

project without Federal funds appropriated for the Corporation. The Corporation shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on such plan no later than April 1, 1993."

#### SEC. 14. LOCOMOTIVE CONSPICUITY.

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:

"(u) LOCOMOTIVE CONSPICUITY.—

"(1) The Secretary shall conduct a review of the Department of Transportation's rules with respect to locomotive conspicuity and shall complete the Department's current locomotive conspicuity research no later than December 31, 1993. As part of this review, the Secretary shall collect relevant data from operational experience by railroads having enhanced conspicuity measures in service.

"(2) Not later than December 31, 1992, the Secretary shall issue interim regulations identifying ditch lights, crossing lights, strobe lights, and oscillating lights as interim locomotive conspicuity measures, and authorizing and encouraging installation and use of such measures. The interim regulations and any amendments thereto shall be adopted without regard to subchapter II of chapter 5 of title 5, United States Code. Any locomotive equipped with such interim conspicuity measures on the date of issuance of final regulations under paragraph (3) shall be considered in full compliance with such final regulations until 4 year after issuance of such final regulations.

"(3) Not later than June 30, 1994, the Secretary shall initiate a rulemaking proceeding to issue final regulations requiring substantially enhanced locomotive conspicuity measures. In such rulemaking proceeding, the Secretary shall consider, at a minimum—

"(A) revisions to the existing locomotive headlight standard, including standards for placement and intensity;

"(B) requiring use of reflective materials to enhance locomotive conspicuity;

"(C) requiring use of additional alerting lights (including ditch, crossing, strobe, and oscillating lights);

"(D) requiring use of auxiliary lights to enhance locomotive conspicuity when viewed from the side;

"(E) the effect of any enhanced conspicuity measures on the vision, health, and safety of train crew members;

"(F) separate standards for self-propelled, push-pull and multi-unit passenger operations without dedicated head-end locomotive.

"(4) In issuing regulations under paragraph (3), the Secretary may exclude from any specific conspicuity requirement and category of trains or rail operations if the Secretary determines that such an exclusion is in the public interest and is consistent with rail safety (including grade-crossing safety).

"(5) The Secretary shall issue final regulations requiring enhanced locomotive conspicuity measures no later than June 30, 1995. The Secretary shall require that all locomotives not excluded from the regulations be equipped with interim conspicuity measures under paragraph (2) or the conspicuity measures mandated by final regulations issued under this paragraph, no later than December 31, 1997.

"(6) As used in this subsection, the term 'locomotive conspicuity' means the enhancement of day and night visibility of the front-end unit of a train, by means of lighting, reflective materials, or other means, with particular consideration to the visibility and perspective of drivers of motor vehicles at grade crossings."

And the Senate agrees to the same.

JOHN D. DINGELL,  
AL SWIFT,  
JIM SLATTERY,  
NORMAN F. LENT,  
DON RITTER,

Managers on the Part of the House.

J. J. EXON,

JOHN C. DANFORTH,

Managers on the Part of the Senate.

The SPEAKER pro tempore, Mr. RAY, 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 the conference report?

The SPEAKER pro tempore, Mr. RAY, 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 the conference report was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

#### ¶120.42 LOUISIANA LAND CONVEYANCE

Mr. VENTO moved to suspend the rules and pass the bill of the Senate (S. 3100) to authorize and direct the Secretary of the Interior to convey certain lands in Cameron Parish, Louisiana, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RAY, recognized Mr. VENTO and Mr. DREIER, 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. RAY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DREIER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. RAY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Monday, October 5, 1992, pursuant to the prior announcement of the Chair.

#### ¶120.43 BROWN V. BOARD OF EDUCATION HISTORIC SITE

Mr. VENTO moved to suspend the rules and pass the bill of the Senate (S. 2890) to provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. RAY, recognized Mr. VENTO and Mr. DREIER, 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. RAY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. DREIER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of

the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. RAY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Monday, October 5, 1992, pursuant to the prior announcement of the Chair.

#### ¶120.44 SUSPENSION OF THE RULES

The SPEAKER pro tempore, Mr. RAY, pursuant to section 3 of House Resolution 591, announced the placing of a list at the Speaker's table and in each cloakroom describing the object of each motion to suspend the rules that may be considered no sooner than two hours after said notice.

#### ¶120.45 ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5488. An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1993, and for other purposes.

#### ¶120.46 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLEMENT, for today and the balance of the week.

And then,

#### ¶120.47 ADJOURNMENT

On motion of Mr. McDERMOTT, pursuant to the special order heretofore agreed to, at 1 o'clock and 55 minutes a.m., Monday, October 5 (Legislative Day of Sunday, October 4), 1992, the House adjourned until 10 o'clock a.m. today.

#### ¶120.48 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. DERRICK: Committee on Rules. House Resolution 599. Resolution waiving points of order against the conference report to accompany the bill (H.R. 5427) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1993, and for other purposes, and against the consideration of such conference report (Rept. No. 102-1008). Referred to the House Calendar.

Mr. ROE: Committee on Public Works and Transportation. H.R. 1246. A bill to authorize the establishment of the National African-American Museum within the Smithsonian Institution; with an amendment (Rept. No. 102-1009, Pt. 1). Ordered to be printed.

Ms. OAKAR: Committee of conference. Conference report on H.R. 5739 (Rept. No. 102-1010). Ordered to be printed.

Mr. OBEY: Committee of conference. Conference report on H.R. 5368 (Rept. No. 102-1011). Ordered to be printed.

#### ¶120.49 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. RIDGE (for himself, Mr. BARNARD, and Mr. MORAN):

H.R. 6131. A bill to improve economic opportunity and access to credit and stimulate the development of a secondary market for commercial loans by establishing the Federal Commercial Credit Corporation, to establish the Office of Secondary Commercial Credit Market Examination and Oversight in the Department of the Treasury, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. TOWNS:

H.R. 6132. A bill to amend title IV of the Social Security Act to provide for comprehensive substance abuse treatment programs for pregnant women and caretaker parents; jointly, to the Committees on Ways and Means and Energy and Commerce.

Mr. GEPHARDT introduced a bill (H.J. Res. 560) waiving certain enrollment requirements with respect to any appropriation bill for the remainder of the 102d Congress; considered and passed.

By Mrs. LLOYD:

H. Con. Res. 375. Concurrent resolution commending the designation by Central High School in Chattanooga, TN, of the high school's football stadium and football field as "Central Memorial Stadium" and "Etter-Farmer Field," respectively; to the Committee on Post Office and Civil Service.

#### ¶120.50 ADDITIONAL SPONSORS

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

H.R. 73: Ms. MOLINARI.  
 H.R. 1300: Mr. BUSTAMANTE.  
 H.R. 3058: Mr. CHAPMAN.  
 H.R. 3059: Mr. CHAPMAN.  
 H.R. 4094: Mr. DARDEN.  
 H.R. 5484: Mr. LEWIS of Georgia.  
 H.R. 5842: Mr. GEJDENSON and Mr. ROYBAL.  
 H.R. 5850: Mr. FAWELL, Mr. BRYANT, Mr. STUMP, Mr. RHODES, and Mr. DORNAN of California.  
 H.J. Res. 552: Mr. BONIOR.  
 H. Con. Res. 358: Mrs. COLLINS of Michigan.

### MONDAY, OCTOBER 5, 1992 (121)

The House was called to order by the SPEAKER.

#### ¶121.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Sunday, October 4, 1992.

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

#### ¶121.2 COMMUNICATIONS

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

4357. Communication from the President of the United States, transmitting developments since his last report of April 7, 1992, concerning the continued blocking of Panamanian Government assets, pursuant to 50 U.S.C. 1706(d) (H. Doc. No. 102-404); to the Committee on Foreign Affairs and ordered to be printed.

4358. A letter from the Secretary of Commerce, transmitting the Department's report regarding the Saltonstall-Kennedy [S-K] Grant Program, pursuant to section 713c-3(d)(2) of the Saltonstall-Kennedy Act of 1954, as amended; to the Committee on Merchant Marine and Fisheries.

4359. A letter from the Assistant Attorney General, Department of Justice, transmit-

ting a copy of a report entitled "Searching for Answers—Annual Evaluation Report on Drugs and Crime: 1991," prepared by the National Institute of Justice; jointly, to the Committees on the Judiciary; Education and Labor; Banking, Finance and Urban Affairs; and Energy and Commerce.

4360. A letter from the Secretary of Commerce, transmitting a progress report regarding contracting for the rebuilding of Kuwait, pursuant to Public Law 102-25, section 606(f) (105 Stat. 111); to the Committee on Foreign Affairs.

4361. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 92-49, to draw-down DOD stocks for disaster assistance for Pakistan; to the Committee on Foreign Affairs.

4362. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 92-48, to draw-down DOD stocks for counternarcotics assistance for Colombia; to the Committee on Foreign Affairs.

4363. A letter from the Secretary of the Interior, transmitting a report on the Government's helium program providing operating statistical and financial information for the fiscal year 1991, pursuant to 50 U.S.C. 167n; to the Committee on Interior and Insular Affairs.

#### ¶121.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 542. Joint resolution designating the week beginning November 8, 1992, as "Hire a Veteran Week."

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

S. 2941. An Act to provide the Administrator of the Small Business Administration continued authority to administer the Small Business Innovation Research Program, and for other purposes.

#### ¶121.4 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 5368

Mr. HALL of Ohio, by direction of the Committee on Rules, reported (Rept. No. 102-1012) the resolution (H. Res. 600) waiving points of order against the conference report to accompany the bill (H.R. 5368) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes, and against consideration of such conference report.

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

#### ¶121.5 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 776

Mr. HALL of Ohio, by direction of the Committee on Rules, reported (Rept. No. 102-1013) the resolution (H. Res. 601) waiving points of order against the conference report to accompany the bill (H.R. 776) to provide for improved energy efficiency, and

against the consideration of such conference report.

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

#### ¶121.6 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT ON H.R. 5368

Mr. HALL of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 600):

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 5368) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. HALL of Ohio, 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.

#### ¶121.7 SUBMISSION OF CONFERENCE REPORT—H.R. 5504

Mr. MURTHA submitted a conference report (Rept. No. 102-1015) on the bill (H.R. 5504) making appropriations for the Department of Defense for the fiscal year ending September 30, 1993, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

#### ¶121.8 SUBMISSION OF CONFERENCE REPORT—H.R. 429

Mr. MILLER of California submitted a conference report (Rept. No. 102-1016) on the bill (H.R. 429) to authorize additional appropriations for the construction of the Buffalo Dam and Reservoir, Shoshone Project, Pick-Sloan Missouri Basin Program, Wyoming; together with a statement thereon, for printing in the Record under the rule.

#### ¶121.9 FOREIGN OPERATIONS APPROPRIATIONS

Mr. OBEY, pursuant to House Resolution 600, called up the following conference report (Rept. No. 102-1011):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5368) making appropriations for the Foreign Operations, Export Financing, and Related Programs for the fiscal year ending September 30, 1993, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 15, 34, 44, 50, 54, 62, 64, 71, 73, 76, 77, 81, 93, 94, 96, 97, 98, 99, 100, 104, 105, 121, 125, 150, 151, 155, 161, 162, 163, 166, and 170.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 7, 17, 19, 20, 23, 24, 25, 26, 27, 32, 35, 36, 40, 45, 46, 48, 49, 52, 53, 58, 59, 60, 63, 65, 70,