

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

CREATOR: Lisa B. Fairhall (FAIRHALL_L) (OMB)

CREATION DATE/TIME:19-JUL-1995 09:03:11.34

SUBJECT: leg update

TO: Mary Cassell (Cassell_M) (OMB)

READ:19-JUL-1995 09:15:57.50

TO: Judy L. Grew (GREW_J) (OMB)

READ:19-JUL-1995 09:29:09.17

TO: Patricia A. Smith (SMITH_P) (OMB)

READ:19-JUL-1995 09:26:53.17

TO: Leslie S. mustain (mustain_l) (OMB)

READ:19-JUL-1995 09:18:33.11

TO: S. Aromie Noe (NOE_S) (OMB)

READ:19-JUL-1995 12:59:39.42

TO: Janet Looney (Looney_J) (OMB)

READ:19-JUL-1995 09:11:13.04

TO: Pronita Gupta (Gupta_P)

READ:NOT READ

IND_TO: Pronita Gupta (GUPTA_P) (OMB)

READ:19-JUL-1995 10:27:13.94

TEXT:

If anyone ever has the time to read this, let me know if there is anything interesting in it.

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE:19-JUL-1995 07:36:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Barry White

ATT SUBJECT: leg update

ATT TO: Larry R. Matlack (MATLACK_L)

ATT TO: Keith J. Fontenot (FONTENOT_K)

ATT TO: Lisa B. Fairhall (FAIRHALL_L)

TEXT:

===== END ATTACHMENT 1 =====

===== ATTACHMENT 2 =====

ATT CREATION TIME/DATE:18-JUL-1995 20:39:00.00

ATT CREATOR: Charles S. Konigsberg

ATT SUBJECT: CONFIDENTIAL--AMR DAILY

ATT TO: Alice M. Rivlin	(RIVLIN_A)
ATT CC: Charles S. Konigsberg	(KONIGSBERG_C)
ATT CC: Jacob J. Lew	(LEW_J)
ATT CC: Patrick J. Griffin	(GRIFFIN_P)
ATT CC: Martha Foley	(FOLEY_M)
ATT CC: Ann M. Cattalini	(CATTALINI_A)
ATT CC: Erin A. O'Connor	(OCONNOR_E)
ATT CC: James C. Murr	(MURR_J)
ATT CC: James J. Jukes	(JUKES_J)
ATT CC: Janet R. Forsgren	(FORSGREN_J)
ATT CC: Ronald K. Peterson	(PETERSON_RK)
ATT CC: LAWRENCE J. HAAS	(HAAS_L)
ATT CC: Robert G. Damus	(DAMUS_R)
ATT CC: Barry B. Anderson	(ANDERSON_B)
ATT CC: Gordon Adams	(ADAMS_G)
ATT CC: T J Glauthier	(GLAUTHIER_T)
ATT CC: Kenneth S. Apfel	(APFEL_K)
ATT CC: Nancy-Ann E. Min	(MIN_N)
ATT CC: Robert E. Litan	(LITAN_R)
ATT CC: Joseph Minarik	(MINARIK_J)
ATT CC: Sally Katzen	(KATZEN_S)
ATT CC: Lydia Muniz	(MUNIZ_L)
ATT CC: Charles E. Kieffer	(KIEFFER_C)
ATT CC: Kristen E. Panerali	(PANERALI_K)
ATT CC: John A. Koskinen	(KOSKINEN_J)
ATT CC: Steven Kelman	(KELMAN_S)
ATT CC: G. Edward DeSeve	(DESEVE_G)
ATT CC: John B. Arthur	(ARTHUR_J)
ATT CC: William A. Halter	(HALTER_W)
ATT CC: Jill M. Blickstein	(BLICKSTEIN_J)

ATT CC: Chantale Wong	(WONG_C)
ATT CC: Laura D. Tyson	(TYSON_L)
ATT CC: Thomas O'Donnell	(ODONNELL_T)
ATT CC: David J. Lane	(LANE_D)
ATT CC: John Gibbons	(GIBBONS_J)
ATT CC: M. Jill Gibbons	(GIBBONS_M)
ATT CC: Ronald E. Jones	(JONES_RE)
ATT CC: Ingrid M. Schroeder	(SCHROEDER_I)
ATT CC: Jeffrey A. Weinberg	(WEINBERG_J)
ATT CC: James A. Brown	(BROWN_JA)
ATT CC: Constance J. Bowers	(BOWERS_C)
ATT CC: Melissa Y. Cook	(COOK_MY)
ATT CC: Anna M. Briatico	(BRIATICO_A)
ATT CC: Christopher J. Mustain	(MUSTAIN_C)
ATT CC: Robert J. Pellicci	(PELLICCI_R)
ATT CC: James C. Crutchfield	(CRUTCHFIEL_J)
ATT CC: Elyse H. Fitter	(FITTER_E)
ATT CC: Michael L. Goad	(GOAD_M)
ATT CC: Annette E. Rooney	(ROONEY_A)
ATT CC: Dena B. Weinstein	(WEINSTEIN_D)
ATT CC: Stacey L. Rubin	(RUBIN_S)
ATT CC: Jennifer N. Palmieri	(PALMIERI_J)
ATT CC: Karin L. Kizer	(KIZER_K)
ATT CC: Margaret R. Shaw	(SHAW_M)
ATT CC: Deborah F. Kramer	(KRAMER_D)
ATT CC: Diane G. Limo	(LIMO_D)
ATT CC: Alice E. Shuffield	(SHUFFIELD_A)
ATT CC: Janet L. Graves	(GRAVES_J)
ATT CC: James I. Blount	(BLOUNT_J)
ATT CC: Lara L. Roholt	(ROHOLT_L)

ATT CC: Philip R. Dame	(DAME_P)
ATT CC: Alan B. Rhinesmith	(RHINESMITH_A)
ATT CC: Kenneth L. Schwartz	(SCHWARTZ_K)
ATT CC: Barry T. Clendenin	(CLENDENIN_B)
ATT CC: Robert B. Rideout	(RIDEOUT_R)
ATT CC: Philip A. DuSault	(DUSAULT_P)
ATT CC: Phebe N. Vickers	(VICKERS_P)
ATT CC: Kathleen Peroff	(PEROFF_K)
ATT CC: Ron Cogswell	(COGSWELL_R)
ATT CC: Barry White	(WHITE_B)
ATT CC: Richard P. Emery Jr.	(EMERY_R)
ATT CC: Barbara C. Chow	(CHOW_B)
ATT CC: Robert E. Barker	(BARKER_R)
ATT CC: Mark Gearan	(GEARAN_M)
ATT CC: Donald A. Baer	(BAER_D)
ATT CC: Ann F. Walker	(WALKER_A)
ATT CC: Todd Stern	(STERN_T)
ATT CC: Kelly Musick	(MUSICK_K)
ATT CC: Brian Blais	(BLAIS_B)
ATT CC: Mary Lynn Jones	(JONES_ML)
ATT CC: Nancy L. Brandel	(BRANDEL_N)
ATT CC: Christopher F. Walker	(WALKER_C)
ATT CC: Deborah L. Shaw	(SHAW_D)
ATT CC: Gene B. Sperling	(SPERLING_G)
ATT CC: Timothy J. Keating	(KEATING_T)
ATT CC: Kathryn Higgins	(HIGGINS_K)
ATT CC: Stephen B. Silverman	(SILVERMAN_S)
ATT CC: Bruce N. Reed	(REED_B)
ATT CC: Jeremy D. Benami	(BENAMI_J)
ATT CC: Douglas B. Sosnik	(SOSNIK_D)

ATT CC: Karen L. Hancox (HANCOX_K)
ATT CC: Shelley N. Fidler (FIDLER_S)
ATT CC: Janet L. Himler (HIMLER_J)

TEXT:

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PRINTER FONT 12_POINT_ROMAN

TO: ALICE RIVLIN
CC-

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-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

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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).

Wednesday, July 19:

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-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.

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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

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-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

☐
-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 #; for appropriations items, see the
"APPROPRIATIONS STATUS REPORT".)

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; OMB letter, 7/17: "senior advisors" veto recommendation.

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

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]

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]

*OSHA Reform - HR 1834 [Item #311]

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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

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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]

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]

PRINTER FONT 14_POINT_HELVETICA
Oppose Unless Amended:

PRINTER FONT 10_POINT_ROMAN
Securities Litigation Reform - HR 1058 [Item #10]
Violent Criminal Incarceration - HR 667 [Item #4]

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PRINTER FONT 14_POINT_HELVETICA
STATUS OF MAJOR (Non

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-Appropriations) LEGISLATION
PRINTER FONT 10_POINT_ROMAN
[Prepared by OMB/LRD]
PRINTER FONT 12_POINT_ROMAN
(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:

PRINTER FONT 10_POINT_ROMAN

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

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-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

□

-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-

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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

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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-

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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 (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

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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

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-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-

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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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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

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-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

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-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

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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.

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 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).

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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

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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.

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HEALTH & PERSONNEL

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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.

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MAJOR LEGISLATION ENACTED

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? 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.

===== END ATTACHMENT 2 =====

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

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

CREATION DATE/TIME:19-JUL-1995 23:52:17.40

SUBJECT: ~~CONFIDENTIAL~~--AMR DAILY

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

Initials: ACB Date: 02/04/2013

2012-0774-L

TO: Alice M. Rivlin

(RIVLIN_A) (OMB)

READ:20-JUL-1995 16:51:01.19

CC: Charles S. Konigsberg

(KONIGSBERG_C) (OMB)

READ:20-JUL-1995 11:15:08.37

CC: Jacob J. Lew

(LEW_J) (OMB)

READ:NOT READ

CC: Patrick J. Griffin

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

READ:24-JUL-1995 08:27:48.49

CC: Martha Foley

(FOLEY_M) (OMB)

READ:20-JUL-1995 10:43:11.23

CC: Ann M. Cattalini

(CATTALINI_A) (WHO)

READ:20-JUL-1995 08:57:39.11

CC: Erin A. O'Connor

(OCONNOR_E) Autoforward to: Stacey L. Rub

READ:20-JUL-1995 08:18:34.74

CC: James C. Murr

(MURR_J) (OMB)

READ:20-JUL-1995 08:22:08.25

CC: James J. Jukes

(JUKES_J) (OMB)

READ:20-JUL-1995 09:36:42.17

CC: Janet R. Forsgren

(FORSGREN_J) (OMB)

READ:20-JUL-1995 11:22:20.25

CC: Ronald K. Peterson

(PETERSON_RK) (OMB)

READ:20-JUL-1995 08:36:23.92

CC: LAWRENCE J. HAAS

(HAAS_L) (OMB)

READ:20-JUL-1995 18:34:18.39

CC: Robert G. Damus

(DAMUS_R) (OMB)

READ:20-JUL-1995 09:34:06.63

CC: Barry B. Anderson

(ANDERSON_B) (OMB)

READ:20-JUL-1995 08:20:03.60

CC: Gordon Adams

(ADAMS_G) (OMB)

READ:20-JUL-1995 06:24:52.08

CC: T J Glauthier

(GLAUTHIER_T) (OMB)

READ:20-JUL-1995 12:41:05.50

CC: Kenneth S. Apfel

(APFEL_K) (OMB)

READ:20-JUL-1995 06:26:54.06

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:20-JUL-1995 12:36:25.69

CC: Sally Katzen (KATZEN_S) (OMB)
READ:21-JUL-1995 11:19:25.37

CC: Lydia Muniz (MUNIZ_L) (OMB)
READ:20-JUL-1995 09:50:43.16

CC: Charles E. Kieffer (KIEFFER_C) (OMB)
READ:20-JUL-1995 14:15:31.23

CC: Kristen E. Panerali (PANERALI_K) (OMB)
READ:20-JUL-1995 10:23:42.63

CC: John A. Koskinen (KOSKINEN_J) (OMB)
READ:20-JUL-1995 09:35:16.56

CC: Steven Kelman (KELMAN_S) (OMB)
READ:24-JUL-1995 08:22:21.33

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

CC: John B. Arthur (ARTHUR_J) (OMB)
READ:20-JUL-1995 06:40:14.61

CC: William A. Halter (HALTER_W) (OMB)
READ:20-JUL-1995 09:41:07.25

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ:20-JUL-1995 09:35:03.03

CC: Chantale Wong (WONG_C) (OMB)
READ:20-JUL-1995 15:37:59.00

CC: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnell
READ:20-JUL-1995 10:59:04.22

CC: Thomas O'Donnell (ODONNELL_T) (OPD)
READ:20-JUL-1995 10:59:04.22

CC: David J. Lane (LANE_D) (OPD)
READ:20-JUL-1995 08:53:33.28

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

CC: M. Jill Gibbons (GIBBONS_M) (OMB)
READ:20-JUL-1995 13:22:09.58

CC: Ronald E. Jones (JONES_RE) (OMB)
READ:20-JUL-1995 09:46:03.68

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

READ:20-JUL-1995 09:01:02.81

CC: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
READ:20-JUL-1995 08:23:49.10

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

CC: Constance J. Bowers (BOWERS_C) (OMB)
READ:20-JUL-1995 09:06:16.68

CC: Melissa Y. Cook (COOK_MY) (OMB)
READ:20-JUL-1995 08:57:16.62

CC: Anna M. Briatico (BRIATICO_A) (OMB)
READ:20-JUL-1995 09:44:42.59

CC: Christopher J. Mustain (MUSTAIN_C) (OMB)
READ: 2-AUG-1995 11:39:48.31

CC: Robert J. Pellicci (PELLICCI_R) (OMB)
READ:20-JUL-1995 08:42:26.36

CC: James C. Crutchfield (CRUTCHFIEL_J) (OMB)
READ:24-JUL-1995 10:31:06.74

CC: Elyse H. Fitter (FITTER_E) (OMB)
READ:20-JUL-1995 09:37:15.19

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

CC: Annette E. Rooney (ROONEY_A) (OMB)
READ:20-JUL-1995 08:51:26.99

CC: Dena B. Weinstein (WEINSTEIN_D) (OPD)
READ:20-JUL-1995 10:27:47.31

CC: Stacey L. Rubin (RUBIN_S) (WHO)
READ:20-JUL-1995 08:18:34.74

CC: Jennifer N. Palmieri (PALMIERI_J) (OMB)
READ:20-JUL-1995 08:38:35.46

CC: Karin L. Kizer (KIZER_K) (OMB)
READ:20-JUL-1995 10:05:08.24

CC: Margaret R. Shaw (SHAW_M) (OMB)
READ:20-JUL-1995 12:13:14.15

CC: Deborah F. Kramer (KRAMER_D) (OMB)
READ:20-JUL-1995 09:49:54.40

CC: Diane G. Limo (LIMO_D) (OMB)
READ:20-JUL-1995 09:13:07.11

CC: Alice E. Shuffield (SHUFFIELD_A) (OMB)
READ:20-JUL-1995 09:32:19.86

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

READ:20-JUL-1995 11:58:00.25

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

READ:20-JUL-1995 09:53:20.92

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

READ:20-JUL-1995 10:14:09.91

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

READ:20-JUL-1995 09:42:49.39

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

READ:20-JUL-1995 09:09:49.31

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

READ:20-JUL-1995 08:08:00.84

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

READ:20-JUL-1995 08:55:58.26

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

READ:20-JUL-1995 08:25:42.68

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

READ:20-JUL-1995 14:40:31.24

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

READ:NOT READ

CC: Kathleen Peroff (PEROFF_K) (OMB)

READ:20-JUL-1995 13:13:13.88

CC: Ron Cogswell (COGSWELL_R) (OMB)

READ:20-JUL-1995 08:30:14.36

CC: Barry White (WHITE_B) (OMB)

READ:20-JUL-1995 08:12:58.01

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

READ:20-JUL-1995 07:48:49.25

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

READ:20-JUL-1995 07:48:11.44

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

READ:20-JUL-1995 08:12:13.87

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

READ:20-JUL-1995 10:01:09.92

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:20-JUL-1995 09:10:16.87

CC: Kelly Musick (MUSICK_K) (OMB)

READ:20-JUL-1995 08:25:07.60

CC: Brian Blais (BLAIS_B) (OMB)
READ:NOT READ

CC: Mary Lynn Jones (JONES_ML) (OMB)
READ:NOT READ

CC: Nancy L. Brandel (BRANDEL_N) (OMB)
READ:20-JUL-1995 18:55:18.67

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

CC: Deborah L. Shaw (SHAW_D) (OMB)
READ:20-JUL-1995 08:15:01.86

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Elena R. Mcc
READ:20-JUL-1995 08:06:54.06

CC: Timothy J. Keating (KEATING_T) (WHO)
READ:20-JUL-1995 08:24:42.85

CC: Kathryn Higgins (HIGGINS_K) (WHO)
READ:20-JUL-1995 10:43:37.68

CC: Stephen B. Silverman (SILVERMAN_S) (WHO)
READ:NOT READ

CC: Bruce N. Reed (REED_B) (OPD)
READ:20-JUL-1995 15:08:41.98

CC: Jeremy D. Benami (BENAMI_J) (OPD)
READ:20-JUL-1995 08:04:48.83

CC: Douglas B. Sosnik (SOSNIK_D) (WHO)
READ:20-JUL-1995 10:09:11.19

CC: Karen L. Hancox (HANCOX_K) (WHO)
READ:20-JUL-1995 08:54:53.17

CC: Shelley N. Fidler (FIDLER_S) (CEQ)
READ:20-JUL-1995 11:11:05.05

CC: Janet L. Himler (HIMLER_J) (OMB)
READ:23-JUL-1995 12:54:16.34

CC: Daniel Tate (TATE_D) (WHO)
READ:24-JUL-1995 08:46:09.17

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 Wednesday:
PRINTER FONT 12_POINT_COURIER
Continued consideration of the Dole substitute to S. 21, the
Bosnia
☐
-Herzegovina Self
☐
-Defense bill. House passed
Treasury/Postal Appropriations 216
☐
-211.

Rescission Bill:
Early this evening, Dole announced the Senate was close to an
agreement on consideration of the rescission bill, but a final
agreement has not yet been reached. I've attached, as an FYI to
the distribution list, yesterday's POTUS letter on the rescission
bill.

PRINTER FONT 14_POINT_HELVETICA
Appropriations Report:
PRINTER FONT 12_POINT_COURIER
A new appropriations status report is included, beginning in this
daily report.

PRINTER FONT 14_POINT_HELVETICA
POTUS veto threat on Reconciliation:
As a follow
☐
-up to this morning's discussion on lack
of awareness of the POTUS veto threat on
Reconciliation--

(1) I faxed the June 28th POTUS letter, as well
as your more detailed letter, to Moran's staff
(Tim Aiken). He volunteered to send the letter
out to the 60 "DLC members" in the House under a
cover note from Moran.

(2) I discussed with Dan Tate at WH/LA the
possibility of Pat sending the POTUS letter and
your letter, with a cover note, to all of the
Democratic Reps. and Senators. He will raise
this with Pat.

Lock
☐
-Box:
PRINTER FONT 12_POINT_COURIER
House Rules Committee is marking up a lock
☐
-box bill on Thursday
at 10am. OMB staff will cover the mark
☐

-up.

□

PRINTER FONT 14_POINT_HELVETICA
July 18, 1995

Dear Mr. Leader:

While there are some important issues which divide us, I am pleased that we agree on one very important issue -- the need to complete action on H.R. 1944, the agreement on rescissions for fiscal year 1995. I am pleased that working with you and Senator Daschle, we were able to reach a bipartisan consensus on a rescission bill.

While I appreciate your efforts to reach a vote on final passage without requiring a significant amount of further debate in the Senate, I urge you to remain open to reasonable procedural approaches which would permit the agreement to reach the Senate floor and win final passage. In the end, what matters is completing action on this important legislation so that the even more difficult task of working on bills for fiscal year 1996 can proceed. As you know, failure to pass this bill would make it more difficult to find the savings needed to reach a balanced budget. Time is of the essence in order for the savings called for in the rescission bill to be realized.

It took a cooperative process to reach an agreement that both you and I support. It will take a cooperative process, and perhaps a few hours of debate, for the Senate to complete its work on this bill. Given the critical importance of this legislation, and the need for quick action, I hope you will consider proceeding with an agreed upon and structured debate that will permit a majority of the Senate to approve this agreement.

Sincerely,

(signed) Bill Clinton

The Honorable Robert Dole
Majority Leader
United States Senate

Washington, D.C. 20510

□

SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Thursday and Friday, July 20 and 21:

□

-Legislative Branch Appropriations.

□

-Possible final action on rescission bill.

□

-Continue consideration of S 343, Regulatory Reform; a third cloture vote may occur at any time.

[SAP containing multi

□

-agency veto threat sent 7/10]

DOLE'S LIST TO BE DONE BEFORE RECESS:

- Continue consideration of S 21, Lifting U.S. Arms Embargo applicable to Bosnia; Dole has temporarily delayed a vote on this matter.

[No SAP currently planned]

- 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

Thursday, July 20: Marking

□

-up lock box

Friday, July 21: Rule for CJS Approps.

Tuesday, July 25: Rule for VA/HUD Approps.

Also next week may do rules for Alaska oil export an Telecomm.

HOUSE FLOOR SCHEDULE:

Thursday and Balance of the Week:

- HR 1976, Agriculture Appropriations

[SAP transmitted 7/18-

□

-OMB and Sec. of Agriculture would

recommend veto]

- HR 2002, Transportation Appropriations (subject to a rule)
[SAP transmitted 7/19-

□

-serious objections]

- HR 2053, China Policy Act of 1995
[No SAP currently planned]

- HJRes 96, Disapproval of Most Favored Nation Treatment to China
(subject to a rule)
[SAP pending, but may not be sent]

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

APPROPRIATIONS STATUS

REPORT

PRINTER FONT 10_POINT_ROMAN

Supplemental/Rescission Bill (HR 1944)-

□

-Passed House June 29. Awaiting

Senate action.

Agriculture (HR 1976)--House Floor action on Thurs 7/19. SAP cleared and sent Tuesday, 7/18: Ag/OMB veto threat.

C/J/S--House full committee approved bill Wed 7/19; Rules Comm. on Friday, 7/21. Letter evaluating subcomm. bill sent Tuesday 7/18: Commerce/Justice/OMB veto threat.

Defense--House full committee markup on Friday 7/21. Senate action expected week of July 24. Letter under development.

DC--House markup in September. Senate markup in September.

Energy/Water (HR 1905)--OMB letter on House subcomm. bill, 6/20: strongly opposed. Passed House July 12, 400

□

-27. Senate subcomm. markup 7/25; full committee markup 7/27. Senate letter under development.

Foreign Ops (HR 1868)--SAP, 6/22: not oppose at this time, but "great difficulty supporting HR 1868 if improvements are not made." Passed House July 11, 333

□

-89. Senate action not expected until September.

Interior (HR 1977)--SAP, 7/12: Interior/OMB veto threat. House passed July 18, 244

□

-181. Senate action expected week of July 24.

Labor/HHS/Ed--House full comm markup on 7/20. Panetta said on 7/11 if the subcomm. chairman's mark reaches the President's desk in its current form, "he will veto." OMB letter on subcomm. bill sent 7/19: President would veto.

Leg Branch (HR 1854)--Passed House June 22, 337

□

-87. Senate floor action
expected 7/21.

Mil Con (HR 1817)--SAP-

□

-6/15: would support if modified. Passed House
June 21, 319

□

-105. OMB letter on House

□

-passed bill 7/18. Senate full
committee approved bill 7/19.

Transportation (HR 2002)--House floor action on 7/21. House Rules SAP
7/19: serious objections. Senate action expected week of July 24.

Treasury/Postal (HR 2020)--House Floor SAP, 7/17: OMB, other senior WH
officials, OPM veto threat. House passed 7/19, 216

□

-211. Senate subcomm.
and full comm. markups scheduled for 7/25 and 7/27.
VA/HUD/Independent Agencies-

□

-Panetta said on 7/11 if the House subcomm.
bill reaches President's desk in its current form, "he will veto." OMB
letter, 7/17: "senior advisors" veto recommendation. House full committee
marked

□

-up on 7/18. House Rules and Floor action week of 7/24.

□

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BUDGET RECONCILIATION STATUS REPORT

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 heaviest 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 #; for appropriations items, see the "APPROPRIATIONS STATUS REPORT".)

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/Ed Approps. - OMB letter, 7/19: President would veto

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

*Agriculture Appropriations - HR 1976; SAP sent 7/18

Commerce, Justice, State Approps - Letter sent 7/18

Treasury, Postal Appropriations - HR 2020; SAP sent 7/17

VA/HUD - OMB letter 7/17

Interior Appropriations - HR 1977; 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]

*OSHA Reform - HR 1834 [Item #311]

☐

PRINTER FONT 14_POINT_HELVETICA

Strongly Oppose:

PRINTER FONT 10_POINT_ROMAN

*Transportation Appropriations - HR 2002, SAP sent 7/19 "serious objections"

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

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

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]

PRINTER FONT 14_POINT_HELVETICA

Oppose Unless Amended:

PRINTER FONT 10_POINT_ROMAN

Foreign Ops Approps - HR 1868; SAP sent 6/22

Securities Litigation Reform - HR 1058 [Item #10]

Violent Criminal Incarceration - HR 667 [Item #4]

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PRINTER FONT 14_POINT_HELVETICA

STATUS OF MAJOR (Non

□

-Appropriations) LEGISLATION

PRINTER FONT 10_POINT_ROMAN

[Prepared by OMB/LRD]

PRINTER FONT 12_POINT_ROMAN

(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:

PRINTER FONT 10_POINT_ROMAN

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
☐ -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.

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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

□

-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

□

-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. A 7/17/95 cloture vote failed (48

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-46); a second

cloture vote on 7/18/95 also

failed (53

□

-47). As of 7/18/95, S 343 has been laid aside while

the Senate considers the Bosnia bill. A third cloture vote will take place one hour after the Senate returns to S 343. A SAP was 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

□
-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

□
-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

□

-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

□

-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

□
-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-

☐

-Ordered reported HR 1555 (38

☐

-5) on May

25th. House Judiciary Committee-

☐

-Ordered reported HR 1528 on May

18th.

House floor action is possible before the August recess.

Significant

leadership

☐

-backed amendments are expected on the House floor.

Senate passed S. 652 on June 15th, 81

☐

-18. SAP strongly opposed

Commerce Committee

☐

-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. HR 1062 may move to the House floor in tandem with HR 1858, a banking regulatory relief bill. (See below for discussion of HR 1858 - 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

☐

-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 August 2nd.

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 reported Chairman Leach's HR 1858 (successor to HR 1362) on July 18. This bill may go to the House floor in tandem with HR 1062 (listed above). 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.

*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. Justice does not expect House floor action until September.

20. Regulatory Sunset and Review: (J. Gibbons)
House bill (HR 994) was approved by a Gov. Reform & Oversight Cte. on 7/18/95 with significant amendments by a vote of 39

□

-7. 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

□
-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

□

-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

□

-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

□

-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

□

-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 on 7/18/95 approved for full Committee action 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 ordered reported 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. In a 7/18/95 letter to the Committee, USDA Forest Service also strongly opposed amendments that apply provisions in S. 852 to National Forest System 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

□

-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.

*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.

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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.

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MAJOR LEGISLATION ENACTED

PRINTER FONT 10_POINT_ROMAN

? Unfunded Mandates Reform Act of 1995 (PL 104

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-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: Lisa B. Fairhall (FAIRHALL_L) (OMB)

CREATION DATE/TIME:20-JUL-1995 09:12:06.88

SUBJECT: leg update

TO: Mary Cassell (Cassell_M) (OMB)

READ:20-JUL-1995 09:12:19.36

TO: Judy L. Grew (GREW_J) (OMB)

READ:20-JUL-1995 09:52:55.44

TO: Patricia A. Smith (SMITH_P) (OMB)

READ:20-JUL-1995 14:17:14.88

TO: Leslie S. mustain (mustain_l) (OMB)

READ:20-JUL-1995 11:58:17.04

TO: S. Aromie Noe (NOE_S) (OMB)

READ:20-JUL-1995 09:18:05.24

TO: Janet Looney (Looney_J) (OMB)

READ:20-JUL-1995 09:15:15.84

TO: Pronita Gupta (Gupta_P)

READ:NOT READ

IND_TO: Pronita Gupta (GUPTA_P) (OMB)

READ:20-JUL-1995 10:03:25.72

TEXT:

Janet -- please copy the President's rescission letter, and get copies to everyone in the Branch, and to all agencies with rescissions (ED and the endowments) (talk to Leslie on the endowments). Thanks.

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE:20-JUL-1995 08:14:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Barry White

ATT SUBJECT: leg update

ATT TO: Larry R. Matlack (MATLACK_L)

ATT TO: Keith J. Fontenot (FONTENOT_K)

ATT TO: Lisa B. Fairhall (FAIRHALL_L)

TEXT:

Note President letter to Dole on rescission. Feel free to share with agencies.

Larry and Lisa: See also Dole and House floor schedules. No ETR.

===== END ATTACHMENT 1 =====

===== ATTACHMENT 2 =====

ATT CREATION TIME/DATE:19-JUL-1995 23:50:00.00

ATT CREATOR: Charles S. Konigsberg

ATT SUBJECT: CONFIDENTIAL--AMR DAILY

ATT TO: Alice M. Rivlin	(RIVLIN_A)
ATT CC: Charles S. Konigsberg	(KONIGSBERG_C)
ATT CC: Jacob J. Lew	(LEW_J)
ATT CC: Patrick J. Griffin	(GRIFFIN_P)
ATT CC: Martha Foley	(FOLEY_M)
ATT CC: Ann M. Cattalini	(CATTALINI_A)
ATT CC: Erin A. O'Connor	(OCONNOR_E)
ATT CC: James C. Murr	(MURR_J)
ATT CC: James J. Jukes	(JUKES_J)
ATT CC: Janet R. Forsgren	(FORSGREN_J)
ATT CC: Ronald K. Peterson	(PETERSON_RK)
ATT CC: LAWRENCE J. HAAS	(HAAS_L)
ATT CC: Robert G. Damus	(DAMUS_R)
ATT CC: Barry B. Anderson	(ANDERSON_B)
ATT CC: Gordon Adams	(ADAMS_G)
ATT CC: T J Glauthier	(GLAUTHIER_T)
ATT CC: Kenneth S. Apfel	(APFEL_K)
ATT CC: Nancy-Ann E. Min	(MIN_N)
ATT CC: Robert E. Litan	(LITAN_R)
ATT CC: Joseph Minarik	(MINARIK_J)
ATT CC: Sally Katzen	(KATZEN_S)
ATT CC: Lydia Muniz	(MUNIZ_L)
ATT CC: Charles E. Kieffer	(KIEFFER_C)
ATT CC: Kristen E. Panerali	(PANERALI_K)
ATT CC: John A. Koskinen	(KOSKINEN_J)
ATT CC: Steven Kelman	(KELMAN_S)
ATT CC: G. Edward DeSeve	(DESEVE_G)
ATT CC: John B. Arthur	(ARTHUR_J)

ATT CC: William A. Halter	(HALTER_W)
ATT CC: Jill M. Blickstein	(BLICKSTEIN_J)
ATT CC: Chantale Wong	(WONG_C)
ATT CC: Laura D. Tyson	(TYSON_L)
ATT CC: Thomas O'Donnell	(ODONNELL_T)
ATT CC: David J. Lane	(LANE_D)
ATT CC: John Gibbons	(GIBBONS_J)
ATT CC: M. Jill Gibbons	(GIBBONS_M)
ATT CC: Ronald E. Jones	(JONES_RE)
ATT CC: Ingrid M. Schroeder	(SCHROEDER_I)
ATT CC: Jeffrey A. Weinberg	(WEINBERG_J)
ATT CC: James A. Brown	(BROWN_JA)
ATT CC: Constance J. Bowers	(BOWERS_C)
ATT CC: Melissa Y. Cook	(COOK_MY)
ATT CC: Anna M. Briatico	(BRIATICO_A)
ATT CC: Christopher J. Mustain	(MUSTAIN_C)
ATT CC: Robert J. Pellicci	(PELLICCI_R)
ATT CC: James C. Crutchfield	(CRUTCHFIEL_J)
ATT CC: Elyse H. Fitter	(FITTER_E)
ATT CC: Michael L. Goad	(GOAD_M)
ATT CC: Annette E. Rooney	(ROONEY_A)
ATT CC: Dena B. Weinstein	(WEINSTEIN_D)
ATT CC: Stacey L. Rubin	(RUBIN_S)
ATT CC: Jennifer N. Palmieri	(PALMIERI_J)
ATT CC: Karin L. Kizer	(KIZER_K)
ATT CC: Margaret R. Shaw	(SHAW_M)
ATT CC: Deborah F. Kramer	(KRAMER_D)
ATT CC: Diane G. Limo	(LIMO_D)
ATT CC: Alice E. Shuffield	(SHUFFIELD_A)
ATT CC: Janet L. Graves	(GRAVES_J)

ATT CC: James I. Blount	(BLOUNT_J)
ATT CC: Lara L. Roholt	(ROHOLT_L)
ATT CC: Philip R. Dame	(DAME_P)
ATT CC: Alan B. Rhinesmith	(RHINESMITH_A)
ATT CC: Kenneth L. Schwartz	(SCHWARTZ_K)
ATT CC: Barry T. Clendenin	(CLENDENIN_B)
ATT CC: Robert B. Rideout	(RIDEOUT_R)
ATT CC: Philip A. DuSault	(DUSAULT_P)
ATT CC: Phebe N. Vickers	(VICKERS_P)
ATT CC: Kathleen Peroff	(PEROFF_K)
ATT CC: Ron Cogswell	(COGSWELL_R)
ATT CC: Barry White	(WHITE_B)
ATT CC: Richard P. Emery Jr.	(EMERY_R)
ATT CC: Barbara C. Chow	(CHOW_B)
ATT CC: Robert E. Barker	(BARKER_R)
ATT CC: Mark Gearan	(GEARAN_M)
ATT CC: Donald A. Baer	(BAER_D)
ATT CC: Ann F. Walker	(WALKER_A)
ATT CC: Todd Stern	(STERN_T)
ATT CC: Kelly Musick	(MUSICK_K)
ATT CC: Brian Blais	(BLAIS_B)
ATT CC: Mary Lynn Jones	(JONES_ML)
ATT CC: Nancy L. Brandel	(BRANDEL_N)
ATT CC: Christopher F. Walker	(WALKER_C)
ATT CC: Deborah L. Shaw	(SHAW_D)
ATT CC: Gene B. Sperling	(SPERLING_G)
ATT CC: Timothy J. Keating	(KEATING_T)
ATT CC: Kathryn Higgins	(HIGGINS_K)
ATT CC: Stephen B. Silverman	(SILVERMAN_S)
ATT CC: Bruce N. Reed	(REED_B)

ATT CC: Jeremy D. Benami (BENAMI_J)
ATT CC: Douglas B. Sosnik (SOSNIK_D)
ATT CC: Karen L. Hancox (HANCOX_K)
ATT CC: Shelley N. Fidler (FIDLER_S)
ATT CC: Janet L. Himler (HIMLER_J)
ATT CC: Daniel Tate (TATE_D)

TEXT:

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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 Wednesday:

PRINTER FONT 12_POINT_COURIER

Continued consideration of the Dole substitute to S. 21, the
Bosnia

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-Herzegovina Self

□

-Defense bill. House passed

Treasury/Postal Appropriations 216

□

-211.

Rescission Bill:

Early this evening, Dole announced the Senate was close to an
agreement on consideration of the rescission bill, but a final
agreement has not yet been reached. I've attached, as an FYI to
the distribution list, yesterday's POTUS letter on the rescission
bill.

PRINTER FONT 14_POINT_HELVETICA

Appropriations Report:

PRINTER FONT 12_POINT_COURIER

A new appropriations status report is included, beginning in this
daily report.

PRINTER FONT 14_POINT_HELVETICA

POTUS veto threat on Reconciliation:

As a follow

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-up to this morning's discussion on lack
of awareness of the POTUS veto threat on
Reconciliation--

(1) I faxed the June 28th POTUS letter, as well as your more detailed letter, to Moran's staff (Tim Aiken). He volunteered to send the letter out to the 60 "DLC members" in the House under a cover note from Moran.

(2) I discussed with Dan Tate at WH/LA the possibility of Pat sending the POTUS letter and your letter, with a cover note, to all of the Democratic Reps. and Senators. He will raise this with Pat.

Lock

☐

-Box:

PRINTER FONT 12_POINT_COURIER

House Rules Committee is marking up a lock

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-box bill on Thursday

at 10am. OMB staff will cover the mark

☐

-up.

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PRINTER FONT 14_POINT_HELVETICA

July 18, 1995

Dear Mr. Leader:

While there are some important issues which divide us, I am pleased that we agree on one very important issue -- the need to complete action on H.R. 1944, the agreement on rescissions for fiscal year 1995. I am pleased that working with you and Senator Daschle, we were able to reach a bipartisan consensus on a rescission bill.

While I appreciate your efforts to reach a vote on final passage without requiring a significant amount of further debate in the Senate, I urge you to remain open to reasonable procedural approaches which would permit the agreement to reach the Senate floor and win final passage. In the end, what matters is completing action on this important legislation so that the even more difficult task of working on bills for fiscal year 1996 can proceed. As you know, failure to pass this bill would make it more difficult to find the savings needed to reach a balanced budget. Time is of the essence in order for the savings called for in the rescission bill to be realized.

It took a cooperative process to reach an agreement that both you and I support. It will take

a cooperative process, and perhaps a few hours of debate, for the Senate to complete its work on this bill. Given the critical importance of this legislation, and the need for quick action, I hope you will consider proceeding with an agreed upon and structured debate that will permit a majority of the Senate to approve this agreement.

Sincerely,

(signed) Bill Clinton

The Honorable Robert Dole
Majority Leader
United States Senate

Washington, D.C. 20510

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SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Thursday and Friday, July 20 and 21:

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-Legislative Branch Appropriations.

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-Possible final action on rescission bill.

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-Continue consideration of S 343, Regulatory Reform; a third cloture vote may occur at any time.

[SAP containing multi

□

-agency veto threat sent 7/10]

DOLE'S LIST TO BE DONE BEFORE RECESS:

- Continue consideration of S 21, Lifting U.S. Arms Embargo applicable to Bosnia; Dole has temporarily delayed a vote on this matter.

[No SAP currently planned]

- 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.

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HOUSE RULES COMMITTEE SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Thursday, July 20: Marking

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-up lock box

Friday, July 21: Rule for CJS Approps.

Tuesday, July 25: Rule for VA/HUD Approps.

Also next week may do rules for Alaska oil export an Telecomm.

HOUSE FLOOR SCHEDULE:

Thursday and Balance of the Week:

- HR 1976, Agriculture Appropriations

[SAP transmitted 7/18-

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-OMB and Sec. of Agriculture would recommend veto]

- HR 2002, Transportation Appropriations (subject to a rule)

[SAP transmitted 7/19-

□

-serious objections]

- HR 2053, China Policy Act of 1995

[No SAP currently planned]

- HJRes 96, Disapproval of Most Favored Nation Treatment to China (subject to a rule)

[SAP pending, but may not be sent]

Floor action between July 4th and August Recess:

- Finish Appropriations

- Telecommunications

- Anti

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-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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APPROPRIATIONS STATUS

REPORT

PRINTER FONT 10_POINT_ROMAN

Supplemental/Rescission Bill (HR 1944)-

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-Passed House June 29. Awaiting

Senate action.

Agriculture (HR 1976)--House Floor action on Thurs 7/19. SAP cleared and sent Tuesday, 7/18: Ag/OMB veto threat.

C/J/S--House full committee approved bill Wed 7/19; Rules Comm. on

Friday, 7/21. Letter evaluating subcomm. bill sent Tuesday 7/18:
Commerce/Justice/OMB veto threat.

Defense--House full committee markup on Friday 7/21. Senate action
expected week of July 24. Letter under development.

DC--House markup in September. Senate markup in September.

Energy/Water (HR 1905)--OMB letter on House subcomm. bill, 6/20: strongly
opposed. Passed House July 12, 400

□

-27. Senate subcomm. markup 7/25; full
committee markup 7/27. Senate letter under development.

Foreign Ops (HR 1868)--SAP, 6/22: not oppose at this time, but "great
difficulty supporting HR 1868 if improvements are not made." Passed House
July 11, 333

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-89. Senate action not expected until September.

Interior (HR 1977)--SAP, 7/12: Interior/OMB veto threat.
House passed July 18, 244

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-181. Senate action expected week of July 24.

Labor/HHS/Ed--House full comm markup on 7/20. Panetta said on 7/11 if the
subcomm. chairman's mark reaches the President's desk in its current form,
"he will veto." OMB letter on subcomm. bill sent 7/19: President would
veto.

Leg Branch (HR 1854)--Passed House June 22, 337

□

-87. Senate floor action
expected 7/21.

Mil Con (HR 1817)--SAP-

□

-6/15: would support if modified. Passed House
June 21, 319

□

-105. OMB letter on House

□

-passed bill 7/18. Senate full
committee approved bill 7/19.

Transportation (HR 2002)--House floor action on 7/21. House Rules SAP
7/19: serious objections. Senate action expected week of July 24.

Treasury/Postal (HR 2020)--House Floor SAP, 7/17: OMB, other senior WH
officials, OPM veto threat. House passed 7/19, 216

□

-211. Senate subcomm.
and full comm. markups scheduled for 7/25 and 7/27.
VA/HUD/Independent Agencies-

□

-Panetta said on 7/11 if the House subcomm.
bill reaches President's desk in its current form, "he will veto." OMB
letter, 7/17: "senior advisors" veto recommendation. House full committee
marked

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-up on 7/18. House Rules and Floor action week of 7/24.

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BUDGET RECONCILIATION STATUS REPORT

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

House: (Sept. 22 reporting deadline)

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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

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-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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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 #; for appropriations items, see the "APPROPRIATIONS STATUS REPORT".)

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA
Veto:

PRINTER FONT 10_POINT_ROMAN
Rescissions/Supplemental - HR 1158

PRINTER FONT 14_POINT_HELVETICA
Presidential Veto Threats:

PRINTER FONT 10_POINT_ROMAN
*Labor/HHS/Ed Approps. - OMB letter, 7/19: President would veto

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
*Agriculture Appropriations - HR 1976; SAP sent 7/18
Commerce, Justice, State Approps - Letter sent 7/18
Treasury, Postal Appropriations - HR 2020; SAP sent 7/17
VA/HUD - OMB letter 7/17
Interior Appropriations - HR 1977; 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]

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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:

PRINTER FONT 10_POINT_ROMAN

*Transportation Appropriations - HR 2002, SAP sent 7/19 "serious objections"

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

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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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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Foreign Ops Approps - HR 1868; SAP sent 6/22

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

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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

☐

-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

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-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-

☐

-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. A 7/17/95 cloture vote failed (48

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-46); a second cloture vote on 7/18/95 also failed (53

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-47). As of 7/18/95, S 343 has been laid aside while the Senate considers the Bosnia bill. A third cloture vote will take place one hour after the Senate returns to S 343. A SAP was 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

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-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: 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

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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

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-99). Basis for opposition:

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

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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-

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-Ordered reported HR 1528 on May

18th.

House floor action is possible before the August recess.

Significant

leadership

□

-backed amendments are expected on the House floor.

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. HR 1062 may move to the House floor in tandem with HR 1858, a banking regulatory relief bill. (See below for discussion of HR 1858 - 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 August 2nd.

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 reported Chairman Leach's HR 1858 (successor to HR 1362) on July 18. This bill may go to the House floor in tandem with HR 1062 (listed above). 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.

*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. Justice does not expect House floor action until September.

20. Regulatory Sunset and Review: (J. Gibbons)
House bill (HR 994) was approved by a Gov. Reform & Oversight Cte. on 7/18/95 with significant amendments by a vote of 39

□

-7. 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

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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

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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

□

-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

□

-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 on 7/18/95 approved for full Committee action 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 ordered reported 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. In a 7/18/95 letter to the Committee, USDA Forest Service also strongly opposed amendments that apply provisions in S. 852 to National Forest System 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

□

-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.

*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_COURIER

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_COURIER
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.

===== END ATTACHMENT 2 =====

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

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

CREATION DATE/TIME: 24-JUL-1995 21:56:56.28

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 12958 as amended, Section 1.4

SUBJECT: ~~CONFIDENTIAL~~--AMR DAILY

Initials: ACB Date: 08/04/2013

TO: Alice M. Rivlin
READ: 25-JUL-1995 07:23:04.23

(RIVLIN_A) (OMB)

2012-0774-F

CC: Charles S. Konigsberg
READ: 25-JUL-1995 13:49:17.63

(KONIGSBERG_C) (OMB)

CC: Jacob J. Lew
READ: NOT READ

(LEW_J) (OMB)

CC: Patrick J. Griffin
READ: 25-JUL-1995 08:53:02.94

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

CC: Martha Foley
READ: 25-JUL-1995 10:08:10.37

(FOLEY_M) (OMB)

CC: Ann M. Cattalini
READ: 25-JUL-1995 08:39:47.72

(CATTALINI_A) (WHO)

CC: Erin A. O'Connor
READ: 25-JUL-1995 08:53:02.94

(OCONNOR_E) (WHO)

CC: James C. Murr
READ: 25-JUL-1995 08:14:24.17

(MURR_J) (OMB)

CC: James J. Jukes
READ: 25-JUL-1995 08:59:33.95

(JUKES_J) (OMB)

CC: Janet R. Forsgren
READ: 25-JUL-1995 09:58:10.11

(FORSGREN_J) (OMB)

CC: Ronald K. Peterson
READ: 25-JUL-1995 08:14:00.02

(PETERSON_RK) (OMB)

CC: LAWRENCE J. HAAS
READ: 25-JUL-1995 06:59:33.76

(HAAS_L) (OMB)

CC: Robert G. Damus
READ: 31-JUL-1995 18:03:14.62

(DAMUS_R) (OMB)

CC: Barry B. Anderson
READ: 25-JUL-1995 08:21:15.93

(ANDERSON_B) (OMB)

CC: Gordon Adams
READ: 25-JUL-1995 09:34:49.90

(ADAMS_G) (OMB)

CC: T J Glauthier
READ: 25-JUL-1995 11:02:48.62

(GLAUTHIER_T) (OMB)

CC: Kenneth S. Apfel
READ: NOT READ

(APFEL_K) (OMB)

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:25-JUL-1995 08:10:00.86

CC: Sally Katzen (KATZEN_S) (OMB)
READ:25-JUL-1995 09:39:57.27

CC: Lydia Muniz (MUNIZ_L) (OMB)
READ:25-JUL-1995 09:42:29.21

CC: Charles E. Kieffer (KIEFFER_C) (OMB)
READ:24-JUL-1995 22:16:16.78

CC: Kristen E. Panerali (PANERALI_K) (OMB)
READ:25-JUL-1995 09:42:57.31

CC: John A. Koskinen (KOSKINEN_J) (OMB)
READ:25-JUL-1995 13:35:28.28

CC: Steven Kelman (KELMAN_S) (OMB)
READ:25-JUL-1995 08:21:48.52

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

CC: John B. Arthur (ARTHUR_J) (OMB)
READ:25-JUL-1995 06:30:30.24

CC: William A. Halter (HALTER_W) (OMB)
READ:25-JUL-1995 10:59:18.45

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ:25-JUL-1995 08:18:48.47

CC: Chantale Wong (WONG_C) (OMB)
READ:25-JUL-1995 14:15:45.30

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

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

CC: David J. Lane (LANE_D) (OPD)
READ:25-JUL-1995 08:51:56.64

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

CC: M. Jill Gibbons (GIBBONS_M) (OMB)
READ:25-JUL-1995 09:12:27.67

CC: Ronald E. Jones (JONES_RE) (OMB)
READ:28-JUL-1995 10:17:46.67

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

READ:25-JUL-1995 10:17:32.87

CC: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
READ:25-JUL-1995 08:58:45.38

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

CC: Constance J. Bowers (BOWERS_C) (OMB)
READ:25-JUL-1995 09:14:29.63

CC: Melissa Y. Cook (COOK_MY) (OMB)
READ:25-JUL-1995 08:27:41.30

CC: Anna M. Briatico (BRIATICO_A) (OMB)
READ:25-JUL-1995 09:45:13.45

CC: Christopher J. Mustain (MUSTAIN_C) (OMB)
READ: 2-AUG-1995 11:41:16.54

CC: Robert J. Pellicci (PELLICCI_R) (OMB)
READ:25-JUL-1995 09:06:28.16

CC: James C. Crutchfield (CRUTCHFIEL_J) (OMB)
READ:26-JUL-1995 10:12:15.77

CC: Elyse H. Fitter (FITTER_E) (OMB)
READ:25-JUL-1995 09:09:03.38

CC: Michael L. Goad (GOAD_M) (OMB)
READ:25-JUL-1995 08:32:31.02

CC: Annette E. Rooney (ROONEY_A) (OMB)
READ:25-JUL-1995 10:53:07.16

CC: Dena B. Weinstein (WEINSTEIN_D) (OPD)
READ:25-JUL-1995 11:02:31.39

CC: Stacey L. Rubin (RUBIN_S) (WHO)
READ:25-JUL-1995 08:09:10.72

CC: Jennifer N. Palmieri (PALMIERI_J) (OMB)
READ:25-JUL-1995 09:00:43.36

CC: Karin L. Kizer (KIZER_K) (OMB)
READ:25-JUL-1995 09:13:01.74

CC: Margaret R. Shaw (SHAW_M) (OMB)
READ:25-JUL-1995 10:34:05.29

CC: Deborah F. Kramer (KRAMER_D) (OMB)
READ:NOT READ

CC: Diane G. Limo (LIMO_D) (OMB)
READ:25-JUL-1995 09:43:50.75

CC: Alice E. Shuffield (SHUFFIELD_A) (OMB)
READ:25-JUL-1995 09:57:19.53

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

READ:26-JUL-1995 08:53:54.79

CC: James I. Blount (BLOUNT_J) (OMB)
READ:25-JUL-1995 08:22:41.42

CC: Lara L. Roholt (ROHOLT_L) (OMB)
READ:25-JUL-1995 08:59:08.17

CC: Philip R. Dame (DAME_P) (OMB)
READ:25-JUL-1995 08:08:38.51

CC: Alan B. Rhinesmith (RHINESMITH_A) (OMB)
READ:25-JUL-1995 08:12:55.51

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)
READ:25-JUL-1995 09:38:27.74

CC: Barry T. Clendenin (CLENDENIN_B) (OMB)
READ:25-JUL-1995 06:26:13.26

CC: Robert B. Rideout (RIDEOUT_R) (OMB)
READ:25-JUL-1995 08:41:01.17

CC: Philip A. DuSault (DUSAULT_P) (OMB)
READ:25-JUL-1995 14:03:04.31

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

CC: Kathleen Peroff (PEROFF_K) (OMB)
READ:25-JUL-1995 09:30:50.01

CC: Ron Cogswell (COGSWELL_R) (OMB)
READ:25-JUL-1995 08:32:46.67

CC: Barry White (WHITE_B) (OMB)
READ:25-JUL-1995 08:39:03.51

CC: Richard P. Emery Jr. (EMERY_R) (OMB)
READ:25-JUL-1995 07:58:59.36

CC: Barbara C. Chow (CHOW_B) (WHO)
READ:25-JUL-1995 08:40:27.83

CC: Robert E. Barker (BARKER_R) (OMB)
READ:25-JUL-1995 09:10:25.39

CC: Mark Gearan (GEARAN_M) Autoforward to: Angus S. King
READ:25-JUL-1995 08:45:03.14

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:25-JUL-1995 08:49:46.87

CC: Kelly Musick (MUSICK_K) (OMB)

READ:25-JUL-1995 13:40:09.92

CC: Nancy L. Brandel (BRANDEL_N) (OMB)
READ:25-JUL-1995 10:10:41.83

CC: Christopher F. Walker (WALKER_C) (WHO)
READ:25-JUL-1995 08:56:27.46

CC: Deborah L. Shaw (SHAW_D) (OMB)
READ:25-JUL-1995 07:24:12.66

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Elena R. Mcc
READ:25-JUL-1995 08:51:40.33

CC: Timothy J. Keating (KEATING_T) (WHO)
READ:25-JUL-1995 10:38:18.20

CC: Kathryn Higgins (HIGGINS_K) (WHO)
READ:NOT READ

CC: Stephen B. Silverman (SILVERMAN_S) (WHO)
READ:25-JUL-1995 14:24:58.71

CC: Bruce N. Reed (REED_B) (OPD)
READ:25-JUL-1995 11:19:34.58

CC: Jeremy D. Benami (BENAMI_J) (OPD)
READ:25-JUL-1995 08:57:03.06

CC: Douglas B. Sosnik (SOSNIK_D) (WHO)
READ:25-JUL-1995 08:51:54.25

CC: Karen L. Hancox (HANCOX_K) (WHO)
READ:25-JUL-1995 07:38:53.62

CC: Shelley N. Fidler (FIDLER_S) (CEQ)
READ:25-JUL-1995 10:44:53.56

CC: Janet L. Himler (HIMLER_J) (OMB)
READ:25-JUL-1995 08:15:55.14

CC: Daniel Tate (TATE_D) (WHO)
READ:24-JUL-1995 22:56:28.81

CC: John C. Angell (ANGELL_J) (WHO)
READ:25-JUL-1995 13:14:29.41

TEXT:

\d

PRINTER FONT 12_POINT_ROMAN

TO: ALICE RIVLIN
cc-

□

-Lew, Griffin, Tyson, Angell, 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 had under consideration S. 1060, Lobbying Reform. House today passed HR 70, Export of Alaska North Slope Oil 324

□

-77. At

this hour, the House is continuing consideration of Transportation Appropriations.

PRINTER FONT 14_POINT_HELVETICA

Debt Limit:

PRINTER FONT 12_POINT_COURIER

Treasury is completing WH clearance of the Rubin response to Dole and Gingrich; the letter should be cut loose on Tuesday.

PRINTER FONT 14_POINT_HELVETICA

Corrections Calendar:

PRINTER FONT 12_POINT_COURIER

On Tuesday, the House takes up its first bill under the "Corrections Calendar," created by Gingrich to expedite bills which repeal or "correct" laws or regulations deemed burdensome or excessive. This new expedited procedure is similar to the suspension calendar -- because it precludes amendment and limits debate (1 hour) -- but unlike suspensions, it requires only a 3/5 vote for passage, rather than 2/3. (One motion by the minority to recommit to the committee of jurisdiction is in order.) "Corrections bills" may now be considered on the 2d and 4th Tuesday of each month. The corrections bill being taken up tomorrow is

HR 1943, San Diego Coastal Corrections Act (SAP transmitted on Monday strongly opposing the bill).

□

PRINTER FONT 14_POINT_HELVETICA

SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Week of July 24:

TUESDAY--

□

-Complete consideration of S 1060, Lobbying Reform
[No SAP]

□

-Begin consideration of S. 1061, Gift Ban,
[No SAP]

□

-Possibly resume consideration of S 21, Lifting U.S. Arms Embargo applicable to Bosnia. (Under a unanimous consent agreement, 1st degree amendments are limited to 10)

[No SAP]

BALANCE OF WEEK--

□

-Complete S 641, Ryan White AIDS program
[SAP transmitted 7/21 - strongly support]

□

-Possibly return to S. 343, Reg. Reform (if Dole can get additional votes for cloture)
[SAP containing multi

□

-agency veto threat sent 7/10]

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

☐
-agency veto threat sent 6/28/95]

DOLE'S LIST TO BE DONE BEFORE RECESS:

☐
-Possible Appropriations Bills
- Interior
- Energy
- Treasury/Postal
- Defense
- Agriculture

☐
-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:

PRINTER FONT 12_POINT_COURIER
Tues-

☐
-VA/HUD

Thurs-

☐
-Labor/HHS

HOUSE FLOOR SCHEDULE:

Week of July 24:

- Complete HR 2002, Transportation Appropriations
[SAP transmitted 7/19-

☐
-serious objections]
- Commerce/Justice/State Appropriations, HR 2076
(subject to a Rule) [SAP being developed]
- VA/HUD Appropriations
[SAP being developed]

Corrections Calendar (Tuesday):

- HR 1943, San Diego Coastal Corrections Act
[SAP transmitted 7/24 strongly opposing]

Floor action between July 4th and August Recess:

- Lock

☐
-Box
[Position under consideration]

- 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

APPROPRIATIONS STATUS

REPORT

PRINTER FONT 10_POINT_ROMAN

Supplemental/Rescission Bill (HR 1944)-

□

-Passed House June 29. Awaiting

Senate action.

Agriculture (HR 1976)--SAP cleared and sent Tuesday, 7/18: Ag/OMB veto threat. House passed on 7/21 313

□

-78.

C/J/S (HR 2076)-

□

-SAP 7/24: Attorney General, Commerce, OMB veto threat.

Floor action week of July 24.

Defense--OMB letter sent 7/20: does not support level of funding, diminishes authority to conduct foreign affairs, undermines goal of balanced budget. House full committee markup on Tuesday 7/25. Senate action expected week of July 24.

DC--House markup in September. Senate markup in September.

Energy/Water (HR 1905)--OMB letter on House subcomm. bill, 6/20: strongly opposed. Passed House 7/12, 400

□

-27. OMB letter 7/20: strongly oppose

House

□

-passed. Senate subcomm. markup 7/25; full committee markup 7/27.

Foreign Ops (HR 1868)--SAP, 6/22: will not oppose at this time, but "great difficulty supporting HR 1868 if improvements are not made." Passed House 7/11, 333

□

-89. Senate action not expected until September.

Interior (HR 1977)--SAP, 7/12: Interior/OMB veto threat. House passed 7/18, 244

□

-181. Senate subcomm. markup 7/26; full comm. 7/28. Letter in clearance.

Labor/HHS/Ed--Panetta said on 7/11 if the subcomm. chairman's mark reaches the President's desk in its current form, "he will veto." OMB letter on subcomm. bill sent 7/19: President would veto. House full comm markup completed 7/24.

Leg Branch (HR 1854)--Passed House June 22, 337

□

-87. Passed Senate 7/20 by voice vote.

Mil Con (HR 1817)--SAP-

□

-6/15: would support if modified. Passed House
6/21, 319

□

-105. OMB letter on House

□

-passed bill 7/18: Administration
strongly objects to certain provisions. Passed Senate 7/21, 84

□

-10.

Transportation (HR 2002)-

□

-House floor action 7/21. House Rules SAP 7/19:
serious objections. Floor SAP sent 7/21-

□

-serious objections. Senate
action expected week of July 24.

Treasury/Postal (HR 2020)--House Floor SAP, 7/17: OMB, other senior WH
officials, OPM veto threat. House passed 7/19, 216

□

-211. Senate subcomm.
and full comm. markups scheduled for 7/25 and 7/27. OMB letter sent
7/24-

□

-OMB Director, other senior WH officials, Treasury, OPM veto threat.
VA/HUD/Independent Agencies-

□

-Panetta said on 7/11 if the House subcomm.
bill reaches President's desk in its current form, "he will veto." OMB
letter, 7/17: "senior advisors" veto recommendation. House full committee
marked

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-up 7/18. House Rules and Floor action week of 7/24.

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BUDGET RECONCILIATION STATUS REPORT

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Changes from previous day indicated by asterisk (*).

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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

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-passed welfare reform and tax bills.

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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

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-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

□

-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 (*).

PRINTER FONT 14_POINT_HELVETICA

Vetoed:

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Rescissions/Supplemental - HR 1158

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Presidential Veto Threats:

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Labor/HHS/Ed Approps. - OMB letter, 7/19: President would veto

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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*Treasury, Postal Appropriations - HR 2020; letter sent 7/24

Agriculture Appropriations - HR 1976; SAP sent 7/18

Commerce, Justice, State Approps - HR 2076; SAP sent 7/24

VA/HUD - OMB letter 7/17

Interior Appropriations - HR 1977; 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]

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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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Energy & Water Appropriations - HR 1905, letter sent 7/20

Transportation Appropriations - HR 2002, SAP sent 7/21 "serious objections"

Energy & Water Appropriations - HR 1905; letter sent 7/20

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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Defense Appropriations - Letter sent 7/20

Military Construction - HR 1817, Letter 7/18

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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Foreign Ops Approps - HR 1868; SAP sent 6/22

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

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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

□

-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

□

-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

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-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-

□

-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. A 7/17/95
cloture vote failed (48

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-46); a second cloture vote on 7/18/95 also failed (53

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-47); a third cloture vote failed (58

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-40) on 7/20/95. A

SAP was 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.

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 (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

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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

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-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

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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-

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-Ordered reported HR 1528 on May

18th.

House floor action is possible before the August recess.

Significant

leadership

☐

-backed amendments are expected on the House floor.

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. HR 1062 may move to the House floor in tandem with HR 1858, a banking regulatory relief bill. (See below for discussion of HR 1858 - 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 August 2nd.

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 reported Chairman Leach's HR 1858 (successor to HR 1362) on July 18. This bill may go to the House floor in tandem with HR 1062 (listed above). 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.

[

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. Justice does not expect House floor action until September.

20. Regulatory Sunset and Review: (J. Gibbons)
House bill (HR 994) was approved by a Gov. Reform & Oversight Cte. on 7/18/95 with significant amendments by a vote of 39

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-7. 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

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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, 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

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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 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 on 7/18/95 approved for full Committee action 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 ordered reported 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. In a 7/18/95 letter to the Committee, USDA Forest Service also strongly opposed amendments that apply provisions in S. 852 to National Forest System 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

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.

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.

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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 (XCHANGE MAIL)

CREATOR: Paddy McGuire (CN=Paddy McGuire/OU=DOI/O=GOV [UNKNOWN])

CREATION DATE/TIME: 27-JUL-1995 17:55:29.00

SUBJECT: Weekly Report 7/27/95

TO: Cheryl Rodman (CN=Cheryl Rodman/OU=WHO/O=GOV @ WHO [WHO])

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TO: Chloe Sladden (CN=Chloe Sladden/OU=WHO/O=GOV @ WHO [WHO])

READ: UNKNOWN

TO: Cornelius F. Johnson (CN=Cornelius F. Johnson/OU=WHO/O=GOV @ WHO [OA])

READ: UNKNOWN

TO: John K. Riordan (CN=John K. Riordan/OU=WHO/O=GOV @ WHO [WHO])

READ: UNKNOWN

TO: Deborah J. Behr (CN=Deborah J. Behr/OU=WHO/O=GOV @ WHO [OA])

READ: UNKNOWN

TO: Phillip M. Caplan (CN=Phillip M. Caplan/OU=WHO/O=GOV @ WHO [WHO])

READ: UNKNOWN

TO: Timothy G. Zayac (CN=Timothy G. Zayac/OU=WHO/O=GOV @ WHO [WHO])

READ: UNKNOWN

TO: LeeAnn Inadomi (CN=LeeAnn Inadomi/OU=WHO/O=GOV @ WHO [WHO])

READ: UNKNOWN

TO: Lawrence R. Jurcich (CN=Lawrence R. Jurcich/OU=WHO/O=GOV @ WHO [OA])

READ: UNKNOWN

TO: Linda M. Tolkan (CN=Linda M. Tolkan/OU=WHO/O=GOV @ WHO [OA])

READ: UNKNOWN

TO: Admin User (CN=Admin User/OU=WHO/O=GOV @ WHO [OA])

READ: UNKNOWN

TO: Stephen B. Silverman (CN=Stephen B. Silverman/OU=WHO/O=GOV @ WHO [WHO])

READ: UNKNOWN

TO: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=GOV @ WHO [WHO])

READ: UNKNOWN

TEXT:

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

PRINTER FONT 12_POINT_ROMAN

MEMORANDUM

July 27, 1995

TO: Honorable Leon Panetta

FROM: Bruce Babbitt

VIA: Cabinet Affairs

SUBJECT: Weekly Report Regarding Upcoming Activities
Conoco Inc., et al. v. United States Settlement

The Federal Government and nine oil companies have agreed to settle litigation over claims that the government blocked development of the companies' Outer Continental Shelf (OCS) oil and gas leases in Bristol Bay, Alaska, and offshore Southwest Florida. The settlements, together with two previous settlements with individual companies, result in the relinquishment to the United States of the leases in these two areas. In return, the companies will receive payment from the United States to recover, in part, their investment in those leases. The settlement ends prospects for developing existing OCS leases in these environmentally sensitive areas important for fishing and recreation uses. In addition, three companies have settled similar claims over leases offshore North Carolina, although the companies retain their lease interests. However, litigation continues with the seven remaining companies over the North Carolina OCS leases. I plan to announce next week in Florida the settlement of the Conoco and Alaska and Florida agreements which will be executed this week and then lodged with the court. Until then, this is highly privileged information. I consider this is a win

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-win resolution for not only the oil industry but also for the environmental community and the states of Alaska and Florida who have expressed concern about oil exploration in these highly sensitive areas. This settlement avoids lengthy and costly litigation.

Interior Appropriations Senate Subcommittee Markup

On July 16, the Senate Interior and Related Agencies Appropriations Subcommittee marked up the 1996 appropriations bill. The Subcommittee provided \$5.94 billion for the Interior Department portions of the bill, compared to \$6 billion in the House. The Senate bill is about \$900 million below the President's Budget request. The following summarizes key

features of the Senate mark

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-up:

The most troublesome funding action taken by the Subcommittee was the mark for the Bureau of Indian Affairs which totals \$1.48 billion, compared to \$1.91 in the budget (a reduction of 23 percent) and \$1.68 billion in the House bill. The most devastating of the Senate cuts for Indian Affairs were made in programs to support tribal government operations, such as law enforcement, with lesser cuts also made in critical education programs. In addition, the Subcommittee bill divests the Assistant Secretary for Indian Affairs -- the highest placed representative for Indians in the Federal Government -- of the responsibility for Trust programs. This fragmentation of responsibility for the Department's Trust relationship to Indian Tribes will impair efforts to improve management of Trust programs.

Among its positive actions, the Subcommittee provided \$146 million for the National Resources Science Agency (now the National Biological Service) and transferred it from the Assistant Secretary for Fish and Wildlife and Parks to the Assistant Secretary for Water and Science. The House bill had abolished this function and merged it into the U.S. Geological

Survey at a reduced level of \$112.9 million. The Subcommittee provided the full \$132.5 million requested for the U.S. Bureau of Mines in the President's Budget and included some restrictions on facilities closures. The House bill provided \$87 million for the Bureau, calling for its termination within 90 days of enactment. The Subcommittee also restored more than \$4 million in vindictive and punitive cuts made by the House to the Office of the Secretary, for total funding of \$58 million, compared to \$64.8 million in the request and \$53.9 million in the House bill.

Mark

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-up by the full Senate Appropriations Committee is scheduled for July 28.

Arctic National Wildlife Refuge Hearing

Next week, I will be testifying before both the House Resources Committee and the Senate Energy and Natural Resources Committee on the proposal to open up the coastal plain of the Arctic National Wildlife Refuge to oil and gas development. The House hearing is scheduled for next Tuesday and the Senate Hearing is scheduled for next Wednesday. Congress included \$1.4 billion in revenue from Arctic Refuge leasing in the budget resolution. It appears that Chairmen Murkowski and Young will now try to achieve that revenue target by adding leasing authority to the reconciliation legislation. I pressed Senator Murkowski for the opportunity to testify, and I intend to restate the Administration's strong opposition to leasing the Arctic refuge, and to argue that the revenue level they have assumed from leasing is highly optimistic, in view of low oil price

projections and the intention of the state of Alaska to sue in order to obtain 90% of the revenue from development, instead of the 50% split that Congress assumed in the budget.

Congressional Hearings

Next week there are also two additional hearings of interest. The House Resources Subcommittee on National Parks, Forests and Lands will hold on hearing next Tuesday on the BLM Land Transfer Bill (H.R. 2032) which will transfer lands administered by the Bureau of Land Management to the State in which the lands are located. The Department is strongly opposed to this bill and would recommend a veto if the legislation is passed. Bonnie Cohen, Assistant Secretary for Policy, Management and Budget will be testifying for the Department.

Also next Thursday, the National Parks Forests and Lands Subcommittee of the House Resources Committee will hold a hearing on proposals to amend the Land and Water Conservation Act of 1965 with regard to recreation fees and their use on the nation's public lands. H.R. 2025 (the Administration's bill introduced by request by Mr. Richardson) deals exclusively with fee reform for the National Park Service. H.R. 2107 (introduced by Subcommittee Chairman Hansen) deals with fees on all public lands except those managed by the Corps of Engineers. The Department strongly supports H.R. 2025. The Department's position on H.R. 2107 will be finalized Monday, July 31. Roger Kennedy, Director of the National Park Service, will be testifying for the Department.

Grazing Update

The Department's new grazing regulations are scheduled to take effect on August 21. The Subcommittee did not place a rider in the Interior Appropriations Bill which would prohibit the regulations from going into effect. There is still a possibility that this could happen at the full committee markup. We heard

today that the Cattlemen's Association may sue the Department in an attempt to prevent the regulations from taking effect. Governor Romer was in Washington this week and invited me to travel to Colorado to announce with him the new Regional Advisory Council called for in the grazing regulations.

Nominations

Today John Garamendi, nominee for Deputy Secretary, had his confirmation hearing before the Senate Energy and Natural Resources Committee. Though he faced some contentious issues, the hearing went reasonably well. The Department does not foresee any major problems with the nominee in terms of the confirmation process.

Travel Next Week

My trip to Florida next week for the settlement announcement has not been finalized. I have postponed the New York Natural Heritage Tour to the week of August 7th because of the ANWR hearings. My sixth van tour which will begin in Buffalo, New York at the Teddy Roosevelt Inaugural Site and will end on Long Island at Sagamore Hills, one of Teddy Roosevelt's homes. This van tour will focus on the previous bipartisan nature of protecting the environment by highlighting the conservationist - Teddy Roosevelt.

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DEPARTMENT OF THE INTERIOR UPCOMING ASSISTANT SECRETARY TRAVEL

Sylvia Baca - Acting A/S Land and Minerals Management

8/08 Denver to attend an all employees meeting at the Denver Service Center.

8/09 Butte, Montana, to speak at the Fifth Annual Mine Waste Remediation Technology Conference.

Bonnie Cohen - A/S Policy, Management and Budget
No travel currently scheduled.

Ada Deer - A/S Bureau of Indian Affairs
7/28

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-30 Prescott, Arizona, to attend the signing ceremony of the Yavapai Prescott Water Settlement with the Yavapai Tribal Council and Senator McCain.

8/04 Boulder, Colorado, to address the Native American Rights Fund.
8/29

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-30 Wagoner, Oklahoma, to address the Governor's Interstate Indian Council.
9/06

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-08 Portland, Oregon, to address the Native American Rights Fund.

George Frampton - A/S Fish, Wildlife and Parks
09/05

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-11 Denali National Park, Alaska, to visit the park with Governor Knowles.

John Leshy - Solicitor
No travel currently scheduled.

Patty Beneke - Deputy A/S Water and Science
08/02

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-04 Lincoln, Nebraska, to meet with officials from the Bureau of Reclamation to discuss the Platte River.

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Tues., 8/1 BLM Land Transfer
House Resources S/C on National Parks, Forests and Lands
(Hansen)
Hearing on H.R. 2032, to transfer lands administered by the Bureau of Land Management to the State in which the lands are located
10:00 a.m.; Room 1334 Longworth
Witness: Bonnie R. Cohen, Assistant Secretary for Policy, Management and Budget

Tues., 8/1 Arctic National Wildlife Refuge
House Resources Committee (Young)
Hearing regarding leasing of the 1002 study area of the Arctic Coastal Plain to oil exploration and development
11:00 a.m.; Room 1324 Longworth
Witness: Secretary Babbitt

Wed., 8/2 Arctic National Wildlife Refuge
Senate Energy and Natural Resources Committee (Murkowski)
Hearing on Arctic National Wildlife Refuge (ANWR)
9:30 a.m.; Room SD

□

-366 Dirksen
Witness: Secretary Babbitt

===== END ATTACHMENT 1 =====

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

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

CREATION DATE/TIME: 2-AUG-1995 22:15:37.13

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

Initials: AcB Date: 02/04/2013

SUBJECT: ~~CONFIDENTIAL~~--AMR DAILY

2012-0974-F

TO: Alice M. Rivlin

(RIVLIN_A) (OMB)

READ: 3-AUG-1995 07:24:47.31

CC: Charles S. Konigsberg

(KONIGSBERG_C) (OMB)

READ: 2-AUG-1995 22:17:07.47

CC: Jacob J. Lew

(LEW_J) (OMB)

READ: NOT READ

CC: Patrick J. Griffin

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

READ: 2-AUG-1995 22:19:36.30

CC: Martha Foley

(FOLEY_M) (OMB)

READ: 3-AUG-1995 09:43:08.23

CC: Ann M. Cattalini

(CATTALINI_A) (WHO)

READ: 3-AUG-1995 08:35:04.80

CC: Erin A. O'Connor

(OCONNOR_E) (WHO)

READ: 2-AUG-1995 22:19:36.30

CC: James C. Murr

(MURR_J) (OMB)

READ: 3-AUG-1995 10:14:31.08

CC: James J. Jukes

(JUKES_J) (OMB)

READ: 3-AUG-1995 09:31:07.71

CC: Janet R. Forsgren

(FORSGREN_J) (OMB)

READ: 3-AUG-1995 12:17:23.35

CC: Ronald K. Peterson

(PETERSON_RK) (OMB)

READ: 3-AUG-1995 08:11:41.28

CC: LAWRENCE J. HAAS

(HAAS_L) (OMB)

READ: 3-AUG-1995 08:19:56.22

CC: Robert G. Damus

(DAMUS_R) (OMB)

READ: 3-AUG-1995 08:27:26.69

CC: Barry B. Anderson

(ANDERSON_B) (OMB)

READ: 3-AUG-1995 08:28:03.48

CC: Gordon Adams

(ADAMS_G) (OMB)

READ: NOT READ

CC: T J Glauthier

(GLAUTHIER_T) (OMB)

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

CC: John B. Arthur (ARTHUR_J) (OMB)
READ: 3-AUG-1995 06:04:09.57

CC: William A. Halter (HALTER_W) (OMB)
READ: 3-AUG-1995 14:02:03.46

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ: 3-AUG-1995 10:59:04.88

CC: Chantale Wong (WONG_C) (OMB)
READ: 3-AUG-1995 08:34:36.74

CC: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnel
READ: 3-AUG-1995 10:37:18.17

CC: Thomas O'Donnell (ODONNELL_T) (OPD)
READ: 3-AUG-1995 10:37:18.17

CC: David J. Lane (LANE_D) (OPD)
READ: 3-AUG-1995 09:00:15.64

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

CC: M. Jill Gibbons (GIBBONS_M) (OMB)
READ: 3-AUG-1995 09:08:54.97

CC: Ronald E. Jones (JONES_RE) (OMB)
READ: 4-AUG-1995 09:48:22.06

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

READ: 7-AUG-1995 13:56:55.55

CC: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
READ: 3-AUG-1995 09:09:05.27

CC: James A. Brown (BROWN_JA) (OMB)
READ: 3-AUG-1995 09:16:17.31

CC: Constance J. Bowers (BOWERS_C) (OMB)
READ: 3-AUG-1995 09:25:50.31

CC: Melissa Y. Cook (COOK_MY) (OMB)
READ: 3-AUG-1995 08:08:29.31

CC: Anna M. Briatico (BRIATICO_A) (OMB)
READ: 7-AUG-1995 10:00:36.56

CC: Christopher J. Mustain (MUSTAIN_C) (OMB)
READ: NOT READ

CC: Robert J. Pellicci (PELLICCI_R) (OMB)
READ: 3-AUG-1995 08:04:44.88

CC: James C. Crutchfield (CRUTCHFIEL_J) (OMB)
READ: 3-AUG-1995 10:05:31.67

CC: Elyse H. Fitter (FITTER_E) (OMB)
READ: 3-AUG-1995 09:12:29.70

CC: Michael L. Goad (GOAD_M) (OMB)
READ: 3-AUG-1995 08:22:31.04

CC: Annette E. Rooney (ROONEY_A) (OMB)
READ: 8-AUG-1995 11:05:16.53

CC: Dena B. Weinstein (WEINSTEIN_D) (OPD)
READ: 3-AUG-1995 08:36:13.81

CC: Stacey L. Rubin (RUBIN_S) (WHO)
READ: 3-AUG-1995 08:21:23.39

CC: Jennifer N. Palmieri (PALMIERI_J) (OMB)
READ: 3-AUG-1995 11:28:56.57

CC: Karin L. Kizer (KIZER_K) (OMB)
READ: 3-AUG-1995 09:25:18.76

CC: Margaret R. Shaw (SHAW_M) (OMB)
READ: 3-AUG-1995 09:36:06.76

CC: Deborah F. Kramer (KRAMER_D) (OMB)
READ: 3-AUG-1995 09:11:27.26

CC: Diane G. Limo (LIMO_D) (OMB)
READ: 3-AUG-1995 08:53:07.01

CC: Alice E. Shuffield (SHUFFIELD_A) (OMB)
READ: 4-AUG-1995 10:09:01.11

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

READ: 3-AUG-1995 09:25:14.12

CC: James I. Blount (BLOUNT_J) (OMB)
READ: 3-AUG-1995 14:55:16.05

CC: Lara L. Roholt (ROHOLT_L) (OMB)
READ: 3-AUG-1995 09:33:46.52

CC: Philip R. Dame (DAME_P) (OMB)
READ: 14-AUG-1995 10:15:57.40

CC: Alan B. Rhinesmith (RHINESMITH_A) (OMB)
READ: 3-AUG-1995 08:31:13.13

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)
READ: 3-AUG-1995 08:23:05.66

CC: Barry T. Clendenin (CLENDENIN_B) (OMB)
READ: 3-AUG-1995 06:59:54.22

CC: Robert B. Rideout (RIDEOUT_R) (OMB)
READ: 3-AUG-1995 09:12:49.22

CC: Philip A. DuSault (DUSAULT_P) (OMB)
READ: 3-AUG-1995 08:53:26.15

CC: Phebe N. Vickers (VICKERS_P) (OMB)
READ: 3-AUG-1995 07:19:02.39

CC: Kathleen Peroff (PEROFF_K) (OMB)
READ: 3-AUG-1995 09:14:09.37

CC: Ron Cogswell (COGSWELL_R) Autoforward to: Maryanne B.
READ: 3-AUG-1995 09:17:20.13

CC: Barry White (WHITE_B) (OMB)
READ: 3-AUG-1995 08:28:28.81

CC: Richard P. Emery Jr. (EMERY_R) (OMB)
READ: 3-AUG-1995 07:58:24.90

CC: Barbara C. Chow (CHOW_B) (WHO)
READ: 3-AUG-1995 08:31:40.38

CC: Robert E. Barker (BARKER_R) (OMB)
READ: 3-AUG-1995 08:00:21.96

CC: Mark Gearan (GEARAN_M) Autoforward to: Angus S. King
READ: 3-AUG-1995 09:02:34.77

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

CC: Ann F. Walker (WALKER_A) (WHO)
READ: 21-AUG-1995 10:34:46.19

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

CC: Kelly Musick (MUSICK_K) (OMB)

READ: 3-AUG-1995 09:37:14.77

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

READ: 3-AUG-1995 14:47:38.12

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

READ: NOT READ

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

READ: 3-AUG-1995 08:03:00.51

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

READ: 3-AUG-1995 08:15:26.32

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

READ: 3-AUG-1995 09:26:45.14

CC: Kathryn Higgins (HIGGINS_K) (WHO)

READ: 3-AUG-1995 18:21:25.35

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

READ: 3-AUG-1995 20:18:43.49

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

READ: 3-AUG-1995 10:51:43.38

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

READ: 3-AUG-1995 08:20:57.58

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

READ: 2-AUG-1995 22:43:52.76

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

READ: 3-AUG-1995 08:17:05.63

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

READ: 3-AUG-1995 09:37:25.69

CC: Janet L. Himler (HIMLER_J) (OMB)

READ: 3-AUG-1995 09:29:03.37

CC: Daniel Tate (TATE_D) (WHO)

READ: NOT READ

CC: John C. Angell (ANGELL_J) (WHO)

READ: 3-AUG-1995 10:45:10.23

TEXT:

\d

PRINTER FONT 12_POINT_ROMAN

TO: ALICE RIVLIN

cc-

□

-Lew, Griffin, Tyson, Angell, 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 Wednesday:

PRINTER FONT 12_POINT_COURIER

Senate today began consideration of S 1026, National Defense Authorization. During consideration, the Senate defeated a Boxer amendment calling for Packwood hearings (48

□

-52). House today

began consideration of HR 2127, Labor/HHS Appropriations.

PRINTER FONT 14_POINT_HELVETICA

Reconciliation Deadline May Slip:

PRINTER FONT 12_POINT_COURIER

House Budget Committee Chairman Kasich said this morning that "the rumor is kind of in the air" that the reconciliation deadline will slip from September 22 to September 29. Since the House is planning a recess from October 3

□

-9, that could push

Floor consideration into the 2d week of October, and would delay convening of a conference until late in October. This makes a Thanksgiving completion date for the Reconciliation conference more likely.

□

PRINTER FONT 14_POINT_HELVETICA

SENATE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Thursday, August 3 - Friday, August 11:

NOTE: A Saturday session is likely August 5.

- S 1026, FY 1996 Defense Authorization

[SAP sent 7/31 -- "The President will not support the bill unless these concerns are addressed."]

- HR 4, Welfare Reform (possibly beginning Friday or Saturday)
[SAP being developed]

- Possible Appropriations Bills:

- Defense Appropriations
[SAP being developed]

□

-Treasury/Postal Appropriations;
[SAP being developed]

□

-Interior Appropriations
[SAP being developed]

- Possibly return to S. 343, Reg. Reform (if Dole can get additional votes for cloture)

[SAP containing multi

□

-agency veto threat sent 7/10]

□

PRINTER FONT 14_POINT_HELVETICA

HOUSE FLOOR SCHEDULE:

PRINTER FONT 12_POINT_COURIER

Thursday, August 3 and Balance of the Week:

- Complete consideration of HR 2127, Labor/HHS Appropriations
[SAP sent 8/2 -- POTUS would veto]
- HR 1555, Telecommunications
[No SAP to be sent; 8/1 POTUS press statement "If HR 1555 with the managers' amendment is sent to me without deletion or revision...I will be compelled to veto it"]
- Complete consideration of HR 2126, National Security Appropriations
[SAP sent 7/31 -- "President will not support the bill unless ... concerns are addressed."]

Floor action between Sept. 6 and October 1:

- Anti
-
- Terrorism (conservative House Republican concern over increased gov't authority has slowed down the bill)
[A recess has been announced from October 3
-
- 9.]

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
APPROPRIATIONS --
SUPPORT/OPPOSITION
PRINTER FONT 10_POINT_ROMAN
Agriculture (HR 1976)

□

-House subcommittee reported-

□

-OMB letter 6/21: serious objections.

□

-House committee reported-

□

-Floor SAP 7/18: Agriculture/OMB veto recommendation.

C/J/S (HR 2076)

□

-House subcommittee reported-

□

-OMB letter 7/18: Attorney General/Commerce/
OMB veto recommendation.

□

-House committee reported-

□

-Rules SAP 7/20: Attorney General/Commerce/
OMB veto recommendation.

□

-House committee reported-

□

-Floor SAP 7/24: Attorney General/Commerce/

OMB veto recommendation.

Defense

- ☐
 - House subcommittee reported-
 - ☐
 - OMB letter 7/20: Administration does not support.
 - ☐
 - House committee reported-
 - ☐
 - Rules SAP 7/27: serious concerns and "the President will not support the bill unless those concerns are addressed."
 - ☐
 - House committee reported-
 - ☐
 - Floor SAP 7/31: serious concerns and "the President will not support the bill unless those concerns are addressed."
- DC

Energy/Water (HR 1905)

- ☐
- House subcommittee reported-
- ☐
- OMB letter 6/20: strongly opposed.
- ☐
- House passed-
- ☐
- OMB letter 7/20: strongly opposed.
- ☐
- Senate committee reported-
- ☐
- Senate SAP 7/31: strongly opposed.

Foreign Ops (HR 1868)

- ☐
- House committee reported-
- ☐
- Floor SAP 6/22: difficulty supporting if improvements are not made.

Interior (HR 1977)

- ☐
- House subcommittee reported-
- ☐
- OMB letter 6/21: serious objections.
- ☐
- House committee reported-
- ☐
- Floor SAP 7/12: OMB/Interior veto recommendation.
- ☐
- House passed-
- ☐
- OMB letter 7/25: OMB/Interior veto recommendation.

Labor/HHS/Ed

☐ -Panetta, 7/11: if subcomm. chairman's mark reaches the President's desk in its current form, "h veto."

☐ -House subcommittee reported-

☐ -OMB letter 7/19: President would veto.

☐ -House committee reported-

☐ -Rules SAP 7/27: President would veto.

☐ -House committee reported-

☐ -Floor SAP 8/2: President would veto.

☐ Leg Branch (HR 1854)

☐ -Conference report-

☐ -POTUS said on 8/1: "If the congressional leadership follows through on its plan to send me its own funding bill before it finishes work on the rest of the budget, I will be compelled to veto it."

Mil Con (HR 1817)

☐ -House subcommittee reported-

☐ -OMB letter 6/13: would support if modified.

☐ -House committee reported-

☐ -Rules SAP 6/15: would support if modified.

☐ -House

☐ -passed-

☐ -OMB letter 7/18: strongly objects to certain provisions.

☐ -Senate committee reported-

☐ -Floor SAP 7/20: strongly objects to certain provisions.

Transportation (HR 2002)

☐ -House committee reported-

☐ -Rules SAP 7/19: serious objections.

☐ -House committee reported-

☐ -Floor SAP 7/21: serious objections.

☐ -House passed-

☐
-OMB letter 8/1: serious objections.

Treasury/Postal (HR 2020)

☐
-House subcommittee reported-
☐
-OMB letter 7/10: serious objections.
☐
-House committee reported-
☐
-Floor SAP 7/17: OMB/Sr.WH officials/OPM veto recommendation.
☐
-House
☐
-passed-
☐
-OMB letter 7/24: OMB/Sr.WH officials/Treasury/OPM veto recommendation.
☐
-Senate subcommittee reported-
☐
-POTUS STATEMENT on ONDCP 7/26: As this bill

is now constructed,

not sign it.
☐
-Senate subcommittee reported-
☐
-OMB letter 7/27: Treasury veto recommendation.

VA/HUD/Independent Agencies

☐
-House subcommittee reported-
☐
-Panetta statement 7/11: President will veto.
☐
-House subcommittee reported-
☐
-OMB letter 7/17: senior advisors veto recommendation.
☐
-House committee reported-
☐
-Rules SAP 7/24: President would veto bill.
☐
-House committee reported-
☐
-Floor SAP 7/26: President would veto bill.
☐
-House
☐
-passed-
☐
-POTUS said on 8/1: "The minute this polluter's protection act hits my desk, I will veto it."
☐

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PRINTER FONT 14_POINT_HELVETICA
BUDGET RECONCILIATION STATUS REPORT

PRINTER FONT 10_POINT_ROMAN

Changes from previous day indicated by asterisk (*).

PRINTER FONT 14_POINT_HELVETICA

House: (Sept. 22 reporting deadline)

PRINTER FONT 12_POINT_COURIER

Agriculture -- Reconciliation instructions assume 7

□

-year

savings of \$30.374 billion from food stamps and \$13.386 billion from price support programs. Chairman Roberts expects to mark up in September.

Banking -- No specific action on reconciliation bill.

Chairman Leach has indicated he may try to attach his bank overhaul bill (HR 1858) to it.

Commerce -- Holding hearings on Medicare and Medicaid, some jointly with Ways and Means, no schedule for mark up yet.

Econ & Educational Opp--

Govt Reform--

Internat'l Rel--

Judiciary--

Nat'l Sec--Approved Reconciliation package Aug. 1, producing a net spending increase of \$2.2 billion over 7 years. The package, approved 31

□

-21, includes: (1) sale of 6 naval

petroleum reserves (which produces a \$1.6 billion in savings in FY96 from the sale, but results in lost receipts each year thereafter) for a net loss of \$1 billion; (2) a requirement to calculate military retirement pay on a "high

□

-12

□

-month"

basis, which saves \$649 million over 7 years; and (3) a shift in military COLA dates to April from October which is a \$1.8 billion coster.

Resources--

Transportation--

Veterans--

Ways & Means-

□

-Not expected to mark

□

-up until September.

Archer is looking for ways to incorporate by reference the House

□

-passed welfare reform and tax bills.

□

BUDGET RECONCILIATION STATUS REPORT

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--Chairman D'Amato may schedule a markup of legislation to recapitalize the Savings Association Insurance Fund (SAIF) on Friday 8/4 or Monday 8/7. D'Amato has previously signaled his intent to include such legislation in reconciliation. OMB has estimated an outlay savings of \$5 billion in 1996, \$4.3 billion for 1996

☐

-2000, and \$3.5 billion for 1996

☐

-2002 for the

SAIF proposal (assuming that no RTC money is used and that excess reserves are not rebated when BIF and SAIF merge). CBO's estimate of the savings is lower, due to differences in technical assumptions. CBO is currently estimating a savings of \$5 billion in the first year, \$2.6 billion in the first five years, and \$1.3 billion over the first seven years.

Commerce--

Energy--

*Environment & PW-

☐

-Mark

☐

-up delayed until after recess.

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

☐

-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--Mark

☐

-up the week of Sept. 11.

Judiciary--

Labor--

Veterans--

☐

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PRINTER FONT 12_POINT_ROMAN

PRINTER FONT 14_POINT_HELVETICA

SUMMARY of ADMINISTRATION OPPOSITION

PRINTER FONT 10_POINT_ROMAN

[Prepared by OMB/LRD and OMB/LA]

(NON

☐

-APPROPRIATIONS)

(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 -- SUPPORT/OPPOSITION" file, above.)

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

Americans with Disabilities Act Revisions - July 26, POTUS said he would veto "any substantive change to the ADA."

Assault Weapons Ban

Bosnia - S. 21 [Item 105]

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

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

Davis

□

-Bacon - S 141 [Item #303]

Dismantling Commerce Department - HR 1756 and S 929 [Item #22]

Foreign Affairs Authorization/Merge AID, ACDA, USIA into State -

HR 1561, S. 908, S. 961 [Item #102]

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

National Defense Authorization Act - S 1026 [Item #103]

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]

Telecommunications Amendments - H.R. 1555 [Item #11]

Welfare Reform - HR 4 [Item #301]

Dismantling Commerce Department - HR 1756 and S 929 [Item #22]

□

PRINTER FONT 14_POINT_HELVETICA

Multiple Agency Veto Threats:

PRINTER FONT 10_POINT_ROMAN

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

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]

*Energy Exploration in the Arctic National Wildlife Refuge - [Item #211]

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]

Transfer BLM Lands to States - HR 2032 [Item #210]

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PRINTER FONT 14_POINT_HELVETICA

Strongly Oppose:

PRINTER FONT 10_POINT_ROMAN

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

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]

PRINTER FONT 14_POINT_HELVETICA

Oppose Unless Amended:

PRINTER FONT 10_POINT_ROMAN

Securities Litigation Reform - HR 1058 [Item #10]

Violent Criminal Incarceration - HR 667 [Item #4]

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PRINTER FONT 14_POINT_HELVETICA

STATUS OF MAJOR (Non

☐

-Appropriations) LEGISLATION

PRINTER FONT 10_POINT_ROMAN

[Prepared by OMB/LRD]

PRINTER FONT 12_POINT_ROMAN

(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:

PRINTER FONT 10_POINT_ROMAN

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

□

-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. A 7/17/95 cloture vote failed (48

□

-46); a second cloture vote on 7/18/95 also failed (53

□

-47); a third cloture vote failed (58

□

-40) on 7/20/95. A

SAP was 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.

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 (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. 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

□

-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

□

-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.

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 Amendments: (J. Weinberg)

House Commerce Committee-

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-Reported HR 1555 on July 24th. House
Judiciary Committee-

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-Reported HR 1528 on July 24th. Statement by
the President on August 1st threatening to veto HR 1555 with the
managers? amendments.

House floor action expected during the week of July 31st.

Significant leadership- backed amendments
are expected on the House floor. Basis
for opposition: Would harm competition and weaken benefits to the
public.

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. HR 1062 may move to the House floor in tandem
with HR 1858, a banking regulatory relief bill. (See below for
discussion of HR 1858 - 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 not yet scheduled.

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 reported Chairman Leach's HR 1858 (successor to HR 1362) on July 18. This bill may go to the House floor in tandem with HR 1062 (listed above). 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. Justice does not expect House floor action until September.

20. Regulatory Sunset and Review: (J. Gibbons)
House bill (HR 994) was approved by a Gov. Reform & Oversight Cte. on 7/18/95 with significant amendments by a vote of 39

□

-7. 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.)

22. Dismantling Commerce Department: (J. Weinberg)
House bill (HR 1756) hearing was held by two House Commerce Subcommittees on 7/24/95 at which Secretary Brown announced that the President will veto any legislation to dismantle the Commerce Department. Senate bill (S 929) hearing was held by Senate Governmental Affairs on 7/25/95 at which Secretary Brown repeated Presidential veto statement.

Basis for opposition: Commerce Department is working effectively to promote economic growth.

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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 (SFRS) 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

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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. On July 26th, the President stated that S. 908 ?would undermine the President?s authority to conduct our nation?s foreign policy and deny us the resources we need to lead in the world.? (The statement also cited S. 961 as contributing to the "dangerous and shortsighted" cuts in the international affairs budget.) The President concluded that he would veto this legislation in its present form. On August 1st, the Senate failed to invoke cloture twice on identical votes of 55

□

-45. The Senate may return to consideration of S. 908 in September. 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. SAP on S. 961 (July 27th) -- State, Defense, U.S. Ambassador to the UN, and AID would recommend a veto. Basis for opposition: unwise restrictions on Presidential authority, congressional micro

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-management, and inadequate appropriations authorizations.

*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-

□

-strongly opposes (6/13/95).

Basis for opposition: Raises serious constitutional, national

security, budget, personnel, and management concerns.

Senate begin consideration of S 1026, the companion bill, on August 2nd. SAP on S 1026--"The President will not support the bill unless these concerns are addressed." Basis for opposition: Raises serious constitutional, national security, budget, and management concerns.

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.

105. Bosnia: (A. Rooney)

On July 26th, the Senate passed S. 21, the Bosnia and Herzegovina Self

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-Defense Act, by 69

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-29. In July 25th letters to Senators Dole and Daschle, the President expressed strong opposition to S. 21. The President concluded that he would veto any resolution or bill that "may require the United States to lift unilaterally the arms embargo." A similar provision was added to H.R. 1561 during House consideration. (See above for status of H.R. 1561). On August 1st by a vote of 298 to 128, S. 21 was passed by the House and cleared for the President. Basis for opposition: Undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

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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 5 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 the Senate Agriculture Committee marked up some discretionary titles in 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)

At July 13th and 20th oversight hearings before the Senate Environment and Public Works Committee, the Departments of Commerce and the Interior testified on the Endangered Species Act (ESA). The Committee may hold additional oversight hearings. 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 on 7/18/95 approved for full Committee action legislation (HR 1745) designating certain Federal lands in Utah as wilderness. Full Committee scheduled to mark up bill on 8/2/95. 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 ordered reported 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. In a 7/18/95 letter to the Committee, USDA Forest Service also strongly opposed amendments that apply provisions in S. 852 to National Forest System 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). The subcommittee is scheduled to mark up H.R. 1713 on August 4th.

210. Transfer BLM Lands to States: (C. Crutchfield)
Interior testified before the House National Parks Subcommittee on 8/01/95 that the Secretary would recommend veto of HR 2032. Basis for opposition: HR 2032 would "transfer tremendous national assets and revenues to a small number of fortunate States. The bill is fiscally irresponsible and would squander much of our national heritage."

*211. Energy Exploration in the Arctic National Wildlife Refuge: (M. Goad)

On 08/02/95, the Senate Energy and National Resources Committee held an oversight hearing on oil and gas exploration on the coastal plain of the Arctic National Wildlife Refuge. Interior Secretary Babbitt, in a statement presented before the Committee, stated that he would "recommend to the President that he veto any legislation" that would allow for such activity in the Refuge. Basis for opposition: Such legislation would allow industrial development in, thus placing at risk the wildlife resources of, the only area along on the Alaskan arctic coast that is dedicated to the protection of wildlife and wilderness resources.

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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

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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 -- Could begin on Friday, August 4th and continue into the next week. According to press reports, Packwood and Dole have indicated that S. 143, Senator Kassebaum's employment, training, and retraining legislation, will be folded into welfare reform bill brought to the Senate floor. In addition, they will add provisions requiring unwed teenage mothers to live at home or in a supervised adult setting to qualify for welfare checks.

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

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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

□

-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. S. 143 could be considered as an amendment to the welfare reform bill (H.R. 4), which could come to the Senate Floor as soon as August 4th. House action is not expected to 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. According to USDA, the Full H. Agriculture Committee is expected to take up HR 1997 in September.

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.

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HEALTH & PERSONNEL

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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.

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MAJOR LEGISLATION ENACTED

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? Unfunded Mandates Reform Act of 1995 (PL 104

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-4). President signed

3/22/95.

? Defense Supplemental Appropriations (PL 104

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-6). President signed

4/10/95.

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

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-Employed Individuals (PL 104

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

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

(PL 104

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

? Paperwork Reduction (PL 104

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

? Medicare SELECT (PL 104

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

? Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti

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-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995

(PL 104

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-19). President signed 7/27/95.