

SEC. 3. MINERALS AND MINING.

(a) **LIMITATION ON PATENT ISSUANCE.**—(1) Notwithstanding any other provision of law, no patents shall be issued after May 30, 1991, for any location or claim made in the recreation area under the mining laws of the United States.

(2) Notwithstanding any statute of limitations or similar restriction otherwise applicable, any party claiming to have been deprived of any property right by enactment of paragraph (1) may file in the United States Claims Court a claim against the United States within 1 year after the date of enactment of this Act seeking compensation for such property right. The United States Claims Court shall have jurisdiction to render judgment upon any such claim in accordance with section 1491 of title 28, United States Code.

(b) **WITHDRAWAL.**—Subject to valid existing rights, after the date of enactment of this Act, lands within the recreation area withdrawn from location under the general mining laws and from the operation of the mineral leasing, geothermal leasing, and mineral material disposal laws.

(c) **RECLAMATION.**—No mining activity involving any surface disturbance of lands or waters within such area, including disturbance through subsidence, shall be permitted except in accordance with requirements imposed by the Secretary, including requirements for reasonable reclamation of disturbed lands to a visual and hydrological condition as close as practical to their premining condition.

(d) **MINING CLAIM VALIDITY REVIEW.**—The Secretary of Agriculture shall undertake and complete within 3 years after the date of enactment of this Act an expedited program to examine all unpatented mining claims, including those for which a patent application has been filed, within the recreation area. Upon determination by the Secretary of Agriculture that the elements of a contest are present, the Secretary of the Interior shall immediately determine the validity of such claims. If a claim is determined to be invalid, the Secretary shall promptly declare the claim to be null and void.

(e) **PUBLIC PURPOSES.**—The Secretary may utilize mineral materials from within the recreation area for public purposes such as maintenance and construction of roads, trails, and facilities as long as such use is compatible with the purposes of the recreation area.

SEC. 4. ADJOINING LANDS.

The Secretary may evaluate lands adjoining the recreation area for possible inclusion in the recreation area and make recommendations to Congress, including (but not limited to) that area authorized for study by section 5 of Public Law 101-556 (104 Stat. 2764), known as the Baca Location Number 1. The Secretary, in consultation with local tribal leaders and the National Park Service, shall, no later than 2 years after enactment of this Act, submit recommendations with respect to future boundaries for the recreation area.

SEC. 5. ACQUISITION OF LAND.

(a) **STATE LAND.**—Land and interests in land within the boundaries of the recreation area that are owned by the State of New Mexico, or a political subdivision of New Mexico, may be acquired only by donation or exchange.

(b) **OFFERS TO SELL.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary may acquire land and interests in land within the boundaries of the recreation area by donation, purchase with donated or appropriated funds, or exchange.

(2) **LIMITATION.**—The Secretary may not acquire lands within the recreation area without the consent of the owner thereof unless

the Secretary has determined that such lands will be put to a use different from their use as of the date of enactment of this Act and that such new use would be incompatible with the protection of the natural and cultural resources of the recreation area.

[SEC. 5.] SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

On motion of Mr. VENTO, said Senate amendment were agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶108.30 WAIVING POINTS OF ORDER

AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2403

Mr. BEILENSEN, by direction of the Committee on Rules, called up the following resolution (H. Res. 261):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2403) 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, 1994, and for other purposes. All points of order against the conference report and against its consideration are waived.

When said resolution was considered.

After debate,

On motion of Mr. BEILENSEN, 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.

¶108.31 TREASURY AND POSTAL SERVICE APPROPRIATION

Mr. HOYER, pursuant to House Resolution 261, called up the following conference report (Rept. No. 103-256):

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2403) "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, 1994, 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 3, 12, 16, 26, 28, 37, 38, 39, 56, 58, 74, 79, 81, 84, 86, 87, 89, 90, 91, 95, 96, 100, 104, and 105.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 7, 8, 10, 11, 15, 17, 18, 19, 21, 22, 23, 27, 30, 31, 32, 36, 41, 44, 45, 46, 52, 53, 57, 59, 60, 61, 62, 66, 68, 69, 70, 72, 73, 75, 80, 83, 85, 92, 93, 98, and 99, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *of which not less than*

\$6,352,000 shall be available for enforcement activities; not to exceed \$1,500,000 to remain available until expended shall be available for systems modernization requirements; ; and the Senate agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$105,150,000*; and the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$32,500,000*; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$47,445,000*; and the Senate agree to the same.

Amendment numbered 9:

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows:

In lieu of "3368,046,000" named in said amendment, insert: *\$366,446,000*; and the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *: Provided further, That no funds made available by this or any other Act may be used to implement any reorganization of the Bureau of Alcohol, Tobacco and Firearms or transfer of the Bureau's functions, missions, or activities to other agencies or Departments in the fiscal year ending on September 30, 1994; and the Senate agree to the same.*

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$1,350,668,000*; and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment, insert: *\$5,000,000*; and the Senate agree to the same.

Amendment numbered 24:

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert: *\$4,007,962,000, of which not to exceed \$1,000,000 shall remain available until expended for research; and of which not less than \$350,000,000 shall be available for tax fraud investigation activities; and the Senate agree to the same.*

Amendment numbered 25:

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$1,471,448,000*; and the Senate agree to the same.

Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 101A. Any obligation or expenditure by the Secretary in connection with law enforcement activities of a Federal agency or of a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 1994, shall be made in compliance with the reprogramming guidelines contained in the House and Senate reports accompanying H.R. 2403, 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, 1994. And the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment insert: 105; and the Senate agree to the same.

Amendment numbered 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 106. (a) Notwithstanding any other provision of law, hereafter, for purposes of complying with Executive Order No. 12839 and guidance issued thereunder, the number of civilian personnel positions that the Department of the Treasury may be required to eliminate in fiscal year 1994 and in fiscal year 1995 shall not exceed a number determined for each year by multiplying a fiscal year 1993 base which excludes all exempt positions by the applicable percentages in Executive Order No. 12839.

(b) For the purposes of this section, "exempt position" means a personnel position in the Department of the Treasury which the Secretary of the Treasury determines to be primarily employed in law enforcement.

And the Senate agree to the same.

Amendment numbered 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 107. The Internal Revenue Service shall institute policies and procedures which will safeguard the confidentiality of taxpayer information.

SEC. 108. AMENDMENT TO TITLE 5.—(a) Title 5 of the United States Code is amended—

(1) in section 5316, by striking "Commissioner of Customs, Department of the Treasury,"; and

(2) in section 5315, by adding at the end "Commissioner of Customs, Department of the Treasury."

(b) The amendments made by this section shall take effect on the first applicable pay period after enactment.

SEC. 109. Notwithstanding any other provision of this Act, aircraft which is one-of-a-kind and has been identified as excess to Customs requirements, and aircraft which is damaged beyond repair, may be transferred from the Department of the Treasury during fiscal year 1994 upon the advance approval of the House and Senate Committees on Appropriations.

SEC. 110. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 1994 in this Act for the enforcement of

the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to Section 105 of the Federal Alcohol Administration Act.

And the Senate agree to the same.

Amendment numbered 40:

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *\$11,687,000: Provided, That the Office of National Drug Control Policy shall hire and maintain not less than 40 full-time equivalent positions in fiscal year 1994;* and the Senate agree to the same.

Amendment numbered 42:

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

For activities authorized by Public Law 100-690, \$52,500,000, of which \$28,000,000 shall be derived from deposits in the Special Forfeiture Fund; of which \$25,000,000 shall be transferred to the Substance Abuse and Mental Health Services Administration, and of which \$10,000,000 shall be available to the Center for Substance Abuse Prevention for community partnership grants, and of which \$5,000,000 shall be available to the Center for Substance Abuse Prevention for the residential women/children program, and of which \$10,000,000 shall be available for the Substance Abuse Prevention and Treatment Block Grant to the States; of which \$7,500,000, to remain available until expended, shall be transferred to the Counter-Drug Technology Assessment Center for counternarcotics research and development projects and shall be available for transfer to other Federal departments or agencies; of which \$5,000,000 shall be transferred to the Bureau of Alcohol, Tobacco and Firearms for gang resistance education and training programs; of which \$6,000,000 shall be transferred to the Internal Revenue Service, "Tax law enforcement" account, for criminal investigations; of which \$4,000,000 shall be transferred to the Drug Enforcement Administration for the enhancement of the El Paso Intelligence Center; and of which \$5,000,000 shall be transferred to drug control agencies in amounts to be determined by the Director, upon the advance approval of the House and Senate Committees on Appropriations.

And the Senate agree to the same.

Amendment numbered 43:

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows:

In lieu of the matter proposed by said amendment, insert:

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
SALARIES AND EXPENSES
For necessary expenses of the Administrative Conference of the United States, established by the Administrative Conference Act, as amended (5 U.S.C. 571 et seq.), including not to exceed \$1,000 for official reception and representation expenses, \$1,800,000.

Section 401. (a) Notwithstanding any other provision of law, a Federal agency when purchasing toner cartridges for use in laser printers, photocopiers, facsimile machines, or micrographic printers is authorized to give preference to remanufactured toner cartridges made in the United States by small businesses and, recycled toner cartridges unless the contracting or purchasing officer determines in writing that—

(1) adequate market research establishes that remanufactured or recycled cartridges

for the type of equipment used by the agency do not exist,

(2) the price or life cycle cost offered for the cartridges is higher than the original equipment manufacturer's new cartridge, or

(3) remanufactured or recycled cartridges are not available in quantities needed within the timeframes required.

(b) Nothing in this section shall prohibit the purchase of one newly manufactured cartridge (or a number equal to those normally supplied at the time of initial purchase) as a part of an initial printer or copier acquisition.

(c) The provision of this section shall not affect current law with respect to Organizations for the Blind or Other Severely Handicapped (NIB/NISH).

And the Senate agree to the same.

Amendment numbered 47:

That the House recede to its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment, insert: *\$288,486,000;* and the Senate agree to the same.

Amendment numbered 48:

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: *\$5,251,117,306;* and the Senate agree to the same.

Amendment numbered 49:

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$925,027,306;* and the Senate agree to the same.

Amendment numbered 50:

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

Alabama:
Montgomery, U.S. Courthouse Annex, \$13,091,000

Arkansas:

Little Rock, Old Law School Building Expansion/Alteration, \$13,816,040

Arizona:

Phoenix, U.S. Courthouse, \$120,000,000

Safford, a grant to the U.S. Forest Service for Administrative Offices and Cultural Center, \$5,000,000

Sierra Vista, U.S. Magistrates Office, \$1,000,000

California:

Sacramento, Federal Building and U.S. Courthouse, \$143,082,450

San Jose, Federal Office Building, claim, \$1,828,680

Santa Ana, Federal Building and U.S. Courthouse, \$103,000,000

Florida:

Jacksonville, U.S. Courthouse, site acquisition and design, \$6,070,120

Tampa, U.S. Courthouse, \$66,696,840

Georgia:

Atlanta, Centers for Disease Control, Laboratory and office building, \$12,000,000

Augusta, U.S. Courthouse, \$1,000,000

Indiana:

Hammond, U.S. Courthouse, \$49,980,000

Iowa:

Burlington, Federal Parking Facility, design and construction, \$2,400,000

Maryland:

Bowie, Bureau of the Census, Computer Center, \$27,915,000

Montgomery and Prince George's Counties, Food and Drug Administration, consolidation, site acquisition, planning and design, construction, \$73,921,000

Massachusetts:
Boston, Federal Building and U.S. Courthouse, \$18,620,000

Missouri:
Cape Girardeau, Federal Office Building and U.S. Courthouse, \$3,822,000

Kansas City, U.S. Courthouse, \$16,000,000
St. Louis, U.S. Courthouse, \$24,000,000

Nebraska:
Omaha, Federal Building and U.S. Courthouse, \$9,361,940

New Jersey:
Newark, Martin Luther King, Jr. Federal Building and U.S. Courthouse, escalation, \$4,293,576

New York:
Brooklyn, U.S. Courthouse, \$29,400,000
Rochester, federal center, in addition to the amount previously provided for this purpose under this heading in Public Law 101-509, \$5,000,000

North Carolina:
Federal Research Park, Environmental Protection Agency Facility, \$8,800,000

North Dakota:
Pembina, Border Station, \$96,000

Ohio:
Youngstown, Federal Building and U.S. Courthouse, site acquisition and design, \$4,630,500

Oregon:
Portland, U.S. Courthouse, \$96,390,000

Pennsylvania:
Scranton, Federal Building and U.S. Courthouse Annex, site acquisition and design, \$12,093,000

Texas:
Laredo, Federal Building and U.S. Courthouse, \$2,986,060

Vermont:
Highgate Springs, Border Station, \$6,851,000

Washington:
Lynden, Federal Building, claim, \$357,000

West Virginia:
Wheeling, Federal Building and U.S. Courthouse, including renovations to the existing facility, \$36,000,000

Nonprospectus construction projects, \$5,525,000

And the Senate agree to the same.

Amendment number 51:

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Provided, that the \$5,000,000 for nonprospectus construction projects made available in Public Law 102-393 for flexiplace work telecommuting centers, is hereby increased by \$1,000,000 from the funds made available in this Act for nonprospectus construction projects, all of which shall remain available until expended, for the acquisition, lease, construction, and equipping of four flexiplace work telecommuting centers, one of which shall be in Southern Maryland, one of which shall be in northwestern Virginia, one of which shall be in Hagerstown, Maryland and one of which shall be in Fredericksburg, Virginia: Provided further, and the Senate agree to the same.*

Amendment numbered 54:

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$523,782,000; and the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Energy Retrofit Projects, \$7,000,000; and the Senate agree to the same.*

Amendment numbered 63:

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Provided further, That of the funds provided in the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for fiscal year 1994 for the modernization of the Beltsville Agricultural Research Center, the Department of Agriculture may provide up to \$6,000,000 to a nonprofit entity towards the cost of construction of a facility to house microbial collections of the government under such terms as the Department determines are appropriate: Provided further, That the Department is authorized to make available sufficient space at the Beltsville Agricultural Research Center, at such terms as the Department determines are appropriate, for construction of such a facility; and the Senate agree to the same.*

Amendment numbered 64:

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: *Provided further, That no funds shall be made available for leases, line-item construction, repairs, or alterations projects in this Act, with the exception of the Safford, Arizona and Rochester, New York projects, that are subject to section 7(a) of the Public Buildings Act of 1959 (40 U.S.C. 606(a)) prior to February 1, 1994, unless the projects are approved by the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works: Provided further, That subject to the exceptions contained in the preceding proviso, in no case shall such funds be made available for any lease, line-item construction, or alterations project referred to in the preceding proviso if prior to February 1, 1994, the lease, line-item construction, repair, or alterations project has been disapproved by the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works: Provided further, That the Administrator of General Services shall submit detailed information on each lease, line-item construction, repair, and alterations project in this Act that is subject to section 7(a) of the Public Buildings Act of 1959 (40 U.S.C. 606(a)) to the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works no later than 30 days after the date of enactment of this Act; and the Senate agree to the same.*

Amendment numbered 65:

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$5,251,117,306; and the Senate agree to the same.

Amendment numbered 67:

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert: \$45,675,000; and the Senate agree to the same.

Amendment numbered 71:

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows:

After the word "property" named in said amendment, insert: *of comparable value*; and the Senate agree to the same.

Amendment numbered 76:

That the House recede from its disagreement to the amendment of the Senate num-

bered 76, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$3,805,480,000; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$195,482,000; and the Senate agree to the same.

Amendment numbered 78:

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: \$5,250,000; and the Senate agree to the same.

Amendment numbered 82:

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

SEC. 517A. Such sums as may be necessary for fiscal year 1994 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 517B. (a) Any adjustment required by section 5303 of title 5, United States Code, to become effective in fiscal year 1994 in the rates of basic pay for the statutory pay systems shall not be made.

(b) For the purpose of this section, the term "statutory pay system" has the meaning given such term by section 5302(1) of title 5, United States Code.

And the Senate agree to the same.

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 528. The Administrator of General Services shall promptly review the need of the General Services Administration for the parcel of land which it controls and which is located at 424 Trapelo Road in the City of Waltham, Massachusetts. The Administrator shall promptly determine to be excess property so much of said parcel as is no longer required for the needs of the General Services Administration. Subject to agreement between the Administrator and the Secretary of the Army concerning such portion of the excess property as may be required for the use of the Corps of Engineers, the Administrator shall transfer such portion to the Secretary of the Army without reimbursement. The property not included in such transfer shall be determined to be surplus property and shall be available only for transfer for a public purpose under section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(k)), except that an expression of interest or an application for a public purpose use under said section other than for educational purposes may not be received after 45 days from the date the Administrator determines the property to be surplus. If no transfer under section 203(k) has been made within one year after the date of such surplus determination, the Administrator may dispose of the property in accordance with all applicable provisions of that Act.

And the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

(A) during that portion of fiscal year 1994 which precedes the start of the period described in subparagraph (B), in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with section 616 of the Treasury, Postal Service, and General Government Appropriations Act, 1993, on the last day of the limitation imposed by such section 616; and

(B) during the period from the date determined under paragraph (2) until the end of fiscal year 1994, in an amount that exceeds the maximum rate allowable under subparagraph (A) by more than the amount determined under paragraph (3).

(2) The period under paragraph (1)(B) shall begin on the first day of the first applicable pay period beginning on or after the later of—

(A) the normal effective date of the applicable wage survey adjustment that is to become effective in fiscal year 1994 (determined as if this section and section 616 of the Treasury, Postal Service, and General Government Appropriations Act, 1993, were not in effect); or

(B) January 1, 1994.

(3)(A) If, during fiscal year 1994, employees under the General Schedule receive locality-based comparability payments under section 5304 of title 5, United States Code, but do not receive a pay adjustment under section 5303 of such title, the applicable amount under this paragraph shall be equal to one-fifth of the difference between the maximum amount allowable under paragraph (1)(A) and the amount that would be payable under subchapter IV of chapter 53 of such title (taking into account the applicable wage survey adjustment referred to in paragraph (2)(A)) were this section and section 616 of the Treasury, Postal Service, and General Government Appropriations Act, 1993, not in effect.

(B) If, during fiscal year 1994, employees under the General Schedule receive a pay adjustment under section 5303 of title 5, United States Code, and locality-based comparability payments under section 5304 of such title, the applicable amount under this paragraph shall be equal to—

(i) the amount determined under subparagraph (A); and

(ii) the amount resulting from an increase of 2.2 percent.

(C) The applicable amount under this paragraph shall be zero if neither subparagraph (A) nor subparagraph (B) applies.

(4) *The Office of Personnel Management shall discuss with and consider the views of the Federal Prevailing Rate Advisory Committee in carrying out the Office's responsibilities with respect to this paragraph; and the Senate agree to the same.*

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

In lieu of the first section number named in said amendment insert: 620A; and the Senate agree to the same.

Amendment numbered 101:

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows:

In lieu of the section number named in said amendment insert: 629; and the Senate agree to the same.

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment insert:

TITLE VII—REVENUE FORGONE REFORM SHORT TITLE; TABLE OF CONTENTS

SEC. 701. (a) SHORT TITLE.—This title may be cited as the "Revenue Forgone Reform Act".

(b) TABLE OF CONTENTS.—The table of contents for this title is as follows:

Sec. 701. Short title; table of contents.

Sec. 702. References.

Sec. 703. Repeal of authorization of appropriations for mail sent at reduced rates of postage.

Sec. 704. Establishing reduced rates of postage.

Sec. 705. Eligibility of certain mailings for reduced rates of postage.

Sec. 706. Provisions relating to rates for books and certain other materials.

Sec. 707. Sense of Congress.

Sec. 708. Technical corrections.

REFERENCES

SEC. 702. Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 39, United States Code.

REPEAL OF AUTHORIZATION OF APPROPRIATIONS FOR MAIL SENT AT REDUCED RATES OF POSTAGE

SEC. 703. (a) IN GENERAL.—Section 2401(c) is amended—

(1) in the first sentence—

(A) by striking "if sections" through "had not been enacted" and inserting "if sections 3217 and 3403 through 3406 had not been enacted"; and

(B) by striking "such sections and Acts." and inserting "such sections."; and

(2) in the second sentence—

(A) by striking "(i)"; and

(B) by striking "volume;" through "schedules." and inserting "volume."

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to appropriations for fiscal years beginning after September 30, 1993.

ESTABLISHING REDUCED RATES OF POSTAGE

SEC. 704. (a) RATES.—

(1) IN GENERAL.—Section 3626(a) is amended to read as follows:

"(a)(1) Except as otherwise provided in this section, rates of postage for a class of mail or kind of mailer under former section 4358, 4452(b), 4452(c), 4454(b), or 4454(c) of this title shall be established in accordance with the applicable provisions of this chapter.

"(2) For the purpose of this subsection—

"(A) the term 'costs attributable', as used with respect to a class of mail or kind of mailer, means the direct and indirect postal costs attributable to such class of mail or kind of mailer (excluding any other costs of the Postal Service);

"(B) the term 'regular-rate category' means any class of mail or kind of mailer, other than a class or kind referred to in paragraph (3)(A) or section 2401(c); and

"(C) the term 'institutional-costs contribution', as used with respect to a class of mail or kind of mailer, means that portion of the estimated revenues to the Postal Service from such class of mail or kind of mailer which remains after subtracting an amount equal to the estimated costs attributable to such class of mail or kind of mailer.

"(3)(A) Except as provided in paragraph (4) or (5), rates of postage for a class of mail or kind of mailer under former section 4358, 4452(b), 4452(c), 4454(b), or 4454(c) of this title shall be established in a manner such that the estimated revenues to be received by the Postal Service from such class of mail or kind of mailer shall be equal to the sum of—

"(i) the estimated costs attributable to such class of mail or kind of mailer; and

"(ii) the product derived by multiplying the estimated costs referred to in clause (i) by the applicable percentage under subparagraph (B).

"(B) The applicable percentage for any class of class of mail or kind of mailer referred to in subparagraph (A) shall be the product derived by multiplying—

"(i) the percentage which, for the most closely corresponding regular-rate category, the institutional-costs contribution for such category represents relative to the estimated costs attributable to such category of mail, times

"(ii) (I) one-twelfth, for fiscal year 1994;

"(II) one-sixth, for fiscal year 1995;

"(III) one-fourth, for fiscal year 1996;

"(IV) one-third, for fiscal year 1997;

"(V) five-twelfths, for fiscal year 1998; and

"(VI) one-half, for any fiscal year after fiscal year 1998.

"(C) Temporary special authority to permit the timely implementation of the preceding provisions of this paragraph is provided under section 3642.

"(D) For purposes of establishing rates of postage under this subchapter for any of the classes of mail or kinds of mailers referred to in subparagraph (A), subclauses (I) through (V) of subparagraph (B)(ii) shall be deemed amended by striking the fraction specified in each such subclause and inserting 'one-half'.

"(4) The rates for the advertising portion of any mail matter under former section 4358(d) or 4358(e) of this title shall be equal to the rates for the advertising portion of the most closely corresponding regular-rate category of mail, except that if the advertising portion does not exceed 10 percent of the issue of the publication involved, the advertising portion shall be subject to the same rates as apply to the nonadvertising portion.

"(5) The rates for any advertising under former section 4358(f) of this title shall be equal to 75 percent of the rates for advertising contained in the most closely corresponding regular-rate category of mail."

(2) SPECIAL AUTHORITY.—Subchapter II of chapter 36 is amended by adding at the end the following:

"§ 3642. Special authority relating to reduced-rate categories of mail

"(a) In order to permit the timely implementation of section 3626(a)(3), the Postal Service may establish temporary rates of postage for any class of mail or kind of mailer referred to in section 3626(a)(3)(A).

"(b) Any exercise of authority under this section shall be in conformance with the requirements of section 3626(a), subject to the following:

"(1) All attributable costs and institutional-costs contributions assumed shall be the same as those which were assumed for purposes of the then most recent proceedings under subchapter II pursuant to which rates of postage for the class of mail or kind of mailer involved were last adjusted.

"(2) Any temporary rate established under this section shall take effect upon such date as the Postal Service may determine, except that—

"(A) such a rate may take effect only after 10 days' notice in the Federal Register; and

"(B) no such rate may take effect after September 30, 1998.

"(3) A temporary rate under this section may remain in effect no longer than the last day of the fiscal year in which it first takes effect.

"(4) Authority under this section may not be exercised in a manner that would result in more than 1 change taking effect under this section, during the same fiscal year, in the rates of postage for a particular class of mail or kind of mailer, except as provided in paragraph (5).

"(5) Nothing in paragraph (4) shall prevent an adjustment under this section in rates for a class of mail or kind of mailer with respect to which any rates took effect under this section earlier in the same fiscal year if—

"(A) the rates established for such class of mail or kind of mailer by the earlier adjustment are superseded by new rates established under subchapter II; and

"(B) authority under this paragraph has not previously been exercised with respect to such class of mail or kind of mailer based on the new rates referred to in subparagraph (A).

"(c) The Postal Service may prescribe any regulations which may be necessary to carry out this section, including provisions governing the coordination of adjustments under this section with any other adjustments under this title.

"(d) Notwithstanding any provision of section 3626(a)(3)(B) or subsection (a) of this section, any temporary rates established under this section for non-letter-shaped mail under former section 4452(b) or 4452(c) of this title shall not be lower than the rates in effect for such mail on September 30, 1993."

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) SECTION 3626.—Section 3626(i) is repealed.

(B) SECTION 3627.—

(i) IN GENERAL.—Section 3627 is amended—

(I) by striking "sent at a free or reduced rate under section 3217, 3403–3406, 3626, or 3629 of this title," and inserting "sent free of postage under section 3217 or 3403–3406"; and

(II) in the section heading by striking "**and reduced**".

(ii) TABLE OF CONTENTS.—The table of contents for chapter 36 is amended—

(I) by striking the item relating to section 3627 and inserting the following:

"3627. Adjusting free rates.";

and

(II) by inserting after the item relating to section 3641 the following:

"3642. Special authority relating to reduced-rate categories of mail."

(b) AUTHORIZATION.—

(I) IN GENERAL.—Section 2401 is amended—

(A) by striking subsections (d) through (f);

(B) by redesignating subsections (g) through (i) as subsections (e) through (g), respectively;

(C) in subsection (f) (as so redesignated by subparagraph (B)) by striking the second sentence;

(D) in subsection (g) (as so redesignated by subparagraph (B)) by striking "subsections (b) and (d) of this section" and inserting "subsection (b)"; and

(E) by inserting after subsection (c) the following:

"(d) As reimbursement to the Postal Service for losses which it incurred as a result of insufficient amounts appropriated under section 2401(c) for fiscal years 1991 through 1993, and to compensate for the additional revenues it is estimated the Postal Service would have received under the provisions of section 3626(a), for the period beginning on October 1, 1993, and ending on September 30, 1998, if the fraction specified in subclause (VI) of section 3626(a)(3)(B)(ii) were applied with respect to such period (instead of the respective fractions specified in subclauses (I) through (V) thereof), there are authorized to be appropriated to the Postal Service \$29,000,000 for each of fiscal years 1994 through 2035."

(2) RATEMAKING LIMITATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), rates of postage may not be established, under subchapter II of chapter 36 of title 39, United States Code, in a manner designed to allow the United States Postal Service to receive through revenues

any portion of the additional revenues (referred to in section 2401(d) of such title, as amended by paragraph (1)(E)) for which amounts are authorized to be appropriated under such section 2401(d).

(B) EXCEPTION.—If Congress fails to appropriate an amount authorized under section 2401(d) of title 39, United States Code (as amended by Paragraph (1)(E)), rates for the various classes of mail may be adjusted in accordance with the provisions of subchapter II of chapter 36 of such title (excluding section 3627 thereof) such that the resulting increase in revenues will equal the amount that Congress so failed to appropriate.

(c) APPLICABILITY.—

(1) RATES.—The amendments made by subsection (a) shall apply with respect to rates for mail sent after September 30, 1993.

(2) AUTHORIZATION.—The amendments made by subsection (b) shall apply with respect to appropriations for fiscal years beginning after September 30, 1993.

ELIGIBILITY OF CERTAIN MAILINGS FOR REDUCED RATES OF POSTAGE

SEC. 705. (a) ADVERTISING.—Section 3626(j)(1) is amended—

(1) in subparagraph (B) by striking "or" after the semicolon;

(2) in subparagraph (C) by striking the period and inserting "; or"; and

(3) by adding at the end the following:

"(D) any product or service (other than any to which subparagraph (A), (B), or (C) relates), if—

"(i) the sale of such product or the providing of such service is not substantially related (aside from the need, on the part of the organization promoting such product or service, for income or funds or the use it makes of the profits derived) to the exercise or performance by the organization of one or more of the purposes constituting the basis for the organization's authorization to mail at such rates; or

"(ii) the mail matter involved is part of a cooperative mailing (as defined under regulations of the Postal Service) with any person or organization not authorized to mail at the rates for mail under former section 4452(b) or 4452(c) of this title; except that—

(I) any determination under clause (i) that a product or service is not substantially related to a particular purpose shall be made under regulations which shall be prescribed by the Postal service and which shall be consistent with standards established by the Internal Revenue service and the courts with respect to subsections (a) and (c) of section 513 of the Internal Revenue Code of 1986; and

(II) clause (i) shall not apply if the product involved is a periodical publication described in subsection (m)(2) (including a subscription to receive any such publication."

(b) PRODUCTS.—Section 3626 is amended by adding at the end the following:

(m)(1) In the administration of this section, the rates for mail under former section 4452(b) or 4452(c) of this title shall not apply to mail consisting of products, unless such products—

"(A) were received by the organization as gifts or contributions; or

(B) are low cost articles (as defined by section 513(h)(2) of the Internal Revenue Code of 1986).

(2) Paragraph (1) shall not apply with respect to a periodical publication of a qualified nonprofit organization."

(c) CERTIFICATION; VERIFICATION.—Section 3626(j)(3) is amended—

(1) by striking "(3)" and inserting "(3)(A)"; and

(2) by adding at the end the following:

(B) The Postal Service shall establish procedures to carry out this paragraph, including procedures for mailer certification of

compliance with the conditions specified in paragraph (1)(D) or subsection (m), as applicable, and verification of such compliance."

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to mail sent, and the rates for mail sent, after December 31, 1993.

PROVISIONS RELATING TO RATES FOR BOOKS AND CERTAIN OTHER MATERIALS

SEC. 706. (1) IN GENERAL.—Section 3683(b) is amended to read as follows:

"(b) The rates of postage under former section 4554(b)(1) of this title shall not be effective except with respect to mailings which—

"(1) constitute materials specified in former section 4554(b)(2) of this title; and

"(2) are sent between—

"(A) an institution, organization, or association listed in subparagraph (A) or (B) of such former section 4554(b)(1) and any other such institution, organization, or association;

"(B) an institution, organization, or association referred to in subparagraph (A) and any individual (other than an individual having a financial interest in the sale, promotion, or distribution of the materials involved);

"(C) an institution, organization, or association referred to in subparagraph (A) and a qualified nonprofit organization (as defined in former section 4452(d) of this title) that is not such an institution, organization, or association; or

"(D) an institution, organization, or association referred to in subparagraph (A) and a publisher, if such institution, organization, or association has placed an order to purchase such materials for delivery to such institution, organization, or association."

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to mail sent after September 30, 1993.

SENSE OF CONGRESS

SEC. 707. It is the sense of the Congress that any legislation, enacted after September 30, 1994, which would have the effect of expanding the classes of mail or kinds of mailers eligible for reduced rates of postage should provide for sufficient funding to ensure that neither any losses to the United States Postal Service nor any increase in the rates of postage for any of the other classes of mail or kinds of mailers will result.

TECHNICAL CORRECTIONS

SEC. 708. (a) SECTION 410.—Section 410(b) is amended—

(1) in paragraph (8) by striking "and" after the semicolon;

(2) in the first paragraph (9) by striking "Chapter" and inserting "chapter", and by striking the period and inserting "; and"; and

(3) by designating the second paragraph (9) as paragraph (10).

(b) SECTION 3202.—Section 3202(a) is amended—

(1) in paragraph (3) by adding "and" after the semicolon; and

(2) in paragraph (4) by striking "; and" and inserting a period.

(c) SECTION 3601.—Section 3601(a) is amended by striking "consent" and inserting "consent".

(d) SECTION 3625.—Section 3625(d) is amended by striking "section 3268" and inserting "section 3628".

(e) SECTION 3626.—Section 3626 is amended by redesignating the second subsection (k) as subsection (l).

And the Senate agree to the same.

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

TITLE VIII—GENERAL PROVISIONS

SEC. 801. Notwithstanding the provisions of this or any other Act, the Administration may establish the National Partnership Council with interagency assistance from the Office of Personnel Management, the Office of Management and Budget, and the Federal Labor Relations Authority, subject to authorization.

SEC. 802. Not to exceed fifty percentum of unobligated balances remaining available at the end of fiscal year 1994 from appropriations made available for salaries and expenses made for one fiscal year in this Act, shall remain available through September 30, 1995 for each such account for such purposes and in such amounts as approved in advance by the House and Senate Committees on Appropriations: Provided, That not to exceed two percentum of the funds so carried over may be used to pay cash awards to employees, as authorized by law, and not to exceed three percentum of the funds may be used for employee training programs.

SEC. 803. Notwithstanding any other provision of law, the Centers for Disease Control (CDC) laboratory project authorized by Public Law 100-202, may be sited on the "new" campus in the Atlanta, Georgia area authorized by Public Law 102-393.

SEC. 804. Part of the site to be utilized for the new U.S. Courthouse in Montgomery, Alabama, is owned and occupied by Troy State University which is under a consent decree with the Department of Justice that severely limits its geographic location. Therefore, notwithstanding any other provision of law, the Administrator of General Services is authorized to pay replacement costs for the site and improvements to be acquired.

And on page 67 of the House enrolled bill, H.R. 2403, after the words "South Vietnam," on line 7, insert "the countries of the former Soviet Union," and on page 67, line 11, of the House enrolled bill, H.R. 2403, strike all beginning with "(6)" down through and including "1990" on line 13, and insert in lieu thereof, "(6) nationals of the People's Republic of China that qualify for adjustment of status pursuant to the Chinese Student Protection Act of 1992"

And the Senate agree to the same.

- STENY H. HOYER,
- PETER J. VISCSLOSKY,
- GEORGE (BUDDY) DARDEN,
- JOHN W. OLVER,
- TOM BEVILL,
- MARTIN O. SABO,
- WILLIAM H. NATCHER,
- JIM LIGHTFOOT
(except amendment 36),
- FRANK R. WOLF
(except amendment 36),
- JOSEPH M. MCDADE
(except amendment 36),

Managers on the Part of the House.

- DENNIS DECONCINI,
- BARBARA A. MIKULSKI,
- J. ROBERT KERREY,
- ROBERT C. BYRD,
- CHRISTOPHER S. BOND,
- AL D'AMATO,
- MARK O. HATFIELD,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,
By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,
Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had hit.

Mr. WOLF 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 207
 Nays 206

¶108.32 [Roll No. 476]
YEAS—207

- Abercrombie Gilman Neal (MA)
- Ackerman Glickman Neal (NC)
- Andrews (ME) Gonzalez Obey
- Andrews (NJ) Gordon Olver
- Andrews (TX) Green Owens
- Bacchus (FL) Greenwood Pastor
- Baessler Gutierrez Payne (NJ)
- Barca Hamburg Payne (VA)
- Barrett (WI) Hamilton Pelosi
- Bateman Harman Peterson (FL)
- Becerra Hastings Pickett
- Beilenson Hefner Pickle
- Berman Hilliard Pomeroy
- Bevill Hinchey Price (NC)
- Bilbray Hoagland Rangel
- Bishop Hochbrueckner Reed
- Blackwell Houghton Reynolds
- Bonior Hoyer Richardson
- Borski Hughes Rose
- Brooks Inslee Rostenkowski
- Brown (CA) Jefferson Rowland
- Brown (FL) Johnson (CT) Roybal-Allard
- Brown (OH) Johnson (GA) Rush
- Byrne Johnson (SD) Sabo
- Cantwell Johnson, E. B. Sanders
- Cardin Johnston Sawyer
- Carr Kennedy Schenk
- Chapman Kennelly Schumer
- Clayton Kleczka Scott
- Clement Klein Serrano
- Clyburn Kolbe Sharp
- Coleman Kopetski Shepherd
- Collins (IL) Kreidler Sisisky
- Collins (MI) Lambert Skaggs
- Condit Lancaster Slaughter
- Conyers Lantos Smith (IA)
- Cooper LaRocco Spratt
- Coppersmith Leach Stokes
- Coyne Lehman Strickland
- Cramer Levin Studds
- Darden Lewis (GA) Swett
- DeFazio Lightfoot Swift
- DeLauro Long Synar
- Dellums Lowey Tanner
- Derrick Maloney Thompson
- Deutsch Mann Thornton
- Dingell Manton Thurman
- Dixon Margolies-Torres
- Dooley Mezvinsky Towns
- Durbin Markey Trafficant
- Engel Matsui Tucker
- English (AZ) McCloskey Unsoeld
- English (OK) McCurdy Valentine
- Eshoo McDermott Velazquez
- Evans McHale Vento
- Farr McKinney Visclosky
- Fazio McNulty Washington
- Fields (LA) Meehan Waters
- Filner Meek Watt
- Fingerhut Menendez Waxman
- Flake Meyers Wheat
- Foglietta Mfume Whitten
- Ford (MI) Miller (CA) Williams
- Ford (TN) Mineta Wilson
- Frost Mink Wise
- Furse Moakley Woolsey
- Gallo Moran Wyden
- Gejdenson Morella Wynn
- Gephardt Nadler
- Gibbons Natcher

NAYS—206

- Allard Barlow Boehlert
- Applegate Barrett (NE) Boehner
- Archer Bartlett Bonilla
- Armedy Barton Browder
- Bachus (AL) Bentley Bunning
- Baker (CA) Bereuter Burton
- Baker (LA) Bilirakis Buyer
- Ballenger Bliley Callahan
- Barcia Blute Calvert

- Camp Hyde Pryce (OH)
- Canady Inglis Quillen
- Castle Inhofe Quinn
- Clinger Istook Rahall
- Coble Jacobs Ramstad
- Collins (GA) Johnson, Sam Ravenel
- Combest Kanjorski Regula
- Costello Kaptur Ridge
- Cox Kasich Roberts
- Crane Kildee Roemer
- Crapo Kim Rogers
- Cunningham King Rohrabacher
- Danner Kingston Ros-Lehtinen
- de la Garza Klink Roth
- Deal Klug Roukema
- DeLay Knollenberg Royce
- Diaz-Balart Kyl Sangmeister
- Dickey LaFalce Santorum
- Doolittle Laughlin Sarpalus
- Dornan Lazio Saxton
- Dreier Levy Schaefer
- Duncan Lewis (CA) Schiff
- Dunn Linder Sensenbrenner
- Edwards (TX) Lipinski Shaw
- Emerson Livingston Shays
- Everett Lloyd Shuster
- Ewing Machtley Skeen
- Fawell Manzullo Skelton
- Fields (TX) Mazzoli Slattery
- Fish McCandless Smith (MI)
- Fowler McColium Smith (NJ)
- Franks (CT) McCrery Smith (TX)
- Franks (NJ) McHugh Snowe
- Gallegly McInnis Solomon
- Gekas McKeon Spence
- Geran McMillan Stearns
- Gilchrest Mica Stenholm
- Gillmor Michel Stump
- Gingrich Miller (FL) Stupak
- Goodlatte Minge Sundquist
- Goodling Molinari Talent
- Goss Mollohan Tauzin
- Grandy Montgomery Taylor (MS)
- Gunderson Moorhead Taylor (NC)
- Hall (TX) Murphy Tejeda
- Hancock Myers Thomas (CA)
- Hansen Nussle Thomas (WY)
- Hastert Oberstar Torildsen
- Hayes Ortiz Upton
- Hefley Orton Volkmer
- Herger Packard Vucanovich
- Hobson Pallone Walker
- Hoekstra Parker Walsh
- Hoke Paxon Weldon
- Holden Penny Wolf
- Horn Peterson (MN) Young (AK)
- Huffington Petri Young (FL)
- Hunter Pombo Zeliff
- Hutchinson Portman Zimmer
- Hutto Poshard

NOT VOTING—20

- Boucher Grams Porter
- Brewster Hall (OH) Schroeder
- Bryant Lewis (FL) Smith (OR)
- Clay Martinez Stark
- Dicks McDade Torricelli
- Edwards (CA) Murtha Yates
- Frank (MA) Oxley

So the conference report was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶108.33 QUARTERLY FINANCIAL REPORT PROGRAM

On motion of Mr. SAWYER, by unanimous consent, the bill (H.R. 2608) to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert: