

full-time, paid professionals involved in service projects (rejected by a division vote of 14 ayes to 17 noes).

Page H7550

Subsequently, S. 1430, a similar Senate-passed bill was passed in lieu, after being amended to contain the language of the House bill as passed. Agreed to amend the title. H.R. 4330 was laid on the table.

Pages H7563, H7593

The Clerk was authorized to make corrections in section numbers, punctuation, citations, and cross-references and to make such other technical and conforming changes necessary in the engrossment of the amendments to the Senate bill.

Page H7563

H. Res. 463, the rule under which the bill was considered, was agreed to earlier by a division vote of 7 ayes to 3 noes.

Page H7521

**Energy Policy and Conservation:** By a yea-and-nay vote of 391 yeas, Roll No. 331, the House agreed to the conference report on S. 2088, to amend the Energy Policy and Conservation Act to extend the authority for titles I and II—clearing the measure for Senate action.

Page H7593

**Late Report:** Committee on Banking, Finance and Urban Affairs received permission to have until midnight on Friday, September 14 to file a report on H.R. 2840, to reauthorize the Coastal Barrier Resources Act.

Page H7604

**FCC Authorization:** House agreed to the Senate amendment to H.R. 3265, to amend the Communications Act of 1934 to provide authorizations of appropriations for the Federal Communications Commission—clearing the measure for the President.

Page H7604

**Legislative Program:** The Majority Whip announced the legislative program for the week of September 17. Agreed to adjourn from Thursday to Monday; and agreed to adjourn from Wednesday, September 19, to Friday, September 21.

Pages H7607-08

**Meeting Hour:** Agreed to meet at 10 a.m. on Tuesday, September 18.

Page H7608

**Calendar Wednesday:** Agreed to dispense with Calendar Wednesday business of September 19.

Page H7608

**Armed Forces Mail:** House completed all debate on H.R. 5611, to amend title 39, United States Code, to allow free mailing privileges to be extended to members of the Armed Forces while engaged in temporary military operations under arduous circumstances.

Page H7608

Pending is the Ridge motion to recommit the bill to the Committee on Post Office and Civil Service with instructions to report the bill back forthwith containing language that provides for reimbursement to the Postal Service of such mailing expenses out of the legislative branch appropriations; on which the vote was postponed until Monday, September 17.

Page H7611

**Emergency Medical Services Week:** House passed H.J. Res. 568, designating the week beginning September 16, 1990, as "Emergency Medical Services Week".

Page H7612

**Referrals:** Three Senate-passed measures were referred to the appropriate House committees.

Page H7623

**Senate Messages:** Messages received from the Senate today appear on page H7506.

**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on page H7625.

**Quorum Calls—Votes:** One quorum call, two yea-and-nay votes, and one recorded vote developed during the proceedings of the House today and appear on pages H7505, H7547, and H7603.

**Adjournment:** Met at 10 a.m. and adjourned at 6:59 p.m.

## Committee Meetings

### NATIONAL FOREST MANAGEMENT

**Committee on Agriculture:** Subcommittee on Forests, Family Farms, and Energy began markup of National Forest Management, Old Growth Forest in Pacific Northwest legislation.

Will continue September 18.

### DEPOSIT INSURANCE REFORM

**Committee on Banking, Finance and Urban Affairs:** Held a hearing on Deposit Insurance Reform. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

Hearings continue September 19.

### PIPELINE SAFETY—GULF OF MEXICO; NATIONAL ENERGY POLICY ACT

**Committee on Energy and Commerce:** Subcommittee on Energy and Power approved for full Committee action amended H.R. 4888, to improve navigational safety and to reduce the hazards to navigation resulting from vessel collisions with pipelines in the marine environment.

The Subcommittee also held a hearing on H.R. 5521, National Energy Policy Act of 1990. Testimony was heard from Linda G. Stuntz, Deputy

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Coleman (MO)  
Collins  
Combest  
Condit  
Conte  
Cooper  
Costello  
Coughlin  
Courthrin  
Cox  
Coyne  
Craig  
Crane  
Dannemeyer  
Darden  
Davis  
DeFazio  
DeLay  
DeLums  
Derrick  
DeWine  
Dickinson  
Dicks  
Dingell  
Dixon  
Dorgan (ND)  
Dorman (CA)  
Douglas  
Downey  
Dreier  
Duncan  
Durbin  
Dwyer  
Dymally  
Dyson  
Early  
Eckart  
Edwards (CA)  
Edwards (OK)  
Emerson  
Engel  
English  
Erdreich  
Espy  
Evans  
Fascell  
Fawell  
Fazio  
Feighan  
Fields  
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Flake  
Flippo  
Foglietta  
Frank  
Frost  
Gallegly  
Gallo  
Gaydos  
Gejdenson  
Gekas  
Geren  
Gibbons  
Gillmor  
Gilman  
Glickman  
Gonzalez  
Goodling  
Gordon  
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Gradison  
Grandy  
Grant  
Gray  
Green  
Guarini  
Gunderson  
Hall (TX)  
Hamilton  
Hammerschmidt  
Hancock  
Hansen  
Harris  
Hastert  
Hatcher  
Hawkins  
Hayes (IL)  
Hayes (LA)  
Hefley  
Hefner  
Henry  
Herger  
Hertel  
Hiller  
Hoagland  
Hochbrueckner  
Holloway  
Hopkins

Horton  
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Hoyer  
Hubbard  
Hughes  
Hunter  
Hutto  
Hyde  
Inhofe  
Ireland  
Jacobs  
James  
Jenkins  
Johnson (CT)  
Johnson (SD)  
Johnston  
Jones (GA)  
Jones (NC)  
Jontz  
Kantor  
Kaptur  
Kasich  
Kastenmeier  
Kennedy  
Kenrelly  
Kildee  
Klečka  
Kolbe  
Koltar  
Kyl  
LaFalce  
Lagomarsino  
Lancaster  
Lantos  
Laughlin  
Leach (IA)  
Leath (TX)  
Lehman (CA)  
Lehman (FL)  
Lent  
Levir (MI)  
Levine (CA)  
Lewis (FL)  
Lewis (GA)  
Lightfoot  
Lipinski  
Livingston  
Lloyd  
Long  
Lowery (CA)  
Lowey (NY)  
Luken, Thomas  
Lukens, Donald  
Machette  
Madigan  
Manion  
Markey  
Martin (NY)  
Martinez  
Matsui  
Mavroules  
Mazoli  
McCandless  
McCloskey  
McCollum  
McCurdy  
McDade  
McDermott  
McEwen  
McCrath  
McHugh  
McMillan (NC)  
McMillen (MD)  
McNulty  
Meyers  
Mfune  
Miller (CA)  
Miller (WA)  
Mindeta  
Moakley  
Molihari  
Molihan  
Montgomery  
Moody  
Moohead  
Morella  
Morrison (WA)  
Mradek  
Murphy  
Murtha  
Myers  
Nagle  
Natcher  
Neal (MA)  
Neal (NC)  
Nelson  
Nielsen  
Nowak  
Oakar

Oberstar  
Obey  
Ollin  
Ortiz  
Owens (NY)  
Owens (UT)  
Oxley  
Packard  
Pallone  
Panetta  
Parker  
Parris  
Paxon  
Payne (NJ)  
Payne (VA)  
Pease  
Pelosi  
Penny  
Perkins  
Petri  
Pickett  
Pickle  
Porter  
Poshard  
Price  
Pursell  
Rahall  
Rangel  
Ravenel  
Ray  
Regula  
Rhodes  
Richardson  
Ridge  
Rinaldo  
Ritter  
Roberts  
Roe  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Rowland (CT)  
Rowland (GA)  
Roybal  
Russo  
Sabo  
Saike  
Sangmeister  
Sarpalius  
Savage  
Sawyer  
Saxton  
Schaefer  
Scheuer  
Schiff  
Schneider  
Schroeder  
Schuette  
Schumer  
Sensenbrenner  
Serrano  
Sharp  
Shaw  
Shays  
Shumway  
Shuster  
Sikorski  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slattery  
Slaughter (NY)  
Slaughter (VA)  
Smith (FL)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (VT)  
Smith, Robert  
(NH)  
Smith, Robert  
(OR)  
Snowe  
Solarz  
Solomon  
Spence  
Spratt  
Staggers  
Stallings  
Stangeland  
Stark  
Stearns  
Stenholm  
Stokes  
Studds

Stump  
Sundquist  
Swift  
Synar  
Tallon  
Tanner  
Tauke  
Tauzin  
Taylor  
Thomas (CA)  
Thomas (GA)  
Thomas (WY)  
Torres  
Towns

Trafigant  
Traxler  
Unsoeld  
Upton  
Vander Jaast  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walgren  
Walker  
Walsh  
Waxman  
Weber

Weiss  
Weldon  
Wheat  
Whittaker  
Wilson  
Wise  
Wolf  
Wolpe  
Wyden  
Wylie  
Yates  
Yatron  
Young (AK)  
Young (FL)

report (Rept. No. 101-699) on the resolution (H. Res. 464) providing for agreeing to the Senate amendments to the bill (H.R. 4328) to authorize appropriations for fiscal years 1991 and 1992 for the customs and trade agencies, and for other purposes, which was referred to the House Calendar and ordered to be printed.

NAYS—0  
NOT VOTING—41

AuCoin  
Barnard  
Bosco  
Boxer  
Buechner  
Bustamante  
Coleman (TX)  
Conyers  
Crockett  
de la Garza  
Donnelly  
Ford (MI)  
Ford (TN)  
Frenzel

Gephardt  
Gingrich  
Hall (OH)  
Huckaby  
Kostmayer  
Lewis (CA)  
Marlenee  
Martin (IL)  
McCrery  
Michel  
Miller (OR)  
Morrison (CT)  
Pashayan  
Patterson

Quillen  
Robinson  
Rostenkowski  
Schulze  
Smith (IA)  
Smith, Denny  
(OR)  
Torrice  
Udall  
Valentine  
Washington  
Watkins  
Whitten  
Williams

PERMISSION FOR COMMITTEE ON BANKING, FINANCE AND URBAN AFFAIRS TO HAVE UNTIL MIDNIGHT FRIDAY, SEPTEMBER 14, 1990, TO FILE A REPORT ON H.R. 2840, THE COASTAL BARRIER IMPROVEMENT ACT OF 1990

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the Committee on Banking, Finance and Urban Affairs have until midnight Friday, September 14, 1990, to file a report on the bill, H.R. 2840, the Coastal Barrier Improvement Act of 1990.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?  
There was no objection.

FEDERAL COMMUNICATIONS COMMISSION AUTHORIZATION ACT OF 1990

Mr. MARKEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3285) to amend the Communications Act of 1934 to provide authorization of appropriations for the Federal Communications Commission, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.  
The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:  
That this Act may be cited as the "Federal Communications Commission Authorization Act of 1990".

AUTHORIZATION OF APPROPRIATIONS  
SEC. 2. (a) Section 6 of the Communications Act of 1934 (47 U.S.C. 156) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS  
"(a) There are authorized to be appropriated for the administration of this Act by the Commission \$109,831,000 for fiscal year 1990 and \$119,831,000 for fiscal year 1991, together with such sums as may be necessary for increases resulting from adjustments in salary, pay, retirement, other employee benefits required by law, and other nondiscretionary costs, for each of the fiscal years 1990 and 1991.

"(b) In addition to the amounts authorized to be appropriated under this section, not more than 4 percent of the amount of any fees or other charges payable to the United States which are collected by the Commission during fiscal year 1990 are authorized to be made available to the Commission until expended to defray the fully distributed costs of such fees collection.

"(c) Of the amounts appropriated pursuant to subsection (a) for fiscal year 1991, such sums as may be necessary not to

□17.2

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SHARP. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on the conference report on S. 2088 just agreed to.

The SPEAKER pro tempore (Mr. MAZZOLI). Is there objection to the request of the gentleman from Indiana?  
There was no objection.

PERSONAL EXPLANATION

Mr. BUECHNER. Mr. Speaker, I unavoidably missed rollcall 331, the last vote on S. 2088. Had I been present, I would have voted "aye."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 603

Mr. CLEMENT. Mr. Speaker, I ask unanimous consent that the name of the gentleman from Oklahoma [Mr. McCURDY] be removed as a cosponsor of House Joint Resolution 603.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?  
There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONCURRING IN SENATE AMENDMENTS TO H.R. 4328, CUSTOMS AND TRADE AGENCIES AUTHORIZATIONS, FISCAL YEARS 1991 AND 1992

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged

exceed \$2,000,000 shall be expended for upgrading and modernizing equipment at the Commission's electronic emissions test laboratory located in Laurel, Maryland."

#### COMMERCIAL RADIO OPERATOR EXAMINATIONS

SEC. 3. Section 4(f) of the Communications Act of 1934 (47 U.S.C. 154(f)) is amended by adding at the end the following new paragraph:

"(5)(A) The Commission, for purposes of preparing and administering any examination for a commercial radio operator license or endorsement, may accept and employ the services of persons that the Commission determines to be qualified. Any person so employed may not receive compensation for such services, but may recover from examinees such fees as the Commission permits, considering such factors as public service and cost estimates submitted by such person.

"(B) The Commission may prescribe regulations to select, oversee, sanction, and dismiss any person authorized under this paragraph to be employed by the Commission.

"(C) Any person who provides services under this paragraph or who provides goods in connection with such services shall not, by reason of having provided such service or goods, be considered a Federal or special government employee."

#### TRAVEL REIMBURSEMENT PROGRAM

SEC. 4. Section 4(g)(2)(D) of the Communications Act of 1934 (47 U.S.C. 154(g)(2)(D)) is amended by striking "1989" and inserting in lieu thereof "1992".

#### COMMUNICATIONS SUPPORT FROM OLDER AMERICANS

SEC. 5. Section 6(a) of the Federal Communications Commission Authorization Act of 1988 (47 U.S.C. 154 note) is amended by striking "and 1989" and inserting in lieu thereof ", 1989, 1990, and 1991".

#### HAWAII MONITORING STATION

SEC. 6. (a) Section 9(a) of the Federal Communications Commission Authorization Act of 1988 (Public Law 100-594; 102 Stat. 3024) is amended—

(1) by striking "and 1990" and inserting in lieu thereof ", 1990, 1991, and 1992";

(2) in paragraph (4) by striking "a facility at the new location" and inserting in lieu thereof "facilities at new locations"; and

(3) in paragraph (6) by striking "a facility at a new location" and inserting in lieu thereof "facilities at new locations".

(b) Subsection (b) of section 9 of the Federal Communications Commission Authorization Act of 1988 (Public Law 100-594; 102 Stat. 3024) is amended to read as follows:

"(b) The Administrator of General Services is authorized to dispose of, only to the State of Hawaii, as much of the real property (including improvements thereon) at the present location of the Hawaii Monitoring Station as is necessary for the purposes of relating, at a minimum, the antennas associated with the Monitoring Station."

(c) Section 9 of the Federal Communications Commission Authorization Act of 1988 (Public Law 100-594; 102 Stat. 3024) is amended by striking subsections (c) and (d), by redesignating subsection (e) as subsection (i), and by inserting immediately after subsection (b) the following new subsections:

"(c) Pursuant to the authority provided in subsection (b), the Administrator of General Services shall sell and convey to the State of Hawaii the real property and improvements thereon described in subsection (b) on an expedited basis, including provisions for lease-back as required.

"(d) In consideration of such sale, the State of Hawaii shall agree to—

"(1) pay to the General Services Administration an amount not less than the fair market value, as determined by the Administrator of General Services, of the property to be conveyed under subsection (c), or

"(2) convey to the Federal Communications Commission real property that would be suitable, as determined by the Commission, for the relocation of the Hawaii Monitoring Station and, in addition, pay to the General Service Administration an amount equal to the difference between the fair market value of the two properties, as determined by the Administrator of General Services, if the Federal property conveyed is of greater value.

"(e) The General Services Administration shall reimburse the Federal Communications Commission from the net proceeds of such sale for all of the expenditures of the Commission associated with the relocation of the Hawaii Monitoring Station. Any such reimbursed funds received by the Commission shall remain available until expended.

"(f) The net proceeds of such sale, less any funds reimbursed to the Federal Communications Commission pursuant to subsection (e), and less normal and reasonable charges by the General Services Administration for costs associated with such sale, shall be deposited in the general funds of the Treasury.

"(g) If the General Services Administration and the State of Hawaii are unable to execute a contract for sale as required by this section or complete any other transaction necessary to carry out such sale, the Administrator of General Services shall not proceed to public sale of the property described in subsection (b).

"(h) The Hawaii Monitoring Station shall continue its full operations at its present location until new facilities have been built and are fully operational."

(d) Subsection (i) of section 9 of the Federal Communications Commission Authorization Act of 1988 (Public Law 100-594; 102 Stat. 3024), as so redesignated by subsection (c) of this section, is amended by striking ", in fiscal years 1989 and 1990".

#### TARIFF NOTICE PERIOD

SEC. 7. (a) Section 203(b)(1) of the Communications Act of 1934 (47 U.S.C. 203(b)(1)) is amended by striking "ninety days notice" and inserting in lieu thereof "one hundred and twenty days' notice".

(b) Section 203(b)(2) of the Communications Act of 1934 (47 U.S.C. 203(b)(2)) is amended by striking "ninety days" and inserting in lieu thereof "one hundred and twenty days".

#### AMATEUR RADIO SERVICE RECIPROCAL PERMITS

SEC. 8. (a) Section 303(d)(3) of the Communications Act of 1934 (47 U.S.C. 303(d)(3)) is amended by striking "bilateral agreement between the United States and the alien's government" and inserting in lieu thereof "multilateral or bilateral agreement, to which the United States and the alien's government are parties."

(b) Section 310(c) of the Communications Act of 1934 (47 U.S.C. 310(c)) is amended by striking "bilateral agreement between the United States and the alien's government" and inserting in lieu thereof "multilateral or bilateral agreement, to which the United States and the alien's government are parties."

#### WILLFUL OR MALICIOUS INTERFERENCE

SEC. 9. Part I of title III of the Communications Act of 1934 (47 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

#### "WILLFUL OR MALICIOUS INTERFERENCE

"Sec. 333. No person shall willfully or maliciously interfere with or cause interference

to any radio communications of any station licensed or authorized by or under this Act or operated by the United States Government."

#### APPLICABILITY OF FORFEITURES TO APPLICANTS

SEC. 10. The first sentence of section 503(b)(5) of the Communications Act of 1934 (47 U.S.C. 503(b)(5)) is amended by inserting "and if such person is not an applicant for a license, permit, certificate, or other authorization issued by the Commission," immediately before "unless, prior".

Mr. MARKEY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Massachusetts?

Mr. RINALDO. Mr. Speaker, reserving the right to object, I would like the gentleman from Massachusetts [Mr. MARKEY], the distinguished chairman of the Subcommittee on Telecommunications, to briefly explain the differences between the House-passed version and the Senate-passed bill.

Mr. MARKEY. Mr. Speaker, if the gentleman will yield, I rise today in support of H.R. 3265, the Federal Communications Commission Authorization Act of 1990.

Mr. Speaker, the Senate-passed bill represents a compromise between H.R. 3265 as passed by the House and S. 1022 as it was reported by the Senate Commerce Committee. The differences between the two bills are minimal, and the compromise is very close to the House bill passed last October.

As passed by the Senate, H.R. 3265 authorizes \$109,831,000 in funding for fiscal year 1990, which is the same amount contained in the Senate and House bills and is the same amount requested by the President. For fiscal year 1991, it retains the figure of \$119,831,000 contained in the Senate bill, as reported, rather than the figure of \$121,478,000 contained in the House bill. The President requested an appropriation of \$117,998,000 for fiscal year 1991. Since the President's request is well below the amount authorized by both the House and Senate bill, we have chosen to accept the figure in the Senate bill.

The compromise includes the House statutory provision concerning the upgrading and modernizing of the Commission's test laboratory in Laurel, MD. It directs that no more than \$2 million "shall be expended" for upgrading this laboratory. The bill also extends the FCC Travel Reauthorization Program until 1992 and, in addition, it accepts the Senate language which will continue to ensure the Hawaii monitoring facility will operate fully in its present location until new facilities are fully operational at a new location.

Today, as we enter an unprecedented period in the evolution of America's telecommunications industries, the role of the FCC is critical to promoting a competitive marketplace, providing timely development of efficient, innovative communications facilities and services. This independent agency must have the resources needed to implement congressional policies, to regulate the dynamic, burgeoning telecommunications industry and to carry out its statutory responsibilities to promote the public interest.

The Commission should be especially cognizant of its statutory responsibilities as it considers adopting new regulatory mechanisms for the telecommunications industry. It must ensure that it can guarantee American consumers the benefits and protections they deserve.

The compromise contains the provision in the House bill that authorizes 4 percent of any fees or other charges collected by the Commission during fiscal year 1990 to be "authorized to be made available to the Commission until expended." This provision is intended to help defray the FCC's fully distributed costs of enforcing the fee collection provisions in section 8 of the Communications Act.

The House bill had authorized the FCC to retain 4 percent of these fees for both fiscal years 1990 and 1991. The Senate bill, as reported, stipulated that 2 percent of the fees collected by the Commission "shall be available" for both fiscal years.

The compromise accepts the House's 4-percent figure for fiscal year 1990 only and the House wording out of recognition that the FCC's costs of enforcing this congressionally mandated fees provision will be substantial, and that even the 4-percent figure will not compensate the Commission completely for its costs of collecting the fees. Even at the 4-percent level, the FCC informs us that it is likely to incur costs in collecting these fees that are \$1.5 million greater than the amounts retained in fiscal year 1990. Because the FCC's fiscal year 1990 appropriation passed the Congress before the reconciliation bill was enacted, the appropriation level did not account for this additional expense. The bill before us would allow the FCC to retain 4 percent of these fees for only fiscal year 1990 in recognition of the unfairness of this unique situation.

#### LAUREL LABS

The compromise includes the House statutory provision concerning the upgrading and modernizing of the Commission's test laboratory in Laurel, MD. It directs that no more than \$2 million "shall be expended" for upgrading this laboratory. Although the Senate bill, as reported, did not contain statutory language directing the expenditure of funds for the laboratory, the Commerce Committee explicitly expressed its intention that the FCC expend such funds for this purpose. The Committee amended S. 1022 as introduced to increase the FCC's authorized funding for fiscal year 1991 by \$2 million—from \$117,831,000 to \$119,831,000—before reporting the bill. The committee report accompanying the bill expressly declares that the \$2 million "is to be used for the sole purpose of modernizing the FCC's Electronics Emissions Test Laboratory in Laurel, MD." (Senate Report 101-215. p.

2). Thus, by accepting the House statutory language the compromise codifies a requirement that the Commerce Committee already imposed in its report.

The committee expects the Commission to use its discretion in establishing the priorities for the laboratory's modernization. However, it is our intention that the funds will be primarily used for the purchase of new equipment. The necessary equipment purchases would include, but need not be limited to: programmable spectrum analyzers and signal generators; an enclosed test site for radiated emission measurements; and computers for technical analysis.

#### TRAVEL REIMBURSEMENT PROGRAM

The bill before us also extends the FCC's travel reauthorization program until 1992. Both the Senate bill, as reported, and the House bill would have extended the program until 1991. This bill extends the program an additional year because of its demonstrated success. Such an extension should also permit the FCC to continue to implement the travel reimbursement program through the end of fiscal year 1992 even if the next FCC authorization bill is not passed until after the end of 1991.

#### HAWAII MONITORING STATION

In the FCC Authorization Act of 1988, the Congress included a provision permitting the FCC to move the Waipahu, Oahu, monitoring station to a new suitable location. The bill reported by the Senate would have extended by 2 years the FCC's authority to relocate the monitoring facility. The House bill contained no provisions concerning this monitoring station.

The compromise extends the FCC's authority to relocate the monitoring station for 2 years until 1992. It also makes some substantial changes in the authorizing language to ensure that the land currently being used for the Hawaii monitoring station is sold to the State of Hawaii, which has a strong public interest in acquiring the property.

Under the new language contained in this bill, the Administrator of the General Services Administration [GSA] shall sell to the State of Hawaii as much of the land associated with the Hawaii monitoring station as is necessary to relocate, at a minimum, the antennas associated with the monitoring station. The State of Hawaii is permitted either to pay the fair market value, as determined by the Administrator of the GSA, of the property it acquires or to swap another piece of property for the property acquired from GSA and pay the difference in price between the two properties, if the value of the property conveyed by the State of Hawaii is less than the value of the property it receives. These provisions do not foreclose the State of Hawaii from buying or selling these properties in conjunction with or as an agent for a third party that the State of Hawaii deems appropriate. Together, these provisions should provide the FCC, the GSA, and the State of Hawaii with sufficient flexibility to allow them to reach an agreement on the disposition of this property expeditiously.

As in the Senate bill, the bill before us ensures that the Hawaii monitoring facility will continue to operate fully in its present location until new facilities are fully operational at a new location. The GSA shall reimburse the FCC for the expenses of the relocation from the net proceeds of the sale. Any excess

funds from the sale of the property will be deposited into the general funds of the Treasury.

The language further directs that the provisions of this section should in no way disrupt or defer the ongoing programs or regulatory activities of the Commission by diverting appropriated funds to the relocation of the Hawaii facilities. While we assume that the sale of the property will result in adequate funds for the relocation of the monitoring facilities, if this does not occur, the FCC should immediately inform the Congress.

#### STOLEN MOBILE TELEPHONES OR TELEPHONES USED FOR DRUG DISTRIBUTION

The compromise does not contain the provisions in the Senate bill, as reported, concerning the procedures to be followed if there is a suspicion that a mobile radio unit is stolen or is being used to engage in the illegal distribution of a controlled substance. These provisions were not included in the House bill. These provisions raise several important issues which deserve to be studied in greater detail before they are adopted into law. The Senate has thus agreed to drop these provisions so that both Houses of Congress can explore these issues more fully.

#### TECHNICAL AMENDMENT

In the Omnibus Budget Reconciliation Act of 1989, Public Law No. 101-239, Congress amended section 503(b)(2) of the Communications Act in a manner that, as the conference report made clear, was intended, *inter alia*, to clarify] and confirm the FCC's authority to impose forfeitures on applicants who engage in misconduct during the application process. Unfortunately, however, Congress did not amend section 503(b)(5) of the act, which by its terms requires that a citation, rather than a forfeiture, be issued to a first-time offender who does not hold a Commission authorization. In order to correct this apparent anomaly, and to clarify that the Commission need not first issue a citation before imposing a forfeiture on an applicant for a Commission authorization, the bill includes a technical amendment to section 503(b)(5).

#### FCC TRADE AUTHORITY

The House adopted a provision—section 9 of the House bill—that would have given the FCC explicit authority to assess the impact of its public interest decisions on the foreign commerce of the United States. This provision—an amendment by our colleague, Representative BILL RICHARDSON—was an excellent addition to H.R. 3265. It made explicit what is implicit in the Commission's public interest standard. By doing so, the Richardson amendment heightened the importance of the Commission taking into consideration the impact of its decisions on the balance of trade.

The bill being considered today does not contain any similar provision. This omission should not be taken as an indication of any less concern about the FCC's ability to consider trade matters when making its decisions. Rather, the decision not to include this provision simply reflects the belief of the Congress that the FCC already has ample authority to consider the impact of its decisions on foreign commerce before making those decisions.

The committee intends to conduct vigorous oversight over the Commission's attention to trade matters. In the past there have been instances in which the Commission was apparently oblivious to the trade consequences of its decisions. The committee intends to see to

that the Commission not repeat these mistakes.

## UNCHANGED PROVISIONS

The bill includes all the other provisions that were contained in both the Senate bill, as reported, and the House bill. These provisions are as follows:

The Commission is given additional authority to prevent willful or malicious interference to radio communications.

The Commission can extend the tariff notice period from 90 to 120 days, with the extra time used primarily for the processing of access charge tariffs.

The Commission may accept and employ the services of qualified persons to prepare and administer commercial radio operator exams for a fee that the Commission determines is appropriate, without those persons being considered Federal employees.

The Older Americans Program is extended for an additional 2 years until the end of 1991.

The Commission may permit aliens to operate over the amateur radio frequencies based on multilateral treaties as well as bilateral treaties.

Mr. Speaker, H.R. 3265 contains a careful balance of the fiscal restraints we must face, and the recognition that the various telecommunications industries are growth industries that require an appropriate commitment of public funds. I urge my colleagues to support the bill.

Mr. RINALDO. Mr. Speaker, I thank the gentleman for his courtesy in explaining the bill, and I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

A motion to reconsider is laid upon the table.

## GENERAL LEAVE

Mr. MARKEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material, on the Senate amendment to H.R. 3265.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

□ 1720

## LEGISLATIVE PROGRAM

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, I have asked to proceed for 1 minute for the purpose of ascertaining the schedule for the upcoming week from the distinguished majority whip.

Mr. GRAY. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the distinguished gentleman from Pennsylvania.

Mr. GRAY. Mr. Speaker, I would like to share with the distinguished gentleman from Pennsylvania on the minority side the schedule for the rest of the week and next week.

I would say to my colleague, the gentleman from Pennsylvania [Mr. WALKER], that it is our expectation that tomorrow will be a pro forma session. There will be no votes.

Votes will be held on Monday. We have a long list of suspensions, 22 bills, as follows:

H.R. 4962—Commemorative coins for the 1992 Olympics.

H.R. 5610—Permit FDIC to increase deposit insurance premiums.

H.J. Res. 226—Establish national policy on permanent papers.

H.R. 5254—Reauthorization of the Fish and Wildlife Conservation Act of 1980.

H.R. 5255—National Fish and Wildlife Foundation Act Amendments of 1990.

H.R. 5264—Alaska Maritime Wildlife Refuge.

H.R. 2419—Chattahoochee National Forest facilities.

H.R. 1576—Cranberry Wilderness boundary.

H.R. 4145—Maine Wilderness Act of 1990.

H.R. 2840—Coastal Barrier Improvement Act of 1989.

H.R. 4567—Exchange of lands in South Dakota and Colorado.

H.R. 4811—To expand the boundaries of the San Antonio Missions National Historical Park.

H.R. 4687—Designating segments of the Lower Merced River as part of the Wild and Scenic Rivers System.

H.R. 4309—To establish the Smith River National Recreational Area in California.

H.R. 4660—To establish a memorial at Custer Battlefield Monument.

H.R. 4878—To establish the Lake Meredith National Recreational Area.

H.R. 4107—Regarding Richmond National Battlefield Park and Colonial National Historical Park.

S. 830—Blackstone River Valley Heritage Corridor.

H.J. Res. 431—Support for Brazilian conservation efforts to protect the Amazon.

H. Con. Res. 248—Sense of Congress regarding linkage between the environment and national security.

H. Res. 312—Regarding Convention on Rights of the Child.

H. Res. 398—Regarding Convention for the Protection of the Natural Resources and Environment of the South Pacific Region.

It is our expectation that all votes will be at the end of those suspensions and it would be expected that the House will not be required to cast any votes until approximately 4 o'clock in the afternoon on those suspensions where a vote is requested.

Following the suspensions, there will be the Department of Defense authorization bill brought back to the floor, and therefore Members can expect a late evening, a very late evening on Monday.

Also, the House can expect that on Tuesday there will be a late evening. It

is our expectation to meet at 10 a.m. on Tuesday, the 18th.

The textile bill and the Comprehensive Crime Control Act of 1990 will be before the House for consideration. It is expected that we will work late on Tuesday until we finish consideration of those bills, or carry them over to Wednesday, September 19, when the House will meet at 10 a.m. to complete consideration of the Comprehensive Crime Control Act and also the Assault Weapons Control Act.

It is our expectation that the House will adjourn early in the afternoon on Wednesday, September 19; for Members to observe Rosh Hashanah, the holiday, and thus we can expect that we would adjourn and there would not be votes probably after 3 o'clock on Wednesday, September 19.

Mr. WALKER. Mr. Speaker, I thank the gentleman for the explanation of the schedule. There is much negotiating. There is much negotiating going on here.

Let me ask the gentleman about the suspension votes on Monday. If we finish all the debate on the suspensions, would we plan on having the votes on suspensions prior to going to the debate on DOD and further votes on DOD?

Mr. GRAY. Mr. Speaker, if the gentleman will yield further, it is our expectation that we would have any votes required on suspensions before we go to the DOD bill.

Mr. WALKER. So the chances are that we could have votes on any suspensions where votes are ordered some time in the late afternoon?

Mr. GRAY. It is our expectation that there would not be any recorded votes until after 4 o'clock in the afternoon.

Mr. WALKER. Until after 4 o'clock?

Mr. GRAY. Yes.

Mr. WALKER. Then with regard to the schedule for Wednesday, the expectation is that we would complete the Crime Control Act by Wednesday and then we would only go to the assault weapons bill if there is time, is that my understanding?

Mr. GRAY. That would be our expectation, because we do want to adjourn so that Members can observe Rosh Hashanah.

Mr. RUSSO. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Illinois.

Mr. RUSSO. Mr. Speaker, just a question for the majority whip. If the suspensions take until 5 or 6 o'clock, there would not be any votes until after 5 or 6 o'clock?

Mr. GRAY. Mr. Speaker, if the gentleman will yield, that is correct.

Mr. RUSSO. The process would not be interrupted to have votes at 4 o'clock?

Mr. GRAY. No. It is our expectation that if the 22 suspensions, the debate allotted for them goes until 5, the votes will be rolled until the end of the