

The legislative proposal would amend the Gun-Free School Zones Act by adding the requirement that the Government prove that the firearm has "moved in or the possession of such firearm otherwise affects interstate or foreign commerce."

The addition of this jurisdictional element would limit the Act's "reach to a discrete set of firearm possessions that additionally have an explicit connection with or effect on interstate commerce," as the Court stated in *Lopez*, and thereby bring it within the Congress' Commerce Clause authority.

The Attorney General reported to me that this proposal would have little, if any, impact on the ability of prosecutors to charge this offense, for the vast majority of firearms have "moved in . . . commerce" before reaching their eventual possessor.

Furthermore, by also including the possibility of proving the offense by showing that the possession of the firearm "otherwise affects interstate or foreign commerce," this proposal would leave open the possibility of showing, under the facts of a particular case, that although the firearm itself may not have "moved in . . . interstate or foreign commerce," its possession nonetheless has a sufficient nexus to commerce.

The Attorney General has advised that this proposal does not require the Government to prove that a defendant had knowledge that the firearm "has moved in or the possession of such firearm otherwise affects interstate or foreign commerce." The defendant must know only that he or she possesses the firearm.

I am committed to doing everything in my power to make schools places where young people can be secure, where they can learn, and where parents can be confident that discipline is enforced.

I pledge that the Administration will do our part to help make our schools safe and the neighborhoods around them safe. We are prepared to work immediately with the Congress to enact this legislation. I urge the prompt and favorable consideration of this legislative proposal by the Congress.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 10, 1995*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on the Judiciary and ordered to be printed (H. Doc. 104-72).

¶63.10 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO YUGOSLAVIA

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the

President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the emergency declared with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro), as expanded to address the actions and policies of the Bosnian Serb forces and the authorities in the territory that they control within the Republic of Bosnia and Herzegovina, is to continue in effect beyond May 30, 1995.

The circumstances that led to the declaration on May 30, 1992, of a national emergency have not been resolved. The Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to support groups seizing and attempting to seize territory in the Republics of Croatia and Bosnia and Herzegovina by force and violence. In addition, on October 25, 1994, I expanded the scope of the national emergency to address the actions and policies of the Bosnian Serb forces and the authorities in the territory that they control, including their refusal to accept the proposed territorial settlement of the conflict in the Republic of Bosnia and Herzegovina. The actions and policies of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serb forces and the authorities in the territory that they control pose a continuing unusual and extraordinary threat to the national security, foreign policy interests, and the economy of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) and to the Bosnian Serb forces and the authorities in the territory that they control to reduce their ability to support the continuing civil strife in the former Yugoslavia.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 10, 1995*.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 104-73).

¶63.11 PROVIDING FOR THE
CONSIDERATION OF H.R. 961

Mr. QUILLEN, by direction of the Committee on Rules, called up the following resolution (H. Res. 140):

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. 961) to amend the Federal Water Pollution Control Act. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302(f) of the Congressional Budget Act of 1974 are waived. 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 Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. 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 Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. The first three sections and each title of the committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI or clause 5(a) of rule XXI or section 302(f) of the Congressional Budget Act of 1974 are waived. 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. Amendments so printed shall be considered as read. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution. That amendment may be offered only by a Member designated in the report, may amend portions of the bill not yet read for amendment, shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, then the committee amendment in the nature of a substitute as so amended shall be considered as original text for the purpose of further amendment. At the conclusion of consideration of the bill for amendment for 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 an 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. QUILLEN, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

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

Mr. BORSKI objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 414
 Nays 4

¶63.12

[Roll No. 311]

YEAS—414

Abercrombie	Dicks	Istook
Ackerman	Dixon	Jackson-Lee
Allard	Doggett	Jacobs
Andrews	Dooley	Johnson (CT)
Archer	Doolittle	Johnson (SD)
Armey	Dornan	Johnson, E. B.
Bachus	Doyle	Johnson, Sam
Baesler	Dreier	Johnston
Baker (CA)	Duncan	Jones
Baker (LA)	Dunn	Kanjorski
Baldacci	Durbin	Kaptur
Ballenger	Edwards	Kasich
Barcia	Ehlers	Kelly
Barr	Ehrlich	Kennedy (MA)
Barrett (NE)	Emerson	Kennedy (RI)
Barrett (WI)	Engel	Kennelly
Bartlett	English	Kildee
Barton	Ensign	Kim
Bass	Eshoo	King
Bateman	Evans	Kingston
Becerra	Everett	Klecicka
Beilenson	Ewing	Klink
Bentsen	Farr	Klug
Bereuter	Fattah	Knollenberg
Berman	Fawell	Kolbe
Bevill	Fazio	LaFalce
Billbray	Fields (LA)	LaHood
Bilirakis	Fields (TX)	Lantos
Bishop	Filner	Largent
Blute	Flake	Latham
Boehlert	Flanagan	LaTourette
Boehner	Foglietta	Laughlin
Bonilla	Foley	Lazio
Bonior	Forbes	Leach
Bono	Fowler	Levin
Borski	Fox	Lewis (CA)
Boucher	Frank (MA)	Lewis (GA)
Brewster	Franks (CT)	Lightfoot
Browder	Franks (NJ)	Linder
Brown (CA)	Frelinghuysen	Lipinski
Brown (FL)	Frisa	Livingston
Brown (OH)	Frost	LoBiondo
Brownback	Funderburk	Lofgren
Bryant (TN)	Furse	Longley
Bryant (TX)	Gallegly	Lowey
Bunn	Ganske	Lucas
Burr	Gejdenson	Luther
Burton	Gekas	Maloney
Buyer	Gephardt	Manton
Callahan	Geren	Manzullo
Calvert	Gibbons	Markey
Camp	Gilchrest	Martinez
Canady	Gillmor	Martini
Castle	Gilman	Mascara
Chabot	Gonzalez	Matsui
Chambliss	Goodlatte	McCarthy
Chapman	Goodling	McCollum
Chenoweth	Gordon	McCrery
Christensen	Goss	McDade
Chrysler	Green	McDermott
Clay	Greenwood	McHale
Clayton	Gunderson	McHugh
Clement	Gutierrez	McInnis
Clinger	Gutknecht	McIntosh
Clyburn	Hall (OH)	McKeon
Coble	Hall (TX)	McKinney
Coburn	Hamilton	McNulty
Coleman	Hancock	Meehan
Collins (GA)	Hansen	Meek
Collins (MI)	Harman	Menendez
Combust	Hastert	Metcalf
Condit	Hastings (FL)	Meyers
Conyers	Hastings (WA)	Mfume
Cooley	Hayes	Mica
Costello	Hayworth	Miller (CA)
Cox	Hefley	Miller (FL)
Coyne	Hefner	Mineta
Cramer	Heineman	Minge
Crane	Herge	Mink
Crapo	Hilleary	Molinari
Creameans	Hilliard	Mollohan
Cubin	Hinchey	Montgomery
Cunningham	Hobson	Moorhead
Danner	Hoekstra	Moran
Davis	Hoke	Morella
de la Garza	Holden	Myers
Deal	Horn	Myrick
DeFazio	Hostettler	Nadler
DeLauro	Houghton	Neal
DeLay	Hoyer	Nethercutt
Dellums	Hunter	Neumann
Deutsch	Hutchinson	Ney
Diaz-Balart	Hyde	Norwood
Dickey	Inglis	Nussle

Oberstar	Rush	Taylor (NC)
Obey	Sabo	Tejeda
Olver	Salmon	Thomas
Ortiz	Sanders	Thompson
Orton	Sanford	Thornberry
Owens	Sawyer	Thornton
Oxley	Saxton	Thurman
Packard	Scarborough	Tiahrt
Pallone	Schaefer	Torkildsen
Parker	Schiff	Torres
Pastor	Schumer	Torricelli
Paxon	Scott	Towns
Payne (NJ)	Seastrand	Traficant
Payne (VA)	Sensenbrenner	Tucker
Peterson (MN)	Serrano	Upton
Petri	Shadegg	Velazquez
Pickett	Shaw	Vento
Pombo	Shays	Visclosky
Pomeroy	Shuster	Volkmer
Porter	Sisisky	Vucanovich
Portman	Skaggs	Waldholtz
Poshard	Skeen	Walker
Pryce	Skelton	Walsh
Quillen	Slaughter	Wamp
Quinn	Smith (MI)	Ward
Radanovich	Smith (NJ)	Waters
Rahall	Smith (TX)	Watt (NC)
Ramstad	Smith (WA)	Watts (OK)
Rangel	Solomon	Weldon (FL)
Reed	Souder	Weldon (PA)
Regula	Spence	Weller
Reynolds	Spratt	Whitfield
Richardson	Stark	Wicker
Riggs	Stearns	Williams
Rivers	Stenholm	Wilson
Roberts	Stockman	Wise
Roemer	Stokes	Wolf
Rohrabacher	Studds	Woolsey
Ros-Lehtinen	Stump	Wyden
Rose	Stupak	Wynn
Roth	Tanner	Young (AK)
Roukema	Tate	Young (FL)
Roybal-Allard	Tauzin	Zeliff
Royce	Taylor (MS)	Zimmer

NAYS—4

Dingell	Schroeder
Jefferson	Yates

NOT VOTING—16

Bliley	Lewis (KY)	Rogers
Bunning	Lincoln	Talent
Cardin	Moakley	Waxman
Collins (IL)	Murtha	White
Ford	Pelosi	
Graham	Peterson (FL)	

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.

¶63.13 CLEAN WATER AMENDMENTS

The SPEAKER pro tempore, Mr. WICKER, pursuant to House Resolution 140 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 961) to amend the Federal Water Pollution Control Act.

The SPEAKER pro tempore, Mr. WICKER, by unanimous consent, designated Mr. MCINNIS as Chairman of the Committee of the Whole; and after some time spent therein,

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

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

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Clean Water Amendments of 1995”.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
 Sec. 2. Definition.
 Sec. 3. Amendment of Federal Water Pollution Control Act.

TITLE I—RESEARCH AND RELATED PROGRAMS

Sec. 101. Research, investigations, training, and information.
 Sec. 102. State management assistance.
 Sec. 103. Mine water pollution control.
 Sec. 104. Water sanitation in rural and Native Alaska villages.
 Sec. 105. Authorization of appropriations for Chesapeake program.
 Sec. 106. Great Lakes management.

TITLE II—CONSTRUCTION GRANTS

Sec. 201. Uses of funds.
 Sec. 202. Administration of closeout of construction grant program.
 Sec. 203. Sewage collection systems.
 Sec. 204. Value engineering review.
 Sec. 205. Grants for wastewater treatment.

TITLE III—STANDARDS AND ENFORCEMENT

Sec. 301. Arid areas.
 Sec. 302. Secondary treatment.
 Sec. 303. Federal facilities.
 Sec. 304. National estuary program.
 Sec. 305. Nonpoint source management programs.
 Sec. 306. Coastal zone management.
 Sec. 307. Comprehensive watershed management.

TITLE IV—PERMITS AND LICENSES

Sec. 401. Waste treatment systems for concentrated animal feeding operations.

Sec. 402. Municipal and industrial stormwater discharges.

Sec. 403. Intake credits.

Sec. 404. Combined sewer overflows.

Sec. 405. Abandoned mines.

Sec. 406. Beneficial use of biosolids.

TITLE V—GENERAL PROVISIONS

Sec. 501. Publicly owned treatment works defined.

Sec. 502. Implementation of water pollution laws with respect to vegetable oil.

Sec. 503. Needs estimate.

Sec. 504. Food processing and food safety.

Sec. 505. Audit dispute resolution.

TITLE VI—STATE WATER POLLUTION CONTROL REVOLVING FUNDS

Sec. 601. General authority for capitalization grants.

Sec. 602. Capitalization grant agreements.

Sec. 603. Water pollution control revolving loan funds.

Sec. 604. Allotment of funds.

Sec. 605. Authorization of appropriations.

Sec. 606. State nonpoint source water pollution control revolving funds.

TITLE VII—MISCELLANEOUS PROVISIONS

Sec. 701. Technical amendments.

Sec. 702. John A. Blatnik National Fresh Water Quality Research Laboratory.

Sec. 703. Wastewater service for colonias.

Sec. 704. Savings in municipal drinking water costs.

TITLE VIII—WETLANDS CONSERVATION AND MANAGEMENT

Sec. 801. Short title.

Sec. 802. Findings and purposes.

Sec. 803. State, local, and landowner technical assistance and cooperative training.

Sec. 804. Federal, State, and Local Government Coordinating Committee.

Sec. 805. State and local wetland conservation plans and strategies; grants to facilitate the implementation of section 404.