

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

CREATOR: Lisa Kountoupes (KOUNTOUPES_L) (OMB)

CREATION DATE/TIME:27-OCT-1995 17:51:18.87

SUBJECT: EOP USE ONLY: AMR DAILY

TO: Alice M. Rivlin (RIVLIN_A) (OMB)

READ:28-OCT-1995 11:06:55.44

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

READ:27-OCT-1995 17:51:47.07

CC: Alice M. Rivlin (RIVLIN_A) (OMB)

READ:28-OCT-1995 11:06:55.44

CC: Charles E. Kieffer (KIEFFER_C) (OMB)

READ:27-OCT-1995 18:24:33.07

CC: Jacob J. Lew (LEW_J) (OMB)

READ:NOT READ

CC: Patrick J. Griffin (GRIFFIN_P) (WHO)

READ:27-OCT-1995 19:36:52.77

CC: Martha Foley (FOLEY_M) (WHO)

READ:27-OCT-1995 20:35:04.51

CC: Ann M. Cattalini (CATTALINI_A) (WHO)

READ:27-OCT-1995 17:53:46.09

CC: Erin A. O'Connor (OCONNOR_E) (WHO)

READ:27-OCT-1995 21:32:36.85

CC: James C. Murr (MURR_J) (OMB)

READ:27-OCT-1995 18:05:21.74

CC: James J. Jukes (JUKES_J) (OMB)

READ:27-OCT-1995 18:07:55.00

CC: Janet R. Forsgren (FORSGREN_J) (OMB)

READ:27-OCT-1995 18:00:42.42

CC: Ronald K. Peterson (PETERSON_RK) (OMB)

READ:27-OCT-1995 18:19:02.61

CC: LAWRENCE J. HAAS (HAAS_L) (OMB)

READ:28-OCT-1995 13:36:32.15

CC: Robert G. Damus (DAMUS_R) (OMB)

READ:30-OCT-1995 09:50:25.60

CC: Barry B. Anderson (ANDERSON_B) (OMB)
READ:27-OCT-1995 17:51:13.42

CC: Gordon Adams (ADAMS_G) (OMB)
READ:NOT READ

CC: T J Glauthier (GLAUTHIER_T) (OMB)
READ:28-OCT-1995 15:03:50.89

CC: Kenneth S. Apfel (APFEL_K) (OMB)
READ:NOT READ

CC: Nancy-Ann E. Min (MIN_N) (OMB)
READ:27-OCT-1995 18:38:48.32

CC: Robert E. Litan (LITAN_R) (OMB)
READ:30-OCT-1995 08:48:17.62

CC: Joseph Minarik (MINARIK_J) (OMB)
READ:27-OCT-1995 17:52:57.85

CC: Sally Katzen (KATZEN_S) (OMB)
READ:27-OCT-1995 18:16:07.75

CC: Lydia Muniz (MUNIZ_L) (OMB)
READ:27-OCT-1995 18:10:55.62

CC: Kristen E. Panerali (PANERALI_K) (OMB)
READ:30-OCT-1995 09:36:04.22

CC: John A. Koskinen (KOSKINEN_J) (OMB)
READ:27-OCT-1995 18:55:11.61

CC: Steven Kelman (KELMAN_S) (OMB)
READ:27-OCT-1995 17:51:06.50

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

CC: John B. Arthur (ARTHUR_J) (OMB)
READ:27-OCT-1995 18:11:33.65

CC: William A. Halter (HALTER_W) (OMB)
READ:27-OCT-1995 17:51:37.25

CC: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ:30-OCT-1995 18:18:07.38

CC: Chantale Wong (WONG_C) (OMB)
READ:27-OCT-1995 18:00:36.01

CC: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnell (O'DONNELL_T)
(WHO)
READ:27-OCT-1995 18:13:49.68

CC: Thomas O'Donnell (O'DONNELL_T) (WHO)
READ:27-OCT-1995 18:13:49.68

CC: David J. Lane (LANE_D) (OPD)
READ:27-OCT-1995 18:46:34.17

CC: M. Jill Gibbons (GIBBONS_M) (OMB)
READ:27-OCT-1995 17:51:34.49

CC: Ronald E. Jones (JONES_RE) (OMB)
READ:30-OCT-1995 07:41:41.27

CC: Ingrid M. Schroeder (SCHROEDER_I) (OMB)
READ:30-OCT-1995 09:55:50.91

CC: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
READ:30-OCT-1995 08:14:56.16

CC: James A. Brown (BROWN_JA) (OMB)
READ:30-OCT-1995 10:32:56.79

CC: Constance J. Bowers (BOWERS_C) (OMB)
READ:30-OCT-1995 08:33:14.23

CC: Melissa Y. Cook (COOK_MY) (OMB)
READ:27-OCT-1995 17:58:14.50

CC: Anna M. Briatico (BRIATICO_A) (OMB)
READ:30-OCT-1995 07:23:51.56

CC: Robert J. Pellicci (PELLICCI_R) (OMB)
READ:30-OCT-1995 08:44:32.25

CC: James C. Crutchfield (CRUTCHFIEL_J) (OMB)
READ:27-OCT-1995 18:23:25.46

CC: Elyse H. Fitter (FITTER_E) (OMB)
READ:30-OCT-1995 09:17:09.59

CC: Michael L. Goad (GOAD_M) (OMB)
READ:30-OCT-1995 09:00:13.47

CC: Annette E. Rooney (ROONEY_A) (OMB)
READ:30-OCT-1995 09:36:39.82

CC: Dena B. Weinstein (WEINSTEIN_D) (WHO)
READ:27-OCT-1995 18:15:39.98

CC: Stacey L. Rubin (RUBIN_S) (WHO)
READ:27-OCT-1995 18:33:42.18

CC: Jennifer N. Palmieri (PALMIERI_J) (WHO)
READ:27-OCT-1995 17:51:59.25

CC: Karin L. Kizer (KIZER_K) (OMB)
READ:28-OCT-1995 14:03:05.17

CC: Deborah F. Kramer (KRAMER_D) (OMB)
READ:30-OCT-1995 09:48:05.23

CC: Diane G. Limo (LIMO_D) (OMB)
READ:27-OCT-1995 18:06:05.23

CC: Alice E. Shuffield (SHUFFIELD_A) (OMB)
READ:27-OCT-1995 18:03:44.91

CC: Janet L. Graves (GRAVES_J) (OMB)
READ:27-OCT-1995 18:26:50.34

CC: James I. Blount (BLOUNT_J) (OMB)
READ:27-OCT-1995 18:34:57.44

CC: Philip R. Dame (DAME_P) (OMB)
READ:28-OCT-1995 12:32:52.16

CC: Alan B. Rhinesmith (RHINESMITH_A) (OMB)
READ:27-OCT-1995 17:58:47.52

CC: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)
READ:27-OCT-1995 17:52:20.66

CC: Barry T. Clendenin (CLENDENIN_B) (OMB)
READ:27-OCT-1995 19:34:30.64

CC: Robert B. Rideout (RIDEOUT_R) (OMB)
READ:30-OCT-1995 09:16:34.73

CC: Philip A. DuSault (DUSAULT_P) (OMB)
READ:27-OCT-1995 18:12:14.73

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

CC: Kathleen Peroff (PEROFF_K) (OMB)
READ:28-OCT-1995 10:30:52.83

CC: Ron Cogswell (COGSWELL_R) (OMB)
READ:27-OCT-1995 18:53:25.12

CC: Barry White (WHITE_B) (OMB)
READ:28-OCT-1995 09:48:17.81

CC: Richard P. Emery Jr. (EMERY_R) (OMB)
READ:27-OCT-1995 18:18:09.60

CC: Barbara C. Chow (CHOW_B) (WHO)
READ:30-OCT-1995 12:15:50.53

CC: Robert E. Barker (BARKER_R) (OMB)
READ:27-OCT-1995 17:51:58.90

CC: Donald A. Baer (BAER_D) Autoforward to: Angus S. King (KING_A) (WHO)
READ:27-OCT-1995 17:56:45.23

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

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

CC: Nancy L. Brandel (BRANDEL_N) (OMB)
READ:27-OCT-1995 17:56:51.19

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

CC: Deborah L. Shaw (SHAW_D) (OMB)
READ:30-OCT-1995 09:47:54.96

CC: Gene B. Sperling (SPERLING_G) Autoforward to: Daniel Taberski (TABERSKI_D) (WHO)
READ:NOT READ

CC: Timothy J. Keating (KEATING_T) (WHO)
READ:27-OCT-1995 18:00:31.14

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

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

CC: Bruce N. Reed (REED_B) (WHO)
READ:30-OCT-1995 09:30:11.15

CC: Jeremy D. Benami (BENAMI_J) (WHO)
READ:30-OCT-1995 17:19:10.95

CC: Douglas B. Sosnik (SOSNIK_D) (WHO)
READ:27-OCT-1995 19:54:36.80

CC: Karen L. Hancox (HANCOX_K) (WHO)
READ:27-OCT-1995 17:55:10.76

CC: Shelley N. Fidler (FIDLER_S) (CEQ)
READ:27-OCT-1995 19:28:29.30

CC: Janet L. Himler (HIMLER_J) (OMB)
READ:28-OCT-1995 10:40:38.05

CC: Daniel Tate (TATE_D) (WHO)

READ:NOT READ

CC: John C. Angell (ANGELL_J) (WHO)
READ:27-OCT-1995 19:13:28.89

CC: Susanne D. Lind (LIND_S) (OMB)
READ:29-OCT-1995 19:31:49.14

CC: Ellen J. Balis (BALIS_E) (OMB)
READ:30-OCT-1995 08:23:16.67

CC: Anita Chellaraj (CHELLARAJ_A) (OMB)
READ:30-OCT-1995 09:09:30.73

CC: Alicia K. Kolaian (KOLAIAN_A) (OMB)
READ:30-OCT-1995 09:49:24.94

CC: Jennifer L. Nelson (NELSON_JL) (WHO)
READ:NOT READ

CC: Nick B. Kirkhorn (KIRKHORN_N) (WHO)
READ:30-OCT-1995 08:58:54.37

CC: Janet Murguia (MURGUIA_J) (WHO)
READ:27-OCT-1995 22:05:32.60

CC: Lucia A. Wyman (WYMAN_L) (WHO)
READ:30-OCT-1995 18:52:33.98

CC: Alphonse Maldon (MALDON_A) (WHO)
READ:NOT READ

CC: Bruce D. Long (LONG_B) (OMB)
READ:27-OCT-1995 19:59:12.84

CC: Donald L. Fowler (FOWLER_D) (WHO)
READ:NOT READ

CC: James T. Heimbach (HEIMBACH_J) (WHO)
READ:NOT READ

CC: Lisa Kountoupes (KOUNTOUPES_L) (OMB)
READ:27-OCT-1995 17:55:50.78

CC: Robert J. Nassif (NASSIF_R) (OMB)
READ:30-OCT-1995 08:47:52.51

CC: Melinda D. Haskins (HASKINS_M) (OMB)
READ:30-OCT-1995 08:11:50.17

CC: Lauren Haber (HABER_L) (OMB)
READ:27-OCT-1995 17:52:17.07

CC: Robert S. Fairweather (FAIRWEATHE_R) (OMB)

READ:27-OCT-1995 17:52:43.70

CC: Bruce D. Beard (BEARD_B) (OMB)
READ: 1-NOV-1995 07:31:26.39

CC: James B. Kazel (KAZEL_J) (OMB)
READ:30-OCT-1995 12:23:06.08

CC: John Gribben (GRIBBEN_J) (OMB)
READ:27-OCT-1995 17:51:37.08

CC: Victoria L. Schaefer (SCHAEFER_V) (OMB)
READ:30-OCT-1995 08:36:19.64

CC: Michelle Denton (DENTON_M) (CEQ)
READ:27-OCT-1995 19:05:25.63

CC: Kathy McKiernan (MCKIERNAN_K) (WHO)
READ:27-OCT-1995 18:01:55.34

CC: APRIL K. MELLODY (MELLODY_A) (WHO)
READ:27-OCT-1995 18:25:20.81

CC: Mary Ellen Glynn (GLYNN_M) (WHO)
READ:NOT READ

CC: Virginia M. Terzano (TERZANO_V) (WHO)
READ:NOT READ

CC: Ira Fishman (FISHMAN_I) (WHO)
READ:NOT READ

CC: Mark A. Weatherly (WEATHERLY_M) (OMB)
READ:27-OCT-1995 17:58:39.28

CC: Bruce W. McConnell (MCCONNELL_B) (OMB)
READ:27-OCT-1995 17:57:07.36

TEXT:
PRINTER FONT 12_POINT_ROMAN
October 27, 1995 6:00 pm

TO: ALICE RIVLIN
cc-

-Lew, Griffin, Tyson, Angell, Foley, OMB/2d
Floor, DADs, LRD, Gibbons, Cabinet Affairs, CEQ

FROM: LISA KOUNTOUPES

SUBJECT: DAILY LEGISLATIVE REPORT

According to Congress Daily Majority Leader Armey said gift and lobbying reform will be on the House floor by November 16. Representative Hoekstra (R

-MI) will be heading up a task force to examine other areas of reform. Speaker Gingrich pledged to have a series of hearing next spring that will culminate in a campaign finance reform bill.

CONGRESS TODAY:

The Senate continued consideration of S 1357, Budget Reconciliation Act of 1995. [SAP sent 10/25 -- President would veto the bill in its current form]

SENATE FLOOR SCHEDULE:

Saturday, October 27:

- S 1357, Budget Reconciliation Act of 1995
[SAP sent 10/25 -- President would veto the bill in its current form]

HOUSE RULES COMMITTEE:

Monday, October 30:

- HR 1868, Foreign Operations Appropriations Conference Report
- HR 1905, Energy and Water Appropriations Conference Report

Tuesday, October 31:

- HR --, DC Appropriations
- HR 1833, Partial
- Birth Abortion Ban
- HR 2020, Treasury Postal Appropriations Conference Report

HOUSE FLOOR SCHEDULE:

Monday, October 30:

Suspensions (4 bills):

- HR 1508, National Children's Island Act
[SAP sent 10/27 -- ?Administration supports?]
- HR 2005, Technical Corrections in Coastal Barrier Resources System Map
[SAP sent 10/27 -- ?Administration supports?]
- HR 1358, Conveyance of National Marine Fisheries Service Laboratory
- HR 1691, Homesteading and Neighborhood Restoration Act
- Motion to go to Conference on HR 2491, Budget Reconciliation Act of 1995

- HR 2492, Legislative Branch Appropriations

Tuesday, October 31 and Balance of the Week:

- HR --, District of Columbia Appropriations
[SAP being developed]
- HR 1833, Partial

-Birth Abortion Ban Act

(The Majority Leader said the House would likely take up the motion to appoint and instruct Conferees to the VA/HUD bill on Wed, Nov.1)

Friday, November 3:

- Not in session.

POTENTIAL FLOOR ACTION THROUGH NOVEMBER:

- Appropriations conference reports (Oct.- Nov.)

- Glass/Steagall & Bank Reg. Reform (Nov.)

- Anti

-Terrorism (Nov.)

- Debt Limit (Nov.)

- Endangered Species Act

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

October 27, 1995

APPROPRIATIONS -- SUPPORT/OPPOSITION

The President has signed the Mil Con bill (HR 1817) and the Ag. Bill (HR 1976), and vetoed Leg. Branch (HR 1854). Veto recommendations indicated by asterisk.

*Agriculture (HR 1976)

-House subcommittee reported-

-OMB letter 6/21: serious objections.

-House committee reported-

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

-House passed-

-OMB letter 8/11: Ag/OMB veto recommendation.

- Senate Committee reported-

-Floor SAP 9/18: Administration could support if concerns addressed.

- House & Senate passed-

-OMB letter 9/27: Administration could support if concerns addressed.

- POTUS signed 10/21.

*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.

-House committee reported-

-POTUS letter 7/25: "I would veto it
because it would eliminate the Community Oriented Policing
Services (COPS) program."

-House passed-

-OMB letter 8/12: Commerce/OMB veto
recommendation.

-Senate subcommittee reported-

-OMB letter 9/12: President
would veto.

-Senate committee reported-

-Floor SAP 9/14: President would
veto.

*Defense (HR 2126/S 1087)

-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."

-Senate committee reported-

-Floor SAP 8/10: senior advisers
would recommend veto if bill presented in current form.

-House committee reported-

-Floor SAP 9/7: senior advisers
would recommend veto if bill presented in current form.

- House and Senate passed-

-OMB letter 9/18: senior advisors
would recommend veto if bill presented in current form.

- Conference Report-

-OMB letter 9/29: President will veto.
DC

- Senate committee reported-

-Floor SAP 9/21: Administration is
pleased with funding level, but strongly opposed to provision.

- House subcommittee reported-

-OMB letter 10/24:
Administration strongly objects to funding cuts

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.

-House and Senate passed-

-OMB letter 10/13: senior advisors
would recommend veto based on potential conference changes.
Foreign Ops (HR 1868)

-House committee reported-

-Floor SAP 6/22: difficulty
supporting if improvements are not made.

- Senate subcommittee reported-

-OMB letter 9/14: raising concerns.

- Senate committee reported-

-Floor SAP 9/20: serious concerns.

- House and Senate passed-

-OMB letter 10/19: State & Treasury veto recommendation if low House funding & Senate earmarks are not corrected.

*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.

-House passed-

-Senate Floor SAP 8/4: OMB/Interior veto recommendation.

-House and Senate passed-

-OMB letter 9/18: OMB and Interior veto recommendation.

-Conference committee-

-Vice Presidential Statement 9/22: ?If Congress send the President the fiscal 1996 Interior Appropriations Bill as approved by the conference committee, he will veto it.?

-Conference report-

-OMB letter 10/19: ?Vice President stated on September 22nd that if Congress sent the POTUS the FY 1996 Interior Appropriations Bill as approved by the conference committee, the President would veto it.?

*Labor/HHS/Ed (HR 2127)

- Panetta, 7/11: if subcommittee. chairman's mark reaches the President's desk in its current form, "he will 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.

-House passed-

-OMB letter 8/12: President would veto.

- Senate subcommittee reported-

-OMB letter 9/14: President would veto.

- Senate committee reported-

-Floor SAP 9/26: 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."

-Rivlin letter 9/6: ?To avoid a veto, Congress should first make substantial progress in presenting other appropriations bills that the President can sign...?

-POTUS veto 10/3: will not sign Leg. Branch Appropriations until Congress completes action on remaining FY 1996 Appropriations bills

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.

-House and Senate passed-

-OMB letter 9/14: serious objections, position to be determined

-POTUS signed 10/3: disappointed that Act provides \$70 million for unneeded projects... would have used line

-item veto
authority had Congress completed action on line

-item veto
legislation.
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.

-Senate committee reported-

-Floor SAP 8/9: appreciate that several concerns are addressed, but have some remaining concerns.

-House and Senate passed-

-OMB letter 9/13: outlines several remaining concerns.

*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, I will not sign it.

-Senate subcommittee reported-

-OMB letter 7/27: Treasury veto recommendation.

-Senate committee reported-

-Floor SAP 8/3: President has stated he would not sign due to elimination of ONDCP; Treasury veto recommendation due to other concerns.

-House and Senate passed-

-OMB letter 9/12: OMB, Treasury, OPM

veto threat on House and Senate bills.
*VA/HUD/Independent Agencies (HR 2099)

-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."

-House

-passed-

-OMB letter 8/12: President would veto bill.

-Senate subcommittee reported-

-OMB letter 9/13: President would veto bill.

-Senate committee reported-

-Floor SAP 9/25: President would veto bill.

PRINTER FONT 12_POINT_COURIER
SUMMARY of ADMINISTRATION OPPOSITION
[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 (*).

Veto:

PRINTER FONT 12_POINT_ROMAN
Rescissions/Supplemental - HR 1158
Bosnia - S. 21 [Item 105]
Legislative Branch Appropriations - HR 1854
PRINTER FONT 12_POINT_COURIER
Presidential Veto Threats:

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

*Arctic National Wildlife Refuge - [Item #211]

Assault Weapons Ban

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 #20]

Foreign Affairs Authorization/Merge AID, ACDA, USIA into State - HR 1561, S. 908, S. 961 [Item #102]

Loser Pays - Civil Litigation - HR 988 [Item #7]

*Medicare Preservation Act - HR 2425, passed by the House on 10/19 by a vote of 231

-201. HR 2425 was incorporated into the House budget reconciliation bill, which was passed on 10/26 by a vote of 227

-203.

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

National Security Bill - HR 872 [Item #101]

*Product Liability/Civil Litigation - HR 956 [Item #6]

Student Loans

Takings/Private Property Protection - HR 925 and S 605 [Item #213]

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

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

Telecommunications Amendments - H.R. 1555 [Item #9]

Welfare Reform - HR 4 [Item #301]

Multiple Agency Veto Threats:

Comprehensive Regulatory Reform Act of 1995 - S 343 [Item #212]

Regulatory Moratorium - HR 450 [Item #5]

PRINTER FONT 12_POINT_ROMAN

Cuban Liberty and Democratic Solidarity Act - HR 927 [Item # 106]

Science Authorizations - HR 2405 [Item #214]

PRINTER FONT 12_POINT_COURIER

Single Agency Veto Threats

*Endangered Species Conservation and Management Act - HR 2275 [Item #203]

Financial Institutions Regulatory Relief Act of 1995 - HR 1858 [Item #14]

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

301, & 310]

*Jerusalem Embassy - S 1322, 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 #12]

Utah Wilderness - HR 1745 and S 884 [Item #208]

OSHA Reform - HR 1834 [Item #311]

Student Loan Provisions - in Senate reconciliation bill

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

Strongly Oppose:

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

Highway Off

-Budget - HR 842 and HR 2274 [Item #13]

HUD Elimination Act - S 435 [Item #11]

Legal Aid Reform Act - HR 2277 [Item #21]

Livestock Grazing Act - S 852 and HR 1713 [Item #209]

National Highway System Designation Act of 1995 - S 440 and HR 2274 [Item #12]

Pipeline Safety Act - HR 1323 [Item #19]

Risk Assessment - HR 1022 [Item #212]

Telecommunications - S 652 [Item #9]

Oppose

*Housing for Older Persons Act - HR 660 [Item #16]

Lorton Closure - HR 461 [Item #15]

Regulatory Sunset and Review Act of 1995 - HR 994 [Item #18]

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

Oppose Unless Amended:

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*Securities Litigation Reform - HR 1058 [Item #8]

Violent Criminal Incarceration - HR 667 [Item #4]

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PRINTER FONT 12_POINT_COURIER

STATUS OF MAJOR (Non

-Appropriations) LEGISLATION

[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 12_POINT_COURIER
GENERAL GOVERNMENT & FINANCE:

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, x57593)

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

-134). Senate passed S 4 (separate enrollment) on March 23, (69

-29). Conference: First meeting was held September 27th.

3. Tax Fairness and Deficit Reduction Act: (R. Jones, x53386)
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 will handle tax cuts 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, x53386)

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 judgments, 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 Moratorium/Waiting Period: (J. Weinberg, x53457)
House passed HR 450 on Feb. 24 by 276

-146. The bill would establish a "moratorium period" -- Nov. 20, 1994 through Dec. 31, 1995 or enactment of reg reform, whichever is earlier -- during which a Federal agency may not take any "regulatory rulemaking action" unless it falls within a specified emergency exception (i.e. military or foreign affairs functions, international trade agreements, agency management, certain banking regulatory matters, implementation of the internal revenue laws; matters relating to loans, grants, benefits, or contracts). Also exempted: regs determined by OIRA to be necessary because of an imminent threat to health or safety or other emergency or necessary for the enforcement of criminal laws. SAP--"The President has stated that a moratorium on regulations, as provided for in H.R. 450, is not acceptable....the Secretaries of Agriculture,

Energy, Health and Human Services, Housing and Urban Development, the Interior, Labor, Transportation, and the Treasury, the Attorney General, and the Administrator of the Environmental Protection Agency would recommend that it be vetoed." (In addition, POTUS said on 4/7/95, "if Republicans send me a bill that would let unsafe planes fly or contaminated water continue to find itself into city water systems, I will veto it." Veto threat reiterated in Earth Day speech, 4/21/95.) Basis for opposition: Would prevent the issuance of meritorious rules.

Senate passed S. 219 on March 29 by 100

-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. Press reports indicate that the House may seek to attach its regulatory sunset legislation (HR 994, described below) to S 219.

*6. Product Liability/Civil Litigation/Medical Malpractice:
(I. Schroeder, x53883)
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

-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.)

Medical malpractice/liability reform may be added to the Reconciliation bill.

Conference: Media reports indicate that House leaders may appoint conferees by the first week of November.

7. Loser Pays - Civil Litigation: (I. Schroeder, x53883)
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.

*8. Shareholder Suits: (I. Schroeder, x53883)

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: House appointed conferees on 10/24/95.
Senate has not appointed conferees yet. Media reports
indicate that a compromise has been worked out which
would basically adopt the Senate bill with modifications
to the safe harbor provisions.

*9. Telecommunications Amendments: (J. Weinberg, x53457)
House passed HR 1555, amended, on August 4th, 305

-117.
Statement by the President on August 1st threatening to

veto HR 1555 with the managers' amendments. 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

-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.

Conference: Conferees met for the first time on 10/25/95.

*10. Banking and Insurance Reform: (R. Jones, x53386)
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. A new bill (HR 2520) combining aspects of HR 1062 and HR 1858 (discussed below) was introduced on Oct. 24. (See below for discussion of HR 1858 - Banking Deregulation.)

11. HUD Elimination Act: (A. Briatico, x57887)

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. The Senate

-passed VA/HUD Appropriations Bill (H.R. 2099) also would transfer all Fair Housing Act responsibilities from HUD to Justice. The Administration strongly opposed this transfer in the SAP on H.R. 2099 sent on September 25th. Basis for opposition: The administration of these authorities is best accomplished by HUD, which has the infrastructure to handle these responsibilities.

12. National Highway System: (J. Brown, x53473)
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 is

unable to obligate \$5.2 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

-type labor protections, which was the subject of a Secretary of Labor veto threat in the SAP, was deleted on the Senate floor.)

House bill (H.R. 2274) passed the House on September 20th. Basis for opposition. Repeal of national maximum speed limit law and motorcycle helmet requirements; could provide for up to \$2.2 billion more in highway spending than contemplated by current law; requires

congressional approval for all changes to NHS; rescinds funding for congestion pricing program; and restricts the Federal Transit Administration's authority to enter into full funding agreements.

Conference: Press reports suggest that conferees are close to finishing their work.

13. Highway Trust Fund Off

-Budget Bill: (J. Brown, x53473)

House bill (HR 842 and HR 2274). HR 842 was ordered reported by House Transport. Cte. on May 3. Subsequently incorporated in HR 2274, the "National Highway System Designation Act of 1995" in a House Transport.

Subcommittee markup on September 7th. Removed from HR 2274 prior to floor action in return for a commitment from the Speaker for floor consideration of HR 842.

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.

*14. Banking Deregulation: (R. Jones, x53473)

House Banking Committee reported Chairman Leach's HR 1858 (successor to HR 1362) on July 18. A new bill (HR 2520), combining aspects of HR 1858 and HR 1062 (described above) was introduced on Oct. 20. 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. Under Secretary Hawke, in an 10/29/95 letter to the Banking Committee, restated the Treasury veto recommendation on a component of the new bill and added, "Despite some modest improvements in that component...the bill remains deeply flawed. . . .") Senate bill (S 650) was ordered reported by the Senate Banking Committee on September 27th. The Senate bill contains some, but not all, of the troublesome provisions.

15. Lorton Closure: (M. Cook, x53924)

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.

*16. Housing for Older Persons Act: (A. Briatico, x57887)
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 Subcommittee on the Constitution, Federalism and Property approved HR 660 by voice vote on August 2nd with an amendment that would require senior citizen housing to have at least 80 percent actual occupancy by seniors to qualify for the exemption from the Fair Housing Act. Justice sent a letter to the Senate Judiciary Committee opposing this bill on 9/20/95. The Committee approved H.R. 660 on 10/26/95. 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 similar to those of Title IV of HR 8, the "Senior Citizens' Equity Act," a Contract with America bill.

*17. Counterterrorism: (R. Jones, x53386)
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 ordered H.R. 1710 reported on June 20 (23

-12). The House bill also includes many of the President's proposals, including a funding mechanism for digital telephony. Opposition from conservative Republicans has delayed further action on the bill. The Committee will not issue the report until they believe they have enough votes for it to pass. No

further action is expected until after appropriations and reconciliation action is completed. Rep. Schumer has begun circulating a discharge petition to move the bill to the House Floor.

*18. Regulatory Sunset and Review: (J. Gibbons, x57593)
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. Press reports indicate the the House may attach HR 994 to S 219 as passed by the Senate (described above).

19. Pipeline Safety: (J. Brown, x53473)

House bill (HR 1323) has been reported by Transportation and Commerce Ctes. A SAP strongly opposing the bill was sent to the House on September 20th. The bill was subsequently removed from the House floor schedule.

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.

*20. Dismantling Commerce Department: (J. Weinberg, x53457)

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.

Multiple House Committees have approved conflicting versions of HR 1756.

Compromise version included in House reconciliation bill. Senate bill (S 929) hearing was held by Senate Governmental Affairs on 7/25/95 at which Secretary Brown repeated Presidential veto statement. On 9/7/95 Senate Governmental Affairs Committee marked up S. 929 and ordered it reported by a vote of 5 to 3.

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

21. Legal Aid Act of 1995: (A. Briatico, x57887)

House bill (HR 2277) to abolish the Legal Services Corporation and replace it with a block grant program was marked up by the House Judiciary Committee on 9/13/95. Justice and White House Counsel sent a letter to the Committee ?vigorously opposing? the bill. The New York Times reported on 9/13/95 and 9/14/95 that the Clinton Administration/President would veto the bill. (The Times did not provide an information source regarding the veto

threat.) The Administration has not taken
a formal position
on a related Senate bill,(S 958) which would also abolish
the LSC. Basis for opposition: Eliminating the LSC
would result in the loss of effective,
community

-based legal services for millions of
poor and low

-income individuals.

NATIONAL SECURITY & INTERNATIONAL AFFAIRS:

101. National Security: (A. Rooney, x57300)

House passed HR 7 on February 16th (241

-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).
(HR 872 was amended on the House floor and passed as HR
7) On 4/7/95, POTUS said that he would refuse to approve
the 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 (S 908) and
deleted from the bill as reported. State advises that
peacekeeping may be considered separately by the
Committee at a later date.

102. Foreign Affairs Authorization and Consolidation:
(A. Rooney, x57300)

House passed HR 1561 on June 8th (222 - 192). On
September 27th, the H. International Relations Cmt. voted
(21

-12) to include, by reference, the House passed
consolidation provisions of HR 1561 in its recommendation
for Reconciliation. 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. In an October 18th letter to Chairman Kasich, OMB reiterated the Administration's serious objections to the foreign affairs consolidation provisions (Division A of H.R. 1561) contained in the House International Relations reconciliation language. 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. 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 twice to invoke cloture on S. 908 on identical votes of 55

-45. On September 29th, a unanimous

-consent time agreement was reached providing for Senate consideration of S. 908 (i.e., 4 hours of debate on the bill and an Helms

-Kerry to be agreed

-upon ?managers? amendment?). 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

-management, and inadequate appropriations authorizations. Further Senate consideration of S. 961 is uncertain.

103. National Defense Authorization Act: (R. Nassif, x57896)
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 (6/13/95)-

-strongly opposes. Basis for
opposition: Raises serious constitutional, national

security, budget, personnel, and management concerns.
Senate passed S 1026, the companion bill, on September
6th (64

-34). The National Security Adviser, in an
August 4th letter to Sen. Daschle, stated that "unless
the unacceptable missile defense provisions are deleted
or revised and other changes are made to the bill . . .
the President's advisors will recommend that he veto the
bill." SAP on S 1026 (7/31/95)--"The President will not
support the bill unless these concerns are addressed."
Basis for opposition: Raises serious constitutional,
national security, budget, and management concerns.
Conferees met in closed session on September 28th, but
did not complete action; it is not clear when this
conference will conclude.

*104. Jerusalem Embassy: (A. Rooney, x57300)
On October 24th, the Senate and House passed S 1322, an
amended version of the S770/HR 1595, by votes of 93

-5 and
374

-37, respectively. Following congressional approval
of S. 1322, the White House Press Office announced that
the bill would become law without the President's
signature. 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, x57300)
On August 11th, the President vetoed S. 21.
Congressional action to override the President's veto is
unlikely at this time. In July 25th letters to Senators
Dole and Daschle, the President expressed strong
opposition to S. 21, the Bosnia and Herzegovina

Self

-Defense Act. 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). The Senate passed S. 21, by 69

-29 on July 26th and the House,
by a vote of 298 to 128, passed and cleared the bill for the President on August 1st. 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.

106.Cuban Liberty and Democratic Solidarity Act:

(A. Rooney, x57300)

House passed H.R. 927 by vote of 294

-130 on September
21st. Sec. Christopher letter (9/20) to Speaker prior to House floor action stating that he would recommend a veto of H.R. 927 because it "would damage prospects for a peaceful transition in Cuba and jeopardize a number of U.S. interests around the world." SAP on H.R. 927 (9/20/95) -- President's senior advisors would recommend a veto. Basis for opposition: Would not advance U.S. interests in Cuba and would damage other U.S. interests. The Senate passed H.R. 927, as amended, by a vote of 74

-24 on October 19th. After two failed attempts to invoke cloture, the Dole/Helms substitute was amended to delete Title III, which would have allowed a private right of action for Cuban

-Americans whose property had been confiscated by the Cuban government. SAP on H.R. 927 (10/11/95) -- President's senior advisors would recommend a veto. Basis for opposition: Would not advance U.S. interests in Cuba and would damage other U.S. interests.

NATURAL RESOURCES, ENERGY & SCIENCE

*201. Farm Bill: (C. Crutchfield, x53857)

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 \$4.2 billion over 7 years. Most action on farm programs currently

involves reconciliation, with instructions requiring cuts of \$13.4 billion over 7 years. In the House, serious divisions between Republicans prevented the Agriculture Committee from approving reconciliation legislation. Chairman Roberts was unable to convince some southern Republicans to support his "Freedom to Farm" proposal (HR 2195) to decouple farm payments from production levels and increase planting flexibility. However, the House Rules Committee included the Roberts' bill in its rule for reconciliation and the House passed it (HR 2491) on October 26th by 227

-203. In an October 18th letter to Chairman Kasich and an October 23rd letter to Chairman Domenici, OMB expressed the Administration's serious concern with the deep level of cuts proposed for Agriculture by the reconciliation instructions. The letter to Kasich also noted "serious concerns with the House Republican leadership's 'Freedom to Farm' proposal to reach the savings target, particularly its effect on the federal safety net for family

-sized farms.
In the Senate, the Agriculture Committee passed Chairman

Lugar's mark on 9/28/95 by a 9

-8

-1, with Sen. Santorum (R- PA) voting present. (Santorum had previously opposed the mark because it protected sugar and peanut programs from significant budget cuts).
202. Clean Water Amendments of 1995: (H. Fitter, x53233)
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, x57301)

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. On 10/26/95, Sen. Kempthorne (R

-ID) introduced legislation to revise the ESA.

The bill would direct the manner in which Interior manages endangered species, end automatic protection for certain subspecies, and redefine endangered species as those likely to become extinct within 40 years. CEQ advises that Sen. Reid (D

-NV) may also 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. The bill would: (1) provide financial compensation for use or takings of private property under ESA; (2) modify ESA enforcement, conservation management, and listing procedures; (3) redefine the role and authorities of other Federal agencies; (4) curtail habitat protection activities; and (5) prescribe State authority to protect endangered species. At the September 20th House Resources Committee hearing on HR 2275, the Task Force bill, the Department of the Interior (Frampton) advised

that ?the Secretary of the Interior would recommend that the President veto the bill if it is presented to him in its current form.? Justice (Fois), in an 10/12/95 report to Rep. Young, advised that ?[i]f H.R. 2275 were presented to the President, the Attorney General would recommend that he veto the bill?. On October 12th, the House Resources Committee ordered H.R. 2275, as amended, reported (27

-17). In a 10/18/95 letter to Chairman Kasich, OMB expressed the Administration's strong objection to language in the House reconciliation bill that would exempt a broad list of agency actions from ESA requirements. (On 10/26/95, the House passed its reconciliation bill by a vote of 227

-203.) Basis for opposition: would undermine the scientific foundation of the Endangered Species Act; would impose costly, bureaucratic processes; would unfairly compensate certain property owners if regulatory actions taken under the ESA cause a decrease of 20 percent or more in the fair market value of any portion of the landowner's property; depart from 200 years of constitutional jurisprudence; prevent enforcement of national and international wildlife laws; and would provide virtually no protection for wildlife.

*204. Safe Drinking Water: (H. Fitter, x53233)

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 Committee staff is working on legislation. Senate. S. 1316, the Safe Drinking Water Act Amendments of 1995 (Kempthorne) was introduced on 10/12/95. The Environment and Public Works Committee ordered the bill reported on 10/19/95. EPA Administrator Browner generally supports the bill which would: capitalize State Revolving Funds, increase flexibility in standard setting and monitoring, and provide technical assistance to small systems.

205. Interstate Waste: (H. Fitter, x53233)

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. House Commerce subcommittee marked up an unnumbered subcommittee print on May 18, 1995. Timing of full Committee action is uncertain.

*206. Superfund Reform: (H. Fitter, x53233)

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 introduced S. 1285, the accelerated Cleanup and Environmental

Restoration Act of 1995 on 9/29/95. EPA Administrator Browner issued a statement on 9/29/95 saying that the Smith proposal would delay cleanup and fail to promote complete cleanup. A 10/12/95 hearing on S. 1285 was abruptly cancelled due to Sen. Majority Leader Dole's opposition to a key provision authorizing a 50 percent tax credit to companies that expeditiously cleanup their share of a superfund site. The future of Superfund legislation in the Senate is unclear. House On October 18, 1995, Congressman Oxley introduced H.R. 2500, Reform of Superfund Act of 1995. At a October 26, 1995 House

Commerce Subcommittee hearing EPA, Justice, Defense, HHS (ATSDR), and Commerce (NOAA) testified in opposition to the bill. EPA stated that H.R. 2500 would not: protect human health and the environment, complete cleanups faster and at lower cost, reduce litigation, reform the liability scheme, or appropriately involve the community in decisionmaking.

*207. Mining Law: (C. Crutchfield, x53857)

Senate Energy and Natural Resources Committee has postponed indefinitely its markup of legislation (S 506) on hardrock mining on Federal lands, but included similar provisions in its 9/21/95 markup of reconciliation legislation. In a 9/20/95 letter to Chairman Murkowski, Secretary Babbitt cited serious concerns with the mining law provisions proposed for reconciliation. (The Secretary had previously indicated in a 5/25/95 letter on S 506 that he would recommend a veto of S 506.) In a 10/18/95 letter to Rep. Kasich and a 10/23/95 letter to Sen. Domenici, OMB expressed the Administration's concern that the House and Senate reconciliation provisions to reform the 1872 hardrock mining law would, in fact, leave it largely intact. 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. The House Resources Committee included in its 9/19/95 reconciliation markup a number of provisions similar to S. 506 on mining patents, royalties, and maintenance fees. Secretary Babbitt cited serious concerns with these provisions in a 9/19/95 letter to Chairman Young.

208. Utah Wilderness: (C. Crutchfield, x53857)

House Resources Committee on 8/2/95 ordered reported HR 1745, designating certain Federal lands in Utah as wilderness. Interior testified 6/29/95 before the Committee 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, x53857)
Senate Energy and Natural Resources Committee reported S 852 on 7/28/95, but further action on the bill is on hold until the bill's sponsor (Domenici, R

-NM) can forge

a compromise that can pass the Senate. Interior hopes the delay will give time for its new grazing regulations, which took effect on August 21st, to become more firmly established. However, some Western Democrats would like to reach a legislative compromise to make the issue go away. Interior strongly opposed S 852 in testimony before the Senate on 6/22/95, and USDA Forest Service objected in a 7/18/95 letter to provisions in the reported bill that apply 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) restrict land managers ability to enforce environmental and other applicable statutes.

The House Resources Committee included a number of provisions similar to S 852 in its 9/19/95 reconciliation markup. Secretary Babbitt cited serious concerns with these provisions in a 9/19/95 letter to Chairman Young. In an October 18th letter to Chairman Kasich, OMB stated that the Congress should not "use the budget process in an effort to stop the (grazing) reforms" as proposed in the House Resources reconciliation language. (On 10/26/95, the House passed its reconciliation bill by a vote of 227

-203.) If these provisions are dropped by the reconciliation conferees, the Committee is expected to consider stand-alone legislation (HR 1713) that was approved in subcommittee on 9/12/95. Interior opposed HR 1713 in 7/11/95 testimony.

210. Transfer BLM Lands to States: (C. Crutchfield, x53857)
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." No bill introduced in the Senate.

*211. Arctic National Wildlife Refuge: (M. Goad, x57301)
On 08/01/95, the Senate Energy and Natural 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. On 08/03/95, Secretary Babbitt reiterated the veto threat before the House Committee on Resources. In a 09/19/95 letter to Rep. Young and a 09/20/95 letter to Sen. Murkowski, Secretary Babbitt stated restated his intent to recommend to the President that he veto legislation opening the Arctic National Wildlife Refuge to oil and gas development? and advised that he would also recommend to the President that he veto a reconciliation bill containing any such provision.? In 09/21/95 letters to Reps. Young and Miller and Sens. Murkowski and Johnston, OMB Director Rivlin stated that, if the reconciliation bill includes language to open the coastal plain of the Arctic National Wildlife Refuge (ANWR) to oil and gas drilling, [the President] will veto the bill.? In a 10/18/95 letter to Rep. Kasich and a 10/23/95 letter to Sen. Domenici, OMB advised that the President will veto any reconciliation bill that opens ANWR to oil and gas drilling.? 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.

212. Reg Reform/Risk Assessment: (H. Fitter, x53233)
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, 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.

213. Private Property Rights/Takings: (M. Goad, x57301)
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. Interior, in an October 18th statement presented before the Judiciary Committee, reiterated the multiple agency veto threat. 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.
214. Science Authorizations: (J. Weinberg, x53457)
House passed HR 2405, the Omnibus Civilian Science Authorization Act, on October 12th by a vote of 248

-161.

SAP sent on October 11th: veto threat by Secretaries of Commerce and Energy, EPA Administrator, OMB Director, and Science Adviser. Basis for opposition: Unacceptably deep reductions in and terminations of Federal investments in science and technology. Senate action on an omnibus bill appears unlikely.

HUMAN RESOURCES

* 301. Welfare Reform: (M. Haskins, x53923)
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 would block grant AFDC; impose a five-year time limit on benefits; tighten eligibility for SSI; and strengthen child support enforcement. HHS

cited concerns with the bill in a May 24 letter to the Committee. On August 3, 1995, Senator Dole introduced S. 1120, a "perfecting amendment." S. 1120 is based on the S. Finance Committee's H.R. 4, but also includes provisions: reauthorizing the Child Care Development Block Grant; consolidating training programs (based on S. 143, Kassebaum's Workforce Development Act); and allowing States the option of receiving their Food Stamp revenue in the form of a block grant. Senate incorporated the text of S. 1120, as amended, into H.R. 4, and passed it on September 19 (87

-12). Senate SAP

opposed S. 1120 and supported S. 1117, the Democratic leadership alternative. On September 19, the President signaled support for the Senate

-passed H.R. 4. He stated, "If welfare reform remains a bipartisan effort to promote work, protect children and collect child support from people who ought to pay it, we will have welfare reform this year, and it will be a great thing...But, if the Congress gives in to extremist pressure and walks away from this bipartisan American common ground, they will kill welfare reform."

House and Senate conferees have been named. On October 18th, Director Rivlin sent a letter to the House and Senate leadership and the welfare reform conferees stating the Administration's views on the the House- and Senate

-passed
bills.

Conference Committee began meeting Tuesday, October 24. On October 26, HHS Secretary Shalala and SSA Commissioner Chater sent their agencies' views letters on the House- and Senate- passed welfare reform bills to the House and Senate leadership and to the welfare reform conferees.

302. Social Security Earnings Test: (M. Cook, x53924)
House-

-A proposed increase in earnings limit from \$11,280 to \$30,000 (over 5 years) was included in HR 1215, which passed on April 5, (246

-188). On January 9, 1995, Social Security Commissioner Chater testified that the "Administration would support, in principle, a moderate increase in the retirement earnings test exempt amount for beneficiaries who have reached the age of 65", as long as the costs of the increase were fully offset. When pressed to define "moderate", the Commissioner used \$1,000 as an example of a possible moderate increase.

Senate action unclear.

303. Davis

-Bacon Repeal: (A. Briatico, x57887)

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). S.1120 (Work Opportunity Act of 1995) would modify Davis

-Bacon labor

standards protections for tenants of public housing. The Administration's SAP on S.1120 (dated August 5, 1995) recommended deleting this provision from the bill and indicated that Davis

-Bacon reform would be the

appropriate avenue for making changes Davis

-Bacon

requirements. (The text of S. 1120 passed the Senate as H.R. 4.) 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: (A. Briatico, x57887)

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, x57887)

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, x54871)

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. The House

-passed Labor/HHS Appropriations bill (H.R. 2127) contains a provision prohibiting the use of funds to enforce the President's Executive Order as does the Senate version of the bill, which is awaiting floor action.

307. Teamwork for Employees and Managers Act:(B. Pellicci, x54871)

HR 743 and S295. (SAP on 9/27/95 stated that if H.R. 743 were presented to the President, the Secretary of Labor would recommend that it be vetoed. Reich letter: recommend veto, 3/6/95, 6/21/95, and 9/26/95; 9/26/95 letter noted that the President stated before the UAW on June 12th, that he would veto any effort to weaken section 8 (a)(2) of the National Labor Relations Act; 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 where no union currently exists or alternative, company

-dominated organizations where employees are in the process of determining whether to be represented by a labor organization. On 9/27/95, the House passed HR 743 by a vote of 221

-202. No action has been taken to date

on
S295.

308. Social Security Solvency: (M. Cook, x53924)
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, x53803)

Both the Senate and House have acted on bills that would consolidate numerous Federal education and job training programs grants 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. House passed H.R. 1617 (The Consolidated and Reformed Education, Employment and Rehabilitation Systems, or 'CAREERS' Act) on September 19, 1995 (345

-79). It incorporates the text of 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. A September 19, 1995, Statement of Administration Policy stated that the Administration supports H.R. 1617 for purposes of House passage, but will work to address significant concerns. Basis for Concerns: inadequate authority to continue the current

School

-to

-Work Opportunities Act, restrictions on governors in the use of vocational rehabilitation service delivery systems, insufficient funding, failure to provide sub

-State allocation formulas to target funds to those most in need, and shortcomings in the authorities to privatize the higher education GSEs. Senate passed S. 143 (Workforce Development Act) on October 11, 1995 (95

-2). The provisions of S. 143 were at one time

incorporated in large part into S. 1120, the Republican leadership welfare reform bill. The August 5th Statement of Administration Policy on S. 1120 expressed concerns with a variety of these provisions and stated that the inclusion of the provisions in S. 1120 was inappropriate?. In a September 12th letter to the Senate, Secretary Reich cited serious concerns with the bill. An amendment was adopted by the Senate to delete the job training provisions from S. 1120. SAP on S. 143 sent to Senate on October 10, 1995. It stated that the Administration supports S. 143 for the purpose of Senate passage (and it enumerates key features the Administration supports), but has significant concerns it will work to address during conference. Basis for Concerns: insufficient empowerment of adult trainees through Skill Grants, insufficient funding, inadequate accountability for Federal funds -- including an unwieldy new bureaucratic structure that may pose Appointments Clause problems, downsizing and elimination of Jobs Corps as a national program, and elimination of Trade Adjustment Assistance retraining services.

310. Food Stamps - Block Grant: (M. Haskins, x53923)
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 (H.R. 4).
The Senate

-passed version of H.R. 4 provides States the option of receiving their Food Stamp revenue as a block grant. House

-passed HR 4 (the welfare reform bill) and HR 1997 (the food and nutrition title of the Farm Bill), as approved by a H. Agriculture Subcommittee on 7/11/95, do 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, x53803)
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.

HEALTH & PERSONNEL

401. Federal Retirement Reform Act: (M. Cook, x53924)
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 12_POINT_ROMAN
MAJOR LEGISLATION ENACTED
PRINTER FONT 12_POINT_COURIER
? 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.
? Emergency Supplemental Appropriations for Additional
Disaster Assistance, for Anti

-terrorism Initiatives, for

Assistance in the Recovery from the Tragedy that Occurred at
Oklahoma City, and Rescissions Act, 1995 (PL 104

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

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

CREATOR: Lisa Kountoupes (KOUNTOUPES_L) (OMB)

CREATION DATE/TIME:10-DEC-1995 16:39:01.36

SUBJECT: EOP USE ONLY: AMR DAILY

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TO: Alice M. Rivlin (RIVLIN_A) (OMB)

READ:11-DEC-1995 07:16:43.33

TO: Charles E. Kieffer (KIEFFER_C) (OMB)

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TO: Jacob J. Lew (LEW_J) (OMB)

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TO: Patrick J. Griffin (GRIFFIN_P) (WHO)

READ:NOT READ

TO: Martha Foley (FOLEY_M) (WHO)

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TO: Ann M. Cattalini (CATTALINI_A) (WHO)

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TO: James C. Murr (MURR_J) (OMB)

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TO: Ronald K. Peterson (PETERSON_RK) (OMB)

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TO: LAWRENCE J. HAAS (HAAS_L) (OMB)

READ:11-DEC-1995 18:03:51.79

TO: Robert G. Damus (DAMUS_R) (OMB)

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TO: Kenneth S. Apfel (APFEL_K) (OMB)
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TO: Nancy-Ann E. Min (MIN_N) (OMB)
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TO: Sally Katzen (KATZEN_S) (OMB)
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TO: Lydia Muniz (MUNIZ_L) (OMB)
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TO: Kristen E. Panerali (PANERALI_K) (OMB)
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TO: G. Edward DeSeve (DESEVE_G) (OMB)
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TO: John B. Arthur (ARTHUR_J) (OMB)
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TO: William A. Halter (HALTER_W) (OMB)
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TO: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
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TO: Chantale Wong (WONG_C) (OMB)
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TO: Laura D. Tyson (TYSON_L) Autoforward to: Thomas O'Donnell (O'DONNELL_T)
(WHO)
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TO: Thomas O'Donnell (O'DONNELL_T) (WHO)
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TO: David J. Lane (LANE_D) (OPD)
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TO: M. Jill Gibbons (GIBBONS_M) (OMB)
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TO: Ronald E. Jones (JONES_RE) (OMB)
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TO: Ingrid M. Schroeder (SCHROEDER_I) (OMB)
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TO: Jeffrey A. Weinberg (WEINBERG_J) (OMB)
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TO: James A. Brown (BROWN_JA) (OMB)
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TO: Constance J. Bowers (BOWERS_C) (OMB)
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TO: Melissa Y. Cook (COOK_MY) (OMB)
READ:11-DEC-1995 08:29:52.32

TO: Anna M. Briatico (BRIATICO_A) (OMB)
READ:11-DEC-1995 09:48:39.74

TO: Robert J. Pellicci (PELLICCI_R) (OMB)
READ:11-DEC-1995 08:18:57.74

TO: Alison C. Perkins (PERKINS_A) (OMB)
READ:11-DEC-1995 08:58:57.28

TO: Elyse H. Fitter (FITTER_E) (OMB)
READ:11-DEC-1995 09:30:55.77

TO: Michael L. Goad (GOAD_M) (OMB)
READ:11-DEC-1995 08:20:22.33

TO: Annette E. Rooney (ROONEY_A) (OMB)
READ:11-DEC-1995 09:02:28.31

TO: Dena B. Weinstein (WEINSTEIN_D) (WHO)
READ:11-DEC-1995 11:29:12.08

TO: Stacey L. Rubin (RUBIN_S) (WHO)
READ:11-DEC-1995 08:21:48.10

TO: Jennifer N. Palmieri (PALMIERI_J) (WHO)
READ:11-DEC-1995 08:26:15.22

TO: Karin L. Kizer (KIZER_K) (OMB)
READ:11-DEC-1995 12:47:20.09

TO: Deborah F. Kramer (KRAMER_D) (OMB)
READ:11-DEC-1995 09:09:11.84

TO: Diane G. Limo (LIMO_D) (OMB)
READ:11-DEC-1995 08:30:17.40

TO: Alice E. Shuffield (SHUFFIELD_A) (OMB)
READ:11-DEC-1995 14:29:05.68

TO: Janet L. Graves (GRAVES_J) (OMB)
READ:11-DEC-1995 09:13:28.70

TO: James I. Blount (BLOUNT_J) (OMB)
READ:11-DEC-1995 09:11:05.81

TO: Philip R. Dame (DAME_P) (OMB)
READ:11-DEC-1995 08:13:02.71

TO: Alan B. Rhinesmith (RHINESMITH_A) (OMB)
READ:11-DEC-1995 09:54:16.49

TO: Kenneth L. Schwartz (SCHWARTZ_K) (OMB)
READ:11-DEC-1995 07:56:03.09

TO: Barry T. Clendenin (CLENDENIN_B) (OMB)
READ:11-DEC-1995 07:10:14.08

TO: Robert B. Rideout (RIDEOUT_R) (OMB)
READ:10-DEC-1995 16:39:08.79

TO: Philip A. DuSault (DUSAULT_P) (OMB)
READ:11-DEC-1995 10:34:41.75

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

TO: Kathleen Peroff (PEROFF_K) (OMB)
READ:11-DEC-1995 09:25:49.63

TO: Ron Cogswell (COGSWELL_R) (OMB)
READ:11-DEC-1995 08:36:20.93

TO: Barry White (WHITE_B) (OMB)
READ:11-DEC-1995 08:18:00.77

TO: Richard P. Emery Jr. (EMERY_R) (OMB)
READ:11-DEC-1995 08:54:10.03

TO: Barbara C. Chow (CHOW_B) (WHO)
READ:11-DEC-1995 10:17:08.02

TO: Robert E. Barker (BARKER_R) (OMB)
READ:11-DEC-1995 08:17:17.92

TO: Donald A. Baer (BAER_D) Autoforward to: Kristin Leight (LEIGHT_K) (WHO)
READ:12-DEC-1995 08:37:17.34

TO: Ann F. Walker (WALKER_A) Autoforward to: Daniel P. Collins (COLLINS_D)
(WHO)
READ:26-DEC-1995 09:39:11.67

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

TO: Nancy L. Brandel (BRANDEL_N) (OMB)
READ:11-DEC-1995 08:34:08.69

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

TO: Deborah L. Shaw (SHAW_D) (OMB)
READ:11-DEC-1995 07:13:17.43

TO: Gene B. Sperling (SPERLING_G) Autoforward to: Daniel Taberski (TABERSKI_D)
(WHO)
READ:NOT READ

TO: Timothy J. Keating (KEATING_T) (WHO)
READ:NOT READ

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

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

TO: Bruce N. Reed (REED_B) (WHO)
READ:11-DEC-1995 10:22:42.09

TO: Jeremy D. Benami (BENAMI_J) (WHO)
READ:11-DEC-1995 12:10:25.06

TO: Douglas B. Sosnik (SOSNIK_D) (WHO)
READ:11-DEC-1995 08:21:34.47

TO: Karen L. Hancox (HANCOX_K) (WHO)
READ:11-DEC-1995 08:08:51.09

TO: Shelley N. Fidler (FIDLER_S) (CEQ)
READ:11-DEC-1995 09:00:55.46

TO: Janet L. Himler (HIMLER_J) (OMB)
READ:11-DEC-1995 08:13:55.82

TO: Daniel Tate (TATE_D) (WHO)
READ:NOT READ

TO: John C. Angell (ANGELL_J) (WHO)
READ:11-DEC-1995 10:47:13.10

TO: Susanne D. Lind (LIND_S) (OMB)
READ:11-DEC-1995 09:13:53.36

TO: Ellen J. Balis (BALIS_E) (OMB)
READ:11-DEC-1995 09:17:42.85

TO: Anita Chellaraj (CHELLARAJ_A) (OMB)
READ:11-DEC-1995 09:17:02.03

TO: Alicia K. Kolaian (KOLAIAN_A) (OMB)
READ:11-DEC-1995 09:29:21.81

TO: Jennifer L. Nelson (NELSON_JL) (WHO)
READ:NOT READ

TO: Nick B. Kirkhorn (KIRKHORN_N) (WHO)
READ:NOT READ

TO: Janet Murguia (MURGUIA_J) (WHO)
READ:NOT READ

TO: Lucia A. Wyman (WYMAN_L) (WHO)
READ:11-DEC-1995 13:31:25.86

TO: Alphonse Maldon (MALDON_A) (WHO)
READ:11-DEC-1995 17:32:09.98

TO: Bruce D. Long (LONG_B) (OMB)
READ:11-DEC-1995 07:43:39.79

TO: James T. Heimbach (HEIMBACH_J) (WHO)
READ:11-DEC-1995 08:38:22.94

TO: Lisa Kountoupes (KOUNTOUPES_L) (OMB)
READ:NOT READ

TO: Robert J. Nassif (NASSIF_R) (OMB)
READ:11-DEC-1995 09:15:20.25

TO: Melinda D. Haskins (HASKINS_M) (OMB)
READ:11-DEC-1995 10:05:17.71

TO: Lauren Haber (HABER_L) (OMB)
READ:11-DEC-1995 09:17:40.52

TO: Robert S. Fairweather (FAIRWEATHE_R) (OMB)
READ:10-DEC-1995 22:50:41.68

TO: Bruce D. Beard (BEARD_B) (OMB)
READ:11-DEC-1995 08:37:39.57

TO: James B. Kazel (KAZEL_J) (OMB)
READ:11-DEC-1995 07:29:43.63

TO: John Gribben (GRIBBEN_J) (OMB)
READ:11-DEC-1995 08:36:38.92

TO: Victoria L. Schaefer (SCHAEFER_V) (OMB)
READ:12-DEC-1995 12:09:21.52

TO: Michelle Denton (DENTON_M) (CEQ)
READ:11-DEC-1995 11:34:16.71

TO: Kathy McKiernan (MCKIERNAN_K) (WHO)
READ:11-DEC-1995 09:56:06.25

TO: APRIL K. MELLODY (MELLODY_A) (WHO)
READ:11-DEC-1995 08:35:36.18

TO: Mary Ellen Glynn (GLYNN_M) (WHO)
READ:11-DEC-1995 09:51:08.62

TO: Virginia M. Terzano (TERZANO_V) (WHO)
READ:NOT READ

TO: Ira Fishman (FISHMAN_I) (WHO)
READ:NOT READ

TO: Mark A. Weatherly (WEATHERLY_M) (OMB)
READ:10-DEC-1995 23:43:30.87

TO: Bruce W. McConnell (MCCONNELL_B) (OMB)
READ:11-DEC-1995 09:14:13.31

TO: Bernard H. Martin (MARTIN_B) (OMB)
READ:12-DEC-1995 08:40:16.46

TO: Nancy E. Schwartz (SCHWARTZ_N) (OMB)
READ:11-DEC-1995 09:46:42.11

TO: Michael A. Fitzpatrick (FITZPATRIC_M) (OMB)
READ:11-DEC-1995 11:16:27.01

TO: Ananias Blocker (BLOCKER_A) (WHO)
READ:10-DEC-1995 16:41:47.05

TEXT:
PRINTER FONT 12_POINT_ROMAN
Friday, December 8, 1995

TO: ALICE RIVLIN

FROM: LISA KOUNTOUPES

SUBJECT: DAILY LEGISLATIVE REPORT
Rep. Tom Bevill (D

-AL), ranking minority member on the House Energy and Water Development Appropriations Subcommittee, announced he will retire after serving 30 years in the House.

CONGRESS TODAY:

The House was not in session.

The Senate continued consideration of SJRes 31, Constitutional Amendment Against Flag Desecration [SAP sent 12/6:

?Administration believes... that efforts to limit the Bill of Rights to make a narrow exception for flag desecration are misguided?].

SENATE FLOOR SCHEDULE:

Monday, December 11 and balance of the week:

- Continue consideration of SJRes 31, Constitutional Amendment Against Flag Desecration [SAP sent 12/6: ?Administration believes... that efforts to limit the Bill of Rights to make a narrow exception for flag desecration are misguided?]. (Under a unanimous consent request, votes on eight amendments will be delayed until Tuesday, December 12).

- Bosnia Resolution

- Appropriations Conference Reports (following House action, VAHUD is possible)

- S 1441, State Department Reorganization

- S 852, Public Rangelands Management Act

- HR 4, Welfare Reform Conference Report

HOUSE RULES SCHEDULE:

Tuesday, December 12:

- S 1026, Defense Authorization Conference Report

HOUSE FLOOR SCHEDULE:

Monday, December 11:

- Not in session.

Tuesday, December 12 and Balance of the Week (tentative):

(2 Corrections):

- HR 325, Commuter Option Bill

- HR 1787, Saccharine Notice Requirement

(8 suspensions):

- HR 2243, Trinity River Basin Fish & Wildlife Management Reauthorization

- HR 1253, Renaming of San Francisco Bay National Wildlife Refuge

- HR 2677, Requiring the Secretary of Interior to Accept State Donations of State Employees in a Period of Government Budgetary Shutdown

- HR 1295, Federal Trademark Dilution Act

- HR 2418, DNA Identification Grants Improvements Act

- HR 2538, Criminal; Law Technical Amendments

- HR 1533, Increased Penalties for Escapes from Federal Prison
- HconRes 117, Concerning Wei Jingsheng
- HR 2666, Foreign Operations Appropriations Conference Report
- HR 1977, Interior Appropriations Conference Report
- HR 2546, DC Appropriations Conference Report
- S 1026, Defense Authorization Conference Report
- HR 2621, A Bill to Protect the Public Debt Limit and the Social Security Trust Funds
- HR 1020, Integrated Spent Nuclear Fuel Management Act
- S 652, Telecommunications Competition and Deregulation Conference Report
- HR 1745, Utah Public Lands Management Act
- HR --, Balanced Budget Act II

POTENTIAL FLOOR ACTION THROUGH DECEMBER:

(as the budget process drags out, the leadership will likely be looking for bills to bring up -- some unexpected measures may come quickly to the floor)

- Appropriations conference reports
 - Debt Limit
 - Endangered Species Act
 - Anti

 - terrorism (House)
 - Bank regulatory relief (Senate)
 - Bosnia Deployment (Senate)
 - Provisions from the Reconciliation bill that were dropped due to the Byrd Rule (House)
 - ICC termination conference report
 - Incremental health reform (Senate)
 - Telecommunications reform conference report
 - Welfare reform conference report
- (If you have questions about the House or Senate legislative schedules, contact Lydia Muniz at OMB Legislative Affairs, 54790.)

APPROPRIATIONS

The President has signed the Military Construction Bill (HR 1817), the Agriculture Bill (HR 1976), the Energy and Water Bill (HR 1905), the Transportation Bill, (HR 2002), the Treasury Postal Bill (HR 2020) and the Legislative Branch Bill (HR 1854). HR 2126, the Defense Appropriations bill has also been enacted into law. Veto recommendations are indicated by an asterisk.

- *Agriculture (HR 1976)
- House subcommittee reported-

- OMB letter 6/21: serious

objections.

- House committee reported-

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

- House passed-

- OMB letter 8/11: USDA/OMB veto recommendation.

- Senate Committee reported-

- Floor SAP 9/18: Administration could support if concerns addressed.

- House & Senate passed-

- OMB letter 9/27: Administration could support if concerns addressed.

- POTUS signed 10/21 (PL 104

-37).

- *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.

- House committee reported-

- POTUS letter 7/25: "I would veto it because it would eliminate the Community Oriented Policing Services (COPS) program."

- House passed-

- OMB letter 8/12: Commerce/OMB veto recommendation.

- Senate subcommittee reported-

- OMB letter 9/12: President would veto.

- Senate committee reported-

- Floor SAP 9/14: President would veto.

- House & Senate passed-

- OMB letter 11/6: President would veto.

- Conference Report-

-Floor SAP 12/6: President would veto.

*Defense (HR 2126)

- House subcommittee reported-

-OMB letter 7/20: Administration
does not support.

- House committee reported-

-Rules SAP 7/27: "the President
will not support the bill unless... concerns are addressed."

- House committee reported-

-Floor SAP 7/31: "the President
will not support the bill unless... concerns are addressed."

- Senate committee reported-

-Floor SAP 8/10: senior advisers
veto recommendation.

- House committee reported-

-Floor SAP 9/7: senior advisers
veto recommendation.

- House and Senate passed-

-OMB letter 9/18: senior advisors
veto recommendation.

- Conference Report-

-OMB letter 9/29: President will veto.

- POTUS letter 10/18: President will veto.

- Enacted 12/1 (PL 104

-61).

*DC (HR 2546)

- Senate committee reported-

-Floor SAP 9/21: pleased with
funding level, but strongly opposed to provision.

- House subcommittee reported-

-OMB letter 10/24: strongly
object to funding cuts

- House committee reported-

-Rules SAP 10/30: senior advisors
would recommend veto.

- House committee reported-

-Floor SAP 11/1: President would
veto.

- House and Senate passed-

-OMB letter 11/15: as passed by the House, President would veto. Strong objections to Senate bill, but it is a significant improvement over House version.

*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.

- House and Senate passed-

-OMB letter 10/13: senior advisors

would recommend veto based on potential conference changes.

- POTUS signed 11/13 (PL 104

-46).

*Foreign Ops (HR 1868)

- House committee reported-

-Floor SAP 6/22: difficulty supporting if improvements are not made.

- Senate subcommittee reported-

-OMB letter 9/14: raising concerns.

- Senate committee reported-

-Floor SAP 9/20: serious concerns.

- House and Senate passed-

-OMB letter 10/19: State & Treasury

veto recommendation if low House funding & Senate earmarks are not corrected.

- House committee reported-

-Floor SAP 10/31: Secretary of State would recommend veto.

*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.

- House passed-

-Senate Floor SAP 8/4: OMB/Interior veto recommendation.

- House and Senate passed-

-OMB letter 9/18: OMB/Interior veto recommendation.

- Conference committee-

-VP statement 9/22: ?If Congress sends the President the fiscal 1996 Interior Appropriations Bill as approved by the conference committee, he will veto it.?

- Conference report-

-OMB letter 10/19: ?Vice President stated on September 22 that if Congress sent the POTUS the FY 1996 Interior Appropriations Bill as approved by the conference committee, the President would veto it.?

- Conference report (of 10/31)-

-House Floor SAP 11/6:

President would veto.

*Labor/HHS/Ed (HR 2127)

- Panetta, 7/11: if subcommittee. chairman's mark reaches the President's desk in its current form, "he will 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.

- House passed-

-OMB letter 8/12: President would veto.

- Senate subcommittee reported-

-OMB letter 9/14: President would veto.

- Senate committee reported-

-Floor SAP 9/26: 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."
- Rivlin letter 9/6: ?To avoid a veto, Congress should first make substantial progress in presenting other appropriations bills that the President can sign...?
- POTUS veto 10/3: will not sign Leg. Branch Appropriations until Congress completes action on remaining FY 1996 Appropriations bills
- POTUS signed 11/19 (PL 104

-53).

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.

- House and Senate passed-

-OMB letter 9/14: serious objections, position to be determined.

- POTUS signed 10/3 (PL 104

-32): disappointed that Act provides \$70 million for unneeded projects... would have used line

-item veto authority had Congress completed action on line

-item veto legislation.

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.

- Senate committee reported-

-Floor SAP 8/9: appreciate that several concerns are addressed, but have some remaining concerns.

- House and Senate passed-

-OMB letter 9/13: outlines several

remaining concerns.

- POTUS signed 11/15 (PL 104

-50).

*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 re: ONDCP

7/26: ?As this bill is now constructed, I will not sign it?.

- Senate subcommittee reported-

-OMB letter 7/27: Treasury veto recommendation.

- Senate committee reported-

-Floor SAP 8/3: President has stated he would not sign due to elimination of ONDCP; Treasury veto recommendation due to other concerns.

- House and Senate passed-

-OMB letter 9/12: OMB, Treasury, OPM veto threat on House and Senate bills.

- POTUS signed 11/19 (PL 104

-52).

*VA/HUD/Independent Agencies (HR 2099)

- 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.

- House committee reported-

-Floor SAP 7/26: President would

veto.

- House

-passed-

-POTUS stated 8/1: "The minute this polluter's protection act hits my desk, I will veto it."

- House

-passed-

-OMB letter 8/12: President would veto.

- Senate subcommittee reported-

-OMB letter 9/13: President

would veto.

- Senate committee reported-

-Floor SAP 9/25: President would

veto.

- House & Senate passed-

-OMB letter 11/6: President would

veto.

- Conference Report-

-Floor SAP 11/20: President will veto.

- Conference Report-

-Floor SAP 12/7: President will veto.

PRINTER FONT 12_POINT COURIER

SUMMARY of ADMINISTRATION OPPOSITION

[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" list, above.)

Changes from previous day indicated by asterisk (*).

PRINTER FONT 13_POINT_HELVETICA
VETOES:

PRINTER FONT 12_POINT_COURIER
Rescissions/Supplemental - HR 1158
Bosnia - S. 21 [Item 104]
Legislative Branch Appropriations - HR 1854
Debt Limit - HR 2586
Continuing Resolution - HJR 115

Balanced Budget Act of 1995 (Reconciliation) - HR 2491

PRINTER FONT 13_POINT_HELVETICA
PRESIDENTIAL VETO THREATS:

PRINTER FONT 12_POINT_COURIER
Americans with Disabilities Act Revisions - July 26, POTUS said he would veto "any substantive change to the ADA."
Arctic National Wildlife Refuge - [Item #211]
Assault Weapons Ban

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 #20]
*Foreign Affairs Authorization/Merge AID, ACDA, USIA into State - HR 1561, S 908, S 961 [Item #102]

Loser Pays - Civil Litigation - HR 988 [Item #7]
Medicare Preservation Act - HR 2425, passed by the House on 10/19 by a vote of 231

-201. HR 2425 was incorporated into the House budget reconciliation bill, which was passed on 10/26 by a vote of 227

-203.

National Defense Authorization Act - S 1026 [Item #103]
National Security Bill - HR 872 [Item #101]
Product Liability/Civil Litigation - HR 956 [Item #6]

Student Loans

*Takings/Private Property Protection - HR 925 and S 605 [Item #213]

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

Teamwork for Employees and Managers Act - HR 743 (Item #307)

Telecommunications Amendments - HR 1555 [Item #9]

*Welfare Reform - HR 4 [Item #301]

PRINTER FONT 13_POINT_HELVETICA

MULTIPLE AGENCY VETO RECOMMENDATIONS:

PRINTER FONT 12_POINT_COURIER

Comprehensive Regulatory Reform Act of 1995 - S 343 [Item #212]

Regulatory Moratorium - HR 450 [Item #5]

PRINTER FONT 12_POINT_ROMAN

*Cuban Liberty and Democratic Solidarity Act - HR 927 [Item # 105]

*Federal Aviation Administration Revitalization Act of 1995 - HR 2276 [Item #22]

Science Authorizations - HR 2405 [Item #214]

PRINTER FONT 12_POINT_COURIER

*Funding Prohibition for US Troops for Bosnia Peacekeeping - HR 2606 [Item # 106]

PRINTER FONT 13_POINT_HELVETICA

SINGLE AGENCY VETO RECOMMENDATIONS:

PRINTER FONT 12_POINT_COURIER

Endangered Species Conservation and Management Act - HR 2275 [Item #203]

Financial Institutions Regulatory Relief Act of 1995 - HR 1858 [Item #14]

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

Mining Law - S 506 [Item #207]

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

National Highway System Designation Act of 1995 - S 440 [Item #12]

Utah Wilderness - HR 1745 and S 884 [Item #208]

*OSHA Reform - HR 1834 [Item #311]

Student Loan Provisions - in Senate reconciliation bill

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

Equal Opportunity Act of 1995 - H.R. 2128 [Item #23]

*Partial

-Birth Abortion Ban Act of 1995 - H.R. 1833 [Item #402]

PRINTER FONT 13_POINT_HELVETICA

STRONGLY OPPOSE:

PRINTER FONT 12_POINT_COURIER

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

Highway Off

-Budget - HR 842 and HR 2274 [Item #13]

HUD Elimination Act - S 435 [Item #11]

Legal Aid Reform Act - HR 2277 [Item #21]

*Livestock Grazing Act - S 852 and HR 1713 [Item #209]

National Highway System Designation Act of 1995 - S 440 and HR 2274 [Item #12]

Pipeline Safety Act - HR 1323 [Item #19]

Risk Assessment - HR 1022 [Item #212]

Telecommunications - S 652 [Item #9]

PRINTER FONT 13_POINT_HELVETICA

OPPOSE:

PRINTER FONT 12_POINT_COURIER

*Housing for Older Persons Act - HR 660 [Item #16]

Lorton Closure - HR 461 [Item #15]

Regulatory Sunset and Review Act of 1995 - HR 994 [Item #18]

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

PRINTER FONT 13_POINT_HELVETICA

OPPOSE UNLESS AMENDED:

PRINTER FONT 12_POINT_ROMAN

Securities Litigation Reform - HR 1058 [Item #8]

Violent Criminal Incarceration - HR 667 [Item #4]

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PRINTER FONT 12_POINT_COURIER

STATUS OF MAJOR (Non

-Appropriations) LEGISLATION

[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 12_POINT_COURIER

GENERAL GOVERNMENT & FINANCE:

1. Budget Resolution/Reconciliation: (Konigsberg)

House passed HConRes 67 on 5/18, 238

-193. Senate passed

its version of the budget resolution on 5/25, by a vote
of 57

-42. The 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).
House passed its version of budget reconciliation, HR
2491, on 10/26, by a vote of 227

-203. Senate passed its
version of reconciliation on 10/27, by a vote of 52

-47
(party line except for Cohen voting no). House passed
the reconciliation conference agreement on 11/17 by a
vote of 237

-189. The Senate passed the conference
agreement later the same day by a vote of 52

-47 (party
line except for Cohen voting no). Because the Senate
deleted two provisions on Byrd Rule points of order, the
House had to vote again on Monday, 11/20, when it
re

-passed the conference agreement by a vote of 235

-192.
*2. Item Veto: (Königsberg/J. Gibbons, x57593)
House passed HR 2 (enhanced rescission) on February 6,
(294

-134). Senate passed S 4 (separate enrollment) on
March 23, (69

-29). Conference: House has sent the Senate
an offer and has prepared legislative language reflecting
its offer; no conference meetings scheduled at this time.
3. Tax Fairness and Deficit Reduction Act: (R. Jones, x53386)
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 is handling tax cuts 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, x53386)

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 Moratorium/Waiting Period: (J. Weinberg, x53457)
House passed HR 450 on Feb. 24 by 276

-146. The bill would establish a "moratorium period" -- Nov. 20, 1994 through Dec. 31, 1995 or enactment of reg reform, whichever is

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

Senate passed S. 219 on March 29 by 100

-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. Press reports indicate that the House may seek to attach its regulatory sunset legislation (HR 994, described below) to S 219.

*6. Product Liability/Civil Litigation/Medical Malpractice:

(I. Schroeder, x53883)

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

-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.)

Medical malpractice/liability reform was added to the Reconciliation bill.

Conference: Conferees have been appointed. First meeting possible week of 12/4/95.

7. Loser Pays - Civil Litigation: (I. Schroeder, x53883)

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.

*8. Shareholder Suits: (I. Schroeder, x53883)
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: S. 1058 is enrolled
9. Telecommunications Amendments: (J. Weinberg, x53457)
House passed HR 1555, amended, on August 4th, 305

-117.
Statement by the President on August 1st threatening to veto HR 1555 with the managers' amendments. 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

-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.

Conference: President sent a letter to Senator Hollings on 10/26/95 stating the following concerns: that neither bill provides a meaningful role for the Justice Department in safeguarding competition before local telephone companies enter new markets; the bills allow too much concentration within the mass media and in individual markets; the provisions allowing mergers of cable and telephone companies are overly broad; and ?I oppose deregulating cable programming services and equipment rates before cable operators face real competition.? Conferees met for the first time on 10/25/95.

10. Banking and Insurance Reform: (R. Jones, x53386)

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. A new bill (HR 2520) combining aspects of HR 1062 and HR 1858 (discussed below) was introduced on Oct. 24. (See below for discussion of HR 1858 - Banking Deregulation.)

11. HUD Elimination Act: (A. Briatico, x57887)

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. The Senate

-passed VA/HUD Appropriations Bill (H.R. 2099) also would transfer all Fair Housing Act responsibilities from HUD to Justice. The Administration strongly opposed this transfer in the SAPs on H.R. 2099 sent on September 25th and November 20th. Basis for opposition: The administration of these authorities is best accomplished by HUD, which has the infrastructure to handle these responsibilities.

*12. National Highway System: (J. Brown, x53473)
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 is unable to obligate \$5.2 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

-type labor protections, which was the subject of a Secretary of Labor veto threat in the SAP, was deleted on the Senate floor.)

House bill (H.R. 2274) passed the House on September 20th. Basis for opposition. Repeal of national maximum speed limit law and motorcycle helmet requirements; could provide for up to \$2.2 billion more in highway spending than contemplated by current law; requires congressional approval for all changes to NHS; rescinds funding for congestion pricing program; and restricts the Federal Transit Administration's authority to enter into full funding agreements.

Conference: S. 440 was signed by President on 11/28/95.

13. Highway Trust Fund Off

-Budget Bill: (J. Brown, x53473)

House bill (HR 842 and HR 2274). HR 842 was ordered reported by House Transport. Cte. on May 3. Subsequently incorporated in HR 2274, the "National Highway System Designation Act of 1995" in a House Transport.

Subcommittee markup on September 7th. Removed from HR 2274 prior to floor action in return for a commitment from the Speaker for floor consideration of HR 842.

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.

*14. Banking Deregulation: (R. Jones, x53473)

House Banking Committee reported Chairman Leach's HR 1858 (successor to HR 1362) on July 18. A new bill (HR 2520), combining aspects of HR 1858 and HR 1062 (described above) was introduced on Oct. 20. 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. Under Secretary Hawke, in an 10/29/95 letter to the Banking Committee, restated the Treasury

veto recommendation on a component of the new bill and added, "Despite some modest improvements in that component...the bill remains deeply flawed. . . .") Senate bill (S 650) was ordered reported by the Senate Banking Committee on September 27th. The Senate bill contains some, but not all, of the troublesome provisions. Senate banking staff report the Report may be issued the week of Dec. 4th with floor action to follow shortly, perhaps the same week.

15. Lorton Closure: (M. Cook, x53924)

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.

*16. Housing for Older Persons Act: (A. Briatico, x57887)

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 Subcommittee on the Constitution, Federalism and Property approved HR 660 by voice vote on August 2nd with an amendment that would require senior citizen housing to have at least 80 percent actual occupancy by seniors to qualify for the exemption from the Fair Housing Act. Justice sent a letter to the Senate Judiciary Committee opposing this bill on 9/20/95. The Committee approved H.R. 660 on 10/26/95 and was reported on 11/9/95. H.R. 660 passed the Senate on 12/6/95 by a vote of 94

-3. 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 similar to those of Title IV of HR 8, the "Senior Citizens' Equity Act," a Contract with America bill.

*17. Counterterrorism: (R. Jones, x53386)

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 ordered H.R. 1710 reported on June 20 (23

-12). The House bill also includes many of the President's proposals, including a funding mechanism for digital telephony. Opposition from conservative Republicans has delayed further action on the bill. The Committee will not issue the report until they believe they have enough votes for it to pass. No further action is expected until after appropriations and reconciliation action is completed. Rep. Schumer has begun circulating a discharge petition to move the bill to the House Floor. Rep. Hyde and Rep. Barr circulated a "Dear Colleague" letter describing the agreement reached between the Conservative Republicans and the Judiciary Committee Chairman. Floor action may take place before the Christmas recess.

18. Regulatory Sunset and Review: (J. Gibbons, x57593)
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. On 10/31/95 House Judiciary Cte. marked up HR 994 and ordered it reported, as amended, by a voice vote. 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. Press reports indicate the the House may attach HR 994 to S 219 as passed by the Senate (described above).

19. Pipeline Safety: (J. Brown, x53473)
House bill (HR 1323) has been reported by Transportation and Commerce Ctes. A SAP strongly opposing the bill was sent to the House on September 20th. The bill was subsequently removed from the House floor schedule. 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.

20. Dismantling Commerce Department: (J. Weinberg, x53457)
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.

Multiple House Committees have approved conflicting versions of HR 1756.

Compromise version included in House reconciliation bill. Senate bill (S 929) hearing was held by Senate Governmental Affairs on 7/25/95 at which Secretary Brown repeated Presidential veto statement. On 9/7/95 Senate Governmental Affairs Committee marked up S. 929 and ordered it reported by a vote of 5 to 3.

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

21. Legal Aid Act of 1995: (A. Briatico, x57887)

House bill (HR 2277) to abolish the Legal Services Corporation and replace it with a block grant program was marked up by the House Judiciary Committee on 9/13/95. Justice and White House Counsel sent a letter to the Committee ?vigorously opposing? the bill. The New York Times reported on 9/13/95 and 9/14/95 that the Clinton Administration/President would veto the bill. (The Times did not provide an information source regarding the veto threat.) The Administration has not taken

a formal position

on a related Senate bill,(S 958) which would also abolish the LSC. Basis for opposition: Eliminating the LSC would result in the loss of effective, community

-based legal services for millions of poor and low

-income individuals.

*22. Federal Aviation Administration Revitalization Act of 1995.: (J. Brown, x53473)

House bill (HR 2276). HR 2276 was ordered reported by House Transport. Cte. On November 1. In separate letters dated October 31 to the Committee, the Departments of Transportation and Justice stated that they would recommend veto of H.R. 2276. Basis for opposition: Bill removes FAA from the Department of Transportation and establishes it as an independent establishment in the Executive branch, eroding accountability and creating

Constitutional concerns; structure of proposed governing

board poses constitutional concerns; removes Airport and Airways Trust Fund from the Budget -- inconsistent with unified budget. Senate bill (S. 1239) was introduced on September 13 by Sen. McCain.

*23. Equal Opportunity Act of 1995: (I. Schroeder, x53883)
House Judiciary subcommittee on the Constitution held a hearing on H.R. 2128 on December 7th. The bill would prohibit the use of racial and gender preferences, goals, timetables, and set

-asides by the Federal Government in contracts, hiring, and programs. It also aims to bar the Government from requiring or encouraging contractors from using such preferences. Basis for opposition: in December 13th testimony on the bill, the Department of Justice stated that, "[s]hould it [H.R. 2128] be presented to the President for signature, the Attorney General would strongly recommend that he veto it." No action has been scheduled on the Senate companion bill, S. 1085 (sponsored by Dole).

NATIONAL SECURITY & INTERNATIONAL AFFAIRS:
101. National Security: (A. Rooney, x57300)
House passed HR 7 on February 16th (241

-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). (HR 872 was amended on the House floor and passed as HR 7) On 4/7/95, POTUS said that he would refuse to approve the 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 (S 908) and deleted from the bill as reported. State advises that peacekeeping may be considered separately by the Committee at a later date.

*102. Foreign Affairs Authorization and Consolidation:
(A. Rooney, x57300)
House passed HR 1561 on June 8th (222 - 192). On September 27th, the H. International Relations Cmt. voted (21

-12) to include, by reference, the House passed

consolidation provisions of HR 1561 in its recommendation for Reconciliation. The House passed its reconciliation bill (HR 2491) on 10/26/95 by 227

-203 and the reconciliation conference dropped the consolidation provisions because of a "Byrd Rule" violation. 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. In an October 18th letter to Chairman Kasich, OMB reiterated the Administration's serious objections to the foreign affairs consolidation provisions (Division A of H.R. 1561) contained in the House International Relations reconciliation language. 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. 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 twice to invoke cloture on S. 908 on identical votes of 55

-45. On September 29th, a unanimous

-consent time agreement was reached providing for Senate consideration of S. 908 (i.e., 4 hours of debate on the bill and an Helms

-Kerry
to be agreed

-upon ?managers? amendment?). On December 7th, Helms and Kerry announced that they have an agreement. The managers amendment is expected to be considered in the Senate on December 13th. 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

-management, and inadequate

appropriations authorizations. Further Senate consideration of S. 961 is uncertain.

103. National Defense Authorization Act: (R. Nassif, x57896)
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 (6/13/95)-

-strongly opposes. Basis for opposition: Raises serious constitutional, national security, budget, personnel, and management concerns. Senate passed S 1026, the companion bill, on September 6th (64

-34). The National Security Adviser, in an August 4th letter to Sen. Daschle, stated that "unless the unacceptable missile defense provisions are deleted or revised and other changes are made to the bill . . . the President's advisors will recommend that he veto the bill." SAP on S 1026 (7/31/95)--"The President will not support the bill unless these concerns are addressed." Basis for opposition: Raises serious constitutional, national security, budget, and management concerns. It is not clear when this conference will conclude.

104. Bosnia: (A. Rooney, x57300)

On August 11th, the President vetoed S. 21. Congressional action to override the President's veto is unlikely at this time. In July 25th letters to Senators Dole and Daschle, the President expressed strong opposition to S. 21, the Bosnia and Herzegovina Self

-Defense Act. 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). The Senate passed S. 21, by 69

-29 on July 26th and the House,
by a vote of 298 to 128, passed and cleared the bill for the President on August 1st. 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.

*105.Cuban Liberty and Democratic Solidarity Act:
(A. Rooney, x57300)
House passed H.R. 927 by vote of 294

-130 on September
21st. Sec. Christopher letter (9/20) to Speaker prior to House floor action stating that he would recommend a veto of H.R. 927 because it "would damage prospects for a peaceful transition in Cuba and jeopardize a number of U.S. interests around the world." SAP on H.R. 927 (9/20/95) -- President's senior advisors would recommend

a veto. Basis for opposition: Would not advance U.S. interests in Cuba and would damage other U.S. interests. The Senate passed H.R. 927, as amended, by a vote of 74

-24 on October 19th. After two failed attempts to invoke cloture, the Dole/Helms substitute was amended to delete Title III, which would have allowed a private right of action for Cuban

-Americans whose property had been confiscated by the Cuban government. Upon passage of S. 908, Senate conferees will be named. SAP on H.R. 927 (10/11/95) -- President's senior advisors would recommend a veto. Basis for opposition: Would not advance U.S. interests in Cuba and would damage other U.S. interests.

Conference action is expected this year.

*106.Funding Prohibition for US Troops for Bosnia Peacekeeping: (A. Rooney, x57300)
House passed H.R. 2606 by a vote of 243

-171 on November 17th. SAP on H.R. 2606 (11/16/95) -- President's senior advisors would recommend a veto. Basis for opposition: Would restrict President's ability to carry out constitutional responsibilities

as Commander

-in

-Chief and to conduct foreign policy, and could undermine the Bosnian peace process. The Senate is expected to consider H.R. 2606 as well as two other proposals including a joint resolution with conditions which will authorize US forces to participate in the Bosnian peacekeeping operation. Action on the Bosnia bills is expected to come on Wednesday, December 13th.

NATURAL RESOURCES, ENERGY & SCIENCE

201. Farm Bill: (A. Perkins, x53857)

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 \$4.2 billion over 7 years. Most action on farm programs currently involves reconciliation, with instructions requiring cuts of \$13.4 billion over 7 years. The enrolled reconciliation conference report generally reflects Rep. Robert's "Freedom to Farm" proposal which decouples farm payments from production levels and increases planting flexibility. In an October 18th letter to Chairman

Kasich, OMB (1) expressed the Administration's serious concern with the deep level of cuts proposed for Agriculture by the reconciliation instructions and (2) noted "serious concerns with . . . [the] "Freedom to Farm" proposal, . . . particularly its effect on the federal safety net for family

-sized farms." Basis for opposition: Points made in OMB's letter to Chairman Kasich.

202. Clean Water Amendments of 1995: (H. Fitter, x53233)
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, x57301)

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). On 10/26/95, Sen. Kempthorne (R

-ID) introduced legislation to revise the ESA.

The bill would direct the manner in which Interior manages endangered species, end automatic protection for certain subspecies, and redefine endangered species as those likely to become extinct within 40 years. CEQ advises that Sen. Reid (D

-NV) may also 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. The bill would: (1) provide financial compensation for use or takings of private property under ESA; (2) modify ESA enforcement, conservation management, and listing procedures; (3) redefine the role and authorities of other Federal agencies; (4) curtail habitat protection activities; and (5) prescribe State authority to protect

endangered species. At the September 20th House Resources Committee hearing on HR 2275, the Task Force bill, the Department of the Interior (Frampton) advised that "the Secretary of the Interior would recommend that the President veto the bill if it is presented to him in its current form." Justice (Fois), in an 10/12/95 report to Rep. Young, advised that "[i]f H.R. 2275 were presented to the President, the Attorney General would recommend that he veto the bill". On October 12th, the House Resources Committee ordered H.R. 2275, as amended, reported (27

-17). Basis for opposition: would undermine the scientific foundation of the Endangered Species Act; would impose costly, bureaucratic processes; would unfairly compensate certain property owners if regulatory actions taken under the ESA cause a decrease of 20 percent or more in the fair market value of any portion of the landowner's property; depart from 200 years of constitutional jurisprudence; prevent enforcement of national and international wildlife laws; and would provide virtually no protection for wildlife.

*204. Safe Drinking Water: (H. Fitter, x53233)

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 Committee staff is working on legislation. Senate. S. 1316, the Safe Drinking Water Act Amendments of 1995 (Kempthorne) was reported by the Environment and Public Works Committee on 11/07/95. The Senate passed S.1316, amended, on 11/29/95 by 99

-0.

EPA Administrator Browner generally supports the bill which would: capitalize State Revolving Funds, increase flexibility in standard setting and monitoring, and provide technical assistance to small systems.

205. Interstate Waste: (H. Fitter, x53233)

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. House Commerce subcommittee marked up an unnumbered subcommittee print on May 18, 1995. Timing of full Committee action is uncertain.

206. Superfund Reform: (H. Fitter, x53233)

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 introduced S. 1285, the accelerated Cleanup and Environmental Restoration Act of 1995 on 9/29/95. EPA Administrator Browner issued a statement on 9/29/95 saying that the

Smith proposal would delay cleanup and fail to promote complete cleanup. A 10/12/95 hearing on S. 1285 was abruptly cancelled due to Sen. Majority Leader Dole's opposition to a key provision authorizing a 50 percent tax credit to companies that expeditiously cleanup their share of a superfund site. The future of Superfund

legislation in the Senate is unclear.

In the House, Congressmen Oxley introduced H.R. 2500, Reform of Superfund Act of 1995, on October 18, 1995. At a October 26, 1995 House Commerce Subcommittee hearing EPA, Justice, Defense, HHS (ATSDR), and Commerce (NOAA) testified in opposition to the bill. House Commerce Subcommittee on Commerce, Trade, and Hazardous Materials completed its markup of H.R. 2500 on 11/9/95. Basis for Opposition: H.R. 2500 would not protect human health and the environment, complete cleanups faster and at lower cost, reduce litigation, reform the liability scheme, or appropriately involve the community in decisionmaking.

207. Mining Law: (M. Goad x57301)

Senate Energy and Natural Resources Committee has postponed indefinitely its markup of legislation (S 506) on hardrock mining on Federal lands, but included similar provisions in its 9/21/95 markup of reconciliation legislation. In a 9/20/95 letter to Chairman Murkowski, Secretary Babbitt cited serious concerns with the mining law provisions proposed for reconciliation. (The Secretary had previously indicated in a 5/25/95 letter on S 506 that he would recommend a veto of S 506.) The House Resources Committee included in its 9/19/95 reconciliation markup a number of provisions similar to S. 506 on mining patents, royalties, and maintenance fees. Secretary Babbitt cited serious concerns with these provisions in a 9/19/95 letter to Chairman Young. In a 10/18/95 letter to Rep. Kasich and a 10/23/95 letter to Sen. Domenici, OMB expressed the Administration's concern that the House and Senate reconciliation provisions to reform the 1872 hardrock mining law would, in fact, leave it largely intact. (Similar provisions were retained in the reconciliation bill as enrolled.) 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.

208. Utah Wilderness: (M. Goad, x57301)

House Resources Committee on 8/2/95 ordered reported HR 1745, designating certain Federal lands in Utah as wilderness. Interior testified 6/29/95 before the Committee 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: (A. Perkins x57301)
Senate Energy and Natural Resources Committee (SENRC) reported S 852 on 7/28/95, and subsequently the bill's sponsor (Domenici, R

-NM) developed a substitute draft that purports to acknowledge other uses of the public lands. The substitute draft was ordered reported by SENRC on 11/30/95. Interior strongly opposed S 852 in testimony before the Senate on 6/22/95, and USDA Forest Service objected in a 7/18/95 letter to provisions in the reported bill that apply to National Forest System lands. In reports sent to SENRC on November 30th, both Interior and Agriculture continued to express their strong opposition to the substitute draft. 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) restrict land managers ability to enforce environmental and other applicable statutes. In addition, the substitute draft would freeze BLM grazing regulations and introduce radical new water rights concepts. The House Resources Committee included a number of provisions similar to S 852 in its 9/19/95 reconciliation markup. Secretary Babbitt cited serious concerns with these provisions in a 9/19/95 letter to Chairman Young. In an October 18th letter to Chairman Kasich, OMB stated that the Congress should not "use the budget process in an effort to stop the (grazing) reforms" as proposed in the House Resources reconciliation language. (On 10/26/95, the House passed its reconciliation bill by a vote of 227

-203.) Because these provisions were dropped by the reconciliation conferees, the Committee is expected to consider stand-alone legislation (HR 1713) that was approved in subcommittee on 9/12/95. Interior opposed HR 1713 in 7/11/95 testimony.

210. Transfer BLM Lands to States: (A. Perkins, x53857)
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." No bill introduced in the Senate.

211. Arctic National Wildlife Refuge: (M. Goad, x57301)
On 08/01/95, the Senate Energy and Natural 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. On 08/03/95, Secretary Babbitt reiterated the veto threat before the House Committee on Resources. In a 09/19/95 letter to Rep. Young and a 09/20/95 letter to Sen. Murkowski, Secretary Babbitt stated restated his intent to recommend to the President that he veto legislation opening the Arctic National Wildlife Refuge to oil and gas development? and advised that he would also recommend to the President that he veto a reconciliation bill containing any such provision.? In 09/21/95 letters to Reps. Young and Miller and Sens. Murkowski and Johnston, OMB Director Rivlin stated that, if the reconciliation bill includes language to open the coastal plain of the Arctic National Wildlife Refuge (ANWR) to oil and gas drilling, [the President] will veto the bill.? In a 10/18/95 letter to Rep. Kasich and a 10/23/95 letter to Sen. Domenici, OMB advised that the President will veto any reconciliation bill that opens ANWR to oil and gas drilling.? The reconciliation bill, as enrolled, contains provisions opening ANWR to oil and gas drilling. 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.

212. Reg Reform/Risk Assessment: (H. Fitter, x53233)
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, 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.

*213. Private Property Rights/Takings: (M. Goad, x57301) 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. Interior, in an October 18th statement presented before the Judiciary Committee, reiterated the multiple agency veto threat. 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. Sen. Judiciary is tentatively scheduled to markup S. 605 on 12/7/95. Basis for opposition: Same as opposition to House bill. 214. Science Authorizations: (J. Weinberg, x53457) House passed HR 2405, the Omnibus Civilian Science Authorization Act, on October 12th by a vote of 248

-161.

SAP sent on October 11th: veto threat by Secretaries of Commerce and Energy, EPA Administrator, OMB Director, and Science Adviser. Basis for opposition: Unacceptably deep reductions in and terminations of Federal investments in science and technology. Senate action on an omnibus bill appears unlikely.

HUMAN RESOURCES

* 301. Welfare Reform: (M. Haskins, x53923) 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 would block grant AFDC; impose a five- year time limit on benefits; tighten eligibility for SSI; and strengthen child support enforcement. HHS cited concerns with the bill in a May 24 letter to the Committee. On August 3, 1995, Senator Dole introduced S.

1120, a ?perfecting amendment.? S. 1120 is based on the S. Finance Committee?s H.R. 4, but also includes provisions: reauthorizing the Child Care Development Block Grant; consolidating training programs (based on S. 143, Kassebaum's Workforce Development Act); and allowing States the option of receiving their Food Stamp revenue in the form of a block grant

Senate incorporated the text of S. 1120, as amended, into H.R. 4, and passed it on September 19 (87

-12). Senate SAP opposed S. 1120 and supported S. 1117, the Democratic leadership alternative. On September 19, the President signaled support for the Senate

-passed H.R. 4. He stated,?If welfare reform remains a bipartisan effort to promote work, protect children and collect child support from people who ought to pay it, we will have welfare reform this year, and it will be a great thing...But, if the Congress gives in to extremist pressure and walks away from this bipartisan American common ground, they will kill welfare reform.?

Conference Action It is reported that House Republicans plan to bring the welfare reform bill to the House floor the week of December 4th. However, a dispute between conferees Senator Lugar and Representative Goodling over a provision that would block grant the school lunch program has deadlocked the welfare reform conference. Lugar is opposed to the block grant provision. Until an agreement can be reached, the bill cannot be reported out of the conference committee.

*302. Social Security Earnings Test: (M. Cook, x53924) House-

-On December 5, 1995, the House passed (411 to 4) H.R. 2684. (The SAP stated that ?[w]hile the Administration strongly supports increasing the Social

Security earnings limit for senior citizens, its full support is contingent on accomplishing this in a deficit-neutral manner.? The SAP also expressed ?misgivings? about some of the bill?s provisions and stated the Administration?s willingness to work with Congress in these areas.) On November 30, 1995, the full House Ways and Means Committee ordered reported H.R. 2684, a bill that would increase the earnings limit from \$11,280 to \$30,000 (over 7 years). House floor consideration of H.R. 2684 is scheduled for the week of December 4th. [A proposed increase in earnings limit from \$11,280 to \$30,000 (over 5 years) was included in HR 1215, which passed on April 5, (246

-188). On January 9, 1995, Social Security Commissioner Chater testified that the ?Administration would support, in principle, a moderate increase in the retirement earnings test exempt amount for beneficiaries who have reached the age of 65?, as long as the costs of the increase were fully offset. When pressed to define ?moderate?, the Commissioner used \$1,000 as an example of a possible moderate increase.]

Senate -

-On November 29, 1995, S. 1432, a companion bill to H.R. 2684 and a successor to S. 1372, was placed on the Senate calendar. On November 2, 1995, the Senate failed to waive a point

-of

-order with respect to consideration of S. 1372, a bill that would increase the Social Security earnings limit. According to the Congressional Monitor, ?[s]upport for the thrust of the bill was widespread, but many Senators objected to the proposed method of offsetting the added costs -- an across

-the

-board cut in discretionary spending. . . . Majority Leader Bob Dole, Kan., said an effort would be made to find another way to finance the bill.? Both the House and Senate have expressed their intention to pass legislation by the end of 1995 that would increase the retirement earnings test exempt amount.
303. Davis

-Bacon Repeal: (A. Briatico, x57887)
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). S.1120 (Work Opportunity Act of 1995) would modify Davis

-Bacon labor standards protections for tenants of public housing. The Administration's SAP on S.1120 (dated August 5, 1995) recommended deleting this provision from the bill and indicated that Davis

-Bacon reform would be the appropriate avenue for making changes Davis

-Bacon requirements. (The text of S. 1120 passed the Senate as H.R. 4.) 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: (A. Briatico, x57887) 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, x57887) 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. Labor testified in support of H.R. 940 to raise

the minimum wage at a House Democratic Forum on 11/30/95.

306. Striker Replacement: (B. Pellicci, x54871) 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.

The House

-passed Labor/HHS Appropriations bill (H.R. 2127) contains a provision prohibiting the use of funds to enforce the President's Executive Order as does the Senate version of the bill, which is awaiting floor action.

307. Teamwork for Employees and Managers Act:(B. Pellicci, x54871)

HR 743 and S295. (SAP on 9/27/95 stated that if H.R. 743 were presented to the President, the Secretary of Labor would recommend that it be vetoed. Reich letter: recommend veto, 3/6/95, 6/21/95, and 9/26/95; 9/26/95 letter noted that the President stated before the UAW on June 12th, that he would veto any effort to weaken section 8 (a)(2) of the National Labor Relations Act; 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 where no union currently exists or alternative, company

-dominated organizations where employees are in the process of determining whether to be represented by a labor organization. On 9/27/95, the House passed HR 743 by a vote of 221

-202. No action has been taken to date on S295.

308. Social Security Solvency: (M. Cook, x53924)
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, x53803)

Both the Senate and House have acted on bills that would consolidate numerous Federal education and job training programs grants 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. House passed H.R. 1617 (The Consolidated and Reformed Education, Employment and Rehabilitation Systems, or 'CAREERS' Act) on September 19, 1995 (345

-79). It

incorporates the text of 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. A September 19, 1995, Statement of Administration Policy stated that the Administration supports H.R. 1617 for purposes of House passage, but will work to address significant concerns. Basis for Concerns: inadequate authority to continue the current School

-to

-Work Opportunities Act, restrictions on governors in the use of vocational rehabilitation service delivery systems, insufficient funding, failure to provide sub

-State allocation formulas to target funds to those most in need, and shortcomings in the authorities to privatize the higher education GSEs. Senate passed S. 143 (Workforce Development Act) on October 11, 1995 (95

-2). The provisions of S. 143 were at one time incorporated in large part into S. 1120, the Republican leadership welfare reform bill. The August 5th Statement of Administration Policy on S. 1120 expressed concerns with a variety of these provisions and stated that the inclusion of the provisions in S. 1120 was ?inappropriate?. In a September 12th letter to the

Senate, Secretary Reich cited serious concerns with the bill. An amendment was adopted by the Senate to delete the job

training provisions from S. 1120. SAP on S. 143 sent to Senate on October 10, 1995. It stated that the Administration supports S. 143 for the purpose of Senate passage (and it enumerates key features the Administration supports), but has significant concerns it will work to address during conference. Basis for Concerns: insufficient empowerment of adult trainees through Skill Grants, insufficient funding, inadequate accountability for Federal funds -- including an unwieldy new bureaucratic structure that may pose Appointments Clause problems, downsizing and elimination of Jobs Corps as a national program, and elimination of Trade Adjustment Assistance retraining services.

310. Food Stamps - Block Grant: (M. Haskins, x53923) 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 (H.R. 4). The Senate

-passed version of H.R. 4 provides States the option of receiving their Food Stamp revenue as a block grant. House

-passed HR 4 (the welfare reform bill) and HR 1997 (the food and nutrition title of the Farm Bill), as approved by a H. Agriculture Subcommittee on 7/11/95, do 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: (M. Haskins, x53923) House 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.

Senate On November 17, 1995, Senator Kassebaum and four co

-sponsors introduced S. 1423, the Occupational Safety and Health Reform Reinvention Act of 1995. At a November

29th hearing before the Senate Labor and Human Resources Committee, Assistant Secretary of Labor Joseph A. Dear discussed the Department of Labor's concerns with S. 1423. Basis for Concern: Fails to strengthen workers' rights and protections, weakens OSHA's enforcement program, and imposes new statutory changes without adequately considering OSHA's stakeholders.

HEALTH & PERSONNEL

401. Federal Retirement Reform Act: (M. Cook, x53924) 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 have been included in both the House and Senate reconciliation bills.

*402. Partial

-Birth Abortion Ban Act of 1995: (B. Pellicci, x54871) H.R. 1833. SAP dated 12/6/95 to the Senate noted that the Attorney General and the White House Counsel will recommend that the President veto the bill. Basis for opposition: Fails to provide for consideration of the need to preserve the life and health of the mother, consistent with the U.S. Supreme Court's decision in Roe v. Wade. On 11/01/95, the House passed H.R. 1833 by a vote of 288

-139; the Senate
passed an amended version of H.R. 1833 on 12/07/95 by a vote
of 54

-44. Timing of Conference action is uncertain.

PRINTER FONT 12_POINT_ROMAN
MAJOR LEGISLATION ENACTED
PRINTER FONT 12_POINT_COURIER
? 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.
? Emergency Supplemental Appropriations for Additional
Disaster Assistance, for Anti

-terrorism Initiatives, for
Assistance in the Recovery from the Tragedy that Occurred at
Oklahoma City, and Rescissions Act, 1995 (PL 104

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

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

CREATOR: Lisa Kountoupes (KOUNTOUPES_L) (OMB)

CREATION DATE/TIME:22-DEC-1995 20:29:27.00

SUBJECT: EOP USE ONLY: AMR DAILY

TO: Charles S. Konigsberg (KONIGSBERG_C) (OMB)
READ:27-DEC-1995 09:41:49.38

TO: Alice M. Rivlin (RIVLIN_A) (OMB)
READ:26-DEC-1995 08:15:22.92

TO: Charles E. Kieffer (KIEFFER_C) (OMB)
READ:26-DEC-1995 10:52:52.36

TO: Jacob J. Lew (LEW_J) (OMB)
READ:NOT READ

TO: Patrick J. Griffin (GRIFFIN_P) (WHO)
READ:23-DEC-1995 15:16:51.18

TO: Martha Foley (FOLEY_M) (WHO)
READ:23-DEC-1995 12:31:06.01

TO: Ann M. Cattalini (CATTALINI_A) Autoforward to: Annette E. Johnson (JOHNSON_AE) (WHO)
READ:27-DEC-1995 08:16:13.37

TO: James C. Murr (MURR_J) (OMB)
READ:26-DEC-1995 08:49:00.96

TO: James J. Jukes (JUKES_J) (OMB)
READ:23-DEC-1995 10:50:04.99

TO: Janet R. Forsgren (FORSGREN_J) (OMB)
READ:27-DEC-1995 08:55:12.90

TO: Ronald K. Peterson (PETERSON_RK) (OMB)
READ:26-DEC-1995 08:36:52.57

TO: LAWRENCE J. HAAS (HAAS_L) (OMB)
READ:23-DEC-1995 13:47:23.06

TO: Robert G. Damus (DAMUS_R) (OMB)
READ:25-DEC-1995 15:13:57.46

TO: Barry B. Anderson (ANDERSON_B) (OMB)
READ:27-DEC-1995 10:04:40.02

TO: Gordon Adams (ADAMS_G) (OMB)
READ:NOT READ

TO: T J Glauthier (GLAUTHIER_T) (OMB)
READ:28-DEC-1995 08:23:19.78

TO: Kenneth S. Apfel (APFEL_K) (OMB)
READ:24-DEC-1995 07:48:03.54

TO: Nancy-Ann E. Min (MIN_N) (OMB)
READ:NOT READ

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

TO: Joseph Minarik (MINARIK_J) (OMB)
READ:26-DEC-1995 08:04:38.78

TO: Sally Katzen (KATZEN_S) (OMB)
READ:26-DEC-1995 15:00:00.08

TO: Lydia Muniz (MUNIZ_L) (OMB)
READ: 2-JAN-1996 11:47:12.59

TO: Kristen E. Panerali (PANERALI_K) (OMB)
READ:28-DEC-1995 12:35:45.91

TO: John A. Koskinen (KOSKINEN_J) (OMB)
READ:23-DEC-1995 11:02:45.33

TO: Steven Kelman (KELMAN_S) (OMB)
READ: 2-JAN-1996 08:59:02.58

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

TO: John B. Arthur (ARTHUR_J) (OMB)
READ:23-DEC-1995 14:41:10.69

TO: William A. Halter (HALTER_W) (OMB)
READ: 2-JAN-1996 09:24:29.48

TO: Jill M. Blickstein (BLICKSTEIN_J) (OMB)
READ:26-DEC-1995 07:45:28.60

TO: Chantale Wong (WONG_C) (OMB)
READ:26-DEC-1995 15:08:53.93

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

TO: Thomas O'Donnell (O'DONNELL_T) (WHO)
READ:NOT READ

TO: David J. Lane (LANE_D) (OPD)

READ:26-DEC-1995 15:49:51.49

TO: M. Jill Gibbons (GIBBONS_M) (OMB)

READ:28-DEC-1995 13:52:26.16

TO: Ronald E. Jones (JONES_RE) (OMB)

READ:NOT READ

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

READ:28-DEC-1995 09:41:46.47

TO: Jeffrey A. Weinberg (WEINBERG_J) (OMB)

READ:26-DEC-1995 08:01:48.58

TO: James A. Brown (BROWN_JA) (OMB)

READ:NOT READ

TO: Constance J. Bowers (BOWERS_C) (OMB)

READ:26-DEC-1995 09:13:08.86

TO: Melissa Y. Cook (COOK_MY) (OMB)

READ:26-DEC-1995 09:29:07.66

TO: Anna M. Briatico (BRIATICO_A) (OMB)

READ: 2-JAN-1996 10:11:16.21

TO: Robert J. Pellicci (PELLICCI_R) (OMB)

READ:28-DEC-1995 10:13:22.70

TO: Alison C. Perkins (PERKINS_A) (OMB)

READ: 2-JAN-1996 08:41:17.86

TO: Elyse H. Fitter (FITTER_E) (OMB)

READ:26-DEC-1995 09:06:09.53

TO: Michael L. Goad (GOAD_M) (OMB)

READ: 2-JAN-1996 08:31:52.70

TO: Annette E. Rooney (ROONEY_A) (OMB)

READ: 2-JAN-1996 09:15:04.66

TO: Dena B. Weinstein (WEINSTEIN_D) (WHO)

READ:26-DEC-1995 13:17:35.35

TO: Stacey L. Rubin (RUBIN_S) (WHO)

READ:31-DEC-1995 09:31:52.74

TO: Jennifer N. Palmieri (PALMIERI_J) (WHO)

READ:29-DEC-1995 07:59:51.59

TO: Karin L. Kizer (KIZER_K) (OMB)

READ: 2-JAN-1996 11:55:35.80

TO: Deborah F. Kramer (KRAMER_D) (OMB)

READ:27-DEC-1995 08:30:35.85

TO: Diane G. Limo (LIMO_D) (OMB)

READ:27-DEC-1995 08:30:14.77

TO: Alice E. Shuffield (SHUFFIELD_A) (OMB)

READ: 2-JAN-1996 15:13:31.77

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

READ: 3-JAN-1996 10:00:53.95

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

READ:26-DEC-1995 10:39:32.43

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

READ:26-DEC-1995 08:09:01.91

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

READ:27-DEC-1995 08:18:43.95

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

READ:26-DEC-1995 09:13:44.72

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

READ:26-DEC-1995 07:20:55.11

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

READ:26-DEC-1995 08:41:35.20

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

READ:26-DEC-1995 12:41:59.06

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

READ:NOT READ

TO: Kathleen Peroff (PEROFF_K) (OMB)

READ:28-DEC-1995 11:35:37.76

TO: Ron Cogswell (COGSWELL_R) (OMB)

READ:23-DEC-1995 13:44:45.64

TO: Barry White (WHITE_B) (OMB)

READ:NOT READ

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

READ:24-DEC-1995 10:30:06.17

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

READ:30-DEC-1995 16:14:17.30

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

READ:26-DEC-1995 08:17:01.98

TO: Donald A. Baer (BAER_D) Autoforward to: Kristin Leight

(LEIGHT_K) (WHO)

READ:28-DEC-1995 11:04:40.30

TO: Ann F. Walker (WALKER_A) Autoforward to: Daniel P. Collins (COLLINS_D)
(WHO)

READ:26-DEC-1995 09:49:46.52

TO: Todd Stern (STERN_T) (WHO)

READ:NOT READ

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

READ:26-DEC-1995 09:40:55.80

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

READ:NOT READ

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

READ:26-DEC-1995 10:25:23.19

TO: Gene B. Sperling (SPERLING_G) Autoforward to: Daniel Taberski (TABERSKI_D)
(WHO)

READ:NOT READ

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

READ:NOT READ

TO: Kathryn Higgins (HIGGINS_K) (WHO)

READ: 9-JAN-1996 12:28:41.40

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

READ:26-DEC-1995 10:27:44.29

TO: Bruce N. Reed (REED_B) (WHO)

READ:22-DEC-1995 20:31:41.68

TO: Jeremy D. Benami (BENAMI_J) (WHO)

READ: 2-JAN-1996 09:45:05.39

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

READ:23-DEC-1995 11:07:33.61

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

READ:27-DEC-1995 09:35:50.16

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

READ:27-DEC-1995 11:38:21.80

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

READ:25-DEC-1995 13:22:38.37

TO: Daniel Tate (TATE_D) (WHO)

READ:NOT READ

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

READ:27-DEC-1995 09:11:02.26

TO: Susanne D. Lind (LIND_S) (OMB)
READ:26-DEC-1995 09:35:07.28

TO: Ellen J. Balis (BALIS_E) (OMB)
READ:26-DEC-1995 10:10:20.89

TO: Anita Chellaraj (CHELLARAJ_A) (OMB)
READ:26-DEC-1995 09:10:22.84

TO: Alicia K. Kolaian (KOLAIAN_A) (OMB)
READ:26-DEC-1995 09:12:29.92

TO: Jennifer L. Nelson (NELSON_JL) (WHO)
READ:NOT READ

TO: Nick B. Kirkhorn (KIRKHORN_N) (WHO)
READ:27-DEC-1995 09:11:34.57

TO: Janet Murguia (MURGUIA_J) (WHO)
READ:27-DEC-1995 18:07:10.62

TO: Lucia A. Wyman (WYMAN_L) (WHO)
READ:NOT READ

TO: Alphonse Maldon (MALDON_A) (WHO)
READ:NOT READ

TO: Bruce D. Long (LONG_B) (OMB)
READ:22-DEC-1995 22:49:26.84

TO: James T. Heimbach (HEIMBACH_J) (WHO)
READ:NOT READ

TO: Lisa Kountoupes (KOUNTOUPES_L) (OMB)
READ: 2-JAN-1996 17:19:50.74

TO: Robert J. Nassif (NASSIF_R) (OMB)
READ:27-DEC-1995 08:57:50.78

TO: Melinda D. Haskins (HASKINS_M) (OMB)
READ:28-DEC-1995 13:06:59.18

TO: Lauren Haber (HABER_L) (OMB)
READ:26-DEC-1995 16:23:53.83

TO: Robert S. Fairweather (FAIRWEATHE_R) (OMB)
READ:23-DEC-1995 15:58:47.84

TO: Bruce D. Beard (BEARD_B) (OMB)
READ:27-DEC-1995 08:18:36.47

TO: James B. Kazel (KAZEL_J) (OMB)
READ:27-DEC-1995 08:54:41.38

TO: John Gribben (GRIBBEN_J) (OMB)
READ:26-DEC-1995 08:22:54.76

TO: Victoria L. Schaefer (SCHAEFER_V) (OMB)
READ: 2-JAN-1996 10:49:43.29

TO: Michelle Denton (DENTON_M) (CEQ)
READ:11-JAN-1996 10:20:00.34

TO: Kathy McKiernan (MCKIERNAN_K) (WHO)
READ:27-DEC-1995 13:46:44.34

TO: APRIL K. MELLODY (MELLODY_A) (WHO)
READ: 2-JAN-1996 11:53:22.96

TO: Mary Ellen Glynn (GLYNN_M) (WHO)
READ:NOT READ

TO: Virginia M. Terzano (TERZANO_V) (WHO)
READ:NOT READ

TO: Ira Fishman (FISHMAN_I) (WHO)
READ:NOT READ

TO: Mark A. Weatherly (WEATHERLY_M) (OMB)
READ:22-DEC-1995 23:42:51.34

TO: Bruce W. McConnell (MCCONNELL_B) (OMB)
READ:26-DEC-1995 08:39:48.95

TO: Bernard H. Martin (MARTIN_B) (OMB)
READ: 2-JAN-1996 08:56:28.95

TO: Nancy E. Schwartz (SCHWARTZ_N) (OMB)
READ:23-DEC-1995 19:01:52.17

TO: Michael A. Fitzpatrick (FITZPATRIC_M) (OMB)
READ: 2-JAN-1996 12:25:53.49

TO: Ananias Blocker (BLOCKER_A) (WHO)
READ:28-DEC-1995 19:52:13.75

TO: Lara L. Roholt (ROHOLT_L) (OMB)
READ:27-DEC-1995 09:40:21.25

TEXT:
PRINTER FONT 12_POINT_ROMAN
Friday, December 23, 1995

TO: ALICE RIVLIN

FROM: LISA KOUNTOUPES

SUBJECT: DAILY LEGISLATIVE REPORT

CONGRESS TODAY:

The Senate today voted to override the President's veto of HR 1058 the Securities Litigation Reform Act (68

-30); passed HR

4 The Welfare Reform Conference Report (52

-47) [POTUS

statement 12/21: will veto]; passed HJRes 136, the 4th CR to ensure Veterans' benefits, AFDC, foster care, adoption assistance and the District of Columbia funding continues through January 3, 1996 (voice); and passed S. 1508 to assure that all federal employees work and are paid into February of 1996 (voice).

The House today passed HRes 299, regarding including book royalties under the earned income cap (259

-128) as amended by

the Solomon amendment which passed (219

-174). The House also

passed HR 2539, ICC Termination Act Conference Report [Secretaries of DOT and DOL letter sent to Speaker and Senate Majority Leader 12/20: President will veto if presented to him in its current form] along with a Concurrent Resolution that addressed concerns with the conference report (voice).

The House also passed HJRes 136, the 4th CR (voice) and rejected a motion to recommit by Mr. Obey that would have extended the current government

-wide CR into January

(161

-200).

SENATE FLOOR SCHEDULE:

Senate will meet in a pro forma session on Saturday December 23rd. There will be no roll call votes on Wednesday, December 27th and votes on December 28th and 29th are unlikely.

Not Completed:

- Start II Treaty consideration

- S 1470, Senior Citizens Right to Work Act

[SAP sent 12/20: Administrations full support is contingent on increase being deficit neutral within Social Security]

- HR 2127 Labor/HHS Appropriations Bill

- HR 2546, DC Appropriations Conference Report

- HR 1868, Foreign Operations Conference Report

[SAP sent 12/15: Secretary of State would recommend veto]

- S 652, Telecommunications Competition/ Deregulation Act

Conference Report

- S 1459, Public Rangelands Management Act
[SAP being developed]
- S 1438, Establishing a Commission to Review Dispute

Settlement Reports of the World Trade Organization

- S--, Bank Regulatory Relief Act

HOUSE FLOOR SCHEDULE:

The House is expected to recess on Saturday, December 23rd (under authority given to the Speaker on 12/21) until Wednesday, December 27th. Members have been advised by the leadership that there is no legislative business expected the week on December 25th. The House could return on the 27th to consider the bill S 1508.

Not completed:

- HR 2546, DC Appropriations Conference Report
- HR 558, Texas Low

-Level Radioactive Waste Deposal Compact
Consent Act

[SAP sent 9/16: Administration supports] (failed under suspension)

- S 652, Telecommunications Competition/ Deregulation Act
Conference Report

- HR 1020, Integrated Spent Nuclear Fuel Management Act
- HR 2677, National Parks and National Wildlife Refuge Systems
Freedom Act

[SAP sent 12/12: Administration opposes]
- S 1470, Senior Citizens Right to Work Act (after passing the Senate)

- HR 1868, Foreign Operations Conference Report
[SAP sent 12/15: Secretary of State would recommend veto]

APPROPRIATIONS

The President has signed the Military Construction Bill (HR 1817), the Agriculture Bill (HR 1976), the Energy and Water Bill (HR 1905), the Transportation Bill, (HR 2002), the Treasury Postal Bill (HR 2020) and the Legislative Branch Bill (HR 1854). HR 2126, the Defense Appropriations bill has also been enacted into law. The President has vetoed the Interior Appropriations Bill (HR 1977), the VA/HUD Appropriations Bill (HR 2099) and the Commerce/Justice/State Appropriations Bill (HR 2076). Veto recommendations are indicated by an asterisk.

*Agriculture (HR 1976)
- House subcommittee reported-

-OMB letter 6/21: serious
objections.
- House committee reported-

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

- House passed-
- OMB letter 8/11: USDA/OMB veto recommendation.
- Senate Committee reported-
- Floor SAP 9/18: Administration could support if concerns addressed.
- House & Senate passed-
- OMB letter 9/27: Administration could support if concerns addressed.
- POTUS signed 10/21 (PL 104
- 37).
- *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.
- House committee reported-
- POTUS letter 7/25: "I would veto it because it would eliminate the Community Oriented Policing Services (COPS) program."
- House passed-
- OMB letter 8/12: Commerce/OMB veto recommendation.
- Senate subcommittee reported-
- OMB letter 9/12: President would veto.
- Senate committee reported-
- Floor SAP 9/14: President would veto.
- House & Senate passed-
- OMB letter 11/6: President would veto.
- Conference Report-
- House Floor SAP 12/6: President would veto.
- Conference Report-

- Senate Floor SAP 12/7: President would veto.
- POTUS veto 12/19.
- *Defense (HR 2126)
- House subcommittee reported-
- OMB letter 7/20: Administration does not support.
- House committee reported-
- Rules SAP 7/27: "the President will not support the bill unless... concerns are addressed."
- House committee reported-
- Floor SAP 7/31: "the President will not support the bill unless... concerns are addressed."
- Senate committee reported-
- Floor SAP 8/10: senior advisers veto recommendation.
- House committee reported-
- Floor SAP 9/7: senior advisers veto recommendation.
- House and Senate passed-
- OMB letter 9/18: senior advisors veto recommendation.
- Conference Report-
- OMB letter 9/29: President will veto.
- POTUS letter 10/18: President will veto.
- Enacted 12/1 (PL 104
- 61).
- *DC (HR 2546)
- Senate committee reported-
- Floor SAP 9/21: pleased with funding level, but strongly opposed to provision.
- House subcommittee reported-
- OMB letter 10/24: strongly object to funding cuts
- House committee reported-
- Rules SAP 10/30: senior advisors would recommend veto.
- House committee reported-
- Floor SAP 11/1: President would veto.
- House and Senate passed-

-OMB letter 11/15: as passed by the House, President would veto. Strong objections to Senate bill, but it is a significant improvement over House version.

*Energy/Water (HR 1905)

- House subcommittee reported-

-OMB letter 6/20: strongly opposed.

- House passed-

-OMB letter 7/20: strongly opposed.

- Senate committee reported-

-Floor SAP 7/31: strongly opposed.

- House and Senate passed-

-OMB letter 10/13: senior advisors

would recommend veto based on potential conference changes.

- POTUS signed 11/13 (PL 104

-46).

*Foreign Ops (HR 1868)

- House committee reported-

-Floor SAP 6/22: difficulty

supporting if improvements are not made.

- Senate subcommittee reported-

-OMB letter 9/14: raising concerns.

- Senate committee reported-

-Floor SAP 9/20: serious concerns.

- House and Senate passed-

-OMB letter 10/19: State & Treasury

veto recommendation if low House funding & Senate earmarks are not corrected.

- House committee reported-

-Floor SAP 10/31: Secretary of

State would recommend veto.

- Conference report-

-House Floor SAP 12/13: Secretary of State

would recommend veto.

- Conference report-

-Senate Floor SAP 12/15: Secretary of

State would recommend veto.

*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.

- House passed-

-Senate Floor SAP 8/4: OMB/Interior veto

recommendation.

- House and Senate passed-

-OMB letter 9/18: OMB/Interior veto recommendation.

- Conference committee-

-VP statement 9/22: ?If Congress sends the President the fiscal 1996 Interior Appropriations Bill as approved by the conference committee, he will veto it.?

- Conference report-

-OMB letter 10/19: ?Vice President stated on September 22 that if Congress sent the POTUS the FY 1996 Interior Appropriations Bill as approved by the conference committee, the President would veto it.?

- Conference report (of 10/31)-

-House Floor SAP 11/6:
President would veto.

- Conference report (of 12/12)-

-House Floor SAP 12/13:
President would veto.

- Conference report (of 12/12)-

-Senate Floor SAP 12/14:
President would veto.

- POTUS veto 12/18.

*Labor/HHS/Ed (HR 2127)

- Panetta, 7/11: if subcommittee. chairman's mark reaches the President's desk in its current form, "he will 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.

- House passed-

-OMB letter 8/12: President would veto.

- Senate subcommittee reported-

-OMB letter 9/14: President would veto.

- Senate committee reported-

-Floor SAP 9/26: 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."

- Rivlin letter 9/6: ?To avoid a veto, Congress should first make substantial progress in presenting other appropriations bills that the President can sign...?

- POTUS veto 10/3: will not sign Leg. Branch Appropriations until Congress completes action on remaining FY 1996 Appropriations bills

- POTUS signed 11/19 (PL 104

-53).

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.

- House and Senate passed-

-OMB letter 9/14: serious

objections, position to be determined.

- POTUS signed 10/3 (PL 104

-32): disappointed that Act provides \$70 million for unneeded projects... would have used line

- item veto authority had Congress completed action on line

- item veto legislation.

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.

- Senate committee reported-

- Floor SAP 8/9: appreciate that several concerns are addressed, but have some remaining concerns.

- House and Senate passed-

- OMB letter 9/13: outlines several remaining concerns.

- POTUS signed 11/15 (PL 104

-50).

- *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 re: ONDCP

7/26: ?As this bill is now constructed, I will not sign it?.

- Senate subcommittee reported-

-OMB letter 7/27: Treasury veto recommendation.

- Senate committee reported-

-Floor SAP 8/3: President has stated he would not sign due to elimination of ONDCP; Treasury veto recommendation due to other concerns.

- House and Senate passed-

-OMB letter 9/12: OMB, Treasury, OPM veto threat on House and Senate bills.

- POTUS signed 11/19 (PL 104

-52).

*VA/HUD/Independent Agencies (HR 2099)

- 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.

- House committee reported-

-Floor SAP 7/26: President would veto.

- House

-passed-

-POTUS stated 8/1: "The minute this polluter's protection act hits my desk, I will veto it."

- House

-passed-

-OMB letter 8/12: President would veto.

- Senate subcommittee reported-

-OMB letter 9/13: President would veto.

- Senate committee reported-

-Floor SAP 9/25: President would veto.

- House & Senate passed-

-OMB letter 11/6: President would veto.

- Conference Report-

-House Floor SAP 11/20: President will

veto.

- Conference Report-

-House Floor SAP 12/7: President will veto

- Conference Report-

-Senate Floor SAP 12/14: President would

veto.

- POTUS veto 12/18.

PRINTER FONT 12_POINT_COURIER
SUMMARY of ADMINISTRATION OPPOSITION
[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" list, above.)

Changes from previous day indicated by asterisk (*).

PRINTER FONT 13_POINT_HELVETICA
VETOES:

PRINTER FONT 12_POINT_COURIER
Rescissions/Supplemental - HR 1158
Bosnia - S. 21 [Item 104]
Legislative Branch Appropriations - HR 1854
Debt Limit - HR 2586
Continuing Resolution - HJR 115

Balanced Budget Act of 1995 (Reconciliation) - HR 2491

Private Securities Litigation Reform Act of 1995 - HR 1058

PRINTER FONT 13_POINT_HELVETICA
PRESIDENTIAL VETO THREATS:

PRINTER FONT 12_POINT_COURIER
Americans with Disabilities Act Revisions - July 26, POTUS said he would veto "any substantive change to the ADA."
Arctic National Wildlife Refuge - [Item #211]

Assault Weapons Ban

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 #20]

Foreign Affairs Authorization/Merge AID, ACDA, USIA into State - HR 1561, S 908, S 961 [Item #102]

Loser Pays - Civil Litigation - HR 988 [Item #7]

Medicare Preservation Act - HR 2425, passed by the House on 10/19 by a vote of 231

-201. HR 2425 was incorporated into the House budget reconciliation bill, which was passed on 10/26 by a vote

of 227

-203.

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

National Security Bill - HR 872 [Item #101]

Product Liability/Civil Litigation - HR 956 [Item #6]

Student Loans

*Takings/Private Property Protection - HR 925 and S 605 [Item #213]

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

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

Telecommunications Amendments - HR 1555 [Item #9]

*Welfare Reform - HR 4 [Item #301]

PRINTER FONT 13_POINT_HELVETICA

MULTIPLE AGENCY VETO RECOMMENDATIONS:

PRINTER FONT 12_POINT_COURIER

Comprehensive Regulatory Reform Act of 1995 - S 343 [Item #212]

Regulatory Moratorium - HR 450 [Item #5]

PRINTER FONT 12_POINT_ROMAN

Cuban Liberty and Democratic Solidarity Act - HR 927 [Item # 105]

*Federal Aviation Administration Revitalization Act of 1995 - HR 2276 [Item #22]

Science Authorizations - HR 2405 [Item #214]

PRINTER FONT 12_POINT_COURIER

Funding Prohibition for US Troops for Bosnia Peacekeeping - HR 2606 [Item # 106]

PRINTER FONT 13_POINT_HELVETICA

SINGLE AGENCY VETO RECOMMENDATIONS:

PRINTER FONT 12_POINT_COURIER

Endangered Species Conservation and Management Act - HR 2275 [Item #203]

Financial Institutions Regulatory Relief Act of 1995 - HR 1858 [Item #14]

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

Mining Law - S 506 [Item #207]

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

National Highway System Designation Act of 1995 - S 440 [Item #12]

*National Wildlife Refuge Improvement Act - HR 1675 [Item #215]

*Utah Wilderness - HR 1745 and S 884 [Item #208]

*OSHA Reform - HR 1834 [Item #311]

Student Loan Provisions - in Senate reconciliation bill

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

Equal Opportunity Act of 1995 - H.R. 2128 [Item #8]
Partial

-Birth Abortion Ban Act of 1995 - H.R. 1833 [Item #402]

PRINTER FONT 13_POINT_HELVETICA
STRONGLY OPPOSE:

PRINTER FONT 12_POINT_COURIER
Federal Retirement Reform - HR 1215 and HR 1185 [Item #401]

Highway Off

-Budget - HR 842 and HR 2274 [Item #13]

HUD Elimination Act - S 435 [Item #11]

Legal Aid Reform Act - HR 2277 [Item #21]

Livestock Grazing Act - S 852/1459 and HR 1713 [Item #209]

National Highway System Designation Act of 1995 - S 440 and HR 2274 [Item #12]

Pipeline Safety Act - HR 1323 [Item #19]

Risk Assessment - HR 1022 [Item #212]

Telecommunications - S 652 [Item #9]

PRINTER FONT 13_POINT_HELVETICA
OPPOSE:

PRINTER FONT 12_POINT_COURIER

*Housing for Older Persons Act - HR 660 [Item #16]

Lorton Closure - HR 461 [Item #15]

Regulatory Sunset and Review Act of 1995 - HR 994 [Item #18]

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

PRINTER FONT 13_POINT_HELVETICA
OPPOSE UNLESS AMENDED:

PRINTER FONT 12_POINT_ROMAN
Violent Criminal Incarceration - HR 667 [Item #4]
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PRINTER FONT 12_POINT_COURIER
STATUS OF MAJOR (Non

-Appropriations) LEGISLATION

[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 12_POINT_COURIER

GENERAL GOVERNMENT & FINANCE:

1. Budget Resolution/Reconciliation: (Konigsberg)
House passed HConRes 67 on 5/18, 238

-193. Senate passed
its version of the budget resolution on 5/25, by a vote
of 57

-42. The 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).
House passed its version of budget reconciliation, HR
2491, on 10/26, by a vote of 227

-203. Senate passed its
version of reconciliation on 10/27, by a vote of 52

-47
(party line except for Cohen voting no). House passed
the reconciliation conference agreement on 11/17 by a
vote of 237

-189. The Senate passed the conference
agreement later the same day by a vote of 52

-47 (party
line except for Cohen voting no). Because the Senate
deleted two provisions on Byrd Rule points of order, the
House had to vote again on Monday, 11/20, when it
re

-passed the conference agreement by a vote of 235

-192.

*2. Item Veto: (Konigsberg/J. Gibbons, x57593)

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

-134). Senate passed S 4 (separate enrollment) on
March 23, (69

-29). Conference: House has sent the Senate
an offer and has prepared legislative language reflecting
its offer; no conference meetings scheduled at this time.
3. Tax Fairness and Deficit Reduction Act: (R. Jones, x53386)
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 is handling tax cuts 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, x53386)

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 Moratorium/Waiting Period: (J. Weinberg, x53457)
House passed HR 450 on Feb. 24 by 276

-146. The bill would establish a "moratorium period" -- Nov. 20, 1994 through Dec. 31, 1995 or enactment of reg reform, whichever is

earlier -- during which a Federal agency may not take any "regulatory rulemaking action" unless it falls within a specified emergency exception (i.e. military or foreign affairs functions, international trade agreements, agency management, certain banking regulatory matters,

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

Senate passed S. 219 on March 29 by 100

-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. Press reports indicate that the House may seek to attach its regulatory sunset legislation (HR 994, described below) to S 219.

*6. Product Liability/Civil Litigation/Medical Malpractice: (I. Schroeder, x53883)

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

-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.) Medical malpractice/liability reform was added to the Reconciliation bill. Conference: Conferees have been appointed. First meeting possible week of 12/4/95.

7. Loser Pays - Civil Litigation: (I. Schroeder, x53883)
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.

8. Equal Opportunity Act of 1995: (I. Schroeder, x53883)
House Judiciary subcommittee on the Constitution held a hearing on H.R. 2128 on December 7th. The bill would prohibit the use of racial and gender preferences, goals, timetables, and set

-asides by the Federal Government in contracts, hiring, and programs. It also aims to bar the Government from requiring or encouraging contractors from using such preferences. Basis for opposition: in December 13th testimony on the bill, the Department of Justice stated that, "[s]hould it [H.R. 2128] be presented to the President for signature, the Attorney General would strongly recommend that he veto it." No action has been scheduled on the Senate companion bill, S. 1085 (sponsored by Dole).

9. Telecommunications Amendments: (J. Weinberg, x53457)
House passed HR 1555, amended, on August 4th, 305

-117.

Statement by the President on August 1st threatening to veto HR 1555 with the managers' amendments. 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

-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.

Conference: President sent a letter to Senator Hollings on 10/26/95 stating the following concerns: that neither bill provides a meaningful role for the Justice Department in safeguarding competition before local telephone companies enter new markets; the bills allow too much concentration within the mass media and in individual markets; the provisions allowing mergers of cable and telephone companies are overly broad; and ?I oppose deregulating cable programming services and equipment rates before cable operators face real competition.? Conferees met for the first time on 10/25/95.

10. Banking and Insurance Reform: (R. Jones, x53386)
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. A new bill (HR 2520) combining aspects of HR 1062 and HR 1858 (discussed below) was introduced on Oct. 24. (See below for discussion of HR 1858 - Banking Deregulation.)

11. HUD Elimination Act: (A. Briatico, x57887)
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. The Senate

-passed VA/HUD Appropriations Bill (H.R. 2099) also would transfer all Fair Housing Act responsibilities from HUD to Justice. The Administration strongly opposed this transfer in the SAPs on H.R. 2099 sent on September 25th

and November 20th. Basis for opposition: The administration of these authorities is best accomplished by HUD, which has the infrastructure to handle these responsibilities.

*12. National Highway System: (J. Brown, x53473) 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 is unable to obligate \$5.2 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

-type labor protections, which was the subject of a Secretary of Labor veto threat in the SAP, was deleted on the Senate floor.)

House bill (H.R. 2274) passed the House on September 20th. Basis for opposition. Repeal of national maximum speed limit law and motorcycle helmet requirements; could provide for up to \$2.2 billion more in highway spending than contemplated by current law; requires congressional approval for all changes to NHS; rescinds funding for congestion pricing program; and restricts the Federal Transit Administration's authority to enter into full funding agreements.

Conference: S. 440 was signed by President on 11/28/95. 13. Highway Trust Fund Off

-Budget Bill: (J. Brown, x53473)

House bill (HR 842 and HR 2274). HR 842 was ordered reported by House Transport. Cte. on May 3. Subsequently incorporated in HR 2274, the "National Highway System Designation Act of 1995" in a House Transport.

Subcommittee markup on September 7th. Removed from HR 2274 prior to floor action in return for a commitment from the Speaker for floor consideration of HR 842.

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.

*14. Banking Deregulation: (R. Jones, x53473)

House Banking Committee reported Chairman Leach's HR 1858 (successor to HR 1362) on July 18. A new bill (HR 2520), combining aspects of HR 1858 and HR 1062 (described above) was introduced on Oct. 20. 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. Under Secretary Hawke, in an 10/29/95 letter to the Banking Committee, restated the Treasury

veto recommendation on a component of the new bill and added, "Despite some modest improvements in that component...the bill remains deeply flawed. . . .") Senate bill (S 650) was ordered reported by the Senate Banking Committee on September 27th. The Senate bill contains some, but not all, of the troublesome provisions. Senate banking staff report the Report may be issued the week of Dec. 4th with floor action to follow shortly, perhaps the same week.

15. Lorton Closure: (M. Cook, x53924)

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.

*16. Housing for Older Persons Act: (A. Briatico, x57887)

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 Subcommittee on the Constitution, Federalism and Property approved HR 660 by voice vote on August 2nd with an amendment that would require senior citizen housing to have at least 80 percent actual occupancy by seniors to qualify for the exemption from the Fair Housing Act. Justice sent a letter to the Senate Judiciary Committee opposing this bill on 9/20/95. The Committee approved H.R. 660 on 10/26/95 and was reported on 11/9/95. H.R. 660 passed the Senate on 12/6/95 by a vote of 94

-3. 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 similar to those of Title IV of HR 8, the "Senior Citizens' Equity Act," a Contract with America bill.

*17. Counterterrorism: (R. Jones, x53386)

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 ordered H.R. 1710 reported on June 20 (23

-12). The House bill also includes many of the President's proposals, including a funding mechanism for digital telephony. Opposition from conservative Republicans has delayed further action on the bill. The Committee will not issue the report until they believe they have enough votes for it to pass. No further action is expected until after appropriations and reconciliation action is completed. Rep. Schumer has begun circulating a discharge petition to move the bill to the House Floor. Rep. Hyde and Rep. Barr circulated a ?Dear Colleague? letter describing the agreement reached between the Conservative Republicans and the Judiciary Committee Chariman. Floor action may take place before the Christmas recess.

18. Regulatory Sunset and Review: (J. Gibbons, x57593)
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. On 10/31/95 House Judiciary Cte. marked up HR 994 and ordered it reported, as amended, by a voice vote. 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. Press reports indicate the the House may attach HR 994 to S 219 as passed by the Senate (described above).

19. Pipeline Safety: (J. Brown, x53473)

House bill (HR 1323) has been reported by Transportation and Commerce Ctes. A SAP strongly opposing the bill was sent to the House on September 20th. The bill was subsequently removed from the House floor schedule.

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.

20. Dismantling Commerce Department: (J. Weinberg, x53457)

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. Multiple House Committees have approved conflicting versions of HR 1756.

Compromise version included in House reconciliation bill. Senate bill (S 929) hearing was held by Senate Governmental Affairs on 7/25/95 at which Secretary Brown repeated Presidential veto statement. On 9/7/95 Senate Governmental Affairs Committee marked up S. 929 and ordered it reported by a vote of 5 to 3.

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

21. Legal Aid Act of 1995: (A. Briatico, x57887)

House bill (HR 2277) to abolish the Legal Services Corporation and replace it with a block grant program was marked up by the House Judiciary Committee on 9/13/95. Justice and White House Counsel sent a letter to the Committee ?vigorously opposing? the bill. The New York Times reported on 9/13/95 and 9/14/95 that the Clinton Administration/President would veto the bill. (The Times did not provide an information source regarding the veto threat.) The Administration has not taken a formal position

on a related Senate bill,(S 958) which would also abolish the LSC. Basis for opposition: Eliminating the LSC would result in the loss of effective, community

-based legal services for millions of

poor and low

-income individuals.

*22. Federal Aviation Administration Revitalization Act of 1995.: (J. Brown, x53473)

House bill (HR 2276). HR 2276 was ordered reported by House Transport. Cte. On November 1. In separate letters dated October 31 to the Committee, the Departments of Transportation and Justice stated that they would recommend veto of H.R. 2276. Basis for opposition: Bill removes FAA from the Department of Transportation and establishes it as an independent establishment in the Executive branch, eroding accountability and creating Constitutional concerns; structure of proposed governing board poses constitutional concerns; removes Airport and Airways Trust Fund from the Budget -- inconsistent with unified budget. Senate bill (S. 1239) was introduced on September 13 by Sen. McCain.

NATIONAL SECURITY & INTERNATIONAL AFFAIRS:

101. National Security: (A. Rooney, x57300)

House passed HR 7 on February 16th (241

-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). (HR 872 was amended on the House floor and passed as HR 7) On 4/7/95, POTUS said that he would refuse to approve the 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 (S 908) and deleted from the bill as reported. State advises that peacekeeping may be considered separately by the Committee at a later date.

102. Foreign Affairs Authorization and Consolidation:

(A. Rooney, x57300)

House passed HR 1561 on June 8th (222 - 192). On September 27th, the H. International Relations Cmt. voted (21

-12) to include, by reference, the House passed consolidation provisions of HR 1561 in its recommendation for Reconciliation. The House passed its reconciliation bill (HR 2491) on 10/26/95 by 227

-203 and the reconciliation conference dropped the consolidation provisions because of a "Byrd Rule" violation. 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. In an October 18th letter to Chairman Kasich, OMB reiterated the Administration's serious objections to the foreign affairs consolidation provisions (Division A of H.R. 1561) contained in the House International Relations reconciliation language. 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 passed S 908, the foreign relations authorization and consolidation proposal, on December 14th (82

-16).
The Foreign Aid Reduction Act (S 961) was ordered reported on June 7th 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 twice to invoke cloture on S. 908 on identical votes of 55

-45. On September 29th, a unanimous- consent time agreement was reached providing for Senate consideration of S. 908 (i.e., 4 hours of debate on the bill and an Helms

-Kerry to be agreed

-upon
?managers? amendment?). On December 7th, Helms and Kerry announced that they have an agreement. 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

-management, and inadequate appropriations authorizations. Further Senate consideration of S. 961 is uncertain.
103. National Defense Authorization Act: (R. Nassif, x57896)
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 (6/13/95)-

-strongly opposes. Basis for opposition: Raises serious constitutional, national security, budget, personnel, and management concerns. Senate passed S 1026, the companion bill, on September 6th (64

-34). The National Security Adviser, in an August 4th letter to Sen. Daschle, stated that "unless the unacceptable missile defense provisions are deleted or revised and other changes are made to the bill . . . the President's advisors will recommend that he veto the bill." SAP on S 1026 (7/31/95)--"The President will not support the bill unless these concerns are addressed." Basis for opposition: Raises serious constitutional, national security, budget, and management concerns. H.R. 1530 was passed by the House by a vote of 267 to 149 and passed the Senate by a vote of 51 to 43. Anticipate enrollment at any time.

104. Bosnia: (A. Rooney, x57300)
On August 11th, the President vetoed S. 21. Congressional action to override the President's veto is unlikely at this time. In July 25th letters to Senators Dole and Daschle, the President expressed strong opposition to S. 21, the Bosnia and Herzegovina Self

-Defense Act. 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). The Senate passed S. 21, by 69

-29 on July 26th and the House, by a vote of 298 to 128, passed and cleared the bill for the President on August 1st. 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.

105.Cuban Liberty and Democratic Solidarity Act:

(A. Rooney, x57300)

House passed H.R. 927 by vote of 294

-130 on September

21st. Sec. Christopher letter (9/20) to Speaker prior to House floor action stating that he would recommend a veto of H.R. 927 because it "would damage prospects for a peaceful transition in Cuba and jeopardize a number of U.S. interests around the world." SAP on H.R. 927 (9/20/95) -- President's senior advisors would recommend a veto. Basis for opposition: Would not advance U.S. interests in Cuba and would damage other U.S. interests. The Senate passed H.R. 927, as amended, by a vote of 74

-24 on October 19th. After two failed attempts to invoke cloture, the Dole/Helms substitute was amended to delete Title III, which would have allowed a private right of action for Cuban

-Americans whose property had been confiscated by the Cuban government. With passage of S. 908 on December 14th, Senate conferees were named. SAP on H.R. 927 (10/11/95) -- President's senior advisors would recommend a veto. Basis for opposition: Would not advance U.S. interests in Cuba and would damage other U.S. interests.

Conference action is not expected this year.

106.Funding Prohibition for US Troops for Bosnia Peacekeeping:

(A. Rooney, x57300)

House passed H.R. 2606 by a vote of 243

-171 on November 17th.

Subsequently, on December 13th, the House (210

-218) rejected HR 2770, which would have immediately cut off all funding for deployment of US

troops, and passed HRes 302 (287

-141)

expressing strong reservations about the mission but strongly supporting US troops. SAP on H.R. 2606 (11/16/95) -- President's senior advisors would recommend a veto. Basis for opposition: Would restrict President's ability to carry out constitutional responsibilities as Commander

-in

-Chief and to conduct foreign policy, and could undermine the Bosnian to peace process. The Senate rejected H.R. 2606 by a vote of 22

-77 on December 13th. Instead the Senate passed SJRes 44 (69

-30)

expressing support for US troops deployed to Bosnia and stating that the deployment is for one year and subject to certain conditions.

NATURAL RESOURCES, ENERGY & SCIENCE

201. Farm Bill: (A. Perkins, x53857)

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 \$4.2 billion over 7 years. Most action on farm programs currently involves reconciliation, with instructions requiring cuts of \$13.4 billion over 7 years. The vetoed reconciliation conference report generally reflected Rep. Robert's ?Freedom to Farm? proposal which decouples farm payments from production levels and increases planting flexibility. In an October 18th letter to Chairman Kasich, OMB (1) expressed the Administration's serious concern with the deep level of cuts proposed for Agriculture by the reconciliation instructions and (2) noted ?serious concerns with . . . [the] ?Freedom to Farm? proposal, . . . particularly its effect on the federal safety net for family

-sized farms.? Basis for opposition: Points made in OMB's letter to Chairman Kasich.

202. Clean Water Amendments of 1995: (H. Fitter, x53233)
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, x57301)
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). On 10/26/95, Sen. Kempthorne (R

-ID) introduced legislation to revise the ESA.
The bill would direct the manner in which Interior manages endangered species, end automatic protection for certain subspecies, and redefine endangered species as those likely to become extinct within 40 years. CEQ advises that Sen. Reid (D

-NV) may also 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. The bill would: (1) provide financial compensation for use or takings of private property under ESA; (2) modify ESA enforcement, conservation management, and listing procedures; (3) redefine the role and authorities of other Federal agencies; (4) curtail habitat protection

activities; and (5) prescribe State authority to protect endangered species. At the September 20th House Resources Committee hearing on HR 2275, the Task Force bill, the Department of the Interior (Frampton) advised that "the Secretary of the Interior would recommend that the President veto the bill if it is presented to him in its current form." Justice (Fois), in an 10/12/95 report to Rep. Young, advised that "[i]f H.R. 2275 were presented to the President, the Attorney General would recommend that he veto the bill". On October 12th, the House Resources Committee ordered H.R. 2275, as amended, reported (27

-17). Basis for opposition: would undermine the scientific foundation of the Endangered Species Act; would impose costly, bureaucratic processes; would unfairly compensate certain property owners if regulatory actions taken under the ESA cause a decrease of 20 percent or more in the fair market value of any portion of the landowner's property; depart from 200 years of constitutional jurisprudence; prevent enforcement of national and international wildlife laws; and would

provide virtually no protection for wildlife.

204. Safe Drinking Water: (H. Fitter, x53233)

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 Committee staff is working on legislation. Senate. S. 1316, the Safe Drinking Water Act Amendments of 1995 (Kempthorne) was reported by the Environment and Public Works Committee on 11/07/95. The Senate passed S.1316, amended, on 11/29/95 by 99

-0.

EPA Administrator Browner generally supports the bill which would: capitalize State Revolving Funds, increase flexibility in standard setting and monitoring, and provide technical assistance to small systems.

205. Interstate Waste: (H. Fitter, x53233)

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. House Commerce subcommittee marked up an unnumbered subcommittee print on May 18, 1995. Timing of full Committee action is uncertain.

206. Superfund Reform: (H. Fitter, x53233)

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 introduced S. 1285, the accelerated Cleanup and Environmental Restoration Act of 1995 on 9/29/95. EPA Administrator Browner issued a statement on 9/29/95 saying that the Smith proposal would delay cleanup and fail to promote complete cleanup. A 10/12/95 hearing on S. 1285 was abruptly cancelled due to Sen. Majority Leader Dole's opposition to a key provision authorizing a 50 percent tax credit to companies that expeditiously cleanup their share of a superfund site. The future of Superfund legislation in the Senate is unclear.

In the House, Congressman Oxley introduced H.R. 2500, Reform of Superfund Act of 1995, on October 18, 1995. At a October 26, 1995 House Commerce Subcommittee hearing EPA, Justice, Defense, HHS (ATSDR), and Commerce (NOAA) testified in opposition to the bill. House Commerce Subcommittee on Commerce, Trade, and Hazardous Materials completed its markup of H.R. 2500 on 11/9/95. Basis for Opposition: H.R. 2500 would not protect human health and the environment, complete cleanups faster and at lower cost, reduce litigation, reform the liability scheme, or appropriately

involve the community in decisionmaking.

207. Mining Law: (M. Goad x57301)
Senate Energy and Natural Resources Committee has postponed indefinitely its markup of legislation (S 506) on hardrock mining on Federal lands, but included similar provisions in its 9/21/95 markup of reconciliation legislation. In a 9/20/95 letter to Chairman Murkowski, Secretary Babbitt cited serious concerns with the mining law provisions proposed for reconciliation. (The Secretary had previously indicated in a 5/25/95 letter on S 506 that he would recommend a veto of S 506.) The House Resources Committee included in its 9/19/95 reconciliation markup a number of provisions similar to S. 506 on mining patents, royalties, and maintenance fees. Secretary Babbitt cited serious concerns with these provisions in a 9/19/95 letter to Chairman Young. In a 10/18/95 letter to Rep. Kasich and a 10/23/95 letter to Sen. Domenici, OMB expressed the Administration's concern that the House and Senate reconciliation provisions to reform the 1872 hardrock mining law would, in fact, leave it largely intact. (Similar provisions were retained in the reconciliation bill as enrolled.) 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.

*208. Utah Wilderness: (M. Goad, x57301)

House Resources Committee on 8/2/95 ordered reported HR
1745, designating certain Federal lands in Utah as
wilderness. Interior testified 6/29/95 before the
Committee that the Secretary would recommend a veto of HR
1745. SAP -- ?If H.R. 1745 were presented to the
President in its current form, the Secretary of the
Interior would that the bill be vetoed.? 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: (A. Perkins x57301)

Senate Energy and Natural Resources Committee (SENRC)
reported S 852 on 7/28/95, and subsequently the bill's
sponsor (Domenici, R

-NM) developed a substitute draft
that purports to acknowledge other uses of the public
lands. The substitute draft was ordered reported as
S.1459 by SENRC on 11/30/95. Interior strongly opposed S
852 in testimony before the Senate on 6/22/95, and USDA
Forest Service objected in a 7/18/95 letter to provisions
in the reported bill that apply to National Forest System
lands. In reports sent to SENRC on November 30th, both
Interior and Agriculture continued to express their
strong opposition to the substitute draft. Basis for
opposition: S.1459 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)
restrict land managers ability to enforce environmental
and other applicable statutes. In addition, the
substitute draft would freeze BLM grazing regulations and
introduce radical new water rights concepts.

The House Resources Committee included a number of
provisions similar to S 852 in its 9/19/95 reconciliation
markup. Secretary Babbitt cited serious concerns with
these provisions in a 9/19/95 letter to Chairman Young.

In an October 18th letter to Chairman Kasich, OMB stated that the Congress should not "use the budget process in an effort to stop the (grazing) reforms" as proposed in the House Resources reconciliation language. (On 10/26/95, the House passed its reconciliation bill by a vote of 227

-203.) Because these provisions were dropped by the reconciliation conferees, the Committee is expected to consider stand-alone legislation (HR 1713) that was approved in subcommittee on 9/12/95. Interior opposed HR 1713 in 7/11/95 testimony.

210. Transfer BLM Lands to States: (A. Perkins, x53857) 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." No bill introduced in the Senate.

*211. Arctic National Wildlife Refuge: (M. Goad, x57301) On 08/01/95, the Senate Energy and Natural 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. On 08/03/95, Secretary Babbitt reiterated the veto threat before the House Committee on Resources. In a 09/19/95 letter to Rep. Young and a 09/20/95 letter to Sen. Murkowski, Secretary Babbitt stated restated his intent to recommend to the President that he veto legislation opening the Arctic National Wildlife Refuge to oil and gas development? and advised that he would also recommend to the President that he veto a reconciliation bill containing any such provision.? In 09/21/95 letters to Reps. Young and Miller and Sens. Murkowski and Johnston, OMB Director Rivlin stated that, if the reconciliation bill includes language to open the coastal plain of the Arctic National Wildlife Refuge (ANWR) to oil and gas drilling, [the President] will veto the bill.? In a 10/18/95 letter to Rep. Kasich and a 10/23/95 letter to Sen. Domenici, OMB advised that the President will veto any reconciliation bill that opens ANWR to oil and gas drilling.? The vetoed reconciliation bill contained provisions opening ANWR to oil and gas drilling. 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.

212. Reg Reform/Risk Assessment: (H. Fitter, x53233)
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, 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.

*213. Private Property Rights/Takings: (M. Goad, x57301)
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. Interior, in an October 18th statement presented before the Judiciary Committee, reiterated the multiple agency veto threat. In a December 13th letter to Chairman Hatch, the President stated his ?intention to veto this bill or any similar compensation entitlement legislation if it is presented for my signature.? On December 21st, the Senate Judiciary Committee ordered the bill reported (10

-7). 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. At a July 12th EPW hearing, 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.

214. Science Authorizations: (J. Weinberg, x53457)
House passed HR 2405, the Omnibus Civilian Science Authorization Act, on October 12th by a vote of 248

-161.

SAP sent on October 11th: veto threat by Secretaries of Commerce and Energy, EPA Administrator, OMB Director, and Science Adviser. Basis for opposition: Unacceptably deep reductions in and terminations of Federal investments in science and technology. Senate action on an omnibus bill appears unlikely.

215. National Wildlife Refuge Improvement Act: (M. Goad, x57301)

On 05/25/95, the House Resources Subcommittee held hearings on HR 1675. Interior did not take a position on the bill, but presented major concepts that the bill should incorporate. In a 12/15/95 letter, Interior advised that, if the bill is presented to the President, the Secretary would recommend that he veto it. Basis for opposition: (1) converts allowed public uses of certain refuges into the purposes of those refuges; (2) exposes refuges to harmful or commercial activities and placing those activities on a par with wildlife conservation and wildlife

-dependent recreational activities; (3) allows precedent

-setting, unrestricted use of pesticides on a refuge; (4) provides preferential treatment for the commercial harvesting of alligators and their eggs within refuges; (5) impedes the creation of new refuges; and (6) possibly diminishes existing reserved water rights of individual refuges and thus undermining the capacity to provide suitable aquatic habitat for the species on the refuge.

HUMAN RESOURCES

* 301. Welfare Reform: (M. Haskins, x53923)

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 would block grant AFDC; impose a five- year time limit on benefits; tighten eligibility for SSI; and strengthen child support enforcement. HHS cited concerns with the bill in a May 24 letter to the Committee. On August 3, 1995, Senator Dole introduced S. 1120, a "perfecting amendment." S. 1120 is based on the S. Finance Committee's H.R. 4, but also includes provisions: reauthorizing the Child Care Development Block Grant; consolidating training programs (based on S. 143, Kassebaum's Workforce Development Act); and allowing States the option of receiving their Food Stamp revenue in the form of a block grant. Senate incorporated the text of S. 1120, as amended, into H.R. 4, and passed it on September 19 (87

-12). Senate SAP opposed S. 1120 and supported S. 1117, the Democratic leadership alternative. On September 19, the President signaled support for the Senate

-passed H.R. 4. He stated, "If welfare reform remains a bipartisan effort to promote work, protect children and collect child support from people who ought to pay it, we will have welfare reform this year, and it will be a great thing...But, if the Congress gives in to extremist pressure and walks away from this bipartisan American common ground, they will kill welfare reform."

Conference Action It is reported that House Republicans plan to bring the welfare reform bill to the House floor the week of December 4th. However, a dispute between conferees Senator Lugar and Representative Goodling over a provision that would block grant the school lunch program has deadlocked the welfare reform conference. Lugar is opposed to the block grant provision. Until an agreement can be reached, the bill cannot be reported out of the conference committee.

*302. Social Security Earnings Test: (M. Cook, x53924) House-

-On December 5, 1995, the House passed (411 to 4) H.R. 2684. (The SAP stated that "[w]hile the Administration strongly supports increasing the Social Security earnings limit for senior citizens, its full support is contingent on accomplishing this in a deficit-neutral manner." The SAP also expressed "misgivings" about some of the bill's provisions and stated the Administration's willingness to work with Congress in these areas.) On November 30, 1995, the full House Ways and Means Committee ordered reported H.R. 2684, a bill

that would increase the earnings limit from \$11,280 to \$30,000 (over 7 years). House floor consideration of H.R. 2684 is scheduled for the week of December 4th. [A proposed increase in earnings limit from \$11,280 to

\$30,000 (over 5 years) was included in HR 1215, which passed on April 5, (246

-188). On January 9, 1995, Social Security Commissioner Chater testified that the Administration would support, in principle, a moderate increase in the retirement earnings test exempt amount for beneficiaries who have reached the age of 65, as long as the costs of the increase were fully offset. When pressed to define "moderate", the Commissioner used \$1,000 as an example of a possible moderate increase.]
Senate -

-On December 15, 1995, the S. Finance Committee reported S. 1470, the successor of S. 1432, and Senate floor action on S. 1470 is expected before the Holiday recess. On November 29, 1995, S. 1432, a companion bill to H.R. 2684 and a successor to S. 1372, was placed on the Senate calendar. On November 2, 1995, the Senate failed to waive a point

-of

-order with respect to consideration of S. 1372, a bill that would increase the Social Security earnings limit. According to the Congressional Monitor, "[s]upport for the thrust of the bill was widespread, but many Senators objected to the proposed method of offsetting the added costs -- an across

-the

-board cut in discretionary spending. . . . Majority Leader Bob Dole, Kan., said an effort would be made to find another way to finance the bill. Both the House and Senate have expressed their intention to pass legislation by the end of 1995 that would increase the retirement earnings test exempt amount.
303. Davis

-Bacon Repeal: (A. Briatico, x57887)
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). S.1120 (Work Opportunity Act of 1995) would modify Davis

-Bacon labor standards protections for tenants of public housing. The Administration's SAP on S.1120 (dated August 5, 1995) recommended deleting this provision from the bill and indicated that Davis

-Bacon reform would be the appropriate avenue for making changes Davis

-Bacon requirements. (The text of S. 1120 passed the Senate as H.R. 4.) 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: (A. Briatico, x57887) 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, x57887) 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. Labor testified in support of H.R. 940 to raise

the minimum wage at a House Democratic Forum on 11/30/95.

306. Striker Replacement: (B. Pellicci, x54871) 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. The House

-passed Labor/HHS Appropriations bill (H.R. 2127) contains a provision prohibiting the use of funds

to enforce the President's Executive Order as does the Senate version of the bill, which is awaiting floor action.

307. Teamwork for Employees and Managers Act: (B. Pellicci, x54871)

HR 743 and S295. (SAP on 9/27/95 stated that if H.R. 743 were presented to the President, the Secretary of Labor would recommend that it be vetoed. Reich letter: recommend veto, 3/6/95, 6/21/95, and 9/26/95; 9/26/95 letter noted that the President stated before the UAW on June 12th, that he would veto any effort to weaken section 8 (a)(2) of the National Labor Relations Act; 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 where no union currently exists or alternative, company

-dominated organizations where employees are in the process of determining whether to be represented by a labor organization. On 9/27/95, the House passed HR 743 by a vote of 221

-202. No action has been taken to date on S295.

308. Social Security Solvency: (M. Cook, x53924)

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, x53803)

Both the Senate and House have acted on bills that would consolidate numerous Federal education and job training programs grants 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. House passed H.R. 1617 (The Consolidated and Reformed Education, Employment and Rehabilitation Systems, or 'CAREERS' Act) on September 19, 1995 (345

-79). It incorporates the text of 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. A September 19, 1995, Statement of Administration Policy stated that the Administration supports H.R. 1617 for purposes of House passage, but will work to address significant concerns. Basis for Concerns: inadequate authority to continue the current School

-to

-Work Opportunities Act, restrictions on governors in the use of vocational rehabilitation service delivery systems, insufficient funding, failure to provide sub

-State allocation formulas to target funds to

those most in need, and shortcomings in the authorities to privatize the higher education GSEs. Senate passed S. 143 (Workforce Development Act) on October 11, 1995 (95

-2). The provisions of S. 143 were at one time incorporated in large part into S. 1120, the Republican leadership welfare reform bill. The August 5th Statement of Administration Policy on S. 1120 expressed concerns with a variety of these provisions and stated that the inclusion of the provisions in S. 1120 was 'inappropriate'. In a September 12th letter to the Senate, Secretary Reich cited serious concerns with the bill. An amendment was adopted by the Senate to delete the job training provisions from S. 1120. SAP on S. 143

sent to Senate on October 10, 1995. It stated that the Administration supports S. 143 for the purpose of Senate passage (and it enumerates key features the Administration supports), but has significant concerns it will work to address during conference. Basis for Concerns: insufficient empowerment of adult trainees through Skill Grants, insufficient funding, inadequate accountability for Federal funds -- including an unwieldy new bureaucratic structure that may pose Appointments Clause problems, downsizing and elimination of Jobs Corps as a national program, and elimination of Trade Adjustment Assistance retraining services.

310. Food Stamps - Block Grant: (M. Haskins, x53923)
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 (H.R. 4).
The Senate

-passed version of H.R. 4 provides States the option of receiving their Food Stamp revenue as a block grant. House

-passed HR 4 (the welfare reform bill) and HR 1997 (the food and nutrition title of the Farm Bill), as approved by a H. Agriculture Subcommittee on 7/11/95, do 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: (M. Haskins, x53923)
House 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.

Senate On November 17, 1995, Senator Kassebaum and four

-sponsors introduced S. 1423, the Occupational Safety and Health Reform Reinvention Act of 1995. At a November 29th hearing before the Senate Labor and Human Resources Committee, Assistant Secretary of Labor Joseph A. Dear discussed the Department of Labor's concerns with S. 1423. Basis for Concern: Fails to strengthen workers' rights and protections, weakens OSHA's enforcement program, and imposes new statutory changes without adequately considering OSHA's stakeholders.

HEALTH & PERSONNEL

401. Federal Retirement Reform Act: (M. Cook, x53924)
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 have been included in both the House and Senate reconciliation bills.

402. Partial

-Birth Abortion Ban Act of 1995: (B. Pellicci, x54871) H.R. 1833. SAP dated 12/6/95 to the Senate noted that the Attorney General and the White House Counsel will recommend that the President veto the bill. Basis for opposition: Fails to provide for consideration of the need to preserve the life and health of the mother, consistent with the U.S. Supreme Court's decision in Roe v. Wade. On 11/01/9

5, the House passed H.R. 1833 by a vote of 288

-139; the Senate passed an amended version of H.R. 1833 on 12/07/95 by a vote of 54

-44. Timing of Conference action
is uncertain.

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

CREATOR: Robert B. Johnson (JOHNSON_R) (WHO)

CREATION DATE/TIME: 2-JAN-1996 15:47:00.51

SUBJECT: Lidia Marshall

TO: Kim B. Widdess (WIDDESS_K) (WHO)

READ: 4-JAN-1996 11:39:37.79

TEXT:

Kim

Invite her if she is representing Sallie Mae. Thanks

Ben

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

CREATOR: Kim B. Widdess (WIDDESS_K) (WHO)

CREATION DATE/TIME: 2-JAN-1996 13:07:28.20

SUBJECT: Substitution for UNCF Reception

TO: Robert B. Johnson (JOHNSON_R) (WHO)

READ: 2-JAN-1996 15:37:07.79

TEXT:

Lidia Marshall, the Executive Vice President of Sallie Mae wants to substitute herself for the UNCF reception on Thursday. Please let me know. Thanks.

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

CREATOR: Linda L. Moore (MOORE_L) (WHO)

CREATION DATE/TIME:20-JAN-1996 16:19:33.58

SUBJECT: here's the list

TO: Ellen L. Ochs (OCHS_E) Autoforward to: Remote Addressee (Ellen L.
Ochs@LNGATE@EOPMRX) (VPO)
READ:NOT READ

TEXT:

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

ATT CREATION TIME/DATE:20-JAN-1996 16:19:00.00

ATT BODYPART TYPE:p

ATT CREATOR: Linda L. Moore

TEXT:

PRINTER FONT 12_POINT_COURIER

Mr. Bill Arceneaux (and wife Patsy)

8956 Norfolk Drive

Baton Rouge, LA 70809

w: 504 389

-9885

h: 504 924

-6875

The President appointed him as the chairman of the Board of
Directors of Sallie Mae. Strong supporter. He is also the
chairman of the French Culture Presevation Society of Louisiana.

Mr. Eugene Sellers, Sr.

110 South Hollingsworth Drive

Abbeville, LA 70510

w: 318 232

-0777

h: 318 893

-5294

Key supporter of the C/G Administration and Senator John Breaux.

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