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(LIZIK_C) (OA)

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THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 12, 1995

PRESS BRIEFING
BY MIKE MCCURRY

The Briefing Room

1:57 P.M. EDT

MR. MCCURRY: Let me start with an announcement about the Endangered Species Act. The President will have a statement very shortly in which the President says that he's announcing significant reforms to the Endangered Species Act and Clean Water Act Wetlands Program which will benefit homeowners in America. Under the reforms, a vast majority of American homeowners won't ever have to worry about endangered species implications or wetlands requirements if they're doing things like building properties or looking to modify their own structures on property that are wetlands implicated.

Specifically, the Endangered Species Act programs will, as administered by the Department of the Interior, essentially eliminate restrictions on single

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-family homeowners with five or fewer acres of land. Similarly, for wetlands programs, the Army Corps of Engineers will issue a new nationwide permit to allow homeowners to construct or expand residences without an individual permit. That is an additional step that is consistent with a lot of things the

administration has been doing to enhance homeownership opportunities for individual Americans.

There will be a briefing over at the Department of Interior at 3:15 p.m. today by Interior folks and Army Corps of Engineers folks. So they'll be able to answer any questions you might have.

Q Is this a proposal or is this the regulation that he's issuing?

MR. MCCURRY: These are -- my understanding is it's reforms, changes in the regulations as administered now. So this is an executive action. It doesn't require any congressional action or approval.

Q Is this an announcement, a piece of paper, or what?

MR. MCCURRY: A piece of paper that we're doing here, and that they will brief on at greater length over at Interior.

Q How do you think this will affect the debate on the Hill in terms of environmental issues?

MR. MCCURRY: Well, we hope that given so many unfortunate things happening on the Hill as they relate to environmental protection, that this common

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-sense application of law
is what we need to do to protect our environment, in the interest of BOTTOM EVEN
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homeowners and individual citizens who shouldn't have to go through cumbersome bureaucratic procedures to do what they want to do on their private property.

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We'd indicate to Congress that this administration and this White House take a common sense approach to environmental regulation, and thus make it unnecessary to eviscerate those environmental protection laws that the President believes are important to safeguarding the natural resources of America and enhance the quality of the environment for all Americans.

Q Did the Republican proposals help spur the administration to come out with this?

MR. MCCURRY: Well, I would say, when it comes to wetlands, as you know, since 1993, we have done a series of things to really improve the administration of wetlands regulation. And this is consistent with those things. It's also consistent with a variety of measures that we've taken not only in the natural resources area, but also through HUD and other agencies to expand and enhance homeownership opportunities.

Q The wetlands position had been no net loss of wetlands. Will this result in a loss of wetlands?

MR. MCCURRY: No, this doesn't change that. No net loss was announced in 1993. My understanding, it will remain in place. Interior will have more on it at 3:15 p.m., if you want to pass it on.

Q On Bosnia --

MR. MCCURRY: Let me just, before that, I know a lot of people are asking about where we are on base closings. The President is having lunch with the Vice President at this hour, and then he does intend to do some work on this later on this afternoon. He has -- for those of you who have been following this -- had a series of questions that he's posed both to the commission itself and to the Pentagon on what the prospects are for privatization in place at some of the facilities that have been recommended for closure.

And the President has been insisting that he get from staff very accurate and credible estimates of what the prospects for privatization are. And he's had a series of very precise questions that he's posed to the Pentagon and to his own staff here and we've been assembling those answers for him. That's the material that he intends to review later today. And I think it's entirely possible he might conclude that later today. If he does, we would issue some written materials relevant to that. And then I believe the Pentagon is prepared to brief at that time.

So just to keep you advised, keep checking. I think it's going to be mid to late afternoon.

Q He has not made a decision yet?

MR. MCCURRY: He is getting ready to review these materials with some of the staff here, and some of the precise questions that he asked for they're going to share with the President later on in the afternoon.

Q With the fall of Srebrenica and the threat now to Zepa and Gorazda and Eastern enclaves, is the Clinton administration rethinking its opposition to a unilateral U.S. lifting of the arms embargo?

MR. MCCURRY: Absolutely not. The one thing that we know would guarantee that the situation in Bosnia is worsened would be a unilateral lifting of the arms embargo. I think there are many, unfortunately, in our United States Congress who believe somehow that lifting the arms embargo is an easy way out of what is a very TOP ODD - \p -

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difficult foreign policy problem. They are badly mistaken. Lifting the arms embargo unilaterally on Bosnia would further enflame the conflict that's already gone on for far too long.

It would also have the effect of Americanizing this war. There is no question that unilaterally lifting the arms embargo, if the United States took that action, would lead U.N. troop

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-contributing nations to quickly withdraw their troops. That would then trigger, as you all know, a commitment we have to our allies to help extract them. So it is almost a dead

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-certain bet that

lifting the arms embargo would mean U.S. ground troops would have to be present in Bosnia very shortly. And that question needs to be

posed to those in the United States Congress who are proposing a course that we think is not only dangerous, but would further jeopardize lives in Bosnia.

Q Would the President -- I'm not sure how this works -- would the President have veto power over anything Congress might do along these lines? And would he then veto?

MR. MCCURRY: Well, that's not clear. I think the Congress -- we're not certain of what authority the Congress would have to instruct the United States to unilaterally abrogate a U.N. Security Council resolution. There have been various suggestions this might come in the form of a sense of the Senate resolution, but, in any event, the President is adamantly opposed to that course of action because it entails not only risk for the civilian population of Bosnia as the war would worsen very quickly but it also would put in jeopardy U.N. peacekeeping troops. It would put in jeopardy U.S. troops which would most likely have to be dispatched to extract U.N. personnel from Bosnia, and it would lead to significant cost to U.S. taxpayers because -- as we took on the burden of arming the Bosnian Muslims.

Q If it's in a sense a Senate resolution it carries no weight of law, so, therefore, the President can just ignore it. So what is the concern then?

MR. MCCURRY: The concern then is that at this time in Bosnia it is just not a wise idea to make meaningless gestures. And I don't believe that anyone in the Congress who's proposing this course of action thinks of it as a meaningless gesture. But what it happens to be is a very bad alternative in a situation that doesn't have many good alternatives available.

Q What is the President's position now on multilateral lifting of the embargo? Does he still favor that, and has he made any effort in recent times to push that?

MR. MCCURRY: We have consistently said and continue to believe that it may become possible as a last resort that a multilateral lifting of the arms embargo would be unavoidable. That has consistently been the view of those nations that participate in the Contact Group with whom we cooperate. It's not clear that any of the nations that we cooperate with in the Contact Group have taken the view that that unavoidable last resort is now at hand.

Now, I will point out, there's a big difference between working within the international community to multilaterally lift the arms embargo. That is basically a conclusion that that is the preferred option that then comes from a judgment that would be made not only within those member nations at the United Nations, but also within those groups that are working diplomatically on the problem of Bosnia.

There's a big difference between that and unilaterally lifting the arms embargo. Unilaterally lifting the arms embargo means that the problem in Bosnia is unilaterally the responsibility of the United States. There are no doubt some nations that wouldn't mind transferring that responsibility to the United States. But that's why we've said consistently that a unilateral lift of the arms embargo is a certain formula for Americanizing the war in Bosnia and

putting U.S. troops and U.S. personnel and resources significantly at risk.

Q Do you then see the multilateral lifting is tied to an end to UNPROFOR if the UNPROFOR nations decide to leave, does it then follow as far as you're concerned that you have to pursue a multilateral lift?

MR. MCCURRY: I think it would depend on the judgments we'd reach with our allies and others if that was the course of action suggested. I would say, based on the diplomatic discussions that we've had in the last 24 hours, there's some determination on the part of other UNPROFOR countries -- troop

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-contributing countries

-- to stay in place in Bosnia. There is some sense that the UNPROFOR presence there is vital to helping relieve the humanitarian situation there, which is now surely worsening as refugees stream out of the Srebrenica area and go to some of the adjacent enclaves, or outside, at least, the Srebrenica enclave.

And so our work, at the moment, has been focused on discussions with the U.N. High Commissioner for Refugees. And UNHCR, I believe, is also having discussions today with the Bosnian Serbs about steps that could be taken to help the civilian population, which is now at risk.

There's no question that removing the U.N. mission from Bosnia would seriously worsen the humanitarian situation that exists for those civilians. They are -- at the moment, many hundreds of thousands of Bosnian civilians are kept alive by the provision of foodstuffs, water and supplies that they're getting through the U.N. effort.

Q Mike, in the last 24 hours, can you just tell us what those discussions have yielded in terms of what the peacekeepers may need in terms of help and what the allies have to do about Zepa?

MR. MCCURRY: There's not much that I can shed -- not much light I can shed on that. There have been discussions both that are getting ready to occur now in London through the Contract Group, and Assistant Secretary Dick Holbrooke is there representing the United States. I think that will be a venue for discussions of what some of our key allies see as the situation, military situation.

I think, as you know, there's a debate underway at the U.N. Security Council on a resolution that I'll expect will -- the last I heard -- will probably pass sometime this afternoon, that deals with the question of what authority the Secretary General will have to use additional resources to return Srebrenica to its status quo prior to the recent Bosnian Serb offensive. So I think a lot of that is being judged now by the allies and we are in consultation with our allies on that.

Q But wouldn't that take manpower?

MR. MCCURRY: Maura had a follow

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-up.

Q One of the accusations that's been made this week is that the U.N. presence kind of facilitates Serb aggression. In other words, it does keep these people alive, but because, in effect, it stops NATO from making air strikes, from taking tougher measures, in effect, you're helping the Serbs pick off these enclaves one by one.

MR. MCCURRY: That's not a correct analysis of how NATO has been prepared to assist the U.N. in its effort. It has always been the case that under the decisions of the North Atlantic Council that NATO military powers available to the United Nations upon request to the United Nations. So the United Nations has been in the position of calling upon NATO to take additional action. It has never been a case that NATO could, on its own, go and conduct military activity that might be outside the parameters suggested by U.N. Commanders on the ground and by United Nations civilian personnel.

Q Does that set
□
-up help Serb --

MR. MCCURRY: There have been good questions asked about the utility of the dual key arrangement.

Q What's the U.S. position on retaking the enclave, or the safe zone? And do you actually think -- does the President actually think that his policy is working, or the U.N. policy is working there when -- you say when the situation worsens -- how can it get any worse?

MR. MCCURRY: How can it get worse?

Q -- when a few more cities they haven't taken, which they are free to take with no resistance?

MR. MCCURRY: Sarajevo could be strangled further by the Serbs -- overrun by the Serbs. You could see Gorazda, Tuzla and others fall. You could see millions of refugees put at significant risk because there are no provisions at all for humanitarian aid upon departure of the United Nations. You could see thing get seriously worse there upon departure of the United Nations. It is not a pretty picture. Nobody would say otherwise.

Q But the policy has created all of these refugees.

MR. MCCURRY: I believe it's the Bosnian Serbs that have created all these refugees.

Q But you give them no resistance. They can go anywhere and do anything.

MR. MCCURRY: Well, you are correct that the United Nations is not at war with the Bosnian Serbs. It has not been.

Q What is the U.S. position on retaking?

MR. MCCURRY: As we said yesterday, we believe Srebrenica should be returned to it's status as a safe area and I

believe the United Nations Security Council is getting ready to act to insist upon that.

Q But how's that backed up, Mike?

Q Those are two different things. You're saying it should be returned, but should it be retaken?

MR. MCCURRY: Well, there was an agreement dating back to April, which was clearly abrogated by the Bosnian Serbs in recent days that establish Srebrenica as a -- was to have established Srebrenica as a demilitarized area in that the Bosnian Serbs would respect the territorial integrity of the enclave in exchange for the Bosnian government removing any weaponry from the area. Now, that fell apart as the Bosnian Serbs made clear some offensive intentions with regard to the enclave and as the Bosnian government moved to defend the civilian population of Srebrenica. Our United Nations will likely insist upon a return to the April arrangement.

Q What in there would compel the Bosnian Serbs to do anything that you're suggesting?

MR. MCCURRY: What would compel them to do it? The prospect of living for some time in the future within the community of nations. Now, if that's a thin reed it's a thin reed. But long after -- at some point in the future the conflict in Bosnia will be over but the memories of what the Bosnian Serbs have done in recent days will never end. And that likely they will pay a price for that one way or another long into the future.

Q Well you have attempted to extract a price of one sort or another for a number of years now.

MR. MCCURRY: Right.

Q On Serbia itself, on the Bosnian Serbs both militarily and economically. They've had no effect and in essence the Serbs -- impunity.

MR. MCCURRY: It's not accurate to say that they've had no effect because you're assuming that in the absence of the policy that had been pursued by the United States and by its allies that the situation would somehow have been better. And I think it's very clear the evidence would suggest the contrary. There would have been much deeper loss of life. The likelihood of the Bosnian Serbs contesting or conquering additional parts of Bosnia

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-Herzegovina is quite clear. And it's quite clear that they never -- you know, we have kept alive at least some possibility that we would get a settlement that would reverse some of the gains that the Bosnian Serbs made during the war against the Bosnia Muslims. None of that would have been possible absent a presence by the United Nations and by the diplomatic effort that's been underway.

Now, is this situation satisfactory now? Of course, it is not but the problem is everyone who thinks they've got a better idea happened to be dead wrong.

Q Saying the U.N. insists on a return to the status quo is essentially meaningless without enforcement. In what way

would the U.N. enforce it and in what way would the United States participate in any enforcement of the resolutions so it could pass this afternoon?

MR. MCCURRY: I can't speak to that. That discussion is underway at the Security Council. But the latest draft of resolutions suggests that the Secretary General should use the resources available to the Secretary General, most likely through UNPROFOR, to return that. Now, is that going to be a military effort. I can't imagine that there's much military resource available to achieve that result so it most likely will have to be diplomatic.

Q The Bosnian government seems to be rethinking its position on keeping UNPROFOR in Bosnia. So far they've not asked that UNPROFOR leave. I assume, correct me if I'm wrong, if the Bosnian government were to ask that the UNPROFOR troops leave in exchange for a multilateral lifting of the arms embargo, the U.S. position would be to support whatever the Bosnian government asks for?

MR. MCCURRY: Well, let's wait and see if the Bosnian government makes that judgment.

Q Do you agree with Chirac that the enclaves should be retaken with French military resources?

MR. MCCURRY: Well, as I said to some of you earlier today, we are in contact with the French to determine what precisely the French President has in mind --

Q You haven't determined that yet?

MR. MCCURRY: That has not been determined yet and there will be further discussions most likely in London on that.

Q One more question. Does the President have any confidence at all in Mr. Akashi?

MR. MCCURRY: The President respects the work that Mr. Akashi has done in Bosnia. It is a very difficult situation and he has a difficult job preserving a neutral peacekeeping force amidst two parties in conflict when much of the world, of course, sees one of those parties clearly as an aggressor. But the U.N. peacekeeping mission that is there is there in a capacity, a neutral capacity. It is not there to make war on the Bosnian Serbs. It never has been.

That has made the role that he plays as a civilian representative of the Secretary General there a difficult one. And we acknowledge that.

Q Well, the Bosnian government has asked that he be replaced. Do you think it's time to do that?

MR. MCCURRY: That's a matter for the United Nations and for the Secretary General.

Q Can I change topics?

MR. MCCURRY: You sure can. I'd be happy if you would.

Q On religious expression stuff, Mr. Dellinger said he thought it was long overdue that the President made this kind of statement. And he said that in the past, public figures, he didn't name them, had contributed to the confusion by making statements like God has been kicked out of the classroom. If I'm not mistaken, among people who used to make that kind of statement was President Reagan with some regularity. Is what the President said today an effort to essentially say that God is everywhere and so can't be kicked out of anyplace? (Laughter.) And persons of faith can -- I mean, the President took some pains to say he was a person of faith and is private about it.

MR. MCCURRY: I would say that is a question that would have been proper to address to Mr. Dellinger. I'll see if we can get an answer.

Q Why now -- it seems to me the Justice Department was ordered to sit down and look at existing Supreme Court case law and put together a compendium of dos and don'ts for classroom level education and -- if you believe Secretary Riley's assertion -- that this somehow this Xerox copy is going to make it from Washington to a third grade teacher. Why now on the timing of this?

MR. MCCURRY: Well, the timing on this, there's a debate in Congress underway on alterations to the First Amendment, as you know, It's also true that there is an informed public debate about what freedom of religious expression means in America. Now, this is a subject of enormous importance to millions of Americans who believe that their right to freely exercise their rights under the First Amendment are somehow in jeopardy.

And the President felt strongly about addressing this. He's been addressing a series -- in a series of speeches, he's addressed subjects that are important to the moral life of this nation, and I think it is consistent with several opportunities the President has taken recently to address questions that are related to the moral values that are inherent in American society.

Q Are there going to be any more such speeches on values and --

MR. MCCURRY: I would argue in many ways that the speech next week on affirmative action is going to be very much that kind of speech because it goes to the heart of what social justice is about, what equal opportunity is about in our society, and is consistent with the President speaking out very vigorously in recent days on the moral life and moral values of this country?

Q Are others contemplated after that?

MR. MCCURRY: I wouldn't rule out -- I think the President will reinforce many of the themes he's struck in some of his recent speeches in future appearances. I don't know that I would target any particular speech as a major new area that he's going to address. But as you've seen him do in Nashville earlier this week, he will be reinforcing some of these themes that he's struck in recent days.

Q But this is the gamut of topics. In other words, violence in the media, civility, affirmative action, and religion? That's it?

MR. MCCURRY: At the moment, yes, but, you know, there are probably many opportunities the President will see in future weeks and months to address questions of this nature. So there may be new topics as well.

Q Have you gotten a letter from Gingrich yet on the political reform commission?

MR. MCCURRY: No. I heard -- the last I heard this morning is that the Speaker was still working within the Republican side to discuss some of his ideas with others in the Republican leadership, and it would be proper for him to do that before he'd share his thinking with the President. We are anxious to get that letter because we'd like to move forward on the New Hampshire handshake agreement obviously.

Q Does the White House believe that the House Republicans who are so drastically cutting national service, Goals 2000, and technology investment are specifically targeting the Clinton political legacy in trying to prevent him from having or boasting about a legacy?

MR. MCCURRY: They may very well be. You could ask them, find out the answer yourself. I would suggest that, at least, what they are definitely targeting is the capacity that the administration would have using the resources of government to help grow the economy over the long term. The type of investments that they are now specifically attacking would make the U.S. economy stronger in the 21st century would give people opportunities for better and higher paying jobs. And it seems, certainly, to be case of, you know, eating your seed corn when you make that type of assault on the investments that are going to be critical to the economic security of the American family in the future.

Q Would it be fair to say the administration isn't really willing to deal on Medicare and Medicaid with the Republicans until they show some serious effort at scaling back the tax cuts?

MR. MCCURRY: I think and probably can say that I know for a fact that the Republicans would be more than happy to have some type of compromise on Medicare because then they would be free to do things in other parts of the budget on tax cuts. But I think that's one reason why many Democrats on the Hill, and I think why the President as well, feels like you have to put these things together, and you have to consider what the total budget picture is going to look like.

Q Mike, earlier today you mentioned something about a welfare reform speech tomorrow.

MR. MCCURRY: No, he's going to, I believe, will have a welfare reform event here tomorrow. And we'll tell you more about it as we know more later on today. I don't think we have the details yet. The President, I imagine will have some representatives and governors and local officials and some members of the Senate who have

been working hard on an alternative to the Republican welfare reform bill here at the White House at some part tomorrow.

Q Is there something to unveil an alternative?

MR. MCCURRY: No, no. The alternative is there. There is a good Democratic alternative that's been crafted in the Senate, and has the support of the President. It is there, we believe, as a strong and sensible alternative to the Republican proposal. And it's much tougher on work and getting Americans off welfare and back to work than is the Republican proposal.

Q Since this morning, has there been any requests from anyone in the Bosnia region or anyone involved for U.S. participation in any humanitarian or extraction efforts?

MR. MCCURRY: Well, those are two separate -- extraction is a military question.

Q I'm asking two separate questions.

MR. MCCURRY: Not extraction. There have been ongoing discussions about how we could relieve the humanitarian situation there, and what steps individual contributing countries that participate in UNPROFOR could take to relieve the situation around Srebrenica. There's clearly going to be a humanitarian need now, north of Srebrenica, to deal with the civilian population that has moved out of the enclave.

And there are a lot of discussions underway now about what is available; what additional resources are going to be made available; and how will they be made available to those populations. We've had discussions about movement of convoys to those populations -- will they be able to get through; how can we best get them through? So a lot of work of that nature.

But the specific question of extraction at the moment would seem to involve mostly the Dutch contingent that had been in Srebrenica. And to my knowledge, as of about an hour ago, there had been no requests, official requests from the Dutch for extraction.

Q As far as the humanitarian, are you talking about things that would be extra UNPROFOR, outside of that? Some special action put together by various countries for these particular refugees?

MR. MCCURRY: No. My understanding is they would be done under the mandate of the existing U.N. mission.

Q Mike, what's your reaction to the House Appropriations Subcommittee vote last night to eliminate the Surgeon General's office?

MR. MCCURRY: I caught up with that late. I mean, the President feels very strongly, as he said several times during the fight for Dr. Foster's nomination, that the Surgeon General plays a very important role in the public life of America; in a sense, serving as America's doctor. It is a position in which Americans are educated about their own personal health. We learn more about health trends that are important. And it is then a critical element of our whole national effort to protect the nation's health.

In that sense, it's a valuable position within government. But it's not the only position within the U.S. government that the Republicans on the Hill are attempting to eliminate. As you know, they would like to get rid of several Cabinet agencies and others. But the President continues to believe that the surgeon general's post can be very important in protecting the health and welfare of American citizens.

Q Is that issue so strong that if the President would get that appropriations bill and everything else in that bill was fine except that the surgeon general's office was --

MR. MCCURRY: As you' heard from Mr. Panetta yesterday, the likelihood of that that would be the only objectionable feature of that bill is highly remote.

Q But is it -- I mean, is that issue so strong along the lines of some of the other issues that Panetta raised yesterday?

MR. MCCURRY: As I've just said, it's not likely to be the only veto

□

-prompting provision of that --

Q Does the President have a candidate for that job?

MR. MCCURRY: No. But we are continuing to look for a well

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-qualified job, but we are constrained now by what is clearly some very strong litmus test

□

-like views of the Republican majority in the U.S. Senate.

Q Has the President decided or is he leaning toward establishing a post that would take over the teen pregnancy program he has in mind and maybe --

MR. MCCURRY: They continue to work on that, and the question is how best to accomplish that objective without spending a lot or additional taxpayer money.

Q Would it be possible that a nonprofit foundation could be headed up by --

MR. MCCURRY: Certainly.

Q Are you expecting the First Lady to go to Beijing in September?

MR. MCCURRY: That has not been decided, and I would say it had not been decided even prior to some of the more rocky developments in the bilateral relationship between the United States and the People's Republic. There will be many factors weighed by the First Lady's staff and by others here at the White House before any decision is made on that, and the delegation itself is still in the process of being composed.

Q What extent will Mrs. Wu's comments earlier today be weighed as --

MR. MCCURRY: They will be weighed as a factor.

Q Since this conference is not really under the auspices of China, is it possible that she could go to this U.N.

conference and not make any contact with the government of China?

MR. MCCURRY: Well, we would hope not because we would expect the government of People's Republic to play its proper role as host to such an important international gathering.

Q Was the House Speaker barking up the wrong tree yesterday when he made the suggestion that they're willing to bargain with the White House on Medicare and Medicaid cuts in exchange for resolving the appropriations differences when, in fact, they really should be trying to work out a bargain between tax cuts and --

MR. MCCURRY: That came close to being a woof

□

-woof, yes.
(Laughter.)

Q What's a woof

□

-woof?

MR. MCCURRY: As in barking.

Q Okay, so you're saying that any resolution of Medicare and Medicaid differences really -- how much you pay for them and they should be scaling back their tax cuts for the wealthy?

MR. MCCURRY: Well, no, as you know there are additional features to how you would restructure Medicare and Medicaid that are in the line with some of our thinking on how you would do overall reforms, incremental reforms on health care reform. So it's not only a question of funding.

Who's going to relieve me of my misery here? All right.

Thank you.

END

2:28 P.M. EDT

#84

□

-07/12

RECORD TYPE: FEDERAL (ALL-IN-1 MAIL)

CREATOR: Charles S. Konigsberg (KONIGSBERG_C) (OMB)

CREATION DATE/TIME:13-JUL-1995 23:40:09.38

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 12958 as amended, Sec. 3.3 (c)

Initials: ACS Date: 02/01/2013

SUBJECT: ~~CONFIDENTIAL~~--AMR DAILY

2012-0774-F

TO: Alice M. Rivlin

(RIVLIN_A) (OMB)

READ:14-JUL-1995 07:19:47.41

CC: Charles S. Konigsberg

(KONIGSBERG_C) (OMB)

READ:14-JUL-1995 10:46:05.91

CC: Jacob J. Lew

(LEW_J) (OMB)

READ:NOT READ

CC: Patrick J. Griffin

(GRIFFIN_P) Autoforward to: Erin A. O'Con

READ:14-JUL-1995 08:35:01.07

CC: Martha Foley

(FOLEY_M) (OMB)

READ:14-JUL-1995 10:23:26.74

CC: Ann M. Cattalini

(CATTALINI_A) (WHO)

READ:14-JUL-1995 09:49:51.38

CC: Erin A. O'Connor

(OCONNOR_E) (WHO)

READ:14-JUL-1995 08:35:01.07

CC: James C. Murr

(MURR_J) (OMB)

READ:14-JUL-1995 08:32:21.03

CC: James J. Jukes

(JUKES_J) (OMB)

READ:14-JUL-1995 09:17:31.26

CC: Janet R. Forsgren

(FORSGREN_J) (OMB)

READ:14-JUL-1995 08:54:40.77

CC: Ronald K. Peterson

(PETERSON_RK) (OMB)

READ:14-JUL-1995 08:37:48.74

CC: LAWRENCE J. HAAS

(HAAS_L) (OMB)

READ:14-JUL-1995 16:44:49.27

CC: Robert G. Damus

(DAMUS_R) (OMB)

READ:14-JUL-1995 09:07:15.58

CC: Barry B. Anderson

(ANDERSON_B) (OMB)

READ:14-JUL-1995 08:51:20.86

CC: Gordon Adams

(ADAMS_G) (OMB)

READ:NOT READ

CC: T J Glauthier

(GLAUTHIER_T) (OMB)

READ:14-JUL-1995 19:16:01.21

CC: Kenneth S. Apfel

(APFEL_K) (OMB)

READ:NOT READ

CC: Nancy-Ann E. Min

(MIN_N) (OMB)

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 READ:NOT READ

CC: Joseph Minarik (MINARIK_J) (OMB)
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CC: Sally Katzen (KATZEN_S) (OMB)
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CC: Lydia Muniz (MUNIZ_L) (OMB)
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CC: Charles E. Kieffer (KIEFFER_C) (OMB)
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CC: Kristen E. Panerali (PANERALI_K) (OMB)
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CC: John A. Koskinen (KOSKINEN_J) (OMB)
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CC: G. Edward DeSeve (DESEVE_G) (OMB)
 READ:NOT READ

CC: John B. Arthur (ARTHUR_J) (OMB)
 READ:14-JUL-1995 18:41:40.56

CC: William A. Halter (HALTER_W) (OMB)
 READ:14-JUL-1995 08:58:59.54

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
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CC: Chantale Wong (WONG_C) (OMB)
 READ:14-JUL-1995 08:49:05.88

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 READ:NOT READ

CC: Thomas O'Donnell (O'DONNELL_T) (OPD)
 READ:NOT READ

CC: David J. Lane (LANE_D) (OPD)
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CC: John Gibbons (GIBBONS_J) Autoforward to: Remote Address
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CC: M. Jill Gibbons (GIBBONS_M) (OMB)
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CC: Ronald E. Jones (JONES_RE) (OMB)
 READ:14-JUL-1995 10:05:47.98

CC: Ingrid M. Schroeder (SCHROEDER_I) (OMB)

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CC: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
 READ:19-JUL-1995 08:57:30.20

CC: James A. Brown (BROWN_JA) (OMB)
 READ:NOT READ

CC: Constance J. Bowers (BOWERS_C) (OMB)
 READ:14-JUL-1995 09:29:31.52

CC: Melissa Y. Cook (COOK_MY) (OMB)
 READ:14-JUL-1995 08:18:09.02

CC: Anna M. Briatico (BRIATICO_A) (OMB)
 READ:14-JUL-1995 09:03:09.64

CC: Christopher J. Mustain (MUSTAIN_C) (OMB)
 READ: 2-AUG-1995 11:38:35.40

CC: Robert J. Pellicci (PELLICCI_R) (OMB)
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CC: James C. Crutchfield (CRUTCHFIEL_J) (OMB)
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CC: Elyse H. Fitter (FITTER_E) (OMB)
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CC: Michael L. Goad (GOAD_M) (OMB)
 READ:NOT READ

CC: Annette E. Rooney (ROONEY_A) (OMB)
 READ:14-JUL-1995 08:59:40.66

CC: Dena B. Weinstein (WEINSTEIN_D) (OPD)
 READ:14-JUL-1995 07:40:08.12

CC: Stacey L. Rubin (RUBIN_S) (WHO)
 READ:14-JUL-1995 08:49:39.47

CC: Jennifer N. Palmieri (PALMIERI_J) (OMB)
 READ:14-JUL-1995 09:02:06.55

CC: Karin L. Kizer (KIZER_K) (OMB)
 READ:14-JUL-1995 09:03:55.66

CC: Margaret R. Shaw (SHAW_M) (OMB)
 READ:14-JUL-1995 08:42:09.90

CC: Deborah F. Kramer (KRAMER_D) (OMB)
 READ:14-JUL-1995 08:12:58.28

CC: Diane G. Limo (LIMO_D) (OMB)
 READ:14-JUL-1995 10:16:29.58

CC: Alice E. Shuffield (SHUFFIELD_A) (OMB)
 READ:14-JUL-1995 14:21:30.25

CC: Janet L. Graves (GRAVES_J) (OMB)

READ:14-JUL-1995 10:27:50.94

CC: James I. Blount (BLOUNT_J) (OMB)
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CC: Lara L. Roholt (ROHOLT_L) (OMB)
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CC: Philip R. Dame (DAME_P) (OMB)
READ:17-JUL-1995 09:38:14.34

CC: Alan B. Rhinesmith (RHINESMITH_A) Autoforward to: Elizabeth
READ:14-JUL-1995 10:18:42.29

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)
READ:14-JUL-1995 08:11:02.89

CC: Barry T. Clendenin (CLENDENIN_B) (OMB)
READ:14-JUL-1995 08:18:46.58

CC: Robert B. Rideout (RIDEOUT_R) (OMB)
READ:14-JUL-1995 08:38:04.20

CC: Philip A. DuSault (DUSAULT_P) (OMB)
READ:14-JUL-1995 09:19:48.76

CC: Phebe N. Vickers (VICKERS_P) (OMB)
READ:NOT READ

CC: Kathleen Peroff (PEROFF_K) (OMB)
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CC: Ron Cogswell (COGSWELL_R) (OMB)
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CC: Barry White (WHITE_B) (OMB)
READ:14-JUL-1995 08:15:26.72

CC: Richard P. Emery Jr. (EMERY_R) (OMB)
READ:14-JUL-1995 07:56:50.61

CC: Barbara C. Chow (CHOW_B) (WHO)
READ:14-JUL-1995 10:25:19.34

CC: Robert E. Barker (BARKER_R) (OMB)
READ:14-JUL-1995 07:48:05.58

CC: Mark Gearan (GEARAN_M) Autoforward to: Angus S. King
READ:14-JUL-1995 09:45:39.67

CC: Donald A. Baer (BAER_D) (WHO)
READ:NOT READ

CC: Ann F. Walker (WALKER_A) (WHO)
READ:NOT READ

CC: Todd Stern (STERN_T) (WHO)
READ:NOT READ

CC: Kelly Musick (MUSICK_K) (OMB)

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CC: Brian Blais (BLAIS_B) (OMB)

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CC: Mary Lynn Jones (JONES_ML) (OMB)

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CC: Nancy L. Brandel (BRANDEL_N) (OMB)

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CC: Christopher F. Walker (WALKER_C) (WHO)

READ:17-JUL-1995 15:10:41.02

CC: Deborah L. Shaw (SHAW_D) (OMB)

READ:14-JUL-1995 10:01:40.74

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Elena R. Mcc

READ:14-JUL-1995 08:31:54.41

CC: Timothy J. Keating (KEATING_T) (WHO)

READ:14-JUL-1995 08:35:01.80

CC: Kathryn Higgins (HIGGINS_K) (WHO)

READ:14-JUL-1995 08:37:32.37

CC: Stephen B. Silverman (SILVERMAN_S) (WHO)

READ:14-JUL-1995 19:29:58.81

CC: Bruce N. Reed (REED_B) (OPD)

READ:17-JUL-1995 14:15:15.98

CC: Jeremy D. Benami (BENAMI_J) (OPD)

READ:14-JUL-1995 08:17:16.09

CC: Douglas B. Sosnik (SOSNIK_D) (WHO)

READ:14-JUL-1995 10:52:56.15

CC: Karen L. Hancox (HANCOX_K) (WHO)

READ:14-JUL-1995 08:09:05.61

CC: Shelley N. Fidler (FIDLER_S) (CEQ)

READ:14-JUL-1995 10:10:52.98

TEXT:

\d

PRINTER FONT 12_POINT_ROMAN

TO: ALICE RIVLIN

cc-

□

-Lew, Griffin, Tyson, Foley, OMB/2d Floor, DADs,
LRD,

Gibbons, Cabinet Affairs, CEQ

FROM: CHUCK KONIGSBERG

SUBJECT: STATUS REPORT ON PENDING LEGISLATION

PRINTER FONT 14_POINT_HELVETICA

Reg Reform:

PRINTER FONT 12_POINT_COURIER

Dole filed a cloture petition Wednesday night, July 12. At the urging of Senate Democrats he has agreed to postpone the cloture vote until Monday (ordinarily the vote would have taken place on Friday).

PRINTER FONT 14_POINT_HELVETICA

Reconciliation:

PRINTER FONT 12_POINT_COURIER

In a letter to Speaker Gingrich, Gephardt argued that Reconciliation should be marked up this month so the proposed cuts can be adequately considered before Congress leaves for the August recess. He said he is becoming concerned "we will not have adequate debate over the issues framed by the budget reconciliation process...as well as the question of whether tax cuts are appropriate in this climate of budget imbalance."

PRINTER FONT 14_POINT_HELVETICA

Congress on Thursday:

PRINTER FONT 12_POINT_COURIER

Senate continued consideration of S. 343, Regulatory Reform. House is continuing consideration of the Interior Appropriations Bill at this time.

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PRINTER FONT 14_POINT_HELVETICA

SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Friday, July 14:

Continue consideration of S 343, Reg Reform

[Katzen letter including veto recommendations sent to Dole and Daschle on 6/23/95; SAP containing multi

□

-agency veto

threat sent 7/10]

Next Week:

Monday and Tuesday, July 17

□

-18:

Complete consideration of S 343, Reg Reform; cloture vote is scheduled for Monday.

Wednesday, July 19:

Bosnia

Thursday & Friday, July 20 & 21:

Unspecified Appropriations Bills

TENTATIVE (Announced by Dole):

Week of July 24:

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-Ryan White AIDS program

□

-Gift and Lobbying Reform

Week of July 31:

□

-Foreign Ops Appropriations

□

-S 908, Foreign Relations Revitalization Act
[SAP containing multi

□

-agency veto threat sent 6/28/95]

Week of August 7:

Welfare Reform

RECESS - DELAYED TO AUGUST 12.

Rescission Bill:

Dole has said he will not file a cloture petition on the rescission bill and the Senate will return to the bill only if there is unanimous consent; he said the burden is on the President to convince all Senate Democrats to support the bill.

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PRINTER FONT 14_POINT_HELVETICA

HOUSE RULES COMMITTEE SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Week of July 17:

- HR --, Transportation Appropriations
- HR --, Treasury/Postal Appropriations
- China MFN

PRINTER FONT 14_POINT_HELVETICA

HOUSE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Friday, July 14:

No Legislative Business

Week of July 17:

- Complete consideration of HR 1977, Interior Appropriations (if not completed 7/13)
- HR 1976, Agriculture Appropriations
- HR --, Transportation Appropriations
- HR --, Treasury/Postal Appropriations
- HR --, Commerce/Justice/State Appropriations (time permitting)

Floor action between July 4th and August Recess:

- Finish Appropriations
- China MFN
- Telecommunications
- Anti

□

-Terrorism

□

PRINTER FONT 14_POINT_HELVETICA

Budget Reconciliation Status Report

PRINTER FONT 12_POINT_COURIER

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

House: (Sept. 22 reporting deadline)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Banking--

Commerce --

Econ & Educational Opp--

Govt Reform--

Internat'l Rel--

Judiciary--

Nat'l Sec--

Resources--

Transportation--

Veterans--

Ways & Means--Not expected to mark

☐

-up until September. Expected

to

incorporate by reference pieces of the House

☐

-passed welfare

reform and tax bills.

PRINTER FONT 14_POINT_HELVETICA

Senate: (Sept. 22 reporting deadline for spending cuts, but 5 days following CBO certification for tax cuts)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Armed Services--

Banking--

Commerce--

Energy--

Environment & PW--

*Finance--Not expected to mark

☐

-up until September. Finance has

the

load in the Congress, with all of Medicare, Medicaid,

most of welfare, and all the tax cuts to report. Moreover,

with an 11

☐

-9 split, the Republicans need every vote to

report out a Reconciliation package; however, the

Republicans may have trouble holding Chafee's vote. In

addition, Pressler is up for election next year and D'Amato

has the seniors vote to worry about.

Govt Affairs--

Judiciary--

Labor--

Veterans--

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PRINTER FONT 14_POINT_HELVETICA

SUMMARY of ADMINISTRATION OPPOSITION

PRINTER FONT 10_POINT_ROMAN

[Prepared by OMB/LRD and OMB/LA]

(Note: For details on the legislation listed below, including the basis for opposition, see the "STATUS OF MAJOR LEGISLATION" List that follows - note the item #.)

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

Vetoos:

PRINTER FONT 10_POINT_ROMAN

Rescissions/Supplemental - HR 1158

PRINTER FONT 14_POINT_HELVETICA
Presidential Veto Threats:

PRINTER FONT 10_POINT_ROMAN
Labor/HHS Appropriations - Panetta statement 7/11
VA/HUD Appropriations - Panetta statement 7/11

Assault Weapons Ban

Clean Water Amendments of 1995 - HR 961 [Item # 202]
Davis
☐
-Bacon - S 141 [Item #303]

Foreign Affairs Authorization/Merge AID, ACDA, USIA into State - HR 1561
[Item #102]

Loser Pays - Civil Litigation - HR 988 [Item #9]

National Security Bill - HR 872 [Item #101]
Product Liability/Civil Litigation - HR 956 [Item #8]

Student Loans

Takings/Private Property Protection - HR 925 and S 605 [Item #6]
Tax Fairness and Deficit Reduction Act - HR 1215 [Item #3]
100,000 cops - HR 728, Law Enforcement Block Grants [Item #4]
Welfare Reform - HR 4 [Item #301]

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PRINTER FONT 14_POINT_HELVETICA
Multiple Agency Veto Threats:
PRINTER FONT 10_POINT_ROMAN
Interior Appropriations - HR 1977; letter sent 6/21, SAP sent 7/12

Comprehensive Regulatory Reform Act of 1995 - S 343 [Item #5]

Foreign Relations Authorization/Merge AID, ACDA, USIA into State - S 908
[Item #102]

Regulatory Moratorium - HR 450 [Item #7]

PRINTER FONT 14_POINT_HELVETICA
Single Agency Veto Threats:
PRINTER FONT 10_POINT_ROMAN
Financial Institutions Regulatory Relief Act of 1995 - HR 1362 [Item #16]
Food Stamps - Block Grant, 1995 Farm Bill [Item #310]
Jerusalem Embassy - S 770 and HR 1595 [Item #104]
Mining Law - S 506 [Item #207]
National Defense Authorization Act - HR 1530 [Item #103]
National Highway System Designation Act of 1995 - S 440 [Item #14]
Service Contract Repeal Act - [Item #304]
Teamwork for Employees & Managers Act - HR 743 [Item #307]
Utah Wilderness - HR 1745 [Item #208]

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PRINTER FONT 14_POINT_HELVETICA
Strongly Oppose:

PRINTER FONT 10_POINT_ROMAN

Agriculture Appropriations - letter sent 6/21

Energy & Water Appropriations - HR 1905; letter sent 6/20

Treasury/Postal Appropriations - letter sent 7/10

Federal Retirement Reform - HR 1215 and HR 1185 [Item #401]

Highway Off

☐

-Budget - HR 842 [Item #15]

HUD Elimination Act - S 435 [Item #13]

Livestock Grazing Act - S 852 [Item #209]

National Highway System Designation Act of 1995 - S 440 [Item #14]

Pipeline Safety Act - HR 1323 [Item #21]

Risk Assessment - HR 1022 [Item #5]

Telecommunications - S 652 [Item #11]

PRINTER FONT 14_POINT_HELVETICA

Oppose:

PRINTER FONT 10_POINT_ROMAN

Military Construction Appropriations - HR 1817; SAP sent 6/15, letter sent 6/13

Lorton Closure - HR 461 [Item #17]

Regulatory Sunset and Review Act of 1995 - HR 994 [Item #20]

Service Contract Repeal Act - HR 246 [Item #304]

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Oppose Unless Amended:

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Securities Litigation Reform - HR 1058 [Item #10]

Violent Criminal Incarceration - HR 667 [Item #4]

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STATUS OF MAJOR (Non

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-Appropriations) LEGISLATION

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[Prepared by OMB/LRD]

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(Note: Parentheticals indicate who is tracking; bills grouped by RMO)

[Changes from previous day indicated by asterisk (*)]

PRINTER FONT 14_POINT_HELVETICA

GENERAL GOVERNMENT & FINANCE:

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1. Budget Resolution: (Konigsberg)

House completed action on HConRes 67 on 5/18, passing the Kasich budget plan 238

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-193. Senate completed action on 5/25, passing the Domenici budget 57

□

-42. Budget Resolution conference agreement passed the House on 6/29 by a vote of 239

□

-194, and passed the Senate the same day by a vote of 54

□

-46 (party line).

2. Item Veto: (Konigsberg/J. Gibbons)

House passed HR 2 (enhanced rescission) on February 6, (294

□

-134).

Senate passed S 4 (separate enrollment) on March 23, (69

□

-29).

Conference: On June 20, the Senate requested a conference and appointed conferees.

3. Tax Fairness and Deficit Reduction Act: (R. Jones)

House passed HR 1215 on April 5, (246

□

-188) including tax cuts (child credit, IRAs, repeal taxes on soc.sec., neutral cost recovery, corporate AMT, cap gains, expensing, adoptions, marriage penalty credit, long

□

-term care incentives); raise soc. sec. earnings limit; spending caps; Medicare extenders; spectrum extender; uranium enrichment; Federal retirement reforms; and automatic sequester of amounts taxpayers dedicate to debt reduction. SAP--"If...presented ...in its current form, the Secretary of the Treasury and the Director of OMB would recommend a veto." Senate not expected to take up HR 1215, as passed by the House, however components of the bill may be considered in the context of Reconciliation. Basis for opposition: Bill is fiscally irresponsible and would provide disproportionate tax benefits to the wealthy at the expense of programs for average Americans.

4. Crime Bills: (R. Jones)

House split their original crime bill into 7 smaller pieces and passed 6 of them--

? HR 665, requiring restitution for victims of federal crimes, passed February 7 (431

□

-0); SAP--"supports passage."

? HR 666, allowing federal prosecutors to use improperly obtained evidence if police officers acted in "good faith"; would apply with and w/o warrants. Passed February 8, (289

□

-142). SAP

□

-support only if amended to apply only where warrants have been obtained.

? HR 729, containing reforms affecting federal habeas corpus review of state criminal judgments and collateral review of federal judgements, and requiring federal juries to impose death sentences in certain cases. Passed February 8 (297

□

-132). SAP-

[

-support if DOJ
concerns addressed.

]

? HR 667, would replace the prison funding program enacted in '94 Act with allocations based on sentencing criteria; and would limit prisoner litigation. Passed February 10, (265

[

-156). SAP-

]

-oppose

unless amended. Basis for opposition: Proposed distribution of prison grants is inferior to current program; drug court program would be repealed.

? HR 668, to expedite the deportation of aliens who commit serious crimes and reimburse states for incarceration of criminal aliens. Passed February 10, (380

[

-20). SAP-

]

-support if amended to offset the
increased direct spending (\$600m/yr).

? HR 728, combining last year's grants for 100,000 cops and crime prevention into block grants. Passed February 14, (238

[

-192).

SAP-

]

-Presidential veto threat. Basis for opposition: Bill repeals police grants program, which provides for 100,000 cops. It also eliminates many crime prevention programs.

Senate action on crime legislation not yet scheduled. However, habeas corpus provisions related to those in HR 729 are included in the Senate

[

-passed anti

]

-terrorism bill (S 735, discussed below).

5. Reg Reform/Risk Assessment: (H. Fitter)

House passed HR 1022, Risk Benefit and Cost Benefit Act of 1995 on February 28th (286

[

-141), requiring Federal agencies to perform highly detailed analyses of the risks that proposed health, safety and environmental regulations seek to address. SAP sent to the House on February 27, 1995, strongly oppose HR 1022. Basis for opposition:

HR 1022 would impose overly broad, prescriptive, and costly analytical requirements on the regulatory process, encourage excessive litigation, and supersede the substantive requirements of many existing health, safety, and environmental laws (i.e., the so

[

-called supermandate).

Senate - Senate Floor action on S. 343 began on 6/28 and is continuing the week of 7/10/95; SAP transmitted on 7/10/95: veto threat by Secretaries of Labor, Agriculture, Health and Human Services, Housing and Urban Development, Transportation, the Treasury, and the

Interior, and the Administrator of EPA, and the Director of OMB. In addition, in a 6/23/95 letter to Senators Dole and Daschle, OMB OIRA Administrator Katzen stated "we continue to have serious concerns with S 343, and I would recommend that the President veto it if it were presented to him in its current form." Basis for opposition: Would impair rather than improve the regulatory process by generating additional costs, paperwork, litigation, and delay. Senate floor action began on 6/28 and will continue the week of 7/10.

*6. Private Property Rights/Takings: (M. Goad)

On March 3rd, the House passed HR 925 (277

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-148), subsequently

incorporated the bill into HR 9, and then passed HR 9 (277

□

-141).

HR 925 would require certain Federal agencies to compensate financially landowners if regulatory actions (taken under Endangered Species Act, and wetlands, farm, and water rights laws) cause a decrease of at least 20 percent in the fair market value of any portion of the landowners' properties. The agencies would be required to offer to purchase the property if the regulatory action causes a decrease of more than 50 percent in the property's value.

SAP on HR 925-

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-strongly oppose (3/1/95). On April 7th, POTUS said,

"I will also veto the House

□

-passed requirement that government pay

property owners billions of dollars every time we act to defend our national heritage of seashores or wetlands or open spaces." Basis for opposition: Undermines Federal authority to protect the general welfare; expands the traditional concept of Fifth Amendment "takings"; creates new direct spending; and imposes an unlimited fiscal burden in the form of an arbitrary, automatic compensation

requirement for reductions in property values that are attributable to Federal actions.

The Senate Judiciary Committee held an April 6th hearing on S 605 (Dole/ Hatch). (S 605 has a 33 percent threshold, and would apply to all Federal agencies.) In testimony presented at the hearing, Justice threatened veto. In separate letters sent to Sen. Hatch in May and June, Agriculture, Army

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-Civil Works, Defense, EPA, GSA, HHS,

Interior, Justice, Transportation, and Treasury advised that they would recommend veto. In a June 7th letter to Sens. Hatch, Biden, Dole, and Daschle, OMB Director Rivlin advised that, due to the significant increase in Federal spending that would result if S 605 were enacted, she would recommend veto. The Committee has not yet scheduled the mark up of S 605, but may do so at any time. The Senate Environment and Public Works Committee held a June 27th hearing at which Interior and Justice advised that they would recommend veto of S 605 and HR 925. In an additional hearing on July 12th, EPA, Army (Corps), and OMB advised that they would recommend a veto of S.605 or similar legislation. The Committee will hold an additional hearing later this month. Basis for opposition: Undermines Federal authority to protect the general welfare; expands the traditional concept of Fifth Amendment "takings"; creates new

direct spending; and imposes an unlimited fiscal burden in the form of an arbitrary, automatic compensation requirement for reductions in property values that are attributable to Federal actions.

7. Reg Moratorium/Waiting Period: (J. Weinberg)

House passed HR 450 on Feb. 24 by 276

□

-146. The bill would establish a "moratorium period" -- Nov. 20, 1994 through Dec. 31, 1995 or enactment of reg reform, whichever is earlier -- during which a Federal agency may not take any "regulatory rulemaking action" unless it falls within a specified emergency exception (i.e. military or foreign affairs functions, international trade agreements, agency management, certain banking regulatory matters, implementation of the internal revenue laws; matters relating to loans, grants, benefits, or contracts). Also exempted: regs determined by OIRA to be necessary because of an imminent threat to health or safety or other emergency or necessary for the enforcement of criminal laws. SAP--"The President has stated that a moratorium on regulations, as provided for in H.R. 450, is not acceptable....the Secretaries of Agriculture, Energy, Health and Human Services, Housing and Urban Development, the Interior, Labor, Transportation, and the Treasury, the Attorney General, and the Administrator of the Environmental Protection Agency would recommend that it be vetoed." (In addition, POTUS said on 4/7/95, "if Republicans send me a bill that would let unsafe planes fly or contaminated water continue to find itself into city water systems, I will veto it." Veto threat reiterated in Earth Day speech, 4/21/95.) Basis for opposition: Would prevent the issuance of meritorious rules.

Senate passed S. 219 on March 29 by 100

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-0; under the Senate version, regs would not go into effect for 45 days, during which time Congress could enact a disapproval resolution. A March 29 statement by the President called the 45

□

-day review period "the right way to reform regulation."

Conference: On June 16, the Senate requested a conference and appointed conferees.

8. Product Liability/Civil Litigation/Medical Malpractice: (I. Schroeder)

House passed HR 956 on March 10 (265

□

-161). It would cap punitive damages in all civil cases and would cap non

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-economic (pain and suffering) damages in suits against health providers and insurers. Basis for opposition: Product liability reform should generally be left to the States; punitive damages shouldn't be arbitrarily capped; and differential treatment of "economic" and "noneconomic"

(e.g., "pain and suffering" damages is inappropriate. (March 6th Reno/Mikva letter.)

Senate passed HR 956 on May 10 (61

□

-37). It would cap punitive damage awards by juries in product liability cases at \$250,000 or

twice compensatory damages (economic and non

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-economic damages),

whichever is greater. Judges could override those limits in "egregious" cases. Punitive damage awards in product liability cases could not exceed \$250,000 for small businesses. Basis for opposition: A May 10th White House statement said the Senate

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-passed

liability bill "in its present form does not go far enough toward balancing the interests of consumers with those of manufacturers and sellers." The statement also stated the Administration's concerns regarding the limits on punitive damages adopted by the Senate and reiterated the Administration's opposition to provisions which would abolish joint and several liability. (A provision limiting punitive damage awards in all civil lawsuits, which was the subject of a May 4th Presidential veto threat, was later limited to product liability cases only.)

Conference not scheduled and conferees have not been appointed.

Media reports indicate that Speaker Gingrich may defer conference until the fall.

According to press reports, the Senate may take action on a separate bill to curb medical liability late this summer.

9. Loser Pays - Civil Litigation: (I. Schroeder)

House passed HR 988 on March 7 (232

□

-193). Basis for opposition: The

bill, which would affect only Federal civil suits involving parties from different States, would impose a modified "loser pays" rule, intended to encourage parties to settle out of court. The President said on 4/7/95 that he "will veto any bill with a 'loser pay' requirement such as that was in the House bill." In the Senate, provisions similar to those of HR 988 were added to -- and subsequently deleted from -- the product liability bill (HR 956) on the Senate floor.

□

10. Shareholder Suits: (I. Schroeder)

House passed HR 1058 on March 8 (325

□

-99). Basis for opposition:

Could lead to inadequate deterrence against financial fraud. (March 6th Reno/Mikva letter.)

Senate passed HR 1058 on 6/28/95 (69

□

-30). SAP sent to Senate on

6/23/95 states that the Senate version (previously S. 240) "is now a substantial improvement on [the House version of] H.R. 1058, which the Administration could not support." The statement recommended amendments to: (1) clarify that safe harbors should not protect purposefully misleading statements; (2) restore liability for aiding and abetting in private action that follow a SEC action; and (3) extend the statute of limitations for private securities fraud actions to five years after a violation occurs. The SAP opposed a provision in the bill that would establish proportionate liability for reckless defendants and recommends replacing it with an amendment that would require culpable solvent defendants to pay up to two times their proportionate share of the damages, when a portion of the award is uncollectible.

Conference not scheduled.

11. Telecommunications Reform: (J. Weinberg)

House Commerce Committee-

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-Ordered reported HR 1555 (38

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-5) on May

25th. House Judiciary Committee-

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-Ordered reported HR 1528 on May

18th.

House floor action is expected after the July 4th recess.

Senate passed S. 652 on June 15th, 81

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-18. SAP strongly opposed

Commerce Committee

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-reported bill. White House Press Office issued an Administration statement on Senate passage of S 652 on June 16: "The Administration's position on the final legislation will depend on the extent to which the Administration's concerns have been addressed satisfactorily during the course of the entire legislative process." VP said on April 3 that he opposes the Senate Commerce Committee bill, and on April 4 the VP clarified in a letter, "I did not say that the President would veto the bill, since it is too early for such a decision...." Basis for opposition: Would result in higher phone and cable bills and decrease competition for phone and cable services.

12. Banking and Insurance Reform: (R. Jones)

House Banking Committee marked up Chairman Leach's HR 1062 on May 18. This bill would permit banks and securities firms to affiliate, allowing banks to underwrite securities and permitting securities firms to own banks. HR 1062 was reported by the House Commerce Committee on June 22. Leach has announced his intention to combine HR 1062 with HR 1362, a banking regulatory relief bill, prior to House floor action. (See below for discussion of HR 1362 - Banking Deregulation.)

13. HUD Elimination Act: (A. Briatico)

Although no specific hearings have been held on S. 435, a number of Senate hearings have been held on "reinventing" HUD. HUD, Justice, and OMB have sent letters to the Senate Banking, Housing, and Urban Affairs Committee strongly opposing Title II of S. 435. Title II would transfer to Justice all of the responsibilities currently assigned to HUD under the Fair Housing Act. Basis for opposition: The administration of these authorities is best accomplished by HUD, which has the infrastructure to handle these responsibilities.

14. National Highway System: (J. Brown)

Senate bill (S. 440) passed the Senate on June 22nd. It would designate routes for the new National Highway System (NHS). Absent designation of the NHS, DOT will be unable to obligate \$6.5 billion in highway funding in FY 1996. Basis for opposition: Repeal of national maximum speed limit law and motorcycle helmet requirements.

(SAP to Senate, 6/15/95. A provision repealing Davis

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-Bacon

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-type

labor protections, which was the subject of a Secretary of Labor

veto threat in the SAP, was deleted on the Senate floor.) House committee action expected in July.

15. Highway Trust Fund Off

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-Budget Bill: (J. Brown)

House bill (HR 842) was ordered reported by House Transport. Cte. on May 3. Will be sequentially referred to Budget and Gov. Reform & Oversight Committees. (The Speaker has stated that he will appoint a task force to study issues raised by this bill.) Basis for opposition: Bill removes four trust funds from the Budget -- inconsistent with unified budget. (Rivlin letter to Chairman Shuster, 3/27/95.) Senate bill (S. 729) was introduced on April 27 by Sens. Baucus and Lott.

16. Banking Deregulation: (R. Jones)

House Banking Committee ordered reported Chairman Leach's HR 1362 on June 28. Leach has announced his intention to combine HR 1362 with HR 1062 (listed above) prior to House floor action. Basis for opposition: Weakens important safeguards for assuring the safety and soundness of FDIC

□

-insured depository institutions and would eviscerate the Community Reinvestment Act. (Secretary Rubin issued a veto threat in a 6/29/95 letter to Chairman Leach.) Senate bill (S 650) is pending in the Senate Banking Committee. The Senate bill contains some, but not all, of the troublesome provisions.

17. Lorton Closure: (M.Cook)

The House Government Reform and Oversight D.C. Subcommittee has held a couple of hearings this year on HR 461, the "Lorton Correctional Complex Closure Act." At these hearings, no Administration witnesses were asked to testify. Justice, however, expects Administration witnesses to be invited to testify at future Subcommittee hearings on this matter. On 3/16/95, Justice sent a letter to this Subcommittee opposing HR 461. Basis for opposition: The approach of HR 461 is "seriously flawed" but alternatives, which will be discussed with the Congress, exist to remedy the Lorton issue.

18. Housing for Older Persons Act: (M.Cook)

On April 6, 1995, HR 660 passed the House by a vote of 424 to 5. The Administration sent a SAP on 4/6/95 opposing H.R. 660. The Senate has not taken any action on this bill yet. Basis for opposition: Amends the Fair Housing Act in a way that would loosen the standards used to determine what housing qualifies for the "housing for older persons" exemption, potentially increasing discrimination against families. Therefore, the Administration prefers administrative action to clarify the application of the "housing for older persons" exemption. NOTE: The bill's provisions are identical to those of Title IV of HR 8, the "Senior Citizens' Equity Act," a Contract with America bill.

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19. Counterterrorism: (R. Jones)

Senate passed S 735 on June 7 (81

□

-8) The bill includes many proposals similar or identical to Presidential proposals (e.g., establishes Federal jurisdiction for terrorist acts, expedites removal of alien terrorists from the U.S., implements the international agreement on marking plastic explosives, etc.). Does not include the Administration's language for funding compliance with the 1994 digital telephony legislation. Includes habeas corpus reforms similar to that passed the House as a free standing bill

(H.R. 729, listed under crime heading above). House Judiciary Committee reported H.R. 1710 on June 20 (23

□

-12). The House bill also includes many of the President's proposals, including a funding mechanism for digital telephony. House floor action is expected before the August recess.

20. Regulatory Sunset and Review: (J. Gibbons)
House bill (HR 994) was approved by a Gov. Reform & Oversight Subcte. on 5/18/95. Basis for opposition: Open

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-ended in scope, excessively rigid, and contradictory criteria for review of regulations; paperwork requirements are unworkable. (Katzen testimony of 3/28/95 before House Gov. Reform.) Senate action not scheduled, but could be folded into broader regulatory reform legislation.

21. Pipeline Safety: (J. Brown)
House bill (HR 1323) has been reported by Transportation and Commerce Ctes. Basis for opposition: (1) Authorizes less than 44 percent of the FY 1996 Budget request for pipeline safety activities; and (2) imposes burdensome and costly risk assessment procedures on the pipeline safety rulemaking process. (DOT letter, 5/12/95.)

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NATIONAL SECURITY & INTERNATIONAL AFFAIRS:
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101. National Security: (A. Rooney)
House passed HR 7 on February 16th (241

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-181) (star wars was deleted on the Floor but many objectionable provisions remain which would infringe upon the authority of the President to respond to international crises and conflicts; remove UN peacekeeping as an option for burdensharing; establish an unnecessary Nat'l Security Commission; and mandate policies on NATO membership). On 4/7/95, POTUS said that he would "refuse () to approve the so

□

-called peacekeeping legislation passed by the House." SAP (Feb. 13th)-- State, Defense, and the U.S. Ambassador to the UN would recommend a veto. Basis for opposition: Infringes on President's constitutional authorities as Commander in Chief; and virtually eliminates U.S. participation in UN peacekeeping efforts. Senate Foreign Relations Committee (SFRC) began hearings on March 21st on S 5, Peacekeeping Powers Act (introduced by Dole) and HR 7. Aspects of S 5 were considered on May 17th as part of the SFRC markup of Foreign Affairs Authorization and Consolidation proposal and deleted from the bill as reported. State advises that peacekeeping will be considered separately by the Committee at a later date.

102. Foreign Affairs Authorization and Consolidation: (A. Rooney)
House passed HR 1561 on June 8th (222 - 192). On May 23rd, the President expressed serious concerns regarding congressional legislation that would "place new restrictions on how America conducts its foreign policy and slash our budget in foreign affairs." Further,

□

the President advised that if HR 1561 passed in its present form, he

would veto it. SAP (May 22nd) -- State, DOD, Treasury, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of HR 1561. Basis for opposition: Imposes numerous, far

□

-reaching restrictions on the conduct of American foreign policy; inappropriately consolidates three foreign affairs agencies (AID; ACDA; USIA) into a "super" State Department; and significantly reduces appropriation authorizations for international affairs programs.

Senate Foreign Relations Committee (SFRC) ordered reported Senator Helms' foreign relations authorization and consolidation proposal (S 908) on May 17th by a vote of 10

□

-8. On June 7th, SFRC ordered reported Senator Helms' Foreign Aid Reduction Act (S 961) by a vote of 10

□

-8. S 908 is on the Senate Calendar and may be considered at any time. SAP (June 28th) -- State, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of S 908. Basis for opposition: Imposes numerous restrictions on the conduct of American foreign policy; inappropriately consolidates three foreign affairs agencies (AID; ACDA; USIA) into a "super" State Department; and significantly reduces appropriation authorizations for international affairs programs.

103. National Defense Authorization Act: (M. Goad)

House passed HR 1530 (300

□

-126) on June 15th. Sec. Perry, in a June 20th letter to Sen. Thurmond, stated that "[m]any of the provisions . . . are totally unacceptable. Unless they are eliminated or radically modified, they threaten the prospects for the bill itself." SAP on HR 1530-

□

-strongly opposes (6/13/95).

Basis for opposition: Raises serious constitutional, national security, budget, personnel, and management concerns.

Senate Armed Services Committee completed mark up of S 727, the companion bill, on June 29th. The Senate is expected to take up the bill before the August recess.

104. Jerusalem Embassy: (A. Rooney)

S 770/HR 1595 would require the United States to move its embassy to Jerusalem. On June 20th, Secretary Christopher sent a letter to Senator Dole and Speaker Gingrich stating that he would recommend a veto of the legislation. No action scheduled on either bill. Basis for opposition: Potentially very damaging to the success of the Middle East peace process and infringes on the President's constitutional prerogatives in foreign policy.

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NATURAL RESOURCES, ENERGY & SCIENCE

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*201. Farm Bill: (C. Crutchfield)

Traditionally a 5

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-year measure, this legislation will reauthorize a slew of farm, nutrition, rural development, and other USDA programs. The Administration's Farm Bill guidance assumes savings in farm programs of \$1.5 billion over five years. The 1996 Budget

Resolution calls for cuts in farm programs of \$8.5 billion over 5 years and \$13.4 billion over 7 years. House and Senate Agriculture committees are currently drafting bill language. Although some markups on discretionary titles are scheduled for late July, committee action on mandatory provisions is not expected until September. (NOTE: In oral remarks before the House and Senate Agriculture committees, Secretary Glickman has stated that the President would veto legislation that block grants Food Stamps.)

202. Clean Water Amendments of 1995: (H. Fitter)
House passed HR 961 on May 16th, by a vote of 240

□
-185. The bill
would ease, overhaul, or revoke a number of current law's
anti

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-pollution requirements, allow States to continue to rely on

voluntary measures to deal with certain water pollution problems,
and restrict the ability of Federal agencies to declare wetlands off
limits to development. On May 30, 1995, POTUS stated that the
House

□
-passed bill "will not get past my desk." SAP, sent on May 9,
1995, contained multiple agency veto threat (OMB, Justice, EPA,
Interior). Basis for opposition: The bill would reduce water
quality protection; eliminate fundamental wetlands protections;
create enormous new costs (the bill includes a "mandatory
compensation" takings provision similar to that contained in HR
925); fail to address effectively non

□
-point source pollution; and
paralyze the Federal Government's ability to issue regulations and
guidance to protect the Nation's waters. Senate Environment
Chairman Chafee has indicated that Clean Water Act reauthorization
is not one of his top priorities.

203. Endangered Species: (M. Goad)
Senate Environment and Public Works Committee will hold oversight
hearings on the Endangered Species Act (ESA) on July 13th, 20th, and
27th. CEQ expects that, once the oversight hearings are concluded,
Sen. Kempthorne (R) ID will introduce a bill to reauthorize the ESA.
On May 25th, the Departments of Agriculture, Commerce, and the
Interior testified before the House Endangered Species Task Force on
possible changes to the ESA. CEQ and Interior advise that the House
Task Force will not complete drafting legislation to amend the ESA
until after the August recess.

204. Safe Drinking Water: (H. Fitter)
Reauthorization of the 1974 law designed to keep contaminants out of
the nation's water supply. State and local officials want a State
revolving loan fund for water supply projects and relief from
testing requirements. House Commerce staff and Senate Environment
and Public Works staff, respectively, are attempting to complete
draft bills.

205. Interstate Waste: (H. Fitter)
Senate passed S 534 on May 16th, by a vote of 94

□
-6. S. 534 would
give states more power to restrict both intra and interstate garbage
dumping.

206. Superfund Reform: (H. Fitter)

The taxes which fund the hazardous waste clean

□

-up program expire at the end of 1995. There is support among some Republicans to scale back retroactive liability (which would shift much of the costs to the government). Senate Environment Subcommittee Chair Bob Smith has circulated a "Superfund Reform Outline" containing principles for Superfund reform. A Senate bill may be introduced before the August recess. House Transportation and Commerce Committees have held subcommittee hearings on Superfund reform.

207. Mining Law: (C. Crutchfield)

Senate Energy and Natural Resources Committee is considering changes to Craig's bill (S 506) to win over committee members, such as Johnston, that have proposed a compromise version (S 639). Chairman Murkowski has postponed mark up of the bill indefinitely and indicated the issue would be dropped this session if a compromise is not reached soon. Interior Secretary Babbitt stated in a 5/22/95 letter to Chairman Murkowski that he would recommend a veto of S 506. Basis for opposition: S 506 does not provide for meaningful reform. It would (1) grant rights to purchase valuable Federal mineral lands at bargain

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-basement prices; (2) deprive Federal land managers of authority to protect the environment; and (3) result in little or no return to Federal taxpayers for use of publicly

□

-owned mineral deposits. Justice also strongly opposed S 506 in a 6/12/95 letter because it would increase litigation over public liability

for cleanup. House has not scheduled action.

*208. Utah Wilderness: (C. Crutchfield)

House National Parks Subcommittee is scheduled on 7/18/95 to mark up Rep. Hansen's legislation (HR 1745) designating certain Federal lands in Utah as wilderness. Interior testified 6/29/95 before the Subcommittee that the Secretary would recommend a veto of HR 1745. Basis for opposition: The bill would (1) fail to designate enough land as wilderness; (2) open up for development too much land currently protected as wilderness study areas; and (3) allow road construction and other activities that are incompatible with wilderness designation. Senate Energy and Natural Resources Committee has begun consideration of identical legislation (S 884) introduced by Sens. Hatch and Bennett. Interior testified on 7/13/95 before the Committee that the Secretary would recommend a veto of S 884. Basis for opposition: Same as House.

209. Livestock Grazing: (C. Crutchfield)

Senate Energy and Natural Resources Committee is scheduled to mark up S 852 on 7/19/95. Interior testified before the Committee on 6/22/95 that it strongly opposed S. 852, introduced by Sen. Domenici and 15 cosponsors to supersede Interior's new regulations for livestock grazing on Federal lands. Basis for opposition: S 852 would (1) establish grazing as a dominant use for public lands over recreation, wildlife protection, and other concerns; (2) limit public involvement in the management of public lands; and (3) raise a number of questions over water rights, fee levels, and compliance with environmental statutes. In testimony on 7/11/95 before the House National Parks Subcommittee, Interior strongly opposed the companion bill (HR 1713).

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HUMAN RESOURCES

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301. Welfare Reform: (M. Cook)

HR 4 (SAP, 3/21/95 said oppose, but in a 4/13/95 CNN interview, POTUS said "I'd be happy to veto"). Basis for opposition: denial of cash benefits to unwed parents under age 18; funding cuts to Food Stamp and other nutrition programs; funding cuts and removal of Federal oversight of State child protection systems; inadequate resources and requirements for States to move people from welfare to work; and inadequate resources for States in times of recession. House passed H.R. 4 on March 23 (234

□

-199) which would replace current welfare programs with 5 block grants to States (cash welfare; child welfare; child care; school meals; family nutrition). House SAP opposed H.R. 4 because it would: fail to reform welfare by moving people from welfare to work; reduce Federal funding in ways that would impair the health and nutrition of children and families; and is not tough enough on parents who owe child support, and too tough on innocent children.

Senate Finance Committee reported its version of H.R. 4 on June 9. The bill block grants AFDC, imposes a five

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-year time limit on benefits, tightens eligibility for SSI, and strengthens child support enforcement. HHS cited concerns with the bill in a May 24 letter to the Committee. Senator Packwood indicated May 15 that the bill would be considered as a stand

□

-alone bill unless it is filibustered. In that case, the bill would be considered as a component of the budget reconciliation bill. The Senate Labor and Human Resources Committee ordered reported S. 850 (Child Care and Development Block Grant amendments) on May 26. The measure is expected to be included in the final Senate welfare reform package. HHS supported S. 850 in a May 24 letter to the Committee, but cited concerns with potential cuts in other child care programs. The Senate Agriculture Committee marked up S. 904, a Food Stamp and nutrition programs bill on June 14. S. 904 also is expected to be included in the final Senate welfare reform package. USDA commended the Committee for not block granting food and nutrition programs, but cited concerns with the bill's reduction in Food Stamp funding and repeal of Regulation E coverage for Electronic Benefit Transfers.

Senate floor action -- tentatively scheduled for July.

302. Social Security Earnings Test: (M. Cook)

House-

□

-increase in earnings limit to \$30,000 included in HR 1215, which passed on April 5, (246

□

-188). Senate action unclear.

303. Davis

□

-Bacon Repeal: (C. Bowers)

H.R. 500 and S. 141 would repeal the Davis

□

-Bacon Act of 1931. The act requires Federal contractors working on jobs valued at more than

\$2000 to pay their workers the "local prevailing wage," which is often the union rate. A House Economic & Education Opportunities Subcommittee referred H.R. 500 to full committee on March 2. Senate Labor & Human Resources Committee reported S. 141 on May 12. A provision to repeal Davis

□

-Bacon coverage of Federal Highway projects was dropped from S. 440, the National Highway bill (see entry above). Basis for opposition: repeal of Davis

□

-Bacon requirements would depress workers' wages. President quoted on 4/6/95 as saying he would veto S. 141; Reich letter -- would recommend veto 3/18/95. (Also Reich letter and Senate SAP on S. 440 stated Labor would recommend veto.

304. Service Contract Repeal Act: (B. Pellicci)
Press reported that VP indicated on 2/20/95 that President would veto such legislation. Basis for opposition: repeal of Service Contract Act would depress workers' wages. HR 246 was marked up by a House EEO subcommittee on 3/03/95.

305. Minimum Wage Increase: (A. Briatico)
On 2/13/95, President transmitted to Congress a proposal to raise the minimum wage in two 45 cent steps -- raising the rate to \$4.70 per hour on July 4, 1995 and to \$5.15 per hour on July 4, 1996. President's proposal introduced as S. 413 and H.R. 940. Senator Kassebaum indicated on April 21 that the Senate Labor and Human Resources Committee will hold hearings on increasing the minimum wage. No date has been set.

306. Striker Replacement: (B. Pellicci)
On 3/8/95, President issued an Executive Order to deny Federal contracts to employers that permanently replace striking workers. H.R. 1176 and S. 603 would nullify the Executive Order. The House Economic and Educational Opportunities Committee reported H.R. 1176 on June 27.

307. Teamwork for Employees and Managers Act: (B. Pellicci)
HR 743 and S295. (Reich letter: recommend veto, 3/6/95 and 6/21/95; press reported that VP said on 02/20/95 that President would veto such legislation.) Basis for opposition: would allow employers to establish company unions or alternative, company

□

-dominated organizations where unions already exist. HR 743 was ordered reported on 6/22/95 by the House EEO Committee. No action has been taken to date on S 295.

308. Social Security Solvency: (M. Cook)
The "Strengthening Social Security Act of 1995" (S. 825), one of the "Simpson/Kerrey" bills, is designed to secure the long

□

-term solvency of the Social Security program. It would: (1) accelerate the currently scheduled increase of the normal retirement age; (2) limit COLAs to certain Social Security beneficiaries; (3) adjust, for a limited period, Social Security COLA estimates based on CPI; (4) modify the formula for determining the primary insurance amount (the basic monthly benefit payable to a worker) to make it more progressive; (5) allow future beneficiaries to divert up to 2 percentage points of their payroll taxes to place in their own

personal investment plan; (6) reduce gradually spousal benefits starting in 2000; (7) redirect revenue obtained through the taxation of Social Security benefits from the HI Trust Fund to the OASDI Trust Fund; and (8) invest a portion of the OASDI Trust Fund assets in a stock fund index. On June 27, 1995, a Senate Finance Subcommittee held a hearing on the solvency of the Social Security system. To date, the Administration has not taken a position on S. 825. No comparable bill has been introduced in the House.

309. Employment, Training, and Retraining: (C. Bowers)
House Economic and Educational Opportunities (EEO) Committee reported H.R. 1617 (The Consolidated and Reformed Education, Employment and Rehabilitation Systems, or 'CAREERS' Act) on May 17, 1995.

Senate Labor and Human Resources Committee reported S. 143 (Workforce Development Act) on June 21, 1995.

Both bills would consolidate numerous Federal education and job training programs into four grants to States -- for youth development and career preparation, adult training, adult education and literacy, and vocational rehabilitation. These bills differ significantly from the President's proposal to restructure education and job training programs (the G.I. Bill for America's Workers), and they reduce substantially Federal resources for these functions. It is expected that H.R. 1617 will be linked on the House Floor with H.R. 1720 (Privatization Act of 1995), which was reported by the House EEO Committee on June 22, 1995. H.R. 1720 would privatize Sallie Mae and Connie Lee and eliminate numerous higher education programs. The Administration proposes to privatize these GSEs and eliminate the higher education programs, but its privatization

initiatives differ in certain respects from H.R. 1720. Negotiations over possible amendments to all of these bills are ongoing. It is likely that Administration statements for Floor consideration will support the objectives but either oppose specific features or suggest further amendments to align with the President's proposal. It has been expected that House or Senate Floor action could occur in July (House action more likely than Senate action); however, this could be postponed.

*310. Food Stamps - Block Grant: (M.Cook)

Sec. Glickman stated before S. Ag. Cte., 5/23/95, that he strongly opposes block granting food stamps and that the President has indicated his intention to veto such legislation. Basis for opposition: would jeopardize the health and nutrition of low

□

-income
families.

Any changes made to the Food Stamp program are expected to be done within the context of Welfare Reform. Neither HR 4 (the Welfare Reform bill), as passed by the House, nor S 904 (which is expected to be rolled into the Senate version of HR 4), as ordered reported by the Senate, contain provisions that would block grant Food Stamps. In addition, HR 1997 (the food and nutrition title of the Farm Bill), as approved by a H. Agriculture Subcommittee on 7/11/95, also does not contain provisions that would block grant Food Stamps.

□

PRINTER FONT 14_POINT_HELVETICA

HEALTH & PERSONNEL

PRINTER FONT 10_POINT_ROMAN

401. Federal Retirement Reform Act: (M. Cook)

HR 1215 and HR 1185 both include Federal retirement reform

provisions. The Administration's position on such reforms has been articulated in the President's 4/5/95 letter on HR 1215 to Speaker Gingrich and in OMB's 3/15/95 letter on HR 1185 to Speaker Gingrich. Basis for opposition: Reduces retirement benefits of Federal employees to finance a tax cut for the wealthy.

On 3/15/95, the full H. Government Reform and Oversight Committee began consideration of HR 1185. It, however, recessed before taking action on the bill. NOTE: Title IV of HR 1215, as passed by the House on 4/5/95 (246

□
-188), contains provisions similar to those of HR 1185. To date, the Senate has taken no action on a stand

□
-alone retirement bill. On June 19, 1995, however, the FBI and DEA testified before a S. Governmental Affairs subcommittee opposing changes in retirement benefits for Federal employees. Modifications to Federal retirement programs are likely to be included in reconciliation legislation.

PRINTER FONT 14_POINT_HELVETICA
MAJOR LEGISLATION ENACTED

PRINTER FONT 10_POINT_ROMAN
? Unfunded Mandates Reform Act of 1995 (PL 104

□
-4). President signed
3/22/95.
? Defense Supplemental Appropriations (PL 104

□
-6). President signed
4/10/95.
? Permanently Extend the Tax Deductibility for Health Insurance Costs for Self

□
-Employed Individuals (PL 104

□
-7). President signed 4/11/95.
? HR 1345, DC Financial Responsibility and Management Assistance Act of 1995
(PL 104

□
-8). President signed 4/17/95.
? Paperwork Reduction (PL 104

□
-13). President signed 5/22/95.
? Medicare SELECT (PL 104

□
-18). President signed 7/7/95.

RECORD TYPE: FEDERAL (ALL-IN-1 MAIL)

CREATOR: Charles S. Konigsberg (KONIGSBERG_C) (OMB)

CREATION DATE/TIME: 16-JUL-1995 23:21:52.28

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 12958 as amended, Sec. 3.3 (c)

Initials: ACJ Date: 02/04/2013

SUBJECT: ~~CONFIDENTIAL~~--AMR DAILY

2012-0774-F

TO: Alice M. Rivlin

(RIVLIN_A) (OMB)

READ: 17-JUL-1995 18:35:35.06

CC: Charles S. Konigsberg

(KONIGSBERG_C) (OMB)

READ: 17-JUL-1995 11:24:41.04

CC: Jacob J. Lew

(LEW_J) (OMB)

READ: NOT READ

CC: Patrick J. Griffin

(GRIFFIN_P) Autoforward to: Erin A. O'Con

READ: 17-JUL-1995 08:47:26.98

CC: Martha Foley

(FOLEY_M) (OMB)

READ: 17-JUL-1995 09:29:16.48

CC: Ann M. Cattalini

(CATTALINI_A) (WHO)

READ: 17-JUL-1995 08:19:34.98

CC: Erin A. O'Connor

(OCONNOR_E) (WHO)

READ: 17-JUL-1995 08:47:26.98

CC: James C. Murr

(MURR_J) (OMB)

READ: 17-JUL-1995 08:34:31.05

CC: James J. Jukes

(JUKES_J) (OMB)

READ: 17-JUL-1995 09:26:00.78

CC: Janet R. Forsgren

(FORSGREN_J) (OMB)

READ: 17-JUL-1995 09:18:21.32

CC: Ronald K. Peterson

(PETERSON_RK) (OMB)

READ: 17-JUL-1995 08:25:43.32

CC: LAWRENCE J. HAAS

(HAAS_L) (OMB)

READ: 17-JUL-1995 15:32:45.52

CC: Robert G. Damus

(DAMUS_R) (OMB)

READ: 17-JUL-1995 09:38:59.81

CC: Barry B. Anderson

(ANDERSON_B) (OMB)

READ: 17-JUL-1995 08:25:31.66

CC: Gordon Adams

(ADAMS_G) (OMB)

READ: 17-JUL-1995 13:43:41.86

CC: T J Glauthier

(GLAUTHIER_T) (OMB)

READ: 17-JUL-1995 08:05:41.20

CC: Kenneth S. Apfel

(APFEL_K) (OMB)

READ: NOT READ

CC: Nancy-Ann E. Min

(MIN_N) (OMB)

READ:NOT READ

CC: Robert E. Litan (LITAN_R) (OMB)
READ:NOT READ

CC: Joseph Minarik (MINARIK_J) (OMB)
READ:17-JUL-1995 08:46:17.00

CC: Sally Katzen (KATZEN_S) (OMB)
READ:17-JUL-1995 17:32:16.37

CC: Lydia Muniz (MUNIZ_L) (OMB)
READ:17-JUL-1995 09:47:00.02

CC: Charles E. Kieffer (KIEFFER_C) (OMB)
READ:17-JUL-1995 09:01:34.23

CC: Kristen E. Panerali (PANERALI_K) (OMB)
READ:17-JUL-1995 08:47:11.86

CC: John A. Koskinen (KOSKINEN_J) (OMB)
READ:17-JUL-1995 08:19:11.41

CC: Steven Kelman (KELMAN_S) (OMB)
READ:17-JUL-1995 08:36:28.98

CC: G. Edward DeSeve (DESEVE_G) (OMB)
READ:NOT READ

CC: John B. Arthur (ARTHUR_J) (OMB)
READ:17-JUL-1995 06:29:07.62

CC: William A. Halter (HALTER_W) (OMB)
READ:17-JUL-1995 09:51:48.01

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ:17-JUL-1995 08:39:17.54

CC: Chantale Wong (WONG_C) (OMB)
READ:17-JUL-1995 08:41:41.06

CC: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnell
READ:NOT READ

CC: Thomas O'Donnell (O'DONNELL_T) (OPD)
READ:NOT READ

CC: David J. Lane (LANE_D) (OPD)
READ:17-JUL-1995 08:24:43.00

CC: John Gibbons (GIBBONS_J) Autoforward to: Remote Address
READ:NOT READ

CC: M. Jill Gibbons (GIBBONS_M) (OMB)
READ:17-JUL-1995 09:47:56.68

CC: Ronald E. Jones (JONES_RE) (OMB)
READ:17-JUL-1995 10:12:32.92

CC: Ingrid M. Schroeder (SCHROEDER_I) (OMB)

READ:17-JUL-1995 09:57:39.80

CC: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
READ:19-JUL-1995 09:22:31.36

CC: James A. Brown (BROWN_JA) (OMB)
READ:17-JUL-1995 12:20:42.60

CC: Constance J. Bowers (BOWERS_C) (OMB)
READ:17-JUL-1995 08:51:45.59

CC: Melissa Y. Cook (COOK_MY) (OMB)
READ:18-JUL-1995 08:28:31.61

CC: Anna M. Briatico (BRIATICO_A) (OMB)
READ:17-JUL-1995 09:26:50.25

CC: Christopher J. Mustain (MUSTAIN_C) (OMB)
READ: 2-AUG-1995 11:39:02.90

CC: Robert J. Pellicci (PELLICCI_R) (OMB)
READ:18-JUL-1995 08:14:02.43

CC: James C. Crutchfield (CRUTCHFIEL_J) (OMB)
READ:17-JUL-1995 09:12:35.83

CC: Elyse H. Fitter (FITTER_E) (OMB)
READ:17-JUL-1995 09:44:47.73

CC: Michael L. Goad (GOAD_M) (OMB)
READ:NOT READ

CC: Annette E. Rooney (ROONEY_A) (OMB)
READ:17-JUL-1995 08:51:17.69

CC: Dena B. Weinstein (WEINSTEIN_D) (OPD)
READ:17-JUL-1995 08:33:14.09

CC: Stacey L. Rubin (RUBIN_S) (WHO)
READ:17-JUL-1995 08:26:51.61

CC: Jennifer N. Palmieri (PALMIERI_J) (OMB)
READ:17-JUL-1995 09:58:14.45

CC: Karin L. Kizer (KIZER_K) (OMB)
READ:17-JUL-1995 10:25:07.37

CC: Margaret R. Shaw (SHAW_M) (OMB)
READ:18-JUL-1995 10:26:06.06

CC: Deborah F. Kramer (KRAMER_D) (OMB)
READ:17-JUL-1995 08:18:28.80

CC: Diane G. Limo (LIMO_D) (OMB)
READ:17-JUL-1995 08:50:16.09

CC: Alice E. Shuffield (SHUFFIELD_A) (OMB)
READ:17-JUL-1995 08:59:14.56

CC: Janet L. Graves (GRAVES_J) (OMB)

READ:17-JUL-1995 09:34:11.09

CC: James I. Blount (BLOUNT_J) (OMB)
READ:17-JUL-1995 07:59:59.78

CC: Lara L. Roholt (ROHOLT_L) (OMB)
READ:17-JUL-1995 11:04:31.10

CC: Philip R. Dame (DAME_P) (OMB)
READ:17-JUL-1995 09:47:20.26

CC: Alan B. Rhinesmith (RHINESMITH_A) Autoforward to: Elizabeth
READ:17-JUL-1995 09:44:11.20

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)
READ:17-JUL-1995 08:45:06.21

CC: Barry T. Clendenin (CLENDENIN_B) (OMB)
READ:17-JUL-1995 06:57:05.36

CC: Robert B. Rideout (RIDEOUT_R) (OMB)
READ:17-JUL-1995 08:37:16.92

CC: Philip A. DuSault (DUSAULT_P) (OMB)
READ:17-JUL-1995 09:12:15.73

CC: Phebe N. Vickers (VICKERS_P) (OMB)
READ:17-JUL-1995 07:05:02.93

CC: Kathleen Peroff (PEROFF_K) (OMB)
READ:17-JUL-1995 09:46:19.57

CC: Ron Cogswell (COGSWELL_R) (OMB)
READ:17-JUL-1995 09:16:41.17

CC: Barry White (WHITE_B) (OMB)
READ:17-JUL-1995 09:04:01.41

CC: Richard P. Emery Jr. (EMERY_R) (OMB)
READ:17-JUL-1995 08:02:18.58

CC: Barbara C. Chow (CHOW_B) (WHO)
READ:17-JUL-1995 08:47:15.60

CC: Robert E. Barker (BARKER_R) (OMB)
READ:17-JUL-1995 08:00:24.20

CC: Mark Gearan (GEARAN_M) Autoforward to: Angus S. King
READ:17-JUL-1995 08:17:23.06

CC: Donald A. Baer (BAER_D) (WHO)
READ:NOT READ

CC: Ann F. Walker (WALKER_A) (WHO)
READ:NOT READ

CC: Todd Stern (STERN_T) (WHO)
READ:NOT READ

CC: Kelly Musick (MUSICK_K) (OMB)

READ:17-JUL-1995 08:59:13.07

CC: Brian Blais (BLAIS_B) (OMB)
 READ:17-JUL-1995 08:45:01.13

CC: Mary Lynn Jones (JONES__ML) (OMB)
 READ:17-JUL-1995 08:47:26.86

CC: Nancy L. Brandel (BRANDEL_N) (OMB)
 READ:17-JUL-1995 12:41:58.51

CC: Christopher F. Walker (WALKER_C) (WHO)
 READ:NOT READ

CC: Deborah L. Shaw (SHAW_D) (OMB)
 READ:17-JUL-1995 08:13:52.94

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Elena R. Mcc
 READ:17-JUL-1995 08:00:56.42

CC: Timothy J. Keating (KEATING_T) (WHO)
 READ:17-JUL-1995 07:56:52.10

CC: Kathryn Higgins (HIGGINS_K) (WHO)
 READ:17-JUL-1995 08:57:00.07

CC: Stephen B. Silverman (SILVERMAN_S) (WHO)
 READ:17-JUL-1995 12:22:15.70

CC: Bruce N. Reed (REED_B) (OPD)
 READ:17-JUL-1995 15:46:31.02

CC: Jeremy D. Benami (BENAMI_J) (OPD)
 READ:17-JUL-1995 11:49:55.64

CC: Douglas B. Sosnik (SOSNIK_D) (WHO)
 READ:17-JUL-1995 15:57:43.04

CC: Karen L. Hancox (HANCOX_K) (WHO)
 READ:17-JUL-1995 08:51:40.42

CC: Shelley N. Fidler (FIDLER_S) (CEQ)
 READ:17-JUL-1995 09:20:48.38

TEXT:

\d

PRINTER FONT 12_POINT_ROMAN

TO: ALICE RIVLIN
 CC-

□

-Lew, Griffin, Tyson, Foley, OMB/2d Floor, DADs,
 LRD,

Gibbons, Cabinet Affairs, CEQ

FROM: CHUCK KONIGSBERG

SUBJECT: STATUS REPORT ON PENDING LEGISLATION

PRINTER FONT 14_POINT_HELVETICA

Congress on Friday:

PRINTER FONT 12_POINT_COURIER

Senate continued consideration of S. 343, Regulatory Reform.
House conducted no legislative business.

PRINTER FONT 14_POINT_HELVETICA
SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Rescission Bill:

Dole has said the Senate will return to the bill only if he can obtain unanimous consent; negotiations continuing over a time agreement with Wellstone and Moseley

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-Braun; if negotiations fail, Dole would still have the option of filing cloture to end debate (however germane amendments could still be offered under a cloture scenario).

Monday and Tuesday, July 17

□

-18:

Complete consideration of S 343, Regulatory Reform; cloture vote is scheduled for Monday at 6pm on Dole/Johnston substitute. Currently pending is a Glenn/Chafee substitute. If cloture is not invoked at 6pm on Monday, a second cloture vote will occur on Tuesday.

[SAP containing multi

□

-agency veto threat sent 7/10]

Balance of the Week:

- S 21, Lifting U.S. Arms Embargo applicable to Bosnia
- Unspecified Appropriations Bills (time permitting)

TENTATIVE (Announced by Dole):

(Correction to previous daily -- the Foreign Operations appropriations bill is NOT expected to come up before the August recess.)

Week of July 24:

- S 641, Ryan White AIDS program
 - S 101, Lobbying Reform and Gift Ban
 - S 908, Foreign Relations Revitalization Act
- [SAP containing multi

□

-agency veto threat sent 6/28/95]

Week of July 31:

- S 1026, Defense Authorization

Week of August 7:

- HR 4, Welfare Reform

RECESS - DELAYED TO AUGUST 12.

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PRINTER FONT 14_POINT_HELVETICA
HOUSE RULES COMMITTEE SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Monday, July 17: HR 2020, Treasury/Postal Appropriations

Wednesday, July 19:

- HR 2002, Transportation Appropriations
- HJ Res 96, Disapproval of MFN for China
- HR --, China Policy Act of 1995

PRINTER FONT 14_POINT_HELVETICA

HOUSE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Monday, July 17:

- Complete consideration of HR 1977, Interior Appropriations
- Begin HR 1976, Agriculture Appropriations (subject to a rule)

Tuesday, July 18, and Balance of the Week:

- Complete HR 1976, Agriculture Appropriations
- HR 2020, Treasury/Postal Appropriations (subject to a rule)
- HR 2002, Transportation Appropriations (subject to a rule)
- HJ Res 96, Disapproval of Most Favored Nation Treatment to China

(subject to a rule)

- HR --, Commerce/Justice/State Appropriations
(subject to a rule)

Floor action between July 4th and August Recess:

- Finish Appropriations
- Telecommunications
- Anti

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-Terrorism

(If you have questions about the House or Senate legislative schedules, contact Lydia Muniz at OMB Legislative Affairs, 54790.)

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PRINTER FONT 14_POINT_HELVETICA

Budget Reconciliation Status Report

PRINTER FONT 12_POINT_COURIER

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

House: (Sept. 22 reporting deadline)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Banking--

Commerce --

Econ & Educational Opp--

Govt Reform--

Internat'l Rel--

Judiciary--

Nat'l Sec--

Resources--

Transportation--

Veterans--

Ways & Means--Not expected to mark

□

-up until September. Expected

to

incorporate by reference pieces of the House

□

-passed welfare

reform and tax bills.

PRINTER FONT 14_POINT_HELVETICA

Senate: (Sept. 22 reporting deadline for spending cuts, but 5 days following CBO certification for tax cuts)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Armed Services--

Banking--

Commerce--

Energy--

Environment & PW--

Finance--Not expected to mark

☐

-up until September. Finance has the

load in the Congress, with all of Medicare, Medicaid, most of welfare, and all the tax cuts to report. Moreover, with an 11

☐

-9 split, the Republicans need every vote to report out a Reconciliation package; however, the Republicans may have trouble holding Chafee's vote. In addition, Pressler is up for election next year and D'Amato has the seniors vote to worry about.

Govt Affairs--

Judiciary--

Labor--

Veterans--

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PRINTER FONT 14_POINT_HELVETICA

SUMMARY of ADMINISTRATION OPPOSITION

PRINTER FONT 10_POINT_ROMAN

[Prepared by OMB/LRD and OMB/LA]

(Note: For details on the legislation listed below, including the basis for opposition, see the "STATUS OF MAJOR LEGISLATION" List that follows - note the item #.)

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

Vetoos:

PRINTER FONT 10_POINT_ROMAN

Rescissions/Supplemental - HR 1158

PRINTER FONT 14_POINT_HELVETICA

Presidential Veto Threats:

PRINTER FONT 10_POINT_ROMAN

Labor/HHS Appropriations - Panetta statement 7/11

VA/HUD Appropriations - Panetta statement 7/11

Assault Weapons Ban

Clean Water Amendments of 1995 - HR 961 [Item # 202]

Davis

☐

-Bacon - S 141 [Item #303]

Foreign Affairs Authorization/Merge AID, ACDA, USIA into State - HR 1561
[Item #102]

Loser Pays - Civil Litigation - HR 988 [Item #9]

National Security Bill - HR 872 [Item #101]

Product Liability/Civil Litigation - HR 956 [Item #8]

Student Loans

Takings/Private Property Protection - HR 925 and S 605 [Item #6]

Tax Fairness and Deficit Reduction Act - HR 1215 [Item #3]

100,000 cops - HR 728, Law Enforcement Block Grants [Item #4]

Welfare Reform - HR 4 [Item #301]

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PRINTER FONT 14_POINT_HELVETICA

Multiple Agency Veto Threats:

PRINTER FONT 10_POINT_ROMAN

Interior Appropriations - HR 1977; letter sent 6/21, SAP sent 7/12

Comprehensive Regulatory Reform Act of 1995 - S 343 [Item #5]

Foreign Relations Authorization/Merge AID, ACDA, USIA into State - S 908
[Item #102]

Regulatory Moratorium - HR 450 [Item #7]

PRINTER FONT 14_POINT_HELVETICA

Single Agency Veto Threats:

PRINTER FONT 10_POINT_ROMAN

Financial Institutions Regulatory Relief Act of 1995 - HR 1362 [Item #16]

Food Stamps - Block Grant, HR 4, HR 1997, and S 904 [Items #201, 301, & 310]

Jerusalem Embassy - S 770 and HR 1595 [Item #104]

Mining Law - S 506 [Item #207]

National Defense Authorization Act - HR 1530 [Item #103]

National Highway System Designation Act of 1995 - S 440 [Item #14]

Service Contract Repeal Act - [Item #304]

Teamwork for Employees & Managers Act - HR 743 [Item #307]

Utah Wilderness - HR 1745 [Item #208]

□

PRINTER FONT 14_POINT_HELVETICA

Strongly Oppose:

PRINTER FONT 10_POINT_ROMAN

Agriculture Appropriations - letter sent 6/21

Energy & Water Appropriations - HR 1905; letter sent 6/20

Treasury/Postal Appropriations - letter sent 7/10

Federal Retirement Reform - HR 1215 and HR 1185 [Item #401]

Highway Off

□

-Budget - HR 842 [Item #15]

HUD Elimination Act - S 435 [Item #13]

Livestock Grazing Act - S 852 [Item #209]

National Highway System Designation Act of 1995 - S 440 [Item #14]

Pipeline Safety Act - HR 1323 [Item #21]

Risk Assessment - HR 1022 [Item #5]
Telecommunications - S 652 [Item #11]

PRINTER FONT 14_POINT_HELVETICA

Oppose:

PRINTER FONT 10_POINT_ROMAN

Military Construction Appropriations - HR 1817; SAP sent 6/15, letter sent 6/13

Lorton Closure - HR 461 [Item #17]

Regulatory Sunset and Review Act of 1995 - HR 994 [Item #20]

Service Contract Repeal Act - HR 246 [Item #304]

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Oppose Unless Amended:

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Securities Litigation Reform - HR 1058 [Item #10]

Violent Criminal Incarceration - HR 667 [Item #4]

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STATUS OF MAJOR (Non

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-Appropriations) LEGISLATION

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[Prepared by OMB/LRD]

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(Note: Parentheticals indicate who is tracking; bills grouped by RMO)

[Changes from previous day indicated by asterisk (*)]

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GENERAL GOVERNMENT & FINANCE:

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1. Budget Resolution: (Konigsberg)

House completed action on HConRes 67 on 5/18, passing the Kasich budget plan 238

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-193. Senate completed action on 5/25, passing the Domenici budget 57

□

-42. Budget Resolution conference agreement passed the House on 6/29 by a vote of 239

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-194, and passed the Senate the same day by a vote of 54

□

-46 (party line).

2. Item Veto: (Konigsberg/J. Gibbons)

House passed HR 2 (enhanced rescission) on February 6, (294

□

-134).

Senate passed S 4 (separate enrollment) on March 23, (69

□

-29).

Conference: On June 20, the Senate requested a conference and appointed conferees.

3. Tax Fairness and Deficit Reduction Act: (R. Jones)

House passed HR 1215 on April 5, (246

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-188) including tax cuts (child credit, IRAs, repeal taxes on soc.sec., neutral cost recovery, corporate AMT, cap gains, expensing, adoptions, marriage penalty credit, long

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-term care incentives); raise soc. sec. earnings limit; spending caps; Medicare extenders; spectrum extender; uranium enrichment; Federal retirement reforms; and automatic sequester of amounts taxpayers dedicate to debt reduction. SAP--"If...presented ...in its current form, the Secretary of the Treasury and the Director of OMB would recommend a veto." Senate not expected to take up HR 1215, as passed by the House, however components of the bill may be considered in the context of Reconciliation. Basis for opposition: Bill is fiscally irresponsible and would provide disproportionate tax benefits to the wealthy at the expense of programs for average Americans.

4. Crime Bills: (R. Jones)

House split their original crime bill into 7 smaller pieces and passed 6 of them--

? HR 665, requiring restitution for victims of federal crimes, passed February 7 (431

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-0); SAP--"supports passage."

? HR 666, allowing federal prosecutors to use improperly obtained evidence if police officers acted in "good faith"; would apply with and w/o warrants. Passed February 8, (289

□

-142). SAP

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-support only if amended to apply only where warrants have been obtained.

? HR 729, containing reforms affecting federal habeas corpus review of state criminal judgments and collateral review of federal judgements, and requiring federal juries to impose death sentences in certain cases. Passed February 8 (297

□

-132). SAP-

□

-support if DOJ concerns addressed.

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? HR 667, would replace the prison funding program enacted in '94 Act with allocations based on sentencing criteria; and would limit prisoner litigation. Passed February 10, (265

□

-156). SAP-

□

-oppose unless amended. Basis for opposition: Proposed distribution of prison grants is inferior to current program; drug court program would be repealed.

? HR 668, to expedite the deportation of aliens who commit serious crimes and reimburse states for incarceration of criminal aliens. Passed February 10, (380

□

-20). SAP-

□

-support if amended to offset the increased direct spending (\$600m/yr).

? HR 728, combining last year's grants for 100,000 cops and crime prevention into block grants. Passed February 14, (238

□

-192).

SAP-

□

-Presidential veto threat. Basis for opposition: Bill repeals police grants program, which provides for 100,000 cops. It also eliminates many crime prevention programs.

Senate action on crime legislation not yet scheduled. However, habeas corpus provisions related to those in HR 729 are included in the Senate

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-passed anti

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-terrorism bill (S 735, discussed below).

5. Reg Reform/Risk Assessment: (H. Fitter)

House passed HR 1022, Risk Benefit and Cost Benefit Act of 1995 on February 28th (286

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-141), requiring Federal agencies to perform highly detailed analyses of the risks that proposed health, safety and environmental regulations seek to address. SAP sent to the House on February 27, 1995, strongly oppose HR 1022. Basis for opposition:

HR 1022 would impose overly broad, prescriptive, and costly analytical requirements on the regulatory process, encourage excessive litigation, and supersede the substantive requirements of many existing health, safety, and environmental laws (i.e., the so

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-called supermandate).

Senate - Senate Floor action on S. 343 began on 6/28 and is continuing the week of 7/10/95; SAP

transmitted on 7/10/95: veto threat by Secretaries of Labor, Agriculture, Health and Human Services, Housing and Urban Development, Transportation, the Treasury, and the Interior, and the Administrator of EPA, and the Director of OMB. In addition, in a 6/23/95 letter to Senators Dole and Daschle, OMB OIRA Administrator Katzen stated "we continue to have serious concerns with S 343, and I would recommend that the President veto it if it were presented to him in its current form." Basis for opposition: Would impair rather than improve the regulatory process by generating additional costs, paperwork, litigation, and delay. Senate floor action began on 6/28 and will continue the week of 7/10.

6. Private Property Rights/Takings: (M. Goad)

On March 3rd, the House passed HR 925 (277

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-148), subsequently incorporated the bill into HR 9, and then passed HR 9 (277

□

-141).

HR 925 would require certain Federal agencies to compensate financially landowners if regulatory actions (taken under Endangered

Species Act, and wetlands, farm, and water rights laws) cause a decrease of at least 20 percent in the fair market value of any portion of the landowners' properties. The agencies would be required to offer to purchase the property if the regulatory action causes a decrease of more than 50 percent in the property's value. SAP on HR 925-

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-strongly oppose (3/1/95). On April 7th, POTUS said, "I will also veto the House

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-passed requirement that government pay property owners billions of dollars every time we act to defend our national heritage of seashores or wetlands or open spaces." Basis for opposition: Undermines Federal authority to protect the general welfare; expands the traditional concept of Fifth Amendment "takings"; creates new direct spending; and imposes an unlimited fiscal burden in the form of an arbitrary, automatic compensation

requirement for reductions in property values that are attributable to Federal actions.

The Senate Judiciary Committee held an April 6th hearing on S 605 (Dole/ Hatch). (S 605 has a 33 percent threshold, and would apply to all Federal agencies.) In testimony presented at the hearing, Justice threatened veto. In separate letters sent to Sen. Hatch in May and June, Agriculture, Army

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-Civil Works, Defense, EPA, GSA, HHS, Interior, Justice, Transportation, and Treasury advised that they would recommend veto. In a June 7th letter to Sens. Hatch, Biden, Dole, and Daschle, OMB Director Rivlin advised that, due to the significant increase in Federal spending that would result if S 605 were enacted, she would recommend veto. The Committee has not yet scheduled the mark up of S 605, but may do so at any time. The Senate Environment and Public Works (EPW) Committee held a June 27th hearing at which Interior and Justice advised that they would recommend veto of S 605 and HR 925. In an additional EPW hearing on July 12th, EPA, Army (Corps), and OMB advised that they would recommend a veto of S.605 or similar legislation. The Committee may hold an additional hearing later this month. Basis for opposition: Undermines Federal authority to protect the general welfare; expands the traditional concept of Fifth Amendment "takings"; creates new direct spending; and imposes an unlimited fiscal burden in the form of an arbitrary, automatic compensation requirement for reductions in property values that are attributable to Federal actions.

7. Reg Moratorium/Waiting Period: (J. Weinberg)

House passed HR 450 on Feb. 24 by 276

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-146. The bill would establish a "moratorium period" -- Nov. 20, 1994 through Dec. 31, 1995 or enactment of reg reform, whichever is earlier -- during which a Federal agency may not take any "regulatory rulemaking action" unless it falls within a specified emergency exception (i.e. military or foreign affairs functions, international trade agreements, agency management, certain banking regulatory matters, implementation of the internal revenue laws; matters relating to loans, grants, benefits, or contracts). Also exempted: regs determined by OIRA to be necessary because of an imminent threat to health or safety or other emergency or necessary for the enforcement

of criminal laws. SAP--"The President has stated that a moratorium on regulations, as provided for in H.R. 450, is not acceptable....the Secretaries of Agriculture, Energy, Health and Human Services, Housing and Urban Development, the Interior, Labor, Transportation, and the Treasury, the Attorney General, and the Administrator of the Environmental Protection Agency would recommend that it be vetoed." (In addition, POTUS said on 4/7/95, "if Republicans send me a bill that would let unsafe planes fly or contaminated water continue to find itself into city water systems, I will veto it." Veto threat reiterated in Earth Day speech, 4/21/95.) Basis for opposition: Would prevent the issuance of meritorious rules.

Senate passed S. 219 on March 29 by 100

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-0; under the Senate version, regs would not go into effect for 45 days, during which time Congress could enact a disapproval resolution. A March 29 statement by the President called the 45

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-day review period "the right way to reform regulation."

Conference: On June 16, the Senate requested a conference and appointed conferees.

8. Product Liability/Civil Litigation/Medical Malpractice: (I. Schroeder)
House passed HR 956 on March 10 (265

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-161). It would cap punitive damages in all civil cases and would cap non

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-economic (pain and suffering) damages in suits against health providers and insurers. Basis for opposition: Product liability reform should generally be left to the States; punitive damages shouldn't be arbitrarily

capped; and differential treatment of "economic" and "noneconomic" (e.g., "pain and suffering" damages is inappropriate. (March 6th Reno/Mikva letter.)

Senate passed HR 956 on May 10 (61

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-37). It would cap punitive damage awards by juries in product liability cases at \$250,000 or twice compensatory damages (economic and non

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-economic damages), whichever is greater. Judges could override those limits in "egregious" cases. Punitive damage awards in product liability cases could not exceed \$250,000 for small businesses. Basis for opposition: A May 10th White House statement said the Senate

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-passed liability bill "in its present form does not go far enough toward balancing the interests of consumers with those of manufacturers and sellers." The statement also stated the Administration's concerns regarding the limits on punitive damages adopted by the Senate and reiterated the Administration's opposition to provisions which would abolish joint and several liability. (A provision limiting punitive damage awards in all civil lawsuits, which was the subject of a May 4th Presidential veto threat, was later limited to product liability cases only.)

Conference not scheduled and conferees have not been appointed.
Media reports indicate that Speaker Gingrich may defer conference until the fall.
According to press reports, the Senate may take action on a separate bill to curb medical liability late this summer.

9. Loser Pays - Civil Litigation: (I. Schroeder)

House passed HR 988 on March 7 (232

☐

-193). Basis for opposition: The bill, which would affect only Federal civil suits involving parties from different States, would impose a modified "loser pays" rule, intended to encourage parties to settle out of court. The President said on 4/7/95 that he "will veto any bill with a 'loser pay' requirement such as that was in the House bill." In the Senate, provisions similar to those of HR 988 were added to -- and subsequently deleted from -- the product liability bill (HR 956) on the Senate floor.

10. Shareholder Suits: (I. Schroeder)

House passed HR 1058 on March 8 (325

☐

-99). Basis for opposition: Could lead to inadequate deterrence against financial fraud. (March 6th Reno/Mikva letter.)
Senate passed HR 1058 on 6/28/95 (69

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-30). SAP sent to Senate on 6/23/95 states that the Senate version (previously S. 240) "is now a substantial improvement on [the House version of] H.R. 1058, which the Administration could not support." The statement recommended amendments to: (1) clarify that safe harbors should not protect purposefully misleading statements; (2) restore liability for aiding and abetting in private action that follow a SEC action; and (3) extend the statute of limitations for private securities fraud actions to five years after a violation occurs. The SAP opposed a provision in the bill that would establish proportionate liability for reckless defendants and recommends replacing it with an amendment that would require culpable solvent defendants to pay up to two times their proportionate share of the damages, when a portion of the award is uncollectible.

Conference not scheduled.

11. Telecommunications Reform: (J. Weinberg)

House Commerce Committee-

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-Ordered reported HR 1555 (38

☐

-5) on May

25th. House Judiciary Committee-

☐

-Ordered reported HR 1528 on May

18th.

House floor action is expected after the July 4th recess.

Senate passed S. 652 on June 15th, 81

☐

-18. SAP strongly opposed
Commerce Committee

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-reported bill. White House Press Office issued an Administration statement on Senate passage of S 652 on June 16: "The Administration's position on the final legislation will depend on the extent to which the Administration's concerns have been addressed satisfactorily during the course of the entire legislative process." VP said on April 3 that he opposes the Senate Commerce Committee bill, and on April 4 the VP clarified in a letter, "I did not say that the President would veto the bill, since it is too early for such a decision...." Basis for opposition: Would result in higher phone and cable bills and decrease competition for phone and cable services.

12. Banking and Insurance Reform: (R. Jones)

House Banking Committee marked up Chairman Leach's HR 1062 on May 18. This bill would permit banks and securities firms to affiliate, allowing banks to underwrite securities and permitting securities firms to own banks. HR 1062 was reported by the House Commerce Committee on June 22. Leach has announced his intention to combine HR 1062 with HR 1362, a banking regulatory relief bill, prior to House floor action. (See below for discussion of HR 1362 - Banking Deregulation.)

13. HUD Elimination Act: (A. Briatico)

Although no specific hearings have been held on S. 435, a number of Senate hearings have been held on "reinventing" HUD. HUD, Justice, and OMB have sent letters to the Senate Banking, Housing, and Urban Affairs

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Committee strongly opposing Title II of S. 435. Title II would transfer to Justice all of the responsibilities currently assigned to HUD under the Fair Housing Act. Basis for opposition: The administration of these authorities is best accomplished by HUD, which has the infrastructure to handle these responsibilities.

14. National Highway System: (J. Brown)

Senate bill (S. 440) passed the Senate on June 22nd. It would designate routes for the new National Highway System (NHS). Absent designation of the NHS, DOT will be unable to obligate \$6.5 billion in highway funding in FY 1996. Basis for opposition: Repeal of national maximum speed limit law and motorcycle helmet requirements. (SAP to Senate, 6/15/95. A provision repealing Davis

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-Bacon

□

-type

labor protections, which was the subject of a Secretary of Labor veto threat in the SAP, was deleted on the Senate floor.) House committee action expected in July.

15. Highway Trust Fund Off

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-Budget Bill: (J. Brown)

House bill (HR 842) was ordered reported by House Transport. Cte. on May 3. Will be sequentially referred to Budget and Gov. Reform & Oversight Committees. (The Speaker has stated that he will appoint a task force to study issues raised by this bill.) Basis for opposition: Bill removes four trust funds from the Budget -- inconsistent with unified budget. (Rivlin letter to Chairman Shuster, 3/27/95.) Senate bill (S. 729) was introduced on April 27 by Sens. Baucus and Lott.

16. Banking Deregulation: (R. Jones)

House Banking Committee ordered reported Chairman Leach's HR 1362 on June 28. Leach has announced his intention to combine HR 1362 with

HR 1062 (listed above) prior to House floor action. Basis for opposition: Weakens important safeguards for assuring the safety and soundness of FDIC

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-insured depository institutions and would eviscerate the Community Reinvestment Act. (Secretary Rubin issued a veto threat in a 6/29/95 letter to Chairman Leach.) Senate bill (S 650) is pending in the Senate Banking Committee. The Senate bill contains some, but not all, of the troublesome provisions.

17. Lorton Closure: (M.Cook)

The House Government Reform and Oversight D.C. Subcommittee has held a couple of hearings this year on HR 461, the "Lorton Correctional Complex Closure Act." At these hearings, no Administration witnesses were asked to testify. Justice, however, expects Administration witnesses to be invited to testify at future Subcommittee hearings on this matter. On 3/16/95, Justice sent a letter to this Subcommittee opposing HR 461. Basis for opposition: The approach of HR 461 is "seriously flawed" but alternatives, which will be discussed with the Congress, exist to remedy the Lorton issue.

18. Housing for Older Persons Act: (M.Cook)

On April 6, 1995, HR 660 passed the House by a vote of 424 to 5. The Administration sent a SAP on 4/6/95 opposing H.R. 660. The Senate has not taken any action on this bill yet. Basis for opposition: Amends the Fair Housing Act in a way that would loosen the standards used to determine what housing qualifies for the "housing for older persons" exemption, potentially increasing discrimination against families. Therefore, the Administration prefers administrative action to clarify the application of the "housing for older persons" exemption. NOTE: The bill's provisions are identical to those of Title IV of HR 8, the "Senior Citizens' Equity Act," a Contract with America bill.

19. Counterterrorism: (R. Jones)

Senate passed S 735 on June 7 (81

□

-8) The bill includes many

proposals similar or identical to Presidential proposals (e.g., establishes Federal jurisdiction for terrorist acts, expedites removal of alien terrorists from the U.S., implements the international agreement on marking plastic explosives, etc.). Does not include the Administration's language for funding compliance with the 1994 digital telephony legislation. Includes habeas corpus reforms similar to that passed the House as a free standing bill (H.R. 729, listed under crime heading above). House Judiciary Committee reported H.R. 1710 on June 20 (23

□

-12). The House bill

also includes many of the President's proposals, including a funding mechanism for digital telephony. House floor action is expected before the August recess.

20. Regulatory Sunset and Review: (J. Gibbons)

House bill (HR 994) was approved by a Gov. Reform & Oversight Subcte. on 5/18/95. Basis for opposition: Open

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-ended in scope, excessively rigid, and contradictory criteria for review of regulations; paperwork requirements are unworkable. (Katzen testimony of 3/28/95 before House Gov. Reform.) Senate action not

scheduled, but could be folded into broader regulatory reform legislation.

21. Pipeline Safety: (J. Brown)

House bill (HR 1323) has been reported by Transportation and Commerce Ctes. Basis for opposition: (1) Authorizes less than 44 percent of the FY 1996 Budget request for pipeline safety activities; and (2) imposes burdensome and costly risk assessment procedures on the pipeline safety rulemaking process. (DOT letter, 5/12/95.)

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NATIONAL SECURITY & INTERNATIONAL AFFAIRS:

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101. National Security: (A. Rooney)

House passed HR 7 on February 16th (241

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-181) (star wars was deleted

on the Floor but many objectionable provisions remain which would infringe upon the authority of the President to respond to international crises and conflicts; remove UN peacekeeping as an option for burdensharing; establish an unnecessary Nat'l Security Commission; and mandate policies on NATO membership). On 4/7/95, POTUS said that he would "refuse () to approve the so

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-called

peacekeeping legislation passed by the House." SAP (Feb. 13th)-- State, Defense, and the U.S. Ambassador to the UN would recommend a veto. Basis for opposition: Infringes on President's constitutional authorities as Commander in Chief; and virtually eliminates U.S. participation in UN peacekeeping efforts.

Senate Foreign Relations Committee (SFRC) began hearings on March 21st on S 5, Peacekeeping Powers Act (introduced by Dole) and HR 7. Aspects of S 5 were considered on May 17th as part of the SFRC markup of Foreign Affairs Authorization and Consolidation proposal and deleted from the bill as reported. State advises that peacekeeping will be considered separately by the Committee at a later date.

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*102. Foreign Affairs Authorization and Consolidation: (A. Rooney)

House passed HR 1561 on June 8th (222 - 192). On May 23rd, the President expressed serious concerns regarding congressional legislation that would "place new restrictions on how America conducts its foreign policy and slash our budget in foreign affairs." Further, the President advised that if HR 1561 passed in its present form, he would veto it. SAP (May 22nd) -- State, DOD, Treasury, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of HR 1561. Basis for opposition: Imposes numerous, far

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-reaching restrictions on the conduct of American foreign policy; inappropriately consolidates three foreign affairs agencies (AID; ACDA; USIA) into a "super" State Department; and significantly reduces appropriation authorizations for international affairs programs.

Senate Foreign Relations Committee (SFRC) ordered reported Senator Helms' foreign relations authorization and consolidation proposal (S 908) on May 17th by a vote of 10

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-8. On June 7th, SFRC ordered

reported Senator Helms' Foreign Aid Reduction Act (S 961) by a vote

of 10

□

-8. S 908 is expected to be considered in late July or early August. SAP (June 28th) -- State, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of S 908. Basis for opposition: Imposes numerous restrictions on the conduct of American foreign policy; inappropriately consolidates three foreign affairs agencies (AID; ACDA; USIA) into a "super" State Department; and significantly reduces appropriation authorizations for international affairs programs.

103. National Defense Authorization Act: (M. Goad)

House passed HR 1530 (300

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-126) on June 15th. Sec. Perry, in a June 20th letter to Sen. Thurmond, stated that "[m]any of the provisions . . . are totally unacceptable. Unless they are eliminated or radically modified, they threaten the prospects for the bill itself." SAP on HR 1530-

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-strongly opposes (6/13/95).

Basis for opposition: Raises serious constitutional, national security, budget, personnel, and management concerns.

Senate Armed Services Committee reported S 1026, the companion bill, on July 12th. The Senate is expected to take up the bill before the August recess.

104. Jerusalem Embassy: (A. Rooney)

S 770/HR 1595 would require the United States to move its embassy to Jerusalem. On June 20th, Secretary Christopher sent a letter to Senator Dole and Speaker Gingrich stating that he would recommend a veto of the legislation. No action scheduled on either bill. Basis for opposition: Potentially very damaging to the success of the Middle East peace process and infringes on the President's constitutional prerogatives in foreign policy.

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NATURAL RESOURCES, ENERGY & SCIENCE

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201. Farm Bill: (C. Crutchfield)

Traditionally a 5

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-year measure, this legislation will reauthorize a slew of farm, nutrition, rural development, and other USDA programs. The Administration's Farm Bill guidance assumes savings in farm programs of \$1.5 billion over five years. The 1996 Budget Resolution calls for cuts in farm programs of \$8.5 billion over 5 years and \$13.4 billion over 7 years. House and Senate Agriculture committees are currently drafting bill language. Although some markups on discretionary titles are scheduled for late July, committee action on mandatory provisions is not expected until September. (NOTE: In oral remarks before the House and Senate Agriculture committees, Secretary Glickman has stated that the President would veto legislation that block grants Food Stamps. On 7/11/95, a H. Agriculture Subcommittee ordered reported the food and nutrition title of the Farm Bill, HR 1997, which does not contain provisions to block grant Food Stamps.)

202. Clean Water Amendments of 1995: (H. Fitter)

House passed HR 961 on May 16th, by a vote of 240

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-185. The bill would ease, overhaul, or revoke a number of current law's

anti

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-pollution requirements, allow States to continue to rely on voluntary measures to deal with certain water pollution problems, and restrict the ability of Federal agencies to declare wetlands off limits to development. On May 30, 1995, POTUS stated that the House

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-passed bill "will not get past my desk." SAP, sent on May 9, 1995, contained multiple agency veto threat (OMB, Justice, EPA, Interior). Basis for opposition: The bill would reduce water quality protection; eliminate fundamental wetlands protections; create enormous new costs (the bill includes a "mandatory compensation" takings provision similar to that contained in HR 925); fail to address effectively non

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-point source pollution; and paralyze the Federal Government's ability to issue regulations and guidance to protect the Nation's waters. Senate Environment Chairman Chafee has indicated that Clean Water Act reauthorization is not one of his top priorities.

203. Endangered Species: (M. Goad)

On July 13th, the Departments of Commerce and the Interior testified on the Endangered Species Act (ESA) before the Senate Environment and Public Works Committee. The Committee will hold additional oversight hearings on July 20th and 27th. CEQ expects that, once the oversight hearings are concluded, Sen. Kempthorne (R) ID will introduce a bill to reauthorize the ESA.

On May 25th, the Departments of Agriculture, Commerce, and the Interior testified before the House Endangered Species Task Force on possible changes to the ESA. CEQ and Interior advise that the House Task Force will not complete drafting legislation to amend the ESA until after the August recess.

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204. Safe Drinking Water: (H. Fitter)

Reauthorization of the 1974 law designed to keep contaminants out of the nation's water supply. State and local officials want a State revolving loan fund for water supply projects and relief from testing requirements. House Commerce staff and Senate Environment and Public Works staff, respectively, are attempting to complete draft bills.

205. Interstate Waste: (H. Fitter)

Senate passed S 534 on May 16th, by a vote of 94

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-6. S. 534 would give states more power to restrict both intra and interstate garbage dumping.

*206. Superfund Reform: (H. Fitter)

The taxes which fund the hazardous waste clean

□

-up program expire at the end of 1995. There is support among some Republicans to scale back retroactive liability (which would shift much of the costs to the government). Senate Environment Subcommittee Chair Bob Smith has circulated a "Superfund Reform Outline" containing principles for Superfund reform. A Senate bill may be introduced before the August recess. A July 11, 1995, EPA Administrator Browner letter to Senator Smith stated that the outline "incorporates proposals that are unfair, unworkable, or insufficiently protective of human health

and the environment." (EPA is especially concerned about the outline's repeal of strict, joint, and several retroactive liability.) Browner's letter further advised, "we do not believe this outline will establish a viable basis on which to attract the broad support that is needed if we are to achieve Superfund reform in the limited time left in this calendar year." House Transportation and Commerce Committees have held numerous subcommittee hearings on Superfund reform.

207. Mining Law: (C. Crutchfield)

Senate Energy and Natural Resources Committee is considering changes to Craig's bill (S 506) to win over committee members, such as Johnston, that have proposed a compromise version (S 639). Chairman Murkowski has postponed mark up of the bill indefinitely and indicated the issue would be dropped this session if a compromise is not reached soon. Interior Secretary Babbitt stated in a 5/22/95 letter to Chairman Murkowski that he would recommend a veto of S 506. Basis for opposition: S 506 does not provide for meaningful reform. It would (1) grant rights to purchase valuable Federal mineral lands at bargain

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-basement prices; (2) deprive Federal land managers of authority to protect the environment; and (3) result in little or no return to Federal taxpayers for use of publicly

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-owned mineral deposits. Justice also strongly opposed S 506 in a 6/12/95 letter because it would increase litigation over public liability for cleanup. House has not scheduled action.

208. Utah Wilderness: (C. Crutchfield)

House National Parks Subcommittee is scheduled on 7/18/95 to mark up Rep. Hansen's legislation (HR 1745) designating certain Federal lands in Utah as wilderness. Interior testified 6/29/95 before the Subcommittee that the Secretary would recommend a veto of HR 1745. Basis for opposition: The bill would (1) fail to designate enough land as wilderness; (2) open up for development too much land currently protected as wilderness study areas; and (3) allow road construction and other activities that are incompatible with wilderness designation. Senate Energy and Natural Resources Committee has begun consideration of identical legislation (S 884) introduced by Sens. Hatch and Bennett. Interior testified on 7/13/95 before the Committee that the Secretary would recommend a veto of S 884. Basis for opposition: Same as House.

209. Livestock Grazing: (C. Crutchfield)

Senate Energy and Natural Resources Committee is scheduled to mark up S 852 on 7/19/95. Interior testified before the Committee on 6/22/95 that it strongly opposed S. 852, introduced by Sen. Domenici and 15 cosponsors to supersede Interior's new regulations for livestock grazing on Federal lands. Basis for opposition: S 852 would (1) establish grazing as a dominant use for public lands over recreation, wildlife protection, and other concerns; (2) limit public involvement in the management of public lands; and (3) raise a number of questions over water rights, fee levels, and compliance with environmental statutes. In testimony on 7/11/95 before the House National Parks Subcommittee, Interior strongly opposed the companion bill (HR 1713).

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301. Welfare Reform: (M. Cook)

HR 4 (SAP, 3/21/95 said oppose, but in a 4/13/95 CNN interview, POTUS said "I'd be happy to veto"). Basis for opposition: denial of cash benefits to unwed parents under age 18; funding cuts to Food Stamp and other nutrition programs; funding cuts and removal of Federal oversight of State child protection systems; inadequate resources and requirements for States to move people from welfare to work; and inadequate resources for States in times of recession. House passed H.R. 4 on March 23 (234

□
-199) which would replace current welfare programs with 5 block grants to States (cash welfare; child welfare; child care; school meals; family nutrition). House SAP opposed H.R. 4 because it would: fail to reform welfare by moving people from welfare to work; reduce Federal funding in ways that would impair the health and nutrition of children and families; and is not tough enough on parents who owe child support, and too tough on innocent children. Senate Finance Committee reported its version of H.R. 4 on June 9. The bill block grants AFDC, imposes a five

□
-year time limit on benefits, tightens eligibility for SSI, and strengthens child support enforcement. HHS cited concerns with the bill in a May 24 letter to the Committee. Senator Packwood indicated May 15 that the bill would be considered as a stand

□
-alone bill unless it is filibustered. In that case, the bill would be considered as a component of the budget reconciliation bill. The Senate Labor and Human Resources Committee ordered reported S. 850 (Child Care and Development Block Grant amendments) on May 26. The measure is expected to be included in the final Senate welfare reform package. HHS supported S. 850 in a May 24 letter to the Committee, but cited concerns with potential cuts in other child care programs. The Senate Agriculture Committee marked up S. 904, a Food Stamp and nutrition programs bill on June 14. S. 904 also is expected to be included in the final Senate welfare reform package. USDA commended the Committee for not block granting food and nutrition programs, but cited concerns with the bill's reduction in Food Stamp funding and repeal of Regulation E coverage for Electronic Benefit Transfers.

Senate floor action -- tentatively scheduled for July.

302. Social Security Earnings Test: (M. Cook)

House-

□
-increase in earnings limit to \$30,000 included in HR 1215, which passed on April 5, (246

□
-188). Senate action unclear.

303. Davis

□
-Bacon Repeal: (C. Bowers)
H.R. 500 and S. 141 would repeal the Davis

□
-Bacon Act of 1931. The act requires Federal contractors working on jobs valued at more than \$2000 to pay their workers the "local prevailing wage," which is often the union rate. A House Economic & Education Opportunities

Subcommittee referred H.R. 500 to full committee on March 2. Senate Labor & Human Resources Committee reported S. 141 on May 12. A provision to repeal Davis

□

-Bacon coverage of Federal Highway projects

was dropped from S. 440, the National Highway bill (see entry above). Basis for opposition: repeal of Davis

□

-Bacon requirements

would depress workers' wages. President quoted on 4/6/95 as saying he would veto S. 141; Reich letter -- would recommend veto 3/18/95. (Also Reich letter and Senate SAP on S. 440 stated Labor would recommend veto.

304. Service Contract Repeal Act: (B. Pellicci)

Press reported that VP indicated on 2/20/95 that President would veto such legislation. Basis for opposition: repeal of Service Contract Act would depress workers' wages. HR 246 was marked up by a House EEO subcommittee on 3/03/95.

305. Minimum Wage Increase: (A. Briatico)

On 2/13/95, President transmitted to Congress a proposal to raise the minimum wage in two 45 cent steps -- raising the rate to \$4.70 per hour on July 4, 1995 and to \$5.15 per hour on July 4, 1996. President's proposal introduced as S. 413 and H.R. 940. Senator Kassebaum indicated on April 21 that the Senate Labor and Human Resources Committee will hold hearings on increasing the minimum wage. No date has been set.

306. Striker Replacement: (B. Pellicci)

On 3/8/95, President issued an Executive Order to deny Federal contracts to employers that permanently replace striking workers. H.R. 1176 and S. 603 would nullify the Executive Order. The House Economic and Educational Opportunities Committee reported H.R. 1176 on June 27.

307. Teamwork for Employees and Managers Act: (B. Pellicci)

HR 743 and S295. (Reich letter: recommend veto, 3/6/95 and 6/21/95; press reported that VP said on 02/20/95 that President would veto such legislation.) Basis for opposition: would allow employers to establish company unions or alternative, company

□

-dominated organizations where unions already exist. HR 743 was ordered reported on 6/22/95 by the House EEO Committee. No action has been taken to date on S 295.

308. Social Security Solvency: (M. Cook)

The "Strengthening Social Security Act of 1995" (S. 825), one of the "Simpson/Kerrey" bills, is designed to secure the long

□

-term solvency

of the Social Security program. It would: (1) accelerate the currently scheduled increase of the normal retirement age; (2) limit COLAs to certain Social Security beneficiaries; (3) adjust, for a limited period, Social Security COLA estimates based on CPI; (4) modify the formula for determining the primary insurance amount (the basic monthly benefit payable to a worker) to make it more progressive; (5) allow future beneficiaries to divert up to 2 percentage points of their payroll taxes to place in their own personal investment plan; (6) reduce gradually spousal benefits starting in 2000; (7) redirect revenue obtained through the taxation

of Social Security benefits from the HI Trust Fund to the OASDI Trust Fund; and (8) invest a portion of the OASDI Trust Fund assets in a stock fund index. On June 27, 1995, a Senate Finance Subcommittee held a hearing on the solvency of the Social Security system. To date, the Administration has not taken a position on S. 825. No comparable bill has been introduced in the House.

309. Employment, Training, and Retraining: (C. Bowers)
House Economic and Educational Opportunities (EEO) Committee reported H.R. 1617 (The Consolidated and Reformed Education, Employment and Rehabilitation Systems, or 'CAREERS' Act) on May 17, 1995.
Senate Labor and Human Resources Committee reported S. 143

(Workforce Development Act) on June 21, 1995.
Both bills would consolidate numerous Federal education and job training programs into four grants to States -- for youth development and career preparation, adult training, adult education and literacy, and vocational rehabilitation. These bills differ significantly from the President's proposal to restructure education and job training programs (the G.I. Bill for America's Workers), and they reduce substantially Federal resources for these functions. It is expected that H.R. 1617 will be linked on the House Floor with H.R. 1720 (Privatization Act of 1995), which was reported by the House EEO Committee on June 22, 1995. H.R. 1720 would privatize Sallie Mae and Connie Lee and eliminate numerous higher education programs. The Administration proposes to privatize these GSEs and eliminate the higher education programs, but its privatization initiatives differ in certain respects from H.R. 1720. Negotiations over possible amendments to all of these bills are ongoing. It is likely that Administration statements for Floor consideration will support the objectives but either oppose specific features or suggest further amendments to align with the President's proposal. It has been expected that House or Senate Floor action could occur in July (House action more likely than Senate action); however, this could be postponed.

□
310. Food Stamps - Block Grant: (M.Cook)
Sec. Glickman stated before S. Ag. Cte., 5/23/95, that he strongly opposes block granting food stamps and that the President has indicated his intention to veto such legislation. Basis for opposition: would jeopardize the health and nutrition of low

□
-income families.

Any changes made to the Food Stamp program are expected to be done within the context of Welfare Reform. Neither HR 4 (the Welfare Reform bill), as passed by the House, nor S 904 (which is expected to be rolled into the Senate version of HR 4), as ordered reported by the Senate, contain provisions that would block grant Food Stamps. In addition, HR 1997 (the food and nutrition title of the Farm Bill), as approved by a H. Agriculture Subcommittee on 7/11/95, also does not contain provisions that would block grant Food Stamps.

PRINTER FONT 14_POINT_HELVETICA

HEALTH & PERSONNEL

PRINTER FONT 10_POINT_ROMAN

401. Federal Retirement Reform Act: (M. Cook)

HR 1215 and HR 1185 both include Federal retirement reform provisions. The Administration's position on such reforms has been

articulated in the President's 4/5/95 letter on HR 1215 to Speaker Gingrich and in OMB's 3/15/95 letter on HR 1185 to Speaker Gingrich. Basis for opposition: Reduces retirement benefits of Federal employees to finance a tax cut for the wealthy.

On 3/15/95, the full H. Government Reform and Oversight Committee began consideration of HR 1185. It, however, recessed before taking action on the bill. NOTE: Title IV of HR 1215, as passed by the House on 4/5/95 (246

□

-188), contains provisions similar to those of HR 1185. To date, the Senate has taken no action on a stand

□

-alone retirement bill. On June 19, 1995, however, the FBI and DEA testified before a S. Governmental Affairs subcommittee opposing changes in retirement benefits for Federal employees. Modifications to Federal retirement programs are likely to be included in reconciliation legislation.

PRINTER FONT 14_POINT_HELVETICA
MAJOR LEGISLATION ENACTED

PRINTER FONT 10_POINT_ROMAN

? Unfunded Mandates Reform Act of 1995 (PL 104

□

-4). President signed
3/22/95.

? Defense Supplemental Appropriations (PL 104

□

-6). President signed
4/10/95.

? Permanently Extend the Tax Deductibility for Health Insurance Costs for Self

□

-Employed Individuals (PL 104

□

-7). President signed 4/11/95.

? HR 1345, DC Financial Responsibility and Management Assistance Act of 1995

(PL 104

□

-8). President signed 4/17/95.

? Paperwork Reduction (PL 104

□

-13). President signed 5/22/95.

? Medicare SELECT (PL 104

□

-18). President signed 7/7/95.

RECORD TYPE: FEDERAL (ALL-IN-1 MAIL)

CREATOR: Charles S. Konigsberg (KONIGSBERG_C) (OMB)

CREATION DATE/TIME:17-JUL-1995 19:09:28.31

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 12958 as amended, Sec. 3.3 (c)

Initials: AC3 Date: 02/04/2013

SUBJECT: ~~CONFIDENTIAL~~ -AMR DAILY

2012-0774-5

TO: Alice M. Rivlin

(RIVLIN_A) (OMB)

READ:18-JUL-1995 10:12:19.80

CC: Charles S. Konigsberg

(KONIGSBERG_C) (OMB)

READ:18-JUL-1995 09:35:55.66

CC: Jacob J. Lew

(LEW_J) (OMB)

READ:NOT READ

CC: Patrick J. Griffin

(GRIFFIN_P) Autoforward to: Erin A. O'Con

READ:17-JUL-1995 20:48:46.92

CC: Martha Foley

(FOLEY_M) (OMB)

READ:17-JUL-1995 19:09:48.51

CC: Ann M. Cattalini

(CATTALINI_A) (WHO)

READ:17-JUL-1995 19:13:39.31

CC: Erin A. O'Connor

(OCONNOR_E) (WHO)

READ:17-JUL-1995 20:48:46.92

CC: James C. Murr

(MURR_J) (OMB)

READ:18-JUL-1995 07:59:37.52

CC: James J. Jukes

(JUKES_J) (OMB)

READ:17-JUL-1995 19:11:48.33

CC: Janet R. Forsgren

(FORSGREN_J) (OMB)

READ:17-JUL-1995 20:06:19.94

CC: Ronald K. Peterson

(PETERSON_RK) (OMB)

READ:18-JUL-1995 08:09:02.76

CC: LAWRENCE J. HAAS

(HAAS_L) (OMB)

READ:20-JUL-1995 07:47:31.14

CC: Robert G. Damus

(DAMUS_R) (OMB)

READ:18-JUL-1995 09:17:48.55

CC: Barry B. Anderson

(ANDERSON_B) (OMB)

READ:17-JUL-1995 19:10:52.54

CC: Gordon Adams

(ADAMS_G) (OMB)

READ:18-JUL-1995 14:24:12.59

CC: T J Glauthier

(GLAUTHIER_T) (OMB)

READ:18-JUL-1995 08:26:48.73

CC: Kenneth S. Apfel

(APFEL_K) (OMB)

READ:NOT READ

CC: Nancy-Ann E. Min

(MIN_N) (OMB)

READ:17-JUL-1995 19:42:47.58

CC: Robert E. Litan (LITAN_R) (OMB)
READ:NOT READ

CC: Joseph Minarik (MINARIK_J) (OMB)
READ:18-JUL-1995 10:00:01.16

CC: Sally Katzen (KATZEN_S) (OMB)
READ:19-JUL-1995 12:28:29.38

CC: Lydia Muniz (MUNIZ_L) (OMB)
READ:17-JUL-1995 19:22:58.08

CC: Charles E. Kieffer (KIEFFER_C) (OMB)
READ:17-JUL-1995 21:19:44.98

CC: Kristen E. Panerali (PANERALI_K) (OMB)
READ:17-JUL-1995 19:09:54.56

CC: John A. Koskinen (KOSKINEN_J) (OMB)
READ:18-JUL-1995 08:08:53.32

CC: Steven Kelman (KELMAN_S) (OMB)
READ:17-JUL-1995 19:19:12.83

CC: G. Edward DeSeve (DESEVE_G) (OMB)
READ:NOT READ

CC: John B. Arthur (ARTHUR_J) (OMB)
READ:17-JUL-1995 19:56:38.55

CC: William A. Halter (HALTER_W) (OMB)
READ:18-JUL-1995 09:43:08.47

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ:17-JUL-1995 19:30:35.21

CC: Chantale Wong (WONG_C) (OMB)
READ:18-JUL-1995 08:35:15.08

CC: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnel
READ:18-JUL-1995 18:29:21.14

CC: Thomas O'Donnell (O'DONNELL_T) (OPD)
READ:18-JUL-1995 18:29:21.14

CC: David J. Lane (LANE_D) (OPD)
READ:17-JUL-1995 19:43:28.43

CC: John Gibbons (GIBBONS_J) Autoforward to: Remote Address
READ:NOT READ

CC: M. Jill Gibbons (GIBBONS_M) (OMB)
READ:18-JUL-1995 19:08:00.34

CC: Ronald E. Jones (JONES_RE) (OMB)
READ:18-JUL-1995 09:49:31.44

CC: Ingrid M. Schroeder (SCHROEDER_I) (OMB)

READ:18-JUL-1995 10:33:27.84

CC: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
READ:19-JUL-1995 09:35:54.80

CC: James A. Brown (BROWN_JA) (OMB)
READ:NOT READ

CC: Constance J. Bowers (BOWERS_C) (OMB)
READ:18-JUL-1995 08:56:18.08

CC: Melissa Y. Cook (COOK_MY) (OMB)
READ:18-JUL-1995 08:36:11.45

CC: Anna M. Briatico (BRIATICO_A) (OMB)
READ:17-JUL-1995 20:06:15.26

CC: Christopher J. Mustain (MUSTAIN_C) (OMB)
READ: 2-AUG-1995 11:39:23.00

CC: Robert J. Pellicci (PELLICCI_R) (OMB)
READ:18-JUL-1995 08:26:25.82

CC: James C. Crutchfield (CRUTCHFIEL_J) (OMB)
READ:18-JUL-1995 09:50:04.65

CC: Elyse H. Fitter (FITTER_E) (OMB)
READ:18-JUL-1995 09:04:30.33

CC: Michael L. Goad (GOAD_M) (OMB)
READ:NOT READ

CC: Annette E. Rooney (ROONEY_A) (OMB)
READ:18-JUL-1995 08:50:46.45

CC: Dena B. Weinstein (WEINSTEIN_D) (OPD)
READ:18-JUL-1995 09:21:56.26

CC: Stacey L. Rubin (RUBIN_S) (WHO)
READ:17-JUL-1995 19:10:20.28

CC: Jennifer N. Palmieri (PALMIERI_J) (OMB)
READ:18-JUL-1995 09:32:18.84

CC: Karin L. Kizer (KIZER_K) (OMB)
READ:17-JUL-1995 19:09:32.57

CC: Margaret R. Shaw (SHAW_M) (OMB)
READ:18-JUL-1995 09:32:25.89

CC: Deborah F. Kramer (KRAMER_D) (OMB)
READ:17-JUL-1995 19:11:04.29

CC: Diane G. Limo (LIMO_D) (OMB)
READ:18-JUL-1995 10:29:49.15

CC: Alice E. Shuffield (SHUFFIELD_A) (OMB)
READ:18-JUL-1995 09:22:16.13

CC: Janet L. Graves (GRAVES_J) (OMB)

READ:18-JUL-1995 10:43:36.95

CC: James I. Blount (BLOUNT_J) (OMB)

READ:17-JUL-1995 19:40:32.31

CC: Lara L. Roholt (ROHOLT_L) (OMB)

READ:18-JUL-1995 09:49:44.38

CC: Philip R. Dame (DAME_P) (OMB)

READ:18-JUL-1995 08:13:28.77

CC: Alan B. Rhinesmith (RHINESMITH_A) (OMB)

READ:18-JUL-1995 07:52:06.51

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)

READ:18-JUL-1995 07:22:12.09

CC: Barry T. Clendenin (CLENDENIN_B) (OMB)

READ:17-JUL-1995 19:29:03.45

CC: Robert B. Rideout (RIDEOUT_R) (OMB)

READ:18-JUL-1995 15:11:15.26

CC: Philip A. DuSault (DUSAULT_P) (OMB)

READ:17-JUL-1995 20:02:55.20

CC: Phebe N. Vickers (VICKERS_P) (OMB)

READ:NOT READ

CC: Kathleen Peroff (PEROFF_K) (OMB)

READ:18-JUL-1995 08:54:58.68

CC: Ron Cogswell (COGSWELL_R) (OMB)

READ:17-JUL-1995 19:24:50.67

CC: Barry White (WHITE_B) (OMB)

READ:18-JUL-1995 12:46:34.49

CC: Richard P. Emery Jr. (EMERY_R) (OMB)

READ:18-JUL-1995 08:02:35.47

CC: Barbara C. Chow (CHOW_B) (WHO)

READ:17-JUL-1995 19:09:48.71

CC: Robert E. Barker (BARKER_R) (OMB)

READ:17-JUL-1995 22:45:10.09

CC: Mark Gearan (GEARAN_M) Autoforward to: Angus S. King

READ:18-JUL-1995 08:29:44.84

CC: Donald A. Baer (BAER_D) (WHO)

READ:NOT READ

CC: Ann F. Walker (WALKER_A) (WHO)

READ:NOT READ

CC: Todd Stern (STERN_T) (WHO)

READ:NOT READ

CC: Kelly Musick (MUSICK_K) (OMB)

READ:18-JUL-1995 08:13:36.60

CC: Brian Blais (BLAIS_B) (OMB)
READ:17-JUL-1995 19:11:25.61

CC: Mary Lynn Jones (JONES_ML) (OMB)
READ:18-JUL-1995 09:18:30.25

CC: Nancy L. Brandel (BRANDEL_N) (OMB)
READ:17-JUL-1995 20:55:14.87

CC: Christopher F. Walker (WALKER_C) (WHO)
READ:NOT READ

CC: Deborah L. Shaw (SHAW_D) (OMB)
READ:18-JUL-1995 11:26:55.85

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Elena R. Mcc
READ:17-JUL-1995 19:12:35.26

CC: Timothy J. Keating (KEATING_T) (WHO)
READ:17-JUL-1995 19:09:46.41

CC: Kathryn Higgins (HIGGINS_K) (WHO)
READ:17-JUL-1995 19:25:03.27

CC: Stephen B. Silverman (SILVERMAN_S) (WHO)
READ:18-JUL-1995 11:44:22.42

CC: Bruce N. Reed (REED_B) (OPD)
READ:18-JUL-1995 14:58:31.58

CC: Jeremy D. Benami (BENAMI_J) (OPD)
READ:18-JUL-1995 20:16:33.09

CC: Douglas B. Sosnik (SOSNIK_D) (WHO)
READ:18-JUL-1995 09:26:10.70

CC: Karen L. Hancox (HANCOX_K) (WHO)
READ:18-JUL-1995 07:27:41.04

CC: Shelley N. Fidler (FIDLER_S) (CEQ)
READ:18-JUL-1995 12:34:47.20

CC: Janet L. Himler (HIMLER_J) (OMB)
READ:21-JUL-1995 15:00:50.12

TEXT:

\d

PRINTER FONT 12_POINT_ROMAN

TO: ALICE RIVLIN
cc-

□

-Lew, Griffin, Tyson, Foley, OMB/2d Floor, DADs,
LRD,

Gibbons, Cabinet Affairs, CEQ

FROM: CHUCK KONIGSBERG

SUBJECT: STATUS REPORT ON PENDING LEGISLATION

PRINTER FONT 14_POINT_HELVETICA

Congress on Monday:

PRINTER FONT 12_POINT_COURIER

Senate continued consideration of S. 343, Regulatory Reform; a cloture vote was taken and failed (48

□

-46). House, at this time,

is continuing consideration of HR 1977, Interior Appropriations.

PRINTER FONT 14_POINT_HELVETICA

SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Rescission Bill:

Dole has said the Senate will return to the bill only if he can obtain unanimous consent; negotiations continuing over a time agreement with Wellstone and Moseley

□

-Braun; if negotiations

fail, Dole would still have the option of filing cloture to end debate (however germane amendments could still be offered under a cloture scenario).

Tuesday, July 18:

Continue consideration of S 343, Regulatory Reform; a second cloture vote is scheduled for Tuesday.

[SAP containing multi

□

-agency veto threat sent 7/10]

Balance of the Week:

- S 21, Lifting U.S. Arms Embargo applicable to Bosnia
- Unspecified Appropriations Bills (time permitting)

DOLE'S LIST TO BE DONE BEFORE RECESS:

- Possible Appropriations Bills
 - Mil Con
 - Legislative
 - Interior
 - Energy
 - Treasury/Postal
 - Defense
 - Agriculture
- S 641, Ryan White AIDS program
- S 101, Lobbying Reform and Gift Ban
- S 908, Foreign Relations Revitalization Act

[SAP containing multi

□

-agency veto threat sent 6/28/95]

- S 961, Foreign Aid Reauthorization
- S 1026, Defense Authorization
- HR 4, Welfare Reform

NOTE - DOLE ANNOUNCED THAT SATURDAY SESSIONS ARE POSSIBLE JULY 29, AUGUST 5, AND AUGUST 12. RECESS - DELAYED TO AUGUST 12.

□

PRINTER FONT 14_POINT_HELVETICA

HOUSE RULES COMMITTEE SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Wednesday, July 19:

- HR 2002, Transportation Appropriations
- HJ Res 96, Disapproval of MFN for China

- HR --, China Policy Act of 1995

PRINTER FONT 14_POINT_HELVETICA

HOUSE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Tuesday, July 18:

- HR 2020, Treasury/Postal Appropriations (subject to a rule)
- HR 1976, Agriculture Appropriations

Wednesday and Balance of the Week:

- Complete HR 1976, Agriculture Appropriations
- HR 2002, Transportation Appropriations (subject to a rule)
- HR --, China Policy Act of 1995
[NO SAP OR LETTER CURRENTLY CONTEMPLATED]
- HJRes 96, Disapproval of Most Favored Nation Treatment to China
(subject to a rule)
[SAP and Christopher letter strongly opposing are pending; A POTUS letter may be developed]
- HR --, Commerce/Justice/State Appropriations
(subject to a rule)

Floor action between July 4th and August Recess:

- Finish Appropriations
- Telecommunications
- Anti

□

-Terrorism

Other pending legislation:

HR 1332, the Omnibus Insular Areas Act, may be taken up.

[SAP being developed with a DOI veto recommendation.]

(If you have questions about the House or Senate legislative schedules, contact Lydia Muniz at OMB Legislative Affairs, 54790.)

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PRINTER FONT 14_POINT_HELVETICA

Budget Reconciliation Status Report

PRINTER FONT 12_POINT_COURIER

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

House: (Sept. 22 reporting deadline)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Banking--

Commerce --

Econ & Educational Opp--

Govt Reform--

Internat'l Rel--

Judiciary--

Nat'l Sec--

Resources--

Transportation--

Veterans--

Ways & Means--Not expected to mark

□

-up until September. Expected

to

incorporate by reference pieces of the House

□

-passed welfare

reform and tax bills.

PRINTER FONT 14_POINT_HELVETICA

Senate: (Sept. 22 reporting deadline for spending cuts, but 5 days following CBO certification for tax cuts)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Armed Services--

Banking--

Commerce--

Energy--

Environment & PW--

Finance--Not expected to mark

□

-up until September. Finance has the

load in the Congress, with all of Medicare, Medicaid, most of welfare, and all the tax cuts to report. Moreover, with an 11

□

-9 split, the Republicans need every vote to report out a Reconciliation package; however, the Republicans may have trouble holding Chafee's vote. In addition, Pressler is up for election next year and D'Amato has the seniors vote to worry about.

Govt Affairs--

Judiciary--

Labor--

Veterans--

□

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PRINTER FONT 14_POINT_HELVETICA

SUMMARY of ADMINISTRATION OPPOSITION

PRINTER FONT 10_POINT_ROMAN

[Prepared by OMB/LRD and OMB/LA]

(Note: For details on the legislation listed below, including the basis for opposition, see the "STATUS OF MAJOR LEGISLATION" List that follows - note the item #.)

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

Vetoed:

PRINTER FONT 10_POINT_ROMAN

Rescissions/Supplemental - HR 1158

PRINTER FONT 14_POINT_HELVETICA

Presidential Veto Threats:

PRINTER FONT 10_POINT_ROMAN

Labor/HHS Appropriations - Panetta statement 7/11

VA/HUD Appropriations - Panetta statement 7/11

Assault Weapons Ban

Clean Water Amendments of 1995 - HR 961 [Item # 202]

Davis

□

-Bacon - S 141 [Item #303]

Foreign Affairs Authorization/Merge AID, ACDA, USIA into State - HR 1561
[Item #102]

Loser Pays - Civil Litigation - HR 988 [Item #9]

National Security Bill - HR 872 [Item #101]

Product Liability/Civil Litigation - HR 956 [Item #8]

Student Loans

Takings/Private Property Protection - HR 925 and S 605 [Item #6]

Tax Fairness and Deficit Reduction Act - HR 1215 [Item #3]

100,000 cops - HR 728, Law Enforcement Block Grants [Item #4]

Welfare Reform - HR 4 [Item #301]

□

PRINTER FONT 14_POINT_HELVETICA

Multiple Agency Veto Threats:

PRINTER FONT 10_POINT_ROMAN

Interior Appropriations - HR 1977; letter sent 6/21, SAP sent 7/12

Comprehensive Regulatory Reform Act of 1995 - S 343 [Item #5]

Foreign Relations Authorization/Merge AID, ACDA, USIA into State - S 908
[Item #102]

Regulatory Moratorium - HR 450 [Item #7]

PRINTER FONT 14_POINT_HELVETICA

Single Agency Veto Threats:

PRINTER FONT 10_POINT_ROMAN

Financial Institutions Regulatory Relief Act of 1995 - HR 1362 [Item #16]

Food Stamps - Block Grant, HR 4, HR 1997, and S 904 [Items #201, 301, & 310]

Jerusalem Embassy - S 770 and HR 1595 [Item #104]

Mining Law - S 506 [Item #207]

National Defense Authorization Act - HR 1530 [Item #103]

National Highway System Designation Act of 1995 - S 440 [Item #14]

Service Contract Repeal Act - [Item #304]

Teamwork for Employees & Managers Act - HR 743 [Item #307]

Utah Wilderness - HR 1745 [Item #208]

□

PRINTER FONT 14_POINT_HELVETICA

Strongly Oppose:

PRINTER FONT 10_POINT_ROMAN

Agriculture Appropriations - letter sent 6/21

Energy & Water Appropriations - HR 1905; letter sent 6/20

Treasury/Postal Appropriations - letter sent 7/10

Federal Retirement Reform - HR 1215 and HR 1185 [Item #401]

Highway Off

☐

-Budget - HR 842 [Item #15]

HUD Elimination Act - S 435 [Item #13]

Livestock Grazing Act - S 852 [Item #209]

National Highway System Designation Act of 1995 - S 440 [Item #14]

Pipeline Safety Act - HR 1323 [Item #21]

Risk Assessment - HR 1022 [Item #5]

Telecommunications - S 652 [Item #11]

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Oppose:

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Military Construction Appropriations - HR 1817; SAP sent 6/15, letter sent 6/13

Lorton Closure - HR 461 [Item #17]

Regulatory Sunset and Review Act of 1995 - HR 994 [Item #20]

Service Contract Repeal Act - HR 246 [Item #304]

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Oppose Unless Amended:

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Securities Litigation Reform - HR 1058 [Item #10]

Violent Criminal Incarceration - HR 667 [Item #4]

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STATUS OF MAJOR (Non

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-Appropriations) LEGISLATION

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[Prepared by OMB/LRD]

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(Note: Parentheticals indicate who is tracking; bills grouped by RMO)

[Changes from previous day indicated by asterisk (*)]

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GENERAL GOVERNMENT & FINANCE:

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1. Budget Resolution: (Konigsberg)

House completed action on HConRes 67 on 5/18, passing the Kasich budget plan 238

☐

-193. Senate completed action on 5/25, passing the Domenici budget 57

☐

-42. Budget Resolution conference agreement passed the House on 6/29 by a vote of 239

☐

-194, and passed the Senate the same day by a vote of 54

☐

-46 (party line).

2. Item Veto: (Konigsberg/J. Gibbons)

House passed HR 2 (enhanced rescission) on February 6, (294

□

-134).

Senate passed S 4 (separate enrollment) on March 23, (69

□

-29).

Conference: On June 20, the Senate requested a conference and appointed conferees.

3. Tax Fairness and Deficit Reduction Act: (R. Jones)

House passed HR 1215 on April 5, (246

□

-188) including tax cuts (child credit, IRAs, repeal taxes on soc.sec., neutral cost recovery, corporate AMT, cap gains, expensing, adoptions, marriage penalty credit, long

□

-term care incentives); raise soc. sec. earnings limit; spending caps; Medicare extenders; spectrum extender; uranium enrichment; Federal retirement reforms; and automatic sequester of amounts taxpayers dedicate to debt reduction. SAP--"If...presented ...in its current form, the Secretary of the Treasury and the Director of OMB would recommend a veto." Senate not expected to take up HR 1215, as passed by the House, however components of the bill may be considered in the context of Reconciliation. Basis for opposition: Bill is fiscally irresponsible and would provide disproportionate tax benefits to the wealthy at the expense of programs for average Americans.

4. Crime Bills: (R. Jones)

House split their original crime bill into 7 smaller pieces and passed 6 of them--

? HR 665, requiring restitution for victims of federal crimes, passed February 7 (431

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-0); SAP--"supports passage."

? HR 666, allowing federal prosecutors to use improperly obtained evidence if police officers acted in "good faith"; would apply with and w/o warrants. Passed February 8, (289

□

-142). SAP

□

-support only if amended to apply only where warrants have been obtained.

? HR 729, containing reforms affecting federal habeas corpus review of state criminal judgments and collateral review of federal judgements, and requiring federal juries to impose death sentences in certain cases. Passed February 8 (297

□

-132). SAP-

□

-support if DOJ concerns addressed.

□

? HR 667, would replace the prison funding program enacted in '94 Act with allocations based on sentencing criteria; and would limit prisoner litigation. Passed February 10, (265

□

-156). SAP-

□

-oppose

unless amended. Basis for opposition: Proposed distribution of prison grants is inferior to current program; drug court program would be repealed.

? HR 668, to expedite the deportation of aliens who commit serious crimes and reimburse states for incarceration of criminal aliens. Passed February 10, (380

□

-20). SAP-

□

-support if amended to offset the increased direct spending (\$600m/yr).

? HR 728, combining last year's grants for 100,000 cops and crime prevention into block grants. Passed February 14, (238

□

-192).

SAP-

□

-Presidential veto threat. Basis for opposition: Bill repeals police grants program, which provides for 100,000 cops. It also eliminates many crime prevention programs.

Senate action on crime legislation not yet scheduled. However, habeas corpus provisions related to those in HR 729 are included in the Senate

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-passed anti

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-terrorism bill (S 735, discussed below).

*5. Reg Reform/Risk Assessment: (H. Fitter)

House passed HR 1022, Risk Benefit and Cost Benefit Act of 1995 on February 28th (286

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-141), requiring Federal agencies to perform highly detailed analyses of the risks that proposed health, safety and environmental regulations seek to address. SAP sent to the House on February 27, 1995, strongly oppose HR 1022. Basis for opposition:

HR 1022 would impose overly broad, prescriptive, and costly analytical requirements on the regulatory process, encourage excessive litigation, and supersede the substantive requirements of many existing health, safety, and environmental laws (i.e., the so

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-called supermandate).

Senate - Senate Floor action on S. 343 began on 6/28 and continued the week of 7/10/95 with a

cloture vote scheduled for 6:00PM 7/17/95

and a second cloture vote 7/18/95; SAP transmitted on 7/10/95: veto threat by Secretaries of Labor, Agriculture, Health and Human Services, Housing and Urban Development, Transportation, the Treasury, and the Interior, and the Administrator of EPA, and the Director of OMB. In addition, in a 6/23/95 letter to Senators Dole and Daschle, OMB OIRA Administrator Katzen stated "we continue to have serious concerns with S 343, and I would recommend that the President veto it if it were presented to him in its current form." Basis for opposition: Would impair rather than improve the regulatory process by generating additional costs, paperwork, litigation, and delay. Senate floor action began on 6/28 and will continue the week of 7/10.

6. Private Property Rights/Takings: (M. Goad)

On March 3rd, the House passed HR 925 (277

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-148), subsequently

incorporated the bill into HR 9, and then passed HR 9 (277

□

-141).

HR 925 would require certain Federal agencies to compensate financially landowners if regulatory actions (taken under Endangered Species Act, and wetlands, farm, and water rights laws) cause a decrease of at least 20 percent in the fair market value of any portion of the landowners' properties. The agencies would be required to offer to purchase the property if the regulatory action causes a decrease of more than 50 percent in the property's value. SAP on HR 925-

□

-strongly oppose (3/1/95). On April 7th, POTUS said,

"I will also veto the House

□

-passed requirement that government pay

property owners billions of dollars every time we act to defend our national heritage of seashores or wetlands or open spaces." Basis for opposition: Undermines Federal authority to protect the general welfare; expands the traditional concept of Fifth Amendment "takings"; creates new direct spending; and imposes an unlimited

fiscal burden in the form of an arbitrary, automatic compensation requirement for reductions in property values that are attributable to Federal actions.

The Senate Judiciary Committee held an April 6th hearing on S 605 (Dole/ Hatch). (S 605 has a 33 percent threshold, and would apply to all Federal agencies.) In testimony presented at the hearing, Justice threatened veto. In separate letters sent to Sen. Hatch in May and June, Agriculture, Army

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-Civil Works, Defense, EPA, GSA, HHS,

Interior, Justice, Transportation, and Treasury advised that they would recommend veto. In a June 7th letter to Sens. Hatch, Biden, Dole, and Daschle, OMB Director Rivlin advised that, due to the significant increase in Federal spending that would result if S 605 were enacted, she would recommend veto. The Committee has not yet scheduled the mark up of S 605, but may do so at any time. The Senate Environment and Public Works (EPW) Committee held a June 27th hearing at which Interior and Justice advised that they would recommend veto of S 605 and HR 925. In an additional EPW hearing on July 12th, EPA, Army (Corps), and OMB advised that they would recommend a veto of S.605 or similar legislation. The Committee may hold an additional hearing later this month. Basis for opposition: Same as opposition to House bill.

7. Reg Moratorium/Waiting Period: (J. Weinberg)

House passed HR 450 on Feb. 24 by 276

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-146. The bill would establish

a "moratorium period" -- Nov. 20, 1994 through Dec. 31, 1995 or enactment of reg reform, whichever is earlier -- during which a Federal agency may not take any "regulatory rulemaking action" unless it falls within a specified emergency exception (i.e. military or foreign affairs functions, international trade

agreements, agency management, certain banking regulatory matters, implementation of the internal revenue laws; matters relating to loans, grants, benefits, or contracts). Also exempted: regs determined by OIRA to be necessary because of an imminent threat to health or safety or other emergency or necessary for the enforcement of criminal laws. SAP--"The President has stated that a moratorium on regulations, as provided for in H.R. 450, is not acceptable....the Secretaries of Agriculture, Energy, Health and Human Services, Housing and Urban Development, the Interior, Labor, Transportation, and the Treasury, the Attorney General, and the Administrator of the Environmental Protection Agency would recommend that it be vetoed." (In addition, POTUS said on 4/7/95, "if Republicans send me a bill that would let unsafe planes fly or contaminated water continue to find itself into city water systems, I will veto it." Veto threat reiterated in Earth Day speech, 4/21/95.) Basis for opposition: Would prevent the issuance of meritorious rules.

Senate passed S. 219 on March 29 by 100

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-0; under the Senate version, regs would not go into effect for 45 days, during which time Congress could enact a disapproval resolution. A March 29 statement by the President called the 45

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-day review period "the right way to reform regulation."

Conference: On June 16, the Senate requested a conference and appointed conferees.

8. Product Liability/Civil Litigation/Medical Malpractice: (I. Schroeder)
House passed HR 956 on March 10 (265

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-161). It would cap punitive damages in all civil cases and would cap non

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-economic (pain and suffering) damages in suits against health providers and insurers. Basis for opposition: Product liability reform should generally be left to the States; punitive damages shouldn't be arbitrarily capped; and differential treatment of "economic" and "noneconomic" (e.g., "pain and suffering" damages is inappropriate. (March 6th Reno/Mikva letter.)

Senate passed HR 956 on May 10 (61

□

-37). It would cap punitive damage awards by juries in product liability cases at \$250,000 or twice compensatory damages (economic and non

□

-economic damages), whichever is greater. Judges could override those limits in "egregious" cases. Punitive damage awards in product liability cases could not exceed \$250,000 for small businesses. Basis for opposition: A May 10th White House statement said the Senate

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-passed liability bill "in its present form does not go far enough toward balancing the interests of consumers with those of manufacturers and sellers." The statement also stated the Administration's concerns regarding the limits on punitive damages adopted by the Senate and

reiterated the Administration's opposition to provisions which would abolish joint and several liability. (A provision limiting punitive damage awards in all civil lawsuits, which was the subject of a May 4th Presidential veto threat, was later limited to product liability cases only.)

Conference not scheduled and conferees have not been appointed.

Media reports indicate that Speaker Gingrich may defer conference until the fall.

According to press reports, the Senate may take action on a separate bill to curb medical liability late this summer.

9. Loser Pays - Civil Litigation: (I. Schroeder)

House passed HR 988 on March 7 (232

□

-193). Basis for opposition: The bill, which would affect only Federal civil suits involving parties from different States, would impose a modified "loser pays" rule, intended to encourage parties to settle out of court. The President said on 4/7/95 that he "will veto any bill with a 'loser pay' requirement such as that was in the House bill." In the Senate, provisions similar to those of HR 988 were added to -- and subsequently deleted from -- the product liability bill (HR 956) on the Senate floor.

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10. Shareholder Suits: (I. Schroeder)

House passed HR 1058 on March 8 (325

□

-99). Basis for opposition:

Could lead to inadequate deterrence against financial fraud. (March 6th Reno/Mikva letter.)

Senate passed HR 1058 on 6/28/95 (69

□

-30). SAP sent to Senate on

6/23/95 states that the Senate version (previously S. 240) "is now a substantial improvement on [the House version of] H.R. 1058, which the Administration could not support." The statement recommended amendments to: (1) clarify that safe harbors should not protect purposefully misleading statements; (2) restore liability for aiding and abetting in private action that follow a SEC action; and (3) extend the statute of limitations for private securities fraud actions to five years after a violation occurs. The SAP opposed a provision in the bill that would establish proportionate liability for reckless defendants and recommends replacing it with an amendment that would require culpable solvent defendants to pay up to two times their proportionate share of the damages, when a portion of the award is uncollectible.

Conference not scheduled.

11. Telecommunications Reform: (J. Weinberg)

House Commerce Committee-

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-Ordered reported HR 1555 (38

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-5) on May

25th. House Judiciary Committee-

□

-Ordered reported HR 1528 on May

18th.

House floor action is expected after the July 4th recess.

Senate passed S. 652 on June 15th, 81

□

-18. SAP strongly opposed
Commerce Committee

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-reported bill. White House Press Office issued an Administration statement on Senate passage of S 652 on June 16: "The Administration's position on the final legislation will depend on the extent to which the Administration's concerns have been addressed satisfactorily during the course of the entire legislative process." VP said on April 3 that he opposes the Senate Commerce Committee bill, and on April 4 the VP clarified in a letter, "I did not say that the President would veto the bill, since it is too early for such a decision...." Basis for opposition: Would result in higher phone and cable bills and decrease competition for phone and cable services.

12. Banking and Insurance Reform: (R. Jones)

House Banking Committee marked up Chairman Leach's HR 1062 on May 18. This bill would permit banks and securities firms to affiliate, allowing banks to underwrite securities and permitting securities firms to own banks. HR 1062 was reported by the House Commerce Committee on June 22. Leach has announced his intention to combine HR 1062 with HR 1362, a banking regulatory relief bill, prior to House floor action. (See below for discussion of HR 1362 - Banking Deregulation.)

13. HUD Elimination Act: (A. Briatico)

Although no specific hearings have been held on S. 435, a number of Senate hearings have been held on "reinventing" HUD. HUD, Justice, and OMB have sent letters to the Senate Banking, Housing, and Urban Affairs Committee strongly opposing Title II of S. 435. Title II would transfer to Justice all of the responsibilities currently assigned to HUD under the Fair Housing Act. Basis for opposition: The administration of these authorities is best accomplished by HUD, which has the infrastructure to handle these responsibilities.

14. National Highway System: (J. Brown)

Senate bill (S. 440) passed the Senate on June 22nd. It would designate routes for the new National Highway System (NHS). Absent designation of the NHS, DOT will be unable to obligate \$6.5 billion in highway funding in FY 1996. Basis for opposition: Repeal of national maximum speed limit law and motorcycle helmet requirements.

(SAP to Senate, 6/15/95. A provision repealing Davis

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-Bacon

□

-type

labor protections, which was the subject of a Secretary of Labor veto threat in the SAP, was deleted on the Senate floor.) House committee action expected in July.

15. Highway Trust Fund Off

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-Budget Bill: (J. Brown)

House bill (HR 842) was ordered reported by House Transport. Cte. on May 3. Will be sequentially referred to Budget and Gov. Reform & Oversight Committees. (The Speaker has stated that he will appoint a task force to study issues raised by this bill.) Basis for opposition: Bill removes four trust funds from the Budget -- inconsistent with unified budget. (Rivlin letter to Chairman Shuster, 3/27/95.) Senate bill (S. 729) was introduced on April 27 by Sens. Baucus and Lott.

16. Banking Deregulation: (R. Jones)

House Banking Committee ordered reported Chairman Leach's HR 1362 on June 28. Leach has announced his intention to combine HR 1362 with HR 1062 (listed above) prior to House floor action. Basis for opposition: Weakens important safeguards for assuring the safety and soundness of FDIC

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-insured depository institutions and would eviscerate the Community Reinvestment Act. (Secretary Rubin issued a veto threat in a 6/29/95 letter to Chairman Leach.) Senate bill (S 650) is pending in the Senate Banking Committee. The Senate bill contains some, but not all, of the troublesome provisions.

17. Lorton Closure: (M.Cook)

The House Government Reform and Oversight D.C. Subcommittee has held a couple of hearings this year on HR 461, the "Lorton Correctional Complex Closure Act." At these hearings, no Administration witnesses were asked to testify. Justice, however, expects Administration witnesses to be invited to testify at future Subcommittee hearings on this matter. On 3/16/95, Justice sent a letter to this Subcommittee opposing HR 461. Basis for opposition: The approach of HR 461 is "seriously flawed" but alternatives, which will be discussed with the Congress, exist to remedy the Lorton issue.

18. Housing for Older Persons Act: (M.Cook)

On April 6, 1995, HR 660 passed the House by a vote of 424 to 5. The Administration sent a SAP on 4/6/95 opposing H.R. 660. The Senate has not taken any action on this bill yet. Basis for opposition: Amends the Fair Housing Act in a way that would loosen the standards used to determine what housing qualifies for the "housing for older persons" exemption, potentially increasing discrimination against families. Therefore, the Administration prefers administrative action to clarify the application of the "housing for older persons" exemption. NOTE: The bill's provisions are identical to those of Title IV of HR 8, the "Senior Citizens' Equity Act," a Contract with America bill.

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19. Counterterrorism: (R. Jones)

Senate passed S 735 on June 7 (81

□

-8) The bill includes many proposals similar or identical to Presidential proposals (e.g., establishes Federal jurisdiction for terrorist acts, expedites removal of alien terrorists from the U.S., implements the international agreement on marking plastic explosives, etc.). Does not include the Administration's language for funding compliance with the 1994 digital telephony legislation. Includes habeas corpus reforms similar to that passed the House as a free standing bill (H.R. 729, listed under crime heading above). House Judiciary Committee reported H.R. 1710 on June 20 (23

□

-12). The House bill also includes many of the President's proposals, including a funding mechanism for digital telephony. House floor action is expected before the August recess.

20. Regulatory Sunset and Review: (J. Gibbons)

House bill (HR 994) was approved by a Gov. Reform & Oversight Subcte. on 5/18/95. Basis for opposition: Open

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-ended in scope, excessively rigid, and contradictory criteria for review of

regulations; paperwork requirements are unworkable. (Katzen testimony of 3/28/95 before House Gov. Reform.) Senate action not scheduled, but could be folded into broader regulatory reform legislation.

21. Pipeline Safety: (J. Brown)

House bill (HR 1323) has been reported by Transportation and Commerce Ctes. Basis for opposition: (1) Authorizes less than 44 percent of the FY 1996 Budget request for pipeline safety activities; and (2) imposes burdensome and costly risk assessment procedures on the pipeline safety rulemaking process. (DOT letter, 5/12/95.)

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NATIONAL SECURITY & INTERNATIONAL AFFAIRS:

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101. National Security: (A. Rooney)

House passed HR 7 on February 16th (241

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-181) (star wars was deleted

on the Floor but many objectionable provisions remain which would infringe upon the authority of the President to respond to international crises and conflicts; remove UN peacekeeping as an option for burdensharing; establish an unnecessary Nat'l Security Commission; and mandate policies on NATO membership). On 4/7/95, POTUS said that he would "refuse () to approve the so

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-called

peacekeeping legislation passed by the House." SAP (Feb. 13th)-- State, Defense, and the U.S. Ambassador to the UN would recommend a veto. Basis for opposition: Infringes on President's constitutional authorities as Commander in Chief; and virtually eliminates U.S. participation in UN peacekeeping efforts.

Senate Foreign Relations Committee (SFRC) began hearings on March 21st on S 5, Peacekeeping Powers Act (introduced by Dole) and HR 7. Aspects of S 5 were considered on May 17th as part of the SFRC markup of Foreign Affairs Authorization and Consolidation proposal and deleted from the bill as reported. State advises that peacekeeping will be considered separately by the Committee at a later date.

*102. Foreign Affairs Authorization and Consolidation: (A. Rooney) House passed HR 1561 on June 8th (222 - 192). On May 23rd, the President expressed serious concerns regarding congressional legislation that would "place new restrictions on how America conducts its foreign policy and slash our budget in foreign affairs." Further,

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the President advised that if HR 1561 passed in its present form, he would veto it. SAP (May 22nd) -- State, DOD, Treasury, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of HR 1561. Basis for opposition: Imposes numerous, far

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-reaching

restrictions on the conduct of American foreign policy; inappropriately consolidates three foreign affairs agencies (AID; ACDA; USIA) into a "super" State Department; and significantly reduces appropriation authorizations for international affairs programs.

Senate Foreign Relations Committee (SFRC) ordered reported Senator Helms' foreign relations authorization and consolidation proposal (S 908) on May 17th by a vote of 10

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-8. On June 7th, SFRC ordered reported Senator Helms' Foreign Aid Reduction Act (S 961) by a vote of 10

□

-8. S 908 is expected to be considered in late July or early August. SAP (June 28th) -- State, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of S 908. Basis for opposition: Same as opposition to House bill.

103. National Defense Authorization Act: (M. Goad)
House passed HR 1530 (300

□

-126) on June 15th. Sec. Perry, in a June 20th letter to Sen. Thurmond, stated that "[m]any of the provisions . . . are totally unacceptable. Unless they are eliminated or radically modified, they threaten the prospects for the bill itself." SAP on HR 1530-

□

-strongly opposes (6/13/95).

Basis for opposition: Raises serious constitutional, national security, budget, personnel, and management concerns.

Senate Armed Services Committee reported S 1026, the companion bill, on July 12th. The Senate is expected to take up the bill before the August recess.

104. Jerusalem Embassy: (A. Rooney)

S 770/HR 1595 would require the United States to move its embassy to Jerusalem. On June 20th, Secretary Christopher sent a letter to Senator Dole and Speaker Gingrich stating that he would recommend a veto of the legislation. No action scheduled on either bill. Basis for opposition: Potentially very damaging to the success of the Middle East peace process and infringes on the President's constitutional prerogatives in foreign policy.

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NATURAL RESOURCES, ENERGY & SCIENCE

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201. Farm Bill: (C. Crutchfield)

Traditionally a 5

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-year measure, this legislation will reauthorize a slew of farm, nutrition, rural development, and other USDA programs. The Administration's Farm Bill guidance assumes savings in farm programs of \$1.5 billion over five years. The 1996 Budget Resolution calls for cuts in farm programs of \$8.5 billion over 5 years and \$13.4 billion over 7 years. House and Senate Agriculture committees are currently drafting bill language. Although some markups on discretionary titles are scheduled for late July, committee action on mandatory provisions is not expected until September. (NOTE: In oral remarks before the House and Senate Agriculture committees, Secretary Glickman has stated that the President would veto legislation that block grants Food Stamps. On 7/11/95, a H. Agriculture Subcommittee ordered reported the food and nutrition title of the Farm Bill, HR 1997, which does not contain provisions to block grant Food Stamps.)

202. Clean Water Amendments of 1995: (H. Fitter)

House passed HR 961 on May 16th, by a vote of 240

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-185. The bill would ease, overhaul, or revoke a number of current law's anti

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-pollution requirements, allow States to continue to rely on voluntary measures to deal with certain water pollution problems,

and restrict the ability of Federal agencies to declare wetlands off limits to development. On May 30, 1995, POTUS stated that the House

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-passed bill "will not get past my desk." SAP, sent on May 9, 1995, contained multiple agency veto threat (OMB, Justice, EPA, Interior). Basis for opposition: The bill would reduce water quality protection; eliminate fundamental wetlands protections; create enormous new costs (the bill includes a "mandatory compensation" takings provision similar to that contained in HR 925); fail to address effectively non

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-point source pollution; and paralyze the Federal Government's ability to issue regulations and guidance to protect the Nation's waters. Senate Environment Chairman Chafee has indicated that Clean Water Act reauthorization is not one of his top priorities.

203. Endangered Species: (M. Goad)

On July 13th, the Departments of Commerce and the Interior testified on the Endangered Species Act (ESA) before the Senate Environment and Public Works Committee. The Committee will hold additional oversight hearings on July 20th and 27th. CEQ expects that, once the oversight hearings are concluded, Sen. Kempthorne (R) ID will introduce a bill to reauthorize the ESA.

On May 25th, the Departments of Agriculture, Commerce, and the Interior testified before the House Endangered Species Task Force on possible changes to the ESA. CEQ and Interior advise that the House Task Force will not complete drafting legislation to amend the ESA until after the August recess.

204. Safe Drinking Water: (H. Fitter)

Reauthorization of the 1974 law designed to keep contaminants out of the nation's water supply. State and local officials want a State revolving loan fund for water supply projects and relief from testing requirements. House Commerce staff and Senate Environment and Public Works staff, respectively, are attempting to complete draft bills.

205. Interstate Waste: (H. Fitter)

Senate passed S 534 on May 16th, by a vote of 94

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-6. S. 534 would give states more power to restrict both intra and interstate garbage dumping.

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206. Superfund Reform: (H. Fitter)

The taxes which fund the hazardous waste clean

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-up program expire at the end of 1995. There is support among some Republicans to scale back retroactive liability (which would shift much of the costs to the government). Senate Environment Subcommittee Chair Bob Smith has circulated a "Superfund Reform Outline" containing principles for Superfund reform. A Senate bill may be introduced before the August recess. A July 11, 1995, EPA Administrator Browner letter to Senator Smith stated that the outline "incorporates proposals that are unfair, unworkable, or insufficiently protective of human health

and the environment." (EPA is especially concerned about the outline's repeal of strict, joint, and several retroactive liability.) Browner's letter further advised, "we do not believe this outline will establish a viable basis on which to attract the broad support that is needed if we are to achieve Superfund reform in the limited time left in this calendar year." House Transportation and Commerce Committees have held numerous subcommittee hearings on Superfund reform.

207. Mining Law: (C. Crutchfield)

Senate Energy and Natural Resources Committee is considering changes to Craig's bill (S 506) to win over committee members, such as Johnston, that have proposed a compromise version (S 639). Chairman Murkowski has postponed mark up of the bill indefinitely and indicated the issue would be dropped this session if a compromise is not reached soon. Interior Secretary Babbitt stated in a 5/22/95 letter to Chairman Murkowski that he would recommend a veto of S 506. Basis for opposition: S 506 does not provide for meaningful reform. It would (1) grant rights to purchase valuable Federal mineral lands at bargain

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-basement prices; (2) deprive Federal land managers of authority to protect the environment; and (3) result in little or no return to Federal taxpayers for use of publicly

□

-owned

mineral deposits. Justice also strongly opposed S 506 in a 6/12/95 letter because it would increase litigation over public liability for cleanup. House has not scheduled action.

208. Utah Wilderness: (C. Crutchfield)

House National Parks Subcommittee is scheduled on 7/18/95 to mark up Rep. Hansen's legislation (HR 1745) designating certain Federal lands in Utah as wilderness. Interior testified 6/29/95 before the Subcommittee that the Secretary would recommend a veto of HR 1745. Basis for opposition: The bill would (1) fail to designate enough land as wilderness; (2) open up for development too much land currently protected as wilderness study areas; and (3) allow road construction and other activities that are incompatible with wilderness designation. Senate Energy and Natural Resources Committee has begun consideration of identical legislation (S 884) introduced by Sens. Hatch and Bennett. Interior testified on 7/13/95 before the Committee that the Secretary would recommend a veto of S 884. Basis for opposition: Same as House.

209. Livestock Grazing: (C. Crutchfield)

Senate Energy and Natural Resources Committee is scheduled to mark up S 852 on 7/19/95. Interior testified before the Committee on 6/22/95 that it strongly opposed S. 852, introduced by Sen. Domenici and 15 cosponsors to supersede Interior's new regulations for livestock grazing on Federal lands. Basis for opposition: S 852 would (1) establish grazing as a dominant use for public lands over recreation, wildlife protection, and other concerns; (2) limit public involvement in the management of public lands; and (3) raise a number of questions over water rights, fee levels, and compliance with environmental statutes. In testimony on 7/11/95 before the House National Parks Subcommittee, Interior strongly opposed the companion bill (HR 1713).

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301. Welfare Reform: (M. Cook)

HR 4 (SAP, 3/21/95 said oppose, but in a 4/13/95 CNN interview, POTUS said "I'd be happy to veto"). Basis for opposition: denial of cash benefits to unwed parents under age 18; funding cuts to Food Stamp and other nutrition programs; funding cuts and removal of Federal oversight of State child protection systems; inadequate resources and requirements for States to move people from welfare to work; and inadequate resources for States in times of recession. House passed H.R. 4 on March 23 (234

□

-199) which would replace current welfare programs with 5 block grants to States (cash welfare; child welfare; child care; school meals; family nutrition). House SAP opposed H.R. 4 because it would: fail to reform welfare by moving people from welfare to work; reduce Federal funding in ways that would impair the health and nutrition of children and families; and is not tough enough on parents who owe child support, and too tough on innocent children. Senate Finance Committee reported its version of H.R. 4 on June 9. The bill block grants AFDC, imposes a five

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-year time limit on benefits, tightens eligibility for SSI, and strengthens child support enforcement. HHS cited concerns with the bill in a May 24 letter to the Committee. Senator Packwood indicated May 15 that the bill would be considered as a stand

□

-alone bill unless it is filibustered. In that case, the bill would be considered as a component of the budget reconciliation bill. The Senate Labor and Human Resources Committee ordered reported S. 850 (Child Care and Development Block Grant amendments) on May 26. The measure is expected to be included in the final Senate welfare reform package. HHS supported S. 850 in a May 24 letter to the Committee, but cited concerns with potential cuts in other child care programs. The Senate Agriculture Committee marked up S. 904, a Food Stamp and nutrition programs bill on June 14. S. 904 also is expected to be included in the final Senate welfare reform package. USDA commended the Committee for not block granting food and nutrition programs, but cited concerns with the bill's reduction in Food Stamp funding and repeal of Regulation E coverage for Electronic Benefit Transfers.

Senate floor action -- scheduled for week of August 7th.

302. Social Security Earnings Test: (M. Cook)

House-

□

-increase in earnings limit to \$30,000 included in HR 1215, which passed on April 5, (246

□

-188). Senate action unclear.

□

303. Davis

□

-Bacon Repeal: (C. Bowers)

H.R. 500 and S. 141 would repeal the Davis

□

-Bacon Act of 1931. The act requires Federal contractors working on jobs valued at more than \$2000 to pay their workers the "local prevailing wage," which is

often the union rate. A House Economic & Education Opportunities Subcommittee referred H.R. 500 to full committee on March 2. Senate Labor & Human Resources Committee reported S. 141 on May 12. A provision to repeal Davis

□

-Bacon coverage of Federal Highway projects was dropped from S. 440, the National Highway bill (see entry above). Basis for opposition: repeal of Davis

□

-Bacon requirements would depress workers' wages. President quoted on 4/6/95 as saying he would veto S. 141; Reich letter -- would recommend veto 3/18/95. (Also Reich letter and Senate SAP on S. 440 stated Labor would recommend veto.

304. Service Contract Repeal Act: (B. Pellicci)
Press reported that VP indicated on 2/20/95 that President would veto such legislation. Basis for opposition: repeal of Service Contract Act would depress workers' wages. HR 246 was marked up by a House EEO subcommittee on 3/03/95.

305. Minimum Wage Increase: (A. Briatico)
On 2/13/95, President transmitted to Congress a proposal to raise the minimum wage in two 45 cent steps -- raising the rate to \$4.70 per hour on July 4, 1995 and to \$5.15 per hour on July 4, 1996. President's proposal introduced as S. 413 and H.R. 940. Senator Kassebaum indicated on April 21 that the Senate Labor and Human Resources Committee will hold hearings on increasing the minimum wage. No date has been set.

306. Striker Replacement: (B. Pellicci)
On 3/8/95, President issued an Executive Order to deny Federal contracts to employers that permanently replace striking workers. H.R. 1176 and S. 603 would nullify the Executive Order. The House Economic and Educational Opportunities Committee reported H.R. 1176 on June 27.

307. Teamwork for Employees and Managers Act: (B. Pellicci)
HR 743 and S295. (Reich letter: recommend veto, 3/6/95 and 6/21/95; press reported that VP said on 02/20/95 that President would veto such legislation.) Basis for opposition: would allow employers to establish company unions or alternative, company

□

-dominated organizations where unions already exist. HR 743 was ordered reported on 6/22/95 by the House EEO Committee. No action has been taken to date on S 295.

308. Social Security Solvency: (M. Cook)
The "Strengthening Social Security Act of 1995" (S. 825), one of the "Simpson/Kerrey" bills, is designed to secure the long

□

-term solvency of the Social Security program. It would: (1) accelerate the currently scheduled increase of the normal retirement age; (2) limit COLAs to certain Social Security beneficiaries; (3) adjust, for a limited period, Social Security COLA estimates based on CPI; (4) modify the formula for determining the primary insurance amount (the basic monthly benefit payable to a worker) to make it more progressive; (5) allow future beneficiaries to divert up to 2 percentage points of their payroll taxes to place in their own personal investment plan; (6) reduce gradually spousal benefits starting in 2000; (7) redirect revenue obtained through the taxation

of Social Security benefits from the HI Trust Fund to the OASDI Trust Fund; and (8) invest a portion of the OASDI Trust Fund assets in a stock fund index. On June 27, 1995, a Senate Finance Subcommittee held a hearing on the solvency of the Social Security system. To date, the Administration has not taken a position on S. 825. No comparable bill has been introduced in the House.

*309. Employment, Training, and Retraining: (C. Bowers)
House Economic and Educational Opportunities (EEO) Committee reported H.R. 1617 (The Consolidated and Reformed Education, Employment and Rehabilitation Systems, or 'CAREERS' Act) on May 17, 1995.

Senate Labor and Human Resources Committee reported S. 143 (Workforce Development Act) on June 21, 1995.

Both bills would consolidate numerous Federal education and job training programs into four grants to States -- for youth development and career preparation, adult training, adult education and literacy, and vocational rehabilitation. These bills differ significantly from the President's proposal to restructure education and job training programs (the G.I. Bill for America's Workers), and they reduce substantially Federal resources for these functions. It is expected that H.R. 1617 will be linked on the House Floor with H.R. 1720 (Privatization Act of 1995), which was reported by the House EEO Committee on June 22, 1995. H.R. 1720 would privatize Sallie Mae and Connie Lee and eliminate numerous higher education programs. The Administration proposes to privatize these GSEs and eliminate the higher education programs, but its privatization initiatives differ in certain respects from H.R. 1720.

Negotiations over possible amendments to all of these bills are ongoing. It is likely that Administration statements for Floor consideration will support the objectives but either oppose specific features or suggest further amendments to align with the President's proposal. House or Senate Floor action could occur in August.

310. Food Stamps - Block Grant: (M. Cook)

Sec. Glickman stated before S. Ag. Cte., 5/23/95, that he strongly opposes block granting food stamps and that the President has indicated his intention to veto such legislation. Basis for opposition: would jeopardize the health and nutrition of low

□
-income
families.

Any changes made to the Food Stamp program are expected to be done within the context of Welfare Reform. Neither HR 4 (the Welfare Reform bill), as passed by the House, nor S 904 (which is expected to be rolled into the Senate version of HR 4), as ordered reported by the Senate, contain provisions that would block grant Food Stamps. In addition, HR 1997 (the food and nutrition title of the Farm Bill), as approved by a H. Agriculture Subcommittee on 7/11/95, also does not contain provisions that would block grant Food Stamps.

PRINTER FONT 14_POINT_HELVETICA

HEALTH & PERSONNEL

PRINTER FONT 10_POINT_ROMAN

401. Federal Retirement Reform Act: (M. Cook)

HR 1215 and HR 1185 both include Federal retirement reform provisions. The Administration's position on such reforms has been articulated in the President's 4/5/95 letter on HR 1215 to Speaker Gingrich and in OMB's 3/15/95 letter on HR 1185 to Speaker Gingrich. Basis for opposition: Reduces retirement benefits of Federal

employees to finance a tax cut for the wealthy.

On 3/15/95, the full H. Government Reform and Oversight Committee began consideration of HR 1185. It, however, recessed before taking action on the bill. NOTE: Title IV of HR 1215, as passed by the House on 4/5/95 (246

□

-188), contains provisions similar to those of HR 1185. To date, the Senate has taken no action on a stand

□

-alone retirement bill. On June 19, 1995, however, the FBI and DEA testified before a S. Governmental Affairs subcommittee opposing changes in retirement benefits for Federal employees. Modifications to Federal retirement programs are likely to be included in reconciliation legislation.

PRINTER FONT 14_POINT_HELVETICA
MAJOR LEGISLATION ENACTED

PRINTER FONT 10_POINT_ROMAN

? Unfunded Mandates Reform Act of 1995 (PL 104

□

-4). President signed
3/22/95.

? Defense Supplemental Appropriations (PL 104

□

-6). President signed
4/10/95.

? Permanently Extend the Tax Deductibility for Health Insurance Costs for Self

□

-Employed Individuals (PL 104

□

-7). President signed 4/11/95.

? HR 1345, DC Financial Responsibility and Management Assistance Act of 1995

(PL 104

□

-8). President signed 4/17/95.
? Paperwork Reduction (PL 104

□

-13). President signed 5/22/95.
? Medicare SELECT (PL 104

□

-18). President signed 7/7/95.

RECORD TYPE: FEDERAL (ALL-IN-1 MAIL)

CREATOR: Charles S. Konigsberg (KONIGSBERG_C) (OMB)

CREATION DATE/TIME: 18-JUL-1995 20:41:16.75

SUBJECT: ~~CONFIDENTIAL~~ AMR DAILY

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 12958 as amended, Sec. 3.1
Initials: ACJ Date: 02/04/2013

2012-0774-F

TO: Alice M. Rivlin

(RIVLIN_A) (OMB)

READ: 19-JUL-1995 09:56:11.76

IND_TO: Lisa A. Gaisford

(GAISFORD_L) (OMB)

READ: 20-JUL-1995 16:24:14.00

CC: Charles S. Konigsberg

(KONIGSBERG_C) (OMB)

READ: 19-JUL-1995 13:37:39.71

CC: Jacob J. Lew

(LEW_J) (OMB)

READ: NOT READ

CC: Patrick J. Griffin

(GRIFFIN_P) Autoforward to: Erin A. O'Connor

READ: 19-JUL-1995 08:40:22.44

CC: Martha Foley

(FOLEY_M) (OMB)

READ: 18-JUL-1995 21:37:08.00

CC: Ann M. Cattalini

(CATTALINI_A) (WHO)

READ: 19-JUL-1995 08:31:21.95

CC: Erin A. O'Connor

(OCONNOR_E) (WHO)

READ: 19-JUL-1995 08:40:22.44

CC: James C. Murr

(MURR_J) (OMB)

READ: 19-JUL-1995 08:22:39.97

CC: James J. Jukes

(JUKES_J) (OMB)

READ: 19-JUL-1995 09:25:38.02

CC: Janet R. Forsgren

(FORSGREN_J) (OMB)

READ: 19-JUL-1995 09:31:13.52

CC: Ronald K. Peterson

(PETERSON_RK) (OMB)

READ: 19-JUL-1995 09:48:22.81

CC: LAWRENCE J. HAAS

(HAAS_L) (OMB)

READ: 19-JUL-1995 16:49:37.68

CC: Robert G. Damus

(DAMUS_R) (OMB)

READ: 19-JUL-1995 08:29:01.09

CC: Barry B. Anderson

(ANDERSON_B) (OMB)

READ: 19-JUL-1995 08:16:35.98

CC: Gordon Adams

(ADAMS_G) (OMB)

READ: 19-JUL-1995 12:16:59.11

CC: T J Glauthier

(GLAUTHIER_T) (OMB)

READ: 19-JUL-1995 08:09:23.93

CC: Kenneth S. Apfel

(APFEL_K) (OMB)

READ:NOT READ

CC: Nancy-Ann E. Min (MIN_N) (OMB)
READ:NOT READ

CC: Robert E. Litan (LITAN_R) (OMB)
READ:NOT READ

CC: Joseph Minarik (MINARIK_J) (OMB)
READ:19-JUL-1995 10:18:50.89

CC: Sally Katzen (KATZEN_S) (OMB)
READ:19-JUL-1995 15:34:21.97

CC: Lydia Muniz (MUNIZ_L) (OMB)
READ:19-JUL-1995 09:43:19.83

CC: Charles E. Kieffer (KIEFFER_C) (OMB)
READ:18-JUL-1995 22:11:40.02

CC: Kristen E. Panerali (PANERALI_K) (OMB)
READ:18-JUL-1995 21:14:22.45

CC: John A. Koskinen (KOSKINEN_J) (OMB)
READ:18-JUL-1995 21:24:49.76

CC: Steven Kelman (KELMAN_S) (OMB)
READ:21-JUL-1995 19:32:05.69

CC: G. Edward DeSeve (DESEVE_G) (OMB)
READ:NOT READ

CC: John B. Arthur (ARTHUR_J) (OMB)
READ:19-JUL-1995 06:38:54.28

CC: William A. Halter (HALTER_W) (OMB)
READ:19-JUL-1995 09:29:59.82

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ:NOT READ

CC: Chantale Wong (WONG_C) (OMB)
READ:19-JUL-1995 14:39:52.35

CC: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnel
READ:19-JUL-1995 10:03:21.85

CC: Thomas O'Donnell (ODONNELL_T) (OPD)
READ:19-JUL-1995 10:03:21.85

CC: David J. Lane (LANE_D) (OPD)
READ:19-JUL-1995 08:42:46.25

CC: John Gibbons (GIBBONS_J) Autoforward to: Remote Address
READ:NOT READ

CC: M. Jill Gibbons (GIBBONS_M) (OMB)
READ:19-JUL-1995 08:58:21.67

CC: Ronald E. Jones (JONES_RE) (OMB)

READ:19-JUL-1995 09:48:42.98

CC: Ingrid M. Schroeder
READ:19-JUL-1995 09:36:52.55

(SCHROEDER_I) (OMB)

CC: Jeffrey A. Weinberg
READ:19-JUL-1995 09:52:18.50

(WEINBERG_J) (OMB)

CC: James A. Brown
READ:19-JUL-1995 09:38:22.20

(BROWN_JA) (OMB)

CC: Constance J. Bowers
READ:19-JUL-1995 08:47:36.40

(BOWERS_C) (OMB)

CC: Melissa Y. Cook
READ:19-JUL-1995 08:20:25.91

(COOK_MY) (OMB)

CC: Anna M. Briatico
READ:19-JUL-1995 09:54:19.44

(BRIATICO_A) (OMB)

CC: Christopher J. Mustain
READ: 2-AUG-1995 11:39:42.22

(MUSTAIN_C) (OMB)

CC: Robert J. Pellicci
READ:19-JUL-1995 08:05:48.15

(PELLICCI_R) (OMB)

CC: James C. Crutchfield
READ:19-JUL-1995 09:05:24.90

(CRUTCHFIEL_J) (OMB)

CC: Elyse H. Fitter
READ:19-JUL-1995 09:24:44.98

(FITTER_E) (OMB)

CC: Michael L. Goad
READ:NOT READ

(GOAD_M) (OMB)

CC: Annette E. Rooney
READ:19-JUL-1995 09:14:01.04

(ROONEY_A) (OMB)

CC: Dena B. Weinstein
READ:19-JUL-1995 08:49:09.32

(WEINSTEIN_D) (OPD)

CC: Stacey L. Rubin
READ:18-JUL-1995 20:41:36.44

(RUBIN_S) (WHO)

CC: Jennifer N. Palmieri
READ:18-JUL-1995 21:09:04.36

(PALMIERI_J) (OMB)

CC: Karin L. Kizer
READ:19-JUL-1995 11:25:35.25

(KIZER_K) (OMB)

CC: Margaret R. Shaw
READ:19-JUL-1995 09:57:42.80

(SHAW_M) (OMB)

CC: Deborah F. Kramer
READ:19-JUL-1995 08:00:36.97

(KRAMER_D) (OMB)

CC: Diane G. Limo
READ:19-JUL-1995 09:46:43.62

(LIMO_D) (OMB)

CC: Alice E. Shuffield

(SHUFFIELD_A) (OMB)

READ:19-JUL-1995 11:15:19.26

CC: Janet L. Graves (GRAVES_J) (OMB)
READ:19-JUL-1995 10:16:30.37

CC: James I. Blount (BLOUNT_J) (OMB)
READ:19-JUL-1995 09:26:34.26

CC: Lara L. Roholt (ROHOLT_L) (OMB)
READ:19-JUL-1995 11:23:40.13

CC: Philip R. Dame (DAME_P) (OMB)
READ:19-JUL-1995 08:08:47.41

CC: Alan B. Rhinesmith (RHINESMITH_A) (OMB)
READ:19-JUL-1995 08:30:37.71

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)
READ:19-JUL-1995 09:10:15.24

CC: Barry T. Clendenin (CLENDENIN_B) (OMB)
READ:18-JUL-1995 20:58:13.94

CC: Robert B. Rideout (RIDEOUT_R) (OMB)
READ:19-JUL-1995 11:38:10.61

CC: Philip A. DuSault (DUSAULT_P) (OMB)
READ:19-JUL-1995 09:49:26.81

CC: Phebe N. Vickers (VICKERS_P) (OMB)
READ:NOT READ

CC: Kathleen Peroff (PEROFF_K) (OMB)
READ:19-JUL-1995 10:42:03.45

CC: Ron Cogswell (COGSWELL_R) (OMB)
READ:19-JUL-1995 08:39:01.72

CC: Barry White (WHITE_B) (OMB)
READ:19-JUL-1995 07:34:36.26

CC: Richard P. Emery Jr. (EMERY_R) (OMB)
READ:19-JUL-1995 08:00:42.65

CC: Barbara C. Chow (CHOW_B) (WHO)
READ:19-JUL-1995 08:38:41.55

CC: Robert E. Barker (BARKER_R) (OMB)
READ:18-JUL-1995 20:43:36.47

CC: Mark Gearan (GEARAN_M) Autoforward to: Angus S. King
READ:19-JUL-1995 08:50:23.87

CC: Donald A. Baer (BAER_D) (WHO)
READ:NOT READ

CC: Ann F. Walker (WALKER_A) (WHO)
READ:NOT READ

CC: Todd Stern (STERN_T) (WHO)

READ:19-JUL-1995 08:57:33.19

CC: Kelly Musick (MUSICK_K) (OMB)
READ:19-JUL-1995 08:24:24.96

CC: Brian Blais (BLAIS_B) (OMB)
READ:19-JUL-1995 09:29:48.07

CC: Mary Lynn Jones (JONES_ML) (OMB)
READ:NOT READ

CC: Nancy L. Brandel (BRANDEL_N) (OMB)
READ:18-JUL-1995 21:11:41.15

CC: Christopher F. Walker (WALKER_C) (WHO)
READ:NOT READ

CC: Deborah L. Shaw (SHAW_D) (OMB)
READ:19-JUL-1995 07:50:56.87

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Elena R. Mcc
READ:19-JUL-1995 08:22:14.28

CC: Timothy J. Keating (KEATING_T) (WHO)
READ:18-JUL-1995 21:31:28.91

CC: Kathryn Higgins (HIGGINS_K) (WHO)
READ:19-JUL-1995 09:00:40.90

CC: Stephen B. Silverman (SILVERMAN_S) (WHO)
READ:NOT READ

CC: Bruce N. Reed (REED_B) (OPD)
READ:19-JUL-1995 14:50:33.07

CC: Jeremy D. Benami (BENAMI_J) (OPD)
READ:18-JUL-1995 21:01:31.88

CC: Douglas B. Sosnik (SOSNIK_D) (WHO)
READ:18-JUL-1995 20:53:24.07

CC: Karen L. Hancox (HANCOX_K) (WHO)
READ:19-JUL-1995 08:41:37.20

CC: Shelley N. Fidler (FIDLER_S) (CEQ)
READ:19-JUL-1995 11:32:21.22

CC: Janet L. Himler (HIMLER_J) (OMB)
READ:23-JUL-1995 12:35:27.08

TEXT:

\d

PRINTER FONT 12_POINT_ROMAN

TO: ALICE RIVLIN
cc-

□

-Lew, Griffin, Tyson, Foley, OMB/2d Floor, DADs,
LRD,

Gibbons, Cabinet Affairs, CEQ

FROM: CHUCK KONIGSBERG
SUBJECT: STATUS REPORT ON PENDING LEGISLATION

PRINTER FONT 14_POINT_HELVETICA

Congress on Tuesday:

PRINTER FONT 12_POINT_COURIER

Senate-

□

-again failed to invoke cloture on Regulatory Reform by a vote of 53

□

-47; a third cloture vote is scheduled for Wednesday In the meantime Dole will negotiate to try to obtain 60 votes (he claims he already has 57). Earlier, the Senate failed to adopt the Glenn substitute by a vote of 48

□

-52. Tuesday evening the Senate turned to Bosnia. House-

□

-passed Interior Approps.

244

□

-181.

PRINTER FONT 14_POINT_HELVETICA

Debt Ceiling Letter:

PRINTER FONT 12_POINT_COURIER

Attached is the text of Secretary Rubin's debt ceiling letter which was transmitted late Monday to congressional leadership and the chairman and ranking members of Finance, Ways & Means, the two Budget Committees, and Senate Banking (unclear why Senate Banking and not House-

□

-however, neither Banking Comm. has jurisdiction over the debt ceiling, which belongs to Finance and Ways & Means).

PRINTER FONT 14_POINT_HELVETICA

Lock

□

-Box:

PRINTER FONT 12_POINT_COURIER

Rep. Mark Foley, R

□

-Fla, said today he and other freshmen Republicans had a commitment from Rules Chairman Solomon to markup lock

□

-box legislation this Thursday, for possible Floor consideration as early as next week. We have no independent confirmation of this yet.

PRINTER FONT 14_POINT_HELVETICA

Item Veto:

PRINTER FONT 12_POINT_COURIER

Procedurally, the latest action taken was the Senate appointment of conferees on June 20. The House has NOT responded by appointing its own conferees. On July 13, the Washington Times reported Gingrich as saying "we won't get to [item veto] this

year." A Gingrich aide was reported as saying when the House receives an indication the Senate is willing to move closer to the House position or adopt a new version, the House will then be willing to go to conference.

Sen. Coats staff' is now claiming that Coats has convinced Republican leaders to talk later this week about breaking the stalemate on item veto. Coats' staff also indicated Coats may offer item veto as an amendment to other legislation.

□

July 17, 1995

The Honorable Newt Gingrich
Speaker of the House of
Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

I write on the issues of deficit reduction and the need for Congress to increase the statutory limit on the public debt. The deficit reduction program enacted in 1993 has substantially reduced the deficit as a percentage of our gross domestic product. The Administration believes that it is imperative that we continue on a path of deficit reduction. This belief is reflected in the 1996 budget proposals of both the President and Congress (despite the very substantial other differences between these budgets). However, even if the budget deficit continues to decline, as I am sure you are aware, there will soon be a need for action by Congress to increase the limit on the public debt. The precise day when the Treasury will run up against the present permanent debt limit of \$4.9 trillion is not knowable this far in advance. However, in the absence of an increase in the debt limit, we are likely to run out of cash and room under the debt ceiling in October. We will advise you of our more precise estimates of Treasury cash balances and debt later this summer as we approach the date when the Treasury will run up against the permanent limit.

We look to Congress to act in a timely manner to avert a debt limit crisis that could interrupt Government operations, delay payments to recipients of benefits and millions of others, disrupt the Treasury's borrowing operations, generate uncertainty in the domestic and international securities markets, and increase the Government's cost of borrowing.

I note that the conference report on the Concurrent Resolution on the Budget for FY 1996 -- recently passed by Congress -

□

-called

for a permanent increase in the debt ceiling to not more than \$5.5 trillion (which would not be reached until sometime in 1997). This amount would allow ample time to revisit the debt limit issue in a well

□

-considered and orderly fashion.

We recognize that some want to link the need for a debt limit increase to the debate over the budget this fall, but that is not appropriate or in the best interests of the American people and our economy. We look forward to working with you to ensure that the bill to increase the debt limit is not encumbered with any extraneous matters that might needlessly delay its enactment.

Sincerely,
Robert E. Rubin

□

PRINTER FONT 14_POINT_HELVETICA
SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Rescission Bill:

Dole has said the Senate will return to the bill only if he can obtain unanimous consent; negotiations continuing over a time agreement with Wellstone and Moseley

□

-Braun; if negotiations fail, Dole would still have the option of filing cloture to end debate (however germane amendments could still be offered under a cloture scenario).

Wednesday, July 19:

□

-Continue consideration of S 343, Regulatory Reform; a third cloture vote is scheduled for Wednesday.

[SAP containing multi

□

-agency veto threat sent 7/10]

□

-Continue consideration of S 21, Lifting U.S. Arms Embargo applicable to Bosnia

[No SAP currently planned]

DOLE'S LIST TO BE DONE BEFORE RECESS:

- Possible Appropriations Bills

- Mil Con

- Legislative

- Interior

- Energy

- Treasury/Postal

- Defense

- Agriculture

- S 641, Ryan White AIDS program

- S 101, Lobbying Reform and Gift Ban

- S 908, Foreign Relations Revitalization Act

[SAP containing multi

□

-agency veto threat sent 6/28/95]

- S 961, Foreign Aid Reauthorization

- S 1026, Defense Authorization

- HR 4, Welfare Reform

NOTE - DOLE ANNOUNCED THAT SATURDAY SESSIONS ARE POSSIBLE JULY 29, AUGUST 5, AND AUGUST 12. RECESS - DELAYED TO AUGUST 12.

□

PRINTER FONT 14_POINT_HELVETICA
HOUSE RULES COMMITTEE SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Wednesday, July 19:

- HR 2002, Transportation Appropriations

- HJ Res 96, Disapproval of MFN for China

- HR --, China Policy Act of 1995

PRINTER FONT 14_POINT_HELVETICA
HOUSE FLOOR SCHEDULE:
PRINTER FONT 12_POINT_COURIER

Wednesday, July 19:

- HR 2020, Treasury/Postal Appropriations
[SAP transmitted 7/17, OMB, other senior WH officials and OPM veto recommendation]
- HR 1976, Agriculture Appropriations
[SAP pending]

Thursday and Balance of the Week:

- Complete HR 1976, Agriculture Appropriations
- HR 2002, Transportation Appropriations (subject to a rule)
[SAP pending]
- HR --, China Policy Act of 1995
[No SAP currently planned]
- HJRes 96, Disapproval of Most Favored Nation Treatment to China
(subject to a rule)
[SAP, Christopher letter, and POTUS letter pending]

Floor action between July 4th and August Recess:

- Finish Appropriations
- Telecommunications
- Anti

□

-Terrorism

Other pending legislation:

HR 1332, the Omnibus Insular Areas Act, may be taken up.

[SAP being developed with a DOI veto recommendation.]

(If you have questions about the House or Senate legislative schedules, contact Lydia Muniz at OMB Legislative Affairs, 54790.)

□

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PRINTER FONT 14_POINT_HELVETICA

BUDGET RECONCILIATION STATUS REPORT

Changes from previous day indicated by asterisk (*).

House: (Sept. 22 reporting deadline)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Banking--

Commerce --

Econ & Educational Opp--

Govt Reform--

Internat'l Rel--

Judiciary--

Nat'l Sec--

Resources--

Transportation--

Veterans--

Ways & Means--Not expected to mark

□

-up until September. Expected to incorporate by reference pieces of the House

□

-passed welfare reform and tax bills.

PRINTER FONT 14_POINT_HELVETICA

Senate: (Sept. 22 reporting deadline for spending

cuts, but 5 days following CBO certification for tax cuts)

PRINTER FONT 12_POINT_COURIER

Agriculture--

Armed Services--

Banking--

Commerce--

Energy--

Environment & PW--

Finance--Not expected to mark

□

-up until September. Finance has the heaviest load in the Congress, with all of Medicare, Medicaid, most of welfare, and all the tax cuts to report. Moreover, with an 11

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-9 split, the Republicans need every vote to report out a Reconciliation package; however, the Republicans may have trouble holding Chafee's vote. In addition, Pressler is up for election next year and D'Amato has the seniors vote to worry about.

Govt Affairs--

Judiciary--

Labor--

Veterans--

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SUMMARY of ADMINISTRATION OPPOSITION

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[Prepared by OMB/LRD and OMB/LA]

(Note: For details on the legislation listed below, including the basis for opposition, see the "STATUS OF MAJOR LEGISLATION" List that follows - note the item #; for appropriations items, see the "APPROPRIATIONS STATUS REPORT".)

Changes from previous day indicated by asterisk (*).

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Vetoos:

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Rescissions/Supplemental - HR 1158

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Presidential Veto Threats:

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Labor/HHS Appropriations - Panetta statement 7/11

VA/HUD Appropriations - Panetta statement 7/11; OMB letter, 7/17: "senior advisors" veto recommendation.

Assault Weapons Ban

Clean Water Amendments of 1995 - HR 961 [Item # 202]

Davis

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-Bacon - S 141 [Item #303]

Foreign Affairs Authorization/Merge AID, ACDA, USIA into State - HR 1561
[Item #102]

Loser Pays - Civil Litigation - HR 988 [Item #9]

National Security Bill - HR 872 [Item #101]

Product Liability/Civil Litigation - HR 956 [Item #8]

Student Loans

Takings/Private Property Protection - HR 925 and S 605 [Item #6]

Tax Fairness and Deficit Reduction Act - HR 1215 [Item #3]

100,000 cops - HR 728, Law Enforcement Block Grants [Item #4]

Welfare Reform - HR 4 [Item #301]

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Multiple Agency Veto Threats:

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Interior Appropriations - HR 1977; letter sent 6/21, SAP sent 7/12

Treasury/Postal Appropriations - HR 2020; SAP sent 7/18

Comprehensive Regulatory Reform Act of 1995 - S 343 [Item #5]

Foreign Relations Authorization/Merge AID, ACDA, USIA into State - S 908
[Item #102]

Regulatory Moratorium - HR 450 [Item #7]

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Single Agency Veto Threats:

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Financial Institutions Regulatory Relief Act of 1995 - HR 1362 [Item #16]

Food Stamps - Block Grant, HR 4, HR 1997, and S 904 [Items #201, 301, & 310]

Jerusalem Embassy - S 770 and HR 1595 [Item #104]

Mining Law - S 506 [Item #207]

National Defense Authorization Act - HR 1530 [Item #103]

National Highway System Designation Act of 1995 - S 440 [Item #14]

Service Contract Repeal Act - [Item #304]

Teamwork for Employees & Managers Act - HR 743 [Item #307]

Utah Wilderness - HR 1745 [Item #208]

*OSHA Reform - HR 1834 [Item #311]

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Strongly Oppose:

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Agriculture Appropriations - letter sent 6/21

Energy & Water Appropriations - HR 1905; letter sent 6/20

Treasury/Postal Appropriations - letter sent 7/10

Federal Retirement Reform - HR 1215 and HR 1185 [Item #401]

Highway Off

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-Budget - HR 842 [Item #15]

HUD Elimination Act - S 435 [Item #13]

Livestock Grazing Act - S 852 [Item #209]

National Highway System Designation Act of 1995 - S 440 [Item #14]

Pipeline Safety Act - HR 1323 [Item #21]

Risk Assessment - HR 1022 [Item #5]

Telecommunications - S 652 [Item #11]

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Oppose:

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Military Construction Appropriations - HR 1817; SAP sent 6/15, letter sent 6/13

Lorton Closure - HR 461 [Item #17]

Regulatory Sunset and Review Act of 1995 - HR 994 [Item #20]

Service Contract Repeal Act - HR 246 [Item #304]

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Oppose Unless Amended:

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Securities Litigation Reform - HR 1058 [Item #10]

Violent Criminal Incarceration - HR 667 [Item #4]

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STATUS OF MAJOR (Non

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-Appropriations) LEGISLATION

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[Prepared by OMB/LRD]

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(Note: Parentheticals indicate who is tracking; bills grouped by RMO)

[Changes from previous day indicated by asterisk (*)]

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GENERAL GOVERNMENT & FINANCE:

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1. Budget Resolution: (Konigsberg)

House completed action on HConRes 67 on 5/18, passing the Kasich budget plan 238

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-193. Senate completed action on 5/25, passing the Domenici budget 57

☐

-42. Budget Resolution conference agreement passed the House on 6/29 by a vote of 239

☐

-194, and passed the Senate the same day by a vote of 54

☐

-46 (party line).

2. Item Veto: (Konigsberg/J. Gibbons)

House passed HR 2 (enhanced rescission) on February 6, (294

[!

-134).

Senate passed S 4 (separate enrollment) on March 23, (69

□

-29).

Conference: On June 20, the Senate requested a conference and appointed conferees.

3. Tax Fairness and Deficit Reduction Act: (R. Jones)

House passed HR 1215 on April 5, (246

□

-188) including tax cuts (child

credit, IRAs, repeal taxes on soc.sec., neutral cost recovery, corporate AMT, cap gains, expensing, adoptions, marriage penalty credit, long

□

-term care incentives); raise soc. sec. earnings limit; spending caps; Medicare extenders; spectrum extender; uranium enrichment; Federal retirement reforms; and automatic sequester of amounts taxpayers dedicate to debt reduction. SAP--"If...presented ...in its current form, the Secretary of the Treasury and the Director of OMB would recommend a veto." Senate not expected to take up HR 1215, as passed by the House, however components of the bill may be considered in the context of Reconciliation. Basis for opposition: Bill is fiscally irresponsible and would provide disproportionate tax benefits to the wealthy at the expense of programs for average Americans.

4. Crime Bills: (R. Jones)

House split their original crime bill into 7 smaller pieces and passed 6 of them--

? HR 665, requiring restitution for victims of federal crimes, passed February 7 (431

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-0); SAP--"supports passage."

? HR 666, allowing federal prosecutors to use improperly obtained evidence if police officers acted in "good faith"; would apply with and w/o warrants. Passed February 8, (289

□

-142). SAP

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-support only if amended to apply only where warrants have been obtained.

? HR 729, containing reforms affecting federal habeas corpus review of state criminal judgments and collateral review of federal judgements, and requiring federal juries to impose death sentences in certain cases. Passed February 8 (297

□

-132). SAP-

□

-support if DOJ concerns addressed.

□

? HR 667, would replace the prison funding program enacted in '94 Act with allocations based on sentencing criteria; and would limit prisoner litigation. Passed February 10, (265

□

-156). SAP-

□

-oppose

unless amended. Basis for opposition: Proposed distribution of prison grants is inferior to current program; drug court program would be repealed.

? HR 668, to expedite the deportation of aliens who commit serious crimes and reimburse states for incarceration of criminal aliens. Passed February 10, (380

□

-20). SAP-

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-support if amended to offset the increased direct spending (\$600m/yr).

? HR 728, combining last year's grants for 100,000 cops and crime prevention into block grants. Passed February 14, (238

□

-192).

SAP-

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-Presidential veto threat. Basis for opposition: Bill repeals police grants program, which provides for 100,000 cops. It also eliminates many crime prevention programs.

Senate action on crime legislation not yet scheduled. However, habeas corpus provisions related to those in HR 729 are included in the Senate

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-passed anti

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-terrorism bill (S 735, discussed below).

*5. Reg Reform/Risk Assessment: (H. Fitter)

House passed HR 1022, Risk Benefit and Cost Benefit Act of 1995 on February 28th (286

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-141), requiring Federal agencies to perform highly detailed analyses of the risks that proposed health, safety and environmental regulations seek to address. SAP sent to the House on February 27, 1995, strongly oppose HR 1022. Basis for opposition:

HR 1022 would impose overly broad, prescriptive, and costly analytical requirements on the regulatory process, encourage excessive litigation, and supersede the substantive requirements of many existing health, safety, and environmental laws (i.e., the so

□

-called supermandate).

Senate - Senate Floor action on S. 343 began on 6/28 and continued

the week of 7/10/95 with a

cloture vote scheduled for 6:00PM 7/17/95

and a second cloture vote 7/18/95; SAP transmitted on 7/10/95: veto threat by Secretaries of Labor, Agriculture, Health and Human Services, Housing and Urban Development, Transportation, the Treasury, and the Interior, and the Administrator of EPA, and the Director of OMB. In addition, in a 6/23/95 letter to Senators Dole and Daschle, OMB OIRA Administrator Katzen stated "we continue to have serious concerns with S 343, and I would recommend that the President veto it if it were presented to him in its current form." Basis for opposition: Would impair rather than improve the regulatory process by generating additional costs, paperwork, litigation, and delay. Senate floor action began on 6/28 and will continue the week of 7/10.

6. Private Property Rights/Takings: (M. Goad)

On March 3rd, the House passed HR 925 (277

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-148), subsequently

incorporated the bill into HR 9, and then passed HR 9 (277

□

-141).

HR 925 would require certain Federal agencies to compensate financially landowners if regulatory actions (taken under Endangered Species Act, and wetlands, farm, and water rights laws) cause a decrease of at least 20 percent in the fair market value of any portion of the landowners' properties. The agencies would be required to offer to purchase the property if the regulatory action causes a decrease of more than 50 percent in the property's value. SAP on HR 925-

□

-strongly oppose (3/1/95). On April 7th, POTUS said, "I will also veto the House

□

-passed requirement that government pay property owners billions of dollars every time we act to defend our national heritage of seashores or wetlands or open spaces." Basis for opposition: Undermines Federal authority to protect the general welfare; expands the traditional concept of Fifth Amendment "takings"; creates new direct spending; and imposes an unlimited

fiscal burden in the form of an arbitrary, automatic compensation requirement for reductions in property values that are attributable to Federal actions.

The Senate Judiciary Committee held an April 6th hearing on S 605 (Dole/ Hatch). (S 605 has a 33 percent threshold, and would apply to all Federal agencies.) In testimony presented at the hearing, Justice threatened veto. In separate letters sent to Sen. Hatch in May and June, Agriculture, Army

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-Civil Works, Defense, EPA, GSA, HHS, Interior, Justice, Transportation, and Treasury advised that they would recommend veto. In a June 7th letter to Sens. Hatch, Biden, Dole, and Daschle, OMB Director Rivlin advised that, due to the significant increase in Federal spending that would result if S 605 were enacted, she would recommend veto. The Committee has not yet scheduled the mark up of S 605, but may do so at any time. The Senate Environment and Public Works (EPW) Committee held a June 27th hearing at which Interior and Justice advised that they would recommend veto of S 605 and HR 925. In an additional EPW hearing on July 12th, EPA, Army (Corps), and OMB advised that they would recommend a veto of S.605 or similar legislation. The Committee may hold an additional hearing later this month. Basis for opposition: Same as opposition to House bill.

7. Reg Moratorium/Waiting Period: (J. Weinberg)

House passed HR 450 on Feb. 24 by 276

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-146. The bill would establish a "moratorium period" -- Nov. 20, 1994 through Dec. 31, 1995 or enactment of reg reform, whichever is earlier -- during which a Federal agency may not take any "regulatory rulemaking action" unless it falls within a specified emergency exception (i.e. military or foreign affairs functions, international trade

agreements, agency management, certain banking regulatory matters, implementation of the internal revenue laws; matters relating to loans, grants, benefits, or contracts). Also exempted: regs determined by OIRA to be necessary because of an imminent threat to health or safety or other emergency or necessary for the enforcement of criminal laws. SAP--"The President has stated that a moratorium on regulations, as provided for in H.R. 450, is not acceptable....the Secretaries of Agriculture, Energy, Health and Human Services, Housing and Urban Development, the Interior, Labor, Transportation, and the Treasury, the Attorney General, and the Administrator of the Environmental Protection Agency would recommend that it be vetoed." (In addition, POTUS said on 4/7/95, "if Republicans send me a bill that would let unsafe planes fly or contaminated water continue to find itself into city water systems, I will veto it." Veto threat reiterated in Earth Day speech, 4/21/95.) Basis for opposition: Would prevent the issuance of meritorious rules.

Senate passed S. 219 on March 29 by 100

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-0; under the Senate version, regs would not go into effect for 45 days, during which time Congress could enact a disapproval resolution. A March 29 statement by the President called the 45

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-day review period "the right way to reform regulation."

Conference: On June 16, the Senate requested a conference and appointed conferees.

8. Product Liability/Civil Litigation/Medical Malpractice: (I. Schroeder)

House passed HR 956 on March 10 (265

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-161). It would cap punitive damages in all civil cases and would cap non

□

-economic (pain and suffering) damages in suits against health providers and insurers. Basis for opposition: Product liability reform should generally be left to the States; punitive damages shouldn't be arbitrarily capped; and differential treatment of "economic" and "noneconomic" (e.g., "pain and suffering" damages is inappropriate. (March 6th Reno/Mikva letter.)

Senate passed HR 956 on May 10 (61

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-37). It would cap punitive damage awards by juries in product liability cases at \$250,000 or twice compensatory damages (economic and non

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-economic damages), whichever is greater. Judges could override those limits in "egregious" cases. Punitive damage awards in product liability cases could not exceed \$250,000 for small businesses. Basis for opposition: A May 10th White House statement said the Senate

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-passed liability bill "in its present form does not go far enough toward balancing the interests of consumers with those of manufacturers and sellers." The statement also stated the Administration's concerns regarding the limits on punitive damages adopted by the Senate and

reiterated the Administration's opposition to provisions which would abolish joint and several liability. (A provision limiting punitive damage awards in all civil lawsuits, which was the subject of a May 4th Presidential veto threat, was later limited to product liability cases only.)

Conference not scheduled and conferees have not been appointed.

Media reports indicate that Speaker Gingrich may defer conference until the fall.

According to press reports, the Senate may take action on a separate bill to curb medical liability late this summer.

9. Loser Pays - Civil Litigation: (I. Schroeder)

House passed HR 988 on March 7 (232

□

-193). Basis for opposition: The bill, which would affect only Federal civil suits involving parties from different States, would impose a modified "loser pays" rule, intended to encourage parties to settle out of court. The President said on 4/7/95 that he "will veto any bill with a 'loser pay' requirement such as that was in the House bill." In the Senate, provisions similar to those of HR 988 were added to -- and subsequently deleted from -- the product liability bill (HR 956) on the Senate floor.

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10. Shareholder Suits: (I. Schroeder)

House passed HR 1058 on March 8 (325

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-99). Basis for opposition:

Could lead to inadequate deterrence against financial fraud. (March 6th Reno/Mikva letter.)

Senate passed HR 1058 on 6/28/95 (69

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-30). SAP sent to Senate on

6/23/95 states that the Senate version (previously S. 240) "is now a substantial improvement on [the House version of] H.R. 1058, which the Administration could not support." The statement recommended amendments to: (1) clarify that safe harbors should not protect purposefully misleading statements; (2) restore liability for aiding and abetting in private action that follow a SEC action; and (3) extend the statute of limitations for private securities fraud actions to five years after a violation occurs. The SAP opposed a provision in the bill that would establish proportionate liability for reckless defendants and recommends replacing it with an amendment that would require culpable solvent defendants to pay up to two times their proportionate share of the damages, when a portion of the award is uncollectible.

Conference not scheduled.

11. Telecommunications Reform: (J. Weinberg)

House Commerce Committee-

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-Ordered reported HR 1555 (38

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-5) on May

25th. House Judiciary Committee-

□

-Ordered reported HR 1528 on May

18th.

House floor action is expected after the July 4th recess.

Senate passed S. 652 on June 15th, 81

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-18. SAP strongly opposed
Commerce Committee

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-reported bill. White House Press Office issued an Administration statement on Senate passage of S 652 on June 16: "The Administration's position on the final legislation will depend on the extent to which the Administration's concerns have been addressed satisfactorily during the course of the entire legislative process." VP said on April 3 that he opposes the Senate Commerce Committee bill, and on April 4 the VP clarified in a letter, "I did not say that the President would veto the bill, since it is too early for such a decision...." Basis for opposition: Would result in higher phone and cable bills and decrease competition for phone and cable services.

12. Banking and Insurance Reform: (R. Jones)

House Banking Committee marked up Chairman Leach's HR 1062 on May 18. This bill would permit banks and securities firms to affiliate, allowing banks to underwrite securities and permitting securities firms to own banks. HR 1062 was reported by the House Commerce Committee on June 22. Leach has announced his intention to combine HR 1062 with HR 1362, a banking regulatory relief bill, prior to House floor action. (See below for discussion of HR 1362 - Banking Deregulation.)

13. HUD Elimination Act: (A. Briatico)

Although no specific hearings have been held on S. 435, a number of Senate hearings have been held on "reinventing" HUD. HUD, Justice, and OMB have sent letters to the Senate Banking, Housing, and Urban Affairs Committee strongly opposing Title II of S. 435. Title II would transfer to Justice all of the responsibilities currently assigned to HUD under the Fair Housing Act. Basis for opposition: The administration of these authorities is best accomplished by HUD, which has the infrastructure to handle these responsibilities.

14. National Highway System: (J. Brown)

Senate bill (S. 440) passed the Senate on June 22nd. It would designate routes for the new National Highway System (NHS). Absent designation of the NHS, DOT will be unable to obligate \$6.5 billion in highway funding in FY 1996. Basis for opposition: Repeal of national maximum speed limit law and motorcycle helmet requirements.

(SAP to Senate, 6/15/95. A provision repealing Davis

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-Bacon

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-type

labor protections, which was the subject of a Secretary of Labor veto threat in the SAP, was deleted on the Senate floor.) House committee action expected in July.

15. Highway Trust Fund Off

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-Budget Bill: (J. Brown)

House bill (HR 842) was ordered reported by House Transport. Cte. on May 3. Will be sequentially referred to Budget and Gov. Reform & Oversight Committees. (The Speaker has stated that he will appoint a task force to study issues raised by this bill.) Basis for opposition: Bill removes four trust funds from the Budget -- inconsistent with unified budget. (Rivlin letter to Chairman Shuster, 3/27/95.) Senate bill (S. 729) was introduced on April 27 by Sens. Baucus and Lott.

16. Banking Deregulation: (R. Jones)

House Banking Committee ordered reported Chairman Leach's HR 1362 on June 28. Leach has announced his intention to combine HR 1362 with HR 1062 (listed above) prior to House floor action. Basis for opposition: Weakens important safeguards for assuring the safety and soundness of FDIC

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-insured depository institutions and would eviscerate the Community Reinvestment Act. (Secretary Rubin issued a veto threat in a 6/29/95 letter to Chairman Leach.) Senate bill (S 650) is pending in the Senate Banking Committee. The Senate bill contains some, but not all, of the troublesome provisions.

17. Lorton Closure: (M.Cook)

The House Government Reform and Oversight D.C. Subcommittee has held a couple of hearings this year on HR 461, the "Lorton Correctional Complex Closure Act." At these hearings, no Administration witnesses were asked to testify. Justice, however, expects Administration witnesses to be invited to testify at future Subcommittee hearings on this matter. On 3/16/95, Justice sent a letter to this Subcommittee opposing HR 461. Basis for opposition: The approach of HR 461 is "seriously flawed" but alternatives, which will be discussed with the Congress, exist to remedy the Lorton issue.

18. Housing for Older Persons Act: (M.Cook)

On April 6, 1995, HR 660 passed the House by a vote of 424 to 5. The Administration sent a SAP on 4/6/95 opposing H.R. 660. The Senate has not taken any action on this bill yet. Basis for opposition: Amends the Fair Housing Act in a way that would loosen the standards used to determine what housing qualifies for the "housing for older persons" exemption, potentially increasing discrimination against families. Therefore, the Administration prefers administrative action to clarify the application of the "housing for older persons" exemption. NOTE: The bill's provisions are identical to those of Title IV of HR 8, the "Senior Citizens' Equity Act," a Contract with America bill.

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19. Counterterrorism: (R. Jones)

Senate passed S 735 on June 7 (81

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-8) The bill includes many proposals similar or identical to Presidential proposals (e.g., establishes Federal jurisdiction for terrorist acts, expedites removal of alien terrorists from the U.S., implements the international agreement on marking plastic explosives, etc.). Does not include the Administration's language for funding compliance with the 1994 digital telephony legislation. Includes habeas corpus reforms similar to that passed the House as a free standing bill (H.R. 729, listed under crime heading above). House Judiciary Committee reported H.R. 1710 on June 20 (23

□

-12). The House bill also includes many of the President's proposals, including a funding mechanism for digital telephony. House floor action is expected before the August recess.

20. Regulatory Sunset and Review: (J. Gibbons)
House bill (HR 994) was approved by a Gov. Reform & Oversight Subcte. on 5/18/95. Basis for opposition: Open

□

-ended in scope, excessively rigid, and contradictory criteria for review of

regulations; paperwork requirements are unworkable. (Katzen testimony of 3/28/95 before House Gov. Reform.) Senate action not scheduled, but could be folded into broader regulatory reform legislation.

21. Pipeline Safety: (J. Brown)

House bill (HR 1323) has been reported by Transportation and Commerce Ctes. Basis for opposition: (1) Authorizes less than 44 percent of the FY 1996 Budget request for pipeline safety activities; and (2) imposes burdensome and costly risk assessment procedures on the pipeline safety rulemaking process. (DOT letter, 5/12/95.)

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NATIONAL SECURITY & INTERNATIONAL AFFAIRS:

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101. National Security: (A. Rooney)

House passed HR 7 on February 16th (241

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-181) (star wars was deleted on the Floor but many objectionable provisions remain which would infringe upon the authority of the President to respond to international crises and conflicts; remove UN peacekeeping as an option for burdensharing; establish an unnecessary Nat'l Security Commission; and mandate policies on NATO membership). On 4/7/95, POTUS said that he would "refuse () to approve the so

□

-called

peacekeeping legislation passed by the House." SAP (Feb. 13th)-- State, Defense, and the U.S. Ambassador to the UN would recommend a veto. Basis for opposition: Infringes on President's constitutional authorities as Commander in Chief; and virtually eliminates U.S. participation in UN peacekeeping efforts.

Senate Foreign Relations Committee (SFRC) began hearings on March 21st on S 5, Peacekeeping Powers Act (introduced by Dole) and HR 7. Aspects of S 5 were considered on May 17th as part of the SFRC markup of Foreign Affairs Authorization and Consolidation proposal and deleted from the bill as reported. State advises that peacekeeping will be considered separately by the Committee at a later date.

102. Foreign Affairs Authorization and Consolidation: (A. Rooney)
House passed HR 1561 on June 8th (222 - 192). On May 23rd, the President expressed serious concerns regarding congressional legislation that would "place new restrictions on how America conducts its foreign policy and slash our budget in foreign affairs." Further,

□

the President advised that if HR 1561 passed in its present form, he would veto it. SAP (May 22nd) -- State, DOD, Treasury, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of HR 1561. Basis for opposition: Imposes numerous, far

□

-reaching

restrictions on the conduct of American foreign policy; inappropriately consolidates three foreign affairs agencies (AID; ACDA; USIA) into a "super" State Department; and significantly reduces appropriation authorizations for international affairs programs.

Senate Foreign Relations Committee (SFRC) ordered reported Senator Helms' foreign relations authorization and consolidation proposal (S 908) on May 17th by a vote of 10

□

-8. On June 7th, SFRC ordered reported Senator Helms' Foreign Aid Reduction Act (S 961) by a vote of 10

□

-8. S 908 is expected to be considered in late July or early August. SAP (June 28th) -- State, the U.S. Ambassador to the UN, AID, USIA, and ACDA would recommend a veto of S 908. Basis for opposition: Same as opposition to House bill.

103. National Defense Authorization Act: (M. Goad)
House passed HR 1530 (300

□

-126) on June 15th. Sec. Perry, in a June 20th letter to Sen. Thurmond, stated that "[m]any of the provisions . . . are totally unacceptable. Unless they are eliminated or radically modified, they threaten the prospects for the bill itself." SAP on HR 1530-

□

-strongly opposes (6/13/95).

Basis for opposition: Raises serious constitutional, national security, budget, personnel, and management concerns.

Senate Armed Services Committee reported S 1026, the companion bill, on July 12th. The Senate is expected to take up the bill before the August recess.

104. Jerusalem Embassy: (A. Rooney)

S 770/HR 1595 would require the United States to move its embassy to Jerusalem. On June 20th, Secretary Christopher sent a letter to Senator Dole and Speaker Gingrich stating that he would recommend a veto of the legislation. No action scheduled on either bill. Basis for opposition: Potentially very damaging to the success of the Middle East peace process and infringes on the President's constitutional prerogatives in foreign policy.

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NATURAL RESOURCES, ENERGY & SCIENCE

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201. Farm Bill: (C. Crutchfield)

Traditionally a 5

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-year measure, this legislation will reauthorize a slew of farm, nutrition, rural development, and other USDA programs. The Administration's Farm Bill guidance assumes savings in farm programs of \$1.5 billion over five years. The 1996 Budget Resolution calls for cuts in farm programs of \$8.5 billion over 5 years and \$13.4 billion over 7 years. House and Senate Agriculture committees are currently drafting bill language. Although some markups on discretionary titles are scheduled for late July, committee action on mandatory provisions is not expected until September. (NOTE: In oral remarks before the House and Senate Agriculture committees, Secretary Glickman has stated that the President would veto legislation that block grants Food Stamps. On 7/11/95, a H. Agriculture Subcommittee ordered reported the food and nutrition title of the Farm Bill, HR 1997, which does not contain provisions to block grant Food Stamps.)

202. Clean Water Amendments of 1995: (H. Fitter)

House passed HR 961 on May 16th, by a vote of 240

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-185. The bill would ease, overhaul, or revoke a number of current law's anti

□

-pollution requirements, allow States to continue to rely on voluntary measures to deal with certain water pollution problems,

and restrict the ability of Federal agencies to declare wetlands off limits to development. On May 30, 1995, POTUS stated that the House

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-passed bill "will not get past my desk." SAP, sent on May 9, 1995, contained multiple agency veto threat (OMB, Justice, EPA, Interior). Basis for opposition: The bill would reduce water quality protection; eliminate fundamental wetlands protections; create enormous new costs (the bill includes a "mandatory compensation" takings provision similar to that contained in HR 925); fail to address effectively non

□

-point source pollution; and paralyze the Federal Government's ability to issue regulations and guidance to protect the Nation's waters. Senate Environment Chairman Chafee has indicated that Clean Water Act reauthorization is not one of his top priorities.

203. Endangered Species: (M. Goad)

On July 13th, the Departments of Commerce and the Interior testified on the Endangered Species Act (ESA) before the Senate Environment and Public Works Committee. The Committee will hold additional oversight hearings on July 20th and 27th. CEQ expects that, once the oversight hearings are concluded, Sen. Kempthorne (R) ID will introduce a bill to reauthorize the ESA.

On May 25th, the Departments of Agriculture, Commerce, and the Interior testified before the House Endangered Species Task Force on possible changes to the ESA. CEQ and Interior advise that the House Task Force will not complete drafting legislation to amend the ESA until after the August recess.

204. Safe Drinking Water: (H. Fitter)

Reauthorization of the 1974 law designed to keep contaminants out of the nation's water supply. State and local officials want a State revolving loan fund for water supply projects and relief from testing requirements. House Commerce staff and Senate Environment and Public Works staff, respectively, are attempting to complete draft bills.

205. Interstate Waste: (H. Fitter)

Senate passed S 534 on May 16th, by a vote of 94

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-6. S. 534 would give states more power to restrict both intra and interstate garbage dumping.

□

*206. Superfund Reform: (H. Fitter)

The taxes which fund the hazardous waste clean

□

-up program expire at the end of 1995. There is support among some Republicans to scale back retroactive liability (which would shift much of the costs to the government). Senate Environment Subcommittee Chair Bob Smith has circulated a "Superfund Reform Outline" containing principles for Superfund reform. A Senate bill may be introduced before the August recess. A July 11, 1995, EPA Administrator Browner letter to Senator Smith stated that the outline "incorporates proposals that are unfair, unworkable, or insufficiently protective of human health

and the environment." (EPA is especially concerned about the outline's repeal of strict, joint, and several retroactive liability.) Browner's letter further advised, "we do not believe this outline will establish a viable basis on which to attract the broad support that is needed if we are to achieve Superfund reform in the limited time left in this calendar year." House Transportation and Commerce subcommittee on Hazardous Material has held numerous subcommittee hearings on Superfund reform. On July 17th, Subcommittee Chairman Oxley unveiled his superfund reform proposal which is similar to the Smith outline.

207. Mining Law: (C. Crutchfield)

Senate Energy and Natural Resources Committee is considering changes to Craig's bill (S 506) to win over committee members, such as Johnston, that have proposed a compromise version (S 639). Chairman Murkowski has postponed mark up of the bill indefinitely and indicated the issue would be dropped this session if a compromise is not reached soon. Interior Secretary Babbitt stated in a 5/22/95 letter to Chairman Murkowski that he would recommend a veto of S 506. Basis for opposition: S 506 does not provide for meaningful reform. It would (1) grant rights to purchase valuable Federal mineral lands at bargain

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-basement prices; (2) deprive Federal land managers of authority to protect the environment; and (3) result in little or no return to Federal taxpayers for use of publicly

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-owned

mineral deposits. Justice also strongly opposed S 506 in a 6/12/95 letter because it would increase litigation over public liability for cleanup. House has not scheduled action.

208. Utah Wilderness: (C. Crutchfield)

House National Parks Subcommittee is scheduled on 7/18/95 to mark up Rep. Hansen's legislation (HR 1745) designating certain Federal lands in Utah as wilderness. Interior testified 6/29/95 before the Subcommittee that the Secretary would recommend a veto of HR 1745. Basis for opposition: The bill would (1) fail to designate enough land as wilderness; (2) open up for development too much land currently protected as wilderness study areas; and (3) allow road construction and other activities that are incompatible with wilderness designation. Senate Energy and Natural Resources Committee has begun consideration of identical legislation (S 884) introduced by Sens. Hatch and Bennett. Interior testified on 7/13/95 before the Committee that the Secretary would recommend a veto of S 884. Basis for opposition: Same as House.

209. Livestock Grazing: (C. Crutchfield)

Senate Energy and Natural Resources Committee is scheduled to mark up S 852 on 7/19/95. Interior testified before the Committee on 6/22/95 that it strongly opposed S. 852, introduced by Sen. Domenici and 15 cosponsors to supersede Interior's new regulations for livestock grazing on Federal lands. Basis for opposition: S 852 would (1) establish grazing as a dominant use for public lands over recreation, wildlife protection, and other concerns; (2) limit public involvement in the management of public lands; and (3) raise a number of questions over water rights, fee levels, and compliance with environmental statutes. In testimony on 7/11/95 before the House National Parks Subcommittee, Interior strongly opposed the companion bill (HR 1713).

PRINTER FONT 14_POINT_HELVETICA

HUMAN RESOURCES

PRINTER FONT 10_POINT_ROMAN

301. Welfare Reform: (M. Cook)

HR 4 (SAP, 3/21/95 said oppose, but in a 4/13/95 CNN interview, POTUS said "I'd be happy to veto"). Basis for opposition: denial of cash benefits to unwed parents under age 18; funding cuts to Food Stamp and other nutrition programs; funding cuts and removal of Federal oversight of State child protection systems; inadequate resources and requirements for States to move people from welfare to work; and inadequate resources for States in times of recession. House passed H.R. 4 on March 23 (234

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-199) which would replace current welfare programs with 5 block grants to States (cash welfare; child welfare; child care; school meals; family nutrition). House SAP opposed H.R. 4 because it would: fail to reform welfare by moving people from welfare to work; reduce Federal funding in ways that would impair the health and nutrition of children and families; and is not tough enough on parents who owe child support, and too tough on innocent children.

Senate Finance Committee reported its version of H.R. 4 on June 9. The bill block grants AFDC, imposes a five

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-year time limit on benefits, tightens eligibility for SSI, and strengthens child support enforcement. HHS cited concerns with the bill in a May 24 letter to the Committee. Senator Packwood indicated May 15 that the bill would be considered as a stand

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-alone bill unless it is filibustered. In that case, the bill would be considered as a component of the budget reconciliation bill. The Senate Labor and Human Resources Committee ordered reported S. 850 (Child Care and Development Block Grant amendments) on May 26. The measure is expected to be included in the final Senate welfare reform package. HHS supported S. 850 in a May 24 letter to the Committee, but cited concerns with potential cuts in other child care programs. The Senate Agriculture Committee marked up S. 904, a Food Stamp and nutrition programs bill on June 14. S. 904 also is expected to be included in the final Senate welfare reform package. USDA commended the Committee for not block granting food and nutrition programs, but cited concerns with the bill's reduction in Food Stamp funding and repeal of Regulation E coverage for Electronic Benefit Transfers.

Senate floor action -- scheduled for week of August 7th.

302. Social Security Earnings Test: (M. Cook)

House-

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-increase in earnings limit to \$30,000 included in HR 1215, which passed on April 5, (246

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-188). Senate action unclear.

303. Davis

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-Bacon Repeal: (C. Bowers)

H.R. 500 and S. 141 would repeal the Davis

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-Bacon Act of 1931. The act requires Federal contractors working on jobs valued at more than

\$2000 to pay their workers the "local prevailing wage," which is often the union rate. A House Economic & Education Opportunities Subcommittee referred H.R. 500 to full committee on March 2. Senate Labor & Human Resources Committee reported S. 141 on May 12. A provision to repeal Davis

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-Bacon coverage of Federal Highway projects was dropped from S. 440, the National Highway bill (see entry above). Basis for opposition: repeal of Davis

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-Bacon requirements would depress workers' wages. President quoted on 4/6/95 as saying he would veto S. 141; Reich letter -- would recommend veto 3/18/95. (Also Reich letter and Senate SAP on S. 440 stated Labor would recommend veto.

304. Service Contract Repeal Act: (B. Pellicci)
Press reported that VP indicated on 2/20/95 that President would veto such legislation. Basis for opposition: repeal of Service Contract Act would depress workers' wages. HR 246 was marked up by a House EEO subcommittee on 3/03/95.

305. Minimum Wage Increase: (A. Briatico)
On 2/13/95, President transmitted to Congress a proposal to raise the minimum wage in two 45 cent steps -- raising the rate to \$4.70 per hour on July 4, 1995 and to \$5.15 per hour on July 4, 1996. President's proposal introduced as S. 413 and H.R. 940. Senator Kassebaum indicated on April 21 that the Senate Labor and Human Resources Committee will hold hearings on increasing the minimum wage. No date has been set.

306. Striker Replacement: (B. Pellicci)
On 3/8/95, President issued an Executive Order to deny Federal contracts to employers that permanently replace striking workers. H.R. 1176 and S. 603 would nullify the Executive Order. The House Economic and Educational Opportunities Committee reported H.R. 1176 on June 27.

307. Teamwork for Employees and Managers Act: (B. Pellicci)
HR 743 and S295. (Reich letter: recommend veto, 3/6/95 and 6/21/95; press reported that VP said on 02/20/95 that President would veto such legislation.) Basis for opposition: would allow employers to establish company unions or alternative, company

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-dominated organizations where unions already exist. HR 743 was ordered reported on 6/22/95 by the House EEO Committee. No action has been taken to date on S 295.

308. Social Security Solvency: (M. Cook)
The "Strengthening Social Security Act of 1995" (S. 825), one of the "Simpson/Kerrey" bills, is designed to secure the long

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-term solvency of the Social Security program. It would: (1) accelerate the currently scheduled increase of the normal retirement age; (2) limit COLAs to certain Social Security beneficiaries; (3) adjust, for a limited period, Social Security COLA estimates based on CPI; (4) modify the formula for determining the primary insurance amount (the basic monthly benefit payable to a worker) to make it more progressive; (5) allow future beneficiaries to divert up to 2 percentage points of their payroll taxes to place in their own

personal investment plan; (6) reduce gradually spousal benefits starting in 2000; (7) redirect revenue obtained through the taxation of Social Security benefits from the HI Trust Fund to the OASDI Trust Fund; and (8) invest a portion of the OASDI Trust Fund assets in a stock fund index. On June 27, 1995, a Senate Finance Subcommittee held a hearing on the solvency of the Social Security system. To date, the Administration has not taken a position on S. 825. No comparable bill has been introduced in the House.

*309. Employment, Training, and Retraining: (C. Bowers)
House Economic and Educational Opportunities (EEO) Committee reported H.R. 1617 (The Consolidated and Reformed Education, Employment and Rehabilitation Systems, or 'CAREERS' Act) on May 17, 1995.

Senate Labor and Human Resources Committee reported S. 143 (Workforce Development Act) on June 21, 1995.

Both bills would consolidate numerous Federal education and job training programs into four grants to States -- for youth development and career preparation, adult training, adult education and literacy, and vocational rehabilitation. These bills differ significantly from the President's proposal to restructure education and job training programs (the G.I. Bill for America's Workers), and they reduce substantially Federal resources for these functions. It is expected that H.R. 1617 will be linked on the House Floor with H.R. 1720 (Privatization Act of 1995), which was reported by the House EEO Committee on June 22, 1995. H.R. 1720 would privatize Sallie Mae and Connie Lee and eliminate numerous higher education programs. The Administration proposes to privatize these GSEs and

eliminate the higher education programs, but its privatization initiatives differ in certain respects from H.R. 1720.

Negotiations over possible amendments to all of these bills are ongoing. It is likely that Administration statements for Floor consideration will support the objectives but either oppose specific features or suggest further amendments to align with the President's proposal. House or Senate Floor action could occur in August.

310. Food Stamps - Block Grant: (M.Cook)

Sec. Glickman stated before S. Ag. Cte., 5/23/95, that he strongly opposes block granting food stamps and that the President has indicated his intention to veto such legislation. Basis for opposition: would jeopardize the health and nutrition of low

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-income families.

Any changes made to the Food Stamp program are expected to be done within the context of Welfare Reform. Neither HR 4 (the Welfare Reform bill), as passed by the House, nor S 904 (which is expected to be rolled into the Senate version of HR 4), as ordered reported by the Senate, contain provisions that would block grant Food Stamps. In addition, HR 1997 (the food and nutrition title of the Farm Bill), as approved by a H. Agriculture Subcommittee on 7/11/95, also does not contain provisions that would block grant Food Stamps.

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*311. OSHA Reform: (C. Bowers)

The House Economic and Educational Opportunities Committee, Subcommittee on Workforce Protections, held a hearing June 28, 1995, on H.R. 1834 (Ballenger), the "Safety and Health Improvement and Regulatory Reform Act of 1995." Labor testified against H.R. 1834. Basis for Opposition: Would redirect funding away from enforcement activities, jeopardize the health and safety of American workers by

weakening enforcement and regulatory authority, and particularly threaten miners by revising Federal mine safety and enforcement. On July 12, 1995, Secretary Reich held a press conference on the House appropriation subcommittee actions affecting the Department of Labor. In response to a question, Secretary Reich stated that he "will strongly recommend a veto of the Ballenger bill . . . [which] amounts to a wrecking ball rather than reform." H.R. 1834 is pending in the subcommittee.

PRINTER FONT 14_POINT_HELVETICA

HEALTH & PERSONNEL

PRINTER FONT 10_POINT_ROMAN

401. Federal Retirement Reform Act: (M. Cook)

HR 1215 and HR 1185 both include Federal retirement reform provisions. The Administration's position on such reforms has been articulated in the President's 4/5/95 letter on HR 1215 to Speaker Gingrich and in OMB's 3/15/95 letter on HR 1185 to Speaker Gingrich. Basis for opposition: Reduces retirement benefits of Federal employees to finance a tax cut for the wealthy.

On 3/15/95, the full H. Government Reform and Oversight Committee began consideration of HR 1185. It, however, recessed before taking action on the bill. NOTE: Title IV of HR 1215, as passed by the House on 4/5/95 (246

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-188), contains provisions similar to those of HR 1185. To date, the Senate has taken no action on a stand

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-alone retirement bill. On June 19, 1995, however, the FBI and DEA testified before a S. Governmental Affairs subcommittee opposing changes in retirement benefits for Federal employees. Modifications to Federal retirement programs are likely to be included in reconciliation legislation.

PRINTER FONT 14_POINT_HELVETICA

MAJOR LEGISLATION ENACTED

PRINTER FONT 10_POINT_ROMAN

? Unfunded Mandates Reform Act of 1995 (PL 104

□

-4). President signed 3/22/95.

? Defense Supplemental Appropriations (PL 104

□

-6). President signed 4/10/95.

? Permanently Extend the Tax Deductibility for Health Insurance Costs for Self

□

-Employed Individuals (PL 104

□

-7). President signed 4/11/95.

? HR 1345, DC Financial Responsibility and Management Assistance Act of 1995

(PL 104

□

-8). President signed 4/17/95.

? Paperwork Reduction (PL 104

□

-13). President signed 5/22/95.

? Medicare SELECT (PL 104

□

-18). President signed 7/7/95.

RECORD TYPE: FEDERAL (ALL-IN-1 MAIL)

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CREATION DATE/TIME:18-JUL-1995 22:48:06.75

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TO: Remote Addressee (NITZE.WILLIAM@EPAMAIL.EPA.GOV@INET)

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TO: Thomas O'Donnell
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(O'DONNELL_T) (OPD)

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(ONEILPA@VACO.VA.GOV@INET)

TO: Jennifer N. Palmieri
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(PALMIERI_J) (OMB)

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(RASCO_C) (OPD)

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(ROBYN_D) (OPD)

TO: Patricia E. Romani
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(ROMANI_P) (OPD)

TO: Stacey L. Rubin
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(RUBIN_S) (WHO)

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(SIESNET.SIES1.THEBERT@SIES.WSC.AG.GOV@INE

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(SILVERMAN_S) (WHO)

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(SUTTON_J) (WHO)

TO: Barry J. Toiv
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(TOIV_B) (WHO)

TO: Sheila D. Turner
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(TURNER_S) (WHO)

TO: Laura D. Tyson
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(TYSON_L) Autoforward to: Thomas O'Donnell

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(Tom.Hicks@OPM.GOV@INET)

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(VIVALO.JOE@EPAMAIL.EPA.GOV@INET)

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(YELLOWTAIL.BILL@EPAMAIL.EPA.GOV@INET)

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(YEOMAN_A) (DON)

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TO: Remote Addressee (wtidball@fema.gov@INET)
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TO: Remote Addressee (yot@mhs.opic-attmail.com@INET)
READ:NOT READ

TO: Remote Addressee (zenobia_j._black@hud.gov@INET)
READ:NOT READ

TO: Remote Addressee (zina.pierre@opm.gov@INET)
READ:NOT READ

TO: Remote Addressee (zoon_nguyen@hud.gov@INET)
READ:NOT READ

TO: Remote Addressee (raym@ospaa0io.ssw.dhhs.gov@INET)
READ:NOT READ

TO: Remote Addressee (mariea@ospaa0is.ssw.dhhs.gov@INET)
READ:NOT READ

TO: Remote Addressee (wjacobson@acf.dhhs.gov@INET)

READ:NOT READ

TO: Remote Addressee (arosewater@acf.dhhs.gov@INET)
READ:NOT READ

TO: Remote Addressee (ddeutsch@acf.dhhs.gov@INET)
READ:NOT READ

TO: Remote Addressee (billb@ban-gate.aoa.dhhs.gov@INET)
READ:NOT READ

TO: Remote Addressee (naomig@osaspe.ssw.dhhs.gov@INET)
READ:NOT READ

TO: Remote Addressee (jmande@bangate.fda.gov@INET)
READ:NOT READ

TO: Remote Addressee (CRAIG.HUGHES@IOS.DOI.GOV@INET)
READ:NOT READ

TO: Remote Addressee (mbrown@postmaster2.dot.gov@INET@EOPMRX)
READ:NOT READ

CC: Erskine Bowles (BOWLES_E) (WHO)
READ:19-JUL-1995 12:35:29.47

CC: John C. Angell (ANGELL_J) (WHO)
READ:19-JUL-1995 12:18:02.72

CC: Jeremy D. Benami (BENAMI_J) (OPD)
READ:19-JUL-1995 10:48:49.51

CC: Emily Bromberg (BROMBERG_E) (WHO)
READ:19-JUL-1995 11:44:27.32

CC: Susan Brophy (BROPHY_S) Autoforward to: Stacey L. Rubi
READ:19-JUL-1995 08:23:51.80

CC: Barbara C. Chow (CHOW_B) (WHO)
READ:19-JUL-1995 08:39:36.23

CC: Paul R. Dimond (DIMOND_P) (OPD)
READ:19-JUL-1995 08:39:31.92

CC: Rahm Emanuel (EMANUEL_R) (WHO)
READ:NOT READ

CC: Martha Foley (FOLEY_M) (OMB)
READ:19-JUL-1995 11:56:57.46

CC: Mark Gearan (GEARAN_M) Autoforward to: Angus S. King
READ:19-JUL-1995 08:51:08.43

CC: Mary Ellen Glynn (GLYNN_M) (WHO)
READ:19-JUL-1995 11:32:45.87

CC: Robert Gordon (GORDON_R) (OPD)
READ:19-JUL-1995 09:00:17.87

CC: LAWRENCE J. HAAS (HAAS_L) (OMB)

READ:19-JUL-1995 16:50:01.62

CC: Karen L. Hancox (HANCOX_K) (WHO)

READ:19-JUL-1995 10:55:54.72

CC: Elgie Holstein (HOLSTEIN_E) (OPD)

READ:19-JUL-1995 09:13:26.85

CC: Christopher C. Jennings (JENNINGS_C) (OPD)

READ:19-JUL-1995 12:47:42.43

CC: Jack M. Quinn (Jack M. Quinn@EOP_OVP@CCGATE@EOPMRX)

READ:NOT READ

CC: Jennifer L. Klein (KLEIN_J) (OPD)

READ:19-JUL-1995 08:35:36.38

CC: David J. Lane (LANE_D) (OPD)

READ:19-JUL-1995 10:14:24.20

CC: Jacob J. Lew (LEW_J) (OMB)

READ:19-JUL-1995 10:40:24.44

CC: Gaynor R. McCown (MCCOWN_G) (OPD)

READ:19-JUL-1995 09:14:26.37

CC: Lorraine McHugh (MCHUGH_L) (WHO)

READ:19-JUL-1995 12:36:17.49

CC: Joseph Minarik (MINARIK_J) (OMB)

READ:19-JUL-1995 10:20:05.13

CC: Nancy-Ann E. Min (MIN_N) (OMB)

READ:19-JUL-1995 08:18:31.26

CC: Bruce N. Reed (REED_B) (OPD)

READ:19-JUL-1995 14:53:09.93

CC: Stephen B. Silverman (SILVERMAN_S) (WHO)

READ:20-JUL-1995 09:52:23.53

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Elena R. Mcc

READ:19-JUL-1995 08:55:29.73

CC: George Stephanopoulos (STEPHANOPO_G) (WHO)

READ:NOT READ

CC: Virginia M. Terzano (TERZANO_V) (WHO)

READ:NOT READ

CC: FAX (96220073,David Dreyer) (TLXA1MAIL_\F:96220073\C:David DreyerREAD:

CC: FAX (96220073,Michael Barr) (TLXA1MAIL_\F:96220073\C:Michael BarrREAD:

CC: FAX (96220073,Alan Cohen) (TLXA1MAIL_\F:96220073\C:Alan Cohen)

READ:NOT READ

CC: FAX (56809,Mark Mazur) (TLXA1MAIL_\F:56809\C:Mark MazurREAD:NOT R

CC: Barry J. Toiv (TOIV_B) (WHO)

READ:19-JUL-1995 08:08:27.79

CC: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnel
READ:19-JUL-1995 10:08:38.84

CC: Lorraine A. Voles (VOLES_L) Autoforward to: Remote Adresse
READ:NOT READ

CC: Michael Waldman (WALDMAN_M) (OPD)
READ:19-JUL-1995 11:42:24.17

CC: Anne Walley (WALLEY_A) (WHO)
READ:19-JUL-1995 10:24:51.80

CC: Marilyn Yager (YAGER_M) (WHO)
READ:19-JUL-1995 07:38:48.07

CC: FAX (9-479-5129, Eric Berman) (TLXA1MAIL_\F:9-479-5129\C:Eric BermanREAD

CC: FAX (9-485-3456, Peter Cari) (TLXA1MAIL_\F:9-485-3456\C:Peter CariREAD:

TEXT:
Budget Notes

Wednesday, July 19, 1995

- I. The Republican Medicare Choice: You can choose to pay more or you can choose to get less. Yesterday, HHS Deputy Asst. Sec. Judy Feder testified before the House Commerce Com. criticizing GOP Medicare voucher proposals. She released preliminary estimates by HCFA showing that in 2002:
The average beneficiary receiving home health care services would pay about \$1,020 more.
The average recipient of skilled nursing home services would pay about \$1,000 more.
Beneficiaries choosing to stay in the fee-for-service plan would pay at least \$400 more in Part B premiums.
In yesterday's Washington Post, Spencer Rich reported that the GOP Medicare plan would raise costs for beneficiaries if they stayed in a plan that allowed them to choose their own doctor.
- II. Rohatyn Voices Support For Clinton Balanced Budget: In an article in the current edition of the New York Review of Books, investment banker Felix Rohatyn expresses support for both the content of President Clinton's 10-year balanced budget and for the credibility of the numbers in his budget:
"I believe Clinton was essentially right in what he did....I believe the President showed political courage as well as economic realism in taking his position."
"...the growth rates in the Clinton plan actually coincide more closely with most of the private economic forecasts I have seen....The Clinton plan's assumptions, in my view, are just as reasonable as those of House and Senate Republicans."
- III. Appropriations Update:
Tuesday, July 18, 1995
The House passed the FY 1996 Interior appropriations bill. This is the fifth of the 13 1996 appropriations bills to be passed by the House. The Senate has yet to pass any.
The House Approp. Com. passed the FY 1996 VA-HUD appropriations bill. The President issued a statement threatening a veto. The bill would

eliminate funding for AmeriCorps; cut funding for HUD programs for the homeless in half; and sharply reduce EPA funding, cutting enforcement programs by 1/2 and staffing by 1/3.

The Senate Approp. Com. approved its 602(b) allocations, providing an increase from the House allocation for the DOL-HHS-Education Subcommittee but still substantially less than the amount proposed in the President's budget.

Wednesday, July 19, 1995

The House is expected to consider the FY 1996 Treasury-Postal appropriations bill. This legislation would eliminate funding for the Council of Economic Advisors, and it contains provisions designed to restrict Federal employees and their dependents from choosing a health plan that includes coverage for abortion service.

The House Approp. Com. is expected to consider the FY 1996 Commerce-Justice-State appropriations bill.

The Senate Approp. Com. is expected to consider the FY 1996 Military Construction appropriations bill.