

3264. A letter from the Associate Managing Director—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Preemption of Local Zoning Regulation of Satellite Earth Stations [IB Docket No. 95-59] and Implementation of Section 207 of the Telecommunications Act of 1996; Restrictions on Over-the-Air Reception Devices: Television Broadcast Service and Multichannel Multipoint Distribution Service [CS Docket No. 96-83] received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3265. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Italy (Transmittal No. DTC-56-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3266. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Italy (Transmittal No. DTC-34-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3267. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Italy (Transmittal No. DTC-47-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

3268. A letter from the Federal Co-Chairman, Appalachian Regional Commission, transmitting the fiscal year 1996 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

3269. A letter from the Executive Director, Committee For Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List (ID-97-010) received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

3270. A letter from the Secretary of Education, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

3271. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Technical Amendment for the Black Sea Bass Fishery [Docket No. 960805216-7098-05; I.D. 041097D] (RIN: 0648-AH06) received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3272. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species Fisheries by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 961126334-7025-02; I.D. 050597A] received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3273. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Modify Prior Notice of Landing Requirement [Docket No. 970206022-7102-02; I.D. 012197C] (RIN: 0648-AJ35) received May 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3274. A letter from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Administration's final rule—Increased Fine for Notice Posting Violations [29 CFR Part 1601] received May 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3275. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Arbitrage Restrictions on Tax-Exempt Bonds [TS 8718] (RIN: 1545-AS49) received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3276. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Termination of a Partnership under Section 708(b)(1)(B) [TD 8717] (RIN: 1545-AU14) received May 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3277. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Interest Rate to be Used in the Determinations for a "Modified Guaranteed Contract" [Notice 97-32] received May 12, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

And then,

¶46.3 ADJOURNMENT

On motion of Mr. FRANK of Massachusetts, pursuant to the special order agreed to on May 8, 1997, at 1 o'clock and 26 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, May 13, 1997.

¶46.4 REPORTS OR COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of the rule XIII,

[Pursuant to the order of the House on May 8, 1997 the following report was filed on May 9, 1997]

Mr. GILMAN: Committee on International Relations. H.R. 1486. A bill to consolidate international affairs agencies, to reform foreign assistance programs, to authorize appropriations for foreign assistance programs, and for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes; with an amendment (Rept. No. 105-94). Referred to the Committee of the Whole House on the State of the Union.

¶46.5 ADDITIONAL SPONSORS

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

H.R. 55: Mr. ACKERMAN and Mrs. KELLY.

H.R. 124: Mr. WATTS of Oklahoma and Mr. GRAHAM.

H.R. 306: Mr. PASCHELL, Ms. WOOLSEY, Mr. BISHOP, and Mr. BACHUS.

H.R. 689: Mr. THOMPSON.

H.R. 805: Mr. PITTS.

H.R. 1355: Mr. HOLDEN, Mr. BOYD, and Mr. SAWYER.

H.R. 1461: Mr. THUNE, Mr. RAMSTAD, Mr. GUTKNECHT, Mrs. ROUKEMA, and Mr. LUTHER.

H. Con. Res. 52: Mr. PASTOR, Mr. DIXON, Mr. CLEMENT, Mr. HINCHEY, Ms. SLAUGHTER, and Mr. FARR of California.

H. Con. Res. 73: Mr. MATSUI, Mrs. KELLY, Mr. FROST, Mr. FILNER, Mr. MASCARA, Mr. NADLER, Mr. LAZIO of New York, Mr. SAXTON, Mr. TALENT, Mr. BENTSEN, Ms. BROWN of Florida, Mr. SKAGGS, Mr. MALONEY of Connecticut, Mrs. MEEK of Florida, Mr. MCNULTY, Ms. HARMAN, and Mr. BERMAN.

TUESDAY, MAY 13, 1997 (47)

¶47.1 DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

May 13, 1997.

I hereby designate the Honorable JOHN E. SUNUNU to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

Whereupon, pursuant to the order of the House of Tuesday, January 21, 1997, Members were recognized for "morning-hour debate".

¶47.2 RECESS—1:07 P.M.

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

¶47.3 AFTER RECESS—2 P.M.

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

¶47.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, announced he had examined and approved the Journal of the proceedings of Monday, May 12, 1997.

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

¶47.5 COMMUNICATIONS

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

3278. A letter from the Acting Assistant Secretary for International Security Policy, Department of Defense, transmitting notification that the calendar year 1996 report on accounting for United States assistance under the Cooperative Threat Reduction [CTR] Program will be submitted on or about April 30, 1997; to the Committee on International Relations.

3279. A letter from the Chairman, Federal Election Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1996, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

3280. A letter from the General Manager, Washington Metropolitan Area Transit Authority [METRO], transmitting the comprehensive annual financial report [CAFR] for the fiscal year ended June 30, 1996, pursuant to 31 U.S.C. 3512(c)(3); jointly, to the Committees on Transportation and Infrastructure and Government Reform and Oversight.

¶47.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

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

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, May 9, 1997.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 5 of Rule III of the Rules of the U.S. House of Representatives,

the Clerk received the following message from the Secretary of the Senate on Friday, May 9, 1997 at 10:34 a.m.:

That the Senate passed without amendment H. Con. Res. 25

That the Senate passed S. Con. Res. 26

That the Senate appointed Commission on Maintaining U.S. Nuclear Weapons Expertise

That the Senate appointed Board of Visitors of the U.S. Coast Guard Academy, and

That the Senate appointed Board of Visitors of the U.S. Merchant Marine Academy.

With warm regards,

ROBIN H. CARLE,

Clerk, U.S. House of Representatives.

47.7 INDIVIDUALS WITH DISABILITIES EDUCATION

Mr. GOODLING moved to suspend the rules and pass the bill (H.R. 5) to amend the Individuals with Disabilities Education Act, to reauthorize and make improvements to that Act, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PEASE, recognized Mr. GOODLING and Mr. CLAY, 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. PEASE, announced that two-thirds of the Members present had voted in the affirmative.

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

47.8 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

47.9 EDUCATION ACT TECHNICAL CORRECTIONS

Mr. MCKEON moved to suspend the rules and agree to the resolution (H. Res. 145):

Resolved, That upon the adoption of this resolution the bill (H.R. 914), to make certain technical corrections in the Higher Education Act of 1965 relating to graduation data disclosures, shall be considered to have been taken from the Speaker's table to the end that the Senate amendments thereto be, and the same are hereby, agreed to with amendments as follows:

Insert before section 1 the following:

TITLE I—TECHNICAL AMENDMENTS

Redesignate sections 1 through 5 as sections 101 through 105, and at the end of the bill add the following:

SEC. 106. PAYMENTS RELATING TO FEDERAL PROPERTY.

Section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended to read as follows:

“(i) PRIORITY PAYMENTS.—

“(1) IN GENERAL.—Notwithstanding subsection (b)(1)(B), and for any fiscal year beginning with fiscal year 1997 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996—

“(A) the Secretary shall first use the excess amount (not to exceed the amount equal

to the difference of (i) the amount appropriated to carry out this section for fiscal year 1997, and (ii) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2); and

“(B) the Secretary shall use the remainder of the excess amount to increase the payments to each eligible local educational agency under this section.

“(2) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this paragraph is a local educational agency that—

“(A) received a payment under this section for fiscal year 1996;

“(B) serves a school district that contains all or a portion of a United States military academy;

“(C) serves a school district in which the local tax assessor has certified that at least 60 percent of the real property is federally owned; and

“(D) demonstrates to the satisfaction of the Secretary that such agency's per-pupil revenue derived from local sources for current expenditures is not less than that revenue for the preceding fiscal year.”.

TITLE II—COST OF HIGHER EDUCATION REVIEW

SEC. 201. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the “Cost of Higher Education Review Act of 1997”.

(b) FINDINGS.—The Congress finds the following:

(1) According to a report issued by the General Accounting Office, tuition at 4-year public colleges and universities increased 234 percent from school year 1980-1981 through school year 1994-1995, while median household income rose 82 percent and the cost of consumer goods as measured by the Consumer Price Index rose 74 percent over the same time period.

(2) A 1995 survey of college freshmen found that concern about college affordability was the highest it has been in the last 30 years.

(3) Paying for a college education now ranks as one of the most costly investments for American families.

SEC. 202. ESTABLISHMENT OF NATIONAL COMMISSION ON THE COST OF HIGHER EDUCATION.

There is established a Commission to be known as the “National Commission on the Cost of Higher Education” (hereafter in this Act referred to as the “Commission”).

SEC. 203. MEMBERSHIP OF COMMISSION.

(a) APPOINTMENT.—The Commission shall be composed of 7 members as follows:

(1) Two individuals shall be appointed by the Speaker of the House.

(2) One individual shall be appointed by the Minority Leader of the House.

(3) Two individuals shall be appointed by the Majority Leader of the Senate.

(4) One individual shall be appointed by the Minority Leader of the Senate.

(5) One individual shall be appointed by the Secretary of Education.

(b) ADDITIONAL QUALIFICATIONS.—Each of the individuals appointed under subsection (a) shall be an individual with expertise and experience in higher education finance (including the financing of State institutions of higher education), Federal financial aid programs, education economics research, public or private higher education administration, or business executives who have managed successful cost reduction programs.

(c) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the Commission shall elect a Chairperson and a Vice Chairperson. In the

absence of the Chairperson, the Vice Chairperson will assume the duties of the Chairperson.

(d) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

(e) APPOINTMENTS.—All appointments under subsection (a) shall be made within 30 days after the date of enactment of this Act. In the event that an officer authorized to make an appointment under subsection (a) has not made such appointment within such 30 days, the appointment may be made for such officer as follows:

(1) The Chairman of the Committee on Education and the Workforce may act under such subsection for the Speaker of the House of Representatives.

(2) The Ranking Minority Member of the Committee on Education and the Workforce may act under such subsection for the Minority Leader of the House of Representatives.

(3) The Chairman of the Committee on Labor and Human Resources may act under such subsection for the Majority Leader of the Senate.

(4) The Ranking Minority Member of the Committee on Labor and Human Resources may act under such subsection for the Minority Leader of the Senate.

(f) VOTING.—Each member of the Commission shall be entitled to one vote, which shall be equal to the vote of every other member of the Commission.

(g) VACANCIES.—Any vacancy on the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(h) PROHIBITION OF ADDITIONAL PAY.—Members of the Commission shall receive no additional pay, allowances, or benefits by reason of their service on the Commission. Members appointed from among private citizens of the United States may be allowed travel expenses, including per diem, in lieu of subsistence, as authorized by law for persons serving intermittently in the government service to the extent funds are available for such expenses.

(i) INITIAL MEETING.—The initial meeting of the Commission shall occur within 40 days after the date of enactment of this Act.

SEC. 204. FUNCTIONS OF COMMISSION.

(a) SPECIFIC FINDINGS AND RECOMMENDATIONS.—The Commission shall study and make findings and specific recommendations regarding the following:

(1) The increase in tuition compared with other commodities and services.

(2) Innovative methods of reducing or stabilizing tuition.

(3) Trends in college and university administrative costs, including administrative staffing, ratio of administrative staff to instructors, ratio of administrative staff to students, remuneration of administrative staff, and remuneration of college and university presidents or chancellors.

(4) Trends in (A) faculty workload and remuneration (including the use of adjunct faculty), (B) faculty-to-student ratios, (C) number of hours spent in the classroom by faculty, and (D) tenure practices, and the impact of such trends on tuition.

(5) Trends in (A) the construction and renovation of academic and other collegiate facilities, and (B) the modernization of facilities to access and utilize new technologies, and the impact of such trends on tuition.

(6) The extent to which increases in institutional financial aid and tuition discounting have affected tuition increases, including the demographics of students receiving such aid, the extent to which such aid is provided to students with limited need in order to attract such students to particular institutions or major fields of study, and the