

Federal Government for fiscal year 1991"; to the Committee on Post Office and Civil Service.

3190. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to increase, effective as of December 1, 1994, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans; to the Committee on Veterans' Affairs.

3191. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that Trinidad and Tobago has adopted a regulatory program governing the incidental taking of certain sea turtles, pursuant to Public Law 101-162, section 609(b)(2) (103 Stat. 1038); jointly, to the Committees on Appropriations and Merchant Marine and Fisheries.

3192. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report on abnormal occurrences at licensed nuclear facilities for the fourth quarter of calendar year 1993, pursuant to 42 U.S.C. 5848; jointly, to the Committees on Energy and Commerce and Natural Resources.

3193. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to amend the Federal Administration Act to provide for increased penalties and fines, and for other purposes; jointly, to the Committees on Ways and Means and the Judiciary.

#### ¶49.4 MESSAGE FROM THE SENATE

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

H.R. 2440. An Act to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1994, 1995, and 1996, and for other purposes.

The message also announced that the Senate agreed to the amendment of the House to the bill (S. 2024) "An Act to provide temporary obligational authority for the airport improvement program and to provide for certain airport fees to be maintained at existing levels for up to 60 days, and for other purposes" with an amendment.

The message also announced that the Senate agreed to the Report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the resolution (H. Con. Res. 218) "Concurrent resolution setting forth the congressional budget for the United States Government for the fiscal years 1995, 1996, 1997, 1998, and 1999."

The message also announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 636) "An Act to amend the Public Health Service Act to permit individuals to have freedom of access to certain medical clinics and facilities, and for other purposes."

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 720. An Act to clean up open dumps on Indian lands, and for other purposes.

S. 1935. An Act to limit the acceptance of gifts, meals, and travel by Members of Congress and congressional staff, and for other purposes.

S.J. Res. 190. Joint resolution to designate May 15, 1994, National Peace Officers Memorial Day.

#### ¶49.5 SENATE JOINT RESOLUTION REFERRED

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

S.J. Res. 190. Joint resolution to designate May 15, 1994, National Peace Officers Memorial Day; to the Committee on Post Office and Civil Service.

And then,

#### ¶49.6 ADJOURNMENT

On motion of Mr. MILLER of California, pursuant to the special order of the House of May 11, 1994, at 1 o'clock and 1 minute p.m., the House adjourned until 10:30 a.m., Tuesday, May 17, 1994.

#### ¶49.7 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. ROWLAND (for himself and Mr. SMITH of New Jersey):

H.R. 4425. A bill to authorize major medical facility construction projects for the Department of Veterans Affairs for fiscal year 1995, to revise and improve veterans' health program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. OBEY:

H.R. 4426. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995; to the Committee on Appropriations.

By Mr. KREIDLER (for himself, Mr. ROWLAND, Mrs. UNSOELD, and Mr. SWIFT):

H.R. 4427. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for additional deferred effective dates for approval of applications under the new drugs provisions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey:

H.R. 4428. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to maintain the existing capacity of the Department of Veterans Affairs to provide specialized services to disabled veterans; to the Committee on Veterans' Affairs.

#### ¶49.8 MEMORIALS

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

384. By the SPEAKER: Memorial of the Legislature of the State of Maine, relative to defense finance and accounting service centers; to the Committee on Armed Services.

385. Also, memorial of the Legislature of the State of Maine, relative to military facilities in the United States; to the Committee on Armed Services.

#### ¶49.9 ADDITIONAL SPONSORS

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

H.R. 141: Mr. STUDDS, Mr. LIPINSKI, Mr. SWIFT, Mr. KASICH, Mr. CLAY, Ms. NORTON, and Mr. WATT.

H.R. 346: Mr. PAXON.

H.R. 790: Mr. WYNN and Mr. GUNDERSON.

H.R. 794: Mr. FRANK of Massachusetts.

H.R. 1843: Mr. LEWIS of California and Ms. DUNN.

H.R. 2929: Mr. KING.

H.R. 3182: Mr. MINETA.

H.R. 3227: Mr. BOEHLERT, Mr. ORTON, Mr. ACKERMAN, and Mr. HOUGHTON.

H.R. 3322: Mr. JOHNSTON of Florida and Mr. HASTINGS.

H.R. 3791: Mr. BLILEY, Mr. LEACH, and Mr. FRANK of Massachusetts.

H.R. 3903: Mr. HUGHES, Mr. HINCHEY, and Mr. LIVINGSTON.

H.R. 3904: Mr. DORNAN.

H.R. 3906: Mr. RAHALL, Mr. BARRETT of Wisconsin, Mr. JACOBS, Mr. BREWSTER, Mr. DEFAZIO, Mr. HILLIARD, Mr. CRAPO, Mr. COPPERSMITH, Ms. PRYCE of Ohio, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4142: Mr. TRAFICANT and Mr. FINGERHUT.

H.R. 4251: Mr. TEJEDA, Mr. PRICE of North Carolina, Mr. SCOTT, and Mr. DEFAZIO.

H.R. 4291: Ms. COLLINS of Michigan, Mr. TOWNS, and Mr. SMITH of New Jersey.

H.R. 4412: Mr. COMBEST, Mr. JOHNSON of South Dakota, and Mr. PENNY.

H.R. 4423: Mr. MARTINEZ, and Mr. FAZIO.

H.J. Res. 15: Ms. BROWN of Florida, and Mr. ANDREWS of New Jersey.

H.J. Res. 209: Mr. BROWN of California, Mr. GOODLING, Mr. PORTER, Ms. DELAURO, and Mr. CRAMER.

H.J. Res. 356: Ms. DELAURO and Mr. EDWARDS of California.

H. Con. Res. 233: Mr. LEVIN, Mr. GUTIERREZ, and Mr. BILBRAY.

### TUESDAY, MAY 17, 1994 (50)

#### ¶50.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. STRICKLAND, at 10:30 a.m., who laid before the House the following communication:

WASHINGTON, DC,

May 17, 1994.

I hereby designate the Honorable TED STRICKLAND to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,

*Speaker of the House of Representatives.*

Whereupon, pursuant to the order of the House of Friday, February 11, 1994, Members were recognized for "morning hour" debates.

#### ¶50.2 RECESS—10:56 A.M.

The SPEAKER pro tempore, Mr. STRICKLAND, pursuant to clause 12 of rule I, at 10 o'clock and 56 minutes a.m. declared the House in recess until 12 o'clock noon.

#### ¶50.3 AFTER RECESS—12:00 NOON

The SPEAKER called the House to order.

#### ¶50.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, May 16, 1994.

Mr. SENSENBRENNER, 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. SENSENBRENNER 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 ..... 238  
Nays ..... 158

150.5 [Roll No. 171]  
YEAS—238

- Abercrombie
- Ackerman
- Andrews (ME)
- Andrews (NJ)
- Applegate
- Bacchus (FL)
- Baessler
- Barca
- Barcia
- Barrett (WI)
- Bateman
- Becerra
- Beilenson
- Berman
- Bilbray
- Bishop
- Blackwell
- Bonior
- Borski
- Boucher
- Brewster
- Brooks
- Browder
- Brown (FL)
- Bryant
- Byrne
- Cantwell
- Cardin
- Carr
- Clayton
- Clement
- Clinger
- Clyburn
- Coleman
- Collins (GA)
- Collins (IL)
- Collins (MI)
- Combest
- Condit
- Conyers
- Cooper
- Coppersmith
- Costello
- Coyne
- Cramer
- Danner
- Darden
- Deal
- DeFazio
- DeLauro
- Dellums
- Deutsch
- Dicks
- Dingell
- Dixon
- Dooley
- Dornan
- Durbin
- Edwards (TX)
- Eshoo
- Evans
- Everett
- Fazio
- Fields (LA)
- Filner
- Fingerhut
- Fish
- Flake
- Ford (MI)
- Frank (MA)
- Frost
- Furse
- Gejdenson
- Gephardt
- Geren
- Gibbons
- Gillmor
- Gilman
- Glickman
- Gonzalez
- Gordon
- Green
- Gutierrez
- Hall (OH)
- Hall (TX)
- Hamburg
- Hamilton
- Harman
- Hastings
- Hayes
- Hefner
- Hilliard
- Hoagland
- Hochbrueckner
- Holden
- Houghton
- Hughes
- Hutto
- Inglis
- Inslee
- Johnson (GA)
- Johnson (SD)
- Johnson, E.B.
- Kanjorski
- Kasich
- Kennedy
- Kennelly
- Kildee
- Kleczka
- Klein
- Klink
- Kopetski
- Kreidler
- LaFalce
- Lambert
- Lancaster
- Lantos
- LaRocco
- Laughlin
- Lehman
- Levin
- Lewis (GA)
- Lipinski
- Lloyd
- Long
- Lowey
- Maloney
- Mann
- Manton
- Margolies-
- Mezvinsky
- Markey
- Martinez
- Matsui
- Mazzoli
- McCloskey
- McCollum
- McCurdy
- McDermott
- McHale
- McInnis
- McKinney
- McNulty
- Meehan
- Meek
- Menendez
- Mfume
- Miller (CA)
- Mineta
- Minge
- Mink
- Moakley
- Mollohan
- Montgomery
- Moran
- Murtha
- Myers
- Nadler
- Neal (MA)
- Oberstar
- Obey
- Olver
- Ortiz
- Orton
- Owens
- Pallone
- Parker
- Pastor
- Payne (NJ)
- Payne (VA)
- Pelosi
- Penny
- Peterson (FL)
- Peterson (MN)
- Pickett
- Pickle
- Pombo
- Pomeroy
- Poshard
- Rahall
- Rangel
- Reed
- Reynolds
- Richardson
- Roemer
- Rose
- Rostenkowski
- Rowland
- Roybal-Allard
- Sabo
- Sanders
- Sangmeister
- Sarpaluis
- Sawyer
- Schenk
- Schumer
- Scott
- Serrano
- Shepherd
- Sisisky
- Skaggs
- Skelton
- Slattery
- Slaughter
- Smith (IA)
- Smith (NJ)
- Spratt
- Stark
- Stenholm
- Stokes
- Strickland
- Studds
- Swett
- Swift
- Synar
- Tanner
- Tauzin
- Tejeda
- Thornton
- Thurman
- Torres
- Torricelli
- Towns
- Trafficant
- Unsoeld
- Valentine
- Visclosky
- Volkmer
- Waters
- Watt
- Waxman
- Whitten
- Williams
- Wilson
- Wise
- Woolsey
- Wyden
- Wynn
- Yates

NAYS—158

- Allard
- Archer
- Army
- Bachus (AL)
- Baker (CA)
- Baker (LA)
- Ballenger
- Barrett (NE)
- Bartlett
- Barton
- Bentley
- Bereuter
- Bilirakis
- Bliley
- Blute
- Boehert
- Boehner
- Bonilla
- Bunning
- Burton
- Buyer
- Callahan
- Calvert
- Camp
- Canady
- Castle
- Clay
- Coble
- Cox
- Crane
- Crapo
- Cunningham
- DeLay
- Diaz-Balart
- Dickey
- Doolittle
- Dreier
- Duncan
- Dunn
- Ehlers
- Emerson
- Ewing
- Fawell
- Fields (TX)
- Fowler
- Franks (CT)
- Franks (NJ)
- Gallegly
- Gallo
- Gekas
- Gilchrist
- Gingrich
- Goodlatte
- Goodling
- Goss
- Grams
- Gunderson
- Hancock
- Hansen
- Hastert
- Hefley
- Herger
- Hobson
- Hoekstra
- Hoke
- Horn
- Huffington
- Hunter
- Hutchinson
- Hyde
- Inhofe
- Istook
- Jacobs
- Johnson (CT)
- Johnson, Sam
- Kim
- King
- Kingston
- Klug
- Knollenberg
- Kolbe
- Kyl
- Lazio
- Leach
- Levy
- Lewis (CA)
- Lewis (FL)
- Lightfoot
- Linder
- Livingston
- Manzullo
- McCandless
- McCrery
- McDade
- McHugh
- McKeon
- McMillan
- Meyers
- Mica
- Michel
- Miller (FL)
- Molinaro
- Moorehead
- Morella
- Murphy
- Nussle
- Oxley
- Packard
- Paxon
- Petri
- Porter
- Portman
- Pryce (OH)
- Quillen
- Quinn
- Ramstad
- Ravenel
- Regula
- Ridge
- Roberts
- Rogers
- Rohrabacher
- Ros-Lehtinen
- Roth
- Roukema
- Royce
- Saxton
- Schaefer
- Schiff
- Schroeder
- Sensenbrenner
- Shaw
- Shays
- Shuster
- Skeen
- Smith (MI)
- Smith (TX)
- Snowe
- Solomon
- Spence
- Stearns
- Stump
- Sundquist
- Talent
- Taylor (NC)
- Thomas (CA)
- Thomas (WY)
- Torkildsen
- Upton
- Vucanovich
- Walker
- Walsh
- Weldon
- Wolf
- Young (AK)
- Young (FL)
- Zeliff
- Zimmer

NOT VOTING—36

- Andrews (TX)
- Barlow
- Bevill
- Brown (CA)
- Brown (OH)
- Chapman
- de la Garza
- Derrick
- Edwards (CA)
- Engel
- English
- Farr
- Foglietta
- Ford (TN)
- Grandy
- Greenwood
- Hincheey
- Hoyer
- Jefferson
- Johnston
- Kaptur
- Machtley
- Neal (NC)
- Price (NC)
- Rush
- Santorum
- Sharp
- Smith (OR)
- Stupak
- Taylor (MS)
- Thompson
- Tucker
- Velazquez
- Vento
- Washington
- Wheat

So the Journal was approved.

150.6 COMMUNICATIONS

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

3194. A communication from the President of the United States, transmitting amendments to the fiscal year 1995 appropriations requests for the Departments of Agriculture, Commerce, Education, Energy, Housing and Urban Development, Justice, Labor, Transportation, and the Treasury; the General Services Administration; the Small Business Administration; the John F. Kennedy Assassination Records Review Board; and the Securities and Exchange Commission, pursuant to 31 U.S.C. 1107 (H. Doc. No. 103-257); to the Committee on Appropriations and ordered to be printed.

3195. A letter from the Comptroller of the Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Navy, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3196. A letter from the Comptroller of the Department of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Department of the Navy, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3197. A letter from the Department of the Navy, transmitting notification that the Department intends to offer for lease four naval vessels to the American Institute in Taiwan, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on Armed Services.

3198. A letter from the Chairman, Armed Forces Retirement Home Board, transmitting a draft of proposed legislation to amend section 1007 of title 37, United States Code, to authorize a deduction from the active-duty pay of enlisted personnel of the Armed Forces in an amount not to exceed \$2; to the Committee on Armed Services.

3199. A letter from the Secretary of Education, transmitting Final Regulations—Federal Family Education Loan Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3200. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Mary Ann Casey, of Colorado, Ambassador designate to the Republic of Tunisia, and members of her family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3201. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Frank G. Wisner, of the District of Columbia, Ambassador designate to India, and members of his family, also by Ronald E. Neumann, of Virginia, Ambassador designate to the Democratic and Popular Republic of Algeria, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3202. A letter from the Chairman, International Trade Commission, transmitting the semiannual report on the activities of the inspector general for the period October 1, 1993, through March 31, 1994, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3203. A letter from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting a report on the necessity to construct modifications to Bumping Lake Dam, Yakima Project, Washington, in order to preserve its structural safety, pursuant to 43 U.S.C. 509; to the Committee on Natural Resources.

3204. A letter from the Assistant Attorney General for Legislative Affairs, Department of Justice, transmitting a draft of proposed legislation to provide administrative procedures for the nonjudicial foreclosure of mortgages on properties to satisfy debts owed to the United States, and for other purposes; to the Committee on the Judiciary.

3205. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Magnuson Fishery Conservation and Management Act; to the Committee on Merchant Marine and Fisheries.

3206. A letter from the Secretary of Health and Human Services, transmitting the initial estimate of the applicable percentage increased for fiscal year 1995 that will be recommended for hospitals subject to the Medicare prospective payment system [PPS] and for hospitals and units excluded from PPS, pursuant to section 1886(e)(3)(B) of the Social Security Act; to the Committee on Ways and Means.

150.7 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. 2042. An Act to remove the United States arms embargo of the Government of Bosnia and Herzegovina.

The message also announced that pursuant to sections 1928a-1928d, of title 22, United States Code, the Chair, on behalf of the Vice President, appointed Mr. SPECTER, Mr. GREGG, and Mr. BENNETT, as members of the Senate delegation to the North Atlantic Assembly Spring Meeting during the Second Session of the One Hundred Third Congress, to be held in Oslo, Norway, May 26-31, 1994.

§50.8 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

WASHINGTON, DC,  
May 17, 1994.

Hon. THOMAS S. FOLEY,  
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of the certificate of election from the Secretary of State, State of Oklahoma, indicating that, according to the official returns of the Special Election held on May 10, 1994, the Honorable Frank D. Lucas was elected to the office of Representative in Congress from the Sixth Congressional District, State of Oklahoma.

With great respect, I am  
Sincerely yours,

DONNALD K. ANDERSON, Clerk,  
*U.S. House of Representatives.*

OFFICE OF THE SECRETARY OF STATE, STATE OF OKLAHOMA, CERTIFICATE OF ELECTION FOR U.S. HOUSE OF REPRESENTATIVES

This is to certify that on May 10, 1994, Frank D. Lucas, was duly chosen by the qualified electors of the State of Oklahoma as United States Representative, District 6, from the State of Oklahoma to represent said State in the United States House of Representatives for the term beginning May 10, 1994 and ending January 2, 1995.

Witness: His excellency our Governor David Walters, and our seal hereto affixed at Oklahoma City, Oklahoma this 16th day of May, 1994.

By the Governor:

DAVID WALTERS,  
*Governor.*  
GLO HENLEY  
*Secretary of State.*

OFFICIAL RETURNS DISTRICT 6, SPECIAL GENERAL ELECTION—MAY 10, 1994

Dan Webber Jr., Democrat of Okarche, 60,411 votes.

Frank D. Lucas, Republican of Cheyenne, 71,354 votes.

The foregoing is a true and correct compilation of the votes cast at the Special General Election, May 10, 1994, for the office of United States Representative, District 6.—Lance Ward, Secretary, State Election Board.

§50.9 MEMBER-ELECT SWORN IN

Mr. FRANK D. LUCAS of the Sixth District of Oklahoma, presented himself at the bar of the House and took the oath of office prescribed by law.

§50.10 APPOINTMENT OF ADDITIONAL CONFEREES—H.R. 3355

The SPEAKER pro tempore, Mr. MAZZOLI, by unanimous consent, pur-

suant to clause 6(f) of rule X, announced the Speaker's appointment of the following Members as additional conferees on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendments of the House to the amendment of the Senate to the bill (H.R. 3355) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety:

As additional conferees from the Committee on Agriculture, for consideration of sections 4601-08, 5105, and 5145 of the Senate amendment, and modifications committed to conference: Messrs. DE LA GARZA, ROSE, STENHOLM, ROBERTS, and POMBO.

As additional conferees from the Committee on Banking, Finance and Urban Affairs, for consideration of sections 2201-04, 2301, and 4901-33 of the Senate amendment, and sections 1031(b), 1038, and 1099AA-1099CC of the House amendment, and modifications committed to conference: Messrs. GONZALEZ, NEAL of North Carolina, VENTO, LEACH, and Mrs. ROUKEMA.

As additional conferees from the Committee on Education and Labor, for consideration of sections 631-33, 622(e), 662(f), 811-16, 921-28, 1121-50, 1331, 2801-03, 3261, 3263, 3311, 3341, 3351, 3361, 3381-83, 3501, 3707, 4001-09, 4301-04, 4701-02, 4801-09, 4901-4933, 5120, 5122, 5135, 5140, 5142-43, and 5147 of the Senate amendment, and sections 1010-26, 1030-34, 1038, 1051-52, 1065-71, 1081-96 1099A-1099G, 1099H-1099O, 1099P-1099T, 1606, 1610, 1653-54, 1902(e), 1902(f), 2201-02, 2701-39, 3061-62, 3089-90, of the House amendment, and modifications committed to conference: Messrs. FORD of Michigan, KILDEE, MARTINEZ, GOODLING, and BALLENGER.

As additional conferees from the Committee on Energy and Commerce, for consideration of sections 1503-04, 1511-23, 1532, 1534-35, 1537, 1902(e), 3101-03, 3261, and 5166 of the Senate amendment, and sections 1010-26, 1041-44, 1606, 2901-03, and 3086 of the House amendment, and modifications committed to conference: Mr. DINGEL, Mr. WAXMAN, Mrs. COLLINS of Illinois, Mr. MOORHEAD, and Mr. BLILEY.

Provided, Mr. OXLEY is appointed in lieu of Mr. BLILEY solely for the consideration of sections 1334, 1902(e), and 3101-03 of the Senate amendment and sections 2901-03 of the House amendment.

Provided, Mr. STEARNS is appointed in lieu of Mr. BLILEY solely for the consideration of section 3086 of the House amendment.

As additional conferees from the Committee on Government Operations, for consideration of sections 1353-54, 1535, and 5150 of the Senate amendment, and sections 1075-76 of the House amendment, and modifications committed to conference: Messrs. WAXMAN,

LANTOS, TOWNS, CLINGER, and MCCANDLESS.

Provided, Messrs. SPRATT and KYL are appointed in lieu of Messrs. WAXMAN and CLINGER solely for the consideration of sections 1535 and 5150 of the Senate amendment.

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 713-15, 4601-08, 5105, and 5145 of the Senate amendment, and modifications committed to conference: Messrs. STUDDS, ORTIZ, HOCHBRUECKNER, FIELDS of Texas, and YOUNG of Alaska.

As additional conferees from the Committee on Natural Resources, for consideration of sections 3232-33, 4601-08, and 5145 of the Senate amendment and sections 1099U-1099Z of the House amendment, and modifications committed to conference: Mr. MILLER of California, Mr. VENTO, Ms. SHEPHERD, Mr. YOUNG of Alaska, and Mrs. VUCANOVICH.

Provided, Ms. ENGLISH of Arizona is appointed in lieu of Ms. SHEPHERD solely for the consideration of sections 4601-08 of the Senate amendment.

Mr. HINCHEY is appointed in lieu of Ms. SHEPHERD solely for the consideration of sections 1099U-1099Z of the House amendment.

As additional conferees from the Committee on Post Office and Civil Service, for consideration of sections 1352 and 3371 of the Senate amendment, and modifications committed to conference: Messrs. CLAY, MCCLOSKEY, Ms. NORTON, Mr. MYERS of Indiana, and Mrs. MORELLA.

As additional conferees from the Committee on Rules, for consideration of sections 1353-54 of the Senate amendment, and modifications committed to conference: Messrs. MOAKLEY, DERRICK, BEILENSON, SOLOMON, and GOSS.

As additional conferees from the Committee on Ways and Means, for consideration of sections 311(b), 1502, 1515-16, 1802, 4702(e)(1), 5102, and 5113 of the Senate amendment, and modifications committed to conference: Messrs. ROSTENKOWSKI, GIBBONS, PICKLE, ARCHER, and CRANE.

*Ordered*, That the Clerk notify the Senate of the foregoing appointments.

§50.11 TAX SIMPLIFICATION AND TECHNICAL CORRECTIONS

Mr. ROSTENKOWSKI moved to suspend the rules and pass the bill (H.R. 3419) to simplify certain provisions of the Internal Revenue Code of 1986, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. ROSTENKOWSKI and Mr. ARCHER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

50.12 SOCIAL SECURITY  
ADMINISTRATION REFORM

Mr. ROSTENKOWSKI moved to suspend the rules and pass the bill (H.R. 4277) to establish the Social Security Administration as an independent agency and to make other improvements in the old-age, survivors, and disability insurance program; as amended.

The SPEAKER pro tempore, Mr. MAZZOLI, recognized Mr. ROSTENKOWSKI and Mr. ARCHER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

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

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

50.13 SUBPOENA

The SPEAKER pro tempore, Mr. MAZZOLI, laid before the House a communication, which was read as follows:

OFFICE OF THE DIRECTOR, NON-LEGISLATIVE AND FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 12, 1994.*

Hon. THOMAS S. FOLEY,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule L (50) of the Rules of the House that the Office of Finance has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

RANDALL B. MEDLOCK,  
*Acting Director.*

50.14 SUBPOENA

The SPEAKER pro tempore, Mr. MAZZOLI, laid before the House a communication, which was read as follows:

OFFICE OF THE DIRECTOR, NON-LEGISLATIVE AND FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 16, 1994.*

Hon. THOMAS S. FOLEY,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule L (50) of the Rules of the House that the Office of Finance has

been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

RANDALL B. MEDLOCK,  
*Acting Director.*

50.15 COMMUNICATION FROM THE  
CLERK—MESSAGES FROM THE  
PRESIDENT

The SPEAKER pro tempore, Mr. MAZZOLI, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 17, 1994.*

Hon. THOMAS S. FOLEY,  
*The Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit two sealed envelopes received from the White House as follows:

(1) One sealed envelope received at 2:07 p.m. on Monday, May 16, 1994 and said to contain a message from the President wherein he transmits a 6-month periodic report on the National Emergency with respect to Iran.

(2) One sealed envelope received at 2:07 p.m. on Monday, May 16, 1994 and said to contain a message from the President whereby he transmits a report required under the Nuclear Non-Proliferation Act of 1978.

With great respect, I am

Sincerely yours,

DONNALD K. ANDERSON,  
*Clerk.*

50.16 NATIONAL EMERGENCY WITH  
RESPECT TO IRAN

The Clerk then read the first message from the President, as follows:

*To the Congress of the United States:*

I hereby report to the Congress on developments since the last Presidential report on November 10, 1993, concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170 of November 14, 1979, and matters relating to Executive Order No. 12613 of October 29, 1987. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c) This report covers events through March 31, 1994. My last report, dated November 10, 1993, covered events through September 30, 1993.

1. There have been no amendments to the Iranian Transactions Regulations, 31 CFR Part 560, or to the Iranian Assets Control Regulations, 31 CFR Part 535, since the last report.

2. The Office of Foreign Assets Control (FAC) of the Department of the Treasury continues to process applications for import licenses under the Iranian Transactions Regulations. However, a substantial majority of such applications are determined to be ineligible for licensing and, consequently, are denied.

During the reporting period, the U.S. Customs Service has continued to effect numerous seizures of Iranian-origin merchandise, primarily carpets, for violation of the import prohibitions of the Iranian Transactions Regulations. The FAC and Customs Service investigations of these violations have resulted in forfeiture actions and the imposition of civil monetary penalties. Additional forfeiture and civil penalty actions are under review.

3. The Iran-United States Claims Tribunal (the "Tribunal"), established at The Hague pursuant to the Algiers Accords, continues to make progress in arbitrating the claims before it. Since my last report, the Tribunal has rendered 4 awards, bringing the total number to 551. Of this total, 371 have been awards in favor of American claimants. Two hundred twenty-three of these were awards on agreed terms, authorizing and approving payment of settlements negotiated by the parties, and 148 were decisions adjudicated on the merits. The Tribunal has issued 37 decisions dismissing claims on the merits and 84 decisions dismissing claims for jurisdictional reasons. Of the 59 remaining awards, 3 approved the withdrawal of cases and 56 were in favor of Iranian claimants. As of March 31, 1994, the Federal Reserve Bank of New York reported the value of awards to successful American claimants from the Security Account held by the NV Settlement Bank stood at \$2,344,330,685.87.

The Security Account has fallen below the required balance of \$500 million almost 50 times. Until October 1992, Iran periodically replenished the account, as required by the Algiers Accords. This was accomplished, first, by transfers from the separate account held by the NV Settlement Bank in which interest on the Security Account is deposited. The aggregate amount transferred from the Interest Account to the Security Account was \$874,472,986.47. Iran then replenished the account with the proceeds from the sale of Iranian-origin oil imported into the United States, pursuant to transactions licensed on a case-by-case basis by FAC. Iran has not, however, replenished the account since the last oil sale deposit on October 8, 1992, although the balance fell below \$500 million on November 5, 1992. As of March 31, 1994, the total amount in the Security Account was \$212,049,484.05, the total amount in the Interest Account was \$15,548,176.62.

The United States continues to pursue Case A/28, filed last year, to require Iran to meet its financial obligations under the Algiers Accords.

4. The Department of State continues to present other United States Government claims against Iran, in coordination with concerned government agencies, and to respond to claims brought against the United States by Iran. In November 1993, the United States filed its Consolidated Final Response in A/15(IV) and A/24, a claim brought by Iran for the alleged failure of the United States to terminate all litigation against Iran as required by the Algiers

Accord. In December, the United States also filed its Statement of Defense in A/27, a claim brought by Iran for the alleged failure of the United States to enforce a Tribunal award in Iran's favor against a U.S. national. Because of this alleged failure, Iran requested that the United States Government be required to pay Iran for all the outstanding awards against U.S. nations in favor of Iran.

5. As reported in November 1992, José Maria Ruda, President of the Tribunal, tendered his resignation on October 2, 1992. On December 4, 1993, Professor Krzysztof Skubiszewski was appointed Chairman of Chamber Two of the Tribunal, filling the vacancy left by Judge Ruda's departure. On February 16, 1994, Professor Skubiszewski also was appointed the President of the Tribunal. Before joining the tribunal Professor Skubiszewski served as Minister of Foreign Affairs in Poland from 1989 to 1993. He joined the "Solidarity" movement there in 1980, and served on several councils before becoming Minister of Foreign Affairs. In addition to his political experience, Professor Skubiszewski has had a long and distinguished academic career in the field of international law. He is currently on leave from the Institute of Law, Polish Academy of Sciences in Warsaw, and has lectured at universities throughout Europe. He is also the author of a number of international law publications. In announcing the appointment, the Tribunal's Appointing Authority, Charles M.J.A. Moons, emphasized Professor Skubiszewski's "extensive experience in the management of state affairs and the conduct of international relations," in addition to his "scholarly renown."

6. As anticipated by the May 13, 1990, agreement settling the claims of U.S. nationals for less than \$250,000.00, the Foreign Claims Settlement Commission (FCSC) has continued its review of 3,112 claims. As of March 31, 1994, the FCSC has issued decisions in 2,538 claims, for total awards of more than \$40 million. The FCSC expects to complete its adjudication of the remaining claims this year.

7. The situation reviewed above continues to implicate important diplomatic, financial, and legal interests of the United States and its nationals and presents an unusual challenge to the national security and foreign policy of the United States. The Iranian assets Control Regulations issued pursuant to Executive Order No. 12170 continue to play an important role in structuring our relationship with Iran and in enabling the United States to implement properly the Algiers Accords. Similarly, the Iranian Transactions Regulations issued pursuant to Executive Order No. 12613 continue to advance important objectives in combating international terrorism. I shall continue to exercise the powers at my disposal to deal with these problems and will continue to report periodically to

the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 14, 1994.

By unanimous consent, the message was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 103-256).

¶50.17 NUCLEAR PROLIFERATION

The Clerk then read the second message to the President, as follows:

*To The Congress of the United States:*

As required under section 601(a) of the Nuclear Non-Proliferation Act of 1978 (Public Law 95-242; 22 U.S.C. 3281(a)), I am transmitting a report on the activities of United States Government departments and agencies relating to the prevention of nuclear proliferation. It covers activities between January 1, 1993, and December 31, 1993.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 16, 1994.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs.

¶50.18 MONTANA WILDERNESS

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 423 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2473) to designate certain National Forest lands in the State of Montana as wilderness, to release other National Forest Lands in the State of Montana for multiple use management, and for other purposes.

Ms. WOOLSEY, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶50.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DELAY:

On page 34, line 8, strike Section 9 in its entirety.

It was decided in the { Yeas ..... 182  
negative ..... } Nays ..... 244

¶50.20 [Roll No. 172] AYES—182

Allard	Calvert	Dreier
Archer	Camp	Duncan
Armey	Canady	Dunn
Bachus (AL)	Castle	Edwards (TX)
Baker (CA)	Clement	Emerson
Baker (LA)	Clinger	Everett
Ballenger	Coble	Ewing
Barcia	Collins (GA)	Fawell
Barrett (NE)	Combest	Fields (TX)
Bartlett	Condit	Fowler
Barton	Cooper	Galleghy
Bateman	Cox	Gekas
Bentley	Cramer	Geren
Bereuter	Crane	Gingrich
Bilirakis	Crapo	Goodlatte
Bliley	Cunningham	Goodling
Boehner	Danner	Goss
Bonilla	Deal	Grams
Browder	DeLay	Greenwood
Bunning	Diaz-Balart	Gunderson
Burton	Dickey	Hall (TX)
Buyer	Doolittle	Hancock
Callahan	Dornan	Hansen

Harman	Lloyd	Roth
Hastert	Lucas	Royce
Hayes	Manzullo	Santorum
Hefley	McCandless	Sarpaluis
Herger	McCollum	Schaefer
Hobson	McCrery	Schenk
Hoekstra	McDade	Schiff
Hoke	McHugh	Sensenbrenner
Horn	McInnis	Shaw
Houghton	McKeon	Shuster
Huffington	McMillan	Skeen
Hunter	Mica	Skelton
Hutchinson	Michel	Smith (MI)
Hutto	Miller (FL)	Smith (NJ)
Hyde	Montgomery	Smith (TX)
Inglis	Moorhead	Solomon
Inhofe	Myers	Spence
Istook	Nussle	Stearns
Jacobs	Oxley	Stenholm
Johnson, Sam	Packard	Stump
Kasich	Parker	Sundquist
Kim	Paxon	Talent
King	Penny	Tanner
Kingston	Peterson (MN)	Tauzin
Klug	Petri	Taylor (MS)
Knollenberg	Pickle	Taylor (NC)
Kolbe	Pombo	Thomas (CA)
Kyl	Portman	Thomas (WY)
Lambert	Pryce (OH)	Upton
Laughlin	Quillen	Valentine
Lazio	Quinn	Vucanovich
Leach	Ramstad	Walker
Levy	Regula	Weldon
Lewis (CA)	Reynolds	Wolf
Lewis (FL)	Ridge	Young (AK)
Lightfoot	Roberts	Young (FL)
Linder	Rogers	Zeliff
Livingston	Rohrabacher	

NOES—244

Abercrombie	Faleomavaega	LaRocco
Ackerman	(AS)	Lehman
Andrews (ME)	Farr	Levin
Andrews (NJ)	Fazio	Lewis (GA)
Andrews (TX)	Fields (LA)	Lipinski
Applegate	Filner	Long
Bacchus (FL)	Fingerhut	Lowe
Baessler	Fish	Machtley
Barca	Flake	Maloney
Barrett (WI)	Foglietta	Mann
Becerra	Ford (MI)	Manton
Beilenson	Frank (MA)	Margolies-
Berman	Franks (CT)	Mezvinsky
Bevill	Franks (NJ)	Markey
Bilbray	Frost	Martinez
Bishop	Furse	Matsui
Blackwell	Gallo	Mazzoli
Blute	Gejdenson	McCloskey
Boehlert	Gephardt	McCurdy
Bonior	Gibbons	McDermott
Borski	Gilchrest	McHale
Boucher	Gillmor	McKinney
Brewster	Gilman	McNulty
Brooks	Glickman	Meehan
Brown (CA)	Gonzalez	Meek
Brown (FL)	Gordon	Menendez
Brown (OH)	Green	Meyers
Bryant	Gutierrez	Mfume
Byrne	Hall (OH)	Miller (CA)
Cantwell	Hamburg	Mineta
Cardin	Hamilton	Minge
Carr	Hastings	Mink
Chapman	Hefner	Moakley
Clay	Hilliard	Molinari
Clayton	Hinchee	Mollohan
Clyburn	Hoagland	Moran
Coleman	Hochbrueckner	Morella
Collins (IL)	Holden	Murphy
Collins (MI)	Hoyer	Murtha
Conyers	Hughes	Nadler
Coppersmith	Inslee	Neal (MA)
Costello	Jefferson	Norton (DC)
Coyne	Johnson (CT)	Oberstar
Darden	Johnson (GA)	Obey
de Lugo (VI)	Johnson (SD)	Olver
DeFazio	Johnson, E. B.	Ortiz
DeLauro	Johnston	Orton
Dellums	Kanjorski	Owens
Derrick	Kaptur	Pallone
Deutsch	Kennedy	Pastor
Dicks	Kennelly	Payne (NJ)
Dingell	Kildee	Payne (VA)
Dixon	Klecza	Pelosi
Dooley	Klein	Peterson (FL)
Durbin	Klink	Pickett
Edwards (CA)	Kopetski	Pomeroy
Ehlers	Kreidler	Porter
Engel	LaFalce	Poshard
Eshoo	Lancaster	Price (NC)
Evans	Lantos	Rahall

Rangel	Shays	Torres
Ravenel	Shepherd	Towns
Reed	Sisisky	Trafficant
Richardson	Skaggs	Underwood (GU)
Roemer	Slattery	Unsoeld
Ros-Lehtinen	Slaughter	Velazquez
Rose	Smith (IA)	Vento
Rostenkowski	Snowe	Visclosky
Roukema	Spratt	Volkmer
Rowland	Stark	Walsh
Royal-Allard	Stokes	Waters
Rush	Strickland	Watt
Sabo	Studds	Waxman
Sanders	Stupak	Wheat
Sangmeister	Swett	Williams
Sawyer	Swift	Wilson
Saxton	Synar	Wise
Schroeder	Tejeda	Woolsey
Schumer	Thompson	Wyden
Scott	Thornton	Wynn
Serrano	Thurman	Yates
Sharp	Torkildsen	Zimmer

NOT VOTING—12

Barlow	Neal (NC)	Tucker
de la Garza	Romero-Barcelo	Washington
English	(PR)	Whitten
Ford (TN)	Smith (OR)	
Grandy	Torrice	

So the amendment was not agreed to. After some further time,

50.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BRYANT:

At the end of the bill, add the following:

SEC. 13. PROHIBITION ON EVEN-AGE MANAGEMENT.

(a) CONSERVATION OF NATIVE BIODIVERSITY.—The Secretary shall conserve native biodiversity to the extent possible in each stand that is released to multiple use under section 11(b) that is managed or operated for timber purposes, throughout each forested area, and shall provide for the conservation or restoration of native biodiversity except during the extraction stage of authorized mineral development or during authorized construction projects.

(b) RESTRICTION ON USE OF CERTAIN LOGGING PRACTICES.—(1) In each stand that is released to multiple use under section 11(b) and that is managed or operated for timber purposes throughout each forested area, the forest plan shall prohibit any even-age logging and any even-age management after one year after the date of enactment of this Act.

(2) On each site already under even-age management, the Secretary shall (A) prescribe a shift to selection management within one year, or (B) cease managing for timber purposes and actively restore the native biodiversity, or permit each site to regain its native biodiversity.

(3) For the purposes of this section:

(A) The term “native biodiversity” means the full range of variety and variability within and among living organisms and the ecological complexes in which they would have occurred in the absence of significant human impact, and encompasses diversity, within a species (genetic), within a community of species (within-community), between communities of species (between-communities), within a total area such as a watershed (total area), along a plane from ground to sky (vertical), and along the plane of the earth-surface (horizontal). Vertical and horizontal diversity apply to all the other aspects of diversity.

(B) The terms “conserve” and “conservation” refer to protective measures for maintaining existing native biological diversity and active measures for restoring diversity through management efforts, in order to protect, restore, and enhance as much of the variety of species and communities as possible in abundances and distributions that provide

for their continued existence and normal functioning, including the viability of populations throughout their natural geographic distributions.

(C) The term “within-community diversity” means the distinctive assemblages of species and ecological processes that occur in different physical settings of the biosphere and distinct parts of the world.

(D) The term “genetic diversity” means the differences in genetic composition within and among populations of a given species.

(E) The term “species diversity” means the richness and variety of native species in a particular location of the world.

(F) The term “group selection” means a form of selection management that emphasizes the periodic removal of trees, including mature, undesirable, and cull trees in small groups, where they occur that way, with a result of (i) creating openings not to exceed in width in any direction the height of the tallest tree standing within 10 feet of the edge of the group cut, and (ii) maintaining different age groups in a given stand. In no event will more than 30 percent of a stand be felled within 30 years.

(G) The term “stand” means a forest community with enough identity by location, topography, or dominant species to be managed as a unit, not to exceed 100 acres.

(H) The term “clearcutting” means the logging of the commercial trees in a patch or stand in a short period of time.

(I) The term “even-age management” means the growing of commercial timber so that all trees in a patch or stand are generally within 10 years of the same age. Except for designated leave trees, or clumps of trees, the patch or stand is logged, completely in any acre within a period of 30 years, by clearcutting, salvage logging, seed-tree cutting or shelterwood cutting, or any system other than selection management.

(J) The term “salvage logging” means the felling or further damaging, within any 30-year period, of a greater basal area than 30 square feet per acre of dead, damaged, or other trees, or any combination of such trees.

(K) The term “seed-tree cut” means a logging operation that leaves one or more seed trees, generally 6 to 10 per acre.

(L) The term “selection management” means the application of logging and other actions needed to maintain continuous high forest cover where such cover naturally occurs, recurring natural regeneration of all native species on the site, and the orderly growth and development of trees through a range of diameter or age classes to provide a sustained yield of forest products. Cutting methods that develop and maintain selection stands are individual-tree and group selection. A goal of selection is improvement of quality by continuously harvesting trees less likely to contribute to the long-range health of the stand.

(M) The term “shelterwood cut” means an even-aged silvicultural regeneration method under which a minority of the mature stand is retained as a seed source or protection during the regeneration period. The standing mature trees, usually 10 to 20 per acre, are later removed in one or more cuttings.

(N) The term “timber purposes” shall include the use, sale, lease, or distribution of trees, or the felling of trees or portions of trees except to create land space for a structure or other use.

(4) On lands released under section 11(b), no roads shall be constructed or reconstructed in any roadless area, as defined in the second United States Department of Agriculture forest Service Roadless Area Review and Evaluation (RARE II, 1978) or in a land and resource management plan subject to this section.

It was decided in the { Yeas ..... 142  
negative ..... } Nays ..... 283

50.22 [Roll No. 173] AYES—142

Abercrombie	Green	Poshard
Andrews (ME)	Greenwood	Reed
Andrews (NJ)	Gutierrez	Reynolds
Andrews (TX)	Hamburg	Richardson
Bacchus (FL)	Hilliard	Ros-Lehtinen
Baessler	Hinchev	Roth
Barca	Horn	Roukema
Barrett (WI)	Jacobs	Royal-Allard
Becerra	Jefferson	Rush
Beilenson	Johnson (CT)	Sanders
Berman	Johnson, E.B.	Sangmeister
Blute	Johnston	Sawyer
Boehlert	Kennedy	Saxton
Brown (OH)	Klecicka	Schenk
Bryant	Klein	Schroeder
Cardin	Klug	Schumer
Carr	LaFalce	Sensenbrenner
Clayton	Lancaster	Serrano
Clyburn	Lantos	Sharp
Coleman	Lazio	Shays
Collins (MI)	Lewis (GA)	Shepherd
Costello	Lowe	Slattery
Coyne	Machtley	Slaughter
DeLauro	Maloney	Smith (NJ)
Dellums	Mann	Stark
Deutsch	Margolies-	Studds
Diaz-Balart	Mezvinsky	Synar
Durbin	Markey	Thompson
Edwards (CA)	McCloskey	Thornton
Ehlers	McKinney	Torkildsen
Engel	McMillan	Torres
Eshoo	McNulty	Torrice
Evans	Meehan	Valentine
Farr	Menendez	Velazquez
Fawell	Meyers	Walsh
Filner	Miller (FL)	Waters
Fingerhut	Mineta	Watt
Foglietta	Moakley	Waxman
Frank (MA)	Moran	Weldon
Franks (CT)	Nadler	Wheat
Franks (NJ)	Neal (MA)	Williams
Frost	Norton (DC)	Wilson
Furse	Olver	Woolsey
Gallo	Pallone	Wynn
Gejdenson	Payne (NJ)	Yates
Gilchrest	Pelosi	Young (FL)
Glickman	Petri	Zimmer
Gonzalez	Porter	

NOES—283

Ackerman	Coble	Gekas
Allard	Collins (GA)	Gephardt
Applegate	Collins (IL)	Geren
Archer	Combest	Gibbons
Armey	Condit	Gillmor
Bachus (AL)	Conyers	Gilman
Baker (CA)	Cooper	Gingrich
Baker (LA)	Coppersmith	Goodlatte
Ballenger	Cox	Goodling
Barcia	Cramer	Gordon
Barrett (NE)	Crane	Goss
Bartlett	Crapo	Grams
Barton	Cunningham	Gunderson
Bateman	Danner	Hall (OH)
Bentley	Darden	Hall (TX)
Bereuter	de Lugo (VI)	Hamilton
Bevill	Deal	Hancock
Bilbray	DeFazio	Hansen
Bilirakis	DeLay	Harman
Bishop	Derrick	Hastert
Bliley	Dickey	Hastings
Boehner	Dicks	Hayes
Bonilla	Dingell	Hefley
Bonior	Dixon	Hefner
Borski	Dooley	Herger
Boucher	Doolittle	Hoagland
Brewster	Dornan	Hobson
Brooks	Dreier	Hochbrueckner
Browder	Duncan	Hoekstra
Brown (CA)	Dunn	Hoke
Brown (FL)	Edwards (TX)	Holden
Bunning	English	Houghton
Burton	Everett	Hoyer
Buyer	Ewing	Huffington
Callahan	Faleomavaega	Hughes
Calvert	(AS)	Hunter
Camp	Fazio	Hutchinson
Canady	Fields (LA)	Hutto
Cantwell	Fields (TX)	Hyde
Castle	Fish	Inglis
Chapman	Flake	Inhofe
Clay	Ford (MI)	Inlee
Clement	Fowler	Istook
Clinger	Gallely	Johnson (GA)

Johnson (SD)	Minge	Santorum
Johnson, Sam	Mink	Sarpalius
Kanjorski	Molinari	Schaefer
Kaptur	Mollohan	Schiff
Kasich	Montgomery	Scott
Kennelly	Moorhead	Shaw
Kildee	Morella	Shuster
Kim	Murphy	Sisisky
King	Murtha	Skaggs
Kingston	Myers	Skeen
Klink	Nussle	Skelton
Knollenberg	Oberstar	Smith (IA)
Kolbe	Obey	Smith (MI)
Kopetski	Ortiz	Smith (TX)
Kreidler	Orton	Snowe
Kyl	Owens	Solomon
Lambert	Oxley	Spence
LaRocco	Packard	Spratt
Laughlin	Parker	Stearns
Leach	Pastor	Stenholm
Lehman	Paxon	Stokes
Levin	Payne (VA)	Strickland
Levy	Penny	Stump
Lewis (CA)	Peterson (FL)	Stupak
Lewis (FL)	Peterson (MN)	Sundquist
Lightfoot	Pickett	Swett
Linder	Pickle	Swift
Lipinski	Pombo	Talent
Livingston	Pomeroy	Tanner
Lloyd	Portman	Tauzin
Long	Price (NC)	Taylor (MS)
Lucas	Pryce (OH)	Taylor (NC)
Manton	Quillen	Tejeda
Manzullo	Quinn	Thomas (CA)
Martinez	Rahall	Thomas (WY)
Matsui	Ramstad	Thurman
Mazzoli	Rangel	Towns
McCandless	Ravenel	Traficant
McCrery	Regula	Underwood (GU)
McCurdy	Ridge	Unsoeld
McDade	Roberts	Upton
McDermott	Roemer	Vento
McHale	Rogers	Visclosky
McHugh	Rohrabacher	Volkmer
McInnis	Romero-Barcelo	Vucanovich
McKeon	(PR)	Walker
Meek	Rose	Wise
Mfume	Rostenkowski	Wolf
Mica	Rowland	Wyden
Michel	Royce	Young (AK)
Miller (CA)	Sabo	Zeliff

## NOT VOTING—13

Barlow	Ford (TN)	Tucker
Blackwell	Grandy	Washington
Byrne	McCollum	Whitten
de la Garza	Neal (NC)	
Emerson	Smith (OR)	

So the amendment was not agreed to. After some further time,

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

When Ms. WOOLSEY, Chairman, pursuant to House Resolution 423, 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 referred to as "The Montana Wilderness Act of 1994".

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—The Congress finds that—

(1) Many areas of undeveloped National Forest System lands in the State of Montana possess outstanding natural characteristics which give them high value as wilderness and will, if properly preserved, contribute as an enduring resource of wild land for the benefit of the American people.

(2) Preserving areas in their natural roadless condition is a vital component of protecting the biodiversity of lands in Montana and securing and maintaining habitat for threatened and endangered species.

(3) The existing Department of Agriculture Land and Resource Management Plans for

Forest System lands in the State of Montana have identified areas which, on the basis of their land form, ecosystem, associated wildlife, and location will help to fulfill the National Forest System's share of a quality National Wilderness Preservation System.

(4) Review and evaluation of roadless and undeveloped lands in the National Forest System in Montana have also identified those areas which should be specially managed, deserve further study, or which should be available for multiple uses other than wilderness, subject to the Forest Service's land management planning process and the provisions of this Act.

(5) Montanans and those interested in Montana's wildlands have been fully involved in the formulation of this wilderness proposal. That the wilderness designations recommended in this legislation have been developed with the support of Montana wilderness advocates and is therefore the product of years of negotiations.

(b) PURPOSES.—The purposes of this Act are to—

(1) designate certain National Forest System lands in the State of Montana as components of the National Wilderness Preservation System, in furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), in order to preserve the wilderness character of the land and the health and diversity of native populations of fish, wildlife and plants and to protect watersheds and wildlife habitat, preserve scenic and historic resources, and promote scientific research, primitive recreation, solitude, and physical and mental challenge; and

(2) ensure that certain other National Forest System lands in the State of Montana will be made available for uses other than wilderness in accordance with applicable national forest laws, planning procedures and the provisions of this Act.

**SEC. 3. WILDERNESS DESIGNATIONS.**

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act of 1964, the following lands in the State of Montana are designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the Beaverhead, Bitterroot, and Deerlodge National Forests, which comprise approximately 31,600 acres, as generally depicted on a map entitled "Anaconda-Pintler Wilderness Additions—Proposed" (North Big Hole, Storm Lake, Upper East Fork), dated March 1994, and which are hereby incorporated in and shall be deemed to be a part of the Anaconda-Pintler Wilderness.

(2) Certain lands in the Beaverhead National Forest, which comprise approximately 33,000 acres, as generally depicted on a map entitled "Italian Peaks Wilderness—Proposed", dated March 1994, and which shall be known as the Italian Peaks Unit of the Howard Zahnizer Great Divide Wilderness.

(3) Certain lands in the Beaverhead National Forest, which comprise approximately 84,920 acres, as generally depicted on a map entitled "East Pioneer Wilderness—Proposed", dated March 1994, and which shall be known as the East Pioneer Wilderness.

(4) Certain lands in the Beaverhead National Forest, Montana, comprising approximately 40,000 acres, as generally depicted on a map entitled "West Big Hole Wilderness—Proposed", dated March 1994, and which shall be known as the West Big Hole Unit of the Howard Zahnizer Great Divide Wilderness.

(5) Certain lands in the Bitterroot, Deerlodge, and Lolo National Forests, which comprise approximately 76,600 acres, as generally depicted on a map entitled "Stony Mountain Wilderness—Proposed", dated March 1994, and which shall be known as the Stony Mountain Wilderness. The provisions

of section 4 of this Act shall not apply to the portion of such lands within the drainage of the Burnt Fork.

(6) Certain lands in the Bitterroot and Lolo National Forests, which comprise approximately 55,500 acres, as generally depicted on maps entitled "Selway-Bitterroot Wilderness Additions—Proposed", dated March 1994, and which are hereby incorporated in and shall be deemed to be a part of the Selway-Bitterroot Wilderness.

(7) Certain lands in the Custer National Forest, which comprise approximately 13,700 acres, as generally depicted on a map entitled "Pryor Mountains Wilderness—Proposed", dated March 1994, and which shall be known as the Pryor Mountains Wilderness.

(8) Certain lands in the Custer National Forest, which comprise approximately 28,000 acres, as generally depicted on a map entitled "Custer Absaroka Beartooth Wilderness Additions—Proposed" (Burnt Mountain, Timberline Creek, Stalene, Line Creek Plateau, and Mystic Lake), dated March 1994, and which are hereby incorporated in and shall be deemed to be a part of the Absaroka Beartooth Wilderness.

(9) Certain lands in the Deerlodge and Helena National Forests, which comprise approximately 26,800 acres, as generally depicted on a map entitled "Blackfoot Meadow-Electric Peak Wilderness—Proposed", dated March 1994, and which shall be known as the Blackfoot Meadow Unit of the Howard Zahnizer Great Divide Wilderness.

(10) Certain lands in the Flathead and Kootenai National Forests, which comprise approximately 120,400 acres, as generally depicted on a map entitled "North Fork Wilderness—Proposed" (Tuchuck, Thompson-Seton, and Mount Hefty)", dated March 1994, and which shall be known as the North Fork Wilderness.

(11) Certain lands in the Flathead, Helena, Lolo, and Lewis and Clark National Forests, which comprise approximately 261,440 acres, as generally depicted on maps entitled "Arnold Bolle Additions to the Bob Marshall Wilderness—Proposed" (Silver King-Falls Creek, Renshaw, Clearwater-Monture, Deep Creek, Teton High Peak, Volcano Reef, Slippery Bill, Limestone Cave, Chateau Mountain, and Crown Mountain, Lost Jack, Spotted Bear), dated March 1994, which shall be known as the Arnold Bolle-Bob Marshall Wilderness Additions and are incorporated in and shall be deemed to be a part of the Bob Marshall Wilderness.

(12) Certain lands in the Flathead National Forest, which comprise approximately 960 acres, as generally depicted on a map entitled "Mission Mountains Wilderness Additions—Proposed", dated March 1994, and which are hereby incorporated in and shall be deemed to be a part of the Mission Mountain Wilderness.

(13) Certain lands in the Flathead and Lolo National Forests, comprising approximately 175,500 acres, as generally depicted on maps entitled "Jewel Basin/Swan Wilderness—Proposed", dated March 1994. Those lands contiguous to the west slope of the Bob Marshall Wilderness referred to in this paragraph are hereby incorporated in and shall be deemed to be a part of the Bob Marshall Wilderness, while the remaining lands shall be known as the Swan Crest Wilderness, the boundaries of which are depicted on the map referenced in this paragraph.

(14) Certain lands in the Gallatin National Forest, which comprise approximately 14,440 acres, as generally depicted on a map entitled "Gallatin Absaroka Beartooth Wilderness Additions—Proposed" (Dexter Point, Tie Creek and Mt. Rae), dated March 1994, and which are hereby incorporated in and shall be deemed to be a part of the Absaroka Beartooth Wilderness.

(15) Certain lands in the Gallatin and Beaverhead National Forests, which comprise approximately 20,400 acres, as generally depicted on a map entitled "Lee Metcalf Cowboys Heaven Addition—Proposed", dated March 1994, and which are hereby incorporated in and shall be deemed to be a part of the Lee Metcalf Wilderness.

(16) Certain lands in the Gallatin National Forest, which comprise approximately 18,300 acres, as generally depicted on a map entitled "Earthquake Wilderness—Proposed", dated March 1994, and which shall be known as the Earthquake Unit of the Howard Zahnizer Great Divide Wilderness.

(17) Certain lands in the Helena National Forest, which comprise approximately 22,900 acres, as generally depicted on a map entitled "Camas Creek Wilderness—Proposed", dated March 1994, and which shall be known as the Camas Creek Wilderness.

(18) Certain lands in the Helena National Forest, which comprise approximately 15,000 acres, as generally depicted on a map entitled "Mount Baldy Wilderness—Proposed", dated March 1994, and which shall be known as the Mount Baldy Wilderness.

(19) Certain lands in the Helena National Forest, Montana, which comprise approximately 10,000 acres, as generally depicted on a map entitled "Gates of the Mountains Wilderness Additions—Proposed" (Big Log), dated March 1994, and which are hereby incorporated in and shall be deemed to be part of the Gates of the Mountain Wilderness.

(20) Certain lands in the Helena National Forest, which comprise approximately 10,700 acres, as generally depicted on a map entitled "Black Mountain Wilderness—Proposed", dated March 1994, and which shall be known as the Black Mountain Unit of the Howard Zahnizer Great Divide Wilderness.

(21) Certain lands in the Kootenai National Forest, which comprise approximately 39,620 acres, as generally depicted on a map entitled "Cabinet Mountains Wilderness Additions—Proposed", dated March 1994, and which are hereby incorporated in and shall be deemed to be part of the Cabinet Mountains Wilderness.

(22) Certain lands in the Kanixsu and Kootenai National Forest, which comprise approximately 52,000 acres, as generally depicted on a map entitled "Scotchman Peaks Wilderness—Proposed", dated March 1994, which shall be known as the Scotchman Peaks Wilderness.

(23) Certain lands in the Kootenai National Forest which comprise approximately 42,000 acres, as generally depicted on a map entitled "Yaak Wilderness—Proposed" (Roderick Mountain, Grizzly Peak, Pink Mountain), dated March 1994, which shall be known as the Yaak Wilderness.

(24) Certain lands in the Kootenai and Lolo National Forests, which comprise approximately 17,900 acres, as generally depicted on a map entitled "Cataract Peak Wilderness—Proposed", dated March 1994, which shall be known as the Cataract Peak Wilderness.

(25) Certain lands in the Lolo National Forest, which comprise approximately 19,400 acres, as generally depicted on a map entitled "Cube Iron/Mount Silcox Wilderness—Proposed", dated March 1994, which shall be known as the Cube Iron/Mount Silcox Wilderness.

(26) Certain lands in the Lolo National Forest, which comprise approximately 94,700 acres, as generally depicted on a map entitled "Great Burn Wilderness—Proposed", dated March 1994, which shall be known as the Great Burn Wilderness.

(27) Certain lands in the Lolo National Forest, which comprise approximately 60,100 acres, as generally depicted on a map entitled "Quigg Peak Wilderness—Proposed", dated March 1994, which shall be known as the Quigg Peak Wilderness.

(28) Certain lands in the Kootenai National Forest, which comprise approximately 24,600 acres, as generally depicted on a map entitled "Trout Creek Wilderness—Proposed", dated March 1994, and which shall be known as the Trout Creek Wilderness.

(29) Certain lands in the Helena National Forest, which comprise approximately 21,700 acres, as generally depicted on a map entitled "Nevada Mountain Wilderness—Proposed", dated March 1994, and which shall be known as the Nevada Mountain Unit of the Howard Zahnizer Great Divide Wilderness.

(30) Certain lands in the Helena National Forest, which comprise approximately 56,100 acres, as generally depicted on a map entitled "Elkhorn Wilderness—Proposed", dated March 1994, and which shall be known as the Elkhorn Wilderness.

(31) Certain lands in the Gallatin National Forest, which comprise approximately 500 acres, as generally depicted on a map entitled "North Absaroka Wilderness Addition—Proposed (Republic Mountain)", dated March 1994, and which are hereby incorporated in and shall be deemed a part of the North Absaroka Wilderness.

(32) Certain lands in the Beaverhead National Forest, which comprises approximately 90,000 acres, as generally depicted on a map entitled "Snowcrest Wilderness—Proposed", dated March 1994 and shall be known as the Snowcrest Wilderness.

(33) Certain lands in the Beaverhead National Forest, which comprise approximately 4,700 acres, as generally depicted on a map entitled "Mount Jefferson Wilderness—Proposed", dated March 1994 and shall be known as the Mount Jefferson Unit of the Howard Zahnizer Great Divide Wilderness.

(34) Certain lands in the Deerlodge National Forest which comprise about 30,300 acres, as generally depicted on a map entitled "Flint Creek Wilderness—Proposed", dated March 1994 and shall be known as the Flint Creek Wilderness.

(35) Certain lands in the Gallatin and Lewis and Clark National Forests, which comprise approximately 34,800 acres, as generally depicted on a map entitled "Crazy Mountain Wilderness—Proposed", dated March 1994 and shall be known as the Crazy Mountain Wilderness.

(36) Certain lands in the Beaverhead and Deerlodge National Forests, which comprise approximately 19,500 acres, as generally depicted on a map entitled "Tobacco Roots Wilderness—Proposed", dated March 1994, and shall be known as the Tobacco Roots Wilderness.

(b) MAPS AND DESCRIPTIONS.—(1) The Secretary of Agriculture (hereinafter referred to as the "Secretary") shall file the maps referred to in this section and legal descriptions of each wilderness area designated by this section with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act.

(2) The Secretary may correct clerical and typographical errors in the maps and legal descriptions submitted pursuant to this section.

(3) Each map and legal description referred to in this section shall be on file and available for public inspection in the office of the Chief of the Forest Service, Washington, D.C. and at the office of the Regional Forester of the Northern Region.

(c) ADMINISTRATION.—Subject to valid existing rights, each wilderness area designated by this section shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act of 1964, except that, with respect to any area designated in this section, any reference

to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(d) WILDERNESS AREA PERIMETERS.—Congress does not intend that the designation of wilderness areas in this section will lead to the creation of protective perimeters or buffer zones around such areas. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(e) GRAZING.—The grazing of livestock, where established prior to the date of enactment of this Act, in wilderness areas designated in this section shall be administered in accordance with section 4(d)(4) of the Wilderness Act of 1964 and section 108 of an Act entitled "An Act to designate certain National Forest System Lands in the States of Colorado, South Dakota, Missouri, South Carolina, and Louisiana for inclusion in the National Wilderness Preservation System, and for other purposes" (94 Stat. 3271; 16 U.S.C. 1133 note).

(f) STATE FISH AND GAME AUTHORITY.—In accordance with section 4(d)(7) of the Wilderness Act of 1964, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Montana with respect to wildlife and fish in the national forests of Montana.

(g) HUNTING.—Nothing in this Act or the Wilderness Act of 1964 shall be construed to prohibit hunting within the wilderness areas designated in this section.

(h) COLLECTION DEVICES.—(1) Within the wilderness areas designated in this section, maintenance and replacement of essential hydrological, meteorological, or climatological collection devices and ancillary facilities are permitted, subject to such conditions as the Secretary deems desirable.

(2) Access to the devices and facilities described in paragraph (1) shall be by the least intrusive practicable means available as determined by the Secretary. Access, installation, and maintenance shall be compatible with the provisions of the Wilderness Act.

(i) CITIZEN INVOLVEMENT.—The wilderness managing agencies are hereby authorized to use citizen advisory groups, task forces, and ad hoc committees among the public involvement techniques employed to assist the agencies in the development of wilderness management direction.

#### SEC. 4. WATER.

(a) FINDINGS, PURPOSES, AND DEFINITIONS.—(1) The Congress finds that—

(A) the lands designated as wilderness by this Act are located at the headwaters of the streams and rivers on those lands, with no actual or proposed water resource facilities located upstream from such lands and no opportunities for diversion, storage, or other uses of water occurring outside such lands that would adversely affect the wilderness values of such lands;

(B) the lands designated as wilderness by this Act are not suitable for use for development of new water resource facilities, or for the expansion of existing water resource facilities; and

(C) therefore, it is possible to provide for proper management and protection of the water-related wilderness values of such lands in ways different from those utilized in other legislation designating as wilderness lands not sharing the attributes of the lands designated as wilderness by this Act.

(2) The purpose of this section is to protect the water-related wilderness values of the lands designated as wilderness by this Act by means other than those based on a Federal reserved water right.

(3) As used in this section—

(A) the term "water resource facility" means irrigation and pumping facilities, res-

ervoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures; and

(B) the term "historic", used with reference to rates of flow, quantities of use, or timing or frequency of use of water, means the pattern of actual average annual use or operation of a facility prior to the date of enactment of this Act.

(b) RESTRICTION ON CLAIMS AND CLARIFICATION OF EFFECT.—(1) Notwithstanding any other provision of law, no court or agency shall have any jurisdiction under any Act of Congress (including the "McCarran Amendment", 43 U.S.C. 666) to consider any claim on behalf of the United States asserted by the Secretary or by any other person to or for water or water rights in the State of Montana based on any construction of any portion of this Act, or the designation of any lands as wilderness by this Act, as constituting an express or implied reservation of water or water rights.

(2)(A) Nothing in this Act shall be construed as a creation, recognition, disclaimer, relinquishment, or reduction of any water rights of the United States in the State of Montana existing before the date of enactment of this Act.

(B) Nothing in this Act shall be construed as constituting an interpretation of any other Act or any designation made by or pursuant thereto.

(C) Nothing in this Act shall be construed as establishing a precedent with regard to any future wilderness designations.

(c) PROHIBITION OF NEW OR EXPANDED PROJECTS.—(1) Notwithstanding any other provision of law, on and after the date of enactment of this Act neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for, or exempt from licensing or permitting—

(A) the development of any new water resource facility within the lands designated as wilderness or for wilderness study by this Act; or

(B) the enlargement of a water resource facility or the expansion of the historic rate of diversion, quantity of use, or timing or frequency of use of a water resource facility that is located within or that would adversely affect the wilderness values of lands designated as wilderness or for wilderness study by this Act.

(2) Except as provided in subsection (d) of this section, nothing in this Act shall be construed to affect or limit operation, maintenance, repair, modification, or replacement without enlargement of water resource facilities in existence on the date of enactment of this Act located within the boundaries of the lands designated as wilderness or for wilderness study by this Act.

(d) ACCESS AND OPERATION.—(1) Subject to the provisions of this subsection, the Secretary shall allow reasonable access to water resource facilities in existence on the date of enactment of this Act located within lands designated as wilderness or for wilderness study by this Act, including motorized access where necessary and customarily employed on routes existing as of the date of enactment of this Act.

(2) Subject to the provisions of this subsection, the Secretary, to the extent required for the continued exercise of any valid water rights associated with such facilities, shall allow the present diversion, carriage, and storage capacity of water resource facilities existing on the date of enactment of this Act located within lands designated as wilderness or for wilderness study by this Act, and access routes to such facilities existing and customarily employed as of such date, to

be operated, maintained, repaired, and replaced as necessary to maintain the present function, design, and serviceable operation of such facilities and routes, so long as such activities have no greater adverse impacts on wilderness values than as of the date of enactment of this Act.

(3) Water resource facilities, and access routes serving such facilities, existing on the date of enactment of this Act shall be maintained and repaired when and to the extent necessary to prevent increased adverse impacts on wilderness values.

(4) There shall be no enlargement in the historic rate of diversion, quantity of use, or timing or frequency of use of water resource facilities existing on the date of enactment of this Act located within lands designated as wilderness or for wilderness study by this Act.

(e) MONITORING AND IMPLEMENTATION.—(1) The Secretary of Agriculture shall monitor the operation of and access to water resource facilities within the boundaries of the lands designated as wilderness and for wilderness study by this Act, and shall take all steps that the Secretary finds necessary or desirable in order to further the protection of the resources and values of such lands and to implement the provisions of this section, including, to the extent consistent with this Act, the utilization of any procedures available under Federal or State law, including laws of the State of Montana concerning either the utilization of water or the establishment, adjudication, and administration of water rights.

(2) In implementing subsection (d)(3), the Secretary may require the owners of water resource facilities or parties entitled to use access routes to perform necessary maintenance or repairs, and may require the relocation or removal of such facilities or such routes if such necessary maintenance or repairs are not performed or not feasible or such facilities or routes are no longer in use.

(f) APPLICATION TO OTHER AREAS.—Solely for purposes of implementation of subsections (c), (d), and (e) of this section, lands in Montana which as of the date of enactment of this Act are managed as wilderness study areas pursuant to Public Law 95-150 shall be deemed to have been designated for wilderness study by this Act, and such lands shall be managed pursuant to the provisions of such subsections in addition to other applicable provisions of law.

#### SEC. 5. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATIONS.—For the purposes of conserving, protecting and enhancing the exceptional scenic, fish and wildlife, biological, educational and recreational values of certain National Forest System lands in the State of Montana, the following designations are made:

(1) The Mount Helena National Education and Recreation Area located in the Helena National Forest, comprising approximately 5,220 acres, as generally depicted on a map entitled "Mount Helena National Education and Recreation Area—Proposed", dated March 1994.

(2) The Hyalite National Education and Recreation Area located in the Gallatin National Forest, comprising approximately 18,900 acres, as generally depicted on a map entitled "Hyalite National Education and Recreation Area—Proposed", dated March 1994.

(3) The Northwest Peak National Recreation Area located in the Kaniksu and Kootenai National Forests, comprising approximately 16,700 acres, as generally depicted on a map entitled "Northwest Peak National Recreation and Scenic Area—Proposed", dated March 1994.

(4) The Buckhorn Ridge National Recreation Area located in the Kaniksu and

Kootenai National Forests, comprising approximately 22,600 acres, as generally depicted on a map entitled "Buckhorn Ridge National Recreation Area—Proposed", dated March 1994.

(5) The West Big Hole National Recreation Area located in the Beaverhead National Forest, comprising approximately 90,000 acres, as generally depicted on a map entitled "West Big Hole National Recreation Area—Proposed", dated March 1994, and which shall be known as the West Big Hole National Recreation Area.

(6) The LeBeau Natural Area located on the Kootenai and Flathead National Forests comprising approximately 5,350 acres, as generally depicted on a map entitled "LeBeau Natural Area—Proposed", dated March 1994.

(7) The Ross Creek Cedars Natural Area located on the Kootenai National Forest comprising approximately 700 acres, as generally depicted on a map entitled "Ross Creek Cedars Natural Area—Proposed", dated March 1994.

(8) The McIntire Natural Area located on the Kootenai National Forest comprising approximately 75,000 acres, as generally depicted on a map entitled "McIntire Natural Area—Proposed", dated March 1994.

(b) MAPS AND BOUNDARY DESCRIPTIONS.—The Secretary shall file a map and boundary description for each area referred to in this section with the Committee on Energy and Natural Resources, United States Senate, and the Committee on Natural Resources, United States House of Representatives, and each such map and boundary description shall have the same force and effect as if included in this Act: *Provided*, That the Secretary may correct clerical and typographical errors in such maps and boundary descriptions. Each such map and boundary description shall be on file and available for public inspection in the office of the Chief of the Forest Service and the office of the Regional Forester of the Northern Region.

(c) MANAGEMENT.—(1) Except as otherwise may be provided in this subsection, the Secretary shall administer the areas designated in subsection (a) so as to achieve the purposes of their designation and in accordance with the laws and regulations applicable to the National Forest System.

(2) Subject to valid existing rights, all federally owned lands within the areas designated in subsection (a) are hereby withdrawn from all forms of entry, appropriation and disposal under the mining and public land laws, and disposition under the geothermal and mineral leasing laws.

(3) Commercial timber harvesting is prohibited in the areas designated by this section with the following exceptions:

(A) Nothing in this Act shall preclude such measures which the Secretary, in his discretion, deems necessary in the event of fire, or infestation of insects or disease.

(B) Fuel wood, post and pole gathering may be permitted.

(C) Commercial timber harvesting may be permitted in the Hyalite National Recreation and Education Area and the McIntire Natural Area, but must be compatible with the purposes of its designation.

(4) Where the Secretary determines that such use is compatible with the purposes for which an area is designated, the use of motorized equipment may be permitted in the areas subject to applicable law and applicable land and resource management plans.

(5) The grazing of livestock, where established prior to the date of enactment of this Act may be permitted to continue subject to applicable law and regulations of the Secretary.

(d) NATIONAL EDUCATION AND RECREATION AREAS AND NATURAL AREAS.—(1) The Secretary shall manage the Mount Helena and Hyalite National Education and Recreation

Areas with a focus on education. All management activities shall be conducted in a manner that provides the public with an opportunity to become better informed about natural resource protection and management.

(2) The Secretary shall manage the LeBeau, McIntire and Ross Creek Cedars Natural Areas for the enhancement of biodiversity and scientific study. These forests' unique natural qualities are to be the focus of the area's management.

(e) **LAND AND RESOURCE MANAGEMENT PLANS.**—(1) Those areas established pursuant to subsection (a) shall be administered as components of the national forests wherein they are located. Land and resource management plans for the affected national forests prepared in accordance with the Forest and Rangeland Renewable Resources Planning Act, as amended by the National Forest Management Act, shall be amended to be consistent with the purposes for which the areas are designated. The provisions of the national forest land and resource management plan, relating to each area designated by this section, shall also be available to the public in a document separate from the rest of the forest plan.

(2) The Secretary shall manage the McIntire Natural Area with the goal of managing the Area to develop and test new management approaches that achieve ecological health. Management activities should be focused on improving water quality, riparian area condition, and stream channel stability. The emphasis will be on testing and evaluating ecosystem management approaches. Timber harvest activities that minimize soil effects and impacts to residual vegetation may be allowed. Silvicultural prescriptions will emphasize structural and vegetative diversity within stands, as distinguished from even-age management prescriptions as a usual treatment. Development of late-successional forests will be emphasized on portions of the Natural Area.

#### **SEC. 6. WILDERNESS STUDY AREAS.**

(a) **DESIGNATION.**—The following areas are hereby designated as wilderness study areas and shall be managed in accordance with the provisions of this section:

(1) Certain lands on the Gallatin National Forest, comprising approximately 21,500 acres, as generally depicted on a map entitled "Sawtooth Mountain Wilderness Study Area—Proposed", dated September 1992.

(2) Certain lands in the Lolo National Forest which comprise approximately 22,000 acres, as generally depicted on a map entitled "Sheep Mountain Wilderness Study Area—Proposed", dated November 1991.

(3) Certain lands in the Lewis and Clark and Gallatin National Forests, which comprise approximately 111,700 acres, as generally depicted on a map entitled "Crazy Mountain Wilderness Study Area—Proposed", dated October 1992. The Forest Service shall complete a study of public and private land consolidation alternatives for this area which shall be submitted to the appropriate committees of Congress 2 years after the date of the enactment of this Act.

(4) Certain lands in the Gallatin National Forest, which comprise approximately 4,500 acres, as generally depicted on a map entitled "South Cottonwood Wilderness Study Area—Proposed," dated September, 1992, and shall be managed as part of the Gallatin Wilderness Study Area in accordance with Public Law 95-150.

(5) Certain lands in the Lewis and Clark National Forest which comprise approximately 94,000 acres, as generally depicted on a map entitled "Tenderfoot-Deep Creek Wilderness—Proposed", dated March 1994.

(b) **REPORT.**—When the forest plans are revised, the Secretary shall submit a report to the Committee on Energy and Natural Re-

sources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives containing recommendations as to whether the areas designated in subsection (a) should be added as components of the National Wilderness Preservation System.

(c) **MANAGEMENT.**—Subject to valid existing rights, the wilderness study areas designated in subsection (a) shall be managed to protect their suitability for inclusion in the National Wilderness Preservation System.

(d) **MAPS.**—The Secretary shall file a map and boundary description for each area referred to in this section with the Committee on Natural Resources, United States House of Representatives, and the Committee on Energy and Natural Resources, United States Senate, and each such map and boundary description shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in these maps may be made. Each map and boundary description shall be on file and available for public inspection in the office of the Chief of the Forest Service and the Regional Forester of the Northern Region.

#### **SEC. 7. BADGER-TWO MEDICINE AREA.**

(a) **WITHDRAWAL.**—(1) Subject to valid existing rights including rights held by the Blackfeet Nation under existing treaties and statute, all federally owned lands as depicted on a map entitled "Badger-Two Medicine Area", dated September 1991, comprising approximately 116,600 acres, are withdrawn from all forms of entry, appropriation, and disposal under the mining and public land laws and from disposition under the geothermal and mineral leasing laws. Until otherwise directed by Congress, the Secretary shall manage this area so as to protect its wilderness qualities.

(2) Nothing in this section shall preclude the gathering of timber by the Blackfeet Nation in exercise of and consistent with valid treaty rights within the Badger-Two Medicine Area.

(3)(A) With respect to oil and gas leases on Federal lands within the Badger-Two Medicine Area, no surface disturbance shall be permitted pursuant to such leases until Congress determines otherwise.

(B) Notwithstanding any other law, the term of any oil and gas lease subject to the limitations imposed by this section shall be extended for a period of time equal to the term that such limitation remains in effect.

(b) **REVIEW.**—The Secretary shall conduct a review of the area referred to in subsection (a) as to its availability for inclusion in the National Wilderness Preservation System and in accordance with the provisions of this subsection. Not later than 5 years after the date of enactment of this Act, the Secretary shall report to Congress. In conducting this review:

(1) The Secretary shall establish a committee composed of 2 representatives from the Blackfeet Nation, as well as one representative from the National Park Service, one representative from the Forest Service, and representatives of various concerned user groups, including proportional representation for environmental groups, industry groups and other interested parties. The Committee shall not exceed eleven members. The Blackfeet Tribal Business Council shall choose the 2 Tribal representatives. The Blackfeet Tribal Business Council shall conduct a public meeting to receive recommendations of the community regarding the selection of these members. The committee shall regularly advise the Secretary during the preparation of the report required in this subsection and submit its findings to Congress concurrently with those of the Secretary.

(2) Special consideration shall be given to the religious, wilderness and wildlife uses of the area, taking into account any treaties the United States has entered into with the Blackfeet Nation.

(3) In consultation with the committee, the Secretary shall establish a process to provide information to the Blackfeet Nation and interested public about options for future designation of the Badger-Two Medicine Area.

(c) **RIGHTS.**—Nothing in this section shall be construed to diminish, prejudice, add to, or otherwise affect the treaty rights of the Blackfeet Nation or the rights of the United States.

(d) **MAP AND BOUNDARY DESCRIPTION.**—(1) The Secretary shall file a map and boundary description of the area designated by this section with the Committee on Energy and Natural Resources, United States Senate and Committee on Natural Resources of the United States House of Representatives and such map and boundary description shall have the same force and effect as if included in this Act.

(2) The Secretary may correct clerical and typographical errors in the map and boundary description submitted pursuant to this section.

(3) The map and boundary description referred to in this section shall be on file and available for public inspection in the office of the Chief of the Forest Service and the office of the Regional Forester of the Northern Region.

#### **SEC. 8. LANDS ADMINISTERED BY BUREAU OF LAND MANAGEMENT.**

(a) **FINDINGS.**—The Congress has reviewed the suitability of a portion of the Axolotl Lakes Wilderness Study Area (MT-076-069, BLM Wilderness Study Number) as generally depicted on a map entitled "Released portion of Axolotl Lakes WSA", dated September 1992, for wilderness designation and finds that this portion has been sufficiently studied for wilderness pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(b) **DIRECTION.**—The area described in subsection (a) shall no longer be subject to the requirement of section 603(c) of the Federal Land Policy and Management Act of 1976 pertaining to management in a manner that does not impair suitability for preservation as wilderness.

(c) **ADMINISTRATIVE JURISDICTION.**—Those lands designated as wilderness pursuant to section 3(a) of this Act, which, as of the date of enactment of this Act, are administered by the Secretary of the Interior as public lands (as defined in the Federal Land Policy and Management Act of 1976), are hereby transferred to the jurisdiction of the Secretary of Agriculture, and shall be added to and managed as part of the National Forest System, and the boundaries of the adjacent National Forests are hereby modified to include such lands.

(d) **LAND AND WATER CONSERVATION FUND.**—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of affected National Forests, as modified by this section, shall be considered to be the boundaries of such National Forests as if they were the boundaries of the National Forests as of January 1, 1965. Money appropriated from the Land and Water Conservation Fund shall be available for the acquisition of lands, waters, and interests therein in furtherance of the purposes of this Act.

#### **SEC. 9. MONTANA ECOSYSTEM AND ECONOMICS STUDY.**

(a) **DEFINITIONS.**—For the purposes of this section:

(1) The term "ecosystem" means a dynamic complex of plant, animal and micro-organism communities and their nonliving

environment interacting as a functional unit.

(2) The term "Northern Rockies" means Federal lands and resources in the State of Montana.

(3) The term "Panel" means the independent scientific panel for the study of the Northern Rockies ecosystem established under subsection (b).

(b) INDEPENDENT SCIENTIFIC PANEL FOR THE STUDY OF THE NORTHERN ROCKIES ECOSYSTEM.—

(1) ESTABLISHMENT.—The President shall establish an independent scientific panel for the study of the Northern Rockies. The Panel shall conduct the study and submit the reports and recommendations required by subsection (c).

(2) MEMBERSHIP.—(A) The Panel established under this subsection shall be composed of 11 members, appointed by the President, from a list of candidates to be developed and submitted to the President by the National Academy of Sciences and lists from well-established professional societies with an interest in the environmental sciences.

(B) Each member of the Panel shall be a recognized expert in the field for which the member is considered for appointment and shall be free of economic conflict of interest with regard to the subject of this section. Each member also shall have research experience in the Northern Rockies region or otherwise be familiar with the issues and ecology of the region. As a whole, membership of the Panel shall represent an appropriately broad diversity of disciplines, and members shall have recognized experience in natural sciences, economics, and administrative policy.

(C) The list of candidates provided by the National Academy of Sciences shall consist of at least twice as many nominees as positions available in each category specified in this section.

(D) The Panel shall work cooperatively with all relevant State and Federal agencies, university research stations and departments, and Indian tribes.

(E) The Panel may establish, at its discretion, such subregional review teams and working groups as it deems necessary to complete its tasks in a timely and professional manner.

(3) PAY AND EXPENSES.—(A) Except as provided in subparagraph (B), members of the Panel established under this subsection shall each be paid at a rate not to exceed, and consistent with, the rate paid to employees of the United States performing similar duties and with similar qualifications for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Panel. While away from their homes or regular places of business in the performance of services for the Panel, members of the Panel shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5, United States Code.

(B) Other than reimbursement of expenses pursuant to subparagraph (A), members of the Panel who are full-time officers or employees of the United States shall receive no additional pay, allowances, or benefits by reason of their service on the Panel.

(4) CHAIRPERSON.—The Chairperson of the Panel shall be appointed by the President.

(5) AGENCY ASSISTANCE.—Upon request of the Panel, the head of any Federal agency shall provide facilities, equipment, personnel, and other types of support to the Panel to assist the Panel in carrying out its duties under this Act.

(6) TERMINATION.—The Panel shall terminate 30 days after the submission of the final report under subsection (c).

(c) STUDY OF ECOSYSTEMS MANAGEMENT OF THE NORTHERN ROCKIES.—

(1) STUDY.—(A) The Panel shall define the boundaries of, and map, the ecosystems of the Northern Rockies, including any corridors the Panel deems necessary to connect isolated ecosystems. In making the determination of ecosystem boundaries, the Panel shall consider—

(i) restoration and maintenance of natural biological diversity;

(ii) productivity on a long-term, sustainable basis of essential natural ecological elements, functions, and successional processes;

(iii) preservation of the integrity of genetic stocks of native communities of plants and animals, with an emphasis on areas of high species richness and endemism;

(iv) restoration or maintenance or protection of high water quality instream flows and watersheds (or riparian areas) sufficient to protect fish and wildlife;

(v) maintaining biological connectivity between and among physiographic provinces; and

(vi) maintenance of long-term, sustainable outputs of economically valuable natural resources.

(B)(i) The Panel shall define the essential management purpose and biological function and desired condition of the ecosystems defined under subparagraph (A). In conjunction with carrying out subparagraph (A), the Panel shall assess the ecological status and trends, including, where appropriate, levels of risks associated with applicable management alternatives of water quality, riparian areas, and fisheries; uncommon, rare, threatened, and endangered species; rangelands; soils; and late successional old growth forest.

(ii) The Panel shall analyze the timber quantity, quality, and growth on the existing timber base as well as the success of reforestation in the region to date, probable rates of reforestation success in the future, and their effect on timber supply and related issues.

(C) The Panel shall gather and display in a useful form biological data from each of the ecosystems defined under subparagraph (A).

(D) The Panel shall identify gaps in important research areas and contract for or otherwise obtain research necessary in the short term to accomplish the duties of the Panel under this section.

(E) The Panel shall analyze Federal land ownership patterns and associated Federal land management mandates and practices within the ecosystems identified in subparagraph (A) and identify those mandates and practices which are inconsistent or incompatible with ecosystem management levels of risk identified under subparagraph (B).

(F) The Panel shall identify opportunities to encourage sustainable economic use of the natural resources of the ecosystems identified by the Panel and the sustainable economic outputs identified in subparagraph (A)(vi), in a manner consistent with the goals and purposes of those ecosystems. Special emphasis shall be placed on the identification of opportunities for the maintenance and growth of small businesses and the establishment of new small businesses consistent with the goals and purposes of those ecosystems. In making these recommendations, the Panel should consider opportunities to improve environmental conditions that could permit an expansion of the sustainable contribution of commodity and noncommodity uses and outputs of natural resources, including but not limited to each of the following:

(i) Increasing desirable natural vegetative growth through reforestation with native species, thinning and other timber stand modifications, prescribed burning, and seeding or planting native grasses, forbs, and shrubs.

(ii) Improving the quality of other biological resources (such as species diversity and animal populations) through habitat restoration, extended timber rotations, alternative timber harvesting and bidding systems, and different standards and methods for road construction, maintenance, closure, and eradication.

(iii) Enhancing the quality of non-biological resources (such as recreation trails and developments, watersheds and streams), through site restoration and rehabilitation, demand management (such as user regulation and enforcement, marketing to shift timing and location of uses) and investment in recreational use.

(2) RECOMMENDATIONS.—The Panel shall submit recommendations on each of the following:

(A) Specific, implementable steps for management of the ecosystems defined under paragraph (1)(A), including removal of inconsistent or incompatible mandates and practices identified under paragraph (1)(E).

(B) Ways to better monitor the resources within the ecosystems.

(C) Ways to create or improve direct cooperation between scientists both within and without the Federal Government and Federal land managers.

(D) Methods, including incentives by which State and private landowners might cooperatively manage their lands in a manner compatible with Federal lands located within the ecosystems.

(E) Other institutional or legislative changes the Panel determines will promote sound ecosystem management.

(3) REPORTS.—(A) Not later than 6 months after the date of enactment of this Act, the Panel shall submit an interim report to the President and the Congress. The report shall discuss the progress of the Panel in carrying out this section and shall include—

(i) a description of any ecosystems defined and mapped under paragraph (1)(A) and (B);

(ii) summaries of the biological data gathered to date under paragraph (1)(C); and

(iii) the additional research obtained under paragraph (1)(D).

(B) Not later than 30 months after the date of enactment of this Act, the Panel shall submit a final report to the President and the Congress which contains a description of its activities under this section and includes the findings, analyses, and recommendations made under this section.

(C) The reports submitted to the Congress under this paragraph shall be submitted to the Committee on Natural Resources and the Committee on Merchant Marine and Fisheries of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(d) PANEL ACTIVITIES ON PRIVATE AND OTHER NON-FEDERAL LANDS.—

(1) COMPLIANCE WITH STATE LAWS.—The Panel shall comply with applicable State and tribal government laws, including laws relating to private property rights and privacy.

(2) CONSENT AND NOTICE REQUIREMENTS.—

(A) IN GENERAL.—The Panel shall not enter non-Federal real property for the purpose of collecting information regarding the property, unless the owner of the property has—

(i) consented in writing to that entry;

(ii) after providing that consent, been provided notice of that entry; and

(iii) been notified that any raw data collected from the property must be made available at no cost, if requested by the land owner.

(B) LIMITATION.—Subparagraph (A) does not prohibit entry of property for the purpose of obtaining consent or providing notice as required by that subparagraph.

(3) REPORT TO CONGRESS.—On January 1, 1996, the Panel shall submit a report to the

Congress. The report shall identify all activities of the Panel on non-Federal lands and shall certify compliance with paragraph (2)(A).

(4) POLICY ON ACCESS TO PRIVATE AND NON-FEDERAL LANDS.—Within 6 months after the date of the enactment of this Act, the Panel shall develop and submit to the Congress a policy for employees and agents of the Panel to follow in order to help ensure compliance with paragraph (2)(A).

(5) PANEL DEFINED.—In this subsection, the term "Panel" includes any person that is an officer, employee, or agent of the Panel, including any such person acting pursuant to a contract or cooperative agreement with or any grant from the Panel.

SEC. 10. MISCELLANEOUS PROVISIONS.

(a) REDESIGNATION.—(1) Those lands comprising the Rattlesnake National Recreation Area and Wilderness, as designated in Public Law 96-476 are hereby redesignated as the "Rattlesnake National Education and Recreation Area and Wilderness".

(2) Those lands comprising 200 acres, as generally depicted on a map entitled "West Pioneers Study Deletion—Proposed", are hereby released from study under Public Law 95-150.

(b) WITHDRAWAL.—(1) Those lands comprising approximately 27,000 acres, as generally depicted on a map entitled "Gibson Reservoir Mineral Withdrawal Area—Proposed", dated October 1992, are hereby withdrawn from all forms of entry, appropriation and disposal under the mining and public land laws, and disposition under the geothermal and mineral leasing laws.

(2) The Secretary shall file a map and boundary description of the area designated by this subsection with the committees identified in this subsection and such map and boundary description shall have the same force and effect as if included in this Act.

(3) The Secretary may correct clerical and typographical errors in the map and boundary description submitted pursuant to this subsection.

(4) The map and boundary description referred to in this subsection shall be on file and available for public inspection in the office of the Chief of the Forest Service and the office of the Regional Forester of the Northern Region.

(c) ACREAGES.—All acreages cited in this Act are approximate and in the event of discrepancies between cited acreage and the lands depicted on referenced maps, the maps shall control.

(d) ACCESS.—It is the policy of Congress that the Forest Service affirm or acquire and maintain reasonable public access to National Forest System lands in the State of Montana.

(e) SCAPEGOAT AND GREAT BEAR WILDERNESS NAMES.—In order to consolidate existing contiguous wilderness areas, those lands comprising the Great Bear Wilderness Area designated by Public Law 95-946 and any amendments thereto and the Scapegoat Wilderness Area designated by Public Law 92-395 and any amendments thereto are hereby incorporated in and deemed to be a part of the Bob Marshall Wilderness. The designations of the Great Bear Wilderness and Scapegoat Wilderness shall refer to units within the Bob Marshall Wilderness.

SEC. 11. WILDERNESS REVIEW.

(a) FINDINGS.—The Congress finds that— (1) the Department of Agriculture has studied the suitability of roadless areas for inclusion in the National Wilderness Preservation System; and

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Montana and the environmental impacts associated with nonwilderness management of such areas.

(b) RELEASE.—Those National Forest System lands in the State of Montana which were not designated as wilderness, special management, national recreation, or wilderness study areas by this Act or Public Law 95-150 shall be managed for multiple use in accordance with land and resource management plans developed pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, and those areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of land and resource management plans.

(c) PLAN REVISIONS.—In the event that revised land management plans in the State of Montana are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation, need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation.

(d) FURTHER REVIEW.—Unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Montana for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(e) PREVIOUS PLANS.—Except as specifically provided in section 3, 5, 6, and 7 of this Act and in Public Law 95-150, with respect to the National Forest System lands in the State of Montana which were reviewed by the Department of Agriculture under Public Law 94-557, the unit plans that were in effect prior to completion of RARE II, the 1978 Forest Plan for the Beaverhead National Forest, that such reviews shall be deemed an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System, and the Department of Agriculture shall not be required to review the wilderness option prior to the revision of the land and resource management plans.

(f) REVISIONS.—As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act, as amended by the National Foreign Management Act, the term "revision" shall not include an amendment to a land and resource management plan.

(g) SIZE.—The provisions of this section also shall apply to those National Forest System roadless lands in the State of Montana which are less than 5,000 acres in size.

SEC. 12. COMPLIANCE WITH BUY AMERICAN ACT.

None of the funds made available in this Act may be expended in violation of sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act"), which are applicable to those funds.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

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. MCDERMOTT, announced that the yeas had it.

Mr. HANSEN demanded a recorded vote on passage of said bill which de-

mand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... Yeas ..... 308 Nays ..... 111

§50.23 [Roll No. 174] AYES—308

Table listing names of members of Congress and their corresponding votes (Yeas/Nays) for §50.23. Includes names like McDade, McDermott, McHale, etc.

Smith (TX)	Tejeda	Walsh
Snowe	Thompson	Waters
Spence	Thornton	Watt
Spratt	Thurman	Waxman
Stark	Torkildsen	Weldon
Stokes	Torres	Wheat
Strickland	Torricelli	Whitten
Studds	Towns	Williams
Stupak	Trafigant	Wilson
Sweet	Unsoeld	Wise
Swift	Upton	Woolsey
Synar	Valentine	Wyden
Talent	Velazquez	Wynn
Tanner	Vento	Yates
Tauzin	Visclosky	Young (FL)
Taylor (MS)	Volkmer	Zimmer

NOES—111

Allard	Geren	Michel
Archer	Goodlatte	Moorhead
Armey	Goodling	Myers
Bachus (AL)	Grams	Nussle
Baker (CA)	Gunderson	Orton
Baker (LA)	Hall (TX)	Oxley
Ballenger	Hamburg	Packard
Barrett (NE)	Hancock	Paxon
Bartlett	Hansen	Petri
Barton	Hefley	Pombo
Bateman	Herger	Pryce (OH)
Bereuter	Hoekstra	Quillen
Bliley	Huffington	Roberts
Blute	Hunter	Rohrabacher
Boehner	Hutchinson	Roth
Bonilla	Hyde	Royce
Bunning	Inhofe	Santorum
Burton	Istook	Schaefer
Buyer	Johnson, Sam	Schiff
Callahan	Kasich	Sensenbrenner
Calvert	Kim	Shaw
Coble	King	Shuster
Collins (GA)	Knollenberg	Skeen
Combest	Kolbe	Smith (MI)
Cox	Levy	Solomon
Crane	Lewis (CA)	Stearns
Crapo	Lewis (FL)	Stenholm
DeLay	Lightfoot	Stump
Dickey	Linder	Sundquist
Doolittle	Livingston	Taylor (NC)
Dornan	Lucas	Thomas (CA)
Dreier	Manzullo	Thomas (WY)
Duncan	McCandless	Vucanovich
Dunn	McCollum	Walker
Everett	McHugh	Wolf
Fields (TX)	McInnis	Young (AK)
Gekas	McKeon	Zeliff

NOT VOTING—14

Barlow	Gallegly	Rogers
Byrne	Grandy	Smith (OR)
de la Garza	Machtley	Tucker
Emerson	Markey	Washington
Ford (TN)	Neal (NC)	

So the bill was passed.

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

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

50.24 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. VENTO, by unanimous consent,

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

50.25 PROVIDING FOR THE CONSIDERATION OF H.R. 518

Mr. BEILENSEN, by direction of the Committee on Rules, called up the following resolution (H. Res. 422):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 518) to designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks and the Mojave National Monument, and for other pur-

poses. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title of the committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI are waived. No amendment to the committee amendment in the nature of a substitute shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII before the beginning of consideration of the bill. The amendment caused to be printed in the Record by Representative LaRocco of Idaho (relating to an East Mojave Preserve) may amend portions of the bill not yet read for amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto final passage without intervening motion except one motion to recommend with or without instructions. After passage of H.R. 518, it shall be in order to take from the Speaker's table the bill S. 21 and to consider the Senate bill in the House. All points of order against the Senate bill and against its consideration are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 518 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 21 and request a conference with the Senate thereon.

When said resolution was considered.

After debate,

Mr. BEILENSEN moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. PETERSON of Florida, announced that the yeas had it.

Mr. DREIER 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 ..... 245  
Nays ..... 172

50.26

[Roll No. 175]

YEAS—245

Abercrombie	Gutierrez	Owens
Ackerman	Hall (OH)	Pallone
Andrews (ME)	Hall (TX)	Parker
Andrews (NJ)	Hamburg	Pastor
Andrews (TX)	Hamilton	Payne (NJ)
Applegate	Harman	Payne (VA)
Bacchus (FL)	Hastings	Pelosi
Baesler	Hayes	Penny
Barca	Hefner	Peterson (FL)
Barcia	Hilliard	Peterson (MN)
Barrett (WI)	Hinchee	Pickett
Becerra	Hoagland	Pickle
Beilenson	Hochbrueckner	Pomeroy
Berman	Holden	Poshard
Bevill	Hoyer	Price (NC)
Bilbray	Hughes	Rahall
Bishop	Hutto	Rangel
Bonior	Inslee	Ravenel
Borski	Jefferson	Reed
Boucher	Johnson (GA)	Reynolds
Brewster	Johnson (SD)	Richardson
Brooks	Johnson, E. B.	Roemer
Browder	Johnston	Rose
Brown (FL)	Kanjorski	Rostenkowski
Brown (OH)	Kaptur	Rowland
Bryant	Kennedy	Roybal-Allard
Cantwell	Kennelly	Rush
Cardin	Kildee	Sabo
Carr	Kleccka	Sanders
Chapman	Klein	Sangmeister
Clay	Klink	Sarpalius
Clayton	Kopetski	Sawyer
Clement	Kreidler	Schenk
Clyburn	LaFalce	Schroeder
Coleman	Lambert	Schumer
Collins (IL)	Lancaster	Scott
Collins (MI)	Lantos	Serrano
Condit	LaRocco	Shepherd
Conyers	Laughlin	Sisisky
Cooper	Lehman	Skaggs
Coppersmith	Levin	Skelton
Costello	Lewis (GA)	Slattery
Coyne	Lipinski	Slaughter
Cramer	Lloyd	Smith (IA)
Danner	Long	Spratt
Darden	Lowey	Stark
Deal	Maloney	Stenholm
DeFazio	Mann	Stokes
DeLauro	Manton	Strickland
Dellums	Margolies-	Studds
Derrick	Mezvinsky	Stupak
Deutsch	Markey	Swett
Dicks	Martinez	Swift
Dingell	Matsui	Synar
Dixon	Mazzoli	Tanner
Dooley	McCloskey	Tauzin
Durbin	McCurdy	Taylor (MS)
Edwards (CA)	McDermott	Tejeda
Edwards (TX)	McHale	Thompson
Engel	McKinney	Thornton
English	McNulty	Thurman
Eshoo	Meehan	Torres
Evans	Meek	Torricelli
Farr	Menendez	Towns
Fazio	Mfume	Trafigant
Fields (LA)	Miller (CA)	Unsoeld
Filner	Mineta	Velazquez
Fingerhut	Minge	Vento
Flake	Mink	Visclosky
Foglietta	Moakley	Volkmer
Ford (MI)	Mollohan	Waters
Frank (MA)	Montgomery	Watt
Frost	Moran	Waxman
Furse	Murphy	Wheat
Gejdenson	Murtha	Whitten
Gephardt	Nadler	Williams
Geren	Neal (MA)	Wilson
Gibbons	Oberstar	Wise
Glickman	Obey	Woolsey
Gonzalez	Olver	Wyden
Gordon	Ortiz	Wynn
Green	Orton	Yates

NAYS—172

Allard	Bateman	Burton
Archer	Bentley	Buyer
Armey	Bereuter	Callahan
Bachus (AL)	Bilirakis	Calvert
Baker (CA)	Bliley	Camp
Baker (LA)	Blute	Canady
Ballenger	Boehlert	Castle
Barrett (NE)	Boehner	Clinger
Bartlett	Bonilla	Coble
Barton	Bunning	Collins (GA)

Combest Inglis Pryce (OH) Dicks Lambert Rangel
Cox Inhofe Quillen Ravenel McCollum
Crane Istook Quinn Dixon Lancaster McHugh
Crapo Jacobs Ramstad Dooley LaRocco Reed
Cunningham Johnson (CT) Durbin LaRocco Richardson
DeLay Johnson, Sam Ridge Edwards (CA) Rose
Diaz-Balart Kasich Roberts Edwards (TX) Meyers
Dickey Kim Rogers Engel Lewis (GA) Rowland
Doolittle King Rohrabacher English Lipinski Roybal-Allard
Dornan Kingston Ros-Lehtinen Eshoo Lloyd Rush
Dreier Klug Roth Evans Long Sanders
Duncan Knollenberg Roukema Farr Lowey Sangmeister
Dunn Kolbe Royce Fazio Maloney Sarpaluis
Ehlers Kyl Santorum Mann Sawyer
Everett Lazio Saxton Filner Manton Schenk
Ewing Levy Schaefer Fingerhut Margolies- Schroeder
Fawell Lewis (CA) Schiff Flake Mezvinsky Schumer
Fields (TX) Lewis (FL) Sensenbrenner Foglietta Markey Scott
Fowler Lightfoot Shaw Ford (MI) Serrano Martinez Serrano
Franks (CT) Linder Shays Frank (MA) Matsui Shays Shays
Franks (NJ) Livingston Shuster Frost Mazzoli Shepherd
Gallegly Lucas Skee Furse McCloskey Sisisky
Gallo Machtley Smith (MI) Gejdenson McCrery Skaggs
Gekas Manzullo Smith (NJ) Gephardt McCurdy Skelton
Gilchrist McCandless Smith (TX) Geren McDade Slattery
Gillmor McCollum Snowe Gibbons McDermott Slaughter
Gilman McCrery Solomon Gilman McHale Smith (IA)
Gingrich McDade Spence Glickman McNulty Spratt
Goodlatte McHugh Stearns Gonzalez Meehan Stark
Goodling McInnis Stump Gordon Meek Stenholm
Goss McKeon Sundquist Green Menendez Stokes
Grams McMillan Talent Gutierrez Miller (CA) Strickland
Greenwood Meyers Taylor (NC) Hall (OH) Studds
Gunderson Mica Thomas (CA) Hall (TX) Stupak
Hancock Michel Thomas (WY) Hamburg Minge Sweet
Hansen Miller (FL) Torkildsen Hamilton Mink Swift
Hastert Molinari Upton Hastings Moakley Synar
Hefley Moorhead Vucanovich Hayes Moakley Tanner
Herger Morella Walker Hefner Montgomery Tauzin
Hobson Myers Walsh Weldon Hilliard Moran Taylor (MS)
Hoekstra Nussle Wolf Hinchey Murph Tejada
Hoke Oxley Wolf Hoagland Murtha Thompson
Horn Packard Young (AK) Hoagland Nadler Thornton
Houghton Paxon Young (FL) Holden Neal (MA) Thurman
Huffington Petri Zelfiff Hoyer Oberstar Torres
Hunter Pombo Zimmer Hughes Hutto Torricelli
Hutchinson Porter Hutto Olver Towns
Hyde Portman Insee Ortiz Trafficant

NOT VOTING—16

Barlow Fish Smith (OR)
Blackwell Ford (TN) Tucker
Brown (CA) Grandy Valentine
Byrne Leach Washington
de la Garza Neal (NC)
Emerson Sharp

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. PETERSON of Florida, announced that the yeas had it.

Mr. DREIER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 248 Nays ..... 165

¶50.27 [Roll No. 176] YEAS—248

Abercrombie Bonior Coleman
Ackerman Borski Collins (IL)
Andrews (ME) Boucher Collins (MI)
Andrews (NJ) Brewster Condit
Andrews (TX) Brooks Conyers
Applegate Browder Cooper
Bacchus (FL) Brown (FL) Coppersmith
Baesler Brown (OH) Costello
Barca Bryant Coyne
Barcia Canady Cramer
Barrett (WI) Cantwell Danner
Becerra Cardin Darden
Beilenson Carr Deal
Berman Chapman DeFazio
Bevill Clay DeLauro
Bilbray Clayton Dellums
Bishop Clement Derrick
Blackwell Clyburn Deutsch

Dicks Lambert Rangel
Dingell Ravenel McCollum
Dixon Lancaster McHugh
Dooley LaRocco Reed
Durbin LaRocco Richardson
Edwards (CA) Rose
Edwards (TX) Meyers
Engel Lewis (GA) Rowland
English Lipinski Roybal-Allard
Eshoo Lloyd Rush
Evans Long Sanders
Farr Lowey Sangmeister
Fazio Maloney Sarpaluis
Fields (LA) Mann Sawyer
Filner Manton Schenk
Fingerhut Margolies- Schroeder
Flake Mezvinsky Schumer
Foglietta Markey Scott
Ford (MI) Serrano Martinez Serrano
Frank (MA) Matsui Shays Shays
Frost Mazzoli Shepherd
Furse McCloskey Sisisky
Gejdenson McCrery Skaggs
Gephardt McCurdy Skelton
Geren McDade Slattery
Gibbons McDermott Slaughter
Gilman McHale Smith (IA)
Glickman McNulty Spratt
Gonzalez Meehan Stark
Gordon Meek Stenholm
Green Menendez Stokes
Gutierrez Miller (CA) Strickland
Hall (OH) Studds
Hall (TX) Stupak
Hamburg Minge Sweet
Hamilton Mink Swift
Hastings Moakley Synar
Hayes Moakley Tanner
Hefner Montgomery Tauzin
Hilliard Moran Taylor (MS)
Hinchey Murph Tejada
Hoagland Murtha Thompson
Hoehbrueckner Nadler Thornton
Holden Neal (MA) Thurman
Hoyer Oberstar Torres
Hughes Hutto Torricelli
Hutto Olver Towns
Insee Ortiz Trafficant
Jacobs Orton Unsoeld
Jefferson Owens Velazquez
Johnson (GA) Pallone Vento
Johnson (SD) Parker Visclosky
Johnson, E.B. Pastor Volkmer
Johnston Payne (NJ) Watt
Kanjorski Payne (VA) Waxman
Kaptur Pelosi Wheat
Kennedy Penny Whitten
Kennelly Peterson (FL) Williams
Kildee Peterson (MN) Wilson
Klecza Pickett Wise
Klein Pickle Woolsey
Klink Pomeroy Wyden
Kopetski Poshard Wynn
Kreidler Price (NC) Yates
LaFalce Rahall Zimmer

NAYS—165

Allard Cunningham Herger
Archer DeLay Hobson
Armey Diaz-Balart Hoekstra
Bachus (AL) Dickey Hoke
Baker (CA) Doolittle Horn
Baker (LA) Dornan Houghton
Ballenger Dreier Huffington
Barrett (NE) Duncan Hunter
Bartlett Dunn Hutchinson
Barton Dunn Hyde
Bartman Ehlerys
Bateman Everett Inglis
Bentley Ewing Inhofe
Bereuter Fawell Istook
Bilirakis Fields (TX) Johnson (CT)
Bliley Fowler Johnson, Sam
Blute Franks (CT) Kasich
Boehlert Franks (NJ) Kim
Boehner Gallegly King
Bonilla Gallo King
Bunning Gekas Klug
Burton Gilchrist Knollenberg
Buyer Gillmor Kolbe
Callahan Goss Knollenberg
Calvert Goodlatte Klug
Camp Levy Knollenberg
Castle Goodling Lazio
Clinger Goss Lewis (CA)
Coble Grams Lewis (FL)
Collins (GA) Greenwood Lightfoot
Combest Gunderson Linder
Cox Hancock Livingston
Crane Hansen Lucas
Crapo Hastert Machtle
Hefley

McCandless Pryce (OH) Smith (NJ)
McCollum Quillen Smith (TX)
McHugh Quinn Snowe
McInnis Ramstad Solomon
McKeon Regula Spence
McMillan Ridge Stearns
Meyers Roberts Stump
Mica Rogers Sundquist
Michel Rohrabacher Talent
Miller (FL) Ros-Lehtinen Taylor (NC)
Molinari Roth Thomas (CA)
Moorhead Roukema Thomas (WY)
Morella Royce Torkildsen
Myers Santorum Upton
Nussle Saxton Vucanovich
Oxley Schaefer Walker
Packard Schiff Walsh
Paxon Sensenbrenner Weldon
Petri Shaw Wolf
Pombo Shuster Young (AK)
Porter Skeen Young (FL)
Portman Smith (MI) Zelfiff

NOT VOTING—20

Barlow Grandy Sharp
Brown (CA) Harman Smith (OR)
Byrne Leach Tucker
de la Garza McKinney Valentine
Emerson Neal (NC) Washington
Fish Reynolds Waters
Ford (TN) Sabo

So 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.

¶50.28 H.R. 4277—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PETERSON of Florida, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4277) to establish the Social Security Administration as an independent agency and to make other improvements in the old-age, survivors, and disability insurance program; as amended.

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PETERSON of Florida, announced that two-thirds of those present had voted in the affirmative.

Mr. BUNNING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 413 Nays ..... 0

¶50.29 [Roll No. 177] YEAS—413

Abercrombie Becerra Brown (OH)
Ackerman Beilenson Bryant
Allard Bentley Bunning
Andrews (ME) Bereuter Burton
Andrews (NJ) Berman Buyer
Andrews (TX) Bevill Callahan
Applegate Bilbray Calvert
Archer Bilirakis Camp
Army Bishop Canady
Bacchus (FL) Blackwell Cantwell
Bachus (AL) Bliley Cardin
Baesler Blute Carr
Barca Boehlert Castle
Baker (CA) Boehner Chapman
Baker (LA) Bonilla Clay
Ballenger Bonior Clayton
Barca Borski Clement
Barcia Boucher Clinger
Barrett (NE) Brewster Clyburn
Barrett (WI) Brooks Coble
Bartlett Brooks Collins (GA)
Barton Browder Collins (IL)
Bateman Brown (FL) Collins (IL)

Collins (MI) Hoke  
 Combest Holden  
 Condit Horn  
 Conyers Houghton  
 Cooper Hoyer  
 Coppersmith Huffington  
 Costello Hughes  
 Cox Hunter  
 Coyne Hutchinson  
 Cramer Hutto  
 Crane Hyde  
 Crapo Inglis  
 Cunningham Inhofe  
 Danner Inslee  
 Darden Istook  
 Deal Jacobs  
 DeFazio Jefferson  
 DeLauro Johnson (CT)  
 DeLay Johnson (GA)  
 Dellums Johnson (SD)  
 Derrick Johnson, E. B.  
 Deutsch Johnson, Sam  
 Diaz-Balart Johnston  
 Dickey Kanjorski  
 Dicks Kaptur  
 Dingell Kasich  
 Dixon Kennedy  
 Dooley Kennelly  
 Doolittle Kildee  
 Dornan Kim  
 Dreier King  
 Duncan Kingston  
 Dunn Kleczka  
 Durbin Klein  
 Edwards (CA) Klink  
 Edwards (TX) Klug  
 Ehlers Knollenberg  
 Engel Kolbe  
 English Kopetski  
 Eshoo Kreidler  
 Evans Kyl  
 Everett LaFalce  
 Ewing Lambert  
 Farr Lancaster  
 Fawell Lantos  
 Fazio LaRocco  
 Fields (LA) Laughlin  
 Fields (TX) Lazio  
 Filner Leach  
 Fingerhut Lehman  
 Flake Levin  
 Foglietta Levy  
 Ford (MI) Lewis (CA)  
 Fowler Lewis (FL)  
 Frank (MA) Lewis (GA)  
 Franks (CT) Lightfoot  
 Franks (NJ) Linder  
 Frost Lipinski  
 Furse Livingston  
 Gallegly Lloyd  
 Gallo Roybal-Allard  
 Gejdenson Lowey  
 Gekas Lucas  
 Gephardt Machtley  
 Geren Maloney  
 Gibbons Mann  
 Gilchrist Manton  
 Gillmor Manzullo  
 Gilman Margolies-  
 Gingrich Mezvinsky  
 Glickman Markey  
 Gonzalez Martinez  
 Goodlatte Matsui  
 Goodling Mazzoli  
 Gordon McCandless  
 Goss McCloskey  
 Grams McCollum  
 Green McCrery  
 Greenwood McCurdy  
 Gunderson McDade  
 Gutierrez McDermott  
 Hall (OH) McHale  
 Hall (TX) McHugh  
 Hamburg McInnis  
 Hamilton McKeon  
 Hancock McKinney  
 Hansen McMillan  
 Harman McNulty  
 Hastert Meehan  
 Hastings Meek  
 Hayes Menendez  
 Hefley Meyers  
 Hefner Mfume  
 Herger Spratt  
 Hilliard Michel  
 Hinchey Miller (CA)  
 Hoagland Miller (FL)  
 Hobson Mineta  
 Hochbrueckner Minge  
 Hoekstra Moakley

Molinari  
 Mollohan  
 Montgomery  
 Moorhead  
 Moran  
 Morella  
 Murphy  
 Murtha  
 Myers  
 Nadler  
 Neal (MA)  
 Nussle  
 Oberstar  
 Obey  
 Olver  
 Ortiz  
 Orton  
 Owens  
 Oxley  
 Packard  
 Pallone  
 Parker  
 Pastor  
 Paxon  
 Payne (NJ)  
 Payne (VA)  
 Pelosi  
 Penny  
 Peterson (FL)  
 Peterson (MN)  
 Petri  
 Pickett  
 Pickle  
 Pombro  
 Pomeroy  
 Porter  
 Portman  
 Poshard  
 Price (NC)  
 Pryce (OH)  
 Quillen  
 Quinn  
 Rahall  
 Ramstad  
 Rangel  
 Ravenel  
 Reed  
 Regula  
 Reynolds  
 Richardson  
 Ridge  
 Roberts  
 Roemer  
 Rogers  
 Rohrabacher  
 Ros-Lehtinen  
 Rostenkowski  
 Roth  
 Roukema  
 Rowland  
 Roybal-Allard  
 Royce  
 Rush  
 Sanders  
 Sangmeister  
 Santorum  
 Sarpaluis  
 Sawyer  
 Saxton  
 Schaefer  
 Schenk  
 Schiff  
 Schroeder  
 Schumer  
 Scott  
 Sensenbrenner  
 Serrano  
 Shaw  
 Shays  
 Shepherd  
 Shuster  
 Siskisky  
 Skaggs  
 Skeen  
 Skelton  
 Slattery  
 Slaughter  
 Smith (IA)  
 Smith (MI)  
 Smith (NJ)  
 Smith (TX)  
 Snowe  
 Solomon  
 Spratt  
 Stark  
 Stearns  
 Stenholm  
 Stokes  
 Strickland  
 Stump

Stupak  
 Sundquist  
 Swift  
 Swift  
 Synar  
 Talent  
 Tanner  
 Tauzin  
 Taylor (MS)  
 Taylor (NC)  
 Tejada  
 Thomas (CA)  
 Thomas (WY)  
 Thompson  
 Thornton  
 Thurman

Torkildsen  
 Torres  
 Torricelli  
 Towns  
 Traficant  
 Unsoeld  
 Upton  
 Velazquez  
 Vento  
 Visclosky  
 Volkmer  
 Vucanovich  
 Walker  
 Walsh  
 Waters  
 Watt

Waxman  
 Weldon  
 Wheat  
 Whitten  
 Williams  
 Wilson  
 Wise  
 Wolf  
 Woolsey  
 Wyden  
 Wynn  
 Yates  
 Young (AK)  
 Young (FL)  
 Zeliff  
 Zimmer

## NOT VOTING—20

Barlow  
 Brown (CA)  
 Byrne  
 Coleman  
 de la Garza  
 Emerson  
 Fish

Ford (TN)  
 Grandy  
 Mink  
 Neal (NC)  
 Rose  
 Sabo  
 Sharp

Smith (OR)  
 Spence  
 Studds  
 Tucker  
 Valentine  
 Washington

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk request the concurrence of the Senate in said bill.

## §50.30 PROVIDING FOR THE CONSIDERATION OF H.R. 2108

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-508) the privileged resolution (H. Res. 428) providing for the consideration of the bill (H. R. 2108) to make improvements in the Black Lung Benefits Act.

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

## §50.31 PROVIDING FOR THE CONSIDERATION OF H.R. 4301

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-509) the privileged resolution (H. Res. 429) providing for the consideration of the bill (H.R. 4301) to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1995, and for other purposes.

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

## §50.32 SUBPOENA

The SPEAKER pro tempore, Mr. KILDEE, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
 May 17, 1994.

Hon. THOMAS S. FOLEY.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L of the Rules of the House that I have been served with a subpoena issued by the Superior Court of the District of Columbia.

After consultation with the General Counsel, I have determined that compliance is inconsistent with the privileges and precedents of the House.

Sincerely,

RON WYDEN,  
 Member of Congress.

## §50.33 CALIFORNIA DESERT PROTECTION

The SPEAKER pro tempore, Mr. KILDEE, pursuant to House Resolution 422 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. 518) to designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks and Mojave National Monument, and for other purposes.

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

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

When Mr. PETERSON of Florida, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

## §50.34 MINERAL EXPLORATION AND DEVELOPMENT

On motion of Mr. MILLER of California, by unanimous consent, the bill (H.R. 322) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; 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 disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. WISE, by unanimous consent, announced the appointment of Messrs. MILLER of California, LEHMAN, RAHALL, YOUNG of Alaska, and Mrs. VUCANOVICH, as managers on the part of the House at said conference.

*Ordered.* That the Clerk notify the Senate thereof.

## §50.35 SUBPOENA

The SPEAKER pro tempore, Mr. WISE, laid before the House a communication, which was read as follows:

COMMITTEE ON ENERGY AND COMMERCE,  
 SUBCOMMITTEE ON HEALTH AND THE ENVIRONMENT,  
 Washington, DC May 17, 1994.

Hon. THOMAS S. FOLEY,  
 Speaker of the House,  
 Washington, DC

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L of the Rules of the House that I have been served with a subpoena issued by the Superior Court of the District of Columbia.

After consultation with the General Counsel, I have determined that compliance is inconsistent with the privileges and precedents of the House.

Sincerely,

HENRY A. WAXMAN,

§50.36 AIRPORT IMPROVEMENT

Mr. WISE moved to suspend the rules and agree to the following amendment of the Senate to amendment of the House to the bill (S. 2024) to provide temporary obligational authority for the airport improvement program and to provide for certain airport fees to be maintained at existing levels for up to 60 days, and for other purposes:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Airport Improvement Program Temporary Extension Act of 1994".

**TITLE I—AIRPORT IMPROVEMENT PROGRAM**

**SEC. 101. AIRPORT IMPROVEMENT PROGRAM AUTHORIZATION.**

(a) **AUTHORIZATION.**—The second sentence of section 505(a) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2204(a)) is amended—

(1) by striking "and" after "1992,"; and  
(2) by inserting ", and \$15,413,157,000 for fiscal years ending before October 1, 1994" before the period at the end.

(b) **OBLIGATIONAL AUTHORITY.**—Section 505(b)(1) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2204(b)(1)) is amended by striking "September 30, 1993" and inserting "June 30, 1994".

**SEC. 102. APPORTIONMENT OF FUNDS.**

Section 507(b)(3)(A) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2206(b)(3)(A)) is amended—

(1) by striking "or reducing the amount authorized or" and inserting "the amounts";  
(2) by inserting "to less than \$1,900,000,000" after "to be obligated"; and  
(3) by striking "limited or reduced".

**SEC. 103. MINIMUM AMOUNT FOR PRIMARY AIRPORTS.**

Section 507(b)(1) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2206(b)(1)) is amended by striking "\$400,000" and inserting "\$500,000".

**SEC. 104. DISCRETIONARY FUND.**

(a) **MINIMUM AMOUNT TO BE CREDITED.**—Section 507(c) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2206(c)) is amended by adding at the end the following new paragraph:

"(5) **SPECIAL RULE.**—In any fiscal year not less than \$325,000,000 of the amount made available under section 505(a) shall be credited to the discretionary fund established by paragraph (1), and such \$325,000,000 shall be exclusive of amounts that have been apportioned in a prior year under this section and which remain available for obligation.

"(B) In any fiscal year in which the amount credited to the discretionary fund pursuant to paragraph (1) is less than \$325,000,000, the total amount calculated under subparagraph (C) of this paragraph shall be reduced by an amount which, when credited to the discretionary fund, will, together with the amount credited pursuant to paragraph (1), equal \$325,000,000.

"(C) The total amount, for any fiscal year, that is subject to reduction pursuant to subparagraph (B) shall be the sum of—

- "(i) the amount determined under subsection (a)(1);
- "(ii) the amount determined under subsection (a)(2);
- "(iii) the amount determined under subsection (a)(3);
- "(iv) the amount determined under section 508(d)(1);
- "(v) the amount determined under section 508(d)(2);

"(vi) the amount determined under section 508(d)(3);

"(vii) the amount determined under section 508(d)(4); and

"(viii) the amount determined under section 508(d)(5).

"(D) To accomplish a reduction pursuant to subparagraph (B), each of the amounts described in subparagraphs (C)(i) through (C)(viii), respectively, shall be reduced by an equal percentage."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on July 1, 1994.

**SEC. 105. USE OF APPORTIONED AND DISCRETIONARY FUNDS.**

Section 508(d) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2207(d)) is amended—

(1) in paragraph (1), by striking "10" and inserting "5";

(2) in paragraph (3), by striking "2.5" wherever it appears and inserting "1.5"; and

(3) in paragraph (4), by striking "½" and inserting "¾".

**SEC. 106. REIMBURSEMENT FOR PAST EXPENDITURES.**

Section 513(a)(2) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2212(a)(2)) is amended—

(1) by striking "or" at the end of subparagraph (A);

(2) by inserting "or" after the semicolon at the end of subparagraph (B); and

(3) by inserting after subparagraph (B) the following:

"(C)(i) it was incurred—  
"(I) during fiscal year 1994;

"(II) before execution of a grant agreement with respect to the project but in accordance with an airport layout plan approved by the Secretary and in accordance with all applicable statutory and administrative requirements that would have been applicable to the project if the grant agreement had been executed; and

"(III) for work related to a project for which a grant agreement was previously executed during fiscal year 1994; and

"(ii) its Federal share is only paid with sums appointed under sections 507(a)(1) and 507(a)(2)."

**SEC. 107. TERMINAL DEVELOPMENT.**

Section 513(b)(2) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2212(b)(2)) is amended—

(1) in the second sentence

(A) by inserting after "may be used" the following: ", subject to the approval of the Secretary, (A)"; and

(B) by striking the period at the end and inserting the following: ", and (B) by the sponsor of a reliever airport for the types of project costs allowable under paragraph (1) of this subsection, including project costs allowable for a commercial service airport which annually has .05 percent or less of the total enplanements in the United States."; and

(2) by adding at the end the following: "All or any portion of the sums to be distributed at the discretion of the Secretary under sections 507(c) and 507(d) for any fiscal year may be distributed for use by primary airports each of which annually has .05 percent or less of the total enplanements in the United States for project costs allowable under paragraph (1) of this subsection."

**SEC. 108. EXPENDITURES FROM AIRPORT AND AIRWAY TRUST FUND.**

Section 9502(d)(1)(A) of the Internal Revenue Code of 1986 (relating to expenditures from Airport and Airway Trust Fund) is amended by striking "(as such Acts were in effect on the date of the enactment of the Airport and Airway Safety, Capacity, Noise Improvement, and Inter-modal Transportation Act of 1992)" and inserting "or the

Airport Improvement Program Temporary Extension Act of 1994 (as such Acts were in effect on the date of the enactment of the Airport Improvement Program Temporary Extension Act of 1994)".

**SEC. 109. UPWARD ADJUSTMENTS.**

(a) **IN GENERAL.**—The second sentence of section 505(b)(1) of the Airport and Airway Improvement Act of 1982 (49 App. U.S.C. 2204(b)(1)) is further amended by—

(1) inserting "(A)" before "Apportioned"; and

(2) inserting before the period at the end "and

(B) funds which have been recovered by the United States from grants made under this title if such funds are obligated only for increases under sections 512(b)(2) and 512(b)(3) of this title in the maximum obligation of the United States for any other grant made under this title".

(b) **RETROACTIVE EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect October 1, 1993.

**TITLE II—AIRPORT-AIR CARRIER DISPUTES REGARDING AIRPORT FEES**

**SEC. 201. EMERGENCY AUTHORITY TO FREEZE CERTAIN AIRPORT FEES.**

(a) **COMPLAINT BY AIR CARRIER.**—

(1) **FILING.**—An air carrier may file prior to June 30, 1994, with the Secretary a written complaint alleging that any increased fee imposed upon such air carrier by the owner or operator of an airport is not reasonable. The air carrier shall simultaneously file with the Secretary proof that a copy of the complaint has been served on the owner or operator of the airport.

(2) **OPPORTUNITY TO RESPOND.**—Before issuing an order under subsection (b), the Secretary shall provide the owner or operator of the airport an opportunity to respond to the filed complaint.

(3) **FRIVOLOUS COMPLAINT.**—If the Secretary determines that a complaint is frivolous, the Secretary may refuse to accept the complaint for filing.

(b) **Order By The Secretary.**—

(1) **IN GENERAL.**—Except as provided by paragraph (2), the Secretary shall issue, within 7 days after the filing of a complaint in accordance with subsection (a), an order prohibiting the owner or operator of the airport from collecting the increased portion of the fee that is the subject of the complaint, unless the Secretary makes a preliminary determination that the increased fee is reasonable. Subject to subsection (d), the order shall cease to be effective on June 30, 1994.

(2) **LIMITATION.**—The Secretary shall not issue an order under this subsection prohibiting the collection of any portion of a fee for which the Secretary's informal mediation assistance was requested on March 21, 1994.

(c) **OPPORTUNITY TO COMMENT AND FURNISH RELATED MATERIAL.**—Within a period prescribed by the Secretary, the owner or operator of the airport and any affected air carrier may submit comments to the Secretary on a complaint filed under subsection (a) and furnish to the Secretary any related documents or other material.

(d) **ACTION ON COMPLAINT.**—Based on comments and material provided under subsection (c), the Secretary may take appropriate action on the complaint, including termination or other modification of any order issued under subsection (b).

(e) **APPLICABILITY.**—This section does not apply to a fee imposed pursuant to a written agreement binding on air carriers using the facilities of an airport.

(f) **EFFECT ON EXISTING AGREEMENTS.**—Nothing in this section shall adversely affect any existing written agreement between an air carrier and the owner or operator of an airport.

**SEC. 202. DEFINITIONS.**

For purposes of this title.

(1) the term "fee" means any rate, rental charge, landing fee, or other service charge for the use of airport facilities; and

(2) the term "Secretary" means the Secretary of Transportation.

**TITLE III—REFORM OF AIR TRAFFIC CONTROL SYSTEM**

**SEC. 301. AIR TRAFFIC CONTROL SYSTEM.**

(a) **STUDY.**—The Secretary of Transportation shall undertake a study of management, regulatory, and legislative reforms which would enable the air traffic control system of the Federal Aviation Administration to provide better services to users and reduce the costs of providing services, without reducing the safety of the system or the availability of the system to all categories of users and without changing the basic organizational structure under which the system is part of the Federal Aviation Administration.

(b) **COMPONENTS.**—The study to be conducted under subsection (a) shall include the following:

(1) Evaluation of reforms which would streamline procurement, enhance the ability to attract and retain adequate staff at hard-to-staff facilities, simplify the personnel process, provide funding stability, ensure continuity of leadership, and reduce the incidence of unnecessarily detailed management oversight.

(2) Identification of any existing laws or regulations governing procurement or personnel which are having an adverse effect on the operation or modernization of the air traffic control system.

(3) Evaluation of a range of possible reforms and the advantages and disadvantages of each possible reform.

(4) Comparison of the advantages and disadvantages of each possible reform with the comparable advantages and disadvantages to be achieved under any proposal of the Secretary of Transportation to create a separate Federal corporate entity to operate the air traffic control system.

(c) **DEADLINE.**—The results of the study to be conducted under subsection (a) shall be contained in a report which shall be completed by the Secretary of Transportation on or before the date which is 180 days after the date of the enactment of this Act, or the date on which the Secretary submits to Congress proposed legislation to create a separate corporate entity to operate the air traffic control system, whichever date occurs first.

(d) **TRANSMITTAL.**—On the date of completion of the report under subsection (c), the Secretary of Transportation shall transmit copies of the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives.

**TITLE V—MISCELLANEOUS PROVISIONS**

**SEC. 401. GRANDFATHER PROVISION FOR FAA DEMONSTRATION PROJECT.**

(a) **IN GENERAL.**—Notwithstanding the termination of the personnel demonstration project for certain Federal Aviation Administration employees on June 17, 1994, pursuant to section 4703 of title 5, United States Code, the Federal Aviation Administration, subject to subsection (d), shall continue to pay quarterly retention allowance payments in accordance with subsection (b) to those employees who are entitled to quarterly retention allowance payments under the demonstration project as of June 16, 1994.

(b) **COMPUTATION RULES.**—

(1) **In general.**—The amount of each quarterly retention allowance payment to which an employee is entitled under subsection (a) shall be the amount of the last quarterly re-

tion allowance payment paid to such employee under the personnel demonstration project prior to June 17, 1994, reduced by the portion of the amount of any increase in the employee's annual rate of basic pay subsequent to June 17, 1994, from any source, which is allocable to the quarter for which the allowance is to be paid (or, if applicable, to that portion of the quarter for which the allowance is to be paid). For purposes of the preceding sentence, the increase in an employee's annual rate of basic pay includes—

(A) any increase under section 5303 of title 5, United States Code'

(B) any increase in locality-based comparability payments under section 5304 of such title 5 (except if, or to the extent that, such increase is offset by a reduction of an interim geographic adjustment under section 302 of the Federal Employees Pay Comparability Act of 1990 (5 U.S.C. 5304 note));

(C) any establishment or increase in a special rate of pay under section 5305 of such title 5;

(D) any increase in basic pay pursuant to a promotion under section 5334 of such title 5;

(E) any periodic step-increase under section 5334 of such title 5;

(F) any additional step-increase under section 5336 of such title 5; and

(G) any other increase in annual rate of basic pay under any other provision of law.

(2) **SECTION RULE.**—In the case of an employee on leave without pay or other similar status for any part of the quarter prior to June 17, 1994, based on which the amount of the allowance payments for such employee under subsection (a) are computed, the "amount of the last quarterly retention allowance payment paid to such employee under the personnel demonstration project prior to June 17, 1994" shall, for purposes of paragraph (1), be deemed to be the amount of the allowance which would have been payable to such employee for such quarter under such project had such employee been in pay status throughout such quarter.

(c) **TERMINATION.**—An employee's entitlement to quarterly retention allowance payments under this section shall cease when—

(1) the amount of such allowance is reduced to zero under subsection (b), or

(2) The employee separates or moves to a position in which the employee would not, prior to June 17, 1994, have been entitled to receive an allowance under the demonstration project, whichever is earlier.

(d) **SPECIAL PAYMENT RULE.**—The Administrator of the Federal Aviation Administration may make payment for the costs incurred under the program established by subsection (a) for the period between June 18, 1994, and September 30, 1994, following the end of the first full pay period that begins on or after October 1, 1994, subject to appropriations made available in fiscal year 1995.

(e) **STUDY OF RECRUITMENT AND RETENTION INCENTIVES.**—The Administrator of the Federal Aviation Administration shall conduct a study of impediments that may exist to achieving appropriate air traffic controller staffing levels at hard-to-staff facilities. In conducting such study, the Administrator shall identify and evaluate the extent to which special incentives, of a financial or non-financial nature, could be useful in recruiting or retaining air traffic controllers at such facilities. The Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Public Works and Transportation of the House of Representatives not later than 180 days after the date of enactment of this Act a report on (1) the results of such study, (2) planned administrative actions, and (3) any recommended legislation.

The SPEAKER pro tempore, Mr. MILLER of California, recognized Mr.

WISE and Mr. CLINGER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

**§50.37 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. 720. An Act to clean up open dumps on Indian lands, and for other purposes; to the Committee on Natural Resources.

**§50.38 SENATE ENROLLED BILLS SIGNED**

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2000. An Act to authorize appropriations to carry out the Head Start Act, the Community Services Block Grant Act, and the Low-Income House Energy Assistance Act of 1981, and for other purposes.

S. 636. An Act to amend title 18, United States Code, to assure freedom of access to reproductive services.

**§50.39 BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT**

Mr. ROSE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.J. Res. 303. Joint resolution to designate June 6, 1994, as "D-Day National Remembrance Day."

H.R. 1134. An Act to provide for the transfer of certain public lands located in Clear Creek County, Colorado, to the Forest Service, the State of Colorado, and certain local governments in the State of Colorado, and for other purposes.

H.R. 2868. An Act to designate the Federal building located at 600 Camp Street in New Orleans, Louisiana, as the "John Minor Wisdom United States Court of Appeals Building," and for other purposes.

**§50.40 LEAVE OF ABSENCE**

By unanimous consent, leave of absence was granted—

To Mr. EMERSON, for today after 3 p.m. and balance of the week;

To Mr. TUCKER, for today; and

To Mr. NEAL of North Carolina, for today and May 18.

And then,

**§50.41 ADJOURNMENT**

On motion of Mr. Allard, at 9 o'clock and 33 minutes p.m., the House adjourned.

§50.42 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Ms. SLAUGHTER: Committee on Rules. House Resolution 428. Resolution providing for consideration of the bill (H.R. 2108) to make improvements in the Black Lung Benefits Act (Rept. No. 103-508). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 429. Resolution providing for consideration of the bill (H.R. 4301) to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1995, and for other purposes (Rept. No. 103-509). Referred to the House Calendar.

§50.43 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. HAMILTON (by request):  
H.R. 4429. A bill to authorize the transfer of naval vessels to certain foreign countries; to the Committee on Foreign Affairs.

By Mr. MANTON (for himself and Mr. STUDDS) (both by request):

H.R. 4430. A bill to amend the Magnuson Fishery Conservation and Management Act; to the Committee on Merchant Marine and Fisheries.

By Mr. BATEMAN:  
H.R. 4431. A bill to authorize demonstration grants for the renovation of facilities and the purchase of equipment for existing free health clinics that exclusively serve individuals who are without health insurance; to the Committee on Energy and Commerce.

By Mr. BEREUTER:  
H.R. 4432. A bill to provide relief from regulatory requirements inhibiting the effectiveness and productivity of public housing agencies; to the Committee on Banking, Finance and Urban Affairs.

By Mr. SMITH of Texas (for himself, Mr. BARRETT of Wisconsin, Mr. BUNNING, Mr. CANADY, Mr. COLLINS of Georgia, Mr. COX, Mr. DOOLITTLE, Mr. DORNAN, Mr. FRANKS of New Jersey, Mr. GALLEGLY, Mr. GOODLATTE, Mr. GORDON, Mr. HANCOCK, Mr. KASICH, Mr. KINGSTON, Mr. LEVY, Mr. MACHTLEY, Mr. MEEHAN, Mrs. MEYERS of Kansas, Mr. OXLEY, Mr. PORTMAN, Mr. SHAYS, Mr. STEARNS, and Mr. TORKILDSEN):

H.R. 4433. A bill to establish a commission to make recommendations for the disposal of Federal Government property, the closure and consolidation of offices of Federal agencies, the procurement of Federal agency functions, the repeal of provisions of Federal statutes, and the termination of Federal regulations, and to provide a procedure for the expedited implementation of these recommendations; jointly, to the Committees on Government Operations, Rules, Merchant Marine and Fisheries, and Energy and Commerce.

By Mr. STENHOLM (for himself, Mr. PENNY and Mr. KASICH):

H.R. 4434. A bill to reform the concept of baseline budgeting, set forth strengthened procedures for the consideration of rescissions, provide a mechanism for dedicating savings from spending cuts to deficit reduction, and ensure that only one emergency is included in any bill containing an emergency designation; jointly, to the Committees on Government Operations and Rules.

By Mr. WOLF:  
H.R. 4435. A bill to provide for the orderly termination of easements and property used for public utility purposes at the Manassas National Battlefield Park; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:  
H.R. 4436. A bill to transfer certain Coast Guard property; to the Committee on Merchant Marine and Fisheries.

By Mr. HINCHEY:  
H.R. 4437. A bill to extend the emergency unemployment compensation program; to the Committee on Ways and Means.

By Ms. NORTON:  
H.R. 4438. A bill to provide for funding for Federal employee pay adjustments and comparability payments through reductions in agency spending on service contracts for fiscal year 1995; jointly, to the Committees on Post Office and Civil Service, Government Operations, and Appropriations.

By Mr. JOHNSON of South Dakota:  
H.R. 4439. A bill to expand the scope of the Belle Fourche irrigation project, and for other purposes; to the Committee on Natural Resources.

By Mr. McDADE:  
H.R. 4440. A bill to provide for performance accountability in the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. PORTMAN (for himself and Mr. CONDIT):

H.R. 4441. A bill to clarify that a reasonable suspicion, sufficient to support a constitutional stop and frisk by a law enforcement officer, includes membership in a criminal street gang that engages in a pattern of criminal gang activity; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:  
H.R. 4442. A bill to provide consultations for the development of Articles of Relations and Self-Government for insular areas of the United States; to the Committee on Natural Resources.

By Mr. BONIOR (for himself, Mr. TORRICELLI, Mr. BERMAN, Mr. BROWN of Ohio, Mr. ENGEL, Mr. FRANK of Massachusetts, Ms. KAPTUR, Mr. LAFALCE, Mr. LEWIS of Georgia, Mrs. MEEK of Florida, Mr. PETERSON of Minnesota, Mr. RUSH, Mr. SERRANO, Mrs. THURMAN, Ms. VELAZQUEZ, and Mr. WYNN):

H. Con. Res. 250. Concurrent resolution expressing the sense of the Congress in support of efforts by the Government of Mexico, and the major political parties and concerned members of civic society in Mexico, to reform Mexico's political and electoral processes and ensure free and fair elections; to the Committee on Foreign Affairs.

§50.44 MEMORIALS

Under clause 4 of rule XXII.  
386. The SPEAKER presented a memorial of the House of Representatives of the State of Kansas, relative to Kansas POW's/MIA's in Southeast Asia; which was referred to the Committee on the Judiciary.

§50.45 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.  
Mrs. UNSOELD introduced a bill (H.R. 4443) to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Wolf Gang II*; which was referred to the Committee on Merchant Marine and Fisheries.

§50.46 ADDITIONAL SPONSORS

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

H.R. 34: Mr. KING.  
H.R. 35: Mr. TUCKER.  
H.R. 302: Mr. LAZIO and Mr. GILLMOR.  
H.R. 325: Ms. MCKINNEY, Mr. MILLER of California, Mr. GENE GREEN of Texas, Mr. SCHIFF, Mr. MONTGOMERY, Mr. DARDEN, Mr. ABERCROMBIE, and Mr. KLINK.  
H.R. 326: Ms. ENGLISH of Arizona, Mr. ROMERO-BARCELÓ, and Mr. DE LUGO.  
H.R. 512: Ms. FURSE.  
H.R. 1164: Ms. SCHENK.  
H.R. 1231: Mr. HAMBURG, Mr. STOKES, Mrs. KENNELLY, and Mr. MATSUI.  
H.R. 1277: Mr. UPTON.  
H.R. 1280: Mr. DICKS.  
H.R. 1671: Mr. DICKEY.  
H.R. 1864: Mr. BAKER of California.  
H.R. 1900: Mr. FLAKE.  
H.R. 1928: Mr. KNOLLENBERG, Mr. LEVY, and Mr. GUNDERSON.  
H.R. 2132: Mr. RAVENEL.  
H.R. 2365: Ms. SNOWE and Mr. FILNER.  
H.R. 2460: Mr. BAESLER.  
H.R. 2554: Mr. SLATTERY and Mr. RUSH.  
H.R. 2681: Mr. LEVY, Mr. EHLERS, Mr. KREIDLER, and Mr. WILLIAMS.  
H.R. 2959: Mr. THOMAS of Wyoming.  
H.R. 2969: Mrs. KENNELLY.  
H.R. 3005: Mr. HOBSON.  
H.R. 3173: Mrs. ROUKEMA, Mr. BARRETT of Nebraska, Mr. ZIMMER, and Mr. TRAFICANT.  
H.R. 3293: Mr. LAFALCE and Mr. CALVERT.  
H.R. 3347: Ms. ROYBAL-ALLARD, Mrs. MEEK of Florida, Mr. TOWNS, Mr. RUSH, Mr. JEFFERSON, and Mr. LEWIS of Georgia.  
H.R. 3386: Mr. HILLIARD.  
H.R. 3421: Mr. HOBSON and Mr. CONDIT.  
H.R. 3486: Mr. SCHIFF, Mr. BARTON of Texas, Mr. ROBERTS, and Mr. SPENCE.  
H.R. 3492: Mr. HUTTO and Mr. MCCURDY.  
H.R. 3611: Mr. DIXON and Mr. TUCKER.  
H.R. 3630: Ms. MCKINNEY.  
H.R. 3656: Mr. GINGRICH and Mr. ZELIFF.  
H.R. 3790: Mr. GRANDY, Mrs. MEYERS of Kansas, and Mr. STRICKLAND.  
H.R. 3820: Mr. SKEEN, Mr. LIGHTFOOT, Mr. MANTON, and Mr. TOWNS.  
H.R. 3830: Mr. FILNER and Mr. WILLIAMS.  
H.R. 3871: Mr. HYDE.  
H.R. 3994: Mr. GINGRICH.  
H.R. 4042: Mr. FROST, Mr. JACOBS, and Mr. MINETA.  
H.R. 4050: Mr. ANDREWS of Texas and Mrs. LLOYD.  
H.R. 4124: Mr. SPENCE.  
H.R. 4132: Mr. MILLER of California, Ms. VELAZQUEZ, Mr. GENE GREEN of Texas, and Mrs. LLOYD.  
H.R. 4158: Mr. McNULTY, Ms. SLAUGHTER, Mr. SCHUMER, and Mrs. LOWEY.  
H.R. 4189: Mr. HOEKSTRA, Mr. CANADY, Mr. LEWIS of Florida, and Mr. HAYES.  
H.R. 4210: Mr. PENNY, Mr. SHAYS, Mr. HYDE, Mr. ENGEL, Mr. MCCLOSKEY, Mr. ROYCE, Mr. SMITH of New Jersey, Mr. GUNDERSON, and Mr. LIVINGSTON.  
H.R. 4213: Ms. ROYBAL-ALLARD and Ms. VELAZQUEZ.  
H.R. 4224: Mr. MONTGOMERY.  
H.R. 4251: Mr. FROST and Mr. KANJORSKI.  
H.R. 4269: Mr. PETRI and Mr. EMERSON.  
H.R. 4276: Mr. GALLEGLY and Mr. EDWARDS of California.  
H.R. 4290: Mr. SOLOMON, Mr. SAM JOHNSON, Mr. NADLER, Mr. HOYER, and Ms. MOLINARI.  
H.R. 4306: Mr. MINGE and Mr. BARCA of Wisconsin.  
H.R. 4311: Mr. MYERS of Indiana.  
H.R. 4350: Mr. CANADY.  
H.R. 4356: Mr. FINGERHUT.  
H.R. 4365: Mr. STUPAK and Mr. EWING.  
H.R. 4366: Mr. FROST, Mr. HUGHES, Mr. COLEMAN, and Mr. PETE GEREN of Texas.  
H.R. 4377: Mr. MURTHA and Mr. EHLERS.  
H.R. 4378: Mr. MURTHA and Mr. EHLERS.  
H.R. 4386: Mr. PARKER and Mr. KREIDLER.  
H.J. Res. 90: Mr. FARR and Mr. THOMAS of California.  
H.J. Res. 112: Mr. ANDREWS of New Jersey and Mr. SKEEN.

H.J. Res. 129: Mr. SHAYS.  
H.J. Res. 209: Mr. SABO, Mr. BURTON of Indiana, Mr. HYDE, Mr. FIELDS of Louisiana, Mr. ROEMER, Mr. BACCHUS of Florida, Ms. VELÁZQUEZ, Mr. CAMP, and Mr. SOLOMON.

H.J. Res. 295: Mr. WOLF, Mr. SAXTON, Mr. KING, Mr. DORNAN, Mr. SOLOMON, Mr. QUINN, Mr. GOODLING, Mr. FRANK of Massachusetts, Mr. LEVY, Mr. MENENDEZ, Mr. McNULTY, Mr. FROST, Mr. MCCOLLUM, Mr. TALENT, Mr. BARCA of Wisconsin, Mr. GINGRICH, and Mr. PARKER.

H.J. Res. 315: Mr. PAXON.

H.J. Res. 327: Mr. WHEAT, Mr. STARK, and Mr. BILBRAY.

H.J. Res. 334: Mr. ARCHER, Mr. BECERRA, Mr. CONYERS, Mr. DINGELL, Mr. EVANS, Mr. FAZIO, Mr. FLAKE, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. HAMBURG, Mr. HOBSON, Mr. HILLIARD, Mr. HOCHBRUECKNER, Mr. McNULTY, Mr. MINETA, Mr. MYERS of Indiana, Mr. SANDERS, Mr. SKEEN, Mr. SISISKY, Mr. SLATTERY, Mr. YOUNG of Florida, and Mr. WATT.

H.J. Res. 344: Ms. SLAUGHTER, Mr. KILDEE, Mr. BARRETT of Wisconsin, Mr. BRYANT, Mr. DIAZ-BALART, and Mr. SKEEN.

H.J. Res. 354: Mr. KOPETSKI, Mr. ANDREWS of New Jersey, Mr. RICHARDSON, Mr. BONIOR, Ms. SLAUGHTER, Mr. BACCHUS of Florida, Mr. BILIRAKIS, Mr. OWENS, Mr. WAXMAN, Mr. HOBSON, Mr. WYNN, and Mr. GONZALEZ.

H.J. Res. 356: Mr. WATT, Mr. BACCHUS of Florida, Ms. ESHOO, and Ms. VELAZQUEZ.

H.J. Res. 362: Mrs. LLOYD, Mr. PARKER, Mr. FLAKE, Mr. LANCASTER, Mr. KLEIN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. PICKLE.

H. Con. Res. 35: Mr. GEKAS, Mrs. FOWLER, Mr. MANN, and Mr. GILMAN.

H. Con. Res. 148: Mr. FLAKE, Mr. STENHOLM, Mr. HASTERT, Mr. GOODLING, and Mr. GINGRICH.

H. Con. Res. 176: Mr. SPENCE.

H. Con. Res. 210: Mr. ROSE and Mr. HUFFINGTON.

H. Res. 330: Mr. ZELIFF.

H. Res. 377: Mr. ZELIFF.

### WEDNESDAY, MAY 18, 1994 (51)

#### ¶51.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MONTGOMERY, who laid before the House the following communication:

WASHINGTON, DC,

May 18, 1994.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,

*Speaker of the House of Representatives.*

#### ¶51.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MONTGOMERY, announced he had examined and approved the Journal of the proceedings of Tuesday, May 17, 1994.

Pursuant to clause 1, rule I, the Journal was approved.

#### ¶51.3 COMMUNICATIONS

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

3207. A letter from the Secretary of Health and Human Services, transmitting the annual report, fiscal year 1992, describing the activities and accomplishments of programs for persons with developmental disabilities, pursuant to 42 U.S.C. 6006(c); to the Committee on Energy and Commerce.

3208. A letter from the Director, Defense Security Assistance Agency, transmitting a

copy of Transmittal No. 04-94, concerning a cooperative project between the United States Department of Defense and the Dutch Ministry of Defense, pursuant to 22 U.S.C. 2767(f); to the Committee on Foreign Affairs.

3209. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Defense Mapping Agency's proposed Letter(s) of Offer and Acceptance [LOA] to the United Kingdom for defense articles and services (Transmittal No. 94-25), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

3210. A letter from the Comptroller General Accounting Office, transmitting the list of all reports issued or released in April 1994, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

#### ¶51.4 RECESS—10:03 A.M.

The SPEAKER pro tempore, Mr. MONTGOMERY, pursuant to the unanimous consent agreement of Thursday, May 12, 1994, declared the House in recess at 10 o'clock and 3 minutes a.m., subject to the call of the Chair.

#### ¶51.5 AFTER RECESS—12:15 P.M.

The SPEAKER pro tempore, Mr. MONTGOMERY, called the House to order.

#### ¶51.6 PROCEEDINGS PRINTED IN THE RECORD

On motion of Ms. ENGLISH, by unanimous consent, the proceedings had during the recess were ordered to be printed in the Record.

#### ¶51.7 PROVIDING FOR THE CONSIDERATION OF H.R. 4301

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 429):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4301) to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1995, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 4 of this resolution. Except as specified in section 3, 4, or 5 of this resolution, each amendment printed in the report shall be considered only in the order printed and may be offered only by a Member des-

igned in the report. Each amendment printed in the report shall be considered as read and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Unless otherwise specified in the report, each amendment printed in the report shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment (except that pro forma amendments for the purpose of debate may be offered by the chairman or ranking minority member of the Committee on Armed Services). All points of order against amendments printed in the report are waived.

SEC. 3 (a) After disposition of or postponement of further proceedings on amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution, it shall be in order to consider the amendments printed in part 2 of the report of the Committee on Rules accompanying this resolution. Such consideration shall begin with an additional period of general debate, which shall be confined to ballistic missile defense and shall not exceed twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. If more than one of the amendments printed in part 2 of the report is adopted, only the last to be adopted shall be considered as finally adopted and reported to the House.

(b) After disposition of or postponement of further proceedings on the amendments printed in part 2 of the report, it shall be in order to consider the amendments printed in part 3 of the report (relating to burdensharing).

(c) After disposition of or postponement of further proceedings on the amendments printed in part 3 of the report, it shall be in order to consider the amendments printed in part 4 of the report of the Committee on Rules accompanying this resolution. Such consideration shall begin with an additional period of general debate, which shall be confined to the Trident II (D-5) missile and shall not exceed twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

(d) After disposition of or postponement of further proceedings on the amendments printed in part 4 of the report, it shall be in order to consider the amendment printed in part 5 of the report (relating to the Seawolf submarine).

(e) After disposition of or postponement of further proceedings on the amendment printed in part 5 of the report, it shall be in order to consider any amendment printed in part 1 of the report not previously considered.

SEC. 4. It shall be in order at any time for the chairman of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution or germane modifications of any such amendment. Amendment en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, shall not be subject to amendment, and shall not be subject to demand for division of the question in the House or in the Committee of the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. All points of order against such amendments en bloc are waived. The original proponent of an amendment included in such amendments