



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 104<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, MONDAY, DECEMBER 18, 1995

No. 203

## House of Representatives

(Legislative day of Friday, December 15, 1995)

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. HAYWORTH] at 12 noon.

### PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

You have promised, O God, that You are with us wherever we are and whatever we are doing—to heal and to help, to give strength and to make us whole. We pray that we will be receptive to Your promises and receive them with confidence and conviction, that, armed by Your spirit, we will go forth to do those good works that promote justice and equity and truth. We admit that we miss the mark and yet we pray that we will be faithful messengers of Your Word and steadfast stewards of all Your gifts. In Your name, we pray. Amen.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The gentleman from Utah [Mr. HANSEN] will lead the membership in the Pledge of Allegiance.

Mr. HANSEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment a bill of the House of the following title:

H.R. 1561. An act to consolidate the foreign affairs agencies of the United States; to au-

thorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1561) "An Act to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HELMS, Ms. SNOWE, Mr. BROWN, Mr. COVERDELL, Mr. ASHCROFT, Mr. PELL, Mr. KERRY, Mr. SARBANES, and Mr. DODD, to be the conferees on the part of the Senate.

The message also announced that pursuant to Public Law 94-304, as amended by Public Law 99-7, the Chair, on behalf of the Vice President, appoints Mr. FEINGOLD to the Commission on Security and Cooperation in Europe.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, December 15, 1995: S. 1060, to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes; and the Speaker signed the following bills on Saturday, December 16, 1995: H.R. 1747, to amend the Public Health Service Act to permanently extend and clarify malpractice coverage for health

centers, and for other purposes; H.R. 1977; making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes; H.R. 2099, making appropriations for the Department of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes; and H.R. 2336; to amend the Doug Barnard, Jr., 1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and for other purposes.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV. Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

### STUTTGART NATIONAL AQUACULTURE RESEARCH CENTER ACT OF 1995

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 33) to transfer the fish farming experimental laboratory in Stuttgart, AR, to the Department of Agriculture, and for other purposes.

The Clerk read as follows:

H.R. 33

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper containing 100% post consumer waste

H 14965

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Stuttgart National Aquaculture Research Center Act of 1995".

**SEC. 2. TRANSFER OF AGRICULTURE TO THE SECRETARY OF AGRICULTURE.**

(a) **TITLE OF PUBLIC LAW 85-342.**—The title of Public Law 85-342 (16 U.S.C. 778 et seq.) is amended by striking "Secretary of the Interior" and inserting "Secretary of Agriculture".

(b) **AUTHORIZATION.**—The first section of Public Law 85-342 (16 U.S.C. 778) is amended—

(1) by striking "Secretary of the Interior" and all that follows through "directed" and inserting "Secretary of Agriculture is authorized and directed";

(2) by striking "station and stations" and inserting "1 or more centers"; and

(3) in paragraph (5), by striking "Department of Agriculture" and inserting "Secretary of the Interior".

(c) **AUTHORITY.**—Section 2 of Public Law 85-342 (16 U.S.C. 778a) is amended by striking "the Secretary" and all that follows through "authorized" and inserting "the Secretary of Agriculture is authorized".

(d) **ASSISTANCE.**—Section 3 of Public Law 85-342 (16 U.S.C. 778b) is amended—

(1) by striking "Secretary of the Interior" and inserting "Secretary of Agriculture"; and

(2) by striking "Department of Agriculture" and inserting "Secretary of the Interior".

**SEC. 3. TRANSFER OF FISH FARMING EXPERIMENTAL LABORATORY TO DEPARTMENT OF AGRICULTURE.**

(a) **DESIGNATION OF STUTTGART NATIONAL AQUACULTURE RESEARCH CENTER.**—

(1) **IN GENERAL.**—The Fish Farming Experimental Laboratory in Stuttgart, Arkansas, shall be known and designated as the "Stuttgart National Aquaculture Research Center".

(2) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the laboratory referred to in paragraph 1 shall be deemed to be a reference to the "Stuttgart National Aquaculture Research Center".

(b) **TRANSFER OF LABORATORY TO THE DEPARTMENT OF AGRICULTURE.**—Subject to section 1531 of title 31, United States Code, not later than 90 days after the date of enactment of this Act, there are transferred to the Department of Agriculture—

(1) the personnel employed in connection with the laboratory referred to in subsection (a);

(2) the assets, liabilities, contracts, and real and personal property of the laboratory;

(3) the records of the laboratory; and

(4) the unexpended balance of appropriations, authorizations, allocations and other funds employed, held, arising from, available to, or to be made available in connection with the laboratory.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey [Mr. SAXTON] will be recognized for 20 minutes, and the gentleman from Massachusetts [Mr. STUDDS] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

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

(Mr. SAXTON asked and was given permission to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, I support the adoption of H.R. 33, introduced by

our colleague from Arkansas, BLANCHE LAMBERT LINCOLN.

The purpose of this legislation is to transfer the fish farming experimental laboratory in Stuttgart, AR, from the Department of the Interior to the U.S. Department of Agriculture [USDA] and to rename that facility to more accurately reflect the true nature of the work performed there.

The bill was the subject of a hearing before my Subcommittee of Fisheries, Wildlife and Oceans on September 21, and there was overwhelming support for this measure.

This laboratory, which was first established in 1960, has conducted important research and development on various techniques for the commercial production of catfish, baitfish, and other finfishes, which have been worth in excess of \$600 million.

In addition, the laboratory houses the U.S. Fish and Wildlife Service's triploid grass carp certification inspection program, which has provided services to fish producers in over 30 States.

Finally, both the administration and the Appropriations Committee have recommended that this laboratory be transferred to the Department of Agriculture. The vast majority of those who use the laboratory are farmers and it seems to me that USDA should be assigned responsibility over its functions.

I am not aware of any controversy over this legislation and I urge an "aye" vote on H.R. 33.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, this bill, as has just been said, is utterly without controversy, although I must say it is a little bit embarrassing to be standing here debating this when approximately 4 minutes ago the agency in question was shut down because of our inability to act like grownups.

But the bill is without controversy, as the gentleman has so correctly pointed out.

I urge Members to support it.

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 33, which will transfer the Stuttgart Fish Farming Experimental Laboratory in Arkansas from the Department of the Interior to the Department of Agriculture.

This Laboratory has been instrumental in the development of various techniques for the commercial production of catfish, baitfish, and other finfishes worth in excess of \$600 million.

Furthermore, this facility conducts extensive research on warmwater aquaculture and, since the vast majority of those who utilize Stuttgart are farmers, the Department of Agriculture is a logical home for this laboratory.

Based on the testimony received, it is clear that this transfer is not controversial and is strongly supported by all of the affected parties. I, therefore, urge an "aye" vote on this legislation and I compliment our distinguished colleague from Arkansas, BLANCHE LAMBERT LINCOLN, for her leadership in this matter.

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

Mr. SAXTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 33.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

**GENERAL LEAVE**

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 33, the bill just passed.

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

There was no objection.

**HOUSING FOR OLDER PERSONS ACT OF 1995**

Mr. CANADY of Florida. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Housing for Older Persons Act of 1995".

**SEC. 2. DEFINITION OF HOUSING FOR OLDER PERSONS.**

Section 807(b)(2)(C) of the Fair Housing Act (42 U.S.C. 3607(b)(2)(C)) is amended to read as follows:

"(C) intended and operated for occupancy by persons 55 years of age or older, and—

"(i) at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older;

"(ii) the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subparagraph; and

"(iii) the housing facility or community complies with rules issued by the Secretary for verification of occupancy, which shall—

"(I) provide for verification by reliable surveys and affidavits; and

"(II) include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification."

**SEC. 3. GOOD FAITH ATTEMPT AT COMPLIANCE; DEFENSE AGAINST CIVIL MONEY DAMAGES.**

Section 807(b) of the Fair Housing Act (42 U.S.C. 3607(b)) is amended by adding at the end the following new paragraph:

"(5)(A) A person shall not be held personally liable for monetary damages for a violation of this title if such person reasonably relied, in good faith, on the application of