

(2) by adding at the end the following new subsection:

“(e) ADJUSTMENTS TO EARNED INCOME.—If a public housing agency establishes any adjustment to income pursuant to subsection (b)(5)(F), the Secretary—

“(1) shall not take into account any reduction of the per dwelling unit rental income of the public housing agency resulting from that adjustment in calculating the contributions under section 9 for the public housing agency for the operation of the public housing; and

“(2) shall not reduce the level of operating subsidies payable to the public housing agency due to an increase in per dwelling unit rental income that results from a higher level of income earned by any residents whose adjusted incomes are calculated taking into account that adjustment to income, until the public housing agency has recovered a sum equal to the cumulative difference between—

“(A) the operating subsidies actually received by the agency; and

“(B) the operating subsidies that the public housing agency would have received if paragraph (1) was not applied.”.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress describing the fiscal and societal impact of the amendment made by subsection (b)(2).

(d) REPEAL OF CERTAIN PROVISIONS.—

(1) MAXIMUM ANNUAL LIMITATION ON RENT INCREASES RESULTING FROM EMPLOYMENT.—Section 957 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12714) is repealed effective November 28, 1990.

(2) ECONOMIC INDEPENDENCE.—Section 923 of the Housing and Community Development Act of 1992 (42 U.S.C. 12714 note) is repealed effective October 28, 1992.

**SEC. 1003. FAILURE TO COMPLY WITH OTHER WELFARE AND PUBLIC ASSISTANCE PROGRAMS.**

Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended by adding at the end the following new section: “**SEC. 27. FAILURE TO COMPLY WITH OTHER WELFARE AND PUBLIC ASSISTANCE PROGRAMS.**

“(a) IN GENERAL.—If the benefits of a family are reduced under a Federal, State, or local law relating to welfare or a public assistance program for the failure of any member of the family to perform an action required under the law or program, the family may not, for the duration of the reduction, receive any increased assistance under this Act as the result of a decrease in the income of the family to the extent that the decrease in income is the result of the benefits reduction.

“(b) EXCEPTION.—Subsection (a) shall not apply in any case in which the benefits of a family are reduced because the welfare or public assistance program to which the Federal, State, or local law relates limits the period during which benefits may be provided under the program.”.

**SEC. 1004. APPLICABILITY TO INDIAN HOUSING.**

(a) IN GENERAL.—In accordance with section 201(b)(2) of the United States Housing Act of 1937, the amendments made by this title shall apply to public housing developed or operated pursuant to a contract between the Secretary and an Indian housing authority.

(b) DEFINITIONS.—For purposes of this section—

(1) the term “Indian housing authority” has the same meaning as in section 3(b) of the United States Housing Act of 1937;

(2) the term “public housing” has the same meaning as in section 3(b) of the United States Housing Act of 1937; and

(3) the term “Secretary” means the Secretary of Housing and Urban Development.

**SEC. 1005. IMPLEMENTATION.**

The Secretary shall issue such regulations as may be necessary to carry out this title and the amendments made by this title.

**SEC. 1006. EFFECTIVE DATE.**

This title and the amendments made by this title shall take effect on the date of enactment of this Act.

ADDITIONAL STATEMENTS

SUPPORT FOR SEISMIC MONITORING CAPABILITY

• Mr. GLENN. Mr. President, the proliferation of nuclear weapons continues to be one of the most serious threats to national security, which underscores the need for the United States to maintain an effective capability to detect and identify clandestine nuclear tests. The challenge for seismic monitoring is the detection and identification of events of small magnitude. To meet this challenge it is necessary to acquire regional data not less than 1,000 kilometers from a test.

For many years, a consortium of universities has operated a multiple-use, global seismographic network that has been supported with funds from the Department of Defense and the National Science Foundation. These facilities represent a small but significant investment by the U.S. Government, offer effective and needed nuclear test monitoring capabilities worldwide, and enhance regional coverage in areas not adequately covered by national technical means [NTM].

Data provided by this global seismographic network can be used to locate seismic events, discriminate natural versus explosive sources, and estimate magnitude and/or yield—all of which are critical in detection and identification of clandestine nuclear tests. Enhancing accuracy of event location is particularly important in greatly reducing the area which must be investigated through costly on-site inspections or the use of NTM. The data obtained from this network thus complement, rather than compete with, data obtained from NTM.

This type of information will be invaluable in helping our Government to verify a Comprehensive Nuclear Test Ban Treaty. We are already well into the evolution of the post-cold war world, and one unpleasant fact of life about such a world is that professional test ban monitors no longer have the luxury of simply gathering data about activities at certain fixed, well-characterized sites. Now the problem has gotten more complex: We are increasingly concerned about small, low-yield test explosions, and we are facing a verification challenge that is truly global in scope. Given the global distribution of significant nongovernmental seismic monitoring capabilities, it is only prudent for us to exploit whatever resources are available and appropriate to get the job done.

The network is administered by a consortium which today consists of over 80 research institutions and affiliates around the globe. The National Science and Technology Council [NSTC] is developing a long-term funding plan for the GSN and JSP. Because of delays in the NSTC process funding recommendations were not included in the administration's fiscal year 1996 budget request, but are being incorporated in the fiscal year 1997 budget request. In the meantime, this action is needed to ensure continuation of these important programs.

My amendment specifies that \$9,500,000 of prior year funds from the Defense Support Program which are available as a result of the omnibus reprogramming shall be available for continuation of the Global Seismographic Network [GSN] and Joint Seismic Program [JSP]. This is maintained by the Air Force Office of Scientific Research [AFOSR] in PE 601102F, project 2309. •

TRIBUTE TO CHUCK GIFFORD

Mr. HARKIN. Mr. President, one of my best friends, and a true friend to all who fight for social and economic justice, is retiring as subregional director of the United Auto Workers. Chuck has fought all his life for the rights of working men and women.

Chuck Gifford started out working at Maytag in Newton, IA, where he was an elected representative for local 997. He was appointed to the staff of the national community action program [CAP] of the UAW in 1975. He has held a number of important positions with the union, including serving as region 4 CAP coordinator for Iowa, Illinois, and Nebraska; president of the Iowa State CAP Council, and is retiring as subregional director. In addition to his work with the union, Chuck has been active for a long time in the Democratic Party, at the local and national level. He was a member of the Democratic National Committee, and the Iowa State Central Committee of the Democratic Party. Chuck is among the most respected labor and political leaders in our state.

While Chuck could always be counted on to pay close attention to the person on the shop floor, his vision and concerns were national and international in scope. He cared deeply about justice and working conditions for his union members, but he also cared passionately about economic injustice in Latin America, Asia, and Africa. He was a leader in the fight to end the Vietnam war, to end apartheid in South Africa, and to end child labor Latin America and Asia.

Chuck is a true and loyal American. He has spent countless hours and even days in political work to make changes in U.S. policy. He was not content to sit on the sidelines and complain. He got into the arena, and worked to make America a better country. That, to me, is a real test of good citizenship,

and Chuck gets an A-plus in that category.

Recently, Chuck was appointed by Iowa Supreme Court Justice Lou Lavorato to an interim committee which will examine access to the judicial system, so I am glad to see that even in his retirement, Chuck will still be active. Mr. President, I want to salute the long and distinguished career of Chuck Gifford. I wish him all the best of health and happiness in the years ahead.●

**ALASKA POWER ADMINISTRATION SALE ACT TRANS-ALASKA PIPELINE AMENDMENT ACT OF 1995—MESSAGE FROM THE HOUSE**

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives (S. 395), a bill to authorize and direct the Secretary of Energy to sell the Alaska Power Marketing Administration, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

JULY 25, 1995.

*Resolved*, That the bill from the Senate (S. 395) entitled "An Act to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil and for other purposes", do pass with the following amendments:

Page 2, strike out line 1 through page 9, line 6.

Page 9, strike out line 8 through page 13, line 26, and insert:

**SECTION 1. EXPORTS OF ALASKAN NORTH SLOPE OIL.**

Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended by amending subsection (s) to read as follows:

**"EXPORTS OF ALASKAN NORTH SLOPE OIL**

*"(s)(1) Subject to paragraphs (2) through (6) of this subsection and notwithstanding any other provision of this Act or any other provision of law (including any regulation) applicable to the export of oil transported by pipeline over right-of-way granted pursuant to section 203 of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652), such oil may be exported unless the President finds that exportation of this oil is not in the national interest. The President shall make his national interest determination within five months of the date of enactment of this subsection. In evaluating whether exports of this oil are in the national interest, the President shall at a minimum consider—*

*"(A) whether exports of this oil would diminish the total quantity or quality of petroleum available to the United States;*

*"(B) the results of an appropriate environmental review, including consideration of appropriate measures to mitigate any potential adverse effects of exports of this oil on the environment, which shall be completed within four months of the date of the enactment of this subsection; and*

*"(C) whether exports of this oil are likely to cause sustained material oil supply shortages or sustained oil prices significantly above world market levels that would cause sustained material adverse employment effects in the United States or that would cause substantial harm to consumers, including noncontiguous States and Pacific territories.*

*If the President determines that exports of this oil are in the national interest, he may impose such terms and conditions (other than a volume*

*limitation) as are necessary or appropriate to ensure that such exports are consistent with the national interest.*

*"(2) Except in the case of oil exported to a country with which the United States entered into a bilateral international oil supply agreement before November 26, 1979, or to a country pursuant to the International Emergency Oil Sharing Plan of the International Energy Agency, any oil transported by pipeline over right-of-way granted pursuant to section 203 of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652) shall, when exported, be transported by a vessel documented under the laws of the United States and owned by a citizen of the United States (as determined in accordance with section 2 of the Shipping Act, 1916 (46 U.S.C. App. 802)).*

*"(3) Nothing in this subsection shall restrict the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), or the National Emergencies Act (50 U.S.C. 1601 et seq.) to prohibit exports of this oil or under Part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271-76).*

*"(4) The Secretary of Commerce shall issue any rules necessary for implementation of the President's national interest determination, including any licensing requirements and conditions, within 30 days of the date of such determination by the President. The Secretary of Commerce shall consult with the Secretary of Energy in administering the provisions of this subsection.*

*"(5) If the Secretary of Commerce finds that exporting oil under authority of this subsection has caused sustained material oil supply shortages or sustained oil prices significantly above world market levels and further finds that these supply shortages or price increases have caused or are likely to cause sustained material adverse employment effects in the United States, the Secretary of Commerce, in consultation with the Secretary of Energy, shall recommend, and the President may take, appropriate action concerning exports of this oil, which may include modifying or revoking authority to export such oil.*

*"(6) Administrative action under this subsection is not subject to sections 551 and 553 through 559 of title 5, United States Code."*

**SEC. 2. GAO REPORT.**

*(a) REVIEW.—The Comptroller General of the United States shall conduct a review of energy production in California and Alaska and the effects of Alaskan North Slope oil exports, if any, on consumers, independent refiners, and shipbuilding and ship repair yards on the West Coast and in Hawaii. The Comptroller General shall commence this review two years after the date of enactment of this Act and, within six months after commencing the review, shall provide a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources and the Committee on Commerce of the House of Representatives.*

*(b) CONTENTS OF REPORT.—The report shall contain a statement of the principal findings of the review and recommendations for Congress and the President to address job loss in the shipbuilding and ship repair industry on the West Coast, as well as adverse impacts on consumers and refiners on the West Coast and in Hawaii, that the Comptroller General attributes to Alaska North Slope oil exports.*

Page 14, strike out line 1 through page 15, line 11.

Page 15, strike out line 12 through page 16, line 10.

Page 16, strike out line 14 through page 24, line 15.

Amend the title so as to read: "An Act to permit exports of certain domestically produced crude oil, and for other purposes."

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate disagree to the amendments of the House and

agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and that the conferees on the part of the Senate be appointed by the Chair.

There being no objection, the Presiding Officer appointed Mr. MURKOWSKI, Mr. HATFIELD, Mr. DOMENICI, Mr. JOHNSTON, and Mr. FORD conferees on the part of the Senate.

**AMENDING THE FAIR LABOR STANDARDS ACT OF 1938**

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1225, just received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 1225) to amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PRESSLER. Mr. President, on Tuesday the House of Representatives unanimously passed H.R. 1225, the Court Reporter Fair Labor Amendments of 1995. The bill has since been received in the Senate. I rise to strongly support this much needed legislation, modeled after a bill, S. 190, I introduced last Congress and reintroduced again this January.

This legislation would correct a situation caused last year by a Labor Department interpretation of the Fair Labor Standards Act of 1938 [FLSA] as it relates to State and local court reporters. The bill would exempt from the overtime provisions of the FLSA the time official court reporters spend outside of work preparing transcripts of court proceedings for a private fee.

Mr. President, for purposes of legislative history, let me take a moment to explain the background of this issue and why this legislation is so necessary. Traditionally, court reporters have enjoyed a somewhat unique position of being treated as both public employees and independent contractors, depending on the nature of their work. While performing their primary duties of recording and reading back court proceedings, reporters have been considered employees of the court entitled to appropriate compensation and benefits.

In addition to these in-court duties, however, official court reporters also are required by most jurisdictions to prepare and certify transcripts of their stenographic records. Transcripts are typically requested by a wide range of persons—including attorneys for indigent and nonindigent criminal defendants, civil litigants, and judges. In return, reporters are paid a per-page fee by the party requesting the transcript.