, Mr. HOSTETTLER, Mr. QUILLEN, Mr. TATE, Mr. LATHAM, Mr. BRYANT of Tennessee, Mr. COBURN, Mr. WHITE, Mr. HEFLEY, and Mr. HINCHEY.

H.R. 922: Mr. MARTINEZ and Mr. LIPINSKI.

H.R. 942: Ms. ROYBAL-ALLARD, Ms. MCKINNEY, Mr. SCHIFF, Mr. BLUTE, Mrs. ROUKEMA, Mr. ENGLISH of Pennsylvania, Mr. ZIMMER, Mr. MEEHAN, Mr. EVANS, Mr. LIPINSKI, Mr. YATES, and Mr. LOBIONDO.

H.R. 945: Mr. FROST, Mr. STUPAK, Mrs. ROUKEMA, Mr. WILSON, Mr. BOEHLERT, Mr. TORRICELLI, Mr. RAMSTAD, Mr. VENTO, Mr. BARCIA, Mr. RAHALL, Mr. FRANKS of Connecticut, Mr. SOLOMON, Mr. DIAZ-BALART, Mr. GEJDENSON, and Mr. FOGLIETTA.

H.R. 957: Mr. ABERCROMBIE, Mr. BURTON of Indiana, Mr. SHAYS, Mr. TRAFICANT, Mr. TALENT, Mr. CANADY, and Mr. TORRICELLI.

H.R. 971: Mr. HINCHEY.

H.R. 1003: Mr. HAYES, Mr. LIGHTFOOT, Mr. CARDIN, and Ms. LOFGREN.

H.R. 1020: Mr. WELLER, Mrs. COLLINS of Illinois, Mr. EWING, Mr. PETERSON of Minnesota, Mr. BARCIA, and Mr. CONYERS.

H.R. 1039: Mr. FORBES and Mr. SAXTON.

H.R. 1041: Mr. FORBES and Mr. SAXTON.

H.R. 1042: Mr. FORBES and Mr. SAXTON.

H.R. 1052: Mr. ROTH.

H.R. 1058: Mr. MOORHEAD, Mr. OXLEY, Mr. BILIRAKIS, Mr. SCHAEFER, Mr. BARTON of Texas, Mr. HASTERT, Mr. STEARNS, Mr. PAXON, Mr. GILLMOR, Mr. CRAPO, Mr. BILBRAY, Mr. GANSKE, Mr. NORWOOD, Mr. WHITE, Mr. EDWARDS, Mr. BARCIA of Michigan, and Mr. COBURN.

H.R. 1061: Mr. CHRISTENSEN.

H.R. 1118: Mr. FORBES and Mr. SOLOMON.

H.J. Res. 61: Mr. FOX, Mr. BURR, and Mr. SALMON.

H. Con. Res. 5: Mr. LAHOOD, Mr. YOUNG of Alaska, Mr. DOOLITTLE, Mr. NETHERCUTT, Mr. SPENCE, Mr. HOSTETTLER, Mr. SCHAEFER, and Mr. BARCIA of Michigan.

H. Con. Res. 12: Mr. WISE.

H. Con. Res. 19: Mrs. WALDHOLTZ.

H. Con. Res. 23: Mr. EMERSON, Ms. LOFGREN, Mr. TOWNS, Ms. ESHOO, Mr. FOX, Mr. SENSENBRENNER, Ms. MOLINARI, Mr. GILCHREST, Ms. PRYCE, Mr. MARTINEZ, Mrs. SMITH of Washington, Mr. PACKARD, Mr. EHRLICH, Mr. COYNE, Mr. PAYNE of New Jersey, Mr. BORSKI, Mr. LANTOS, Mr. WALSH, Ms. ROYBAL-ALLARD, Mr. MENENDEZ, Mr. WISE, Mr. HASTINGS of Florida, Mr. HANSEN, Mr. SKEEN, Mr. BARRETT of Wisconsin, Mrs. CHENOWETH, Mr. STEARNS, and Mr. HINCHEY.

H. Con. Res. 25: Mr. WOLF, Mr. GILMAN, and Mr. SOLOMON.



¶37.25 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: Mrs. SEASTRAND.

**MONDAY, MARCH 6, 1995 (38)**

¶38.1 DESIGNATION OF SPEAKER PRO  
TEMPORE

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

WASHINGTON, DC,  
March 6, 1995.

I hereby designate the Honorable PORTER J. GOSS 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 Wednesday, January 4, 1995 and Thursday, February 16, 1995, Members were recognized for "morning hour" debates.

¶38.2 RECESS—1:00 P.M.

The SPEAKER pro tempore, Mr. GOSS, pursuant to clause 12 of rule I, declared the House in recess until 2:00 p.m.

¶38.3 AFTER RECESS—2:00 P.M.

The SPEAKER called the House to order.

¶38.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, March 3, 1995.

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

¶38.5 COMMUNICATIONS

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

474. A letter from the Deputy Secretary of Defense, transmitting a report on C-17 milestones and exit criteria; to the Committee on National Security.

475. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Greece (Transmittal No. DTC-3-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

476. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment and services sold commercially to Sweden (Transmittal No. DTC-1-95), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

477. A letter from the Chairman, Board of Governors of the Federal Reserve System, 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.

478. A letter from the Assistant Secretary for Legislative Affairs, Department of State, 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.

479. A letter from the Administrator, General Services Administration, transmitting an informational copy of the fiscal year 1996 GSA's Public Buildings Service Capital Investment and Leasing Program, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

480. A letter from the Secretary of Energy, transmitting the Department's 15th annual report on the Automotive Technology Development Program, fiscal year 1993, pursuant to 42 U.S.C. 5914; to the Committee on Science.

481. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to increase, effective as of December 1, 1995, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans, and for other purposes; to the Committee on Veterans' Affairs.

482. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to provide for cost savings in the housing loan program for veterans, to limit cost-of-living increases for Montgomery GI Bill benefits, and for other purposes; jointly, to the Committees on Veterans' Affairs and National Security.

483. A letter from the Director, Office of Management and Budget, transmitting a draft of proposed legislation to revise and streamline the acquisition laws of the Federal Government, and for other purposes; jointly, to the Committees on Government Reform and Oversight, National Security, the Judiciary, International Relations, Small Business, Science, and Commerce.

¶38.6 MESSAGES FROM THE PRESIDENT

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

¶38.7 PROVIDING FOR THE  
CONSIDERATION OF H.R. 988

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 104):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 988) to reform the Federal civil justice system. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed seven hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amend-

ments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

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

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

¶38.8 MESSAGE FROM THE PRESIDENT—  
FLOOD PLAIN MANAGEMENT

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

*To the Congress of the United States:*

It is with great pleasure that I transmit *A Unified National Program for Floodplain Management* to the Congress. The Unified National Program responds to section 1302(c) of the National Flood Insurance Act of 1968 (Public Law 90-448), which calls upon the President to report to the Congress on a Unified National Program. The report sets forth a conceptual framework for managing the Nation's floodplains to achieve the dual goals of reducing the loss of life and property caused by floods and protecting and restoring the natural resources of floodplains. This document was prepared by the Federal Interagency Floodplain Management Task Force, which is chaired by FEMA.

This report differs from the 1986 and 1979 versions in that it recommends four national goals with supporting objectives for improving the implementation of floodplain management at all levels of government. It also urges the formulation of a more comprehensive, coordinated approach to protecting and managing human and natural systems to ensure sustainable development relative to long-term economic and ecological health. This report was prepared independent of *Sharing the Challenge: Floodplain Management Into the 21st Century* developed by the Floodplain Management Review Committee, which was established following the Great Midwest Flood of 1993. However, these two reports complement and reinforce each other by the commonality of their findings and recommendations. For example, both reports recognize the importance of continuing to improve our efforts to reduce the loss of life and property caused by floods and to preserve and restore the natural resources and functions of floodplains in an economically and environmentally sound manner. This is significant in that the natural resources and func-