

SEC. 4. CERTAIN PROJECTS UNDER THE FEDERAL POWER ACT IN ALASKA.

(a) AMENDMENT TO SECTION 2407(a).—Section 2407(a) of the Energy Policy Act of 1992 is amended by striking “may” and inserting “shall, in the case of the projects referenced in paragraphs (1) and (3) of this subsection and may, in the case of the project in paragraph (2) of this subsection.”.

(b) AMENDMENT TO SECTION 2407(f).—Section 2407(f) of such Act is amended by adding the following new sentence at the end thereof: “The Commission shall, on its own motion, provide such exemption at any time after the enactment of this sentence, taking into consideration any application filed with the Commission prior to such enactment. The Commission shall report to the Congress the actions taken under this section and if the Commission fails to grant any such exemption in paragraphs (1) and (3) of subsection (a), shall explain the reasons for such failure.”.

SEC. 5. HAWAII LEGISLATIVE REPORT.

The Federal Energy Regulatory Commission, taking into consideration the Commission’s Study, April 13, 1994, of Hydroelectric Licensing in the State of Hawaii, shall initiate a proceeding for the purpose of making recommendations to the Congress in the first session of the 104th Congress for legislation to provide for the transfer to the State of Hawaii of all or part of the Commission’s authority under the Federal Power Act for the licensing of new hydroelectric projects in the State of Hawaii without affecting the applicability of other Federal environmental laws and regulations to such projects, without transferring such authority to the State in the case of any such projects that could conflict with the management and operation of any National Wildlife Refuge or National Park in Hawaii, and without, to the greatest extent possible, establishing a precedent with respect to other States, Guam, the Virgin Islands, and the Commonwealth of Puerto Rico. The Commission shall obtain the views of the State of Hawaii and other Federal environmental agencies on any proposed legislative recommendation and shall include such views in the report of the Commission transferring the Commission’s recommendations to the Congress. The Commission shall include its views and recommendations and those of any individual member of the Commission.

SEC. 6. SIZE LIMITATIONS OF ELIGIBLE FACILITIES UNDER PURPA.

Section 3(17)(E) of the Federal Power Act (16 U.S.C. 791a and following) is amended by striking “1994” and inserting “1996”.

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

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

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

¶122.51 NARCOTICS CONTROL

On motion of Mr. GEJDENSON, by unanimous consent, the Committee on Foreign Affairs was discharged from further consideration of the bill (H.R. 5246) to amend the Foreign Assistance Act of 1961 to make certain corrections relating to international narcotics control activities, and for other purposes.

When said bill 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 the bill was passed was, by unanimous consent, laid on the table.

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

¶122.52 FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

On motion of Ms. NORTON, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the bill (H.R. 5164) to provide for the enrollment of individuals enrolled in a health benefits plan administered by the Office of the Comptroller of the Currency or the Office of Thrift Supervision in the Federal Employees Health Benefits Program.

When said bill 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 the bill was passed was, by unanimous consent, laid on the table.

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

¶122.53 RECESS—7:46 P.M.

The SPEAKER pro tempore, Mr. SHARP, pursuant to clause 12 of rule I, declared the House in recess at 7 o’clock and 46 minutes p.m., until 7:57 p.m.

¶122.54 AFTER RECESS—8:10 P.M.

The SPEAKER pro tempore, Mr. SHARP, called the House to order.

¶122.55 CONVENING OF THE 104TH CONGRESS

Mr. HOYER submitted the privileged joint resolution (H.J. Res. 425) providing for the convening of the First Session of the One Hundred Fourth Congress.

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.

¶122.56 ADJOURNMENT OF THE TWO HOUSES

Mr. HOYER, by unanimous consent, submitted the following concurrent resolution (H. Con. Res. 315):

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, October 7, 1994 pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand adjourned until noon on Tuesday, November 29, 1994, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns or recesses at the close of business on any day from Friday, October 7, 1994 through Friday, October 14, 1994, pursuant to a motion made by the Majority leader, or his designee, in accordance with

this concurrent resolution, it stand recessed or adjourned until 9 a.m. on Wednesday, November 30, 1994, or such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

Sec. 2. When the House adjourns on the legislative day of Tuesday, November 29, 1994, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this concurrent resolution, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution; and that when the Senate adjourns at the close of business on Thursday, December 1, 1994, it stand adjourned sine die, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution.

Sec. 3. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

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

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

¶122.57 PROVIDING FOR THE ADOPTION OF H. RES. 578

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-851) the resolution (H. Res. 579) providing for the adoption of the resolution (H. Res. 578) amending the Rules of the House of Representatives to apply certain laws to the House of Representatives, and for other purposes.

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

¶122.58 PROVIDING FOR THE ADOPTION OF H. RES. 578

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 579):

Resolved, That House Resolution, 578 is hereby adopted.

The question being put, viva voce, Will the House now consider said resolution?

The SPEAKER announced that two-thirds of the Members present had voted in the affirmative.

So, the House decided to consider said resolution.

After debate, On motion of Mr. MOAKLEY, the previous question was ordered on the resolution to its adoption or rejection.

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

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

Mr. MOAKLEY 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 348
 Nays 3

¶122.59 [Roll No. 505]
YEAS—348

Abercrombie	Evans	LaRocco
Allard	Everett	Lazio
Andrews (ME)	Ewing	Leach
Andrews (NJ)	Farr	Levin
Andrews (TX)	Fawell	Lewis (CA)
Bachus (AL)	Fazio	Lewis (GA)
Baesler	Fields (LA)	Lewis (KY)
Baker (CA)	Fields (TX)	Lightfoot
Ballenger	Filner	Linder
Barca	Fingerhut	Livingston
Barcia	Foley	Long
Barlow	Ford (MI)	Lowey
Barrett (NE)	Fowler	Lucas
Barrett (WI)	Frank (MA)	Machtley
Bartlett	Franks (CT)	Maloney
Becerra	Franks (NJ)	Mann
Beilenson	Frost	Manton
Bentley	Furse	Manzullo
Bereuter	Gallegly	Margolies-
Berman	Gejdenson	Mezvinsky
Bevill	Gekas	Markey
Bilbray	Gephardt	Martinez
Bishop	Geren	Matsui
Biley	Gilchrest	Mazzoli
Blute	Gillmor	McCandless
Boehner	Gilman	McCloskey
Bonilla	Gingrich	McDermott
Bonior	Glickman	McHale
Borski	Gonzalez	McHugh
Boucher	Goodlatte	McInnis
Brewster	Gordon	McKeon
Brooks	Grams	McKinney
Browder	Greenwood	McNulty
Brown (FL)	Gunderson	Meek
Brown (OH)	Hall (OH)	Menendez
Bryant	Hamburg	Meyers
Burton	Hamilton	Mfume
Buyer	Hancock	Mica
Byrne	Hansen	Michel
Calvert	Harman	Miller (CA)
Camp	Hastert	Miller (FL)
Canady	Hastings	Mineta
Cantwell	Hayes	Minge
Cardin	Hefley	Mink
Carr	Hefner	Moakley
Castle	Herger	Mollohan
Clayton	Hilliard	Montgomery
Clement	Hinchey	Moorhead
Clinger	Hoagland	Moran
Clyburn	Hobson	Morella
Coble	Hochbrueckner	Myers
Coleman	Hoekstra	Nadler
Collins (GA)	Hoke	Neal (NC)
Collins (IL)	Holden	Nussle
Combest	Horn	Oberstar
Condit	Hoyer	Obey
Conyers	Huffington	Olver
Cooper	Hughes	Ortiz
Coppersmith	Hunter	Orton
Costello	Hyde	Owens
Cox	Inglis	Oxley
Coyne	Inslee	Pallone
Cramer	Jacobs	Pastor
Crapo	Jefferson	Paxon
Danner	Johnson (CT)	Pelosi
Darden	Johnson (GA)	Peterson (FL)
de la Garza	Johnson (SD)	Peterson (MN)
Deal	Johnson, E. B.	Petri
DeLauro	Johnson, Sam	Pickle
Dellums	Kanjorski	Pombo
Derrick	Kaptur	Pomeroy
Deutsch	Kasich	Portman
Diaz-Balart	Kennedy	Poshard
Dickey	Kennely	Price (NC)
Dicks	Kildee	Quinn
Dingell	Kim	Rahall
Dixon	King	Ramstad
Dooley	Kingston	Reed
Doolittle	Klecza	Regula
Dornan	Klein	Reynolds
Duncan	Klink	Richardson
Dunn	Klug	Ridge
Durbin	Knollenberg	Roberts
Edwards (TX)	Kolbe	Roemer
Ehlers	Kopetski	Rogers
Emerson	Kreidler	Rohrabacher
Engel	Lambert	Ros-Lehtinen
English	Lancaster	Rostenkowski
Eshoo	Lantos	Roth

Rowland	Smith (MI)	Traficant
Roybal-Allard	Smith (NJ)	Unsoeld
Royce	Smith (TX)	Upton
Rush	Snowe	Valentine
Sabo	Solomon	Velazquez
Sanders	Spence	Vento
Sangmeister	Stark	Visclosky
Santorum	Stearns	Volkmer
Sarpalious	Stokes	Vucanovich
Sawyer	Strickland	Walker
Saxton	Stump	Waters
Schaefer	Stupak	Watt
Schenk	Swett	Weldon
Schiff	Swift	Wheat
Schroeder	Synar	Williams
Schumer	Talent	Wilson
Scott	Tanner	Wise
Sensenbrenner	Tauzin	Wolf
Serrano	Taylor (MS)	Woolsey
Sharp	Tejeda	Wyden
Shaw	Thomas (CA)	Wynn
Shays	Thomas (WY)	Yates
Shepherd	Thompson	Young (AK)
Shuster	Thornton	Young (FL)
Skaggs	Thurman	Zeliff
Skeen	Torkildsen	Zimmer
Slaughter	Torres	
Smith (IA)	Towns	

NAYS—3

Crane Dreier Goss
NOT VOTING—84

Ackerman	Grandy	Packard
Applegate	Green	Parker
Archer	Gutierrez	Payne (NJ)
Armey	Hall (TX)	Payne (VA)
Bacchus (FL)	Houghton	Penny
Baker (LA)	Hutchinson	Pickett
Barton	Hutto	Porter
Bateman	Inhofe	Pryce (OH)
Bilirakis	Istook	Quillen
Blackwell	Johnston	Rangel
Boehlert	Kyl	Ravenel
Brown (CA)	LaFalce	Rose
Bunning	Laughlin	Roukema
Callahan	Lehman	Sisisky
Chapman	Levy	Skelton
Clay	Lewis (FL)	Slattery
Collins (MI)	Lipinski	Smith (OR)
Cunningham	Lloyd	Spratt
DeFazio	McCollum	Stenholm
DeLay	McCrery	Studds
Edwards (CA)	McCurdy	Sundquist
Fish	McDade	Taylor (NC)
Flake	McMillan	Torricelli
Foglietta	Meehan	Tucker
Ford (TN)	Molinari	Walsh
Gallo	Murphy	Washington
Gibbons	Murtha	Waxman
Goodling	Neal (MA)	Whitten

So 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.

Pursuant to House Resolution 579,
the following resolution (H. Res. 578)
was considered agreed to:

Resolved,
**SECTION 1. APPLICATION OF CERTAIN LAWS TO
THE HOUSE OF REPRESENTATIVES.**

The Rules of the House of Representatives
are amended by adding at the end the follow-
ing new rule:

“RULE LII.

“APPLICATION OF CERTAIN LAWS.

“1. There is established an Office of Com-
pliance which shall have a Board of Directors
consisting of 5 individuals appointed jointly
by the Speaker and the minority leader. Ap-
pointments of the first 5 members of the
Board of Directors shall be completed not
later than 120 days after the beginning of the
One Hundred Fourth Congress.

“2. (a) The Office of Compliance shall carry
out the duties and functions set forth in sec-
tions 2 through 16 of House Resolution ____.
One Hundred Third Congress, including the
issuance of regulations, to implement the re-
quirements of the following laws to the
House of Representatives:

“ (1) The Fair Labor Standards Act of 1938
(29 U.S.C. 201 et seq.), effective at the begin-

ning of the second session of the One Hun-
dred Fourth Congress.

“ (2) Title VII of the Civil Rights Act of 1964
(42 U.S.C. 2000e et seq.), effective at the be-
ginning of the second session of the One Hun-
dred Fourth Congress.

“ (3) The Americans With Disabilities Act
of 1990 (42 U.S.C. 12101 et seq.), effective at
the beginning of the second session of the
One Hundred Fourth Congress.

“ (4) The Age Discrimination in Employ-
ment Act of 1967 (29 U.S.C. 621 et seq.) (in-
cluding remedies available to private employ-
ees), effective at the beginning of the
second session of the One Hundred Fourth
Congress.

“ (5) Titles I and V of the Family and Medi-
cal Leave Act of 1993 (29 U.S.C. 2611 et seq.),
effective at the beginning of the second ses-
sion of the One Hundred Fourth Congress.

“ (6) The Occupational Safety and Health
Act of 1970 (other than section 19) (29 U.S.C.
651 et seq.) (subject to paragraph (c)), effec-
tive at the beginning of the One Hundred
Fifth Congress.

“ (7) Chapter 71 (relating to Federal labor
management relations) of title 5, United
States Code, effective at the beginning of the
One Hundred Fifth Congress.

“ (8) The Employee Polygraph Protection
Act of 1988 (29 U.S.C. 2001 et seq.), effective
at the beginning of the second session of the
One Hundred Fourth Congress, except that
this Act shall not apply to the United States
Capitol Police.

“ (9) The Worker Adjustment and Retraining
Notification Act (29 U.S.C. 2101 et seq.),
effective at the beginning of the second ses-
sion of the One Hundred Fourth Congress.

“ (10) The Rehabilitation Act of 1973 (29
U.S.C. 791), effective at the beginning of the
second session of the One Hundred Fourth
Congress.

“ (b) Any provision of Federal law shall, to
the extent that it relates to the terms and
conditions of employment (including hiring,
promotion or demotion, salary and wages,
overtime compensation, benefits, work as-
signments or reassignments, termination,
protection from discrimination in personnel
actions, health and safety of employees, and
family and medical leave) of employees
apply to the House in accordance with this
rule.

“ (c) The House shall comply with the Oc-
cupational Safety and Health Act of 1970 as
follows: If a citation of a violation of such
Act is received, action to abate the violation
shall take place as soon as possible, but no
later than the fiscal year following the fiscal
year in which the citation is issued, subject
to the availability of funds appropriated for
that purpose after the receipt of the citation.

“3. (a)(1) The Chairperson of the Board of
Directors of the Office shall appoint, may es-
tablish the compensation of, and may termi-
nate, subject to the approval of the Board of
Directors, an Executive Director (referred to
in this rule as the ‘executive director’). The
compensation of the executive director may
not exceed the compensation for level V of
the Executive Schedule under section 5316 of
title 5, United States Code. The executive di-
rector shall be an individual with training or
expertise in the application of the laws re-
ferred to in clause 2. The appointment of the
first executive director shall be completed
no later than 120 days after the initial ap-
pointment of the Board of Directors.

“ (2) The executive director may not be an
individual who holds or may have held the
position of Member of the House of Rep-
resentatives or Senator. The executive direc-
tor may not be an individual who holds the
position of employee of the House or the
Senate but the executive director may be an
individual who held such a position at least
4 years before appointment as executive di-