

do something about protecting these clinics.

Mr. President, today I am submitting legislation calling on the Attorney General to take all necessary measures to protect reproductive health care clinics and their staff from violent attack.

I know that many of my colleagues are as shocked as I am about the ongoing terror and violence directed at our Nation's family planning clinics. That is why I am pleased that my legislation has bipartisan support.

In 1994 there were over 130 incidents nationwide of violence or harassment directed at clinics and the people who work there. They include 50 reports of death threats to doctors and other clinic workers, 40 incidents of vandalism, 16 incidents of stalking, 4 acts of arson and 3 attempted bombings.

Tragically, since the murder of Dr. David Gunn in March, 1993 outside of the Pensacola Women's Health Clinic there have been four additional slayings at clinics.

In July, 1994 Dr. John Britton and his escort Jim Barret were shot to death at The Ladies' Center in Pensacola, FL. Mr. Barret's wife was injured.

On December 30, Shannon Lowney and Leanne Nichols were shot and killed while working at reproductive health care clinics in Massachusetts. Five others were wounded. A day later the gunman fired shots at another clinic in Virginia.

The resolution I am submitting today urges the Attorney General to use all of the tools at her disposal to stop this escalating violence, including the Freedom of Access to Clinic Entrances Act which we passed last year, the FBI and the U.S. Marshals Service.

I urge my colleagues to join me in working to protect our Nation's reproductive health care clinics from violent attack.

Mr. KENNEDY. Mr. President, the murderous assaults at two clinics in Brookline, Massachusetts last week were despicable acts of terrorism. This kind of vicious, hateful assault against women and health care providers cannot be tolerated in any community in America.

Two women who worked at the Brookline clinics, Shannon Lowney and Lee Ann Nichols, had their lives brutally cut short. Five other people were seriously wounded, and four of them are still hospitalized. My heart goes out to these victims and their families.

No effort can be spared to make sure that these crimes are not repeated anywhere else. Women must be able to seek reproductive health care without fear of violent assault. Doctors should be able to practice their profession without wearing bullet-proof vests. Clinic staff should be able to go to work each day in safety.

Abortion is a constitutionally protected right, and it must be safe and accessible. Many of the clinics targeted by violence and obstruction provide a

wide range of health care services for women, including family planning and prenatal care. We cannot allow access to these important services to be reduced or blocked.

Last year, we passed and President Clinton signed the Freedom of Access to Clinic Entrances Act. That law gives the Attorney General the tools she needs to prevent violence and obstruction and to punish such acts whenever and wherever they occur with the full force of Federal law. The Justice Department has already brought several enforcement actions under this law, and it is actively investigating other possible violations. In addition, the Attorney General has made U.S. Marshals available to protect clinics.

Some have suggested that the new Federal law is somehow responsible for fomenting violence at abortion clinics, because it allegedly closes off peaceful picketing as an outlet for those with strongly held views against abortion. Any such suggestion is nonsense.

The clinic access law does not prohibit or punish peaceful picketing or any other expression protected by the first amendment. On the contrary, it expressly allows it. What the act prohibits is violent, threatening, obstructive, or destructive conduct—none of which has ever been protected by the Constitution. For that reason, every one of the Federal courts that have been asked to review the law since President Clinton signed it last year has upheld it.

Tough laws against clinic blockades and clinic violence are not the problem. They are the solution.

I commend President Clinton and Attorney General Reno for their vigorous enforcement of the new Federal law, and for their commitment to work with local law enforcement authorities to protect the clinics throughout the country. They are doing everything in their power to guarantee public safety and deter the use of violent tactics aimed at patients and providers.

I am proud to join in sponsoring this legislation. The Senate must go on record unequivocally to denounce the violence, and to express our solid support for vigorous enforcement and implementation of the Federal clinic protection law. I hope that every Member of the Senate will join in supporting this important measure.

SENATE RESOLUTION 32—MAKING MINORITY PARTY APPOINTMENTS TO SENATE COMMITTEES

Mr. DASCHLE submitted the following resolution; which was considered and agreed to:

S. RES. 32

Resolved, That the following shall constitute the minority party's membership on the committees for the One Hundred and Fourth Congress, or until their successors are chosen:

Committee on the Budget: Mr. Exon, Mr. Hollings, Mr. Johnston, Mr. Lautenberg, Mr. Simon, Mr. Conrad, Mr. Dodd, Mr. Sarbanes, Mrs. Boxer, and Mrs. Murray.

Committee on Rules and Administration: Mr. Ford, Mr. Pell, Mr. Byrd, Mr. Inouye, Mr. Moynihan, Mr. Dodd, and Mrs. Feinstein.

Committee on Small Business: Mr. Bumpers, Mr. Nunn, Mr. Levin, Mr. Harkin, Mr. Kerry (MA), Mr. Lieberman, Mr. Wellstone, Mr. Heflin, and Mr. Lautenberg.

Committee on Veterans' Affairs: Mr. Rockefeller, Mr. Graham, Mr. Akaka, Mr. Campbell, and Mr. Dorgan.

Special Committee on Aging: Mr. Pryor, Mr. Glenn, Mr. Bradley, Mr. Johnston, Mr. Breaux, Mr. Reid, Mr. Kohl, Mr. Feingold, and Ms. Moseley-Braun.

SENATE RESOLUTION 33—MAKING MAJORITY PARTY APPOINTMENTS TO SENATE COMMITTEES

Mr. DOLE submitted the following resolution; which was considered and agreed to:

S. RES. 33

Resolved, That the following shall constitute the majority party's membership on those Senate committees listed below for the 104th Congress, or until their successors are appointed:

Budget: Mr. Domenici, Mr. Grassley, Mr. Nickles, Mr. Gramm, Mr. Bond, Mr. Lott, Mr. Brown, Mr. Gorton, Mr. Gregg, Ms. Snowe, Mr. Abraham, and Mr. Frist.

Rules and Administration: Mr. Stevens, Mr. Hatfield, Mr. Helms, Mr. Warner, Mr. Dole, Mr. McConnell, Mr. Cochran, Mr. Santorum, and Mr. Nickles.

Veterans' Affairs: Mr. Simpson, Mr. Murkowski, Mr. Specter, Mr. Thurmond, Mr. Jeffords, Mr. Craig, and Mr. Brown.

SENATE RESOLUTION 34—AMENDING RULE XXV OF THE STANDING RULES OF THE SENATE

Mr. DOLE submitted the following resolution, which was considered and agreed to:

S. RES. 34

Resolved, That Rule XXV, paragraph 3(a) of the Standing Rules of the Senate is amended as follows:

Strike the figure after "Budget" and insert in lieu thereof "22".

Strike the figure after "Small Business" and insert in lieu thereof "19".

SEC. 2. That Rule XXV, paragraph 3(b) of the Standing Rules of the Senate is amended as follows:

Strike the figure after "Aging" and insert in lieu thereof "19".

Strike the figure after "Intelligence" and insert in lieu thereof "17".

SEC. 3. That Rule XXV, paragraph 3(c) of the Standing Rules of the Senate is amended as follows:

Strike the figure after "Indian Affairs" and insert in lieu thereof "17".

SENATE RESOLUTION 35—MAKING MAJORITY PARTY APPOINTMENTS TO SENATE COMMITTEES

Mr. DOLE submitted the following resolution; which was considered and agreed to:

S. RES. 35

Resolved, That the following shall constitute the majority party's membership on the following Senate committee for the 104th Congress, or until their successors are appointed:

Small Business: Mr. Bond, Mr. Pressler, Mr. Burns, Mr. Mack, Mr. Coverdell, Mr.

Kemphorne, Mr. Bennett, Mrs. Hutchison, Mr. Warner, and Mr. Frist.

AMENDMENTS SUBMITTED

THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

WELLSTONE AMENDMENT NO. 5

Mr. WELLSTONE proposed an amendment to the bill (S. 2) to make certain laws applicable to the legislative branch of the Federal Government; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION OF CERTAIN CONTRIBUTIONS BY LOBBYISTS.

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

“(i)(1) A lobbyist, or a political committee controlled by a lobbyist, shall not make contributions to, or solicit contributions for or on behalf of—

“(A) any member of Congress with whom the lobbyist has, during the preceding 12 months, made a lobbying contact; or

“(B) any authorized committee of the President of the United States if, during the preceding 12 months, the lobbyist has made a lobbying contact with a covered executive branch official.

“(2) A lobbyist who, or a lobbyist whose political committee, has made any contribution to, or solicited contributions for or on behalf of, any member of Congress or candidate for Congress (or any authorized committee of the President) shall not, during the 12 months following such contribution or solicitation, make a lobbying contact with such member or candidate who becomes a member of Congress (or a covered executive branch official).

“(3) If a lobbyist advises or otherwise suggests to a client of the lobbyist (including a client that is the lobbyist's regular employer), or to a political committee that is funded or administered by such a client, that the client or political committee should make a contribution to or solicit a contribution for or on behalf of—

“(A) a member of Congress or candidate for Congress, the making or soliciting of such a contribution is prohibited if the lobbyist has made a lobbying contact with the member of Congress within the preceding 12 months; or

“(B) an authorized committee of the President, the making or soliciting of such a contribution shall be unlawful if the lobbyist has made a lobbying contact with a covered executive branch official within the preceding 12 months.

“(4) For purposes of this subsection—

“(A) the term ‘covered executive branch official’ means the President, Vice-President, any officer or employee of the executive office of the President other than a clerical or secretarial employee, any officer or employee serving in an Executive Level I, II, III, IV, or V position as designated in statute or Executive order, any officer or employee serving in a senior executive service position (as defined in section 3232(a)(2) of title 5, United States Code), any member of the uniformed services whose pay grade is at or in excess of O-7 under section 201 of title 37, United States Code, and any officer or employee serving in a position of confidential or policy-determining character under schedule C of the excepted service pursuant to reg-

ulations implementing section 2103 of title 5, United States Code;

“(B) the term ‘lobbyist’ means a person required to register under section 308 of the Federal Regulation of Lobbying Act (2 U.S.C. 267) or the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) or any successor Federal law requiring a person who is a lobbyist or foreign agent to register or a person to report its lobbying activities; and

“(C) the term ‘lobbying contact’—

“(i) means an oral or written communication with or appearance before a member of Congress or covered executive branch official made by a lobbyist representing an interest of another person with regard to—

“(I) the formulation, modification, or adoption of Federal legislation (including a legislative proposal);

“(II) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy or position of the United States Government; or

“(III) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); but

“(ii) does not include a communication that is—

“(I) made by a public official acting in an official capacity;

“(II) made by a representative of a media organization who is primarily engaged in gathering and disseminating news and information to the public;

“(III) made in a speech, article, publication, or other material that is widely distributed to the public or through the media;

“(IV) a request for an appointment, a request for the status of a Federal action, or another similar ministerial contact, if there is no attempt to influence a member of Congress or covered executive branch official at the time of the contact;

“(V) made in the course of participation in an advisory committee subject to the Federal Advisory Committee Act (5 U.S.C. App.);

“(VI) testimony given before a committee, subcommittee, or office of Congress a Federal agency, or submitted for inclusion in the public record of a hearing conducted by the committee, subcommittee, or office;

“(VII) information provided in writing in response to a specific written request from a member of Congress or covered executive branch official;

“(VIII) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of Congress or a Federal agency;

“(IX) made to an agency official with regard to a judicial proceeding, criminal or civil law enforcement inquiry, investigation, or proceeding, or filing required by law;

“(X) made in compliance with written agency procedures regarding an adjudication conducted by the agency under section 554 of title 5, United States Code, or substantially similar provisions;

“(XI) a written comment filed in a public docket and other communication that is made on the record in a public proceeding;

“(XII) a formal petition for agency action, made in writing pursuant to established agency procedures; or

“(XIII) made on behalf of a person with regard to the person's benefits, employment, other personal matters involving only that person, or disclosures pursuant to a whistleblower statute.

“(5) For purposes of this subsection, a lobbyist shall be considered to make a lobbying contact or communication with a member of Congress if the lobbyist makes a lobbying contact or communication with—

“(i) the member of Congress;

“(ii) any person employed in the office of the member of Congress; or

“(iii) any person employed by a committee, joint committee, or leadership office who, to the knowledge of the lobbyist, was employed at the request of or is employed at the pleasure of, reports primarily to, represents, or acts as the agent of the member of Congress.”.

EXON (AND OTHERS) AMENDMENT NO. 6

Mr. EXON (for himself, Mr. BRYAN, Mr. HARKIN, Mr. DASCHLE, and Mr. KOHL) proposed an amendment to the bill S. 2, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. ____ . CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.

(a) PURPOSE.—The Congress declares it essential that the Congress—

(1) adopt in the first session of the 104th Congress a joint resolution proposing an amendment to the Constitution requiring a balanced Federal budget;

(2) set forth with specificity in the first session of the 104th Congress the policies that achieving such a balanced Federal budget would require; and

(3) enforce through the congressional budget process the requirement to achieve a balanced Federal budget.

(b) POINT OF ORDER AGAINST BUDGET RESOLUTIONS THAT FAIL TO SET FORTH A GLIDE PATH TO A BALANCED BUDGET.—Section 301 of the Congressional Budget Act of 1974 is amended by inserting at the end thereof the following new subsection:

“(j) CONGRESSIONAL ENFORCEMENT OF A BALANCED BUDGET.—It shall not be in order to consider any concurrent resolution on the budget (or amendment, motion, or conference report thereon) that—

“(A) fails to set forth appropriate levels for all items described in subsection (a)(1) through (7) for all fiscal years through 2002;

“(B) sets forth a level of outlays for fiscal year 2002 or any subsequent fiscal year that exceeds the level of revenues for that fiscal year; or

“(C) relies on the assumption of either—

“(i) reductions in direct spending, or

“(ii) increases in revenues, without including specific reconciliation instructions under section 310 to carry out those assumptions.”.

(c) REQUIREMENT FOR 60 VOTES TO WAIVE OR APPEAL IN THE SENATE.—Section 904 of the Congressional Budget Act of 1974 is amended by inserting “301(j),” after “301(i),” in both places that it appears.

(d) SUSPENSION IN THE EVENT OF WAR OR CONGRESSIONALLY DECLARED LOW GROWTH.—Section 258(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by inserting “301(j),” after “sections”.

SIMON (AND OTHERS) AMENDMENT NO. 7

Mr. SIMON (for himself, Mr. HARKIN, Ms. MOSELEY-BRAUN, Mr. FEINGOLD, Mr. KENNEDY, and Mr. GLENN) proposed an amendment to the bill S. 2, supra; as follows:

At the end of the bill, insert the following:

SEC. ____ . SENSE OF THE SENATE.

(a) FINDINGS.—The Congress finds that—