

10 U.S.C. 221(a); to the Committee on National Security.

848. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to provide for alternative means of acquiring and improving housing and supporting facilities for the Armed Forces and their families; to the Committee on National Security.

849. A letter from the Secretary, Department of Health and Human Services, transmitting the annual report for fiscal year 1994 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Economic and Educational Opportunities.

850. A letter from the Acting Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending March 31, 1995, pursuant to 22 U.S.C. 2768; to the Committee on International Relations.

851. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on missile proliferation, pursuant to 22 U.S.C. 2797 note; to the Committee on International Relations.

852. A letter from the Chief Counsel, Foreign Claims Settlement Commission of the United States, transmitting the Commission's 1993 annual report on operations under the War Claims Act of 1948, as amended, pursuant to 50 U.S.C. app. 2008; 22 U.S.C. 1622a; to the Committee on International Relations.

853. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to section 1207(c) of the National Defense Authorization Act for fiscal year 1995; to the Committee on International Relations.

854. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to repeal a provision of the National Defense Authorization Act for fiscal year 1994 that prohibits the United States Government from acquiring or modifying diplomatic or consular facilities in Germany unless done with residual value funds provided by Germany and only after Germany has committed to repay at least 50 percent of the residual value of United States installations returned to Germany; to the Committee on International Relations.

855. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-38, "Pennsylvania Avenue Development Area Parks and Plaza Public Safety Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

856. A letter from the Federal Financial Institutions Examination Council, Appraisal Subcommittee, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

857. A letter from the Chairman, Federal Communications Commission, 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.

858. A letter from the Secretary, Department of the Interior, transmitting the 1994 section 8 report on national historic and natural landmarks that have been damaged or to which damage to their integrity is anticipated, pursuant to 16 U.S.C. 1a-5(a); to the Committee on Resources.

859. A letter from the Comptroller General, General Accounting Office, transmitting a report entitled, "Military Bases: Analysis of DOD's 1995 Process and Recommendations for Closure and Realignment," pursuant to Public Law 101-576, section 305 (104 Stat. 2853); jointly, to the Committees on National Security and Government Reform and Oversight.

860. A letter from the Comptroller General, General Accounting Office, transmitting the financial audit of the Federal Deposit Insurance Corporation's 1994 and 1993 financial statements, pursuant to Public Law 101-576, section 305 (104 Stat. 2853); jointly, to the Committees on Banking and Financial Services and Government Reform and Oversight.

861. A letter from the Attorney General of the United States, transmitting the 1994 annual report on the number of applications that were made for orders and extension of orders approving electronic surveillance under the Foreign Intelligence Surveillance Act, pursuant to 50 U.S.C. 1807; jointly, to the Committees on Intelligence (Permanent Select) and the Judiciary.

862. A letter from the Secretary of Energy, transmitting notification that the Department's report on commercial projects employing clean coal technologies in countries projected to have significant growth in greenhouse gas emissions, will be provided by June 15, 1995; jointly, to the Committees on Appropriations, Commerce, and Science.

863. A letter from the Acting Director, Central Intelligence Agency, transmitting a draft of proposed legislation entitled, the "Intelligence Authorization Act for Fiscal Year 1996," pursuant to 31 U.S.C. 1110; jointly, to the Committees on Intelligence (Permanent Select), Government Reform and Oversight, National Security, and the Judiciary.

#### ¶63.3 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.

#### ¶63.4 PARTY AFFILIATION

The SPEAKER pro tempore, Mr. WICKER, laid before the House a communication, which was read as follows:

DEMOCRATIC CAUCUS,  
U.S. HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 10, 1995.*

Hon. NEWT GINGRICH,  
*Speaker, U.S. House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to inform you that Representative Nathan Deal is no longer a member of the Democratic Caucus.  
Sincerely,

VIC FAZIO,  
*Chairman.*

#### ¶63.5 COMMITTEE MEMBERSHIP

The SPEAKER pro tempore, Mr. WICKER, laid before the House a communication, which was read as follows:

THE SPEAKER,  
U.S. HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 10, 1995.*

Hon. DON YOUNG,  
*Chairman, Committee on Resources, U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: This is to advise you that Representative Nathan Deal's election to the Committee on Resources has been automatically vacated pursuant to clause 6(b) of rule X, effective today.  
Sincerely,

NEWT GINGRICH.

#### ¶63.6 COMMITTEE MEMBERSHIP

The SPEAKER pro tempore, Mr. WICKER, laid before the House a communication, which was read as follows:

THE SPEAKER,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 10, 1995.*

Hon. BUD SHUSTER,  
*Chairman, Committee on Transportation and Infrastructure, U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: This is to advise you that Representative Nathan Deal's election to the Committee on Transportation and Infrastructure has been automatically vacated pursuant to clause 6(b) of rule X, effective today.

Sincerely,

NEWT GINGRICH.

#### ¶63.7 COMMITTEE ELECTION—MAJORITY

Mr. BOEHNER, by direction of the Republican Conference, called up the following privileged resolution (H. Res. 143):

*Resolved*, That the following named Member be, and is hereby, elected to the Committee on Commerce of the House of Representatives: Representative Nathan Deal of Georgia.

When said resolution was considered and agreed to.

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

#### ¶63.8 COMMITTEES AND SUBCOMMITTEES TO SIT

On motion of Mr. BOEHNER, by unanimous consent, the following committees and their subcommittees were granted permission to sit during the 5-minute rule today: the Committee on Agriculture, the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on House Oversight, the Committee on International Relations, and the Committee on Resources.

#### ¶63.9 MESSAGE FROM THE PRESIDENT—GUN FREE SCHOOL ZONES

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

*To the Congress of the United States:*

Today I am transmitting for your immediate consideration and passage the "Gun-Free School Zones Amendments Act of 1995." This Act will provide the jurisdictional element for the Gun-Free School Zones Act of 1990 required by the Supreme Court's recent decision in *United States v. Lopez*.

In a 5-4 decision, the Court in *Lopez* held that the Congress had exceeded its authority under the Commerce Clause by enacting the Gun-Free School Zones Act of 1990, codified at 18 U.S.C. 922(q). The Court found that this Act did not contain the jurisdictional element that would ensure that the firearms possession in question has the requisite nexus with interstate commerce.

In the wake of that decision, I directed Attorney General Reno to present to me an analysis of *Lopez* and to recommend a legislative solution to the problem identified by that decision. Her legislative recommendation is presented in this proposal.

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.