

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 395, ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION ACT

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-314) on the resolution (H. Res. 256) waiving points of order against the conference report to accompany the bill (S. 395) to authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil and for other purposes, which was referred to the House Calendar and ordered to be printed.

MIDDLE EAST PEACE FACILITATION ACT OF 1994 EXTENSION

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the bill (H.R. 2589) to extend authorities under the Middle East Peace Facilitation Act of 1994 until December 31, 1995, and for other purposes, and I ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SHAYS). Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York [Mr. GILMAN] is recognized for 1 hour.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 2589 temporarily extends the Middle East Peace Facilitation Act of 1994 which expired on November 1, 1995. That act was previously extended by Public Law 10417, by Public Law 10422, and by Public Law 10430. H.R. 2589 extends the act until December 31, 1995, and includes the transition provision to permit the President to immediately exercise the authorities granted him by this extension.

Mr. Speaker, I ask my colleagues to support the measure.

Mr. GILMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 927, CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1995

Mr. GILMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 927) to seek international sanctions against the Castro government in Cuba, to plan

for support of a transition government leading to a democratically elected government in Cuba, and for other purposes, with Senate amendments thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York? The Chair hears none, and without objection appoints the following conferees: Mr. GILMAN, Mr. BURTON of Indiana, Ms. ROSS-LEHTINEN, and Messrs. KING, DIAZ-BALART, HAMILTON, GEJDESON, TORRICELLI, and MENENDEZ.

There was no objection.

MAKING IN ORDER ON WEDNESDAY, NOVEMBER 8, 1995, CONSIDERATION OF SENATE CONCURRENT RESOLUTION 31, HONORING THE LIFE AND LEGACY OF YITZHAK RABIN

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that it be in order on Wednesday, November 8, 1995, to consider Senate Concurrent Resolution 31 in the House, and that the previous question be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question, except 90 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

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

There was no objection.

EDIBLE OIL REGULATORY REFORM ACT

Mr. BILBRAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 436), to require the head of any Federal agency to differentiate between fats, oils, and greases of animal, marine, and vegetable origin, and other oils and greases, in issuing certain regulations, and for other purposes, with Senate amendments thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 8, after "to" insert: "the transportation, storage, discharge, release, emission, or disposal of".

Page 2, line 9, strike out "any" the second time it appears and insert "that".

Page 2, line 18, strike out "such" and insert "that".

Page 2, line 22, strike out "different" the first time it appears.

Page 2, line 23, strike out "as provided" and insert: "based on considerations".

Page 3, line 12, strike out "carrying oil in bulk as cargo or cargo residue".

Page 3, line 13, after "carried" insert "as cargo".

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

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

Mr. DE LA GARZA. Mr. Speaker, reserving the right to object, I would like to yield to the gentleman from California [Mr. BILBRAY] so that he could tell us the changes made in the Senate version as related to the original House revision.

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

Mr. DE LA GARZA. I yield to the gentleman from California.

Mr. BILBRAY. Mr. Speaker, the Senate has included the reference in the first section A to include the transportation, storage, discharge, and release of emissions or disposal thereof, which actually was part of our original bill that came out of committee. They have retained the other sections, except for in reference to cargo and transportation.

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman.

Mr. Speaker, in behalf of the Committee on Agriculture, we have no objection.

Mr. EWING. Mr. Speaker, today the U.S. House of Representatives has an opportunity to finally remedy one of the unnecessary and illogical Federal regulations that led to the creation of corrections day. H.R. 436, the Edible Oil Regulatory Reform Act, which I introduced early this year, along with Ms. DANNER of Missouri, will restore common sense to the Federal regulatory process by requiring Federal agencies to recognize the obvious differences between edible oils and toxic oils when issuing and promulgating regulations.

In addition to thanking Ms. DANNER, I also want to thank Speaker GINGRICH, who deserves special credit for establishing the corrections day process which allows the Congress to take expedited action to correct unnecessary, and sometime foolish, regulations which hurt our economy and frustrate the American public. Lastly, I want to thank Chairman BLILEY, Chairman ROBERTS, Chairman SHUSTER, and the corrections day task force for all of their cooperation and assistance, which has allowed the House to reach this point, adopt H.R. 436, and send the bill to the President for his signature.

The agricultural oils covered by H.R. 436 are nontoxic, natural products, like cooking and salad oils, which many of us eat every day. Their unnecessarily stringent regulation forces producers, shippers, and manufacturers to comply with costly and counterproductive requirements, without providing any additional measure of protection to the environment or enhancing the health and safety of our citizens.

Simply stated, H.R. 436 will require Federal agencies to differentiate between edible oils and petroleum-based oils when promulgating regulations under the Oil Pollution Act of 1990. This common sense legislation does not change or weaken the underlying principles of the Oil Protection Act of 1990 or other related statutes like the Clean Water Act.

In passing H.R. 436, Congress is sending a strong message to Federal regulators. It is the Congress' intent for Federal agencies to recognize, and not ignore, the differences between animal fats and vegetable oils and all

other oils, including toxic petroleum oil. Specifically, H.R. 436 requires Federal agencies charged with regulation of the transportation, storage, discharge, release, emission, or disposal of oil to establish a separate class for animal fats and vegetable oils and to consider the differences in characteristics of these edible oils and other types of oils.

While an agency may consider the characteristics of animal fats and vegetable oil and determine that for a particular regulation no differentiation is required, the agency may only do that where there are no differences in the characteristics that are relevant to that regulation. For example, in the case of regulations dealing with oil spill response, common sense dictates that the non-toxic, biodegradable, and nonpersistent characteristics of animal fats and vegetable oils be recognized and reflected in the oil spill response regulations. It seems clear to everybody except Federal regulators that the Oil Pollution Act was designed to reduce the risk of, improve the response to, and minimize the impact of catastrophic oil spills like the one in Prince William Sound, Alaska—not to regulate edible agricultural products.

In fact, vegetable oils have been used to help clean up beaches fowled with petroleum, and vegetable oils are also being explored as substitute lubricants for machinery in environmentally sensitive areas. This not only demonstrates the significant difference between vegetable oils and petroleum oils, it highlights the fact that animal fats and vegetable oils do not pose the same risk to human health and the environment, and should not be treated the same way.

The financial responsibility relief provided in H.R. 436, as amended, applies only to exclusive shippers of animal fats and vegetable oils, and it brings industry insurance and bonding requirements back into line with the value of the product. Like the rest of H.R. 436, nothing in this section exempts edible oils from all regulatory requirements. The net effect will be to place transporters of edible oils on par with other shippers of nontoxic products, and it will allow U.S. agricultural oils to be more competitive in world markets.

Although the House has already acted three times on this issue in the 104th Congress, H.R. 436 should be adopted as a stand-alone measure because similar language was adopted twice in the House and once in the Senate during the 103rd Congress, only to see the underlying bills die at the end of 1994. I know of no objection to the substance of H.R. 436 from any Member of this body, or from the administration. H.R. 436 passed on voice votes in both the Commerce and Agriculture Committees, and in the House on October 10. In fact, judging from the bipartisan mix of co-sponsors, H.R. 436 enjoys broad support and is absolutely non-controversial.

Again, Mr. Speaker, I want to thank all of the Members—from both sides of the aisle—who have worked hard to see H.R. 436 enacted, for their input and cooperation on this issue. It is time to finally solve this problem.

I urge my colleagues on both sides of the aisle to support H.R. 436.

Mr. SHUSTER. Mr. Speaker, I rise in support of H.R. 436, the Edible Oil Regulatory Reform Act, as amended by the Senate. The legislation passed the House, as part of the Corrections Day Calendar, on October 10, 1995. The Senate passed the bill with minor amendments on November 2, 1995.

The bill embodies the overwhelming sentiment that Congress can and should interject common sense into various Federal regulations.

H.R. 436, requires that Federal regulations differentiate between animal fats and vegetable oils on the one hand, and petroleum products on the other. It does not exempt animal fats and vegetable oils from any regulatory requirement. The bill simply requires Federal regulators to consider the different physical, biological, and chemical properties of these oils as opposed to petroleum based oils.

The Transportation and Infrastructure Committee has already passed language very similar to H.R. 436 in two separate contexts: section 413 of H.R. 1361, the Coast Guard Authorization Act for fiscal year 1996, and section 506 of H.R. 961, the Clean Water Amendments of 1995. Both bills subsequently passed the House of Representatives by wide margins.

Over the last several years, the Committee has gathered testimony and other data indicating that the need for this legislation stems primarily from the current or proposed regulations under the Oil Pollution Act of 1990 and the Clean Water Act—statutes which are under the jurisdiction of the Transportation and Infrastructure Committee.

When Congress passed the Oil Pollution Act of 1990, in the wake of the *Exxon Valdez* oil spill, the focus was on crude oil and other petroleum products, not on animal fats or vegetable oils. Although the definition of oil under both the Oil Pollution Act and the Clean Water Act can be read to include these products, regulating them under standards developed for petroleum oils make no sense. This is a prime example of the kind of regulation run amok that has given rise to the corrections calendar.

This is a common sense reform. It does not say that animal fat and vegetable oil should be exempt from regulation. It merely requires Federal agencies to take a second look at these substances and regulate them according to their relative threat to the environment.

We believe substances that are biodegradable, nonpersistent in the environment, and are essentially components of human and wildlife diets should not be treated the same as crude oil. It's that simple. In addition, these products are shipped in much smaller quantities than petroleum based products and they have a safety record that is the envy of the marine industry. Only 4 tenths of 1 percent of the spills from 1986–1992 were from animal fats or vegetable oils.

I would also add a note of thanks to the bill's primary sponsors, Representative EWING and Representative DANNER, and other supporters, for their efforts. Because it was drafted in a generic, agency-wide manner, H.R. 436 was initially referred to the Commerce and Agriculture Committees. All of us know, however, that the primary purpose of the bill is to address problems under the Oil Pollution Act and the Clean Water Act, which are under the jurisdiction of the Transportation and Infrastructure Committee. Therefore, I also want to thank the leadership of both Committees for their cooperation in getting this important legislation to the House floor, through the other body, and—I hope—on its way to the President.

I urge my colleagues to support the bill.

Mr. DE LA GARZA. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BILBRAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 436, and the Senate amendments thereto.

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

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2126

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

(Mr. METCALF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. METCALF. Mr. Speaker, I rise to ask unanimous consent to address the House for 30 seconds, and to revise and extend my remarks.

Mr. Speaker, pursuant to the provisions of rule 28, clause 1(c), I am announcing that tomorrow I will offer a motion to instruct the House conferees on the bill, H.R. 2126, to insist on sections 8102 and 8111 of the House-passed bill.

The text of the motion is as follows:

Mr. METCALF moves that the managers on the part of the House at the conference on the disagreeing votes of the two houses on the bill H.R. 2126 be instructed to insist on sections numbered 8102 and 8111 of H.R. 2126 as passed by the House restricting the deployment of United States Armed Forces in the former Yugoslavia.

□ 1900

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BUNN of Oregon). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

IN MEMORY OF YITZHAK RABIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, I am deeply saddened by the tragic assassination of Israel's Prime Minister Yitzhak Rabin. I offer my sympathies to the Rabin family, to the Israeli people, and to all who mourn the loss of this great man.

Yitzhak Rabin was an Israeli patriot and courageous leader whose life will