

[Roll No. 710]

AYES—195

Abercrombie	Gillmor	Neal
Ackerman	Gilman	Oberstar
Allard	Gonzalez	Obey
Baldacci	Gordon	Olver
Barcia	Green	Ortiz
Barrett (WI)	Greenwood	Orton
Becerra	Gutierrez	Owens
Beilenson	Hall (OH)	Pallone
Bentson	Hamilton	Pastor
Bereuter	Hastings (FL)	Payne (NJ)
Berman	Hayes	Payne (VA)
Bishop	Hefner	Pelosi
Blute	Hilliard	Peterson (FL)
Boehlert	Hinchev	Pomeroy
Bonior	Holden	Porter
Borski	Horn	Portman
Brewster	Hoyer	Poshard
Brown (CA)	Jackson-Lee	Rahall
Brown (FL)	Jacobs	Ramstad
Brown (OH)	Jefferson	Rangel
Bryant (TX)	Johnson (SD)	Reed
Canady	Johnson, E. B.	Richardson
Cardin	Johnston	Rivers
Castle	Kanjorski	Roemer
Clay	Kaptur	Rose
Clayton	Kelly	Roukema
Clement	Kennedy (MA)	Roybal-Allard
Clyburn	Kennedy (RI)	Rush
Coburn	Kildee	Sabo
Coleman	King	Sanders
Collins (IL)	Klecicka	Sawyer
Collins (MI)	Klink	Schroeder
Conyers	LaFalce	Schumer
Costello	LaHood	Scott
Coyne	Lantos	Serrano
Davis	Lazio	Skaggs
de la Garza	Leach	Slaughter
DeFazio	Levin	Spratt
DeLauro	Lewis (GA)	Stark
Dellums	Lipinski	Stokes
Deutsch	LoBiondo	Studds
Dicks	Lofgren	Stupak
Dingell	Longley	Tanner
Dixon	Lowey	Taylor (MS)
Doggett	Luther	Thompson
Doyle	Maloney	Thornton
Durbin	Manton	Thurman
Edwards	Markey	Torkildsen
Engel	Martinez	Torres
English	Mascara	Towns
Eshoo	Matsui	Velazquez
Evans	McCarthy	Vento
Farr	McDermott	Visclosky
Fattah	McHale	Ward
Filner	McKinney	Waters
Flake	McNulty	Watt (NC)
Foglietta	Meehan	Waxman
Foley	Meek	Williams
Forbes	Menendez	Wilson
Ford	Miller (CA)	Wise
Frank (MA)	Minge	Woolsey
Frost	Mink	Wyden
Furse	Molinari	Wynn
Gejdenson	Moran	Yates
Gilchrest	Nadler	Zimmer

NOES—218

Archer	Calvert	Dunn
Armey	Camp	Ehlers
Bachus	Chabot	Ehrlich
Baesler	Chambliss	Ensign
Baker (CA)	Chenoweth	Everett
Baker (LA)	Christensen	Ewing
Ballenger	Chrysler	Fawell
Barr	Clinger	Fields (TX)
Barrett (NE)	Coble	Flanagan
Bartlett	Collins (GA)	Fowler
Barton	Combest	Fox
Bass	Condit	Franks (CT)
Bateman	Cooley	Franks (NJ)
Bevill	Cox	Frelinghuysen
Bilbray	Cramer	Frisa
Bliley	Crane	Funderburk
Boehner	Crapo	Galleghy
Bonilla	Creameans	Ganske
Bono	Cubin	Gekas
Boucher	Cunningham	Geren
Browder	Danner	Goodlatte
Brownback	Deal	Goodling
Bryant (TN)	DeLay	Goss
Bunn	Diaz-Balart	Graham
Bunning	Dickey	Gunderson
Burr	Dooley	Gutknecht
Burton	Doollittle	Hall (TX)
Buyer	Dreier	Hancock
Callahan	Duncan	Hansen

Harman	McInnis	Shaw
Hastert	McKeon	Shays
Hastings (WA)	Metcalf	Shuster
Hayworth	Meyers	Sisisky
Hefley	Mica	Skeen
Heineman	Miller (FL)	Skelton
Herger	Montgomery	Smith (MI)
Hilleary	Moorhead	Smith (NJ)
Hobson	Morella	Smith (TX)
Hoekstra	Myers	Smith (WA)
Hoke	Myrick	Solomon
Hostettler	Nethercutt	Souder
Houghton	Neumann	Spence
Hunter	Ney	Stearns
Hutchinson	Norwood	Stenholm
Hyde	Nussle	Stockman
Inglis	Oxley	Stump
Istook	Packard	Talent
Johnson (CT)	Parker	Tate
Johnson, Sam	Paxon	Tauzin
Jones	Peterson (MN)	Taylor (NC)
Kasich	Petri	Thomas
Kim	Pickett	Thornberry
Kingston	Pombo	Tiahrt
Klug	Pryce	Traficant
Knollenberg	Quillen	Upton
Kolbe	Quinn	Volkmer
Largent	Radanovich	Vucanovich
Latham	Regula	Waldholtz
LaTourette	Riggs	Walker
Laughlin	Roberts	Walsh
Lewis (CA)	Rogers	Wamp
Lewis (KY)	Rohrabacher	Watts (OK)
Lightfoot	Ros-Lehtinen	Weldon (FL)
Lincoln	Royce	Weldon (PA)
Linder	Salmon	Weller
Livingston	Sanford	White
Lucas	Saxton	Whitfield
Manzullo	Scarborough	Wicker
Martini	Schaefer	Wolf
McCollum	Schiff	Young (AK)
McCreery	Seastrand	Young (FL)
McDade	Sensenbrenner	Zeliff
McHugh	Shadegg	

NOT VOTING—19

Andrews	Gephardt	Murtha
Bilirakis	Gibbons	Roth
Chapman	Kennelly	Tejeda
Dornan	McIntosh	Torricelli
Emerson	Mfume	Tucker
Fazio	Moakley	
Fields (LA)	Mollohan	

□ 1701

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. McIntosh against.

Mr. HUTCHINSON changed his vote from "aye" to "no."

Mr. SPRATT and Mrs. ROUKEMA changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ROHRABACHER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the Chair, Mr. KINGSTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2405) to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF CONFEREES ON H.R. 1868, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1868) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 1868, be instructed to disagree to any Senate amendment that would require the Executive Branch to spend more in fiscal year 1996 than fiscal year 1995 for assistance to any country or project.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes, and the gentleman from Alabama [Mr. CALLAHAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume. I doubt that this will take very much time at all.

Mr. Speaker, this amendment simply instructs the conferees to refuse to agree to any Senate amendment that would require the executive branch to spend more in fiscal year 1996 than it did in fiscal year 1995 for assistance to any country or project.

When this bill left this House under the leadership of the gentleman from Alabama [Mr. CALLAHAN], we had very few earmarks. The Senate added some 40. This simply indicates that in an era of declining budgets, we should not be requiring an additional amount of money be spent anywhere.

Mr. Speaker, I reserve the balance of my time.

Mr. CALLAHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the kind comments of the gentleman from Wisconsin. I want to say during this past year it has been a pleasure to work with the gentleman. His vast knowledge of this very complicated foreign policy and foreign operations of this country has been invaluable to me, both from him and from the gentleman from Texas [Mr. WILSON].

With respect to the earmarks as mentioned in your bill or your desire to

have a lack thereof of earmarks, the gentleman knows my philosophy there. I totally support that. Therefore, I totally support the gentleman's motion and would encourage its adoption.

Mr. Speaker, I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin [Mr. OBEY].

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. CALLAHAN, PORTER, LIVINGSTON, LIGHTFOOT, WOLF, PACKARD, KNOLLENBERG, FORBES, BUNN of Oregon, WILSON, YATES, Ms. PELOSI, Mr. TORRES, and Mr. OBEY.

There was no objection.

#### GENERAL LEAVE

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and that I may include tabular and extraneous material on H.R. 1868.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### COMMUNICATION FROM THE HONORABLE TOM DELAY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TOM DELAY, Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, October 12, 1995.

DEAR MR. SPEAKER, This is to formally notify you pursuant to Rule L (50) of the Rules of the House that Bill Jarrell, my Deputy Chief of Staff, has been served with a subpoena issued by the United States Justice Department. This subpoena relates to his previous employment by a former Member of the House.

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

Sincerely,

TOM DELAY,  
Member of Congress.

#### COMMUNICATION FROM THE HONORABLE SAM M. GIBBONS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable SAM GIBBONS, Member of Congress:

HOUSE OF REPRESENTATIVES,

Washington, DC, October 12, 1995.

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

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

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

Sincerely,

SAM M. GIBBONS,  
United States Congressman.

#### LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, I would like to advise my colleagues in the House that due to the extraordinary effort of cooperation that has been made by the potential conferees on the telecommunications bill and on the appropriations bill we just handled, we will be able to handle this evening the legislative schedule that we had scheduled for tomorrow. In that context, by working a little later this evening, we will be able to avoid having to be here for votes tomorrow.

At this time, and again if I can express my appreciation to the Subcommittee on Foreign Operations of Appropriations and to the Committee on Commerce for their willingness to move up their work to this evening, on behalf of all our membership, we will be able to complete this matter of going to conference on the telecommunications bill now, then return to the science bill, finish our work for the week this evening and be free from the requirement of votes tomorrow.

We will have a further announcement about next week's schedule as the evening progresses. I would like to try to project a time when we could complete our work this evening. At approximately 9 o'clock this evening, we should have then been able to have our last vote of the week.

Mr. SKAGGS. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Speaker, is it the leader's intention that we would have even a pro forma session tomorrow?

Mr. ARMEY. We are still checking on the possibility. I can tell you that there will be a pro forma session on Monday, no votes required on Monday. But whether or not there is a pro forma session necessary for tomorrow is something we are still checking on.

#### TELECOMMUNICATIONS COMPETITION AND DEREGULATION ACT OF 1995

Mr. BLILEY. Mr. Speaker, pursuant to section 2 of House Resolution 207, I call up the Senate bill (S. 652) to provide for a procompetitive, deregulatory

national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services to all Americans by opening all telecommunications markets to competition, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 652

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Telecommunications Competition and Deregulation Act of 1995".

#### SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Purpose.
- Sec. 4. Goals.
- Sec. 5. Findings.
- Sec. 6. Amendment of Communications Act of 1934.
- Sec. 7. Effect on other law.
- Sec. 8. Definitions.

#### TITLE I—TRANSITION TO COMPETITION

- Sec. 101. Interconnection requirements.
- Sec. 102. Separate affiliate and safeguard requirements.
- Sec. 103. Universal service.
- Sec. 104. Essential telecommunications carriers.
- Sec. 105. Foreign investment and ownership reform.
- Sec. 106. Infrastructure sharing.
- Sec. 107. Coordination for telecommunications network-level interoperability.

#### TITLE II—REMOVAL OF RESTRICTIONS TO COMPETITION

##### SUBTITLE A—REMOVAL OF RESTRICTIONS

- Sec. 201. Removal of entry barriers.
- Sec. 202. Elimination of cable and telephone company cross-ownership restriction.
- Sec. 203. Cable Act reform.
- Sec. 204. Pole attachments.
- Sec. 205. Entry by utility companies.
- Sec. 206. Broadcast reform.

##### SUBTITLE B—TERMINATION OF MODIFICATION OF FINAL JUDGMENT

- Sec. 221. Removal of long distance restrictions.
- Sec. 222. Removal of manufacturing restrictions.
- Sec. 223. Existing activities.
- Sec. 224. Enforcement.
- Sec. 225. Alarm monitoring services.
- Sec. 226. Nonapplicability of Modification of Final Judgment.

#### TITLE III—AN END TO REGULATION

- Sec. 301. Transition to competitive pricing.
- Sec. 302. Biennial review of regulations; elimination of unnecessary regulations and functions.
- Sec. 303. Regulatory forbearance.
- Sec. 304. Advanced telecommunications incentives.
- Sec. 305. Regulatory parity.
- Sec. 306. Automated ship distress and safety systems.
- Sec. 307. Telecommunications numbering administration.
- Sec. 308. Access by persons with disabilities.
- Sec. 309. Rural markets.
- Sec. 310. Telecommunications services for health care providers for rural areas, educational providers, and libraries.