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Congressional Record

PROCEEDINGS AND DEBATES OF THE 105th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—Monday, July 21, 1997

The House met at 12 noon and was called to order by the Speaker pro tempore [Mrs. EMERSON].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 21, 1997.

I hereby designate the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Let us pray using words from Psalm 90:

Lord, thou hast been our dwelling place in all generations. Before the mountains were brought forth, or ever thou hadst formed the earth and the world, from everlasting to everlasting thou art God.

For a thousand years in thy sight are but as yesterday when it is past, or as a watch in the night.

So teach us to number our days that we may get a heart of wisdom. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Louisiana [Mr. LIVINGSTON] come forward and lead the House in the Pledge of Allegiance.

Mr. LIVINGSTON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

REPORT ON H.R. 2203, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

Mr. LIVINGSTON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 105-190) on the bill (H.R. 2203) making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. All points of order are reserved on the bill.

MESSAGE FROM THE PRESIDENT

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

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

53D ANNIVERSARY OF THE LIBERATION OF GUAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 5 minutes.

Mr. UNDERWOOD. Madam Speaker, today is July 21, 1997, and it represents the 53d anniversary of the liberation of Guam, the landing of American marines and soldiers which occurred on this day some 53 years ago. On that day a number of the Third Marine Division landed and the First Marine Provisional Brigade landed on the beaches of Asan and Agat, and the 77th Infantry, also playing a supportive role, landed on the beach of Agat, and therefore followed the battle for Guam in which over approximately 15,000 Japanese

were killed, some 1,500 Americans were killed, and the island was finally declared secure on August 10, 1944.

As we take time in this special order and on this particular day, which is very special for the people of Guam and by far the largest holiday in our annual calendar, I want to draw attention to a couple of issues. One, of course, is to pay the highest tribute and the highest honor to the men in American uniforms, the heroic marines and the heroic sailors and soldiers who worked hard and who suffered tremendous deprivations and who risked their lives and many of whom paid the supreme sacrifice to liberate the people of Guam from Japanese occupation.

I also want to draw attention to the experience of the Chamorro people, the Guamanians of Guam, who endured roughly 32 months of Japanese occupation, and during this time period themselves suffered many deprivations as they tried to keep their families together, and, in the final total, we will never know how many actually died in the process as a result of hostile action or who were executed by the Japanese or, in many instances, suffered and died simply as a result of starvation, malnutrition, and disease. But we must also take time to honor these people.

In Guam right now it is already July 22, so the celebration is long over, and I am sure that the celebration gave the appropriate honor. It always has a long parade attached to it, and, of course, the marines are always given the highest level of applause as they march by.

The reason why we should draw attention to this is not simply that it was a momentous occasion during World War II, but there are a couple of unique things about this. Guam is the only U.S. territory to be occupied by a foreign enemy during World War II. It was the only U.S. territory with U.S. nationals on it to be occupied since the War of 1812. So what Guam has as a unique contribution to the American experience during the Pacific theater was that they were the only Americans to be occupied and the people of Guam had the only American territory that endured all these deprivations.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Madam Speaker, yet despite all of the unique circumstances of this, there still remains the issue of meritorious claims that have been submitted by the people of Guam and have been ignored by Congress. Just to give a little background, most U.S. citizens and U.S. nationals were taken care of by two pieces of legislation, one in 1948 and one in 1962. Neither of those mentioned the people of Guam. Every other U.S. citizen, every other U.S. national, received their war restitution as a result of those pieces of legislation.

Madam Speaker, that is why I have introduced H.R. 2200, which will make the people of Guam whole, which will bring honor to this experience, and which will fully reconstitute the people of Guam from their horrible experience. I understand that Senator INOUE in the other body will be introducing a companion measure in the Senate sometime this week, and I hope that the Members of this body will support this legislation. It not only brings honor to the people of Guam, it brings honor to that most fundamental experience, an expression of patriotism which the people of Guam gave to this country as a result of their experience during World War II.

REPORT CONCERNING EMIGRATION LAWS AND POLICIES OF MONGOLIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 105-108)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

On September 4, 1996, I determined and reported to the Congress that Mongolia is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Mongolia and certain other activities without the requirement of an annual waiver.

As required by law, I am submitting an updated report to the Congress concerning the emigration laws and policies of Mongolia. You will find that the report indicates continued Mongolian compliance with U.S. and international standards in the area of emigration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 18, 1997.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. UNDERWOOD, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Member (at the request of Mr. UNDERWOOD) and to include extraneous matter:)

Mr. BONIOR.

(The following Member (at the request of Mr. LIVINGSTON) and to include extraneous matter:)

Mr. SOLOMON.

ADJOURNMENT

Mr. UNDERWOOD. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 22, 1997, at 12:30 p.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4229. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Onions Grown in South Texas; Amendment of Sunday Packing and Loading Prohibitions [Docket No. FV97-959-1 FIR] received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4230. A letter from the Mayor, District of Columbia, transmitting the District of Columbia Government's report on Anti-Deficiency Act violations for the period covering October 1, 1995 through September 30, 1996, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

4231. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plan, Florida: Approval of Revisions to the Florida SIP [FL-72-1-9720a: FRL-5858-2] received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4232. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN68-3; FRL-5852-7] received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4233. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia: Approval of Group III SIP and Coke Oven Rules for Particulate Matter [VA040-5017 & VA009-5017; FRL-5846-5] received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4234. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Richmond, Virginia—NO_x Exemption Petition [SIPTRAX No. VA062-5019; FRL-5861-2] received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4235. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Annual Financial Surety Update Requirements for Uranium Recovery Licenses [NRC Generic Letter 97-03] received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

4236. 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 Sweden (Transmittal No. DTC-11-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4237. 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 Brazil (Transmittal No. DTC-10-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4238. 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 Australia (Transmittal No. DTC-67-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

4239. A letter from the General Counsel, Arms Control and Disarmament Agency, transmitting copies of the English and Russian texts of the agreement and twelve joint statements negotiated by the Joint Compliance and Inspection Commission and concluded during JCIC-XV; to the Committee on International Relations.

4240. A letter from the Secretary of Agriculture, transmitting the Management Report for the period October 1, 1996 through March 31, 1997, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

4241. A letter from the Secretary of Transportation, transmitting the semiannual report of the Inspector General for the period ending March 31, 1997 and Management Report, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

4242. A letter from the District of Columbia Auditor, transmitting a copy of a report entitled "District of Columbia General Hospital's Sole Source Contract Award to Medical Services Group, Inc. Violated D.C. Laws and Regulations," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform and Oversight.

4243. A letter from the Deputy Associate Director for Royalty Management, 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.

4244. A letter from the Acting Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Determination of Critical Habitat for

the Southwestern Willow Flycatcher (Fish and Wildlife Service) (RIN: 1018-AB97) received July 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4245. A letter from the Acting Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to Designate the Whooping Cranes of the Rocky Mountains as Experimental Nonessential and to Remove Whooping Crane Critical Habitat Designations from Four Locations (Fish and Wildlife Service) (RIN: 1018-AD45) received July 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4246. A letter from the Acting Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to Extend Endangered Status for the Jaguar in the United States (RIN: 1018-AC61) received July 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4247. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Endangered and Threatened Species; Interim Rule Governing Take of the Threatened Southern Oregon/Northern California Coast Evolutionarily Significant Unit (ESU) of Coho Salmon [Docket No. 970424096-7155-02; I.D. 042597A] (RIN: 0648-AG56) received July 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4248. 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; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No. 961126334-7025-02; I.D. 071197A] received July 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4249. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska, Offshore Pelagic Shelf Rockfish in the Central Regulatory Area of the Gulf of Alaska [Docket No. 961126334-7025-02; I.D. 071597B] received July 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4250. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska, Pelagic Shelf Rockfish in the Eastern Regulatory Area of the Gulf of Alaska [Docket No. 961126334-7025-02; I.D. 071597A] received July 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4251. A letter from the Commissioner, Immigration and Naturalization Service, transmitting the Service's final rule—Adjustment of Status to That of Person Admitted for Permanent Residence; Temporary Removal of Certain Restrictions of Eligibility [INS No. 1676-94] (RIN: 1115-AD83) received July 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4252. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Improvements to Hazardous Materials Identification Systems; Corrections and Responses to Petitions for Reconsideration (Research and Special Programs Administration) [Docket No. HM-206] (RIN: 2137-AB75) received July 21, 1997,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4253. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Revenue Ruling 97-30] received July 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McDADE: Committee on Appropriations. H.R. 2203. A bill making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105-190). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1127. A bill to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres; with amendments (Rept. 105-191). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1663. A bill to clarify the intent of the Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide for the maintenance of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated as wilderness in that public law; with an amendment (Rept. 105-192). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1944. A bill to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon (Rept. 105-193). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 1661. A bill to implement the provisions of the Trademark Law Treaty; with an amendment (Rept. 105-194). Referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

[The following occurred on July 18, 1997]

H.R. 1778. Referral to the Committees on Commerce, Transportation and Infrastructure, and Government Reform and Oversight extended for a period ending not later than September 30, 1997.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. GILCHREST, and Mr. CLEMENT):

H.R. 2204. A bill to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. METCALF (for himself, Ms. DUNN of Washington, Mr. DICKS, Mr. HASTINGS of Washington, Mr. NETHERCUTT, Mrs. LINDA SMITH of Washington, Mr. ADAM SMITH of Washington, Mr. WHITE, Mr. McDERMOTT, Ms. MILLENDER-McDONALD, Mr. DREIER, Ms. HARMAN, Mr. YOUNG of Alaska, Mr. MATSUI, Mr. HORN, and Mr. LEWIS of California):

H. Res. 191. Resolution expressing the sense of the House of Representatives regarding the interference of the European Commission in the merger of the Boeing Company and McDonnell Douglas; to the Committee on International Relations.

ADDITIONAL SPONSORS

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

H.R. 335: Mr. TIAHRT and Mr. CUNNINGHAM.
H.R. 1880: Mr. MALONEY of Connecticut.

H.R. 2009: Ms. LOFGREN, Mr. GONZALEZ, Mr. WELDON of Pennsylvania, Ms. SLAUGHTER, and Mr. NADLER.

H.R. 2116: Mr. FRANKS of New Jersey, Mr. BONIOR, Mr. ANDREWS, Mr. ALLEN, Mr. ABERCROMBIE, Mr. OLVER, Mr. PAYNE, Mr. ROEMER, Mr. PAPPAS, Mr. SPENCE, and Mr. HALL of Ohio.

H.R. 2143: Mr. GUTIERREZ.
H. Con. Res. 71: Mr. MCGOVERN.
H. Res. 139: Mr. BARTON of Texas.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2160

OFFERED BY: MR. WYNN

AMENDMENT NO. 19: Insert before the short title the following new section:

SEC. . (a) The amount otherwise provided by this Act for the Department of Agriculture (consisting of an additional \$1,500,000 for "DEPARTMENTAL ADMINISTRATION") is hereby increased; and each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced; by \$1,500,000 and .01 percent, respectively.

(b) Of the amount under the heading "DEPARTMENTAL ADMINISTRATION" in title I, \$13,300,000 is for civil rights enforcement at the Department of Agriculture.

H.R. 2160

OFFERED BY: MR. WYNN

AMENDMENT NO. 20: Insert before the short title the following new section:

SEC. . The amount otherwise provided by this Act for the Department of Agriculture (consisting of an additional \$1,500,000 for "DEPARTMENTAL ADMINISTRATION") is hereby increased; and each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced; by \$1,500,000 and .01 percent, respectively.