

TUESDAY, JANUARY 23, 1996 (5)**¶5.1 DESIGNATION OF SPEAKER PRO TEMPORE**

The House was called to order at 12:30 o'clock p.m. by the SPEAKER pro tempore, Mr. GOODLING, who laid before the House the following communication:

WASHINGTON, DC,
January 23, 1996.

I hereby designate the Honorable WILLIAM F. GOODLING to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

¶5.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 123. Concurrent resolution to provide for the provisional approval of regulations applicable to certain covered employing offices and covered employees and to be issued by the Office of Compliance before January 23, 1996.

Whereupon, pursuant to the order of the House of Friday, May 12, 1995, Members were recognized for "morning hour" debates.

¶5.3 RECESS—1:33 P.M.

The SPEAKER pro tempore, Mr. GOODLING, pursuant to clause 12 of rule I, declared the House in recess until 2 o'clock p.m.

¶5.4 AFTER RECESS—2:00 P.M.

The SPEAKER called the House to order.

¶5.5 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, January 22, 1996.

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

¶5.6 COMMUNICATIONS

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

1942. A letter from the Director, Congressional Budget Office, transmitting CBO's final sequestration report for fiscal year 1996, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); to the Committee on Appropriations.

1943. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to transfer by sale the ship U.S.S. *Edenton* to the Government of Spain, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

1944. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to transfer by sale the following ships, the U.S.S. *Affray*, the U.S.S. *Fortify*, and the U.S.S. *Exultant* to the Taiwanese Navy, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

1945. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to transfer by sale the ship

U.S.S. *James M. Gillis* to the Government of Mexico, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

1946. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to transfer by sale the following ships, the U.S.S. *Beaufort*, and the U.S.S. *Brunswick* to the Government of Korea, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

1947. A letter from the Deputy Assistant Secretary (Industrial Affairs), Department of Defense, transmitting the strategic and critical materials report during the period October 1994 through September 1995, pursuant to 50 U.S.C. 98h-2(b); to the Committee on National Security.

1948. A letter from the Chairman, Board of Governors, Federal Reserve System, transmitting a report on credit for small businesses and small farms in 1995, pursuant to section 477 of the Federal Deposit Insurance Corporation Improvement Act of 1991 [FDICIA]; to the Committee on Banking and Financial Services.

1949. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning a cooperative project with Israel on the Arrow Deployability Program [ADP] (Transmittal No. 02-96), pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

1950. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 96-8: Suspending Restrictions on U.S. Relations with the Palestine Liberation Organization, pursuant to Public Law 103-236, section 583(b)(2) (108 Stat. 489); to the Committee on International Relations.

1951. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-180, "Community Development Corporations Money Lender Licensing Fee and Bonding Exemption Temporary Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

1952. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-181, "Budget Support Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

1953. A letter from the Manager, Benefits Communications, Ninth Farm Credit District, transmitting the annual report for the plan year ended December 31, 1994, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

1954. A letter from the Administrator, Panama Canal Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1995, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

1955. A letter from the Administrator, Small Business Administration, transmitting the semiannual report of the inspector general for the period April 1, 1995, through September 30, 1995, and the semiannual report of management on final actions, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

1956. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Resources.

1957. A letter from the executive director, American Chemical Society, transmitting the society's annual report for the calendar year 1994 and the comprehensive report to the board of directors of the American Chemical Society on the examination of their

books and records for the year ending December 31, 1994, pursuant to 36 U.S.C. 1101(2) and 1103; to the Committee on the Judiciary.

1958. A letter from the Under Secretary of Defense, transmitting a report for fiscal year 1995 to identify the contracts that were awarded in excess of the dollar threshold in section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11)) pursuant to a waiver of the prohibition on contracting with a foreign entity unless that entity certifies that it does not comply with the secondary Arab boycott of Israel, pursuant to 10 U.S.C. 2401i; jointly, to the Committees on National Security and Appropriations.

¶5.7 CORRECTIONS CALENDAR

Pursuant to clause 4, rule XIII, The SPEAKER pro tempore, Mr. WHITE, directed the Corrections Calendar to be called.

When,

¶5.8 CONSTRUCTED WATER CONVEYANCES

The Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 2567) to amend the Federal Water Pollution Control Act relating to standards for constructed water conveyances.

When said bill was considered and read twice.

The SPEAKER pro tempore, Mr. WHITE, pursuant to clause 4 of rule XIII, recognized Mr. SHUSTER and Mr. BORSKI, each for 30 minutes.

The following amendment recommended by the Committee on Transportation and Infrastructure, was submitted:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Constructed Water Conveyances Reform Act of 1995".

SEC. 2. CONSTRUCTED WATER CONVEYANCES.

Section 303(c)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1313(c)(2)) is amended by adding at the end the following:

"(C) STANDARDS FOR CONSTRUCTED WATER CONVEYANCES.—

"(i) RELEVANT FACTORS.—If a State exercises jurisdiction over constructed water conveyances in establishing standards under this section, the State shall consider any water quality impacts resulting from any return flow from a constructed water conveyance to navigable waters and the need to protect downstream uses and may consider the following:

"(I) The existing and planned uses of water transported in a conveyance system.

"(II) Management practices necessary to maintain the conveyance system.

"(III) Any State or regional water resources management and water conservation plans.

"(IV) The intended purposes for the constructed conveyance.

"(ii) RELEVANT USES.—If a State adopts or reviews water quality standards for constructed water conveyances, it shall not be required to establish recreational, aquatic life, or fish consumption uses for such systems if the uses are not existing or reasonably foreseeable or the uses interfere with the intended purposes of the conveyance system.

"(iii) STATUTORY CONSTRUCTION.—Nothing in this subparagraph shall be construed to require a State to exercise jurisdiction over constructed water conveyances in establishing standards or to prohibit a State from considering any relevant factor in estab-