

nounced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 2366. An Act to repeal an unnecessary medical device reporting requirement;

H.R. 2508. An Act to amend the Federal Food, Drug, and Cosmetic Act to provide for improvements in the process of approving and using animal drugs, and for other purposes;

H.R. 2594. An Act to amend the Railroad Unemployment Insurance Act to reduce the waiting period for benefits payable under that Act, and for other purposes;

H.R. 2685. An Act to repeal the Medicare and Medicaid Coverage Data Bank.

H.R. 3056. An Act to permit a county-operated health insuring organization to qualify as an organization exempt from certain requirements otherwise applicable to health insuring organizations under the Medicaid program notwithstanding that the organization enrolls Medicaid beneficiaries residing in another country; and

H. Con. Res. 132. Concurrent resolution relating to the trial of Martin Pang for arson and felony murder.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3259) "An Act to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes."

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 773. An Act to amend the Federal Food, Drug, and Cosmetic Act to provide for improvements in the process of approving and using animal drugs, and for other purposes; and

S. 1311. An Act to establish a National Physical Fitness and Sports Foundation to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports, and for other purposes.

#### 115.4 COMMUNICATIONS

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

5332. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Regulations Issued Under the Export Apple and Pear Act; Relaxation of Grade Requirements for Apples and Pears Shipped to Pacific Ports of Russia [Docket No. FV-96-33-1 IFR] received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5333. A communication from the President of the United States, transmitting supplemental requests to make available appropriations totaling \$291,000,000 in budget authority to the Departments of Agriculture, Commerce, Housing and Urban Development, and Transportation as well as the Small Business Administration and the Army Corps of engineers to assist the victims of Hurricanes Fran and Hortense and to designate the amounts made available as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and

Emergency Deficit Control Act of 1985, as amended, pursuant to 31 U.S.C. 1107 (H. Doc. No. 104-269); to the Committee on Appropriations and ordered to be printed.

5334. A letter from the Chairmen of the Securities and Exchange Commission and of the Board of Governors of the Federal Reserve System, transmitting the report to the Congress on the markets for small business and commercial mortgage related securities, pursuant to Public Law 103-325, section 209; to the Committee on Banking and Financial Services.

5335. A letter from the Assistant Secretary, Department of Education, transmitting the Department's final rule—Higher Education Programs in Modern Foreign Language Training and Area Studies—Foreign Language and Area Studies Fellowships Program (RIN: 1840-AC28) received September 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Economic and Educational Opportunities.

5336. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996 [CC Docket No. 96-128] received September 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5337. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a memorandum of justification for Presidential determination regarding the drawdown of defense articles and services for Eritrea, Ethiopia, and Uganda, pursuant to 22 U.S.C. 2318(a)(1); to the Committee on International Relations.

5338. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Licensing of Commercial Communications Satellites Transferred from the U.S. Munitions List to the Commerce Control List; Expansion of National Security and Foreign Policy Controls on Commercial Communications Satellites and Hot Section Technology for the Development, Production or Overhaul of Commercial Aircraft Engines; Clarification of Jurisdiction for Development Aircraft Designed for Civil Use (RIN: 0694-AB09) received September 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5339. A letter from the Secretary of the Interior, transmitting the annual report entitled "Outer Continental Shelf Lease Sales" for fiscal year 1995, pursuant to 43 U.S.C. 1337(a)(9); to the Committee on Resources.

5340. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting the Service's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area [Docket No. 960129018-6018-01; I.D. 091996B] received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5341. A letter from the Acting Deputy Assistant Administrator, National Marine Fisheries Service transmitting the Service's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Allow Longline Pot Gear (RIN: 0648-AI96) received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5342. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Performance-oriented Packaging Standards; Final Transitional Provisions [Docket No. HM-181H; Amdt. Nos. 171-147, 172-150, 173-255, 178-117] (RIN: 2137-AC80) received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5343. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Transportation of Hazardous Materials By Rail; Miscellaneous Amendments; Response to Petitions for Reconsideration [Docket No. HM-216; Amdt. Nos. 172-148, 173-252, 174-83, 179-52] (RIN: 2137-AC66) received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5344. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Exemption, Approval, Registration and Reporting Procedures; Miscellaneous Provisions [Docket No. HM-207C; Amdt. No. 173-249] (RIN: 2137-AC63) received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5345. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Periodic Inspection and Testing of Cylinders; Response to Petitions for Reconsideration, Clarification and Editorial Correction [Docket No. HM-220A; Amdt. Nos. 172-150 and 173-258] (RIN: 2137-AC59) received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5346. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 28692; Amdt. No. 1753] (RIN: 2120-AA65) received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5347. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Hazardous Materials Regulations; Editorial Corrections and Clarifications (RIN: 2137-AC93) received September 26, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5348. A letter from the Secretary of Energy, transmitting the 19th annual report on activities under the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976, pursuant to 15 U.S.C. 2513; to the Committee on Science.

5349. A letter from the Chairman, Interagency Coordinating Committee on Oil Pollution Research, transmitting the biennial report of the Coordinating Committee on Oil Pollution, pursuant to Public Law 101-380, section 7001(e) (104 Stat. 564); to the Committee on Science.

5350. A letter from the National Director, Tax Forms and Publications Division, Internal Revenue Service, transmitting the Service's final rule—Tax Forms and Instructions (Revenue Proc. 96-48) received September 25, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5351. A letter from the Administrator, Environmental Protection Agency, transmitting a report on the Agency's implementation of the Waste Isolation Pilot Plant [WIPP] Land Withdrawal Act, pursuant to Public Law 102-579, section 23(a)(2); jointly, to the Committee on Commerce and National Security.

5352. A letter from the Comptroller General of the United States, transmitting the financial statements of the Congressional Award Foundation for the fiscal years ended September 30, 1995 and 1994 [GAO/AIMD-96-147], pursuant to 2 U.S.C. 802(e); jointly, to the Committee on Government Reform and Oversight and Economic and Educational Opportunities.

5353. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation entitled "Environmental Crimes and Enforcement Act of 1996"; jointly, to the Committees on

the Judiciary, Resources, Transportation and Infrastructure, Agriculture, and Commerce.

#### ¶115.5 POINT OF ORDER

Mr. POMEROY, during one minute speeches addressed the House and, during the course of his remarks,

Mr. HOKE made a point of order, and said:

"Mr. Speaker, I make the point of order that discussion of the House Ethics Committee's proceedings on the floor of the House is not in order in the House. Is that correct?"

The SPEAKER pro tempore, Mr. GOODLATTE, sustained the point of order, and said:

"The Chair sustains the gentleman's point of order. The gentleman from North Dakota [Mr. POMEROY] may proceed in order."

#### ¶115.6 POINT OF ORDER

Mr. HOKE made a further point of order, and said:

"Mr. Speaker, I make a further point of order that the House rules provide that buttons may not be worn at the time that speeches are made on the floor of the House."

The SPEAKER pro tempore, Mr. GOODLATTE, sustained the point of order, and said:

"The Chair sustains the point of order. The gentleman should remove the button."

#### ¶115.7 COLD WAR

Mr. DORNAN, pursuant to House Resolution 525, moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 180); as amended:

Whereas during the period of the Cold War, from the end of World War II until the collapse of the Soviet Union in 1991, the United States and the Soviet Union engaged in a global military rivalry;

Whereas this rivalry, potentially the most dangerous military confrontation in the history of mankind, has come to a close without a direct superpower military conflict;

Whereas military and civilian personnel of the Department of Defense, personnel in the intelligence community, members of the foreign service, and other officers and employees of the United States faithfully performed their duties during the Cold War;

Whereas many such personnel performed their duties while isolated from family and friends and served overseas under frequently arduous conditions in order to protect the United States and achieve a lasting peace; and

Whereas the discipline and dedication of those personnel were fundamental to the prevention of a superpower military conflict: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring).* That Congress hereby commends, and expresses its gratitude and appreciation for, the service and sacrifices of the members of the Armed Forces and civilian personnel of the Government who contributed to the historic victory in the Cold War.

The SPEAKER pro tempore, Mr. GOODLATTE, recognized Mr. DORNAN and Mr. PICKETT, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. GOODLATTE, 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 concurrent resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: "Concurrent resolution commending the members of the Armed Forces and civilian personnel of the Government who served the United States faithfully during the Cold War."

A motion to reconsider the votes whereby the rules were suspended and said concurrent resolution, as amended, was agreed to 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 concurrent resolution.

#### ¶115.8 RUSSIAN FORCES IN MOLDOVA

Mr. GILMAN, pursuant to House Resolution 525, moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 145):

Whereas the United States Government has recognized and continues to emphasize its commitment to the independence and territorial integrity of the sovereign nation of Moldova;

Whereas units of the former Soviet 14th Army of the Russian Federation continue to be deployed on the territory of the sovereign nation of Moldova against the wishes of the government and the majority of the people of Moldova;

Whereas the Prime Minister of Russia and the Prime Minister of Moldova signed an agreement on October 21, 1994, according to which Russia would withdraw its military forces from Moldova within three years;

Whereas in the period since the agreement was signed, there have been negligible force reductions of the Russian Army in Moldova;

Whereas the Organization on Security and Cooperation in Europe has been engaged in efforts to resolve differences between the Government of Moldova and the authorities of the Transnistria region where the Russian Army continues to be deployed, and the Government of Ukraine has offered to use its good offices to assist in these efforts; and

Whereas the Parliamentary Assembly of the Organization on Security and Cooperation in Europe has passed a resolution calling for the "most rapid, continuing, unconditional, and full withdrawal" of the 14th Army of the Russian Federation: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring).* That the Congress—

(1) calls upon the Government of the Russian Federation to adhere to the provisions of the troop withdrawal agreement signed on October 21, 1994;

(2) welcomes recent statements by the Administration supporting Moldova's territorial integrity, and urges the Secretary of State to use every appropriate opportunity and means, including multilateral and bilateral diplomacy, to secure removal of Russian military forces from Moldova in accordance with the terms of the troop withdrawal agreement;

(3) urges all of Moldova's neighboring countries to recognize the sovereignty and territorial integrity of Moldova; and

(4) urges the Organization for Security and Cooperation in Europe to continue its efforts in resolving differences between the government of Moldova and the authorities of the Transnistria region, and welcomes the offer by the Government of Ukraine to assist in these efforts.

The SPEAKER pro tempore, Mr. GOODLATTE, recognized Mr. GILMAN and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, viva voce,

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

The SPEAKER pro tempore, Mr. GOODLATTE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey 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. GOODLATTE, by unanimous consent and pursuant to clause 5(b)(1) of rule I, announced that further proceedings were postponed.

#### ¶115.9 U.S. MEMBERSHIP IN SOUTH PACIFIC

Mr. GILMAN, pursuant to House Resolution 525, moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 189); as amended:

Whereas the United States and the South Pacific region enjoy a close and historic partnership built on a strong foundation of shared values and an unshakable commitment to democracy, development, and human rights;

Whereas the Pacific Island Nations and Governments, together with New Zealand and Australia, share many of the global objectives of the United States, including the nonproliferation of nuclear weapons, the protection of unique ecosystems, and sustainable economic development consistent with good resource management practices;

Whereas the United States, through support of the East-West Center in Hawaii, has facilitated establishment of the Pacific Islands Conference, wherein the heads of Pacific Island governments have met triennially to target critical research in furtherance of the region's trade, environment, and development; and

Whereas the United States is a member of the regional economic and social development body, the South Pacific Commission, participates in and plans to become a party to the regional environment body, the South Pacific Regional Environment Program, as well as being a dialogue partner for the regional political body, the South Pacific Forum: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring).* That the Congress—

(1) recognizes the traditional and close ties between the United States and the South Pacific region and reaffirms the value of these ties;

(2)(A) notes the need to continue to support the efforts of the nations and governments of the region to enhance the sustainable development of the more fragile island economies and their integration into the regional economy, while helping to ensure the protection of the unique ecosystems of the region; and