

SWIFT, Mr. SYNAR, Ms. WATERS, Mr. WILSON, and Mr. YATES.

H.J. Res. 468: Mr. HORTON, Mr. KANJORSKI, Mr. MONTGOMERY, Mr. VENTO, Mr. ESPY, Mr. REGULA, Mr. FROST, Mr. JONES of Georgia, Mr. CARDIN, Mr. TOWNS, Mr. FASCELL, Mr. TRAFICANT, Mr. MORRISON, Mr. EMERSON, Mr. DWYER of New Jersey, Mr. JEFFERSON, Mr. LEHMAN of Florida, Mr. ROBERTS, Mr. GOODLING, and Mr. BILIRAKIS.

H.J. Res. 483: Mr. LEHMAN of Florida, Mr. BATEMAN, and Mr. MCNULTY.

H.J. Res. 495: Mr. TRAXLER, Mr. DOWNEY, Mr. MARTINEZ, Mr. CHAPMAN, Mr. SANDERS, and Mr. HAMMERSCHMIDT.

H. Con. Res. 307: Mr. RAY and Mr. HEFLEY.

H. Con. Res. 316: Mr. MAVROULES, Mr. JEFFERSON, Mr. SUNDQUIST, Mr. JOHNSTON of Florida, Mr. STUDDS, Mr. SPRATT, Mr. PANETTA, Mr. STOKES, Mr. BLACKWELL, Mr. BROOMFIELD, Mr. ANDREWS of Maine, Mrs. BOXER, Mr. WYDEN, Mr. JONES of Georgia, and Mr. STAGGERS.

H. Con. Res. 326: Mrs. BENTLEY, Mr. ERDREICH, Mr. LIPINSKI, Mr. CHAPMAN, Mr. DURBIN, Ms. HORN, and Mr. EVANS.

H. Res. 415: Mr. BEVILL, Mr. BILIRAKIS, Mr. ATKINS, Mr. WEBER, Mr. RAVENEL, Mr. CRANE, Mr. ZELIFF, Mr. MARTINEZ, Mr. MACHTLEY, and Mr. MCCLOSKEY.

H. Res. 470: Mr. ECKART, Mr. PENNY, Mr. DELLUMS, Mr. RITTER, Mr. WOLF, Mr. TOWNS, Mr. MRAZEK, Mr. FOGLETTA, Mr. SKAGGS, Mr. SPRATT, Mr. LIPINSKI, Mrs. LLOYD Ms. HORN, Mr. HUGHES, Mr. OBERSTAR, Mr. SISISKY, Mr. WILSON, Mr. LAFALCE, and Mr. ZELIFF.

H. Res. 472: Mr. LEACH, Mr. SHAYS, and Mr. PETRI.

H. Res. 478: Mrs. MEYERS of Kansas, Mr. HASTERT, Mr. PORTER, Mrs. BENTLEY, Mr. EWING, and Mr. LIVINGSTON.

THURSDAY, JUNE 18, 1992 (73)

The House was called to order by the SPEAKER.

173.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 17, 1992.

Mr. RAMSTAD, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. RAMSTAD objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 284
Nays 107

173.2

[Roll No. 204]
YEAS—284

Abercrombie	Bacchus	Brooks
Ackerman	Barnard	Broomfield
Anderson	Bateman	Browder
Andrews (ME)	Bennett	Brown
Andrews (NJ)	Berman	Bruce
Andrews (TX)	Bevill	Bryant
Annunzio	Bilbray	Bustamante
Applegate	Blackwell	Byron
Archer	Borski	Callahan
Aspin	Boucher	Campbell (CO)
Atkins	Boxer	Cardin
AuCoin	Brewster	Carper

Carr	Johnson (SD)	Pelosi
Chapman	Johnson (TX)	Penny
Clement	Johnston	Peterson (FL)
Clinger	Jones (NC)	Peterson (MN)
Coleman (MO)	Jontz	Petri
Coleman (TX)	Kanjorski	Pickle
Collins (IL)	Kaptur	Poshard
Collins (MI)	Kasich	Price
Combest	Kennedy	Pursell
Condit	Kennelly	Rahall
Conyers	Kildee	Rangel
Cooper	Klecza	Ravenel
Costello	Kopetski	Richardson
Cox (CA)	Kostmayer	Rinaldo
Cox (IL)	LaFalce	Ritter
Cramer	Lancaster	Roe
Darden	Lantos	Roemer
Davis	LaRocco	Rose
de la Garza	Laughlin	Rostenkowski
DeFazio	Lehman (CA)	Roth
DeLauro	Lehman (FL)	Rowland
Dellums	Lent	Roybal
Derrick	Levin (MI)	Russo
Dicks	Levine (CA)	Sabo
Dingell	Lewis (GA)	Sanders
Dixon	Lipinski	Sangmeister
Donnelly	Lloyd	Santorum
Dooley	Long	Sarpalius
Dorgan (ND)	Luken	Sawyer
Downey	Manton	Scheuer
Dreier	Markey	Schulze
Durbin	Martinez	Serrano
Dwyer	Matsui	Sharp
Dymally	Mavroules	Shaw
Early	Mazzoli	Sisisky
Eckart	McCloskey	Skaggs
Edwards (CA)	McCollum	Skeen
English	McCrery	Slaughter
Erdreich	McCurdy	Smith (FL)
Espy	McDade	Smith (IA)
Evans	McDermott	Smith (NJ)
Ewing	McGrath	Snowe
Fascell	McHugh	Solarz
Fazio	McMillan (NC)	Spence
Fish	McMillen (MD)	Spratt
Flake	McNulty	Staggers
Foglietta	Mfume	Stallings
Ford (TN)	Miller (CA)	Stark
Frank (MA)	Mineta	Stenholm
Frost	Mink	Stokes
Gejdenson	Moakley	Studds
Gephardt	Mollohan	Sweet
Geren	Montgomery	Swift
Gibbons	Moody	Synar
Gillmor	Moran	Tallon
Gilman	Morella	Tanner
Gonzalez	Morrison	Tauzin
Gordon	Mrazek	Taylor (MS)
Gradison	Murtha	Thomas (CA)
Green	Myers	Thornton
Guarini	Nagle	Torres
Gunderson	Natcher	Torricelli
Hall (OH)	Neal (MA)	Towns
Hall (TX)	Neal (NC)	Traficant
Hamilton	Oakar	Unsoeld
Hammerschmidt	Oberstar	Valentine
Hansen	Obey	Vander Jagt
Harris	Olin	Vento
Hatcher	Olver	Visclosky
Hayes (IL)	Ortiz	Volkmer
Hayes (LA)	Orton	Walsh
Hoagland	Owens (NY)	Waters
Hochbrueckner	Owens (UT)	Waxman
Horn	Oxley	Weiss
Horton	Packard	Wheat
Houghton	Pallone	Wise
Hoyer	Panetta	Wolpe
Huckaby	Parker	Wyden
Hughes	Pastor	Wylie
Hutto	Patterson	Yates
Hyde	Payne (NJ)	Yatron
Jefferson	Payne (VA)	Young (FL)
Jenkins	Pease	

NAYS—107

Allard	Campbell (CA)	Gallo
Allen	Clay	Gekas
Armedy	Coble	Gilchrest
Baker	Coughlin	Gingrich
Ballenger	Cunningham	Goodling
Barrett	Dannemeyer	Goss
Bentley	DeLay	Grandy
Bereuter	Doolittle	Hancock
Bilirakis	Duncan	Hastert
Biley	Edwards (OK)	Hefley
Boehlert	Emerson	Henry
Boehner	Fawell	Hergert
Bunning	Fields	Hobson
Burton	Franks (CT)	Holloway
Camp	Galleghy	Hopkins

Inhofe	Michel	Schiff
Ireland	Miller (OH)	Schroeder
Jacobs	Miller (WA)	Sensenbrenner
James	Molinari	Shays
Johnson (CT)	Moorhead	Shuster
Klug	Murphy	Sikorski
Kolbe	Nussle	Smith (OR)
Kyl	Paxon	Smith (TX)
Lagomarsino	Porter	Solomon
Leach	Ramstad	Stearns
Lewis (CA)	Regula	Stump
Lewis (FL)	Rhodes	Sundquist
Lightfoot	Ridge	Taylor (NC)
Livingston	Riggs	Thomas (CA)
Lowery (CA)	Roberts	Thomas (WY)
Machtley	Rogers	Upton
Marlenee	Rohrabacher	Vucanovich
Martin	Ros-Lehtinen	Walker
McCandless	Roukema	Weldon
McEwen	Saxton	Wolf
Meyers	Schaefer	

NOT VOTING—43

Alexander	Glickman	Savage
Anthony	Hefner	Schumer
Barton	Hertel	Skelton
Beilenson	Hubbard	Slattery
Boiler	Hunter	Traxler
Chandler	Jones (GA)	Washington
Coyne	Kolter	Weber
Crane	Lowey (NY)	Whitten
Dickinson	Nichols	Williams
Dornan (CA)	Nowak	Wilson
Edwards (TX)	Perkins	Young (AK)
Engel	Pickett	Zeliff
Feighan	Quillen	Zimmer
Ford (MI)	Ray	
Gaydos	Reed	

So the Journal was approved.

173.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3770. A letter from the Secretary, Department of Agriculture, transmitting the animal welfare enforcement report covering fiscal year 1991, pursuant to 7 U.S.C. 2155; to the Committee on Agriculture.

3771. A letter from the Secretary, Department of Agriculture, transmitting the 1991 Youth Conservation Corps [YCC] Program, pursuant to 16 U.S.C. 1705; to the Committee on Education and Labor.

3772. A letter from the Assistant Secretary—Indian Affairs, U.S. Department of the Interior, transmitting a copy of a semi-annual report on tribal self-governance demonstration project, pursuant to Public Law 100-472; to the Committee on Interior and Insular Affairs.

3773. A letter from the Assistant Secretary—Indian Affairs, U.S. Department of the Interior, transmitting a copy of a supplement to the semiannual report on self-governance demonstration project; to the Committee on Interior and Insular Affairs.

3774. A letter from the Secretary, Department of Energy, transmitting a 5-year management plan for environmental restoration and waste management activities of DOE, pursuant to Public Law 101-510, section 3135(b) (104 Stat. 1833); jointly, to the Committees on Armed Services and Energy and Commerce.

3775. A letter from the Director, Office of Management and Budget, transmitting his certification that the amounts appropriated for the Board for International Broadcasting for grants to Radio Free Europe/Radio Liberty, Inc., are less than the amount necessary to maintain the budgeted level of operation because of exchange rate losses in the second quarter of fiscal year 1992, pursuant to 22 U.S.C. 2877(a)(2); jointly, to the Committees on Foreign Affairs and Appropriations.

3776. A letter from the Secretary, Department of the Interior, transmitting a copy of the annual report for fiscal year 1991 covering the Outer Continental Shelf [OCS] Natural Gas and Oil Leasing and Production Pro-

gram, pursuant to 43 U.S.C. 1343; jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

3777. A letter from the Secretary of the Interior, transmitting the April 1992 Proposed Final Comprehensive Outer Continental Shelf [OCS] Natural Gas and Oil Resource Management Program for 1992-97, pursuant to 43 U.S.C. 1344(a); jointly, to the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries.

¶73.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1985. An Act to establish a commission to review the Bankruptcy Code, to amend the Bankruptcy Code in certain aspects of its application to cases involving commerce and credit and individual debtors and add a temporary chapter to govern reorganization of small businesses, and for other purposes.

¶73.5 WAIVING POINTS OF ORDER AGAINST H. CON. RES. 192

Ms. SLAUGHTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 481):

Resolved, That during consideration of the concurrent resolution (H. Con. Res. 192) to establish a Joint Committee on the Organization of Congress, it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Rules now printed in the concurrent resolution, said amendment shall be considered as having been read, and all points of order against the amendment for failure to comply with the provisions of clause 7 of rule XVI are hereby waived. The concurrent resolution and the amendment shall be debatable for not to exceed one hour, equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. The previous question shall be considered as ordered on the concurrent resolution and amendment thereto to final adoption without intervening motion.

When said resolution was considered. After debate,

On motion of Ms. SLAUGHTER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶73.6 JOINT COMMITTEE ON ORGANIZATION OF CONGRESS

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following privileged concurrent resolution (H. Con. Res. 192):

Resolved by the House of Representatives (the Senate concurring).

SECTION 1. ESTABLISHMENT OF COMMITTEE.

(A) ESTABLISHMENT AND MEMBERSHIP.—There is established a Joint Committee on the Organization of the Congress (hereinafter referred to as the "Committee") to be composed of—

(1) 8 Members of the Senate—
(A) 4 to be appointed by the Majority Leader; and

(B) 4 to be appointed by the Minority Leader; and

(2) 8 Members of the House of Representatives

(A) 4 to be appointed by the Speaker; and
(B) 4 to be appointed by the Minority Leader.

(b) ADVISORY MEMBERS.—The Majority Leader and the Minority Leader of the Senate and the Speaker and the Minority Leader of the House of Representatives shall each name 1 person to the Committee, to serve as an advisory, non-voting, member of the Committee. Advisory members may be former Members of Congress as well as leading private citizens.

(c) ORGANIZATION OF COMMITTEE.—(1) A chairman from each House shall be designated by the Majority Leader of the Senate and the Speaker of the House of Representatives. A vice chairman from each House shall be designated by the Minority Leader of the Senate and the Minority Leader of the House of Representatives. The Committee may establish subcommittees comprised of only Members from one House.

(2) No recommendation shall be made by the Committee except upon a majority vote of the Members representing each House, taken separately.

SEC. 2. STUDY OF ORGANIZATION AND OPERATION OF THE CONGRESS.

(a) IN GENERAL.—The Committee shall—
(1) make a full and complete study of the organization and operation of the Congress of the United States; and

(2) recommend improvements in such organization and operation with a view toward strengthening the effectiveness of the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and improving the orderly consideration of legislation.

(b) FOCUS OF STUDY.—The study shall include an examination of—

(1) the organization and operation of each House of the Congress, including the employment of personnel by the Members and the committees of the Congress and the structure of, and the relationships between, the various standing, special, and select committees of the Congress;

(2) the relationship between the 2 Houses; and

(3) the relationship between the Congress and the Executive branch of the Government.

SEC. 3. AUTHORITY AND EMPLOYMENT AND COMPENSATION OF STAFF.

(a) AUTHORITY OF COMMITTEE.—The Committee, or any duly authorized subcommittee thereof, is authorized to—

(1) sit and act at such places and times during the sessions, recesses, and adjourned periods of the 102d Congress;

(2) require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding; and

(3) make such expenditures, as it deems advisable.

(b) APPOINTMENT AND COMPENSATION OF STAFF.—The Committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable. The Committee may utilize such voluntary and uncompensated services as it deems necessary and is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government.

(c) EXPENSES.—The Committee shall spend such sums as it requires.

(d) APPROPRIATED FUNDS.—All funds necessary to carry out this section are subject to appropriations.

SEC. 4. COMMITTEE REPORT.

The Committee shall report to the Senate and the House of Representatives the result of its study, together with its recommenda-

tions, not later than the adjournment sine die of the 102d Congress. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the Committee shall, when received, be referred to the Committee on Rules and Administration of the Senate and the appropriate committees of the House of Representatives.

When said concurrent resolution was considered.

Pursuant to House Resolution 481, the following amendment in the nature of a substitute reported from the Committee on Rules was considered:

Strike out all after the resolving clause and insert the following:

SECTION 1. ESTABLISHMENT OF COMMITTEE.

(a) ESTABLISHMENT AND MEMBERSHIP.—There is established an ad hoc Joint Committee on the Organization of the Congress (hereinafter referred to as the "committee") to be composed of—

(1) 12 Senators, of whom 6 shall be appointed by the majority leader and 6 of whom shall be appointed by the minority leader; and

(2) 12 Members of the House of Representatives, 6 of whom shall be appointed by the Speaker, and 6 of whom shall be appointed by the minority leader.

(b) EX OFFICIO MEMBERS.—The majority leader and the minority leader of the Senate and the majority leader and the minority leader of the House of Representatives shall be ex officio members of the committee, to serve as voting members of the committee. Ex officio members shall not be counted for the purpose of ascertaining the presence of a quorum of the committee.

(c) ORGANIZATION OF COMMITTEE.—(1) A co-chairman from each House shall be designated from among the members of the committee by the majority leader of the Senate and the Speaker of the House of Representatives.

(2) A co-vice-chairman from each House shall be designated from among the members of the committee by the minority leader of the Senate and the minority leader of the House of Representatives.

(3) The committee may establish subcommittees comprised of only members from one House. A subcommittee comprised of members from one House may consider only matters related solely to that House.

(4)(A) No recommendation shall be made by the committee except upon a majority vote of the members representing each House, respectively.

(B) Notwithstanding subparagraph (A), any recommendation with respect to the rules and procedures of one House which only affects matters related solely to that House may only be made and voted on by the members of the committee from that House, and, upon its adoption by a majority of such members, shall be considered to have been adopted by the full committee as a recommendation of the committee. Once such recommendation is adopted, the full committee may vote to make an interim or final report containing any such recommendation.

SEC. 2. STUDY OF ORGANIZATION AND OPERATION OF THE CONGRESS.

(a) IN GENERAL.—The committee shall—
(1) make a full and complete study of the organization and operation of the Congress; and

(2) recommend improvements in such organization and operation with a view toward strengthening the effectiveness of the Congress, simplifying its operations, improving its relationships with, and oversight of,

other branches of the Government, and improving the orderly consideration of legislation.

(b) FOCUS OF STUDY.—The study shall include an examination of—

(1) the organization and operation of each House of the Congress, including the employment of personnel by Members and committees and the structure of, and the relationship between, standing, special, joint, and select committees;

(2) the relationship between the 2 Houses; and

(3) the relationship between the Congress and the Executive branch of the Government.

SEC. 3. AUTHORITY AND EMPLOYMENT AND COMPENSATION OF STAFF.

(a) AUTHORITY OF COMMITTEE.—The committee, or any duly authorized subcommittee thereof, is authorized to—

(1) sit and act at such places and times within the United States during the sessions, recesses, and adjourned periods of Congress; and

(2) require the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding as it deems necessary.

(b) APPOINTMENT AND COMPENSATION OF STAFF.—(1) The committee may appoint and fix the compensation of such staff as it deems necessary, but not to exceed ten, and shall utilize existing staff to the extent possible.

(2) The committee may utilize such voluntary and uncompensated services as it deems necessary and may utilize the services, information, facilities, and personnel of the General Accounting Office, the Office of Technology Assessment, the Congressional Budget Office, the Congressional Research Service of the Library of Congress, and other agencies of the legislative branch.

(3) The members and staff of the committee shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the committee, other than expenses in connection with meetings of the committee held in the District of Columbia.

(c) EXPENSES.—

(1) SENATE.—[TO BE SUPPLIED].

(2) HOUSE OF REPRESENTATIVES.—Notwithstanding any law, rule, or other authority, there shall be paid from the contingent fund of the House of Representatives such sums as may be necessary for one-half of the expenses of the committee, with not more than \$250,000 to be paid with respect to the second session of the One Hundred Second Congress. Such payments shall be made on vouchers signed by the House of Representatives co-chairman of the committee and approved by the Committee on House Administration of the House of Representatives. Amounts made available under this paragraph shall be expended in accordance with regulations prescribed by the Committee on House Administration of the House of Representatives.

SEC. 4. COMMITTEE REPORT.

The committee shall report to the Senate and the House of Representatives the result of its study, together with its recommendations, not later than December 31, 1993. The committee may make such interim reports as it considers necessary. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports of the committee shall, when received, be referred to the appropriate committees of the Senate and the House of Representatives.

SEC. 5. REPORT TO HOUSE PARTY CAUCUS AND CONFERENCE.

Notwithstanding any other provision of this resolution, the House membership of the

committee is authorized to report to the respective party caucus and conference of the House of Representatives not later than November 6, 1992, any such findings and recommendations for changes in the Rules of the House as it may deem appropriate in connection with the organization of the One Hundred Third Congress.

After debate,

Pursuant to House Resolution 481, the previous question was ordered on the concurrent resolution and the amendment in the nature of a substitute.

The question being put, viva voce,

Will the House agree to the amendment in the nature of a substitute?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that the yeas had it.

The question being put, viva voce,

Will the House agree to the concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that the yeas had it.

Mr. SOLOMON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 412
Nays 4

¶73.7

[Roll No. 205]

YEAS—412

Ackerman
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armye
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Boehner
Borski
Boucher
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)

Cardin
Carper
Carr
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)

Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Goodling
Gordon
Goss
Gradison
Grandy
Green
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Henry

Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Klecicka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCormack
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillan (MD)
McNulty
Meyers

Mfume
Michel
Miller (OH)
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Rahall
Ramstad
Ravenel
Ray
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum

Sarpaluis
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snow
Oberstar
Solarez
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
 Waxman
Weber
Weiss
Weldon
Wheat
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Wylie
Yates
Yatron
Young (FL)
Zeliff
Zimmer

NAYS—4

Rangel
Washington

NOT VOTING—18

Alexander
Bonior
Chandler
Crane
Glickman
Guarini

Hefner
Hubbard
Jenkins
Jones (GA)
Moran
Nichols

Quillen
Schumer
Slattery
Traxler
Whitten
Young (AK)

So, the concurrent resolution, as amended, was agreed to.

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

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶73.8 JERUSALEM REUNIFICATION ANNIVERSARY

On motion of Mr. HAMILTON, by unanimous consent, the Committee on Foreign Affairs was discharged from further consideration of the following concurrent resolution of the Senate (S. Con. Res. 113):

Whereas for three thousand years Jerusalem has been the focal point of Jewish religious devotion;

Whereas Jerusalem is also considered a holy city by the members of other religious faiths;

Whereas the once thriving Jewish community of the historic Old City of Jerusalem was driven out by force during the 1948 Arab-Israeli War;

Whereas from 1948 to 1967 Jerusalem was a divided city and Israeli citizens of all faiths as well as Jewish citizens of all states were denied access to holy sites in the area controlled by Jordan;

Whereas in 1967 Jerusalem was reunited during the conflict known as the Six Day War;

Whereas since 1967 Jerusalem has been a united city administered by Israel and persons of all religious faiths have been guaranteed full access to holy sites within the city;

Whereas this year marks the twenty-fifth year that Jerusalem has been administered as a unified city in which the religious rights of all faiths have been respected and protected;

Whereas in 1990 the United States Senate and House of Representatives overwhelmingly declared that Jerusalem, the capital of Israel, "must remain an undivided city";

Whereas United Nations Security Council Resolutions 681 and 726 have raised understandable concern in Israel that Jerusalem might one day be redivided and access to religious sites in Jerusalem denied to Israeli citizens of all faiths and Jewish citizens of other states; and

Whereas such concerns inhibit and complicate the search for a lasting peace in the region: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) congratulates the residents of Jerusalem and the people of Israel on the twenty-fifth anniversary of the reunification of that historic city;

(2) strongly believes that Jerusalem must remain an undivided city in which the religious rights of every ethnic and religious group are protected as they have been by Israel during the past twenty-five years; and

(3) calls upon the President and the Secretary of State to issue an unequivocal statement in support of these principles.

When said concurrent resolution was considered and agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶73.9 LEGISLATIVE APPROPRIATIONS

Mr. FAZIO submitted a privileged report (Rept. No. 102-579) on the bill (H.R.

5427) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1993, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Mr. LEWIS of California reserved all points of order against said bill.

¶73.10 MILITARY CONSTRUCTION APPROPRIATIONS

Mr. THOMAS of Georgia submitted a privileged report (Rept. No. 102-580) on the bill (H.R. 5428) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Mr. LOWERY reserved all points of order against said bill.

¶73.11 PROVIDING FOR THE CONSIDERATION OF THE CONFERENCE REPORT AND AMENDMENTS IN DISAGREEMENT ON H.R. 5132

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 491):

Resolved, That upon adoption of this resolution it shall be in order, any rule of the House to the contrary notwithstanding, to consider in the House an indivisible motion: (1) to adopt the conference report to accompany the bill (H.R. 5132) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes; (2) to agree to the motions printed in the joint explanatory statement of the committee of conference to dispose of disagreements reported from conference on Senate amendments numbered 3, 5, 7, 9, 11, 12, and 13; and (3) to agree to the motions printed in the report of the Committee on Rules accompanying this resolution to dispose of disagreements reported from conference on Senate amendments numbered 1 and 2. The conference report and the printed motions described in this resolution shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations or their respective designees. The previous question shall be considered as order on the motion to final adoption without intervening motion.

When said resolution was considered. After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶73.12 SUPPLEMENTAL APPROPRIATIONS FY 1992

Mr. NATCHER, pursuant to House Resolution 491, moved (1) to adopt the following conference report (Rept. No. 102-577); (2) to agree to the motions printed in the joint explanatory state-

ment of the committee of conference to dispose of disagreements reported from conference on Senate amendments numbered 3, 5, 7, 9, 11, 12, and 13; and (3) to agree to the motions printed in the report (Rept. No. 102-578) of the Committee on Rules accompanying House Resolution 491 to dispose of disagreements reported from conference on Senate amendments numbered 1 and 2:

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5132) "making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 8, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 4, and 14, and agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 5, 7, 9, 11, 12, and 13.

JAMIE L. WHITTEN,
WILLIAM H. NATCHER,
NEAL SMITH,
SIDNEY R. YATES,
EDWARD R. ROYBAL,
TOM BEVILL,
JOHN P. MURTHA,
BOB TRAXLER,
WILLIAM LEHMAN,
JULIAN C. DIXON,
VIC FAZIO,

Managers on the Part of the House.

ROBERT C. BYRD,
DANIEL K. INOUE,
ERNEST F. HOLLINGS,
J. BENNETT JOHNSTON,
QUENTIN N. BURDICK,
PATRICK J. LEAHY,
JIM SASSER,
DALE BUMPERS,
FRANK R. LAUTENBERG,
TOM HARKIN,
BARBARA A. MIKULSKI,
HARRY REID,
BROCK ADAMS,
WYCHE FOWLER, Jr.,
J. ROBERT KERREY,
MARK O. HATFIELD,
TED STEVENS,
THAD COCHRAN,
ROBERT W. KASTEN, Jr.,
ALFONSE M. D'AMATO,
ARLEN SPECTER,
CHRISTOPHER S. BOND,

Managers on the Part of the Senate.

When said motion was considered.

After debate,

Pursuant to House Resolution 491 the previous question was considered as ordered on said motion.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. HAYES of Illinois, announced that the yeas had it.

Mr. MCDADE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 249
Nays 168

¶73.13

[Roll No. 206]

YEAS—249

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Annunzio
Anthony
Aspin
Atkins
AuCoin
Barnard
Bateman
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Boehlert
Borski
Boxer
Brooks
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CA)
Campbell (CO)
Cardin
Clay
Clement
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Coughlin
Cox (IL)
Coyne
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Engel
English
Espy
Evans
Fascell
Fazio
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gallo
Gaydos
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman

Gingrich
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hamilton
Hatcher
Hayes (IL)
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Ireland
Jacobs
Jefferson
Johnson (CT)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kluczka
Klug
Kopetski
Kostmayer
LaFalce
Coleman (TX)
Collins (IL)
Collins (MI)
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (GA)
Lipinski
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDade
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Mfume
Michel
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Moran
Morella
Morrison
Mrazek
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak

Oakar
Oberstar
Obey
Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Pastor
Payne (NJ)
Pelosi
Perkins
Pickle
Porter
Poshard
Price
Rahall
Rangel
Reed
Richardson
Rinaldo
Roe
Ros-Lehtinen
Rose
Rostenkowski
Roybal
Russo
Sabo
Sanders
Sangmeister
Savage
Sawyer
Scheuer
Schiff
Schroeder
Schulze
Serrano
Sharp
Sikorski
Skaggs
Skeen
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (TX)
Solarz
Spratt
Staggers
Stallings
Stark
Stokes
Studds
Swift
Synar
Tallon
Tanner
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Vento
Vucanovich
Walsh
Waters
Waxman
Weber
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron
Zeliff

NAYS—168

Allard
Allen
Andrews (TX)
Applegate
Archer
Army
Bacchus
Baker
Ballenger
Barrett
Barton
Bentley

Bereuter
Bilirakis
Bliley
Boehner
Boucher
Brewster
Broomfield
Browder
Bunning
Burton
Callahan
Camp

Carper
Carr
Chapman
Coble
Coleman (MO)
Combest
Cox (CA)
Cramer
Cunningham
Dannemeyer
Darden
DeLay

Dickinson
Doolittle
Dorgan (ND)
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Edwards (TX)
Emerson
Erdreich
Ewing
Fawell
Fields
Gallegly
Gekas
Geren
Gillmor
Goodling
Goss
Gradison
Grandy
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Huckaby
Hughes
Hunter
Hutto
Inhofe
James
Johnson (SD)
Johnson (TX)
Kolbe

Kyl
Lagomarsino
Lancaster
Laughlin
Lewis (FL)
Lightfoot
Livingston
Marlenee
McCandless
McCollum
McCrery
McEwen
McMillan (NC)
Meyers
Miller (OH)
Miller (WA)
Molinari
Montgomery
Moody
Moorhead
Murphy
Myers
Nussle
Orton
Oxley
Packard
Parker
Patterson
Paxon
Payne (VA)
Pease
Penny
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pursell
Ramstad
Ravenel
Ray
Regula
Rhodes
Ridge

Riggs
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Roth
Roukema
Rowland
Santorum
Sarpalius
Saxton
Schaefer
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skelton
Smith (OR)
Snowe
Solomon
Spence
Stearns
Olin
Stenholm
Stump
Sundquist
Swett
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Valentine
Vander Jagt
Visclosky
Volkmer
Walker
Washington
Weldon
Wolf
Wylie
Young (FL)
Zimmer

NOT VOTING—17

Bonior
Chandler
Crane
Feighan
Glickman
Hefner
Hubbard
Hyde
Jenkins
Jones (GA)
Kolter
Nichols
Quillen
Schumer
Slattery
Traxler
Young (AK)

So the motion was agreed to.

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

Accordingly,

The House agreed to the conference report and disposed of the amendments in disagreement as follows:

The House receded from its disagreement to the amendment of the Senate numbered 1 and concurred therein with the following amendment:

In lieu of the matter stricken and inserted by said amendment, insert the following:

DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for the cost of direct loans, \$169,650,000, to remain available until expended, of which \$50,895,000 shall be available only to the extent that a Presidential designation of a specific dollar amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985 is transmitted to the Congress, to subsidize additional gross obligations for the principal amount of direct loans not to exceed \$500,000,000, and in addition, for administrative expenses to carry out the disaster loan program, an additional \$25,000,000, to remain available until expended, which may be transferred to and merged with appropriations for "Salaries and expenses": *Provided*, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUSINESS LOANS PROGRAM ACCOUNT

For an additional amount for the cost of section 7(a) guaranteed loans (15 U.S.C.

636(a)), \$70,325,000, to remain available until expended, and in addition, for administrative expenses to carry out the business loan program, an additional \$2,000,000, to remain available until expended, which may be transferred to and merged with appropriations for "Salaries and expenses": *Provided*, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

In addition, for the cost of direct loans authorized under the Microloan Demonstration Program (15 U.S.C. 636(m)), \$5,000,000, to remain available until expended, and in addition, for grants in conjunction with such direct loans, \$4,000,000, to remain available until expended and to be merged with appropriations for "Salaries and expenses": *Provided*, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

The House receded from its disagreement to the amendment of the Senate numbered 2 and concurred therein with the following amendment:

In lieu of the matter inserted by said amendment, insert:

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for "Training and Employment Services", \$500,000,000, to be available for obligation for the period July 1, 1991, through June 30, 1992, to carry out part B of title II of the Job Training Partnership Act: *Provided*, That notice of eligibility of funds shall be given by July 1, 1992: *Provided further*, That the Secretary, to the extent practicable consistent with the preceding proviso, shall utilize the 1990 census data in allocating the funds appropriated herein: *Provided further*, That, for the purposes of this Act, of the funds appropriated herein, the first \$100,000,000 will be made available by the Secretary to the service delivery areas containing the seventy-five cities with the largest population as determined by the 1990 Census data, in accordance with the formula criteria contained in section 201(b)(1) of the Job Training Partnership Act: *Provided further*, That Congress hereby designates these amounts as emergency requirements for all purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF THE TREASURY

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$1,500,000 for law enforcement training activities of the Center, to remain available until expended.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", \$5,500,000 for the hiring, training and equipping of additional full-time equivalent positions for violent crime task forces and for increased costs associated with the Los Angeles riot, to remain available until expended.

UNITED STATES CUSTOMS SERVICE

OPERATION AND MAINTENANCE, AIR AND MARINE INTERDICTION PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$3,400,000 are rescinded.

UNITED STATES MINT
SALARIES AND EXPENSES
(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$500,000 are rescinded.

BUREAU OF THE PUBLIC DEBT
SALARIES AND EXPENSES
(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$800,000 are rescinded.

UNITED STATES SECRET SERVICE
SALARIES AND EXPENSES
(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$1,765,000 are rescinded.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF NATIONAL DRUG CONTROL POLICY
SALARIES AND EXPENSES
(RESCISSION)

Of the funds made available under this heading in Public Law 102-141, \$1,000,000 are rescinded.

SENSE OF THE SENATE WITH RESPECT TO
FEDERAL ENTERPRISE ZONES

(a) FINDINGS.—The Senate finds that:

(1) The crisis of poverty and high unemployment in America's inner-cities and rural areas demands an appropriate and timely response from Congress;

(2) Manufacturing and industry has largely disappeared from many United States inner cities which, in turn, led to the severe decline in good high-wage jobs, wholesale trade, retail businesses, and a large source of local tax revenues;

(3) Encouraging small and medium-sized businesses, which create the majority of new jobs in the United States economy, to locate and invest in poor neighborhoods is one of the keys to revitalizing urban America;

(4) Enterprise Zones will help convince businesses to build and grow in poor neighborhoods; they will give people incentives to invest in such businesses and to hire and train both unemployed and economically disadvantaged individuals; they will create jobs and stimulate entrepreneurship; and they will help restore the local tax revenue base to these communities;

(5) Enterprise Zones have been tested in 37 States since 1982 and have proven to be successful, having generated capital investments in poor neighborhoods in excess of \$28,000,000,000 and having created more than 258,000 jobs; and

(6) Enterprise Zones have been endorsed by, among others, the National Governors Association, the National Council of State Legislators, the Council of Black State Legislators, the Conference of Mayors, and the Conference of Black Mayors.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Enterprise Zones are a vital, proven tool for inner-city revitalization; and

(2) Congress should adopt Federal enterprise zone legislation and that such legislation should include the following provisions:

(A) Competitive designation which will maximize State and local participation;

(B) Tax incentives addressing both capital and labor costs;

(C) Tax incentives aimed at attracting investment in small businesses; and

(D) Tax incentives to encourage the hiring and training of economically disadvantaged individuals.

The House receded from its disagreement to the amendment of the Senate numbered 3 and concurred therein with the following amendment:

In lieu of the matter inserted by said amendment, insert:

DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION

For fiscal years 1992 and 1993, funds provided under section 9 of the Federal Transit Act shall be exempt from requirements for any non-Federal share, in the same manner as specified in section 1054 of Public Law 102-240.

The House receded from its disagreement to the amendment of the Senate numbered 5 and concurred therein.

The House receded from its disagreement to the amendment of the Senate numbered 7 and concurred therein with the following amendment:

In lieu of the section number "103", insert: "102".

The House receded from its disagreement to the amendment of the Senate numbered 9 and concurred therein with the following amendment:

In lieu of the section number "105", insert: "103".

The House receded from its disagreement to the amendment of the Senate numbered 11 and concurred therein with the following amendment:

In lieu of the section number "107", insert: "104".

The House receded from its disagreement to the amendment of the Senate numbered 12 and concurred therein with the following amendment:

In lieu of the matter inserted by said amendment, insert:

SEC. 105. (a) None of the funds made available in this Act may be used to provide any grant, loan, or other assistance to any person who is convicted of committing a riot-related crime of violence in the City or County of Los Angeles, California, during the period of unrest occurring April 29 through May 9, 1992.

(b) None of the funds made available in this Act may be used to provide any grant, loan, or other assistance to any person who—

(1) is under arrest for, or

(2) is subject to a pending charge of:

committing a riot-related crime of violence in the City or County of Los Angeles, California, during the period of unrest occurring April 29 through May 9, 1992: *Provided*, That the prohibition on the use of funds in (b) shall not apply if a period of 90 days or more has elapsed from the date of such person being arrested for or charged with such crime: *Provided further*, That should such person be convicted of a riot-related crime of violence cited in (a) and (b), such person shall provide to the agency or agencies which provided such assistance, payments equivalent to the amount of assistance provided.

(c) All appropriate Federal agencies shall take the necessary actions to carry out the provisions of this section.

(d) APPLICANT CERTIFICATION.—Any applicant for aid provided under this Act shall certify to the Federal agency providing such aid that the applicant is not a person described in subsection (a) or acting on behalf of such person.

(e) DEFINITION.—For purposes of this section, the term "riot-related crime of violence" means any State or Federal offense as defined in Section 16 of title 18, United States Code.

The House receded from its disagreement to the amendment of the Senate numbered 13 and concurred therein with the following amendment:

In lieu of the matter inserted by said amendment, insert the following:

SEC. 106. HUMANITARIAN ASSISTANCE TO BOSNIA-HERCEGOVINA.

Notwithstanding any other provision of law, up to \$5,000,000 of the funds made available for foreign operations, export financing, and related programs in Public Laws 102-145, as amended by Public Laws 102-163 and 102-266, and previous Acts making appropriations for foreign operations, export financing, and related programs, shall be made available for humanitarian assistance to Bosnia-Herzegovina: *Provided*, That such assistance may only be made available through private voluntary organizations, the United Nations and other international and non-governmental organizations: *Provided further*, That funds made available under this paragraph shall be made available only through the regular notification procedures of the Committees on Appropriations.

Ordered, That the Clerk notify the Senate thereof.

¶73.14 PERMISSION TO FILE REPORT

On motion of Mr. OBEY, by unanimous consent, the Committee on Appropriations was granted permission until midnight tonight to file a privileged report (Rept. No. 102-585) on the bill (H.R. 5368) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes.

Mr. EDWARDS of Oklahoma reserved all points of order against said bill.

¶73.15 PROVIDING FOR THE
CONSIDERATION OF H.R. 4484

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102-582) the resolution (H. Res. 493) providing for the consideration of the bill (H.R. 4484) to authorize appropriations for fiscal year 1993 for the Maritime Administration.

When said resolution and report were referred to the House Calendar and ordered printed.

¶73.16 PROVIDING FOR THE
CONSIDERATION OF H.R. 2637

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102-583) the resolution (H. Res. 494) providing for the consideration of the bill (H.R. 2637) to withdraw lands for the Waste Isolation Pilot Plant, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶73.17 PROVIDING FOR THE
CONSIDERATION OF H.R. 5095

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102-584) the resolution (H. Res. 495) providing for the consideration of the bill (H.R. 5095) to authorize appropriations for fiscal year 1993 for intelligence and intelligence-related activities of the United States Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶73.18 BUREAU OF INDIAN AFFAIRS'
SCHOOLS

On motion of Mr. YATES, by unanimous consent, the Committee on Appropriations was discharged from further consideration of the joint resolution (H.J. Res. 509) to extend through September 30, 1992, the period in which there remains available for obligation certain amounts appropriated for the Bureau of Indian Affairs for the school operations costs of Bureau-funded schools.

When said joint resolution was considered and read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

Ordered. That the Clerk request the concurrence of the Senate in said joint resolution.

¶73.19 CENTRAL VALLEY PROJECT

The SPEAKER pro tempore, Mr. HAYES of Illinois, pursuant to House Resolution 486 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5099) to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes.

The SPEAKER pro tempore, Mr. HAYES of Illinois, by unanimous consent, designated Mr. CARDIN as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. McNULTY, assumed the Chair.

When Mr. CARDIN, Chairman, pursuant to House Resolution 486, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Central Valley Project Reform Act".

SEC. 2. PURPOSES.

The purposes of this Act shall be—

(a) to protect, restore, and enhance fish, wildlife, and associated habitats in the Central Valley basin of California;

(b) to address impacts of the Central Valley Project on fish, wildlife and associated habitats;

(c) to improve the operational flexibility of the Central Valley Project;

(d) to increase water-related benefits provided by the Central Valley Project to the State of California through expanded use of voluntary water transfers and improved water conservation; and

(e) to study transfer of the Central Valley Project to non-Federal interests; and for other purposes.

SEC. 3. DEFINITIONS.

As used in this Act:

(a) The term "anadromous fish" means those stocks of salmon (including steelhead), striped bass, sturgeon, and American shad

that ascend the Sacramento and San Joaquin rivers and their tributaries and the Sacramento-San Joaquin Delta to reproduce after maturing in San Francisco Bay or the Pacific Ocean.

(b) The terms "artificial propagation" and "artificial production" mean spawning, incubating, hatching, and rearing fish in a hatchery or other facility constructed for fish production.

(c) The term "Central Valley Habitat Joint Venture" means the association of Federal and State agencies and private parties established for the purpose of developing and implementing the North American Waterfowl Management Plan as it pertains to the Central Valley of California.

(d) The terms "Central Valley Project" or "project" mean all Federal reclamation projects located within or diverting water from or to the watershed of the Sacramento and San Joaquin rivers and their tributaries as authorized by the Act of August 26, 1937 (50 Stat. 850) and all Acts amendatory or supplemental thereto, including but not limited to the Act of October 17, 1940 (54 Stat. 1198, 1199), Act of December 22, 1944 (58 Stat. 887), Act of October 14, 1949 (63 Stat. 852), Act of September 26, 1950 (64 Stat. 1036), Act of August 27, 1954 (68 Stat. 879), Act of August 12, 1955 (69 Stat. 719), Act of June 3, 1960 (74 Stat. 156), Act of October 23, 1962 (76 Stat. 1173), Act of September 2, 1965 (79 Stat. 615), Act of August 19, 1967 (81 Stat. 167), Act of August 27, 1967 (81 Stat. 173), Act of September 28, 1976 (90 Stat. 1324), and Act of October 27, 1986 (100 Stat. 3050).

(e) The term "Central Valley Project service area" means that area of the Central Valley and San Francisco Bay Area where water service has been expressly authorized pursuant to the various feasibility studies and consequent congressional authorizations for the Central Valley Project.

(f) The term "Central Valley Project water" means all water is diverted, stored, or delivered by the Bureau of Reclamation pursuant to water rights acquired pursuant to California law, including water made available under the so-called "exchange contracts" and Sacramento River settlement contracts.

(g) The term "Fish and Wildlife Advisory Committee" means the Central Valley Project Fish and Wildlife Advisory Committee established in section 9 of this Act.

(h) The term "full cost" has the meaning given such term in paragraph (3) of section 202 of the Reclamation Reform Act of 1982.

(i) The term "natural production" means fish produced to adulthood without direct human intervention in the spawning, rearing, or migration processes.

(j) The term "Reclamation laws" means the Act of June 17, 1902 (82 Stat. 388) and all Acts amendatory thereof or supplemental thereto.

(k) The term "Refuge Water Supply Report" means the report issued by the Mid-Pacific Region of the Bureau of Reclamation of the United States Department of the Interior entitled Report on Refuge Water Supply Investigations, Central Valley Hydrologic Basin, California (March 1989).

(l) The terms "repayment contract" and "water service contract" have the same meaning as provided in sections 9(d) and 9(e) of the Reclamation Project Act of 1939 (53 Stat. 1187, 1195), as amended.

(m) The terms "Restoration Fund" and "Fund" mean the Central Valley Project Restoration Fund established by this Act.

(n) The term "Secretary" means the Secretary of the Interior.

SEC. 4. LIMITATION ON CONTRACTING AND CONTRACT REFORM.

(a) NEW CONTRACTS.—Except as provided in subsection (b) of this section, the Secretary

shall not enter into any new short-term, temporary, or long-term contracts or agreements for water supply from the Central Valley Project for any purpose other than fish and wildlife before—

(1) the provisions of subsections 6(b)-(e) of this Act are met;

(2) the California State Water Resources Control Board concludes its current review of San Francisco Bay/Sacramento-San Joaquin Delta Estuary water quality standards and determines the means of implementing such standards, including any obligations of the Central Valley Project, if any, and the Administrator of the Environmental Protection Agency shall have approved such standards pursuant to existing authorities; and

(3) at least one hundred and twenty days shall have passed after the Secretary provides a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries of the House of Representatives explaining the obligations, if any, of the Central Valley Project system, including its component facilities and contracts, with regard to achieving San Francisco Bay/Sacramento-San Joaquin Delta Estuary water quality standards as finally established and approved by relevant State and Federal authorities, and the impact of such obligations on Central Valley Project operations, supplies, and commitments.

(b) EXCEPTION TO LIMIT ON NEW CONTRACTS.—In recognition of water shortages facing urban areas of California, and subsection (a) of this section notwithstanding, the Secretary is authorized to make available one hundred thousand acre-feet of Central Valley Project water for sale through water service contracts not to exceed twenty years in length to any California water district, agency, member district or agency, municipality, or publicly regulated water utility, without discrimination among them, for municipal and industrial purposes, except that no water shall be made available under this subsection until the State of California has entered into a binding agreement with the Secretary concerning the cost allocations set forth in section 6 of this Act. In carrying out this subsection, the Secretary shall—

(1) provide public notice of the availability of such water and be available to receive offers for such water for a period not to exceed one week in duration beginning not less than sixty days after enactment of this Act;

(2) make all such offers public immediately upon completion of the period for submission of bids established under paragraph (1) of this subsection;

(3) take such measures as are necessary to ensure that prospective agency purchasers do not engage in anti-competitive behavior; and

(4) accept the offers of the water agency or agencies offering the greatest monetary payments per acre-foot of water made available by the Secretary, except that—

(A) such payment must be greater than \$100 per acre-foot of contractual commitment annually and, in addition, cover all Federal costs associated with the proposed sale and delivery;

(B) delivery under the contract must be feasible using existing facilities; and

(C) the proposed use of the water must be consistent with State and Federal law.

All revenues collected by the Secretary from the contract or contracts authorized by this subsection, other than actual operation and maintenance costs, shall be covered into the Restoration Fund.

(c) RENEWAL OF EXISTING LONG-TERM CONTRACTS.—Notwithstanding the provisions of the Act of July 2, 1956 (70 Stat. 483), the Secretary may renew any existing long-term re-

payment or water service contract for the delivery of water from the Central Valley Project for a period not exceeding twenty years, except that the Secretary shall first analyze the impacts of such proposed contract pursuant to Federal and State environmental laws.

(d) ENVIRONMENTAL REVIEW OF PROPOSED CONTRACT RENEWALS.—Not later than three years after the date of enactment of this Act, the Secretary shall prepare a programmatic environmental impact statement analyzing the impacts of the potential renewal of all existing Central Valley Project water contracts, including impacts within the Sacramento, San Joaquin, and Trinity River Basins, and the San Francisco Bay/Sacramento-San Joaquin River Delta and Estuary.

(e) INCLUDING RESULTS OF ENVIRONMENTAL STUDIES.—The provisions of any contract renewed under authority of subsection (c) of this section shall be subject to further modifications by the Secretary based on any environmental impact statements carried out under subsection (c) or (d) of this section.

(f) WATER IDENTIFIED FOR FISH AND WILDLIFE PURPOSES.—Any Central Valley Project water service or repayment contract entered into, renewed, or amended under this section shall provide that the Secretary may, under procedures specified in this Act, allocate a portion of the water supply contained in such contract for the purposes specified in section 6 of this Act.

(g) CHANGE IN THE APPLICATION OF THE 1956 ACT.—Notwithstanding any provision to the contrary in any existing contract, the provisions of the Act of July 2, 1956 (53 Stat. 1187, U.S.C.) shall not apply to any Central Valley Project water service or repayment contract entered into, renewed or amended under any provision of the Federal Reclamation law after December 31, 1995. After December 31, 1995, the Secretary shall not be under any obligation to enter into, renew, or amend any water service or repayment contracts in the Central Valley Project with any district or individual who has previously had such a contract prior to the date of enactment of this Act. Any Central Valley Project water service or repayment contract entered into, renewed or amended after the date of enactment of this Act and prior to December 31, 1995, shall contain the renewal provisions of the Act of July 2, 1956, for the term of such contract, and any additional renewals.

SEC. 5. WATER TRANSFERS, IMPROVED WATER MANAGEMENT AND CONSERVATION.

(a)(1) WATER TRANSFERS.—Subject to review and approval by the Secretary, all individuals or districts who receive Central Valley Project water under water service or repayment contracts entered into prior to or after the date of enactment of this Act are authorized to transfer all water subject to such contract to any other California water user or water agency, State agency, or private non-profit organization for project purposes or any purpose recognized as beneficial under applicable State law. Except as provided herein, the terms of such transfers shall be set by mutual agreement between the transferee and the transferor.

(2) CONDITIONS FOR TRANSFERS.—Transfers of Central Valley Project water authorized by this subsection shall be subject to the following conditions:

(A) No transfers shall be made in excess of the average annual quantity of water under contract actually delivered to the contracting district or agency between 1985 and 1989.

(B) All water under the contract which is transferred to any district or agency which is not a Central Valley Project contractor at the time of enactment of this Act shall, if used for irrigation purposes, be repaid at the greater of the full-cost or cost of service

rates, or, if the water is used for municipal and industrial purposes, at the greater of the cost of service or municipal and industrial rates.

(C) No water transfers authorized under this section shall be approved unless the transfer is between a willing buyer and a willing seller under such terms and conditions as may be mutually agreed upon.

(D) No water transfer authorized under this section shall be approved unless the transfer is consistent with State law, including but not limited to, the provisions of the California Environmental Quality Act.

(E) All transfers authorized under this section shall be deemed a beneficial use of water by the transferor.

(F) All transfers in excess of 20 percent of the water in any district contract shall be approved by such district based on reasonable terms and conditions. Any review and approval of such transfer by a district shall be undertaken in a public process similar to those provided for in section 226 of Public Law 97-293.

(G) All transfers entered into pursuant to this subsection between Central Valley Project water contractors and entities outside the Central Valley Project service area shall be subject to a right of first refusal on the same terms and conditions by entities within the Central Valley Project service area. The right of first refusal must be exercised within ninety days from the date that notice is provided of the proposed transfer. Should an entity exercise the right of first refusal, it must compensate the transferee who had negotiated the agreement upon which the right of first refusal is being exercised for that entity's full costs associated with the development and negotiation of the transfer.

(H) Any water transfer approved pursuant to this subsection shall not be considered as conferring supplemental or additional benefits on Central Valley Project water contractors as provided in section 203 of Public Law 97-293 (43 U.S.C. 390(cc)).

(I) No transfer shall be approved unless the Secretary has determined that the transfer will have no adverse effect on the Secretary's ability to deliver water pursuant to the Secretary's Central Valley Project contractual obligations because of limitations in conveyance or pumping capacity.

(J) The agricultural water subject to any water transfer undertaken pursuant to this subsection shall be that water that would have been consumptively used on crops had those crops been produced during the year or years of the transfer or water that would have otherwise been lost to beneficial use.

(K) No transfer shall be approved unless the Secretary determines that the program will have no significant long-term adverse impact on ground water conditions.

(b) METERING OF WATER USE REQUIRED.—All Central Valley Project water service or repayment contracts for agricultural, municipal, or industrial purposes that are entered into, renewed, or amended under any provision of Federal reclamation law after the date of enactment of this Act, shall provide that the contracting district or agency shall ensure that all surface water delivery systems within its boundaries are equipped with volumetric water meters or equally effective water measuring methods within five years of the date of contract execution, amendment, or renewal, and that any new surface water delivery systems installed within its boundaries on or after the date of contract renewal are so equipped. The contracting district or agency shall inform the Secretary and the State of California annually as to the volume of surface water delivered within its boundaries.

(c) STATE AND FEDERAL WATER QUALITY STANDARDS.—All Central Valley Project

water service or repayment contracts for agricultural, municipal, or industrial purposes that are entered into, renewed, or amended under any provision of Federal reclamation law after the date of enactment of this Act, shall provide that the contracting district or agency shall be responsible for compliance with all applicable State and Federal water quality standards applicable to surface and subsurface agricultural drainage discharges generated within its boundaries.

(d) WATER PRICING REFORM.—All Central Valley Project water service or repayment contracts for agricultural, municipal, or industrial purposes that are entered into, renewed, or amended under any provision of Federal Reclamation law after the date of enactment of this Act, shall provide that all project water subject to contract shall be made available to districts, agencies, and other contracting entities pursuant to a system of tiered water pricing. Such a system shall specify rates for each district, agency or entity based on an inverted block rate structure with the following provisions:

(1) The first rate tier shall apply to a quantity of water up to 60 percent of the contract total and shall be not less than the applicable contract rate.

(2) The second rate tier shall apply to that quantity of water over 60 percent and under 80 percent of the contract total at a level halfway between the rates established under paragraphs (1) and (3) of this subsection.

(3) The third rate tier shall apply to that quantity of water over 80 percent of the contract total and shall not be less than full cost.

(4) Rates shall be adjusted annually for inflation.

(5) The Secretary shall charge contractors only for water actually delivered.

(e) WATER CONSERVATION STANDARDS.—The Secretary shall establish and administer an office on Central Valley Project water conservation best management practices that shall, in consultation with the Secretary of Agriculture, the California Department of Water Resources, California academic institutions, and Central Valley Project water users, develop criteria for evaluating the adequacy of all water conservation plans developed by project contractors, including those plans required by section 210 of the Reclamation Reform Act of 1982.

(1) Criteria developed pursuant to this subsection shall be established within six months following enactment of this Act and shall be reviewed periodically thereafter, but no less than every three years, with the purpose of promoting the highest level of water use efficiency achievable by project contractors using best available technology and best management practices. The criteria shall include, but not be limited to agricultural water suppliers' efficient water management practices developed pursuant to California State law or suitable alternatives.

(2) The Secretary, through the office established under this subsection, shall review and evaluate within eighteen months following enactment of this Act all existing conservation plans submitted by project contractors to determine whether they meet the conservation and efficiency criteria established pursuant to this subsection.

(3) In developing the water conservation best management practice criteria required by this subsection, the Secretary shall take into account and grant substantial deference to the recommendations for action proposed in the Final Report of the San Joaquin Valley Drainage Program, entitled A Management Plan for Agricultural Subsurface Drainage and Related Problems on the Westside San Joaquin Valley (September 1990).

(f) INCREASED REVENUES APPLIED TO REIMBURSABLE COSTS.—Except as otherwise pro-

vided in this section, all revenues received by the Secretary under paragraph (a) of this section shall be covered to the Restoration Fund.

SEC. 6. FISH, WILDLIFE AND HABITAT RESTORATION.

(a) AMENDMENTS TO CENTRAL VALLEY PROJECT AUTHORIZATIONS—ACT OF AUGUST 26, 1937.—Section 2 of the Act of August 26, 1937 (chapter 832; 50 Stat. 850), as amended, is amended—

(1) in the second proviso of subsection (a), by inserting "and mitigation, protection, restoration and enhancement of fish and wildlife," after "Indian reservations,";

(2) in the last proviso of subsection (a), by striking "domestic uses;" and inserting "domestic uses and fish and wildlife mitigation, protection and restoration purposes;" and by striking "power" and inserting "power and fish and wildlife enhancement";

(3) by adding at the end the following: "The mitigation for fish and wildlife losses incurred as a result of construction, operation, or maintenance of the Central Valley Project shall be concurrent with such activity and shall be based on the replacement of ecologically equivalent habitat.";

(4) by adding at the end the following: "(e) Nothing in this Act shall limit the State's authority to condition water rights permits for the Central Valley Project to make water available to preserve, protect, or restore, fish and wildlife and their habitat.".

(b) FISH AND WILDLIFE RESTORATION ACTIVITIES.—The Secretary, in consultation with the Central Valley Project Fish and Wildlife Advisory Committee established under section 9 of this Act (hereafter "Fish and Wildlife Advisory Committee") and in cooperation with other State and Federal agencies, is authorized and directed to:

(1) Develop within 18 months of enactment and implement a program which makes all reasonable efforts to ensure that, by the year 2002, natural production of anadromous fish in Central Valley rivers and streams will be sustained, on a long-term basis, at levels not less than twice the average levels attained during the period of 1981–1990:

(A) This program shall give first priority to measures which protect and restore natural channel and riparian habitat values through direct and indirect habitat restoration actions, modifications to Central Valley Project operations, and implementation of the measures mandated by this subsection.

(B) As needed to achieve the goals of the program, the Secretary is authorized and directed to modify Central Valley Project operations to provide flows of suitable quality, quantity, and timing to protect all life stages of anadromous fish. Instream flow needs for all Central Valley Project controlled streams and rivers shall be determined jointly by the United States Fish and Wildlife Service and the California Department of Fish and Game.

(C) With respect to mitigation or restoration of upper San Joaquin River fish, wildlife, and habitat, the Secretary is directed to participate in the San Joaquin River Management Program under development by the State of California. In support of the objectives of the San Joaquin River Management Program and the Stanislaus and Calaveras Basin Environmental Impact Statement, and in furtherance of the purposes of this Act, the Secretary, in consultation with the Fish and Wildlife Advisory Committee and affected counties and interests, shall evaluate in-basin needs in the Stanislaus River basin, and shall investigate alternative storage, release, and delivery regimes for satisfying both in-basin and out-of-basin needs. Alternatives to be investigated shall include, but shall not be limited to, conjunctive use operations, conservation strategies, exchange ar-

rangements, and the use of base and channel maintenance flows to assist in efforts to restore fish and wildlife populations and riparian habitat values in the San Joaquin River. Nothing in this Act or the amendments to the Act of August 26, 1937, shall be construed as requiring a re-establishment of flows between Gravelly Ford and Mendota Pool for mitigation or restoration of fish, wildlife and habitat.

(D) Costs associated with this paragraph shall be reimbursable pursuant to existing statutory and regulatory procedures.

(2) Upon enactment of this Act, and after implementing the operational changes authorized in subsection (b)(1)(B), make available project water for the primary purpose of implementing the fish, wildlife, and habitat restoration purposes and measures authorized by this section, except that such water shall be in addition to that required to implement subsections (b)(6) and (b)(15)(A). This water may be assigned immediately to supplement instream flows. The United States Fish and Wildlife Service shall conduct studies and monitoring activities as may be necessary to determine the effectiveness of such flows in meeting the goal established in subsection (b)(1). At the end of the initial five-year period, the Secretary shall adjust the quantity of water assigned as necessary to meet the goal.

(3) Develop and implement a program for the acquisition of a water supply adequate to meet the purposes and requirements of this section. Such a program should identify how the Secretary will secure this water supply, utilizing the following options in order of priority: improvements in or modifications of the operations of the project; conservation; transfers; conjunctive use; purchase of water; purchase and idling of agricultural land; reductions in deliveries to Central Valley Project contractors.

(4) Develop and implement a program to mitigate fully for fishery impacts associated with operations of the Tracy Pumping Plant. Such program shall include, but is not limited to improvement or replacement of the fish screens and fish recovery facilities and practices associated with the Tracy Pumping Plant. Costs associated with this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(5) Develop and implement a program to mitigate fully for fishery impacts resulting from operations of the Contra Costa Canal Pumping Plant No. 1. Such program shall provide for construction and operation of fish screening and recovery facilities, and for modified practices and operations. Costs associated with this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(6) Install and operate a structural temperature control device at Shasta Dam to control water temperatures in the Upper Sacramento River in order to protect all life stages of anadromous fish in the Upper Sacramento River from Keswick Dam to Red Bluff Diversion Dam. Costs associated with planning and construction of the structural temperature control device shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(7) Meet flow standards and objectives and diversion limits set forth in all State regu-

latory and judicial decisions which apply to Central Valley Project facilities.

(8) Investigate the feasibility of using short pulses of increased water flows to increase the survival of migrating juvenile anadromous fish in the Sacramento San Joaquin Delta and Central Valley rivers and streams. Costs associated with implementation of this subparagraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(9) Develop and implement a program which will eliminate, to the extent possible, losses of anadromous fish due to flow fluctuations caused by the operation of any Central Valley Project storage facility. The program shall be patterned after the agreement between the California Department of Water and Resources and the California Department of Fish and Game with respect to the operation of the California State Water Project Oroville Dam complex.

(10) Develop and implement measures to correct fish passage problems for adult and juvenile anadromous fish at the Red Bluff Diversion Dam. Costs associated with implementation of this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(11) Develop and implement a program to restore the natural channel and habitat values of Clear Creek, construct new fish passage facilities at the McCormick-Saeltzer Dam, and provide flows in Clear Creek to provide optimum spawning, incubation, rearing and outmigration conditions for all races of salmon and steelhead trout. Flows shall be provided by the Secretary from Whiskeytown Dam as determined by instream flow studies conducted jointly by the California Department of Fish and Game and U.S. Fish and Wildlife Service. Costs associated with providing the flows required by this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California. Costs associated with channel restoration and passage improvements required by this paragraph shall be allocated 50 percent to the United States as a nonreimbursable expenditure and 50 percent of the State of California.

(12) Develop and implement a program for the purpose of restoring and replenishing, as needed, spawning gravel lost due to the construction and operation of Central Valley Project dams, bank protection programs, and other actions that have reduced the availability of spawning gravel in the rivers impounded by Central Valley Project facilities. Costs associated with implementation of this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(13) Develop and implement a program which provides, as appropriate, for closure of

the Delta Cross Channel and Georgiana Slough during times when significant numbers of striped bass eggs, larvae, and juveniles approach the Sacramento River intake to the Delta Cross Channel or Georgiana Slough. Costs associated with implementation of this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(14) Construct, in cooperation with the State of California, a barrier at the head of Old River to be operated on a seasonal basis to increase the survival of young outmigrating salmon that are diverted from the San Joaquin River to Central Valley Project and State Water Project pumping plants. The cost of constructing, operating and maintaining the barrier shall be shared equally by the State of California and the United States. The United States' share of costs associated with implementation of this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered as nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(15) In support of the objectives of the Central Valley Habitat Joint Venture, deliver firm water supplies of suitable quality to maintain and improve wetland habitat on units of the National Wildlife Refuge System in the Central Valley of California, the Gray Lodge, Los Banos, Volta, North Grasslands, and Mendota state wildlife management areas, and the Grasslands Resource Conservation District in the Central Valley of California.

(A) Upon enactment of this Act, the quantity and delivery schedules of water for each refuge shall be in accordance with Level 2 of the "Dependable Water Supply Needs" table for that refuge as set forth in the Refuge Water Supply Report or two-thirds of the water supply needed for full habitat development for those refuges identified in the San Joaquin Basin Action Plan/Kesterson Mitigation Action Plan Report prepared by the Bureau of Reclamation. Such water shall be delivered until the water supply provided for in subparagraph (B) of this paragraph is provided.

(B) Not later than ten years after enactment of this Act, the quantity and delivery schedules of water for each refuge shall be in accordance with level 4 of the "Dependable Water Supply Needs" table for that refuge as set forth in the Refuge Water Supply Report or the full water supply needed for full habitat development for those refuges identified in the San Joaquin Basin Action Plan/Kesterson Mitigation Action Plan Report prepared by the Bureau of Reclamation. 37.5 percent of the costs associated with implementation of this paragraph shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(C) The Secretary is authorized to construct such water conveyance facilities and wells as are necessary to implement this paragraph. The increment of water required to fulfill subparagraph (B) of this paragraph shall be acquired by the Secretary through voluntary water conservation, conjunctive use, purchase, lease, donations, or similar activities, or a combination of such activities which do not require involuntary reallocation of project yield. The priority or priorities applicable to such incremental water deliveries for the purpose of shortage allocation shall be the priority or priorities which applied to the water in question prior

to its transfer to the purpose of providing such increment.

(16) Establish a comprehensive assessment program to monitor fish and wildlife resources in the Central Valley and to assess the biological results of actions implemented pursuant to this section. Of the costs associated with implementation of this paragraph, 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(17) Develop and implement a plan to resolve fishery passage problems at the Anderson-Cottonwood Irrigation District Diversion Dam. Costs associated with implementation of this paragraph shall be allocated 50 percent to the United States as a nonreimbursable expenditure and 50 percent to the State of California.

(18) If requested by the State of California, assist in developing and implementing management measures to restore the striped bass fishery of the Bay-Delta estuary. Costs associated with implementation of this paragraph shall be allocated 50 percent to the United States as a reimbursable expenditure and 50 percent to the State of California. The United States' share of costs associated with implementation of this paragraph shall be reimbursed in accordance with the following formula: 50 percent shall be reimbursed as main project features and 50 percent shall be considered a nonreimbursable Federal expenditure.

(19) Evaluate and revise, as appropriate, existing operational criteria in order to maintain minimum carryover storage at Sacramento and Trinity river reservoirs sufficient to protect and restore the anadromous fish of the Sacramento and Trinity rivers in accordance with the mandates and requirements of this subsection.

(20) Participate with the State of California and other Federal agencies in the implementation of the on-going program to mitigate fully for the fishery impacts associated with operations of the Glenn-Colusa Irrigation District's Hamilton City Pumping Plant. Such participation shall include replacement of the defective fish screens and fish recovery facilities associated with the Hamilton City Pumping Plant. This authorization shall not be deemed to supersede or alter existing authorizations for the participation of other Federal agencies in the mitigation program. Of the costs associated with implementation of this paragraph, 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

(21) Install a temperature control device on Lewiston Dam to converse cold water for fishery protection, provided that the cost of such device shall not exceed \$1,500,000. Such devices, with the same cost restriction, may also be installed on the Trinity and Whiskeytown dams if the Secretary deems it appropriate. Of the costs associated with implementation of this paragraph, 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.

If the Secretary and the State of California determine that long-term natural fishery productivity in the Sacramento River, American River, and San Joaquin River resulting from implementation of this section is better than conditions that existed in the absence of Central Valley Project facilities, any enhancement provided shall become credits to offset reimbursable costs associated with implementation of this section.

(c) ADDITIONAL HABITAT RESTORATION ACTIONS.—Not later than five years after enactment of this Act, the Fish and Wildlife Advisory Committee shall investigate and provide recommendations to the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries of the House on the following subjects:

(1) Alternative means of improving the reliability and quality of water supplies currently available to privately owned wetlands in the Central Valley and the need, if any, for additional supplies.

(2) Water supply and delivery requirements necessary to permit full habitat development for water dependent wildlife on one hundred twenty thousand acres supplemental to the acreage referenced in paragraph (b)(15) of this section and feasible means of meeting that water supply requirement.

(3) Measures to maintain suitable temperatures for anadromous fish survival in the Sacramento and San Joaquin rivers and their tributaries, and the Sacramento-San Joaquin Delta by controlling or relocating the discharge of irrigation return flows and sewage effluent, and restoring riparian forests.

(4) Opportunities for additional hatchery production to mitigate the impacts of water development on Central Valley fisheries where no other feasible means of mitigation is available.

(5) Measures to eliminate losses of juvenile anadromous fish resulting from unscreened or inadequately screened diversions on the Sacramento and San Joaquin rivers, their tributaries, and in the Sacramento-San Joaquin Delta, including measures such as construction of screens on unscreened diversions, rehabilitation of existing screens, replacement of existing non-functioning screens, and relocation of diversions to less fishery-sensitive areas.

(6) Measures to eliminate barriers to upstream and downstream migration of salmonids in the Central Valley, including removal programs or programs for the construction of new fish ladders.

(7) Construction of temperature control structures on Trinity, Lewiston, and Whiskeytown dams to conserve cold water for fishery protection.

(d) REPORT ON PROJECT FISHERY IMPACTS.—The Secretary, in consultation with the Secretary of Commerce, the State of California, appropriate Indian tribes, and other appropriate public and private entities, shall investigate and report on all effects of the Central Valley Project on anadromous fish populations and the fisheries, communities, tribes, businesses and other interests and entities that have now or in the past had significant economic, social or cultural association with those fishery resources. The Secretary shall provide such report to the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Merchant Marine and Fisheries of the House of Representatives not later than two years after the date of enactment of this Act.

(e) ECOSYSTEM AND WATERSYSTEM OPERATIONS MODELS.—The Secretary, in cooperation with the State of California and in consultation with the Fish and Wildlife Advisory Committee, and other relevant interests and experts, shall develop readily usable and broadly available models and supporting data to evaluate the ecologic and hydrologic effects of existing and alternative operations of public and private water facilities and systems in the Sacramento, San Joaquin, and Trinity river watersheds. The primary purpose of this effort shall be to support the Secretary's efforts in fulfilling the requirements of this Act through improved sci-

entific understanding concerning, but not limited to, the following:

(1) A comprehensive water budget of surface and ground water supplies, considering all sources of inflow and outflow available over extended periods.

(2) Water quality.

(3) Surface-ground and stream-wetland interactions.

(4) Measures needed to restore anadromous fisheries to optimum and sustainable levels in accordance with the restored carrying capacities of Central Valley rivers, streams, and riparian habitats.

(5) Development and use of base flows and channel maintenance flows to protect and restore natural channel and riparian habitat values.

(6) Implementation of operational regimes at State and Federal facilities to increase springtime flow releases, retain additional floodwaters, and assist in restoring both upriver and downriver riparian habitats.

(7) Measures designed to reach sustainable harvest levels of resident and anadromous fish, including development and use of systems of tradeable harvest rights.

(8) Opportunities to protect and restore wetland and upland habitats throughout the Central Valley.

(9) Measures to enhance the firm yield of existing Central Valley Project facilities, including improving management and operations, conjunctive use opportunities, development of offstream storage, levee setbacks, and riparian restoration.

In implementing this subsection, all studies and investigations shall take into account and be fully consistent with the fish, wildlife, and habitat protection and restoration measures required by this Act or by any other State or Federal law, statute, or regulation. One-half of the costs associated with implementation of this subsection shall be borne by the United States as a non-reimbursable cost, the other half shall be borne by the State of California.

SEC. 7. RESTORATION FUND.

(a) RESTORATION FUND ESTABLISHED.—There is hereby established in the Treasury of the United States the "Central Valley Project Restoration Fund" (hereafter "Restoration Fund") which shall be available for deposit of donations from any source and revenues provided under this Act. Funds made available to the Restoration Fund are authorized to be appropriated to the Secretary to carry out the provisions of sections 8(c), section 8(i), and the habitat restoration, improvement, and acquisition (from willing sellers) provisions of this Act.

(b) MAXIMUM SURCHARGE ON WATER AND POWER SALES.—The Secretary shall impose an annual operations and maintenance charge on all sales of project power and water sufficient to generate \$15,000,000 (October 1991 price levels) to be deposited in the Restoration Fund. The amount of the charge paid by Central Valley Project water and power users shall be assessed in the same proportion as their cost allocation.

(c) FUNDING TO NON-FEDERAL ENTITIES.—If the Secretary determines that the State of California or an agency thereof, or other nonprofit entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values is best able to implement an action authorized by this Act in an efficient, timely, and cost effective manner, the Secretary is authorized to provide funding to such entity to implement the identified action.

(d) LIMITATION OF EXPENDITURES.—The Secretary shall not expend any funds on construction of capital facilities authorized under section 6 of this Act as to which the State of California is required to contribute a share of total costs until the State of Cali-

fornia has agreed to meet such cost sharing requirement.

SEC. 8. ADDITIONAL AUTHORITIES.

(a) REGULATIONS AND AGREEMENTS AUTHORIZED.—The Secretary is authorized and directed to promulgate such regulations and enter into such agreements as may be necessary to implement the intent, purposes, and provisions of this Act.

(b) USE OF ELECTRICAL ENERGY.—Electrical energy used to operate and maintain facilities developed for fish and wildlife purposes pursuant to this Act, including that used for ground water development, shall be deemed as Central Valley Project power and shall be repaid by the user in accordance with Reclamation law and at a price not higher than the lowest price paid by or charged to Central Valley Project contractors.

(c) ACQUISITION OF ADDITIONAL WATER SUPPLY.—In order to carry out the intent, purposes, and provisions of this Act, the Secretary is authorized to obtain water supplies from any source available to the Secretary, including, but not limited to direct purchase from willing sellers of water, acquisition of land and associated ground and surface water rights, water made available from conjunctive use projects, and implementation of on-farm water conservation practices where water conserved thereby will be made available to the Secretary.

(d) CONTRACTS FOR ADDITIONAL STORAGE AND DELIVERY OF WATER.—The Secretary is authorized to enter into contracts pursuant to Reclamation law and this Act with any Federal agency, California water user or water agency, State agency, or private nonprofit organization for the exchange, impoundment, storage, carriage, and delivery of Central Valley Project and nonproject water for domestic, municipal, industrial, fish and wildlife, and any other beneficial purpose, except that nothing in this subsection shall be deemed to supersede the provisions of section 103 of Public Law 99-546 (100 Stat. 3051).

(e) USE OF PROJECT FOR WATER BANKING.—The Secretary, in consultation with the State of California, is authorized to enter into agreements to allow project contracting entities to use project facilities, where such facilities are not otherwise committed or required to fulfill project purposes or other Federal obligations, for supplying carry-over storage of irrigation and other water for drought protection, multiple-benefit credit-storage operations, and other purposes. The use of such water shall be consistent with and subject to applicable State laws.

(f) LIMITATION ON CONSTRUCTION.—This Act does not and shall not be interpreted to authorize construction of water storage facilities.

(g) ANNUAL REPORTS TO CONGRESS.—Not later than October 1 of the first full fiscal year after enactment of this Act, and annually thereafter, the Secretary shall submit a detailed report to the Committee on Energy and Natural Resources of the Senate and the Committee on Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries of the House of Representatives. Such report shall describe all significant actions taken by the Secretary pursuant to this Act and progress toward achievement of the intent, purposes, and provisions of this Act. Such report shall include recommendations for authorizing legislation or other measures, if any, needed to implement the intent, purposes, and provisions of this Act.

(h) RECLAMATION LAW.—This Act shall amend and supplement the Act of June 17, 1902, and Acts supplementary thereto and amendatory thereof.

(i) LAND RETIREMENT.—(1) The Secretary is authorized to purchase from willing sellers at fair-market-value land and associated

water rights and other property interests identified in subsection (2) which receives Central Valley Project water under a contract executed with the United States.

(2) The Secretary is authorized to purchase, under the authority of subsection (i)(1), and pursuant to such rules and regulations as may be adopted or promulgated to implement the provisions of this subsection, agricultural land which, in the opinion of the Secretary—

(A) would, if permanently retired from irrigation, improve water conservation by a district, or improve the quality of an irrigation district's agricultural wastewater and assist the district in implementing the provisions of a water conservation plan approved under section 210 of the Reclamation Reform Act of 1982 and agricultural wastewater management activities developed pursuant to the recommendations contained in the final report of the San Joaquin Valley Drainage Program (September, 1990); or

(B) are no longer suitable for sustained agricultural production because of permanent damage resulting from severe drainage or agricultural wastewater management problems, ground water withdrawals, or other causes.

(j) WATER CONSERVATION.—(1) The Secretary is authorized to undertake, in cooperation with Central Valley Project irrigation contractors, water conservation projects or measures needed to meet the requirements of this Act. The Secretary shall execute a cost-sharing agreement for any such project or measure undertaken. Under such agreement, the Secretary is authorized to pay up to 100 percent of the costs of such projects or measures. Any water saved by such projects or measures shall be made available to the Secretary in proportion to the Secretary's contribution to the total cost of such project or measure. Such water shall be used by the Secretary to meet the Secretary's obligations under this Act, including the requirements of section 6(b)(2). Such projects or measures must be implemented fully by the end of fiscal year 1999.

(2) There are authorized to be appropriated through the end of fiscal year 1997 \$— million to carry out the provisions of this subsection. Funds appropriated under this subsection shall be a nonreimbursable Federal expenditure.

(k) CITIZEN SUITS.—(1) Any person may commence a civil suit in his or her own behalf against the Secretary where there is alleged a failure of the Secretary to perform any act or duty under sections 4, 5, 6, 7, 8, and 12 of this Act which is not discretionary with the Secretary.

(2) The court may award costs of litigation (including reasonable expenses and attorney and expert witness fees) to any party other than the United States whenever the court determines such award is appropriate.

(3) The relief provided by this section shall not restrict any right which any person (or class of persons) may otherwise have under any statute or common law to seek enforcement of any standard or limitation or to seek any other relief.

(4) The district courts shall have jurisdiction to prohibit or prevent any violation of this Act, to compel any action required by this Act, and to issue any other order to further the purposes of this Act. An action under this section may be brought in any judicial district where the alleged violation occurred or is about to occur, where fish or wildlife resources affected by the alleged violation are located, or in the District of Columbia.

SEC. 9. CENTRAL VALLEY PROJECT FISH AND WILDLIFE ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is hereby established the "Central Valley Project Fish

and Wildlife Advisory Committee," hereafter referred to as the "Fish and Wildlife Advisory Committee".

(b) DUTIES.—The Fish and Wildlife Advisory Committee shall make recommendations to the Secretary with respect to the fish, wildlife, and environmental restoration actions identified in section 6. Such recommendations shall be advisory in nature and shall not be binding on the Secretary, however, the Secretary shall give substantial deference to such recommendations in carrying out responsibilities under this Act. Should the Secretary not implement any recommendations made by the Fish and Wildlife Advisory Committee, the Secretary shall notify the Committee in writing and explain the reasons for rejecting the recommendation.

(c) APPOINTMENT AND MEMBERSHIP.—The Fish and Wildlife Advisory Committee shall be comprised of the Director of the United States Fish and Wildlife Service and the Governor of California, or their designees, and twenty additional members appointed by the Secretary in consultation with the Governor to provide—

(1) ten representatives of environmental and conservation interests (including one representative of the Hoopa Valley Tribe); and

(2) ten representatives of agricultural and urban water users (including one representative of Central Valley Project power users).

(d) TERMS.—The term of a member of the Fish and Wildlife Advisory Committee shall be five years, except that five of the members appointed pursuant to subsection (c)(1) and five of the members appointed pursuant to subsection (c)(2) shall be appointed for an initial term of three years. Any vacancy on the Committee shall be filled in the same manner as the original appointment.

(e) CHAIRMANSHIP AND VOTING.—The Fish and Wildlife Advisory Committee shall be co-chaired by the Director of the United States Fish and Wildlife Service and the Governor of California, or their designees. The Committee shall meet at the call of the cochairs or upon the request of a majority of its members. The Committee shall operate with the objective of achieving consensus, but may provide recommendations based on a majority vote.

(f) ADMINISTRATION.—The Secretary, in cooperation with the State of California, shall provide the Fish and Wildlife Advisory Committee with necessary administrative and technical support service, including information relevant to the functions of the Committee. The Committee shall determine its organization and prescribe the practices and procedures for carrying out its functions, and may establish committees or working groups of technical representatives of Committee members to advise the Committee on specific matters.

(g) EXPENSES.—While away from their homes or regular places of business in the performance of service for the Fish and Wildlife Advisory Committee, members and their technical representatives shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in government service are allowed travel expenses under section 5703 of title 5, United States Code. Any Committee member or technical representative who is an employee of an agency or governmental unit of the United States or State of California and is eligible for travel expenses from that agency or unit for performing services for the Committee shall not be eligible for travel expenses under this subsection.

(h) GOVERNMENT EMPLOYEES.—Members of the Fish and Wildlife Advisory Committee and technical representatives who are full-time officers or employees of the United

States or the State of California shall receive no additional pay, allowances, or benefits by reason of their service on the Committee.

(i) FEDERAL ADVISORY COMMITTEE ACT.—Except as provided in this section, the terms and provisions of the Federal Advisory Committee Act, Public Law 92-463, as amended, (5 U.S.C. App. 2), shall apply to the Fish and Wildlife Advisory Committee.

(j) TERMINATION.—The Fish and Wildlife Advisory Committee shall cease to exist on December 31, 2010.

SEC. 10. CENTRAL VALLEY PROJECT TRANSFER ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is hereby established the "Central Valley Project Transfer Advisory Committee," hereafter referred to as the "Transfer Advisory Committee."

(b) MEMBERSHIP.—The Transfer Advisory Committee shall be comprised of sixteen individuals, appointed as follows:

(1) Eight appointed by the Governor of California, one to represent each of the following organizations and interests:

- (A) California Resources Agency;
- (B) California State Water Resources Control Board;
- (C) Central Valley Project agricultural water contractors;
- (D) Central Valley Project municipal and industrial water contractors;
- (E) Central Valley Project power contractors;
- (F) environmental organizations;
- (G) waterfowl conservation organizations; and
- (H) fishery conservation organizations.

(2) One appointed by the president pro tempore of the California State Senate.

(3) One appointed by the Speaker of the California State Assembly.

(4) Two appointed by the Secretary of the United States Department of the Interior to represent individually the United States Fish and Wildlife Service and Bureau of Reclamation.

(5) The Inspector General of the Department of the Interior or his or her designee.

(6) The Administrator of the Environmental Protection Agency of his or her designee.

(7) The Comptroller General of the United States or his or her designee.

(8) One appointed by the Hoopa Valley Tribe.

(c) DUTIES.—The Transfer Advisory Committee shall prepare a report to Congress and the President on all issues associated with transfer of all Central Valley Project facilities and assets, assuming, first, that the transfer would be to the State of California, assuming, second that the transfer would be to Central Valley Project contractors, and assuming, third, that the transfer would be to a Commission with the members appointed by the Governor of California and the Secretary that would jointly operate the California State Water Project and the Central Valley Project. The Transfer Advisory Committee shall provide recommendations on which of these transfer options best serves the interests of the United States and the State of California, and on legislative and administrative measures required to execute such transfer which would ensure that—

- (1) the fish and wildlife protection and restoration goals of this Act are achieved;
- (2) the reserved fishing and water rights of affected Indian tribes are preserved, and the ability of the United States to meet its trust obligations with respect to such tribal assets is maintained;
- (3) the Secretary's contractual obligations and rights associated with the Central Valley Project are fulfilled;
- (4) the operations of the Central Valley Project and the California State Water

Project are integrated to the maximum extent practicable; and

(5) Federal expenditures associated with the Central Valley Project are minimized.

(d) CHAIRMANSHIP AND VOTING.—The Transfer Advisory Committee shall be cochaired by the Inspector General of the U.S. Department of the Interior and any individual selected by the Governor of California from among the Transfer Advisory Committee members appointed by the Governor of California pursuant to paragraph (a)(1) of this section. The Committee shall operate with the objective of achieving consensus, but may provide recommendations based on a majority vote.

(e) FEDERAL ADVISORY COMMITTEE ACT.—Except as provided herein, the terms and provisions of the Federal Advisory Committee Act, Public Law 92-463, as amended (5 U.S.C. App. 2), shall apply to the Advisory Committee.

(f) ADMINISTRATOR.—The Secretary, in cooperation with the State of California, shall provide the Transfer Advisory Committee with necessary administrative and technical support service, including information relevant to the functions of the Committee. The Committee shall determine its organization and prescribe the practices and procedures for carrying out its functions, and may establish committees or working groups of technical representatives of Committee members to advise the Committee on specific matters.

(g) EXPENSES.—While away from their homes or regular places of business in the performance of service for the Transfer Advisory Committee, members and their technical representatives shall be allowed travel expenses, including a per diem allowance in lieu of subsistence, in the same manner as persons employed intermittently in government service are allowed travel expenses under section 5703 of title 5, United States Code. Any Committee member or technical representative who is an employee of an agency or governmental unit of the United States or State of California and is eligible for travel expenses from that agency or unit for performing services for the Committee shall not be eligible for travel expenses under this subsection.

(h) GOVERNMENT EMPLOYEES.—Members of the Transfer Advisory Committee and technical representatives who are full-time officers or employees of the United States or the State of California shall receive no additional pay, allowances, or benefits by reason of their service on the Committee.

(i) REGULAR MEETINGS REQUIRED.—The Transfer Advisory Committee shall meet at the call of the cochairs and, in any event, not less than once every three months following enactment of this Act.

(j) DEADLINE FOR SUBMISSION OF REPORT.—The Transfer Advisory Committee shall submit the report as required by subsection (c) of this section not later than December 31, 1993. The report shall be submitted to the President of the United States, the Committee on Energy and Natural Resources of the Senate, the Committee on Appropriations of the Senate, the Committee on Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries of the House of Representatives, and the Committee on Appropriations of the House of Representatives.

(k) TERMINATION.—The Transfer Advisory Committee shall terminate ninety days after submission of such report.

SEC. 11. SAN FRANCISCO BAY AND DELTA WETLAND RESTORATION PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary, in cooperation with the Secretary of the Army, and in consultation with the State of California, San Francisco Bay area port authorities, fishery and waterfowl conservation

interests, and the Fish and Wildlife Advisory Committee shall investigate and, if feasible, develop and implement a program using dredged material to restore, protect, and expand San Francisco Bay and Delta wetlands for the purposes of recruitment and survival of waterfowl, fish, and other wetland dependent species, flood control, water quality improvement, and sedimentation control.

(b) **SPECIFIC CONSIDERATIONS.**—The program developed under this section shall consider a broad range of upland disposal and give emphasis to restoration, protection, and expansion of wetlands supporting abundant and diverse wetland ecosystems, including, but not limited to—

(1) high primary productivity and functioning food chains;

(2) seasonal values for waterfowl breeding, nesting, staging, and wintering;

(3) habitat values for migrating anadromous fish; and

(4) protection from predation and disease.

(c) **QUALITY OF DREDGE MATERIALS.**—The program developed under this section shall ensure that dredge materials used for wetland restoration, protection, or expansion shall be of appropriate quality for such purposes.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act. Funds appropriated under this section shall remain available until expended.

SEC. 13. SIPHON REPAIR AND REPLACEMENT.

(a) Congress finds that the prestressed concrete pipe siphons installed in the Hayden-Rhodes Aqueduct portion of the Central Arizona Project designed and constructed by the Secretary pursuant to the Colorado River Basin Project Act (43 U.S.C. 1501 et seq.) have been determined to be defective, inadequate and unsuitable for aqueduct purposes and must be replaced or substantial repairs completed for the transfer of the operation of the Project to its local sponsor.

(b) Notwithstanding any other provision of law or contract, costs incurred in the repair, modification or replacement, together with associated costs, of the Hayden-Rhodes Aqueduct siphons at Salt River, New River, Hassayampa River, Jackrabbit Wash, Centennial Wash and Aqua Fria River, all features of the Central Arizona Project, shall be borne by the United States and shall be non-reimbursable and nonreturnable.

SEC. 14. BUFFALO BILL DAM AND RESERVOIR, SHOSHONE PROJECT, PICK-SLOAN MISSOURI BASIN PROGRAM, WYOMING.

There are authorized to be appropriated such sums as may be required due to increased costs of construction attributable to delays in enactment of any additional authorization of appropriations for the construction of the Buffalo Bill Dam and Reservoir modifications and recreational facilities: *Provided*, That such additional sums shall be nonreimbursable and nonreturnable under the Federal reclamation laws.

SEC. 15. DEMONSTRATION PROJECT.

The Secretary is authorized and directed to undertake a demonstration project in the City and County of San Francisco to examine the feasibility and effectiveness of using advanced ecologically engineered technology for water reclamation and reuse in accordance with the title 22 standards of the California Water Code. "Advanced ecologically engineered technology" refers to a greenhouse-based, ecologically engineered technology which employs highly populated pond and marsh ecosystems to produce water for reclamation and reuse. One-half of the costs associated with implementation of this subsection shall be borne by the United States as a nonreimbursable cost; the other half

shall be borne by the State of California and the City and County of San Francisco.

SEC. 16. RECREATION.

The first section of the Act of August 27, 1954 (16 U.S.C. 695d), is amended by inserting "and also for the use and enjoyment of the lands, waters, and related facilities thereof for recreation," after "fish and wildlife purposes,".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

So the bill was passed.

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

On motion of Mr. MILLER of California, pursuant to House Resolution 486, the bill (H.R. 429) to authorize additional appropriations for the construction of the Buffalo Bill Dam and Reservoir, Shoshone Project, Pick-Sloan Missouri Basin Program, Wyoming; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. MILLER of California, it was,

Resolved, That the House concur in the amendment of the Senate with an amendment consisting of the text of H.R. 429 and H.R. 5099 as passed by the House.

Further resolved, That the House insists upon its amendment and requests a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶73.20 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. MILLER of California, by unanimous consent,

Ordered, That in the engrossment of the foregoing amendment, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶73.21 ADJOURNMENT OVER

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, June 22, 1992.

¶73.22 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, June 24, 1992, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶73.23 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 985. An Act to establish a commission to review the Bankruptcy Code, to amend

the Bankruptcy Code in certain aspects of its application to cases involving commerce and credit and individual debtors and add a temporary chapter to govern reorganization of small businesses, and for other purposes; to the Committee on the Judiciary.

¶73.24 ENROLLED JOINT RESOLUTION SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 470. Joint Resolution to designate the month of September 1992, as "National Spina Bifida Awareness Month."

¶73.25 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 250. An Act to establish national voter registration procedures for Federal elections, and for other purposes.

¶73.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HYDE, for today after 2:30 p.m.

And then,

¶73.27 ADJOURNMENT

On motion of Mrs. COLLINS of Illinois, pursuant to the special order heretofore agreed to, at 4 o'clock and 55 minutes p.m., the House adjourned until 12 o'clock noon on Monday, June 22, 1992.

¶73.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FAZIO: Committee on Appropriations. H.R. 5427. A bill making appropriations for the legislative branch for the fiscal year ending September 30, 1993, and for other purposes. (Rept. No. 102-579). Referred to the Committee of the Whole House on the State of the Union.

Mr. HEFNER: Committee on Appropriations. H.R. 5428. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes. (Rept. No. 102-580). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN: Committee on Science, Space, and Technology. H.R. 5343. A bill to make technical amendments to the American Technology Preeminence Act of 1991 and the Fair Packaging and Labeling Act with respect to their treatment of the SI metric system; with amendments (Rept. No. 102-581, Pt. 1). *Ordered* to be printed.

Mr. MOAKLEY: Committee on Rules. House Resolution 493. Resolution providing for the consideration of the bill H.R. 4484 to authorize appropriations for fiscal year 1993 for the Maritime Administration (Rept. No. 102-582). Referred to the House Calendar.

Mr. DERRICK: Committee on Rules. House Resolution 494. Resolution providing for the consideration of the bill H.R. 2637 to withdraw lands for the waste isolation pilot plant, and for other purposes (Rept. No. 102-583). Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. House Resolution 495. Resolution providing for the consideration of the bill H.R. 5095 to

authorize appropriations for fiscal year 1993 for intelligence and intelligence-related activities of the U.S. Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 102-584). Referred to the House Calendar.

Mr. OBEY: Committee on Appropriations. H.R. 5368. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes; with an amendment (Rept. No. 102-585). Referred to the Committee of the Whole House on the State of the Union.

73.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FAZIO:

H.R. 5427. A bill making appropriations for the legislative branch for the fiscal year ending September 30, 1993, and for other purposes.

By Mr. HEFNER:

H.R. 5428. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes.

By Mr. JACOBS:

H.R. 5429. A bill to establish the Social Security Administration as an independent agency, which shall be headed by a Social Security Board, and which shall be responsible for the administration of the old-age, survivors, and disability insurance program under title II of the Social Security Act and the supplemental security income program under title XVI of such act; to the Committee on Ways and Means.

By Mr. ANTHONY:

H.R. 5430. A bill to suspend until January 1, 1994, the duty on Benzisothiazoline; to the Committee on Ways and Means.

By Mr. MINETTA (for himself, Mr. ANDERSON, Mr. OBERSTAR, Mr. NOWAK, Mr. RAHALL, Mr. APPELEGATE, Mr. DE LUGO, Mr. SAVAGE, Mr. BORSKI, Mr. KOLTER, Mr. VALENTINE, Mr. LIPINSKI, Mr. TRAFICANT, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. HAYES of Louisiana, Mr. CLEMENT, Mr. PAYNE of Virginia, Mr. COSTELLO, Mr. PALLONE, Mr. JONES of Georgia, Mr. PARKER, Mr. LAUGHLIN, Mr. GEREN of Texas, Mr. SANGMEISTER, Mr. POSHARD, Mr. SWETT, Mr. BREWSTER, Mr. CRAMER, Ms. DELAURO, Ms. HORN, Mrs. COLLINS of Michigan, Mr. PETERSON of Florida, Ms. NORTON, Mr. BLACKWELL, Mr. HAMMERSCHMIDT, Mr. SHUSTER, Mr. CLINGER, Mr. PETRI, Mr. PACKARD, Mr. BOEHLERT, Mrs. BENTLEY, Mr. INHOFE, Mr. BALLENGER, Mr. EMERSON, Mr. DUNCAN, Mr. HANCOCK, Mr. COX of California, Ms. MOLINARI, Mr. HOBSON, Mr. RIGGS, Mr. TAYLOR of North Carolina, Mr. NICHOLS, Mr. ZELIFF, Mr. EWING, Mr. GILLMOR, Mr. RINALDO, Mr. HUGHES, Mr. GUARINI, Mr. SMITH of New Jersey, Mr. DWYER of New Jersey, Mrs. ROUKEMA, Mr. TORRICELLI, Mr. SAXTON, Mr. GALLO, Mr. PAYNE of New Jersey, Mr. ZIMMER, and Mr. ANDREWS of New Jersey):

H.R. 5431. A bill to designate the Federal building located at 200 Federal Plaza in Paterson, NJ, as the "Robert A. Roe Federal Building"; to the Committee on Public Works and Transportation.

By Mr. SHUSTER (for himself, Mr. ROE, Mr. CLINGER, Mr. ANDERSON, Mr. PETRI, Mr. MINETA, Mr. PACKARD, Mr. OBERSTAR, Mr. BOEHLERT, Mr. NOWAK, Mrs. BENTLEY, Mr. RAHALL,

Mr. INHOFE, Mr. APPELEGATE, Mr. BALLENGER, Mr. DE LUGO, Mr. EMERSON, Mr. SAVAGE, Mr. DUNCAN, Mr. BORSKI, Mr. HANCOCK, Mr. KOLTER, Mr. COX of California, Mr. VALENTINE, Ms. MOLINARI, Mr. LIPINSKI, Mr. HOBSON, Mr. TRAFICANT, Mr. RIGGS, Mr. LEWIS of Georgia, Mr. TAYLOR of North Carolina, Mr. DEFAZIO, Mr. NICHOLS, Mr. HAYES of Louisiana, Mr. ZELIFF, Mr. CLEMENT, Mr. EWING, Mr. PAYNE of Virginia, Mr. GILLMOR, Mr. COSTELLO, Mr. PALLONE, Mr. JONES of Georgia, Mr. PARKER, Mr. LAUGHLIN, Mr. GEREN of Texas, Mr. SANGMEISTER, Mr. POSHARD, Mr. SWETT, Mr. BREWSTER, Mr. CRAMER, Ms. DELAURO, Ms. HORN, Mrs. COLLINS of Michigan, Mr. PETERSON of Florida, Ms. NORTON, and Mr. BLACKWELL):

H.R. 5432. A bill to designate the Federal building and U.S. courthouse located at the corner of College Avenue and Mountain Street in Fayetteville, AR, as the "John Paul Hammerschmidt Federal Building and United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. BEREUTER (for himself and Mr. WYLIE):

H.R. 5433. A bill to increase the amount of credit available to fuel economic growth by reducing the regulatory burden imposed upon community banks and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BERMAN (for himself, Mr. RINALDO, Mr. GILMAN, Mr. HUNTER, Mr. LEVINE of California, Mr. MCCLOSKEY, and Mr. KASICH):

H.R. 5434. A bill to provide for the imposition of sanctions against persons or foreign countries that transfer to Iran or Iraq goods or technology contributing to that country's efforts to acquire certain weapons; jointly, to the Committees on Foreign Affairs; Ways and Means; Banking, Finance and Urban Affairs; and Agriculture.

By Mr. COLORADO (for himself, Mr. RANGEL, Mr. SCHEUER, Mr. TOWNS, Mr. SERRANO, and Mr. RICHARDSON):

H.R. 5435. A bill to amend the Social Security Act to increase the limit on Federal matching funds available for the Medicaid Program in Puerto Rico and to make improvements in the furnishing of and payment for equipment and related supplies furnished to Medicare beneficiaries; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. WILLIAMS:

H.R. 5436. A bill to assist small communities in the construction of facilities for the protection of the environment and human health; jointly, to the Committees on Public Works and Transportation and Energy and Commerce.

By Mr. DICKINSON (for himself, Mr. ARMEY, Mr. BARNARD, Mr. BARRETT, Mr. BATEMAN, Mr. BENNETT, Mr. BILIRAKIS, Mr. BOEHLERT, Mr. BROOMFIELD, Mr. CALLAHAN, Mr. COBLE, Mr. DE LUGO, Mr. DONNELLY, Mr. DOOLITTLE, Mr. DORNAN of California, Mr. DOWNEY, Mr. DYMALLY, Mr. FAWELL, Mr. GALLEGLY, Mr. GILCHREST, Mr. GILLMOR, Mr. GINGRICH, Mr. GUARINI, Mr. HAMMERSCHMIDT, Mr. HANSEN, Mr. HARRIS, Mr. HAYES of Louisiana, Mr. HEFLEY, Mr. HERGER, Mr. HORTON, Mr. HUNTER, Mr. HUTTO, Mr. HYDE, Mr. IRELAND, Mr. JEFFERSON, Mr. KASICH, Mr. LAGOMARSINO, Mr. LEVIN of Michigan, Mr. LEWIS of Florida, Mr. LIGHTFOOT, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. MCCANDLESS, Mr. MCCREY, Mr. MCGRATH, Mr. MARTIN, Mrs. MEYERS of Kansas, Mrs. MINK, Mr. MOORHEAD, Mr. MORAN,

Mr. MURPHY, Mr. NATCHER, Ms. NORTON, Mr. OLIN, Mr. ORTIZ, Mr. OWENS of Utah, Mr. OXLEY, Mr. PACKARD, Mr. PARKER, Mr. PAXON, Mr. PICKETT, Mr. PICKLE, Mr. PURSELL, Mr. RAVENEL, Mr. RITTER, Mr. ROBERTS, Mr. ROTH, Mr. SARPALIUS, Mr. SAVAGE, Mr. SAXTON, Mr. SCHIFF, Mr. SPENCE, Mr. TANNER, Mr. TAYLOR of Mississippi, Mr. THOMAS of Georgia, Mr. THOMAS of California, Mr. TRAXLER, Mr. UPTON, Mr. VISCLOSKEY, Mr. WOLF, Mr. YATRON, and Mr. YOUNG of Florida):

H.R. 5437. A bill to require the construction of a memorial on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate U.S. participation in that conflict; to the Committee on House Administration.

By Mr. FRANK of Massachusetts:

H.R. 5438. A bill to exclude from income amounts received under part E of title IV of the Social Security Act for the purposes of determining the amount of benefits to be provided under the Food Stamp Act of 1977 and the United States Housing Act of 1937; jointly, to the Committees on Agriculture and Banking, Finance and Urban Affairs.

By Mr. HATCHER:

H.R. 5439. A bill entitled "Food Stamp Quality Control System Amendments of 1992"; to the Committee on Agriculture.

By Mr. JENKINS (for himself, Mr. ARCHER, Mr. ANTHONY, Mrs. KENNELLY, Mr. LEVIN of Michigan, Mr. CARDIN, and Mr. MCGRATH):

H.R. 5440. A bill to amend the Internal Revenue Code of 1986 to repeal the special depreciation rules applicable under the adjusted current earnings provisions of the minimum tax; to the Committee on Ways and Means.

By Mr. LAUGHLIN (for himself, Mr. ANDREWS of Texas, Mr. BILIRAKIS, Mr. BROOKS, Mr. BROWDER, Mr. BRYANT, Mr. CALLAHAN, Mr. CHAPMAN, Mr. COLEMAN of Texas, Mr. CRAMER, Mr. DE LA GARZA, Mr. FASCELL, Mr. FIELDS, Mr. FROST, Mr. GEREN of Texas, Mr. HARRIS, Mr. HAYES of Louisiana, Mr. HUTTO, Mr. JEFFERSON, Mr. LIVINGSTON, Mr. ORTIZ, Mr. PARKER, Mr. PETERSON of Florida, Mr. PICKLE, Mr. PALLONE, Mr. SARPALIUS, Mr. TAYLOR of Mississippi, Mr. TAUZIN, Mr. THOMAS of Georgia, Mr. VALENTINE, and Mr. WILSON):

H.R. 5441. A bill to establish a Gulf of Mexico environmental and economic restoration and protection program; jointly, to the Committees on Merchant Marine and Fisheries, Public Works and Transportation, and Science, Space, and Technology.

By Mr. MILLER of Washington (for himself, Mr. PANETTA, Mr. EMERSON, Mr. KOPETSKI, Mr. PENNY, Mr. SANGMEISTER, and Mr. TOWNS):

H.R. 5442. A bill to establish Federal grant programs to identify and address the foreign language needs within the United States for the purpose of enhancing economic competitiveness, ensuring national security, and promoting the national interest; jointly, to the Committees on Education and Labor and Foreign Affairs.

By Mr. PETRI:

H.R. 5443. A bill to amend the Fair Labor Standards Act of 1938 relating to the minimum wage and overtime exemption for employees subject to certain leave policies; to the Committee on Education and Labor.

By Mr. SCHULZE:

H.R. 5444. A bill to provide for the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of former nonmarket economy countries that have implemented, or are in transition to,

market economies; to the Committee on Ways and Means.

By Mr. WILLIAMS:

H.R. 5445. A bill to amend the Safe Drinking Water Act to ensure that the Nation's small towns and rural counties are able to comply with safe drinking water regulations in a flexible manner which protects public health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YATES:

H.J. Res. 509. Joint resolution to extend through September 30, 1992, the period in which there remains available for obligation certain amounts appropriated for the Bureau of Indian Affairs for the school operations costs of Bureau-funded schools; to the Committee on Appropriations; discharged; considered and passed.

By Mr. MORAN (for himself, Mrs. MORELLA, and Mr. WOLF):

H.J. Res. 510. Joint resolution disapproving the action of the District of Columbia Council in approving the Omnibus Budget Support Temporary Act of 1992; to the Committee on the District of Columbia.

By Mr. TRAFICANT:

H.J. Res. 511. Joint resolution proposing an amendment to the Constitution of the United States to provide for the direct popular election of the President and the Vice-President; to the Committee on the Judiciary.

By Mr. KOLBE (for himself, Mr. RANGEL, Mr. COUGHLIN, and Mr. RICHARDSON):

H. Con. Res. 334. Concurrent resolution expressing the sense of the Congress that the President should take prompt diplomatic action to ensure that joint efforts by the United States and Mexico to combat illegal drug trafficking continue at the high level of cooperation that exists currently; to the Committee on Foreign Affairs.

By Mr. ROHRBACHER:

H. Con. Res. 335. Concurrent resolution concerning the conflict in the former state of Yugoslavia; to the Committee on Foreign Affairs.

By Mr. BROWN:

H. Res. 496. Resolution to amend the Rules of the House of Representatives to further reform the administrative operations of the House; jointly, to the Committees on Rules and House Administration.

By Mr. DYMALLY:

H. Res. 497. Resolution relating to ongoing violence connected with apartheid in South Africa; to the Committee on Foreign Affairs.

¶73.30 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. DELLUMS introduced a bill (H.R. 5446) to waive certain repayment requirements under the Public Works and Economic Development Act of 1965 with respect to the Acorn Shopping Center, Oakland, CA; which was referred to the Committee on the Judiciary.

¶73.31 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 200: Mr. McMILLEN of Maryland.

H.R. 840: Mrs. BOXER.

H.R. 911: Mr. SKEEN.

H.R. 1385: Mr. BOEHLERT, Mr. MFUME, Mr. GORDON, and Mr. SUNDQUIST.

H.R. 1456: Mrs. LLOYD.

H.R. 2464: Mr. BLILEY and Mr. MILLER of Washington.

H.R. 3109: Mr. TAUZIN, Mr. SHAW, Mr. VANDER JAGT, and Mr. GUARINI.

H.R. 3236: Mr. BILBRAY.

H.R. 3360: Mr. ROHRBACHER, Mr. BACCHUS, Mr. LEACH, Mr. BATEMAN, Mr. NEAL of North Carolina, Mr. CONDIT, Mr. CAMP, Mr. GLICK-

MAN, Mr. PRICE, Mr. HOLLOWAY, Mr. WOLPE, Mr. COBLE, Mr. LANCASTER, Mr. CHANDLER, Mr. JONTZ, Mr. GEJDENSON, and Mr. HUTTO.

H.R. 3484: Mr. KOSTMAYER.

H.R. 3986: Mr. BUSTAMANTE.

H.R. 4170: Mr. ANNUNZIO.

H.R. 4175: Mr. ENGEL and Mr. MATSUI.

H.R. 4228: Mr. BRUCE.

H.R. 4275: Mr. ANDERSON.

H.R. 4430: Mr. ALLEN

H.R. 4490: Mr. MURTHA.

H.R. 4507: Mr. TORRICELLI, Mr. HANSEN, Mrs. LOWEY of New York, and Mr. RITTER.

H.R. 4539: Mr. CAMPBELL of California and Mr. WALSH.

H.R. 4761: Mr. SMITH of New Jersey.

H.R. 4974: Mr. JONES of Georgia, Mr. EVANS, Mr. FALEOMAVAEGA, Mrs. MINK, Mr. GILMAN, Mr. JEFFERSON, Mr. SPENCE, Mr. McNULTY, Mr. ANDERSON, Mr. TOWNS, Mr. HORTON, Mr. BEREUTER, Mr. FROST, and Mr. BUSTAMANTE.

H.R. 5070: Mr. WELDON, Mrs. BOXER, and Mr. LAUGHLIN.

H.R. 5100: Mr. PETERSON of Minnesota, Mr. FORD of Michigan, Mr. DORGAN of North Dakota, and Mr. REGULA.

H.R. 5156: Mrs. MORELLA.

H.R. 5208: Mr. CAMPBELL of California and Mr. ENGEL.

H.R. 5257: Mr. STUDDS, Mr. MONTGOMERY, and Mr. ANNUNZIO.

H.R. 5282: Mr. COX of California.

H.R. 5294: Mr. FASCELL.

H.R. 5320: Mr. FRANK, FASCELL and Mr. FALEOMAVAEGA.

H.R. 5321: Mr. FRANK of Massachusetts, Mr. HYDE, Mr. MCCOLLUM, Mr. BOUCHER, Mr. FISH, and Mr. COBLE.

H.R. 5322: Mr. NAGLE and Mr. BOUCHER.

H.R. 5360: Ms. PELOSI, Mr. MFUME, Ms. KAPTUR, Mr. WOLPE, Mr. ENGEL, and Mr. MORRISON.

H.R. 5396: Mr. EVANS.

H.J. Res. 271: Mr. DICKS, Mr. KOSTMAYER, Mr. MAZZOLI, Mr. ORTIZ, Mr. SCHEUER, Mr. WHEAT, Mr. SAVAGE, Mr. LEACH, Mr. SMITH of New Jersey, Mr. CARPER, Mr. AUCCOIN, Mr. SWIFT, Mr. CLINGER, Mr. HUGHES, and Mr. BILIRAKIS.

H.J. Res. 380: Mr. LIPINSKI, Mr. KOPETSKI, Mr. MORRISON, Mr. RAHALL, Mr. PERKINS, Mr. CONYERS, Mr. RAMSTAD, Mr. CLEMENT, Mr. NATCHER, and Mr. RHODES.

H.J. Res. 399: Mr. LAGOMARSINO, Mr. EVANS, Mr. LEWIS of Florida, and Mr. BROWDER.

H.J. Res. 411: Mr. BAKER, Mr. SARPALIUS, and Mr. BUSTAMANTE.

H.J. Res. 433: Mr. AUCCOIN, Mr. BOEHLERT, Mr. HOYER, Mrs. LOWEY of New York, and Mr. REED.

H.J. Res. 450: Mr. FISH, Mr. MARTIN, Ms. OAKAR, Mr. HORTON, Mr. RICHARDSON, and Mr. APPLLEGATE.

H.J. Res. 455: Mr. ROYBAL, Mrs. ROUKEMA, Mr. SISISKY, Mr. SAVAGE, Mr. SAWYER, Mr. LENT, Mr. TALLON, Mr. TAUZIN, Mr. TOWNS, Mrs. UNSOELD, Mr. YATRON, Mr. BROOMFIELD, Mr. MCDADE, Mr. HALL of Ohio, and Mr. CONYERS.

H.J. Res. 459: Mr. SHAW, Mr. BERMAN, Mr. BROWN, Mr. GALLEGLY, Mrs. KENNELLY, Mr. REED, Mr. STARK, Mr. WHEAT, Mr. BACCHUS, Mr. CARPER, Mr. COSTELLO, Ms. DELAURO, Mr. ERDREICH, Mr. JACOBS, Mr. PASTOR, Mr. SKORSKI, and Mr. WASHINGTON.

H.J. Res. 478: Mr. SUNDQUIST and Mr. MARTINEZ.

H. Con. Res. 256: Mr. FISH.

H. Con. Res. 316: Mr. PAXON, Mr. DARDEN, Mr. CUNNINGHAM, Mr. DOOLITTLE, Mr. RAVENEL, Mr. ZIMMER, Mr. VALENTINE, Mr. HOBSON, Mr. SARPALIUS, and Mr. HAYES of Louisiana.

H. Con. Res. 329: Ms. NORTON.

¶73.32 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 759: Mr. MAVROULES.

H.R. 3221: Mr. DICKS.

MONDAY, JUNE 22, 1992 (74)

The House was called to order by the SPEAKER.

¶74.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, June 18, 1992.

Mr. THOMAS of California, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. THOMAS of California objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

¶74.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3778. A letter from the Secretary, Housing and Urban Development, transmitting the Department's 5-year energy efficiency plan for the 5 years from 1992 through 1996, pursuant to Public Law 101-625, section 945(d) (104 Stat. 4416; to the Committee on Banking, Finance and Urban Affairs.

3779. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a study on the transfer of imputed interest on required reserve balances to the deposit insurance funds; to the Committee on Banking, Finance and Urban Affairs.

3780. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the President's determination that the People's Republic of Angola has ceased to be a Marxist-Leninist country, pursuant to 12 U.S.C. 635(b)(2)(C); to the Committee on Banking, Finance and Urban Affairs.

3781. A letter from the Director, Defense Security Assistance Agency, transmitting an addendum to the listing of all outstanding Letters of Offer to sell any major defense equipment for \$1,000,000 or more; an addendum to the listing of all Letters of Offer that were accepted, as of March 31, 1992, pursuant to 22 U.S.C. 2776(a); to the Committee on Foreign Affairs.

3782. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Nicolas Miklos Salgo, of Florida, to be Ambassador to Sweden; of Charles B. Salmon, Jr., of New York, to be Ambassador to the Lao People's Democratic Republic; of Ruth A. Davis, of Georgia, to be Ambassador to the Republic of Benin; of Jon M. Huntsman, of Utah, to be Ambassador to the Republic of Singapore; of Irvin Hicks, of Maryland, to be Deputy Representative of the United States in the Security Council of the United Nations with the rank of Ambassador, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3783. A letter from the Secretary of Agriculture, transmitting the Secretary's man-