

¶45.3 AFTER RECESS-2:00 P.M.

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

¶45.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. UPTON, announced he had examined and approved the Journal of the proceedings of Monday, April 22, 1996.

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

¶45.5 COMMUNICATIONS

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

2435. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to offer transfers by grant of two vessels to the Government of Greece, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

2436. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notification that the Department of the Navy intends to offer transfer by grant of one vessel to the Government of Portugal, pursuant to 10 U.S.C. 7307(b)(2); to the Committee on National Security.

2437. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled the "Maritime Administration Authorization Act for Fiscal Year 1997," pursuant to 31 U.S.C. 1110; to the Committee on National Security.

2438. A letter from the Comptroller of the Currency, transmitting the Department's final rule—Uniform Rules of Practice and Procedure (RIN: 1557-AB43), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

2439. A letter from the Secretary of Education, transmitting notice of final schedule of arbitration fees and expenses—Vending Facility Program for the Blind on Federal and Other Property, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Economic and Educational Opportunities.

2440. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Title I, Part C—Education of Migratory Children (RIN: 1830-ZA03), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Economic and Educational Opportunities.

2441. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of selection criteria, selection procedures, and application procedures for challenge grants for technology in education, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

2442. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of final funding priorities for Jacob K. Javits Gifted and Talented Students Education Program, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

2443. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's report on the notice of final funding priorities for Fund for the Improvement of Education Program, pursuant to 5 U.S.C. 801(a)(1)(B); to the Committee on Economic and Educational Opportunities.

2444. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C.

112b(a); to the Committee on International Relations.

2445. A letter from the Comptroller General of the United States, transmitting the list of all reports issued or released in March 1996, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform and Oversight.

2446. A letter from the Executive Director, Advisory Council on Historic Preservation, 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.

2447. A letter from the Chairman, National Capital Planning 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.

2448. A letter from the Chairman, National Capital Planning Commission, transmitting the 1995 annual report in compliance with the Inspector General Act Amendments of 1988, pursuant to Public Law 100-504, section 104(a) (102 Stat. 2525); to the Committee on Government Reform and Oversight.

2449. A letter from the Executive Director, Neighborhood Reinvestment Corporation, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1995, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

2450. A letter from the President and CEO, U.S. Enrichment Corporation, 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.

2451. A letter from the Clerk, U.S. House of Representatives, transmitting list of reports pursuant to clause 2, rule III of the Rules of the House of Representatives, pursuant to Rule III, clause 2, of the Rules of the House (H. Doc. No. 104-199); to the Committee on House Oversight and ordered to be printed.

2452. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Electronic Filing of International Air Passenger Service Rules (RIN: 2105-AC23), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2453. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Medals of Honor (RIN: 2105-AC41), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2454. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—National Security Information (RIN: 2105-AC40), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2455. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Use of the Official Seal (RIN: 2105-AC39), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2456. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Staff Assignments and Review of Actions Under Assignments (RIN: 2105-AC38), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2457. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Release of Internal Staff Memoranda Relating to Public Meetings of the Civil Aeronautics Board (RIN: 2105-AC42), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2458. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Aviation Economic Rules: Correcting Obsolete References (RIN: 2105-AC46), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2459. A letter from the Chief, Regulations Unit, Department of the Treasury, transmitting the Department's final rule—Revenue Procedure 96-30, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2460. A letter from the Secretary of Labor, transmitting the Department's report to Congress on the number of training waivers issued under section 231(c)(1) of the Trade Act of 1974 to workers determined eligible for trade readjustment allowances [TRA], pursuant to section 231(c)(3) of the Trade Act of 1974, as amended; to the Committee on Ways and Means.

2461. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's sixth annual report to Congress on health and safety activities; jointly, to the Committees on National Security and Commerce.

2462. A letter from the Acting Director, Office of Thrift Supervision, transmitting the Office's 1995 annual consumer report to Congress, pursuant to public Law 101-73, Section 301, (103 Stat. 279); jointly, to the Committees on Banking and Financial Services and Commerce.

2463. A letter from the Physician Payment Review Commission, transmitting the Commission's 1996 annual report, pursuant to 42 U.S.C. 1395w-1(c)(1)(D); jointly, to the Committees on Ways and Means and Commerce.

2464. A letter from the Assistant Secretary of the Army, transmitting a draft of proposed legislation entitled the "Water Resources Development Act of 1996"; jointly, to the Committees on Transportation and Infrastructure, Resources, Commerce, and Banking and Financial Services.

¶45.6 ORDER OF BUSINESS—
CONSIDERATION OF THE VETO
MESSAGE ON H.R. 1561

On motion of Mr. GILMAN, by unanimous consent,

Ordered. That further consideration of the veto message on the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes; be postponed until Tuesday, April 30, 1996.

¶45.7 CORRECTIONS CALENDAR

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

When,

¶45.8 AMERICAN INDIAN AND ALASKA
NATIVE CULTURE

The Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 3049) to amend section 1505 of the Higher Education Act of 1965 to provide for the continuity of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development.

When said bill was considered and read twice.

The SPEAKER pro tempore, Mr. UPTON, pursuant to clause 4 of rule XIII, recognized Mr. NORWOOD and Mr. KILDEE, each for 30 minutes.

After debate,

Pursuant to clause 4 of rule XIII, the previous question on the bill was considered as ordered.

The bill 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. UPTON, announced that three-fifths of the Members present had voted in the affirmative.

So, three-fifths of the Members present having voted in favor thereof, the bill was passed.

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

By unanimous consent, the title was amended so as to read: "An Act to amend section 1505 of the Higher Education Amendments of 1986 to provide for the continuity of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development."

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

¶45.9 HISTORICALLY BLACK SCHOOLS GRANT PROGRAM

The Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 3055) to amend section 326 of the Higher Education Act of 1965 to permit continued participation by Historically Black Graduate Professional Schools in the grant program authorized by that section.

When said bill was considered and read twice.

The SPEAKER pro tempore, Mr. UPTON, pursuant to clause 4 of rule XIII, recognized Mr. NORWOOD and Mr. CLAY, each for 30 minutes.

After debate,

Pursuant to clause 4 of rule XIII, the previous question on the bill was considered as ordered.

The bill 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. UPTON, announced that three-fifths of the Members present had voted in the affirmative.

So, three-fifths of the Members present having voted in favor thereof, the bill was passed.

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

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

¶45.10 CONFEREE RESIGNATION—H.R. 3019

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

HOUSE OF REPRESENTATIVES,
Washington, DC, April 23, 1996.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby resign as a conferee for the entire bill, H.R. 3019, the omnibus appropriations measure for Fiscal 1996. I intend to remain a conferee for the Labor, Health and Human Services, and Education portion of the bill.

Thanking you and with best regards, I am
Sincerely yours,

STENY H. HOYER.

By unanimous consent, the resignation was accepted.

¶45.11 CHANGE OF CONFEREE—H.R. 3019

The SPEAKER pro tempore, Mr. UPTON, by unanimous consent, appointed Mr. STOKES as a conferee on the primary panel on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes, vice, Mr. HOYER, resigned; and reappointed Mr. STOKES as a conferee on the part of the House for consideration of section 101(c) of the House bill and section 101(d) of the Senate amendment and modifications committed to conference.

Ordered, That the Clerk notify the Senate thereof.

¶45.12 MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT

Mr. OXLEY moved to suspend the rules and pass the bill (H.R. 2024) to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. UPTON, recognized Mr. OXLEY and Mr. PALLONE, 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. UPTON, 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.

¶45.13 ORDER OF BUSINESS—DEBATE TIME—H.R. 1965

On motion of Mr. SAXTON, by unanimous consent,

Ordered, That during consideration today of the bill (H.R. 1965) to reau-

thorize the Coastal Zone Management Act of 1972, and for other purposes, under suspension of the rules, debate shall be limited to 60 minutes, equally divided and controlled by the chairman and ranking minority member of the Committee on Resources, or their designees.

¶45.14 COASTAL ZONE MANAGEMENT

Mr. SAXTON moved to suspend the rules and pass the bill (H.R. 1965) to reauthorize the Coastal Zone Management Act of 1972; as amended.

The SPEAKER pro tempore, Mr. UPTON, pursuant to the foregoing order, recognized Mr. SAXTON and Mr. MILLER of California, each for 30 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. UPTON, announced that two-thirds of the Members present had voted in the affirmative.

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

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

The point of no quorum was considered as withdrawn.

¶45.15 COOPERATIVE FISHERIES MANAGEMENT

Mr. TORKILDSEN moved to suspend the rules and pass the bill (H.R. 2160) to authorize appropriations to carry out the Interjurisdictional Fisheries Act of 1986 and the Anadromous Fish Conservation Act; as amended.

The SPEAKER pro tempore, MR. UPTON, recognized Mr. TORKILDSEN and Mr. STUDDS, 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. UPTON, announced that two-thirds of the Members present had voted in the affirmative.

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

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

The point of no quorum was considered as withdrawn.

¶45.16 WAIHEE MARSH INCLUSION

Mr. SAXTON moved to suspend the rules and pass the bill (H.R. 1772) to authorize the Secretary of the Interior to acquire certain interests in the Waihee Marsh for inclusion in the Oahu National Wildlife Refuge Complex; as amended.

The SPEAKER pro tempore, Mr. UPTON, recognized Mr. SAXTON and Mr. STUDDS, each for 20 minutes.

After debate,

The question being put, *viva voce*,