PRICE, Mr. RITTER, Mr. ROYBAL, Mr. SAVAGE, Mr. SAWYER, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. SMITH of Iowa, Mr. SPENCE, Mr. STOKES, Mr. TORRICELLI, Mr. WASHINGTON, and Mr. WAXMAN.

H.J. Res. 503: Mr. ALEXANDER, Mr. ANDERSON, Mr. AUCOIN, Mr. BACCHUS, Mr. BLAZ, Mr. BORSKI, Mr. CLEMENT, Mr. COUGHLIN, Mr. CRAMER, Mr. DE LUGO, Ms. DELAURO, Mr. DIXON, Mr. DONNELLY, Mr. DOOLITTLE, Mr. ECKART, Mr. EDWARDS of Texas, Mr. ENGEL, Mr. EVANS, Mr. FAWELL, Mr. FISH, Mr. GALLEGLY, Mr. GEREN of Texas, Mr. GILCHREST, Mr. GORDON, Mr. GRANDY, Mr. HAMMERSCHMIDT, Mr. HARRIS, Mr. HERTEL, Ms. HORN, Mr. HUTTO, Mr. JONES of North Carolina, Mr. JONTZ, Mr. KANJORSKI, Mr. KENNEDY, Mr. KILDEE, Mr. LAROCCO, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LIGHTFOOT, Mr. LIVINGSTON, Ms. LONG, Mr. MCCRERY, Mr. MCDADE, Mr. MCDERMOTT, Mr. MFUME, Mr. MILLER of Ohio, Ms. MOLINARI, Mr. MOORHEAD, Mr. MURPHY, Mr. NEAL of North Carolina, Ms. NORTON, Mr. ORTIZ, Mr. PRICE, Mr. PURSELL, Mr. RAHALL, Mr. RAVENEL, Mr. REGULA, Mr. RHODES, Mr. RIGGS, Mr. ROE, Mr. ROSE, Mr. SANDERS, Mr. SAVAGE, Mr. SAWYER, Mr. SCHAEFER, Mr. SLATTERY, Mr. SOLARZ, Mr. STALLINGS, Mr. STOKES, Mr. SUNDQUIST, Mr. TALLON, Mr. TANNER, Mr. TAUZIN, Mr. TAYLOR of Mississippi, Mr. TRAFICANT, Mrs. VUCANOVICH, Mr. WAXMAN, Mr. WOLPE, Mr. WYDEN, and Mr. YOUNG of Alaska.

H.J. Res. 523: Mr. DIXON, Mr. TANNER, Mr. SCHAEFER, Mr. MARTIN, Mr. HOBSON, Mr. GEKAS, Mr. CRAMER, Mr. PARKER, Mr. HATCHER, Mr. ROSE, and Mr. PETERSON of Florida.

H. Con. Res. 246: Mr. LAFALCE, Mr. ROE, and Mr. VISCLOSKY.

H. Con. Res. 318: Mr. OWENS of Utah.

H. Con. Res. 335: Mr. HUNTER and Mr. TORRICELLI.

H. Con. Res. 344: Mr. CAMPBELL of Colorado, Mr. MRAZEK, Mr. STARK, Mr. LEHMAN of California, Mr. MCDERMOTT, Mr. POSHARD, Mr. HOCHBRUECKNER, Mr. JOHNSON of South Dakota, and Mr. MAZZOLI.

H. Con. Res. 345: Mr. BOUCHER, Mr. BILBRAY, Mr. FRANK of Massachusetts, Mr. GUARINI, Mr. KOLTER, Mr. MILLER of California, Mr. LAFALCE, Mrs. LLOYD, and Mr. VISCLOSKY.

H. Res. 465: Mr. ZELIFF.

H. Res. 490: Mr. RAMSTAD and Mr. PURSELL.

¶85.32 PETITIONS, ETC.

Under clause 1 of rule XXII,

170. The SPEAKER presented a petition of the Board of Selectmen of York, ME, relative to the naval shipyard at Kittery, ME; which was referred to the Committee on Armed Services.

TUESDAY, JULY 21, 1992 (86)

The House was called to order by the SPEAKER.

¶86.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, July 9, 1992.

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

¶86.2 COMMUNICATIONS

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

3909. A letter from the Comptroller of the Department of Defense, transmitting a report of three violations involving the improper use of appropriations which occurred in the Department of the Navy, pursuant to 31 U.S.C. 1351; to the Committee on Appropriations.

3910. A letter from the Secretary of Commerce, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the National Technical Information Service, pursuant to 31 U.S.C. 1517; to the Committee on Appropriations.

3911. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of July 1, 1992, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 102–360); to the Committee on Appropriations and ordered to be printed.

3912. A letter from the Department of the Navy, transmitting notification that the Department intends to offer for lease three naval vessels to the Republic of Chile, pursuant to 10 U.S.C. 7307; to the Committee on Armed Services.

3913. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize the Secretary of the Army to designate civilian employees to act as approving authorities on reports of survey; to the Committee on Armed Services.

3914. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to authorize a military history dissertation fellowship program; to the Committee on Armed Services.

3915. A letter from the Secretary of Education, transmitting the 14th annual report on the progress being made toward the provision of a free appropriate public education for all handicapped children, pursuant to 20 U.S.C. 1418(f)(l); to the Committee on Education and Labor.

3916. A letter from the Administrator, Energy Information Administration, transmitting the Annual Energy Review 1991, pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Energy and Commerce.

3917. A letter from the Federal Energy Regulatory Commission, transmitting the 1991 Annual Report of the Federal Energy Regulatory Commission, pursuant to 16 U.S.C. 797(d); to the Committee on Energy and Commerce.

3918. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of the transfer of equipment, pursuant to 22 U.S.C. 2314(d); to the Committee on Foreign Affairs.

3919. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Israel (Transmittal No. DTC–22–92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3920. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Japan (Transmittal No. DTC–23–92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3921. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of defense equipment sold commercially to the Republic of Hong Kong (Transmittal No. DTC–21–92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3922. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed license for the export of major defense equipment sold commercially to Thailand (Transmittal No. DTC–16–92), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3923. A letter from the Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending June 30, 1992, pursuant to 22 U.S.C. 2768; to the Committee on Foreign Affairs.

3924. A communication from the President of the United States, transmitting a report on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council, pursuant to Public Law 102–1, section 3 (105 Stat. 4) (H. Doc. No. 102–361); to the Committee on Foreign Affairs and ordered to be printed.

3925. 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 Foreign Affairs.

3926. A letter from the Director, Arms Control and Disarmament Agency, transmitting a draft of proposed legislation to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations for fiscal year 1993; to the Committee on Foreign Affairs.

3927. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1997 resulting from passage of S. 2901, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–582); to the Committee on Government Operations.

3928. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1997 resulting from passage of H.R. 5260, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–582); to the Committee on Government Operations.

3929. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1997 resulting from passage of S. 1306, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–582); to the Committee on Government Operations.

3930. A letter from the Director, Office of Management and Budget, transmitting OMB's estimate of the amount of discretionary new budget authority and outlays for the current year (if any) and the budget year provided by House Joint Resolution 509, pursuant to Public Law 101–508, section 13101(a) (104 Stat. 1388–578); to the Committee on Government Operations.

3931. A letter from the Small Business Administration, transmitting the semiannual report of the Office of the Inspector General for the period October 1, 1991, through March 31, 1992, pursuant to Public Law 95–452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3932. A letter from the Chairman, Federal Election Commission, transmitting proposed regulations governing special fundraising projects and other use of candidate names by unauthorized committees, pursuant to 2 U.S.C. 438(d); to the Committee on House Administration.

3933. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3934. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3935. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3936. A letter from the Assistant Secretary for Indian Affairs, Department of the Inte-

rior transmitting the Fiscal Year 1991 report on the implementation of the Indian Self-Determination and Education Assistance Act, pursuant to 25 U.S.C. 450j-1(c); to the Committee on Interior and Insular Affairs.

3937. A letter from the Secretary, Department of the Interior, transmitting the Department's notice on leasing systems for the Western Gulf of Mexico, Sale 141, scheduled to be held in August 1992, pursuant to 43 U.S.C. 1337(a)(8); to the Committee on Interior and Insular Affairs.

3938. A letter from the Department of Justice, transmitting a copy of a report entitled "Report on the Legalized Alien Population"; to the Committee on the Judiciary.

3939. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the President's determination that the "Agreement on Trade Relations Between the Government of the United States and the Government of Romania" will promote the purposes of the Trade Act of 1974 and is in the national interests, pursuant to 19 U.S.C. 2437(a); to the Committee on Ways and Means.

¶86.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2926. An Act to amend the Act of May 17, 1954, relating to the Jefferson National Expansion Memorial to authorize increased funding for the East Saint Louis portion of the Memorial, and for other purposes.

The message also announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 2532. An Act entitled the "Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act".

S. Con. Res. 130. Concurrent resolution making a correction in the enrollment of Senate Concurrent Resolution 129 of the One Hundred Second Congress.

The message also announced that pursuant to Senate Concurrent Resolution 102, 102d Congress, the Chair, on behalf of the Vice President, appointed Mr. MITCHELL, Mr. FORD, and Mr. STEVENS to the Joint Congressional Committee on Inaugural Ceremonies.

That pursuant to section 4355(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appointed Mr. REID from the Committee on Appropriations; Mr. SHELBY from the Committee on Armed Services; Mr. D'AMATO from the Committee on Appropriations; and Mr. BURNS at large; to the Board of Visitors of the U.S. Military Academy.

That pursuant to section 9355(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appointed Mr. EXON from the Committee on Armed Services; Mr. HOLLINGS from the Committee on Appropriations; Mr. COCHRAN from the Committee on Appropriations; and Mr. LOTT at large; to the Board of Visitors of the U.S. Air Force Academy.

That pursuant to section 6968(a), of title 10, United States Code, the Chair, on behalf of the Vice President, appointed Ms. MIKULSKI from the Committee on Appropriations; Mr. SARBANES at large; Mr. HATFIELD from the Committee on Appropriations; and Mr. MCCAIN from the Committee on Armed Services; to the Board of Visitors of the U.S. Naval Academy.

¶86.4 ORDER OF BUSINESS—PRIVATE CALENDAR

On motion of Mr. BOUCHER, by unanimous consent,

Ordered, That it may be in order today that the following bills on the Private Calendar be passed over without prejudice: H.R. 240, H.R. 760, H.R. 1100, H.R. 1123, H.R. 1280, H.R. 1759, and H.R. 3590.

¶86.5 PRIVATE CALENDAR

Pursuant to clause 6, rule XXIV,

The SPEAKER directed the Private Calendar to be called.

When,

¶86.6 BILLS PASSED AND RESOLUTION AGREED TO

The bills of the following titles were severally considered, read twice, ordered to be engrossed and read a third time, were severally read a third time by title, and passed:

H.R. 2193. A bill for the relief of Elizabeth M. Hill.

H.R. 2490. A bill for the relief of Christy Carl Hallien of Arlington, Texas.

H.R. 3288. A bill for the relief of Olufunmilayo O. Omokaya.

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

The bills of the Senate of the following titles were severally considered, read twice, ordered to be read a third time, were severally read a third time by title, and passed:

S. 249. An Act for the relief of Trevor Henderson.

S. 992. An Act to provide for the reimbursement of certain travel and relocation expenses under title 5, United States Code, for Jane E. Denne of Henderson, Nevada.

Ordered, That the Clerk notify the Senate thereof.

The bills of the following titles were severally considered, read twice; the amendments following each were agreed to, and the bills, as amended, were ordered to be engrossed and read a third time, were severally read a third time by title, and passed:

H.R. 761. A bill to waive the foreign residency requirement for the granting of a visa to Amanda Vasquez Walker.

Amendment offered by Mr. SENSENBRENNER:

Page 2, after line 5, add the following new section:

SEC. 2. DEADLINES FOR PETITION AND PAYMENT.

Section 1 shall apply only if, within the 2-year period beginning on the date of the enactment of this Act—

(1) a petition for classification of Amanda Vasquez Walker as an immediate relative under section 204 of the Immigration and Nationality Act (8 U.S.C. 1154) is filed with the Attorney General; and

(2) Amanda Vasquez Walker pays to the Secretary of the Treasury, for deposit in the general fund of the Treasury of the United States, the sum of $4,500 in reimbursement for the amount expended by the United States Information Agency for the participation by Amanda Vasquez Walker in a training program at the George Meany Center for Labor Studies in Silver Spring, Maryland.

H.R. 1101. A bill for the relief of William A. Cassity.

Amendment offered by the Committee on the Judiciary:

Page 1, line 5, strike "Memphis, Tennessee" and insert "Fredericktown, Missouri".

H.R. 2156. A bill for the relief of William A. Proffitt.

Amendment offered by the Committee on the Judiciary:

Page 2, add the following after line 6:

SEC. 2. LIMITATION ON AGENTS AND ATTORNEYS FEES.

No amount exceeding 10 percent of the payment made to any individual under section 1 may be paid to or received by any agent or attorney in consideration for services rendered in connection with the payment. Any person who violates the provisions of this section shall be guilty of an infraction and shall be subject to a fine in the amount provided under title 18, United States Code.

H.R. 3289. A bill for relief of Carmen Victoria Parini, Felix Juan Parini, and Sergio Manuel Parini.

Amendment offered by the Committee on the Judiciary:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. CITIZENSHIP FOR CARMEN VICTORIA PARINI, FELIX JUAN PARINI, AND SERGIO MANUEL PARINI.

(a) IN GENERAL.—Subject to subsection (b), Carmen Victoria Parini, Felix Juan Parini, and Sergio Manuel Parini may each be naturalized and issued a certification of naturalization as a citizen of the United States by taking the oath required by section 337 of the Immigration and Nationality Act in the manner prescribed by such section.

(b) DEADLINE FOR APPLICATION.—Subsection (a) shall apply to an individual under such subsection only if the individual applies to take the oath referred to in such subsection by submitting the required form within 2 years after the date of the enactment of this Act.

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

The following resolution (H. Res. 29) was considered, read twice; the amendments following were agreed to, and the resolution, as amended, was agreed to:

Resolved, That the bill (H.R. 477) entitled "A bill for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation and Kerr-McGee Chemical Corporation", now pending in the House of Representatives, together with all accompanying papers, is referred to the chief judge of the United States Claims Court pursuant to section 1492 of title 28, United States Code, for proceedings in accordance with section 2509 of such title.

Amendments offered by the Committee on the Judiciary:

Page 2, line 4, add the following after the period:

This resolution shall become effective immediately upon the issuance of an order dismissing with prejudice all claims asserted in

Kerr-McGee Corporation and Kerr-McGee Chemical Corporation v. *United States of America,* Docket No. 407—88 L (United States Claims Court); and *Global Exploration and Development Corporation* v. *United States of America,* Docket No. 587–88 L (United States Claims Court).

The title of the resolution was amended so as to read: ''Resolution referring to the chief judge of the U.S. Claims Court the bill (H.R. 477) for the relief of Global Exploration and Development Corp., Kerr-McGee Corp. and Kerr-McGee Chemical Corp.''

The bill of the Senate of the following title was considered, read twice; the amendment following was agreed to, and the bill, as amended, was ordered to be read a third time, was read a third time by title, and passed:

S. 295. An Act for the relief of Mary P. Carlton and Lee Alan Tan.

Amendment in the nature of a substitute offered by the Committee on the Judiciary:

Strike out all after the enacting clause and insert the following:

SECTION 1. IMMEDIATE RELATIVE STATUS FOR MARY P. CARLTON AND LEE ALAN TAN

(a) IN GENERAL.—Subject to subsection (b), for the purposes of the Immigration and Nationality Act, Mary P. Carlton, the widow of a citizen of the United States, and Lee Alan Tan, the stepchild of a citizen of the United States, shall be considered to be immediate relatives within the meaning of section 201(b) of such Act, and the provisions of section 204 of such Act shall not be applicable in these cases.

(b) DEADLINE FOR APPLICATION.—Subsection (a) shall apply only if Mary P. Carlton applies to the Attorney General, on behalf of herself and Lee Alan Tan, for adjustment of status pursuant to such subsection within 2 years after the date of the enactment of this Act.

(c) ADJUSTMENT OF STATUS.—Mary P. Carlton and Lee Alan Tan shall be considered to have been lawfully admitted to the United States, and be eligible for processing, for purposes of adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(d) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Mary P. Carlton and Lee Alan Tan shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

¶86.7 BILLS PASSED OVER

Pursuant to the foregoing order of the House, the bills of the following titles were severally passed over without prejudice and retain their places on the Private Calendar:

H.R. 240. A bill for the relief of Rodgito Keller.

H.R. 760. A bill to permit Willie C. Harris to present a claim against the United States in the manner provided for in chapter 171 of title 28, United States Code, and for other purposes.

H.R. 1100. A bill for the relief of Luis Fernando Bernate Christopher.

H.R. 1123. A bill for the relief of Howard W. Waite.

H.R. 1280. A bill for the relief of Earl B. Chappell, Jr.

H.R. 1759. A bill for the relief of James B. Stanley.

H.R. 3590. A bill for the relief of Lloyd B. Gamble.

Motions severally made to reconsider the votes whereby each bill on the Private Calendar was disposed of today were, by unanimous consent, laid on the table.

¶86.8 MISCELLANEOUS REVENUE ACT

Mr. ROSTENKOWSKI moved to suspend the rules and pass the bill (H.R. 2735) to amend the Internal Revenue Code of 1986 to repeal the 30-percent gross income limitation applicable to regulated investment companies, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. ROSTENKOWSKI and Mr. ARCHER, 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. MONTGOMERY, 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.

By unanimous consent, the title was amended so as to read: ''An Act to make miscellaneous changes in the tax laws.''.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

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

¶86.9 RAIL SAFETY AUTHORIZATION

Mr. SWIFT moved to suspend the rules and agree to the following resolution (H. Res. 516):

Resolved, That, upon the adoption of this resolution, the bill (H.R. 2607) to authorize activities under the Federal Railroad Safety Act of 1970 for fiscal years 1992 and 1993, and for other purposes, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment to the text of the bill be, and the same is hereby, agreed to with the following amendments:

In lieu of the matter proposed to be inserted by the Senate, insert as an amendment in the nature of a substitute the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rail Safety Enforcement and Review Act''.

SEC. 2. ISSUANCE OF REGULATIONS.

Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 431) is amended—

(1) in subsection (i)(1), by striking ''such rules, regulations, orders, and standards as may be necessary'' and inserting in lieu thereof ''rules, regulations, orders, and standards'';

(2) in subsection (n)—

(A) by striking ''such rules, regulations, orders, and standards as may be necessary'' and inserting in lieu thereof ''rules, regulations, orders, and standards'';

(B) by striking '', including'' and inserting in lieu thereof ''on railroad bridges. At a minimum, the Secretary shall provide'';

(C) by striking ''such as'' and inserting in lieu thereof ''including''; and

(D) by striking ''relating to instances when boats shall be used'' and inserting in lieu thereof ''for the use of boats when work is performed on bridges located over bodies of water'';

(3) in subsection (o)(1), by striking ''such rules, regulations, orders, and standards as may be necessary'' and inserting in lieu thereof ''rules, regulations, orders, and standards''; and

(4) in subsection (q), by striking ''such rules, regulations, orders, and standards as may be necessary'' and inserting in lieu thereof ''rules, regulations, orders, and standards''.

SEC. 3. REMEDIAL ACTIONS.

(a) REGULATIONS.—The Secretary of Transportation (hereafter in this Act referred to as the ''Secretary'') shall issue regulations to require that any railroad notified by the Secretary that assessment of a civil penalty will be recommended for a failure to comply with a provision of the Federal railroad safety laws, as such term is defined in section 212(e) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 441(e)), or any rule, regulation, order, or standard issued under such provision, shall report to the Secretary, within 30 days after the end of the month in which such notification is received, actions taken to remedy that failure.

(b) EXPLANATION OF DELAY.—Regulations issued under subsection (a) shall provide that, if appropriate remedial actions cannot be taken by a railroad within such 30-day period, such railroad shall submit to the Secretary an explanation of the reasons for any delay.

(c) SCHEDULE FOR REGULATIONS.—The Secretary shall—

(1) within 9 months after the date of enactment of this Act, issue a notice of proposed rulemaking for regulations to implement this section; and

(2) within 2 years after the date of enactment of this Act, issue final regulations to implement this section.

SEC. 4. ENFORCEMENT.

(a) MINIMUM AND MAXIMUM PENALTIES.—(1) Section 209(b) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 438(b)), section 6 of the Act of March 2, 1893, and section 4 of the Act of April 14, 1910 (45 U.S.C. 6 and 13; commonly referred to as the ''Safety Appliance Acts''), section 7 of the Act of May 6, 1910 (45 U.S.C. 43; commonly referred to as the ''Accident Reports Act''), section 25(h) of the Interstate Commerce Act (49 U.S.C. App. 26; commonly referred to as the ''Signal Inspection Act''), and section 9 of the Act of February 17, 1911 (45 U.S.C. 34; commonly referred to as the ''Locomotive Inspection Act'') are each amended by striking ''$250'' and inserting in lieu thereof ''$500''.

(2) Section 5(a)(1) of the Act of March 4, 1907 (45 U.S.C. 64a(a)(1); commonly referred to as the ''Hours of Service Act'') is amended by striking ''penalty of up to $1,000 per violation, as the Secretary of Transportation deems reasonable,'' and inserting in lieu thereof ''civil penalty, as the Secretary of Transportation deems reasonable, in an amount not less than $500 nor more than $10,000, except that where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury to persons, or has caused death or injury, a penalty of not to exceed $20,000 may be assessed, and''.

(3) Section 2 of the Act of May 6, 1910 (45 U.S.C. 39; commonly referred to as the ''Accident Reports Act'') is amended by striking ''one hundred dollars'' and inserting in lieu thereof ''$500''.

(4) Section 3711(c)(2) of title 31, United States Code, is amended by striking ''$250'' and inserting in lieu thereof ''$500''.

(b) REGIONAL ENFORCEMENT PILOT PROJECT.—(1) The Secretary shall establish a pilot project in more than one region of the Federal Railroad Administration to demonstrate the benefits that may accrue to the Federal railroad safety program from assigning an attorney, who is a Federal employee within the Department of Transportation, to regional offices of the Federal Railroad Administration to perform initial case review, assess penalties, settle cases, and provide legal advice to Federal Railroad Administration regional personnel on enforcement and other issues, as compared to performing such functions at the headquarters level.

(2) The pilot program shall be completed within 18 months after the date of enactment of this Act.

(3) Within 2 years after the date of enactment of this Act, the Secretary shall submit a report to the Congress describing the results of the pilot program. Factors to be considered in the report shall include—

(A) the speed, volume, and effectiveness of civil penalty actions;

(B) the efficiency of the delivery of legal advice on safety issues;

(C) the financial and other costs of assigning attorneys in each region;

(D) the effects on uniformity of enforcement resulting from performing in the regions of the Federal Railroad Administration the functions described in paragraph (1); and

(E) the advisability of assigning attorneys to some or all of the regions of the Federal Railroad Administration.

(c) CONSIDERATIONS FOR COMPROMISE OF CIVIL PENALTIES.—(1) Section 209(c) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 438(c)) is amended by inserting ''In compromising a civil penalty assessed under this section, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed, and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior or subsequent offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.'' after ''referral to the Attorney General.''.

(2) Section 5(a)(1) of the Act of March 4, 1907 (45 U.S.C. 64a(a)(1); commonly referred to as the ''Hours of Service Act'') is amended by adding at the end the following sentence: ''In compromising a civil penalty assessed under this section, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed, and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior or subsequent offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.''.

(3) Section 6 of the Act of March 2, 1893 (45 U.S.C. 6; commonly referred to as the ''Safety Appliance Acts'') is amended by adding at the end the following sentence: ''In compromising a civil penalty assessed under this section, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed, and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior or subsequent offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.''.

(4) Section 4 of the Act of April 14, 1910 (45 U.S.C. 13; commonly referred to as the ''Safety Appliance Acts'') is amended by adding at the end the following sentence: ''In compromising a civil penalty assessed under this section, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed, and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior or subsequent offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.''.

(5) Section 7 of the Act of May 6, 1910 (45 U.S.C. 43; commonly referred to as the ''Accident Reports Act'') is amended by adding at the end the following sentence: ''In compromising a civil penalty assessed under this section, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed, and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior or subsequent offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.''.

(6) Section 25(h) of the Interstate Commerce Act (49 U.S.C. App. 26; commonly referred to as the ''Signal Inspection Act'') is amended by adding at the end the following sentence: ''In compromising a civil penalty assessed under this section, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed, and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior or subsequent offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.''.

(7) Section 9 of the Act of February 17, 1911 (45 U.S.C. 34; commonly referred to as the ''Locomotive Inspection Act'') is amended by adding at the end the following sentence: ''In compromising a civil penalty assessed under this section, the Secretary shall take into account the nature, circumstances, extent, and gravity of the violation committed, and, with respect to the person found to have committed such violation, the degree of culpability, any history of prior or subsequent offenses, ability to pay, effect on ability to continue to do business, and such other matters as justice may require.''.

SEC. 5. REVIEW OF AGENCY ACTION.

(a) IN GENERAL.—(1) Section 202(f) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 431(f)) is amended to read as follows:

''(f) Any final agency action taken by the Secretary under this title or under any of the other Federal railroad safety laws, as defined in section 212(e) of this title, is subject to judicial review as provided in chapter 7 of title 5, United States Code. Except as provided in section 203(e) of this title, any proceeding to review such final agency action shall be brought in the appropriate court of appeals as provided by and in the manner prescribed in chapter 158 of title 28, United States Code.''.

(2) The amendment made by subsection (a) shall apply to final agency actions of the Secretary whenever taken, except that the amendment shall not apply in a case where a civil action has been brought before the date of enactment of this Act.

(b) FEDERAL RAILROAD SAFETY LAWS.—Section 212(e) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 441(e)) is amended by inserting ''the Sanitary Food Transportation Act of 1990 (49 U.S.C. App. 2801 note),'' before ''and those laws transferred''.

(c) TECHNICAL AMENDMENTS.—(1) Section 2341(3)(B) of title 28, United States Code, is amended by inserting ''or the Secretary of Transportation'' after ''Secretary of Agriculture''.

(2) Section 2342 of title 28, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (5);

(B) by striking the period at the end of paragraph (6) and inserting in lieu thereof ''; and''; and

(C) by adding at the end the following new paragraph:

''(7) all final agency actions described in section 202(f) of the Federal Railroad Safety Act of 1970.''.

SEC. 6. PROTECTION OF RAILROAD SAFETY ENFORCEMENT PERSONNEL.

Section 1114 of title 18, United States Code, is amended by inserting ''any officer or employee of the Federal Railroad Administration assigned to perform investigative, inspection, or law enforcement functions,'' after ''any employee of the Coast Guard assigned to perform investigative, inspection or law enforcement functions,''.

SEC. 7. POWER BRAKE SAFETY.

Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 431) is amended by adding at the end the following new subsection:

''(r) POWER BRAKE SAFETY.—(1) The Secretary shall conduct a review of the Department of Transportation's rules with respect to railroad power brakes, and, not later than December 31, 1993, shall revise such rules based on such safety data as may be presented during that review.

''(2) In carrying out paragraph (1), the Secretary shall, where applicable, prescribe standards regarding dynamic braking equipment.

''(3)(A) The Secretary shall require 2-way end of train devices (or devices able to perform the same function) on road trains other than locals, road switchers, or work trains to enable the initiation of emergency braking from the rear of a train. The Secretary shall promulgate rules as soon as possible, but not later than December 31, 1993, requiring such 2-way end of train devices. Such rules shall, at a minimum—

''(i) set standards for such devices based on performance;

''(ii) prohibit any railroad, on or after the date that is one year after promulgation of such rules, from acquiring any end of train device for use on trains which is not a 2-way device meeting the standards set under clause (i);

''(iii) require that such trains be equipped with 2-way end of train devices meeting such standards not later than 4 years after promulgation of such rules; and

''(iv) provide that any 2-way end of train device acquired for use on trains before such promulgation shall be deemed to meet such standards.

''(B) The Secretary may consider petitions to amend the rules promulgated under subparagraph (A) to allow the use of alternative technologies which meet the same basic performance requirements established by such rules.

''(C) In developing the rules required by subparagraph (A), the Secretary shall consider data presented under paragraph (1).

''(4) The Secretary may exclude from the rules required by paragraphs (1), (2), and (3) any category of trains or rail operations if the Secretary determines that such an exclusion is in the public interest and is consistent with railroad safety. The Secretary shall make public the reasons for granting any such exclusion. The Secretary shall at a minimum exclude from the requirements of paragraph (3)—

''(A) trains that have manned cabooses;

''(B) passenger trains with emergency brakes;

''(C) trains that operate exclusively on track that is not part of the general railroad system;

''(D) trains that do not exceed 30 miles per hour and do not operate on heavy grades, except for any categories of such trains specifically designated by the Secretary; and

''(E) trains that operate in a push mode.''.

SEC. 8. TRACK SAFETY.

Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 431), as amended by this Act, is further amended by adding at the end the following new subsection:

''(s) TRACK SAFETY.—(1) The Secretary shall, within 6 months after the date of enactment of this subsection, initiate a review of the Department of Transportation's standards relating to track safety. Within 2 years after the date of enactment of this subsection, the Secretary shall issue rules, regulations, orders, or standards to revise such track safety standards, considering such safety data as may be presented during that review and the General Accounting Office report submitted under paragraph (3).

''(2) The review required under paragraph (1) shall, at a minimum, include—

''(A) an evaluation of procedures associated with maintaining and installing continuous welded rail and its attendant structure;

''(B) an evaluation of the need for revisions to rules with respect to track subject to exception from track safety standards; and

''(C) an evaluation of employee safety.

''(3) The General Accounting Office shall conduct a study of the effectiveness of the Secretary's enforcement of track safety standards, with particular attention to recent relevant railroad accident experience and data. Within one year after the date of enactment of this subsection, the General Accounting Office shall submit to the Secretary and Congress a report on the results of such study, together with recommendations for improving such enforcement.''.

SEC. 9. APPLICABILITY OF RULES, REGULATIONS, ORDERS, AND STANDARDS.

(a) AMENDMENT.—(1) Section 209(a) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 438(a)) is amended by striking the parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(2) Section 5(a)(1) of the Act of March 4, 1907 (45 U.S.C. 64a(a)(1); commonly referred to as the ''Hours of Service Act'') is amended by striking the parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(3) Section 6 of the Act of March 2, 1893 (45 U.S.C. 6; commonly referred to as the ''Safety Appliance Acts'') is amended by striking the first parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(4) Section 3 of the Act of March 2, 1903 (45 U.S.C. 10; commonly referred to as the ''Safety Appliance Acts'') is amended by striking the parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(5) Section 4 of the Act of April 14, 1910 (45 U.S.C. 13; commonly referred to as the ''Safety Appliance Acts'') is amended by striking the first parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(6) Section 7 of the Act of May 6, 1910 (45 U.S.C. 43; commonly referred to as the ''Accident Reports Act'') is amended by striking the first parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(7) Section 25(h) of the Interstate Commerce Act (49 U.S.C. App. 26; commonly referred to as the ''Signal Inspection Act'') is amended by striking the first parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(8) Section 9 of the Act of February 17, 1911 (45 U.S.C. 34; commonly referred to as the ''Locomotive Inspection Act'') is amended by striking the first parenthetical clause and inserting in lieu thereof the following: ''(including but not limited to a railroad; any manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor)''.

(b) EFFECT ON OTHER LAW.—Nothing in the amendment made by subsection (a) shall affect the authority or responsibilities of the Secretary of Labor under the Occupational Safety and Health Act of 1970.

SEC. 10. LOCOMOTIVE CRASHWORTHINESS AND WORKING CONDITIONS.

Section 202 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 431), as amended by this Act, is further amended by adding at the end the following new subsection:

''(t) LOCOMOTIVE CRASHWORTHINESS AND WORKING CONDITIONS.—(1) The Secretary shall, within 30 months after the date of enactment of this subsection, complete a rulemaking proceeding to consider prescribing regulations to improve the safety and working conditions of locomotive cabs. Such proceeding shall assess—

''(A) the adequacy of Locomotive Crashworthiness Requirements Standard S–580, or any successor standard thereto, adopted by the Association of American Railroads in 1989, in improving the safety of locomotive cabs; and

''(B) the extent to which environmental, sanitary, and other working conditions in locomotive cabs affect productivity, health, and the safe operation of locomotives.

''(2) In support of the proceeding required under paragraph (1), the Secretary shall conduct research and analysis, including computer modeling and full-scale crash testing, as appropriate, to consider—

''(A) the costs and benefits associated with equipping locomotives with—

''(i) braced collision posts;

''(ii) rollover protection devices;

''(iii) deflection plates;

''(iv) shatterproof windows;

''(v) readily accessible crash refuges;

''(vi) uniform sill heights;

''(vii) anticlimbers, or other equipment designed to prevent overrides resulting from head-on locomotive collisions;

''(viii) equipment to deter post-collision entry of flammable liquids into locomotive cabs;

''(ix) any other devices intended to provide crash protection for occupants of locomotive cabs; and

''(x) functioning and regularly maintained sanitary facilities; and

''(B) the effects on train crews of the presence of asbestos in locomotive components.

''(3) If on the basis of the proceeding required under paragraph (1) the Secretary determines not to prescribe regulations, the Secretary shall report to Congress on the reasons for that determination.''.

SEC. 11. RAILROAD RADIO COMMUNICATIONS.

(a) SAFETY INQUIRY.—The Secretary shall, within 18 months after the date of enactment of this Act and in consultation with the National Railroad Passenger Corporation, freight and commuter railroads, rail equipment manufacturers, and railroad employees, conduct a safety inquiry regarding the Department of Transportation's railroad radio standards and procedures. At a minimum, such inquiry shall include assessment of—

(1) the advantages and disadvantages of requiring that every locomotive (and every caboose, where applicable) be equipped with a railroad voice communications system capable of permitting a person in the locomotive (or caboose) to engage in clear two-way communications with persons on following and leading trains and with train dispatchers located at railroad stations;

(2) a requirement that replacement radios be made available at intermediate terminals;

(3) the effectiveness of radios in ensuring timely emergency response;

(4) the effect of interference and other disruptions of radio communications on safe railroad operation;

(5) how advanced communications technologies such as digital radio can be implemented to best enhance the safety of railroad operations;

(6) the status of advanced train control systems that are being developed, and the implications of such systems for effective railroad communications; and

(7) the need for minimum Federal standards to ensure that such systems provide for positive train separation and are compatible nationwide.

(b) REPORT TO CONGRESS.—The Secretary shall submit to Congress within 4 months after the completion of such inquiry a report on the results of the inquiry along with an identification of appropriate regulatory action and specific plans for taking such action.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

Section 214(a) of the Federal Railroad Safety Act of 1970 (45 U.S.C. 444(a)) is amended to read as follows:

''(a) There are authorized to be appropriated to carry out this Act not to exceed $54,352,000 for fiscal year 1992, $68,283,000 for fiscal year 1993, and $71,690,000 for fiscal year 1994. The Secretary is authorized to request, receive, and use payments from non-Federal sources for expenses incurred in training safety employees of private industry, State and local authorities, or other public authorities, other than State rail safety inspectors participating in training pursuant to section 206 of this title.''.

SEC. 13. TOTAL QUALITY MANAGEMENT IN SAFETY ASSESSMENTS.

In all comprehensive, multidiscipline safety assessments of railroads, the conduct of which is initiated by the Secretary between the date of enactment of this Act and the end of fiscal year 1993, the Secretary shall evaluate the use and effectiveness of total quality management techniques, if any, on the safety practices of the railroad being assessed. The Secretary shall include findings and conclusions based on such evaluation in each such safety assessment report.

SEC. 14. LOCAL RAIL FREIGHT ASSISTANCE PROGRAM.

Section 5(q) of the Department of Transportation Act (49 U.S.C. App. 1654(q)) is amended—

(1) by inserting ''There are authorized to be appropriated to the Secretary for the purposes of this section not to exceed $16,000,000 for fiscal year 1992, $25,000,000 for fiscal year 1993, and $30,000,000 for fiscal year 1994.'' after ''fiscal year 1991.''; and

(2) by striking ''any period after September 30, 1991'' and inserting in lieu thereof ''any period after September 30, 1994''.

SEC. 15. PROCEDURE FOR DETERMINING ACCIDENT REPORTING THRESHOLD.

(a) GENERAL RULE.—In establishing or modifying a monetary damage threshold for the reporting of railroad accidents, the Secretary shall base damage cost calculations only on publicly available data—

(1) obtained from the Bureau of Labor Statistics; or

(2) otherwise obtained from an agency of the Federal Government which has been collected through objective, statistically sound survey methods or which has been previously subject to a public notice and comment process in a Federal agency proceeding.

(b) EXCEPTION.—If any data necessary for establishing or modifying a threshold described in subsection (a) is not available as provided in subsection (a) (1) or (2), the Secretary may use any other source to obtain such data, but the use of such data shall be subject to public notice and the opportunity for written comment.

(c) EFFECTIVE DATE.—This section shall apply only to the establishment or modification of a monetary damage threshold occurring after the date of enactment of this Act.

SEC. 16. REPORT ON THE SAFETY OF HAZARDOUS MATERIALS TRANSPORTATION BY RAIL.

Within one year after the date of enactment of this Act, the Secretary shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding issues presented by the transportation by rail of hazardous materials. The report shall include the following information:

(1) For the years 1989, 1990, 1991, and, to the extent available, 1992, relevant data concerning each unintentional release of hazardous materials resulting from rail transportation accidents, including the location of each such release, the probable cause or causes of each such release, and the effects of each such release.

(2) For the years 1989, 1990, 1991, and, to the extent available, 1992, a summary of relevant data concerning unintentional releases of hazardous materials resulting from rail transportation incidents.

(3) A description of current regulations governing hazardous materials rail car placement (including buffer cars), and an evaluation of their adequacy in light of experience and emerging traffic and commodity patterns.

(4) An assessment of regulations, rules, orders, or standards that address rail operations or procedures associated with carrying hazardous materials on rights-of-way having significant grades or high degrees of curvature.

(5) An assessment of the effectiveness and associated costs of requiring deployment of wayside bearing failure detectors for trains carrying hazardous materials.

(6) An assessment of rail tank car rules, regulations, orders, or standards affecting hazardous materials transportation.

(7) The status of all planned or pending regulatory activities of the Secretary (including the status of all regulations required by statute) that seek to address the safe transportation of hazardous materials by rail, and the status of rail hazardous materials enforcement activities.

(8) Such other information as the Secretary determines relevant to the safe transportation of hazardous materials by rail.

SEC. 17. REPORT ON TRAIN DISPATCHING OFFICES.

Not later than 18 months after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report concerning any action that has been taken by the Secretary and the railroad industry to rectify any continuing problems associated with unsatisfactory workplace environments in certain train dispatching offices identified in the National Train Dispatcher Safety Assessment for 1987–1988, published by the Federal Railroad Administration in July 1990. The report shall include recommendations for legislative or regulatory action to ameliorate any such problems that affect safety in train operations.

SEC. 18. NORTHEAST CORRIDOR SAFETY COMMITTEE.

(a) MEETINGS.—Section 11(c) of the Rail Safety Improvement Act of 1988 (45 U.S.C. 431 note) is amended to read as follows:

''(c) The Northeast Corridor Safety Committee shall meet at least once every 2 years to consider matters involving safety on the main line of the Northeast Corridor.''.

(b) REPORT.—Section 11(d) of the Rail Safety Improvement Act of 1988 (45 U.S.C. 431 note) is amended—

(1) by striking ''Within one year after the date of enactment of this Act'' and inserting in lieu thereof ''At the beginning of the first session of the 103rd Congress, and biennially thereafter,''; and

(2) by adding at the end the following new sentence: ''The report shall contain the safety recommendations of the Northeast Corridor Safety Committee and the comments of the Secretary on those recommendations.''.

(c) TERMINATION DATE.—Section 11 of the Rail Safety Improvement Act of 1988 (45 U.S.C. 431 note) is amended by adding at the end the following new subsection:

''(e) The Northeast Corridor Safety Committee shall cease to exist on January 1, 1999, or on such date as the Secretary determines to be appropriate. The Secretary shall notify the Congress in writing of any such determination.''.

Amend the title to read as follows: ''An Act to authorize activities under the Federal Railroad Safety Act of 1970 for fiscal years 1992 through 1994, and for other purposes.''.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. SWIFT and Mr. RITTER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. MONTGOMERY, 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 resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶86.10 CASH MANAGEMENT IMPROVEMENT

Mr. PETERSON of Minnesota moved to suspend the rules and pass the bill (H.R. 5377) to amend the Cash Management Improvement Act of 1990 to provide adequate time for implementation of that Act, and for other purposes.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. PETERSON of Minnesota and Mr. HORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MONTGOMERY, 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 was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

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

¶86.11 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. PETERSON, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶86.12 NATIONAL SCULPTURE GARDEN POLICE JURISDICTION

Mr. CLAY moved to suspend the rules and pass the bill (H.R. 5059) to extend the boundaries of the grounds of the National Gallery of Art to include the National Sculpture Garden.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. CLAY and Mr. BARRETT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MONTGOMERY, 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 was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

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

¶86.13 THOMAS PAINE MEMORIAL

Mr. CLAY moved to suspend the rules and pass the bill (H.R. 1628) to authorize the construction of a monument in the District of Columbia or its environs to honor Thomas Paine, and for other purposes.

The SPEAKER pro tempore, Mr. MONTGOMERY, recognized Mr. CLAY and Mr. BARRETT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MONTGOMERY, 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 was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

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

¶86.14 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 502 AND H.R. 5318

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 514):

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 502) disapproving the extension of nondiscriminatory treatment (most-favored-nation) to the products of the People's Republic of China. The joint resolution shall be debatable for one hour, to be equally divided and controlled by Representatives Solomon of New York and Representative Rostenkowski of Illinois or their designees. Pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion. All points of order against consideration are hereby waived with respect to the measures specified in this section and section 3 of this resolution.

SEC. 2. The provisions of sections 152 and 153 of the Trade Act of 1974 shall not apply to any other joint resolution disapproving the extension of most-favored-nation treatment to the People's Republic of China for the remainder of the One Hundred Second Congress.

SEC. 3. After disposition of the joint resolution (H.J. Res. 502), it shall be in order to consider in the House the bill (H.R. 5318) regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes. The bill shall be debatable for one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the amendments recommended by the Committee on Ways and Means now printed in the bill, which shall be considered en bloc and which shall not be subject to a demand for a division of the question, and on the bill to final passage without intervening motion except one motion to recommit.

When said resolution was considered.

After debate,

On motion of Mr. FROST, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶86.15 CHINA MFN STATUS DISAPPROVAL

Mr. ROSTENKOWSKI, pursuant to House Resolution 514, called up the joint resolution (H.J. Res. 502) disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China.

When said joint resolution was considered and read twice.

After debate,

Pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question was considered as ordered.

The joint resolution 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 joint resolution?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that the yeas had it.

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

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 258 / Nays ..... 135 }

¶86.16 [Roll No. 285]

YEAS—258

Abercrombie
Ackerman
Alexander
Allen
Andrews (ME)
Andrews (NJ)
Annunzio
Anthony
Applegate
Aspin
Bacchus
Ballenger
Barnard
Barton
Beilenson
Bennett
Bentley
Berman
Bevill
Bilbray
Blackwell
Bliley
Boehlert
Bonior
Borski
Boucher
Browder
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Cardin
Carper
Chapman
Clay
Clement
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Costello
Cox (CA)
Cox (IL)
Coyne
Cramer
Cunningham
Darden
Davis
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dixon
Donnelly
Dooley
Doolittle
Downey
Duncan
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Engel
Erdreich
Espy
Evans
Fascell
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gaydos
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Gonzalez
Gordon
Gunderson
Hall (OH)
Harris
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Hoyer
Hubbard
Hunter
Hutto
James
Jefferson
Jenkins
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kildee
Kleczka
Kostmayer
Kyl
LaFalce
Lantos
Laughlin
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (FL)
Lloyd
Long
Lowey (NY)
Manton
Markey
Martinez
Mavroules
Mazzoli
McCandless
McCollum
McCurdy
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Mfume
Mineta
Mink
Moakley
Molinari
Moody
Moran
Morella
Murtha
Myers
Neal (MA)
Neal (NC)
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Pelosi
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Rhodes
Richardson
Ridge
Riggs
Ritter
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sawyer
Schaefer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sikorski
Sisisky
Skeen
Skelton
Slaughter
Smith (FL)
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Staggers
Stark
Stearns
Stokes
Swett
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thornton
Torres
Traficant
Traxler
Unsoeld
Upton
Valentine
Vento
Visclosky
Walker
Walsh
Washington
Waters
Waxman
Weiss
Weldon
Wheat
Wilson
Wolf
Wolpe
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—135

Allard
Anderson
Andrews (TX)
Archer
Armey
AuCoin
Baker
Barrett
Bateman
Bereuter
Bilirakis
Boehner
Brewster
Brooks
Broomfield
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Crane
DeLay
Dickinson
Dicks
Dingell
Dorgan (ND)
Dreier
Emerson
English
Ewing
Fawell
Fazio
Gallo
Geren
Gibbons
Gillmor
Glickman
Goodling
Goss
Gradison
Grandy
Green
Guarini
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Hastert
Hoagland
Hobson
Houghton
Huckaby
Hughes
Inhofe
Jacobs
Johnson (CT)
Johnson (SD)
Johnson (TX)
Kennelly
Klug
Kolbe
Kopetski
Lagomarsino
LaRocco
Leach
Lent
Lewis (CA)
Lightfoot
Livingston
Lowery (CA)
Luken
Marlenee
Martin
Matsui
McCrery
McDade
McDermott
McGrath
Meyers
Michel
Miller (OH)
Miller (WA)
Montgomery
Moorhead
Murphy
Nagle
Natcher
Nichols
Nowak
Nussle
Orton
Oxley
Packard
Payne (VA)
Pease
Penny
Peterson (MN)
Petri
Pickett
Pickle
Reed
Regula
Rinaldo
Roberts
Roe
Roemer
Rostenkowski
Santorum
Sarpalius
Saxton
Scheuer
Sharp
Shaw
Shays
Shuster
Skaggs
Slattery
Smith (IA)
Smith (OR)
Solarz
Stallings
Stenholm
Stump
Sundquist
Swift
Thomas (CA)
Thomas (WY)
Vander Jagt
Volkmer
Vucanovich
Weber
Williams
Wyden
Wylie

NOT VOTING—41

Atkins
Boxer
Brown
Campbell (CO)
Carr
Conyers
Coughlin
Dannemeyer
Dornan (CA)
Durbin
Feighan
Fields
Ford (TN)
Gingrich
Hatcher
Hyde
Ireland
Johnston
Jones (GA)
Kolter
Lancaster
Lehman (CA)
Lewis (GA)
Lipinski
Machtley
McCloskey
McEwen
Miller (CA)
Mollohan
Morrison

Mrazek
Perkins
Peterson (FL)
Ray
Roukema
Savage
Studds
Torricelli
Towns
Whitten
Wise

So the joint resolution was passed.

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

¶86.17 CHINA MFN STATUS AND CONDITIONS

Mr. ROSTENKOWSKI, pursuant to House Resolution 514, called up the bill (H.R. 5318) regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes.

When said bill was considered and read twice.

After debate,

The following amendments en bloc recommended by the Committee on Ways and Means were considered:

Page 2, line 7, strike out ''be designed to bring about'' and insert ''include among its primary objectives''.

Page 5, line 6, strike ''and''.

Page 5, line 9, strike the period and insert ''; and''.

Page 5, between lines 9 and 17, insert the following:

(11) cooperating with the United States in efforts to obtain an acceptable accounting of United States military personnel who are listed as prisoners of war or missing in action as a result of their service in—

(A) the Korean conflict; or

(B) the Vietnam conflict.

Page 7, strike out line 3 and all that follows down through line 24 on page 7.

Page 8, line 11, strike out ''5.'' and insert ''4.''.

Page 8, strike out lines 7, 8, 9, and 10 and ''People's Republic of China.'' on line 11 and insert the following:

shall apply to any good that is produced or manufactured by a business, corporation, partnership, qualified joint venture, or other person that is not a state-owned enterprise of the People's Republic of China. Any such good that is marketed or otherwise exported by a state-owned enterprise of the People's Republic of China shall be ineligible for such nondiscriminatory treatment.

Page 11, strike out lines 12 through 16, inclusive, and insert the following:

Any business, corporation, partnership, company, or person that—

(I) is a qualified foreign joint venture or is defined by such authorities as a collective or private enterprise; or

(II) is wholly owned by a foreign business, corporation, company, or person,

shall not be considered to be state-owned.

Page 13, line 14, strike out ''6.'' and insert ''5.''.

The previous question having been ordered on the amendments en bloc and on the bill by said resolution.

The question being put, viva voce,

Will the House agree to said amendments en bloc?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that the yeas had it.

So the amendments en bloc were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. ARCHER moved to recommit the bill to the Committee on Ways and Means.

The question being put, viva voce,

Will the House recommit said bill?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that the nays had it.

So the motion to recommit was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. MAZZOLI, announced that the yeas had it.

Mr. ROSTENKOWSKI 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 vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 339 / Nays 62

¶86.18 [Roll No. 286]

YEAS—339

Abercrombie
Ackerman
Alexander
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
AuCoin
Bacchus
Ballenger
Barnard
Barton
Beilenson
Bennett
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Bonior
Borski
Boucher
Brewster
Broomfield
Browder
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Camp
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Costello
Cox (CA)
Cox (IL)
Coyne
Cramer
Cunningham
Dannemeyer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Dornan (CA)
Downey
Duncan
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Fields
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Green
Guarini
Gunderson
Hall (OH)
Hamilton
Harris
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Inhofe
Jacobs
James
Jefferson
Jenkins
Johnson (TX)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kostmayer
Kyl
Lagomarsino
Lancaster
Lantos
LaRocco
Lehman (FL)
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Martin
Martinez
Mavroules
Mazzoli
McCollum
McCurdy
McDade
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Moody
Moorhead
Moran
Morella
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Petri
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Rhodes
Richardson
Ridge
Riggs
Rinaldo
Ritter
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (NJ)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stokes
Studds
Sundquist
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (NC)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Traficant
Traxler
Unsoeld
Upton
Valentine
Vander Jagt
Vento
Visclosky
Volkmer
Walker
Walsh
Washington
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Wolpe
Wyden
Yates
Yatron
Young (FL)
Zeliff
Zimmer

NAYS—62

Allard
Archer
Armey
Baker
Barrett
Bateman
Boehner
Brooks
Callahan
Campbell (CA)
Clinger
Crane
DeLay
Doolittle
Dreier
Ewing
Fawell
Goss
Gradison
Grandy
Hall (TX)
Hammerschmidt
Hancock
Hansen
Hastert
Ireland
Johnson (CT)
Johnson (SD)
Kolbe
Kopetski
Laughlin
Leach
Lightfoot
Livingston
Marlenee
Matsui
McCandless
McCrery
McDermott
Michel
Montgomery
Myers
Nichols
Nussle
Oxley
Packard
Peterson (MN)
Pickett
Roberts
Roemer
Sarpalius
Shays
Shuster
Smith (IA)
Smith (OR)
Stenholm
Stump
Taylor (MS)
Thomas (CA)
Vucanovich
Wylie
Young (AK)

NOT VOTING—33

Atkins
Boxer
Brown
Campbell (CO)
Conyers
Coughlin
Davis
Durbin
Feighan
Ford (TN)
Gingrich
Hatcher
Hyde
Johnston
Jones (GA)
Kolter
LaFalce
Lehman (CA)
Lewis (GA)
Lipinski
McCloskey
McEwen
Morrison
Mrazek
Owens (UT)
Perkins
Peterson (FL)
Ray
Roe
Roukema
Savage
Torricelli
Towns

So the bill was passed.

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

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

¶86.19 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. McCathran, one of his secretaries.

¶86.20 SUPPLEMENTAL APPROPRIATIONS, FY 1992

Mr. NATCHER submitted a privileged report (Rept. No. 102–672) on the bill (H.R. 5620) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Mr. MCDADE reserved all points of order against said bill.

¶86.21 PROVIDING FOR THE CONSIDERATION OF H.R. 2637

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 494):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2637) to withdraw lands for the Waste Isolation Pilot Plant, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour, with twenty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, with twenty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, and with twenty minutes to be equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text printed in the report of the Committee on Rules accompanying this resolution as an original bill for the purpose of amendment under the five-minute rule. Each section shall be considered as having been read. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text by this resolution. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After passage of H.R. 2637, it shall be in order to consider the bill S. 1671 in the House. It shall then be in order to move to strike out all after the enacting clause of S. 1671 and insert in lieu thereof the provisions of H.R. 2637 as passed by the House.

When said resolution was considered.

After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶86.22 WASTE ISOLATION PILOT PLANT LAND WITHDRAWAL

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 494 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2637) to withdraw lands for the Waste Isolation Pilot Plant, and for other purposes.

The SPEAKER pro tempore, Mr. MAZZOLI, by unanimous consent, designated Mr. MCDERMOTT as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. TORRES, assumed the Chair; and after some time spent therein,

¶86.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. RICHARDSON:

At the end of section 6(b) (relating to requirements for commencement of test phase activities), insert the following new paragraph:

(8) COMPLIANCE WITH DISPOSAL STANDARDS.—

(A) DOCUMENTATION BY SECRETARY.—The Secretary has submitted sufficient documentation to the Administrator to demonstrate that the WIPP facility will comply with the final disposal standards.

(B) CERTIFICATION BY ADMINISTRATOR.—The Administrator has certified by rule pursuant to chapter 5 of title 5, United States Code, that the WIPP facility will comply with the final disposal standards.

It was decided in the negative ..... { Yeas ..... 148 / Nays 253

¶86.24 [Roll No. 287]

AYES—148

Abercrombie
Alexander
Andrews (ME)
Andrews (NJ)
Annunzio
Applegate
AuCoin
Bacchus
Beilenson
Berman
Bilbray
Blackwell
Boehlert
Bonior
Boxer
Brooks
Bryant
Bustamante
Campbell (CA)
Chapman
Coleman (TX)
Collins (IL)
Collins (MI)
Costello
Coyne
de la Garza
DeFazio
DeLauro
Dixon
Dorgan (ND)
Downey
Dymally
Edwards (CA)
Edwards (TX)
Engel
English
Evans
Fascell
Fish
Flake
Foglietta
Frank (MA)
Frost
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Green
Guarini
Gunderson
Hayes (IL)
Hertel
Hochbrueckner
Hughes
Jefferson
Johnson (SD)
Jones (NC)
Jontz
Kennedy
Kennelly
Kildee
Klug
Kopetski
Lantos
Laughlin
Leach
Levin (MI)
Levine (CA)
Long
Lowey (NY)
Machtley
Markey
Matsui
Mazzoli
McDermott
McHugh
McMillen (MD)
Meyers
Mfume
Mink
Moody
Morella
Murphy
Nagle
Neal (MA)
Nowak
Oakar
Oberstar
Obey
Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Pastor
Payne (NJ)
Pelosi
Petri
Porter
Poshard
Rahall
Ramstad
Rangel
Reed
Richardson
Rinaldo
Ros-Lehtinen
Rose
Russo
Sabo
Sanders
Sangmeister
Savage
Scheuer
Schroeder
Schumer
Sensenbrenner
Serrano
Shays
Sikorski
Slaughter
Smith (FL)
Smith (NJ)
Snowe
Solarz
Stark
Studds
Swett
Torres
Unsoeld
Valentine
Vento
Vucanovich
Walsh
Washington
Waters
Waxman
Weldon
Wheat
Wilson
Wolpe
Wyden
Yates
Zimmer

NOES—253

Allard
Allen
Anderson
Andrews (TX)
Anthony
Archer
Armey
Aspin
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bennett
Bentley
Bereuter
Bevill
Bilirakis
Bliley
Boehner
Borski
Boucher
Brewster
Broomfield
Browder
Brown
Bruce
Bunning
Burton
Byron
Callahan
Camp
Campbell (CO)
Cardin
Carper
Carr
Chandler
Clay
Clement
Clinger
Coble
Coleman (MO)
Combest
Condit
Cooper
Cox (CA)
Cox (IL)
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
DeLay
Derrick
Dickinson
Dicks
Dingell
Donnelly
Dooley
Doolittle
Dornan (CA)
Dreier
Duncan
Dwyer
Early
Eckart
Edwards (OK)
Emerson
Erdreich
Espy
Ewing
Fawell
Fazio
Fields
Ford (MI)
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Gilchrest
Gordon
Goss
Gradison
Grandy
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hoagland
Hobson
Holloway
Hopkins
Horn
Houghton
Hoyer
Hubbard
Huckaby
Hunter
Hutto
Inhofe
Jacobs
James
Jenkins
Johnson (CT)
Johnson (TX)
Johnston
Kanjorski
Kaptur
Kasich
Kleczka
Kolbe
Kostmayer
Kyl
Lagomarsino
Lancaster
LaRocco
Lehman (CA)
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Lowery (CA)
Luken
Manton
Marlenee
Martin
Martinez
Mavroules
McCandless
McCollum
McCrery
McCurdy
McDade
McEwen
McGrath
McMillan (NC)
McNulty
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Natcher
Neal (NC)
Nichols
Nussle
Olin
Orton
Oxley
Packard
Parker
Patterson
Paxon
Payne (VA)
Pease
Penny
Peterson (MN)
Pickett
Pickle
Price
Pursell
Quillen
Ravenel
Regula
Rhodes
Riggs
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Rostenkowski
Roth
Roukema
Rowland
Roybal
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schiff
Schulze
Sharp
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Smith (IA)
Smith (OR)
Smith (TX)
Solomon
Spence
Spratt
Staggers
Stallings
Stearns
Stenholm
Stokes
Stump
Sundquist
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Traficant
Upton
Vander Jagt
Visclosky
Volkmer
Walker
Weber
Whitten
Williams
Wise
Wolf
Wylie
Yatron
Young (AK)
Young (FL)
Zeliff

NOT VOTING—33

Ackerman
Atkins
Conyers
Coughlin
Dellums
Durbin
Feighan
Ford (TN)
Franks (CT)
Gingrich
Hall (OH)
Hatcher
Horton
Hyde
Ireland

Jones (GA)	McCloskey	Ridge
Kolter	Morrison	Roe
LaFalce	Mrazek	Torricelli
Lehman (FL)	Perkins	Towns
Lewis (GA)	Peterson (FL)	Traxler
Lipinski	Ray	Weiss

So the amendment was not agreed to.

After some further time,

¶86.25 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. WALKER:

At the end of the committee substitute made in order by the rule (H. Res. 494), add the following new paragraph to section 16:

''(d) Notwithstanding any other provision in this Act, no funds are authorized to be appropriated to carry out this Act unless such funds are appropriated in an Act or Joint Resolution containing no other appropriation (to carry out any other law).''

It was decided in the negative ..... { Yeas ..... 144 / Nays 248

¶86.26 [Roll No. 288]

AYES—144

Allard	Gilchrest	Packard
Allen	Gillmor	Paxon
Archer	Goodling	Petri
Armey	Goss	Porter
Bacchus	Gradison	Pursell
Baker	Hall (TX)	Quillen
Ballenger	Hammerschmidt	Ramstad
Barrett	Hancock	Ravenel
Barton	Hastert	Regula
Bateman	Hefley	Rhodes
Bennett	Herger	Riggs
Bereuter	Hobson	Rinaldo
Bilirakis	Holloway	Ritter
Bliley	Hopkins	Roberts
Boehner	Houghton	Rohrabacher
Broomfield	Hubbard	Ros-Lehtinen
Bunning	Hunter	Roth
Burton	Inhofe	Santorum
Callahan	James	Saxton
Camp	Johnson (TX)	Schaefer
Campbell (CA)	Klug	Schulze
Chandler	Kolbe	Sensenbrenner
Clinger	Kyl	Shaw
Coble	Lagomarsino	Shuster
Coleman (MO)	Leach	Smith (NJ)
Combest	Lewis (CA)	Smith (OR)
Cox (CA)	Lewis (FL)	Smith (TX)
Crane	Lightfoot	Snowe
Cunningham	Livingston	Solomon
Dannemeyer	Lowery (CA)	Spence
Davis	Machtley	Stearns
DeLay	Marlenee	Stump
Doolittle	McCandless	Sundquist
Dorgan (ND)	McCollum	Tauzin
Dornan (CA)	McCrery	Taylor (NC)
Dreier	McEwen	Thomas (CA)
Duncan	McGrath	Thomas (WY)
Edwards (OK)	McMillan (NC)	Upton
Emerson	Meyers	Vander Jagt
Erdreich	Michel	Vucanovich
Ewing	Miller (OH)	Walker
Fawell	Miller (WA)	Weber
Fields	Molinari	Weldon
Fish	Moorhead	Wolf
Gallegly	Murphy	Wylie
Gallo	Nichols	Young (FL)
Gekas	Nussle	Zeliff
Gibbons	Oxley	Zimmer

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Abercrombie	Blackwell	Carr
Alexander	Boehlert	Chapman
Anderson	Bonior	Clay
Andrews (ME)	Borski	Clement
Andrews (NJ)	Boxer	Coleman (TX)
Andrews (TX)	Brewster	Collins (IL)
Annunzio	Brooks	Collins (MI)
Anthony	Browder	Condit
Applegate	Brown	Cooper
AuCoin	Bruce	Costello
Barnard	Bryant	Cox (IL)
Beilenson	Bustamante	Coyne
Bentley	Byron	Cramer
Berman	Campbell (CO)	Darden
Bevill	Cardin	de la Garza
Bilbray	Carper	DeFazio
DeLauro	Kostmayer	Rahall
Dellums	Lancaster	Rangel
Derrick	Lantos	Reed
Dicks	LaRocco	Richardson
Dingell	Laughlin	Roemer
Dixon	Lehman (CA)	Rogers
Donnelly	Levin (MI)	Rose
Dooley	Levine (CA)	Rostenkowski
Downey	Lloyd	Roukema
Dwyer	Long	Rowland
Dymally	Lowey (NY)	Roybal
Early	Luken	Russo
Edwards (CA)	Manton	Sabo
Edwards (TX)	Markey	Sanders
Engel	Martin	Sangmeister
English	Martinez	Sarpalius
Espy	Matsui	Savage
Evans	Mavroules	Sawyer
Fascell	Mazzoli	Scheuer
Fazio	McCurdy	Schiff
Flake	McDade	Schroeder
Foglietta	McDermott	Schumer
Ford (MI)	McHugh	Serrano
Frank (MA)	McMillen (MD)	Sharp
Frost	McNulty	Shays
Gaydos	Mfume	Sikorski
Gejdenson	Miller (CA)	Skaggs
Gephardt	Mineta	Skeen
Geren	Mink	Skelton
Gilman	Moakley	Slattery
Glickman	Mollohan	Slaughter
Gonzalez	Montgomery	Smith (FL)
Gordon	Moody	Smith (IA)
Grandy	Moran	Spratt
Green	Morella	Staggers
Guarini	Mrazek	Stallings
Gunderson	Murtha	Stark
Hamilton	Myers	Stenholm
Hansen	Nagle	Stokes
Harris	Natcher	Studds
Hayes (IL)	Neal (MA)	Swett
Hayes (LA)	Neal (NC)	Swift
Hefner	Nowak	Synar
Henry	Oakar	Tanner
Hertel	Oberstar	Taylor (MS)
Hoagland	Obey	Thomas (GA)
Hochbrueckner	Olin	Thornton
Horn	Olver	Torres
Hoyer	Ortiz	Traficant
Huckaby	Orton	Unsoeld
Hughes	Owens (NY)	Valentine
Hutto	Owens (UT)	Visclosky
Jacobs	Pallone	Volkmer
Jefferson	Panetta	Walsh
Jenkins	Parker	Waters
Johnson (CT)	Pastor	Waxman
Johnson (SD)	Patterson	Weiss
Johnston	Payne (NJ)	Wheat
Jones (NC)	Payne (VA)	Whitten
Jontz	Pease	Williams
Kanjorski	Pelosi	Wise
Kaptur	Penny	Wolpe
Kennedy	Peterson (MN)	Wyden
Kennelly	Pickett	Yates
Kildee	Pickle	Yatron
Kleczka	Poshard	Young (AK)
Kopetski	Price	

NOT VOTING—42

Ackerman	Hatcher	Perkins
Aspin	Horton	Peterson (FL)
Atkins	Hyde	Ray
Boucher	Ireland	Ridge
Conyers	Jones (GA)	Roe
Coughlin	Kasich	Sisisky
Dickinson	Kolter	Solarz
Durbin	LaFalce	Tallon
Eckart	Lehman (FL)	Torricelli
Feighan	Lent	Towns
Ford (TN)	Lewis (GA)	Traxler
Franks (CT)	Lipinski	Vento
Gingrich	McCloskey	Washington
Hall (OH)	Morrison	Wilson

So the amendment was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. TORRES, assumed the Chair.

When Mr. MCDERMOTT, Chairman, pursuant to House Resolution 494, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Waste Isolation Pilot Plant Land Withdrawal Act''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Land withdrawal and reservation for WIPP.
Sec. 4. Establishment of management responsibilities.
Sec. 5. Plan for test phase activities; retrieval.
Sec. 6. Test phase activities.
Sec. 7. Disposal operations.
Sec. 8. Issuance of Environmental Protection Agency disposal standards.
Sec. 9. Compliance with environmental standards.
Sec. 10. Ban on high-level radioactive waste and spent nuclear fuel.
Sec. 11. Decommissioning of WIPP.
Sec. 12. Solid Waste Disposal Act; Clean Air Act.
Sec. 13. Economic assistance and miscellaneous payments.
Sec. 14. Transportation.
Sec. 15. Environmental evaluation group.
Sec. 16. Authorizations of appropriations.
Sec. 17. Buy American requirements.

SEC. 2. DEFINITIONS.

For purposes of this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AGREEMENT.—The term ''Agreement'' means the July 1, 1981, Agreement for Consultation and Cooperation, as amended by the November 30, 1984 ''First Modification'' the August 4, 1987 ''Second modification'', and the March 18, 1988 ''Third modification'', or as it may be amended after the date of enactment of this Act, between the State of New Mexico and the United States Department of Energy as authorized by section 213(b) of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1259, 1265).

(3) CONTACT-HANDLED TRANSURANIC RADIOACTIVE WASTE.—The term ''contact-handled transuranic radioactive waste'' means transuranic radioactive waste with a surface dose rate not greater than 200 millirem per hour.

(4) DECOMMISSIONING PHASE.—The term ''decommissioning phase'' means the period of time beginning with the end of the operations phase and ending when all shafts at the WIPP repository have been back-filled and sealed.

(5) DISPOSAL.—The term ''disposal'' means permanent isolation of transuranic radioactive waste from the accessible environment with no intent of recovery, whether or not such isolation permits the recovery of such waste.

(6) DISPOSAL STANDARDS.—The term ''disposal standards'' means the environmental standards for the disposal of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste to be issued by the Administrator pursuant to section 8.

(7) EEG.—The term ''EEG'' means the Environmental Evaluation Group for the Waste Isolation Pilot Plant referred to in section 1433 of the National Defense Authorization Act, Fiscal Year 1989 (Pub. L. 100-456; 102 Stat. 1918, 2073).

(8) ENGINEERED BARRIERS.—The term ''engineered barriers'' means backfill, room seals, panel seals, and any other manmade barrier components of the disposal system.

(9) HIGH-LEVEL RADIOACTIVE WASTE.—The term ''high-level radioactive waste'' has the

meaning given such term in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12)).

(10) OPERATIONS PHASE.—The term ''operations phase'' means the period of time, during which transuranic radioactive waste is disposed of at WIPP, beginning with the initial emplacement of transuranic radioactive waste underground for disposal and ending when the last container of transuranic radioactive waste, as determined by the Secretary, is emplaced underground for disposal.

(11) REMOTE-HANDLED TRANSURANIC RADIOACTIVE WASTE.—The term ''remote-handled transuranic radioactive waste'' means transuranic radioactive waste with a surface dose rate of 200 millirem per hour or greater.

(12) RETRIEVAL.—The term ''retrieval'' means the removal of transuranic radioactive waste and the container in which it has been retained and any material contaminated by such waste from the underground repository at WIPP.

(13) SECRETARY.—The term ''Secretary'', unless otherwise specified, means the Secretary of Energy.

(14) SPENT NUCLEAR FUEL.—The term ''spent nuclear fuel'' has the meaning given such term in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23)).

(15) TEST PHASE.—The term ''test phase'' means the period of time, during which test phase activities are conducted, beginning with the initial receipt of transuranic radioactive waste at WIPP and ending when the earliest of the following events occurs:

(A) The conditions described in section 7(b) are met.

(B) The Administrator certifies under section 9(c)(1)(B) that the WIPP facility will not comply with the disposal standards.

(C) The time period described in section 6(c)(5) expires.

(16) TEST PHASE ACTIVITIES.—The term ''test phase activities'' means the testing and experimentation activities that the Secretary determines to be necessary to determine the suitability of WIPP as a repository for the permanent isolation of transuranic radioactive waste.

(17) TEST PHASE PLAN.—The term ''test phase plan'' means the Department of Energy WIPP Test Phase Plan: Performance Assessment, dated April 1, 1990, and any revisions to such plan, approved by the Administrator under section 5.

(18) TRANSURANIC RADIOACTIVE WASTE.—The term ''transuranic radioactive waste'' means waste containing more than 100 nanocuries of alpha-emitting transuranic isotopes per gram of waste, with half-lives greater than 20 years, except for—

(A) high-level radioactive waste;

(B) waste that the Secretary has determined, with the concurrence of the Administrator, does not need the degree of isolation required by the disposal standards; or

(C) waste that the Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with part 61 of title 10, Code of Federal Regulations.

(19) WIPP.—The term ''WIPP'' means the Waste Isolation Pilot Plant project authorized under section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Pub. L. 96-164; 93 Stat. 1259, 1265) to demonstrate the safe disposal of radioactive waste materials generated by defense programs.

(20) WITHDRAWAL.—The term ''Withdrawal'' means the geographical area consisting of the lands described in section 3(c).

SEC. 3. LAND WITHDRAWAL AND RESERVATION FOR WIPP.

(a) LAND WITHDRAWAL, JURISDICTION, AND RESERVATION.—

(1) LAND WITHDRAWAL.—Subject to valid existing rights, and except as otherwise provided in this Act, the lands described in subsection (c) are withdrawn from all forms of entry, appropriation, and disposal under the public land laws, including without limitation the mineral leasing laws, the geothermal leasing laws, the material sale laws (except as provided in section 4(b)(4) of this Act), and the mining laws.

(2) RESERVATION.—Such lands are reserved for the use of the Secretary of Energy for the construction, experimentation, operation, repair and maintenance, disposal, shutdown, monitoring, decommissioning, and other authorized activities associated with the purposes of WIPP as set forth in section 213 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1980 (Public Law 96-164; 93 Stat. 1259, 1265), and this Act.

(b) REVOCATION OF PUBLIC LAND ORDERS.—Public Land Order 6403 of June 29, 1983, as modified by Public Land Order 6826 of January 28, 1991, and the memorandum of understanding accompanying Public Land Order 6826, are revoked.

(c) LAND DESCRIPTION.—

(1) BOUNDARIES.—The boundaries depicted on the map issued by the Bureau of Land Management of the Department of the Interior, entitled ''WIPP Withdrawal Site Map,'' dated October 9, 1990, and on file with the Bureau of Land Management, New Mexico State Office, are established as the boundaries of the Withdrawal.

(2) LEGAL DESCRIPTION AND MAP.—Within 30 days after the date of the enactment of this Act, the Secretary of the Interior shall—

(A) publish in the Federal Register a notice containing a legal description of the Withdrawal; and

(B) file copies of the map described in paragraph (1) and the legal description of the Withdrawal with the Committees on Energy and Natural Resources and Armed Services of the Senate, the Committees on Interior and Insular Affairs, Energy and Commerce, and Armed Services of the House of Representatives, the Secretary of Energy, the Governor of the State of New Mexico, and the Archivist of the United States.

(d) TECHNICAL CORRECTIONS.—The map and legal description referred to in subsection (c) shall have the same force and effect as if they were included in this Act. The Secretary of the Interior may correct clerical and typographical errors in the map and legal description.

(e) WATER RIGHTS.—This Act does not establish a reservation to the United States with respect to any water or water rights on the Withdrawal. No provision of this Act may be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of New Mexico on or before the date of the enactment of this Act.

SEC. 4. ESTABLISHMENT OF MANAGEMENT RESPONSIBILITIES.

(a) GENERAL AUTHORITY.—The Secretary of the Interior shall be responsible for the management of the Withdrawal pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), this Act, and other applicable law, and shall consult with the Secretary of Energy and the State of New Mexico in discharging such responsibility and any other responsibility required by this Act.

(b) MANAGEMENT PLAN.—

(1) DEVELOPMENT.—Within 1 year after the date of the enactment of this Act, the Secretary of the Interior, in consultation with the Secretary of Energy and the State of New Mexico, shall develop a management plan for the use of the Withdrawal until the end of the decommissioning phase.

(2) PRIORITY OF WIPP-RELATED USES.—Any use of the Withdrawal for activities not associated with WIPP shall be subject to such conditions and restrictions as may be necessary to permit the conduct of WIPP-related activities.

(3) NON-WIPP RELATED USES.—The management plan developed under paragraph (1) shall provide for the maintenance of wildlife habitat and shall provide that the Secretary of the Interior may permit such non-WIPP related uses of the Withdrawal as the Secretary of the Interior determines to be appropriate, including domestic livestock grazing and hunting and trapping in accordance with the following requirements:

(A) GRAZING.—The Secretary of the Interior may permit grazing to continue where established before the date of the enactment of this Act, subject to such regulations, policies, and practices as the Secretary of the Interior, in consultation with the Secretary of Energy, determines to be necessary or appropriate. The management of grazing shall be conducted in accord with applicable grazing laws and policies, including—

(i) the Act entitled ''An Act to stop injury to public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes,'' approved June 28, 1934 (43 U.S.C. 315 et seq., commonly referred to as the ''Taylor Grazing Act'');

(ii) title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.); and

(iii) the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1902 et seq.).

(B) HUNTING AND TRAPPING.—The Secretary of the Interior may permit hunting and trapping within the Withdrawal in accordance with applicable laws and regulations of the United States and the State of New Mexico, except that the Secretary of the Interior, after consultation with the Secretary of Energy and the State of New Mexico, may issue regulations designating zones where, and establishing periods when, no hunting or trapping is permitted for reasons of public safety, administration, or public use and enjoyment.

(4) DISPOSAL OF SALT TAILINGS.—The Secretary of the Interior shall dispose of salt tailings extracted from the Withdrawal that the Secretary of Energy determines are not needed for backfill at WIPP. Disposition of such tailings shall be made under sections 2 and 3 of the Act of July 31, 1947, (30 U.S.C. 602, 603; commonly referred to as the ''Materials Act of 1947'').

(5) PROHIBITION ON MINING.—No surface or subsurface mining, including slant drilling from outside the boundaries of the Withdrawal, shall be permitted at any time (including after decommissioning) on lands on or under the Withdrawal.

(c) CLOSURE TO PUBLIC.—If during the withdrawal made by section 3(a) the Secretary of Energy determines in consultation with the Secretary of the Interior that the health and safety of the public or the common defense and security require the closure to the public use of any road, trail, or other portion of the Withdrawal, the Secretary of Energy may take whatever action the Secretary of Energy determines to be necessary to effect and maintain the closure and shall provide notice to the public of such closure.

(d) MEMORANDUM OF UNDERSTANDING.—The Secretary of the Interior and the Secretary of Energy shall enter into a memorandum of understanding to implement the management plan developed under subsection (b). Such memorandum shall remain in effect until the end of the decommissioning phase.

(e) SUBMISSION OF PLAN.—Within 1 year after the date of the enactment of this Act, the Secretary of the Interior shall submit the management plan developed under sub-

section (b) to the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the State of New Mexico. Any amendments to the plan shall be submitted promptly to such Committees and the State of New Mexico.

SEC. 5. PLAN FOR TEST PHASE ACTIVITIES; RETRIEVAL.

(a) REVIEWS OF TEST PHASE PLAN BY SECRETARY.—

(1) ANNUAL REVIEW.—The Secretary shall annually review the test phase plan and propose any revisions required to ensure that all of the proposed activities described in the plan are necessary to demonstrate that the WIPP facility will comply with the final disposal standards.

(2) REQUIRED CONSULTATION.—The Secretary shall conduct any review, and make any required revisions, of the test phase plan in consultation with the National Academy of Sciences, the Administrator, and the EEG.

(b) TEST PHASE ACTIVITIES TO BE CONDUCTED AT WIPP.—

(1) JUSTIFICATION AND TEST PHASE ACTIVITIES.—The test phase plan (and any revisions to such plan) shall—

(A) include justification for all test phase activities to be conducted at WIPP;

(B) specify the quantities and types of transuranic radioactive waste required for such activities; and

(C) be submitted for review and approval to the Administrator.

(2) APPROVAL BY ADMINISTRATOR.—

(A) IN GENERAL.—The Administrator shall determine by rule, pursuant to chapter 5 of title 5, United States Code, whether to approve or disapprove the test phase plan (and any revisions to such plan). The Administrator shall issue a proposed rule under this paragraph not later than than 90 days after receipt of such plan (and revisions).

(B) STANDARD FOR APPROVAL.— The Administrator may approve the test phase plan (and any revisions to such plan) only if the Administrator determines that all of the proposed activities described in such plan (and revisions) are necessary to demonstrate that the WIPP facility will comply with the final disposal standards under section 8.

(c) RETRIEVAL PLAN.—The Secretary shall issue and submit to the Administrator for review a detailed retrieval plan to be implemented by the Secretary under section 6(c)(5) or 9(b)(3). Such plan shall include specific plans for the interim management and storage of any such removed waste and specify the location of such storage. The Administrator shall determine by rule, pursuant to chapter 5 of title 5, United States Code, whether to approve or disapprove such plan. The Administrator shall issue a proposed rule under this subsection not later than than 90 days after receiving such plan.

(d) REVIEW BY STATE.—

(1) IN GENERAL.—In addition to the review by the Administrator of the test phase plan (or any revisions to such plan) under subsection (b)(2) and the retrieval plan under subsection (c), the Secretary shall submit each plan or revision, as appropriate, subject to review under such subsections to the State of New Mexico for review. The State of New Mexico shall complete its review and specify any disagreement with the plan (or any revisions to such plan) within 90 days of receipt of such plan or revisions.

(2) CONFLICT RESOLUTION.—In the event that the State of New Mexico disagrees with any aspect of any plan or revision to such plan subject to review under paragraph (1), the conflict resolution procedures described in Article IX of the Agreement shall be employed to resolve such disagreement.

(e) WASTE CHARACTERIZATION.—The Secretary shall, after providing notice and an opportunity for public comment, fully characterize all transuranic radioactive waste types at all sites from which wastes are to be shipped to WIPP. The results of such characterization shall be reflected in the test phase plan (and any revisions to such plan) before the Administrator may provide certification under section 9(c)(1)(B).

SEC. 6. TEST PHASE ACTIVITIES.

(a) GENERAL AUTHORITY.—The Secretary is authorized, subject to subsections (b) and (c), to conduct test phase activities in accordance with the test phase plan.

(b) REQUIREMENTS FOR COMMENCEMENT OF TEST PHASE ACTIVITIES.—The Secretary may not transport any transuranic radioactive waste to WIPP to conduct test phase activities under subsection (a) unless the following requirements are met:

(1) FINAL DISPOSAL STANDARDS ISSUED.—The final disposal standards are issued and published in the Federal Register under section 8.

(2) TERMS OF NO-MIGRATION DETERMINATION COMPLIED WITH.—The Administrator has determined that the Secretary has complied with the terms and conditions set forth in paragraphs (5), (6), and (7) of the no migration determination described at page 47,720 of Volume 55, No. 220 of the Federal Register, on November 14, 1990.

(3) RETRIEVAL PLAN APPROVED.—The Secretary has issued and the Administrator has approved the retrieval plan required under section 5(c).

(4) TEST PHASE PLAN APPROVED.—The Administrator has approved the test phase plan (and any revisions to such plan) in accordance with section 5(b)(2).

(5) CONSIDERATION BY STATE.—

(A) REVIEW COMPLETED.—The Secretary has complied with the requirements of section 5(d) and the State of New Mexico has completed its review under such section.

(B) CONFLICT RESOLUTION.—In the event that the conflict resolution procedures described in section 5(d)(2) are employed for any review required under section 5(d)(1), such review shall not be considered complete until the disagreement necessitating the use of such procedures has been resolved in accordance with such procedures.

(6) EMERGENCY RESPONSE TRAINING.—

(A) REVIEW.—The Secretary of Labor, acting through the Occupational Safety and Health Administration, has reviewed the emergency response training programs of the Department of Energy that apply to WIPP.

(B) CERTIFICATION.—The Secretary of Labor, acting through the Occupational Safety and Health Administration, has certified that emergency response training programs of the Department of Energy that apply to WIPP are in compliance with part 1910.120 of title 29, Code of Federal Regulations.

(7) CERTIFICATION OF SAFETY.—The Secretary has certified that the safety of all test phase activities to be completed at WIPP can be ensured through procedures that would not compromise the type, quantity, or quality of data collected from such test phase activities.

(c) LIMITATIONS.—Test phase activities conducted under subsection (a) shall be subject to the following limitations:

(1) QUANTITY OF WASTE THAT MAY BE TRANSPORTED.—During the test phase, the Secretary may transport to WIPP—

(A) only such quantities of transuranic radioactive waste as the Administrator has determined under section 5(b) are necessary to conduct test phase activities to demonstrate that the WIPP facility will comply with the disposal standards; and

(B) in no event more than 4,250 55-gallon drums of transuranic radioactive waste or ½ of 1 percent of the total capacity of WIPP as described in section 7(a), whichever is less.

(2) REMOTE-HANDLED WASTE.—

(A) TRANSPORTATION AND EMPLACEMENT.—The Secretary may not transport to or emplace remote-handled transuranic radioactive waste at WIPP during the test phase.

(B) STUDY.—

(i) IN GENERAL.—Within 2 years after the date of the enactment of this Act, the Secretary shall complete a study on remote-handled transuranic radioactive waste in consultation with affected States, the Administrator, and after the solicitation of views of other interested parties.

(ii) REQUIREMENTS OF STUDY.—Such study shall include an analysis of the impact of remote-handled transuranic radioactive waste on the performance assessment of WIPP and a comparison of remote-handled transuranic radioactive waste with contact-handled transuranic radioactive waste on such issues as gas generation, flammability, explosivity, solubility, and brine and geochemical interactions.

(iii) PUBLICATION.—The Secretary shall publish the findings of such study in the Federal Register.

(iv) REVISION.—Unless such study finds that remote-handled transuranic radioactive waste requires no additional precautions for disposal in WIPP, the Secretary shall revise the test phase plan to require testing of remote-handled transuranic radioactive waste subject to subparagraph (A).

(3) ANNUAL CERTIFICATIONS OF RETRIEVABILITY.—Beginning 1 year after the initial emplacement of transuranic radioactive waste underground at WIPP under subsection (a), and continuing annually throughout the test phase, the Secretary shall certify and the Administrator shall concur that all waste emplaced underground at WIPP remains and will remain fully retrievable during the test phase.

(4) STABILITY OF ROOMS USED FOR TESTING.—Transuranic radioactive waste may be emplaced in mined rooms in the underground repository at WIPP to conduct test phase activities only after the Secretary of Labor, acting through the Mine Safety and Health Administration, has certified to the Secretary of Energy that such rooms will remain sufficiently stable and safe to permit uninterrupted testing for the duration of such activities.

(5) COMPLIANCE WITH DISPOSAL STANDARDS.—If, upon the expiration of the 10-year period beginning on the date of the enactment of this Act, the Administrator has not certified under section 9(c)(1)(B) that the WIPP facility will comply with the disposal standards—

(A) the Secretary or the Secretary of the Interior, as appropriate, shall implement the retrieval plan under section 5(c) and the decommissioning and post-decommissioning plans under section 11; and

(B) following implementation of such plans, the land withdrawal made by section 3(a) shall terminate.

SEC. 7. DISPOSAL OPERATIONS.

(a) CAPACITY OF WIPP FACILITY.—The Secretary may dispose of not more than 5.6 million cubic feet of contact-handled transuranic radioactive waste and 95,000 cubic feet of remote-handled transuranic radioactive waste in WIPP.

(b) COMMENCEMENT OF DISPOSAL OPERATIONS.—The Secretary may commence emplacement of transuranic radioactive waste underground for disposal at WIPP only upon completion of—

(1) the Administrator's certification under section 9(c)(1)(B) that the WIPP facility will comply with the disposal standards;

(2) the submission to the Congress by the Secretary and the Secretary of the Interior, respectively, of plans for decommissioning WIPP and post-decommissioning management of the Withdrawal under section 11;

(3) the expiration of the 180-day period beginning on the date on which the Secretary notifies the Congress that all permits and certifications required for disposal operations to begin have been received;

(4) Nuclear Regulatory Commission certification as described in section 14(a) of a container for transporting remote-handled transuranic radioactive waste to WIPP;

(5) the acquisition by the Secretary (whether by purchase, condemnation, or otherwise) of Federal Oil and Gas Leases No. NMNM 02953 and No. NMNM 02953C, unless the Administrator determines pursuant to the authority under section 9(a), 9(b), or 9(c) of this Act and section 3004 of the Solid Waste Disposal Act (42 U.S.C. 6924) that such acquisition is not required; and

(6) the submittal to the Congress by the Secretary of comprehensive recommendations for the disposal of all transuranic radioactive waste under the control of the Secretary, including a timetable for the disposal of such waste.

SEC. 8. ISSUANCE OF ENVIRONMENTAL PROTECTION AGENCY DISPOSAL STANDARDS.

The Administrator shall issue, not later than 6 months after the date of the enactment of this Act, final environmental standards for the disposal of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste.

SEC. 9. COMPLIANCE WITH ENVIRONMENTAL STANDARDS.

(a) MANAGEMENT AND STORAGE; CLEAN AIR; HAZARDOUS WASTE.—

(1) APPLICABILITY.—The Secretary shall, during the test phase, the operations phase, and the decommissioning phase, comply with respect to WIPP, with—

(A) the Environmental Protection Agency standards for the management and storage of spent nuclear fuel, high-level radioactive waste, and transuranic radioactive waste described in subpart A of part 191 of title 40, Code of Federal Regulations;

(B) the Clean Air Act (40 U.S.C. 7401 et seq.);

(C) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(D) title XIV of the Public Health Service Act (the Safe Drinking Water Act) (42 U.S.C. 300f et seq.);

(E) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.);

(F) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(G) all regulations promulgated under the laws described in subparagraphs (B) through (F); and

(H) all other applicable Federal laws (and regulations promulgated thereunder) pertaining to public health and safety or the environment and all applicable State and local laws (and regulations promulgated thereunder) pertaining to public health and safety or the environment.

(2) PERIODIC OVERSIGHT BY ADMINISTRATOR AND STATE OF NEW MEXICO.—The Secretary shall, not later than 2 years after the date of the enactment of this Act, and biennially thereafter, submit documentation of continued compliance with the laws, regulations, and standards described in subparagraphs (A), (B), (D), (E), (F), (G), and (H) of paragraph (1), to the Administrator, and with the law described in paragraph (1)(C) and any regulations promulgated thereunder, to the State of New Mexico.

(3) CONCURRENCE OF ADMINISTRATOR.—The Administrator by rule pursuant to chapter 5 of title 5, United States Code, or the State of New Mexico, as appropriate, shall determine not later than 6 months after receiving a submission under paragraph (2) whether the Secretary is in compliance with the laws, regulations, and standards described in paragraph (1) with respect to WIPP.

(b) DETERMINATION OF NONCOMPLIANCE DURING TEST PHASE.—

(1) DETERMINATION BY ADMINISTRATOR.—If the Administrator determines at any time during the test phase that—

(A) the WIPP facility will not comply with the disposal standards under subsection (c)(1)(B);

(B) the Secretary is not conducting test phase activities involving underground emplacement of transuranic radioactive waste in a manner that allows the waste to be readily retrieved as required by condition (4) of the no-migration determination described at page 47,720 of volume 55, No. 220 of the Federal Register, on November 14, 1990;

(C) conditions at the WIPP facility do not allow the waste to be readily retrieved as required by such condition; or

(D) the WIPP facility does not comply with any law, regulation, or standard described in subsection (a)(1);

the Administrator shall request a remedial plan from the Secretary describing actions the Secretary will take to comply with such regulatory requirements.

(2) DETERMINATION BY STATE.—If the State of New Mexico determines at any time during the test phase that the Secretary has not complied with the standards applicable to owners and operators of hazardous waste, treatment, storage, and disposal facilities under section 3004 of the Solid Waste Disposal Act (42 U.S.C. 6924) with respect to activities at WIPP, the State of New Mexico shall request a remedial plan from the Secretary describing actions the Secretary will take to comply with such regulatory requirements.

(3) IMPLEMENTATION OF RETRIEVAL PLAN.—If a remedial plan is not received from the Secretary within 6 months of a determination of noncompliance with a regulatory requirement described in paragraph (1) or (2), or if the Administrator or the State of New Mexico, as appropriate, finds any such remedial plan to be inadequate to demonstrate compliance with such regulatory requirement—

(A) the Secretary or the Secretary of the Interior, as appropriate, shall implement the retrieval plan under section 5(c) and the decommissioning and post-decommissioning plans under section 11; and

(B) following implementation of such plans, the land withdrawal made by section 3(a) shall terminate.

(c) DISPOSAL STANDARDS.—

(1) REQUIREMENTS FOR COMMENCEMENT OF DISPOSAL.—Before any transuranic radioactive waste may be emplaced underground at WIPP for disposal under section 7(b)—

(A) the Secretary shall have submitted sufficient documentation to the Administrator to demonstrate that the WIPP facility will comply with the disposal standards; and

(B) the Administrator shall have certified by rule pursuant to chapter 5 of title 5, United States Code, that the WIPP facility will comply with the disposal standards.

(2) PERIODIC RECERTIFICATION.—

(A) BY SECRETARY.—During the period beginning 2 years after the initial receipt of transuranic radioactive waste for disposal at WIPP and ending at the end of the decommissioning phase, the Secretary shall biennially demonstrate that the WIPP facility will comply with the disposal standards and submit documentation of such demonstration to the Administrator.

(B) CONCURRENCE OF ADMINISTRATOR.—The Administrator shall, not later than 6 months after receiving a submission under subparagraph (A), determine whether or not the WIPP facility will comply with the disposal standards.

(3) LIMITATION.—Any determination of the Administrator under paragraph (1)(B) or (2)(B) may only be made after the documentation is submitted to the Administrator under paragraph (1)(A) or (2)(A), respectively.

(4) ENGINEERED AND NATURAL BARRIERS.—The Secretary shall use both engineered and natural barriers at WIPP to isolate transuranic radioactive waste after disposal to the extent necessary to comply with the disposal standards.

(d) DETERMINATION OF NONCOMPLIANCE DURING OPERATIONS PHASE AND DECOMMISSIONING PHASE.—

(1) REMEDIAL PLANS.—

(A) MANAGEMENT AND STORAGE; CLEAN AIR; HAZARDOUS WASTE.—If, during the operations phase or decommissioning phase, the Administrator, or the State of New Mexico, as appropriate, determines after any submission under subsection (a)(2), that the Secretary has not demonstrated compliance with any regulatory requirement described in such subsection, the Administrator, or the State of New Mexico, as appropriate, shall request a remedial plan from the Secretary describing actions the Secretary will take to demonstrate compliance with such regulatory requirement.

(B) DISPOSAL STANDARDS.—If, during the operations phase or decommissioning phase, the Administrator determines under subsection (c)(2)(B), that the WIPP facility will not comply with the disposal standards, the Administrator shall request a remedial plan from the Secretary describing actions the Secretary will take to demonstrate that the facility will comply with such standards.

(2) CONSEQUENCES OF NONCOMPLIANCE DURING OPERATIONS PHASE OR DECOMMISSIONING PHASE.—If a plan is not received from the Secretary within 6 months of a determination of noncompliance with a regulatory requirement described in paragraph (1)(A) or (1)(B), or the Administrator or the State of New Mexico, as appropriate, finds any such plan inadequate to demonstrate compliance with such regulatory requirement—

(A) the Secretary shall retrieve, to the extent practicable, any transuranic radioactive waste and any material contaminated by such waste from underground at WIPP;

(B) the Secretary or the Secretary of the Interior, as appropriate, shall implement the decommissioning and post-decommissioning plans under section 11; and

(C) following completion of such retrieval and implementation of such plans, the land withdrawal made by section 3(a) shall terminate.

(e) ISSUANCE OF REGULATIONS.—The Administrator shall issue regulations not later than 6 months after the date of the enactment of this Act governing the approval of a test phase plan under section 5(b), periodic oversight under subsection (a)(2), the certification and recertification processes under subsections (c)(1)(B) and (c)(2)(B), respectively, and the retrieval process required under subsection (d)(2). Such regulations shall provide opportunities for public participation in such processes.

(f) SAVINGS PROVISION.—The authorities provided to the Administrator and the State pursuant to this section are in addition to the enforcement authorities available to the State pursuant to State law and to the Administrator, the State, and any other person, pursuant to the Solid Waste Disposal Act and the Clean Air Act.

SEC. 10. BAN ON HIGH-LEVEL RADIOACTIVE WASTE AND SPENT NUCLEAR FUEL.

The Secretary may not transport high-level radioactive waste or spent nuclear fuel to WIPP or emplace or dispose of such waste or fuel at WIPP.

SEC. 11. DECOMMISSIONING OF WIPP.

(a) PLAN FOR WIPP DECOMMISSIONING.—Within 5 years after the date of the enact-

ment of this Act, the Secretary shall submit to the Committees on Armed Services and Energy and Natural Resources of the Senate; the Committees on Armed Services, Energy and Commerce, and Interior and Insular Affairs of the House of Representatives; the State of New Mexico; the Secretary of the Interior; and the Administrator a plan to be implemented by the Secretary for decommissioning WIPP. In addition to activities required under the Agreement, the plan shall conform to the disposal standards that apply to WIPP at the time the plan is prepared. The Secretary shall consult with the Secretary of the Interior and the State of New Mexico in the preparation of such plan.

(b) MANAGEMENT PLAN FOR THE WITHDRAWAL AFTER DECOMMISSIONING.—Within 5 years after the date of the enactment of this Act, the Secretary of the Interior shall develop a plan to be implemented by the Secretary of the Interior for the management and use of the Withdrawal following the decommissioning of WIPP and the termination of the land withdrawal made by section 3(a). The Secretary of the Interior shall consult with the Secretary and the State of New Mexico in the preparation of such plan and shall submit such plan to the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives.

SEC. 12. SOLID WASTE DISPOSAL ACT; CLEAN AIR ACT.

No provision of this Act may be construed to supersede or modify the provisions of the Clean Air Act (42 U.S.C. 7401 et seq.) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 13. ECONOMIC ASSISTANCE AND MISCELLANEOUS PAYMENTS.

(a) IMPACT ASSISTANCE PAYMENTS.—

(1) IN GENERAL.—The Secretary may, to such extent and for such amounts as are provided in advance in appropriation Acts, provide payments to the State of New Mexico to assist the State and its affected units of local government in mitigating the potential environmental, social, transportation, economic and other impacts resulting from WIPP. Payments under this paragraph—

(A) may not, in the aggregate, exceed $40,000,000; and

(B) shall be made from the $40,000,000 appropriated under Public Law 102-27 (105 Stat. 130, 141) and the Energy and Water Development Appropriations Act, 1992 (Pub. L. 102-104; 105 Stat. 510, 529).

(2) PAYMENTS TO LOCAL GOVERNMENTS.—A portion of all payments received by the State of New Mexico under paragraph (1) shall be provided directly to the affected units of local government in the vicinity of, and along the transportation routes to, WIPP. The portion of payments provided to local governments, the identification of local governments to receive payments, and the amount of payment to each local government shall be based on a State assessment of needs, conducted in consultation with affected units of local government and based upon the demonstration of local impacts by the affected local governments.

(3) MEDICAL EMERGENCY PREPAREDNESS PAYMENTS TO LOCAL GOVERNMENTS.—A portion of all payments received by the State of New Mexico under paragraph (1) shall be used for the equipment and training needs of the health care community for purposes of responding to emergencies arising from the operation of WIPP or the transportation of transuranic radioactive waste to WIPP.

(4) ECONOMIC IMPACT MONITORING FUNCTION.—A portion of all payments received by the State of New Mexico under paragraph (1) shall be used to establish a Socioeconomic Impact Monitoring Group within the Waste Management Education and Research Consortium to undertake an annual review of activities at WIPP.

(b) WIPP-RELATED BUSINESS AND EMPLOYMENT OPPORTUNITIES.—To the maximum extent practicable, the Secretary shall continue to encourage business and employment opportunities related to WIPP that may be conducive to the economy of the State of New Mexico, especially Lea and Eddy counties, and report annually to the State of New Mexico on these activities.

SEC. 14. TRANSPORTATION.

(a) SHIPPING CONTAINERS.—No transuranic radioactive waste may be transported by or for the Secretary to or from WIPP, except in packages that have been certified for the transportation of transuranic radioactive waste by the Nuclear Regulatory Commission and have satisfied the Nuclear Regulatory Commission's quality assurance provisions.

(b) ACCIDENT PREVENTION AND EMERGENCY PREPAREDNESS.—

(1) TRAINING.—

(A) IN GENERAL.—In addition to activities required pursuant to the December 27, 1982, Supplemental Stipulated Agreement, the Secretary shall provide technical assistance for the purpose of training public safety officials, and other emergency responders as described in part 1910.120 of title 29, Code of Federal Regulations, in any State or Indian tribe through whose jurisdiction the Secretary plans to transport transuranic radioactive waste to or from WIPP. Within 30 days of the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Energy and Natural Resources of the Senate and the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives and to the States and Indian tribes through whose jurisdiction the Secretary plans to transport transuranic radioactive waste on the training provided through fiscal year 1992.

(B) ONGOING TRAINING.—If determined by the Secretary, in consultation with affected States and Indian tribes, to be necessary and appropriate, training described in subparagraph (A) shall continue after the date of the enactment of this Act until the transuranic radioactive waste shipments to or from WIPP have been terminated.

(C) REVIEW OF TRAINING.—The Secretary shall periodically review the training provided pursuant to subparagraph (A) in consultation with affected States and Indian tribes.

(D) COMPONENTS OF TRAINING.—The training provided pursuant to subparagraph (A) shall cover procedures required for the safe routine transportation of transuranic radioactive waste, as well as procedures for dealing with emergency response situations, including—

(i) instruction of government officials and public safety officers in procedures for the command and control of the response to any incident involving the waste;

(ii) instruction of emergency response personnel in procedures for the initial response to an incident involving transuranic radioactive waste being transported to or from WIPP;

(iii) instruction of radiological protection and emergency medical personnel in procedures for responding to an incident involving transuranic radioactive waste being transported to or from WIPP; and

(iv) a program to provide information to the public about the transportation of transuranic radioactive waste to or from WIPP.

(2) EQUIPMENT.—The Secretary may enter into agreements to assist States through contributions in-kind, in acquiring equipment for response to an incident involving transuranic radioactive waste transported to or from WIPP.

(c) SANTA FE BYPASS.—No transuranic radioactive waste may be transported from the Los Alamos National Laboratory to WIPP until—

(1) all of the funds necessary for the cost of construction of the Santa Fe bypass have been appropriated by the Congress or the State of New Mexico; or

(2) the Santa Fe bypass has been completed.

(d) STUDY OF TRANSPORTATION ALTERNATIVES.—

(1) IN GENERAL.—The Secretary shall conduct a study comparing the shipment of transuranic radioactive waste to the WIPP facility by truck and by rail, including the use of dedicated trains, and shall submit a report on the study in accordance with paragraph (2). Such report shall include—

(A) a consideration of occupational and public risks and exposures, and other environmental impacts;

(B) a consideration of emergency response capabilities;

(C) an estimation of comparative costs; and

(D) findings and recommendations with respect to—

(i) the most appropriate routes for transporting transuranic radioactive waste to WIPP based on the foregoing considerations; and

(ii) necessary or appropriate measures to minimize the potential risks to public health and safety and the environment of transporting transuranic radioactive waste along such routes, taking into consideration weather, other natural conditions or hazards, and other relevant criteria.

(2) IMPLEMENTATION OF STUDY RECOMMENDATIONS.—The Secretary, in consultation with affected States and Indian tribes, shall implement the recommendations made under paragraph (1)(D) to the extent practicable. The Secretary shall certify such implementation to the Congress prior to the transportation of transuranic radioactive waste to WIPP for disposal.

(3) REPORT.—The report required in paragraph (1) and the certification required in paragraph (2) shall be submitted to the Speaker of the House of Representatives and the President pro tempore of the Senate not later than July 1, 1993.

(4) FUNDING.—Of appropriated amounts described in section 13(a)(1)(B), the Secretary shall use an amount not to exceed $300,000 to carry out the study required under this subsection.

SEC. 15. ENVIRONMENTAL EVALUATION GROUP.

(a) ACCESS TO DATA, REPORTS AND MEETINGS.—The Secretary shall—

(1) provide the EEG with free and timely access to data relating to WIPP produced or obtained by the Secretary or contractors of the Secretary;

(2) provide the EEG with preliminary reports relating to WIPP; and

(3) permit the EEG to attend meetings relating to WIPP with expert panels, peer review groups, and appropriate Federal agencies.

(b) EVALUATION AND PUBLICATION.—The EEG may evaluate and publish analyses of the Secretary's plans for test phase activities, monitoring, transportation, operations, decontamination, retrieval, performance assessment, compliance with Environmental Protection Agency standards, decommissioning, safety analyses, and other activities relating to WIPP.

(c) CONSULTATION AND COOPERATION.—The Secretary shall consult and cooperate with the EEG in carrying out the requirements of this section.

SEC. 16. AUTHORIZATIONS OF APPROPRIATIONS.

(a) FOR ADMINISTRATOR.—

(1) IN GENERAL.—There are authorized to be appropriated to the Administrator for the purpose of fulfilling the responsibilities of the Administrator under this Act, $10,000,000 for fiscal year 1992, $12,000,000 for fiscal year 1993, $14,000,000 for fiscal year 1994, and such sums as may be necessary for fiscal years 1995 through 2001.

(2) REPORT.—The Administrator shall, not later than September 30, 1993, and annually thereafter, issue a report to the Committees on Interior and Insular Affairs and Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the status of and resources required for the fulfillment of the Administrator's responsibilities under this Act.

(b) TRANSFERS FROM SECRETARY TO ADMINISTRATOR AND MSHA.—The Secretary is authorized to transfer from amounts appropriated for environmental restoration and waste management for fiscal years 1992 and 1993, and (to the extent approved in appropriation Acts) for fiscal years 1994 through 2001, such sums as may be useful for the purpose of assisting in the fulfillment of the responsibilities of the Administrator under this Act and the Mine Safety and Health Administration under section 6(c)(4).

(c) ACQUISITION OF LEASEHOLD.—There are authorized to be appropriated to the Secretary such sums as may be necessary to acquire the 1,600 acre potash leasehold within the Withdrawal, comprising a portion of Federal Potash Lease No. NM 0384584, and the Federal Oil and Gas Leases No. NMNM 02953 and No. NMNM 02953C.

SEC. 17. BUY AMERICAN REQUIREMENTS.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated or transferred pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

(b) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—

(1) IN GENERAL.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

Amend the title so as to read: "An Act to withdraw land for the Waste Isolation Pilot Plant, and for other purposes.".

The bill, as amended, 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. TORRES, announced that the yeas had it.

Mr. JONTZ demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 382 / Nays 10

¶86.27 [Roll No. 289]

AYES—382

Abercrombie
Alexander
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Bevill
Bilirakis
Blackwell
Bliley
Boehlert
Boehner
Bonior
Borski
Boxer
Brewster
Brooks
Broomfield
Browder
Brown
Bruce
Bryant
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Cooper
Costello
Cox (CA)
Cox (IL)
Coyne
Cramer
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Dwyer
Dymally
Early
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Fields
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Green
Guarini
Gunderson
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hunter
Hutto
Inhofe
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (NC)
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kopetski
Kostmayer
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Mrazek
Murphy
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Rhodes
Riggs
Rinaldo
Ritter
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Staggers
Stallings
Stark
Stearns
Stenholm
Stokes
Studds
Sundquist
Swett
Swift
Synar
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (GA)
Thomas (WY)
Thornton
Torres
Traficant
Unsoeld
Upton
Valentine
Vander Jagt
Visclosky
Volkmer
Walker
Walsh
Waters
Waxman
Weber
Weiss
Weldon
Wheat
Whitten
Williams
Wise
Wolf
Wyden
Wylie
Yates
Yatron
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—10

Bilbray
Crane
Jontz
Kyl
Moorhead
Richardson
Sensenbrenner
Stump
Vucanovich
Wolpe

NOT VOTING—42

Ackerman
Aspin
Atkins
Berman
Boucher
Conyers
Coughlin
Durbin
Eckart
Feighan
Ford (TN)
Franks (CT)
Gingrich
Hall (OH)
Hatcher
Horton
Hyde
Ireland
Jones (GA)
Kolter
LaFalce
Lehman (FL)
Lent
Lewis (GA)
Lipinski
McCloskey
Morrison
Murtha
Perkins
Peterson (FL)
Ray
Ridge
Roe
Sisisky
Solarz
Tallon
Torricelli
Towns
Traxler
Vento
Washington
Wilson

So the bill was passed.

On motion of Mr. SPRATT, pursuant to House Resolution 494, the bill of the Senate (S. 1671) to withdraw certain public lands and to otherwise provide for the operation of the Waste Isolation Pilot Plant in Eddy County, New Mexico, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. SPRATT submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 2637, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to withdraw lands for the waste isolation pilot plant, and for other purposes.".

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

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

By unanimous consent, H.R. 2637, a similar House bill, was laid on the table.

¶86.28 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. SPRATT, by unanimous consent,

Ordered, That in the engrossment of the foregoing amendment, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶86.29 WAIVING POINTS OF ORDER AGAINST AND DURING CONSIDERATION OF H.R. 5503

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102–683) the resolution (H. Res. 517) waiving certain points of order against and during consideration of the bill (H.R. 5503) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶86.30 NATIONAL D.A.R.E. DAY

On motion of Mr. SAWYER, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution of the Senate (S.J. Res. 295) designating September 10, 1992, as ''National D.A.R.E. Day''.

When said joint resolution was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

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

Ordered, That the Clerk notify the Senate thereof.

¶86.31 NATIONAL REHABILITATION WEEK

On motion of Mr. SAWYER, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution (H.J. Res. 411) to designate the week of September 13, 1992, through September 19, 1992, as ''National Rehabilitation Week''.

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

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

¶86.32 MESSAGE FROM THE PRESIDENT—ENERGY CONSERVATION

The SPEAKER pro tempore, Mr. TORRES, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

As required by section 403(c) of the Powerplant and Industrial Fuel Use Act of 1978, as amended (42 U.S.C. 8373(c)), I hereby transmit the 13th annual report describing Federal actions with respect to the conservation and use of petroleum and natural gas in Federal facilities, which covers calendar year 1991.

GEORGE BUSH.

THE WHITE HOUSE, *July 21, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Energy and Commerce.

¶86.33 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO IRAQ

The SPEAKER pro tempore, Mr. TORRES, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Iraqi emergency is to continue in effect beyond August 2, 1992, to the Federal Register for publication.

The crisis between the United States and Iraq that led to the declaration on August 2, 1990, of a national emergency has not been resolved. The Government of Iraq continues to engage in activities inimical to stability in the Middle East and hostile to U.S. interests in the region. Such Iraqi actions pose a continuing unusual and extraordinary threat to the national security and vital foreign policy interests of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure to the Government of Iraq.

GEORGE BUSH.

THE WHITE HOUSE, *July 21, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 102–363).

¶86.34 MESSAGE FROM THE PRESIDENT—SOCIAL SECURITY AGREEMENT U.S.—LUXEMBOURG

The SPEAKER pro tempore, Mr. TORRES, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to section 233(e)(1) of the Social Security Act, as amended by the Social Security Amendments of 1977 (Public Law 95–216, 42 U.S.C. 433(e)(1)), I transmit herewith the Agreement between the United States of America and the Grand Duchy of Luxembourg on Social Security, which consists of two separate instruments—a principal agreement and an administrative arrangement. The agreement was signed at Luxembourg on February 12, 1992.

The United States-Luxembourg agreement is similar in objective to the social security agreements already in force with Austria, Belgium, Canada, France, Germany, Italy, The Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, and the United Kingdom. Such bilateral agreements provide for limited coordination between the United States and foreign social security systems to eliminate dual social security coverage and taxation, and to help prevent the loss of benefit protection that can occur when workers divide their careers between two countries.

I also transmit for the information of the Congress a report prepared by the Department of Health and Human Services, explaining the key points of the agreement, along with a paragraph-by-paragraph explanation of the provisions of the principal agreement and the related administrative arrangement. In addition, as required by section 233(e)(1) of the Social Security Act, a report on the effect of the agreement on income and expenditures of the U.S. Social Security program and the number of individuals affected by the agreement is also enclosed. I note that the Department of State and the Department of Health and Human Services have recommended the agreement and related documents to me.

I commend the Agreement between the United States of America and the Grand Duchy of Luxembourg on Social Security and related documents.

GEORGE BUSH.

THE WHITE HOUSE, *July 21, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 102–362).

¶86.35 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HYDE, for today and the balance of the week; and

To Mr. PETERSON of Florida, for today and the balance of the week.

And then,

¶86.36 ADJOURNMENT

On motion of Mr. GONZALEZ, at 9 o'clock and 47 minutes p.m., the House adjourned.

¶86.37 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:

[Pursuant to the order of the House on July 9, 1992, the following report was filed on July 16, 1992]

Mr. DE LA GARZA: Committee on Agriculture. H.R. 4059. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 to authorize additional functions within the Enterprise for the Americans Initiative, and for other purposes; with an amendment (Rept. No. 102–667, Pt. 1). Ordered to be printed.

[Submitted July 21, 1992]

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 1182. A bill

to authorize and direct the exchange of lands in Colorado; with an amendment (Rept. No. 102–398, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 2735. A bill to amend the Internal Revenue Code of 1986 to repeal the 30-percent gross income limitation applicable to regulated investment companies, and for other purposes; with amendments (Rept. No. 102–668). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4394. A bill to amend title 46, United States Code, to require merchant mariners' documents for certain seamen; with an amendment (Rept. No. 102–669). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee on Appropriations. Report on the revised subdivision of budget totals for fiscal year 1993 (Rept. No. 102–670). Referred to the Committee on the Whole House on the State of the Union.

Mr. ROE: Committee on Public Works and Transportation. H.R. 5481. A bill to amend the Federal Aviation Act of 1958 relating to administrative assessment of civil penalties; with an amendment (Rept. No. 102–671). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee on Appropriations. H.R. 5620. A bill making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes (Rept. No. 102–672). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 3157. A bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes; with an amendment (Rept. No. 102–673). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 3898. A bill to provide for the addition of the Truman National Historic Site in the State of Missouri; with an amendment (Rept. No. 102–674). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 4004. A bill to assist in the development of tribal judicial systems, and for other purposes; with an amendment (Rept. No. 102–675). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 4085. A bill to amend the act of August 7, 1961, establishing the Cape Cod National Seashore, and for other purposes; with amendments (Rept. No. 102–676). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 4382. A bill to modify the boundaries of the New River Gorge National River, the Gauley River National Recreation Area, and Bluestone National Scenic River in West Virginia; with amendment (Rept. No. 102–677). Referred to the Committee of the Whole House on the State off the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. S. 2079. A bill to establish the Marsh-Billings National Historical Park in the State of Vermont, and for other purposes; with an amendment (Rept. No. 102–678). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 5492. A bill to provide environmental assistance to Indian tribes, and for other purposes (Rept. No. 102–680, Pt. 1). Ordered to be printed.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 4437. A bill to authorize funds for the implementation of the settlement agreement reached between the Pueblo de Cochiti and the U.S. Army Corps of Engineers under the authority of Public Law 100–202 (Rept. No. 102–681, Pt. 1). Ordered to be printed.

Mr. GORDON: Committee on Rules. House Resolution 517. Resolution waiving certain points of order against and during consideration of the bill (H.R. 5503) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes (Rept. No. 102–683). Referred to the House Calendar.

¶86.38 REPORTS OF COMMITTEES ON PRIVATE 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. MILLER of California: Committee on Interior and Insular Affairs. H.R. 711. A bill to validate conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to the Central Pacific Railway Co.; with an amendment (Rept. No. 102–679). Referred to the Committee of the Whole House.

¶86.39 REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 1219. A bill to designate wilderness, acquire certain valuable inholdings within National Wildlife Refuges and National Park System Units, and for other purposes; referred to the Committee on Merchant Marine and Fisheries for a period ending not later than July 28, 1992, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(n) of rule X. (Rept. No. 102–682, Pt. 1). Ordered to be printed.

¶86.40 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. PENNY (for himself, Mr. SMITH of New Jersey, Mr. MONTGOMERY, and Mr. STUMP):

H.R. 5619. A bill to reorganize technically chapter 36 of title 38, United States Code, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITTEN:

H.R. 5620. A bill making supplemental appropriations, transfers, and recissions for the fiscal year ending September 30, 1992, and for other purposes.

By Mr. GONZALEZ:

H.R. 5621. A bill to prohibit the transportation in interstate commerce or from any foreign country into the United States of services provided by convicts or prisoners, and for other purposes; jointly, to the Committees on the Judiciary and Ways and Means.

By Mr. DELLUMS (for himself and Ms. NORTON):

H.R. 5622. A bill to authorize an additional Federal contribution to the District of Columbia for fiscal year 1993 for youth and anticrime initiatives in the District of Columbia; to the Committee on the District of Columbia.

H.R. 5623. A bill to waive the period of congressional review for certain District of Columbia acts; to the Committee on the District of Columbia.

By Mr. DONNELLY:

H.R. 5624. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain employer-sponsored scholarships; to the Committee on Ways and Means.

By Mr. GALLEGLY:

H.R. 5625. A bill to prohibit Federal financial assistance to State and local governments that extend the right to vote to undocumented aliens; jointly, to the Committees on the Judiciary and Government Operations.

By Mr. JACOBS:

H.R. 5626. A bill to prohibit candidates for Federal office from using campaign contributions for inherently personal purposes; to the Committee on House Administration.

By Mr. JONES of North Carolina (for himself, Mr. DAVIS, Mr. LENT, and Mr. FIELDS) (all by request):

H.R. 5627. A bill to amend the Merchant Marine Act, 1936, as amended, to establish a contingency retainer program and improve the United States flag merchant marine; jointly, to the Committees on Merchant Marine and Fisheries and Ways and Means.

By Mr. LAFALCE:

H.R. 5628. A bill to amend the Competitiveness Policy Council Act to provide for reauthorization, to rename the Council, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. LEACH:

H.R. 5629. A bill to extend the statute of limitations on tort actions brought by the Resolution Trust Corporation; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MARTINEZ (for himself, Mr. FORD of Michigan, Mr. GOODLING, Mr. KILDEE, Mr. FAWELL, Mrs. LOWEY of New York, and Mr. DE LUGO):

H.R. 5630. A bill to amend the Head Start Act to expand services provided by Head Start Programs; to expand the authority of the Secretary of Health and Human Services to reduce the amount of matching funds required to be provided by particular Head Start agencies; to authorize the purchase of Head Start facilities; and for other purposes; to the Committee on Education and Labor.

By Mr. SANGMEISTER:

H.R. 5631. A bill to establish the Civilian Technology Corporation to provide financial support for precommercial research and development in technologies that are significant to the technology base of the United States; to the Committee on Science, Space, and Technology.

By Mr. SCHUMER:

H.R. 5632. A bill to amend title 18, United States Code, to require Federal firearms licensees to provide such firearms record information as may be necessary to aid in the tracing of firearms in the course of a law enforcement investigation; to the Committee on the Judiciary.

H.R. 5633. A bill to amend title 18, United States Code, to expand the scope of the multiple firearms sales reporting requirement, and to require that persons comply with State and local firearms licensing laws before receiving a Federal license to deal in firearms; to the Committee on the Judiciary.

H.R. 5634. A bill to amend title 18, United States Code, to prevent certain convicted felons from regaining access to firearms; to the Committee on the Judiciary.

By Mr. SANGMEISTER:

H. Con. Res. 349. Concurrent resolution to express the sense of the Congress that Federal spending on civilian research and development should comprise 70 percent of total Federal research and development spending by fiscal year 1997; to the Committee on Science, Space, and Technology.

By Mrs. SCHROEDER:

H. Con. Res. 350. Concurrent resolution expressing the sense of the Congress that the dosage of the drug RU–486 seized from Leona Benten should be returned to her for her personal use under the supervision of her physician; to the Committee on Ways and Means.

By Mr. SWIFT (for himself, Mr. DINGELL, Mr. LENT, and Mr. RITTER):

H. Res. 516. Resolution to provide for the consideration of the Senate amendment to H.R. 2607; rules suspended, considered and agreed to.

¶86.41 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

500. By the SPEAKER: Memorial of the Senate of the Commonwealth of Pennsylvania, relative to restoring State grants under the Federal Mine Safety and Health Act of 1977; to the Committee on Education and Labor.

501. Also, memorial of the General Assembly of the State of New Jersey, relative to the patriot Thomas Paine; to the Committee on House Administration.

502. Also, memorial of the House of Representatives of the State of Florida, relative to Heriberto Mederos; to the Committee on the Judiciary.

¶86.42 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mrs. SCHROEDER introduced a bill (H.R. 5635) for the relief of Leona Benten; which was referred to the Committee on Ways and Means.

¶86.44 ADDITIONAL SPONSORS

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

H.R. 75: Mr. BARNARD.
H.R. 110: Mr. HOCHBRUECKNER.
H.R. 213: Mr. PETERSON of Minnesota.
H.R. 299: Mr. DUNCAN.
H.R. 301: Mr. INHOFE.
H.R. 318: Mr. HAYES of Illinois.
H.R. 327: Mr. JOHNSON of South Dakota.
H.R. 371: Mr. LOWERY of California, Mr. COMBEST, and Mr. CHANDLER.
H.R. 643: Mr. GOSS.
H.R. 783: Mr. GOSS.
H.R. 1066: Mr. HOCHBRUECKNER.
H.R. 1106: Mr. INHOFE.
H.R. 1110: Mr. GILCHREST.
H.R. 1245: Mr. GUNDERSON.
H.R. 1317: Mr. BACCHUS, Mr. PACKARD, Mr. ALLEN, and Mr. JOHNSON of South Dakota.
H.R. 1468: Mrs. MINK.
H.R. 1704: Mr. BATEMAN, Mr. GORDON, and Mr. GOSS.
H.R. 1746: Mrs. MINK.
H.R. 1755: Mr. GOSS.
H.R. 1987: Mr. MURTHA.
H.R. 2083: Mr. VISCLOSKY.
H.R. 2164: Mr. MOODY and Mr. HALL of Texas.
H.R. 2336: Mr. GOSS.
H.R. 2452: Mr. PALLONE and Mr. GOSS.
H.R. 2595: Mr. ALLEN, Mr. GOSS and Mr. INHOFE.
H.R. 2648: Mr. BONIOR.
H.R. 2872: Mr. LENT and Mr. SANGMEISTER.
H.R. 2945: Mr. RAY and Mr. RAVENEL.
H.R. 2966: Mr. PEASE and Mr. MAZZOLI.
H.R. 3026: Mr. SIKORSKI.
H.R. 3137: Mr. GOSS.
H.R. 3164: Mr. GORDON, Mr. SPRATT, Mr. JACOBS and Mr. CRAMER.
H.R. 3217: Mr. GOSS.
H.R. 3236: Mr. MONTGOMERY.
H.R. 3349: Mr. GINGRICH.
H.R. 3425: Mr. LANCASTER and Mr. EMERSON.
H.R. 3441: Mr. GOSS and Mr. JOHNSON of South Dakota.
H.R. 3462: Mrs. COLLINS of Michigan.
H.R. 3522: Mr. KENNEDY.
H.R. 3578: Mrs. MINK.
H.R. 3656: Mrs. MINK.
H.R. 3710: Mr. FOGLIETTA.
H.R. 3748: Mr. MCMILLEN of Maryland and Mr. PENNY.
H.R. 3780: Mr. GOSS and Mr. JOHNSON of South Dakota.
H.R. 3801: Mr. GONZALEZ.
H.R. 3806: Mr. EVANS, Mrs. JOHNSON of Connecticut, and Mr. RAHALL.
H.R. 3843: Mr. RIDGE.
H.R. 3939: Mr. LEVIN of Michigan, Mr. FAZIO, and Mrs. SCHROEDER.
H.R. 3967: Mr. COX of California and Mr. ZELIFF.
H.R. 4008: Mr. GILMAN.
H.R. 4040: Mr. BAKER.
H.R. 4141: Mr. ROTH.
H.R. 4178: Mr. YOUNG of Alaska and Mr. BILIRAKIS.
H.R. 4182: Mr. ZELIFF.
H.R. 4192: Mr. KANJORSKI.
H.R. 4244: Mr. HALL of Ohio and Mr. BLAZ.
H.R. 4255: Mr. ABERCROMBIE, Mr. ANDREWS of New Jersey, Mr. ENGEL, Mr. GEJDENSON, Mr. HAYES of Illinois, Mr. HOCHBRUECKNER, Mr. LEVINE of California, Mr. NEAL of North Carolina, Mr. OLVER, Mr. PALLONE, Mr. REED, Mr. SLATTERY, Mr. SWETT, Mr. TORRES, Mr. TOWNS, and Ms. WATERS.
H.R. 4288: Mr. INHOFE.
H.R. 4315: Mr. ZELIFF.
H.R. 4418: Mr. KOLBE, Mr. TAYLOR of North Carolina, Mr. DORNAN of California, Mr. GINGRICH, and Mr. FRANK of Massachusetts.
H.R. 4498: Mr. ATKINS.
H.R. 4501: Mr. INHOFE.
H.R. 4507: Mrs. MEYERS of Kansas, Mr. GILCHREST, Mr. JOHNSTON of Florida, Mr. SAWYER, and Mr. GINGRICH.
H.R. 4606: Mr. JOHNSON of South Dakota.
H.R. 4608: Mr. JOHNSON of South Dakota.
H.R. 4754: Mr. ERDREICH, Mr. SHUSTER, Mr. BAKER, and Mr. OXLEY.
H.R. 4897: Mr. HUNTER and Mr. PETRI.
H.R. 4918: Ms. KAPTUR.
H.R. 4930: Mr. PURSELL and Mr. ZELIFF.
H.R. 4962: Mr. LEHMAN of California, Ms. MOLINARI, and Mr. RICHARDSON.
H.R. 4963: Mr. WISE and Mr. LEHMAN of California.
H.R. 5008: Mr. MONTGOMERY.
H.R. 5011: Mr. OWENS of Utah.
H.R. 5060: Mr. TOWNS.
H.R. 5087: Mr. BLAZ.
H.R. 5108: Mr. BLACKWELL.
H.R. 5113: Mr. ZIMMER and Mr. ZELIFF.
H.R. 5208: Mr. FOGLIETTA, Mr. SANDERS, Mr. JONES of Georgia, and Mr. CARDIN.
H.R. 5237: Mr. CLINGER, Mr. HEFNER, Mr. VISCLOSKY, Mr. DAVIS, and Mr. SHARP.
H.R. 5250: Mr. BURTON of Indiana, Mr. CRANE, and Mr. LIPINSKI.
H.R. 5264: Mr. FOGLIETTA.
H.R. 5276: Mr. OLIN, Mr. BAKER, Mr. MCMILLAN of North Carolina, Mr. CLINGER, Mr. QUILLEN, Mr. NEAL of North Carolina, Mr. THOMAS of Wyoming, Mr. BROOMFIELD, Mr. SPENCE, Mr. ANTHONY, Mr. EWING, Mr. VALENTINE, Mr. SMITH of Texas, Mr. HALL of Texas, Mr. FASCELL, and Mr. MARLENEE.
H.R. 5282: Mr. HYDE.
H.R. 5294: Mr. CLINGER, Mr. GILCHREST, and Mr. HAYES of Illinois.
H.R. 5308: Mr. ERDREICH, Ms. NORTON, Mr. TOWNS, Mr. LEWIS of Florida, Mr. EMERSON, Mrs. MEYERS of Kansas, Mr. LANCASTER, Mr. HORTON, Mr. MCCRERY, Mr. RAVENEL, Mr. VANDER JAGT, and Mr. ZIMMER.
H.R. 5320: Mr. CLINGER, Mr. GILCHREST, and Mr. WISE.
H.R. 5321: Mr. RAMSTAD, Mr. BURTON of Indiana, Mr. DURBIN, Mr. ROEMER, and Mr. SOLOMON.
H.R. 5340: Mr. INHOFE and Mr. SENSENBRENNER.
H.R. 5355: Mr. ABERCROMBIE.
H.R. 5360: Mr. DIXON, Mr. ROYBAL, and Mr. CARDIN.
H.R. 5366: Mr. EWING, Mr. ROBERTS, Mr. VALENTINE, and Mr. BROWN.
H.R. 5377: Ms. LONG, Mr. BERMAN, Mr. JOHNSON of South Dakota, Ms. SNOWE, Mr. GEREN of Texas, Mr. KLUG, Mr. MARTIN, and Mr. HOAGLAND.
H.R. 5391: Ms. NORTON and Mr. ATKINS.
H.R. 5437: Mr. FALEOMAVAEGA.
H.R. 5466: Mr. MINETA, Mr. GINGRICH, Mr. VANDER JAGT, and Ms. HORN.
H.R. 5476: Ms. NORTON, Mr. STALLINGS, Mr. ATKINS, Mr. BENNETT, Mr. ROBERTS, Mr. SKELTON, Mr. WYDEN, Mr. ANNUNZIO, Mr. SLATTERY, Mr. STUDDS, Mr. TALLON, Mrs. UNSOELD, Mr. AUCOIN, Mr. HUBBARD, Mr. JOHNSON of South Dakota, Mr. KILDEE, Mr. MCDADE, Mr. FEIGHAN, Mr. MILLER of Ohio, Mr. NATCHER, Mr. PASTOR, Mr. HALL of Ohio, Mr. HARRIS, Mr. KENNEDY, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. MCMILLEN of Maryland, Mr. NEAL of Massachusetts, Mr. SARPALIUS, Mr. BEVILL, Mr. GALLEGLY, Mr. MURPHY, Ms. OAKAR, Mr. PICKETT, Ms. SLAUGHTER, Mr. SPRATT, Mr. VISCLOSKY, Mrs. BENTLEY, Mr. BILBRAY, Mr. EMERSON, Mr. LANCASTER, and Mr. APPLEGATE.
H.R. 5478: Mr. SCHUMER.
H.R. 5489: Mr. LEWIS of Florida.
H.R. 5500: Ms. NORTON.
H.R. 5507: Mr. KOPETSKI, Mr. MAZZOLI, and Mrs. SCHROEDER.
H.R. 5550: Mr. PACKARD, Mr. RIGGS, Mr. GOSS, Mr. ZELIFF, Mr. JOHNSON of South Dakota, and Mr. INHOFE.
H.R. 5551: Mr. PACKARD, Mr. GOSS, Mr. ZELIFF, Mr. OXLEY, and Mr. INHOFE.
H.R. 5552: Mr. RIGGS, Mr. ZELIFF, and Mr. INHOFE.
H.R. 5553: Mr. PACKARD, Mr. GOSS, Mr. ZELIFF, Mr. INHOFE, and Mr. LAGOMARSINO.
H.R. 5554: Mr. GOSS.
H.R. 5592: Mr. OXLEY and Mr. DORNAN of California.
H.J. Res. 19: Mr. MCNULTY.
H.J. Res. 145: Mr. JOHNSON of South Dakota, Mr. KLECZKA, Mr. BONIOR, and Mr. BLAZ.
H.J. Res. 152: Mr. SMITH of Texas, Mr. DORNAN of California, Mr. SLATTERY, Mr. PASTOR, Mr. NAGLE, Mr. SHARP, Mr. SKELTON, Mr. MCCOLLUM, Mr. HAMMERSCHMIDT, Mrs. MINK, Mr. POSHARD, Mr. ROE, Mr. MURPHY, Mr. MURTHA, Mr. HASTERT, Mr. NATCHER, and Mr. SARPALIUS.
H.J. Res. 237: Mr. PETERSON of Florida, Mr. JONES of North Carolina, Mr. EMERSON, Mr. RAMSTAD, Mr. STAGGERS, Mr. COYNE, Mr. COUGHLIN, Mr. NEAL of Massachusetts, Mr. MARKEY, Mr. WOLF, Mr. TAUZIN, Mr. SOLARZ, and Ms. LONG,
H.J. Res. 238: Mr. KASICH, Mr. HAYES of Illinois, Mr. HEFNER, Mr. GONZALEZ, Mr. EWING, Mr. ANDERSON, Mr. HAMMERSCHMIDT, Mr. MOAKLEY, and Mr. DOOLITTLE.
H.J. Res. 353: Mrs. BOXER, Mr. DONNELLY, Mr. HAMMERSCHMIDT, Mr. HYDE, Mr. LEACH, and Mr. RIGGS.
H.J. Res. 393: Mr. DARDEN, Mr. STUDDS, Mr. ABERCROMBIE, Mr. ROTH, Mr. HOBSON, Ms. PELOSI, Mr. DWYER of New Jersey, Mr. ROYBAL, Mr. HORTON, Mr. RINALDO, Mr. SMITH of New Jersey, Mr. LANTOS, Mr. KOLTER, Mr. KLECZKA, Mr. KOPETSKI, Mr. MAZZOLI, Mr. DORNAN of California, Mr. DINGELL, Mr. SHAW, Mr. BURTON of Indiana, Mr. ARCHER, Mr. BLACKWELL, Mr. TAUZIN, Mr. GEJDENSON, Mr. PETRI, Mr. SCHIFF, and Mr. HALL of Ohio.
H.J. Res. 398: Mr. LIVINGSTON, Mr. HUTTO, Mr. HYDE, Mr. GILMAN, Mr. MCGRATH, Mr. MCDADE, Mr. TRAFICANT, Mr. WILSON, Mr. SPENCE, Mr. HAMMERSCHMIDT, Mr. HALL of Ohio, Mr. GINGRICH, Mr. KANJORSKI, Mr. HARRIS, Mr. SABO, Mrs. UNSOELD, Mr. ROSE, Mr. QUILLEN, Ms. LONG, Ms. NORTON, Mr. SMITH of Texas, Mr. BALLENGER, Mr. JONTZ, Mr.

JONES of North Carolina, Mr. OXLEY, Mrs. BENTLEY, Mr. BORSKI, Mr. ARCHER, Mr. CALLAHAN, Mr. CLINGER, Mr. DOOLITTLE, Mr. LENT, Mr. PERKINS, Mr. HAYES of Illinois, Mr. SLATTERY, Ms. PELOSI, Mr. SMITH of New Jersey, Mr. HOYER, and Mr. YOUNG of Florida.

H.J. Res. 399: Mr. ANDREWS of Maine, Mr. NATCHER, Mr. GEREN of Texas, and Mrs. KENNELLY.

H.J. Res. 408: Mr. ROSE.

H.J. Res. 422: Mr. EVANS and Mr. KASICH.

H.J. Res. 440: Mrs. COLLINS of Michigan.

H.J. Res. 455: Mr. LANCASTER, Mr. KENNEDY, Mr. ROSE, and Mr. STARK.

H.J. Res. 469: Mr. DIXON, Mr. PURSELL, Mrs. MORELLA, Mr. HUBBARD, Mr. HOBSON, Mr. MOAKLEY, Mr. COYNE, Mr. SARPALIUS, Ms. KAPTUR, Mr. WELDON, Mr. MRAZEK, Mr. TAYLOR of Mississippi, Mr. STARK, Mr. PALLONE, Mr. SHARP, Mr. MILLER of Washington, Mrs. MEYERS of Kansas, Mr. FALEOMAVAEGA, Mr. SMITH of Florida, Mr. HAMILTON, Mr. HUTTO, Mr. MOODY, Mr. ROWLAND, Mr. SOLOMON, Mr. FAWELL, Mr. SLATTERY, Mr. GONZALEZ, Mr. SAVAGE, and Mr. DAVIS.

H.J. Res. 474: Mr. COX of Illinois, Mr. SAWYER, Mr. NATCHER, Mr. DORGAN of North Dakota, Mr. HYDE, Ms. SLAUGHTER, Mr. ARCHER, Mr. ROSE, Mr. FRANKS of Connecticut, and Mr. COBLE.

H.J. Res. 478: Mr. MCMILLEN of Maryland and Mr. ZELIFF.

H.J. Res. 483: Mr. WASHINGTON and Mr. MACHTLEY.

H.J. Res. 488: Mr. SAWYER, Mr. BACCHUS, Mr. GORDON, Mr. WOLF, Mr. CRAMER, Mr. ROSE, Mr. SMITH of Texas, Mr. PERKINS, and Mr. HALL of Ohio.

H.J. Res. 489: Mr. PANETTA, Mr. ECKART, Mr. CAMP, Mr. DOOLEY, Mr. WOLPE, Mr. MCCANDLESS, Mr. DORNAN of California, Mr. BERMAN, Mr. FORD of Tennessee, Mr. BATEMAN, Mr. GALLEGLY, and Mr. LAGOMARSINO.

H.J. Res. 492: Mr. JACOBS, Mr. EARLY, Mr. RHODES, Mr. LEVIN of Michigan, Mr. MCCANDLESS, Mr. UPTON, Ms. SLAUGHTER, Mr. MOORHEAD, Mrs. MINK, Mr. GRADISON, Mr. GINGRICH, Mr. HANSEN, Mr. MANTON, Mr. HALL of Texas, Mr. PICKETT, Mr. MCCLOSKEY, Mr. CHAPMAN, Mrs. COLLINS of Illinois, Mr. HEFNER, Mr. GONZALEZ, Mr. MAZZOLI, Mr. ALEXANDER, Mr. KENNEDY, Mr. DORNAN of California, Mr. EMERSON, Mr. FAWELL, Mr. WAXMAN, Mr. HAYES of Louisiana, Mr. GALLEGLY, Mr. MCDADE, Mr. BUSTAMANTE, Mr. SMITH of Iowa, Mr. ARCHER, Mr. AUCOIN, Mr. TRAXLER, Mr. ERDREICH, Mr. SWETT, Mr. DOOLEY, Mr. BREWSTER, Mr. SHAW, Mr. MCMILLEN of Maryland, Mr. SPRATT, Mr. MONTGOMERY, Mr. HORTON, Mr. KASICH, Mr. HENRY, Mr. LEHMAN of Florida, Mr. SAVAGE, Mr. WOLF, Mr. CLINGER, Mr. MCNULTY, Mr. KOLTER, Mr. RANGEL, Mrs. ROUKEMA, Ms. NORTON, Mr. HALL of Ohio, Mr. PURSELL, Mr. HAYES of Illinois, Mr. OBERSTAR, Mr. LAFALCE, Ms. DELAURO, Mr. SERRANO, Mr. FAZIO, Mr. POSHARD, Mr. WALSH, Mr. HUGHES, Mr. FROST, Mr. GUARINI, Mr. DURBIN, Mr. DE LUGO, Mr. GEREN of Texas, Mr. LIVINGSTON, Mr. APPLEGATE, Mr. QUILLEN, Mr. EVANS, Mr. PAXON, Mr. LANCASTER, Mr. CALLAHAN, Mr. PAYNE of New Jersey, Mr. HOBSON, Mr. PARKER, Mr. ESPY, Mr. DIXON, Mrs. JOHNSON of Connecticut, Mr. ANDERSON, Mr. CRAMER, Mrs. COLLINS of Michigan, Mr. GORDON, Mr. PALLONE, Mr. GRANDY, Mr. BEVILL, Mr. LENT, Mr. RIGGS, Mr. HARRIS, Mr. KLECZKA, Mr. BATEMAN, Ms. MOLINARI, Mr. FOGLIETTA, Mr. TRAFICANT, Mr. HASTERT, Mr. STARK, Mr. DICKS, Mr. GALLO, Mrs. PATTERSON, Mr. HOAGLAND, Mr. GILLMOR, Mr. HOCHBRUECKNER, Mr. DWYER of New Jersey, Mr. HAMILTON, Mr. PACKARD, Mr. MOAKLEY, Mr. DOOLITTLE, Ms. HORN, Mr. NOWAK, Mr. TANNER, Mr. YATRON, Mr. CAMP, Mr. MILLER of Washington, Mr. RINALDO, Mr. FASCELL, Mr. TAYLOR of North Carolina, Mr. TALLON, Mr. COLORADO, Mr. JENKINS, Mr. MFUME, Mr. PASTOR, Mr. SISISKY, Mr. ASPIN, Mr. SCHIFF.

H.J. Res. 495: Mr. CONYERS, Mr. PAYNE of New Jersey, Mrs. COLLINS of Michigan, Mr. MOLLOHAN, Mr. EMERSON, and Mr. PALLONE.

H.J. Res. 498: Mr. OLIN, Mr. SANDERS, Mr. CAMP, Mr. PICKETT, Mr. SIKORSKI, and Mr. SANGMEISTER.

H.J. Res. 506: Mr. EVANS and Mr. ROEMER.

H.J. Res. 520: Mr. EMERSON and Mr. HARRIS.

H. Con. Res. 11: Mr. MCNULTY.

H. Con. Res. 92: Mr. KANJORSKI, Mr. RHODES, Mr. RAVENEL, Mr. GEREN of Texas, Mr. ABERCROMBIE, Mr. CRAMER, Mr. MCDERMOTT, Mr. HOYER, Mr. CARPER, Ms. OAKAR, Mr. BROOMFIELD, Mr. SAXTON, Ms. KAPTUR, Mrs. MINK, Mr. GUNDERSON, Mr. OLIN, Mr. RINALDO, Mr. GORDON, Mr. HYDE, Mrs. UNSOELD, Mr. RITTER, Mr. HUNTER, Mr. BILBRAY, Mr. EVANS, Mr. RAMSTAD, Mr. VANDER JAGT, Mr. COX of California, Mr. MAZZOLI, Mr. UPTON, Mr. ROTH, Mr. GOODLING, Mr. SCHAEFER, Mr. EDWARDS of California, and Mr. WISE.

H. Con. Res. 223: Mr. BEILENSON, Mr. DORGAN of North Dakota, Mr. EARLY, Mr. MANTON, Mr. STAGGERS, Mr. STALLINGS, and Mr. WALSH.

H. Con. Res. 224: Mr. MINETA.

H. Con. Res. 278: Mr. RANGEL, Mr. SOLOMON, and Mr. WEISS.

H. Con. Res. 295: Mr. FRANK of Massachusetts.

H. Con. Res. 296: Mr. LEWIS of Florida.

H. Con. Res. 322: Mr. JOHNSON of South Dakota, Mr. PACKARD, Mr. SMITH of Oregon, Mr. GALLEGLY, Mr. OXLEY, Mr. BOEHNER, Mrs. MEYERS of Kansas, Mr. LEWIS of Georgia, Mr. PAXON, Mr. UPTON, Mr. MOORHEAD, Mr. DOOLITTLE, Ms. HORN, Mr. ZIMMER, Mr. SANTORUM, Mr. KLUG, Mr. LIVINGSTON, Mr. EMERSON, Mr. BATEMAN, Mr. WALSH, Mr. MACHTLEY, Mr. COMBEST, and Mr. CRANE.

H. Con. Res. 344: Mr. LAFALCE, Mr. YATES, Mrs. BOXER, Mr. FRANK of Massachusetts, Mr. DURBIN, Mr. LEVINE of California, Mr. RANGEL, Mr. EDWARDS of California, Mr. SABO, Mr. DORGAN of North Dakota, Mr. BENNETT, Mr. EWING, Mr. WAXMAN, Mr. RICHARDSON, and Mr. BLACKWELL.

H. Res. 129: Mr. SERRANO, Mr. MORAN, Mr. MARKEY, Mr. WOLPE, Mr. ARCHER, Mr. BEILENSON, Mr. MACHTLEY, Mr. MCHUGH, and Mrs. UNSOELD.

H. Res. 296: Mr. MINETA.

H. Res. 478: Mr. ATKINS.

H. Res. 490: Mr. WAXMAN, Mr. DIXON, and Mr. FRANK of Massachusetts.

H. Res. 515: Mr. BERMAN, Mr. MRAZEK, Ms. PELOSI, Mr. WAXMAN, Mr. ESPY, Ms. NORTON, Mr. HALL of Ohio, Mr. DELLUMS, and Mr. LEHMAN of Florida.

WEDNESDAY, JULY 22, 1992 (87)

The House was called to order by the SPEAKER.

¶87.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, July 21, 1992.

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

¶87.2 COMMUNICATIONS

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

3940. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize the Secretaries of the military departments to delete administratively from selection board reports the names of officers selected for promotion if the officer was erroneously considered for promotion or is not serving on active duty; to the Committee on Armed Services.

3941. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend section 404 of title 37, United States Code; to the Committee on Armed Services.

3942. A letter from the Federal Reserve System, Board of Governors, transmitting the Board's mid-year monetary policy report; to the Committee on Banking, Finance and Urban Affairs.

3943. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 9233, relative to the ''Agreement on Trade Relations Between the United States of America and the Republic of Albania;'' to the Committee on Banking, Finance and Urban Affairs.

3944. A letter from the Secretary of Housing and Urban Development, transmitting the Department's energy assessment report; to the Committee on Banking, Finance and Urban Affairs.

3945. A letter from the Secretary of Education, transmitting notice of Final Funding Priorities—Research in Education of Individuals with Disabilities Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3946. A letter from the Secretary of Education transmitting Final Regulations—Perkins Loan Program, College Work-Study Program, and Supplemental Educational Opportunity Grant Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3947. A letter from the Acting Assistant General Counsel, Department of Energy, transmitting notice of meeting related to the International Energy Program; to the Committee on Energy and Commerce.

3948. A letter from the Inspector General, Department of Health and Human Services, transmitting a copy of the Superfund financial activities at the National Institute of Environmental Health Sciences for fiscal year 1990, pursuant to 31 U.S.C. 7501 note; to the Committee on Energy and Commerce.

3949. A letter from the President, Federal Financing Bank, transmitting the first annual management report of the Federal Financing Bank; to the Committee on Government Operations.

3950. A letter from the Administrator, General Services Administration, transmitting GSA's investigation of the costs of operating privately owned vehicles based on calendar year 1989 data, pursuant to 5 U.S.C. 5707(b)(1); to the Committee on Government Operations.

3951. A letter from the President and CEO, Resolution Trust Corporation, transmitting the financial results of the Corporation's operations for the year ended December 31, 1991; to the Committee on Government Operations.

3952. A letter from the Director, Office of Management and Budget, transmitting the 17th report on U.S. costs in the Persian Gulf conflict and foreign contributions to offset such costs, pursuant to Public Law 10225, section 401 (105 Stat. 99); jointly, to the Committees on Armed Services and Foreign Affairs.

3953. A letter from the Department of Energy, transmitting notice that the report required by section 3134 of the National Defense Authorization Act for fiscal year 1991 will be forwarded as soon as possible, by September 30, 1992, at the latest; jointly, to the Committees on Armed Services and Energy and Commerce.

3954. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a supplemental report on the establishment of an International Criminal Court; jointly, to the Committees on Foreign Affairs and the Judiciary.