The initial difficulty arises from the fact that we currently have over 100 retail outlets located in over 40 states. As a result, we are already providing a multitude of information to each state (and in some instances, each municipality). These reporting requirements include, but are not limited to, payroll, income, property, sales and use taxes, worker's compensation, property and liability insurance, annual reports and franchise returns. Along with these requirements come the inevitable compliance audits. These reporting requirements, that are merely a cost of doing business in each locality, considerably increase our administrative costs.

Furthermore, over the past two years, our form of business organization has changed. Late in 1993, our company became subject to The Security and Exchange Commission's reporting requirements as defined in The Securities Exchange Act of 1934. To satisfy these reporting requirements, we have had to stretch our resources further.

As a company, we view our circumstances not as excuses, but rather as evidence that governmental controls can sometimes create more of a burden to certain businesses instead of a benefit. Certainly, the letter of the law can require us to continue to report the requested information or incur the penalties. However, in keeping with the spirit of the law, we respectfully submit this letter as a plea to be relieved of our Census Bureau reporting requirements.

Thank you for your consideration in this matter.

Best regards,

W. JAMES SQUIRE III, CFE,
Senior Vice President—Franchising.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, the skyrocketing Federal debt, now about $25 billion short of $5 trillion, has been fueled for a generation by bureaucratic hot air; it is sort of like the weather, everybody has talked about it but almost nobody did much about it. That attitude began to change immediately after the elections in November 1994.

When the new 104th Congress convened this past January, the U.S. House of Representatives quickly approved a balanced budget amendment to the U.S. Constitution. On the Senate side, all but one of the 54 Republican Senators supported the balanced budget amendment.

That was the good news. The bad news was that only 13 Democrat Senators supported it, and that killed the balanced budget amendment for the time being. Since a two-thirds vote—67 Senators, if all Senators are present—is necessary to approve a constitutional amendment, the proposed Senate amendment failed by one vote. There will be another vote during the 104th Congress.

Here is today's bad debt boxscore:

As of the close of business Monday, October 16, the Federal debt—down to the penny—stood at exactly $4,967,827,640,196.29 or $18,857.96 for every man, woman, and child on a per capita basis.

BIOTECHNOLOGY PROCESS PATENTS

Mr. HATCH. Mr. President, this afternoon, the House gave final approval to S. 1111, a bill Senator KENNEDY and I have authored to remove barriers to the patenting of biotechnology processes by establishing a modified examination by the U.S. Patent and Trademark Office [PTO] of those patent applications.

Passage of this legislation is a tremendous testament to the foresight and capabilities of our House colleague, Representative CARLOS MOORHEAD, chairman of the House Judiciary Subcommittee on Courts and Intellectual Property. Chairman MOORHEAD drafted the original legislation this session, H.R. 587, which was approved in committee on June 7, 1995.

The bill now goes to the President for signature.

Mr. President, under the provisions of S. 1111, if a claimed biotechnology process uses or produces a patentable composition of matter, the process will be presumed nonobvious for the purpose of examining the process. This modified examination will resolve delays and inconsistent determinations faced by biotechnology patentees under present PTO practices, and thereby increase innovation and stimulate the development of new products and processes.

For the edification of my colleagues, I want to take this historic opportunity to explain the purpose of the bill and the need for the legislation.

Biotechnology: The Office of Technology Assessment defines biotechnology as ''any technique that uses living organisms—or substances from those organisms—to make or modify products, to improve plants or animals, or to develop microorganisms for specific uses.''

Biotechnology, in the sense of genetic manipulation, has been practiced by man for many hundreds of years. It has been used successfully by plant breeders in developing schemes for crossing plants to introduce and maintain desirable traits in various crops such as wheat or maize. Bakers and beverage producers have used yeast, a fungus, for leavening dough and for fermentation.

Today, the practice of biotechnology is far more powerful, with promising applications in diverse industries ranging from pharmaceuticals, agriculture and nutrition to environmental cleanup, new energy resources and law enforcement.

Some examples of widely known products made with the use of biotechnology include insulin, human growth hormone, home pregnancy tests, tests for diagnosing human immunodeficiency virus (HIV), vaccine against the Hepatitis B virus, and high-protein yielding corn.

The dramatic breakthroughs and future promises of biotechnology became possible in the 1950's when scientists James Watson and Francis Crick discovered the structure of DNA, or deoxyribonucleic acid. Ironically, neither scientist seemed aware that their discovery would give birth to an entire new generation of technology. In a March 12, 1953, letter to Max Delbruck, Watson wrote:

In the next day or so Crick and I shall send a note to Nature proposing our structure (of DNA) as a possible model, at the same time emphasizing its provisional nature and the lack of proof in its favor. Even if wrong, I believe it to be interesting since it provides a concrete example of a structure composed of complementary chains. If, by chance, it is right, then I suspect we may be making a slight dent into the manner in which DNA can reproduce itself.

The discovery of DNA put more than a slight dent in our knowledge of basic biology: it became the basis of a new, promising industry that has led to significant breakthroughs in the ability to improve human life.

DNA, known as the ultimate molecule of life, contains the codes that instruct cells to grow, to differentiate into specialized structures, to duplicate, and to respond to environmental changes.

DNA guides the special functions of cells by directing the synthesis of proteins. A gene, which is comprised of a specific section of DNA, contains the special instructions the cell needs to synthesize proteins. Proteins give living organisms their unique characteristics. Some proteins give the organism its structure; others mediate the many biochemical reactions that occur within the body and are necessary for organisms to function.

The DNA code for certain genes is sometimes defective. The defect may have been present at birth or later developed due to other factors such as infection, age, or exposure to ultraviolet light. When a defect occurs, the code for the synthesis of proteins is scrambled and causes the cell to produce either a defective protein or no protein at all. If the function of this defective protein is important, this can have serious consequences for the health of the organism. For human beings, the deficiency in the protein may lead to tragic disabilities like cancer and arthritis, or even lead to death. For corn and other agricultural crops, the incorrect protein may lead to limited resistance to insects or extinguishment of the crop all together.

Once scientists determine which specific protein performs which function in an organism, they, with the aid of biotechnology, are able to effectively fight disease and other abnormalities. For example, when the absence of a certain regulatory protein leads to cancer, it is possible to stop the growth of cancerous cells by replacing the defective gene with a normal one that would produce the necessary protein in the body.

It is also possible to reproduce the normal protein in another organism and then supply it in the human body. The technology enabling this method is known as recombinant DNA technology. A well-known example of such a method is the process used to produce insulin. Insulin is produced in mass quantities in microorganisms and then

injected into human beings to treat diabetes.

Proteins produced through recombinant DNA technology are used not only to treat numerous diseases, such as cancer, allergies, blood disorders, and infections, but also for more prosaic tasks, such as use in laundry detergents and food production. All of the tools that currently allow scientists to perform such marvels are the product of innovative research utilizing biotechnology.

Given the complexities of developing such treatments, the underlying research is often expensive and takes many years before it yields practical results. The biotechnology industry estimates that the average cost of discovery and bringing a single drug to market exceeds $230 million. It is also estimates that bringing a drug from initial discovery to final FDA approval takes an average of 12 years.

Certain incentives are necessary to encourage biotechnology researchers to invest in the much needed, but often expensive, research endeavors. To date, the patent laws have been the source of such incentives. The biotechnology industry relies heavily on patent protection in recouping the costs of bringing new drugs to the market. Furthermore, adequate patent protection is vital in persuading investors to provide the necessary capital to the industry.

The biotechnology industry has been one of the success stories in U.S. industry, creating new jobs and pioneering exciting breakthroughs that improve our way of life. However, the biotechnology industry now faces formidable challenges in continuing its ground-breaking research. Japan and Europe have invested heavily in biotech research and Japan has targeted pharmaceutical development as an industry of vital economic importance. In facing this competition, it is vital that the United States provide adequate and effective intellectual property protection for the biotechnology industry.

General patent protection: A patent on an invention gives the patent holder the right to exclude others from making, using, or seling that invention. Under 35 U.S.C., section 101, an inventor may obtain a patent on ''any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof . . .'' Once an invention is determined to be of the kind that may be patentable under section 101, it must also satisfy other requirements before a patent is granted on that particular invention. The two other major requirements are that the invention be ''novel'' and be ''nonobvious.''

If a U.S. patent is granted on a particular product, the owner of the patent can prevent others from manufacturing, selling, or importing the product in the United States. However, because patents are national rights, the owner of the U.S. patent cannot prevent others from manufacturing or selling the patented product in another country. In order to prevent others from exploiting his patented product in another country, the inventor must obtain a patent in that country.

A patent may be granted for a new method of using or a new method of making a product. Such patents are referred to as ''process patents.'' It is not uncommon for an inventor to seek both product and process patent protection relating to the same invention. A process patent must meet the same basic requirements for patentability as a product patent, that is, that the claimed invention be new, useful, and nonobvious. The owner of a process patent may prevent the sale or manufacture of a product made using that process.

The courts have described the difference between a process patent and a product patent as one relating to scope:

> A product patent gives the patentee the right to restrict the use and sale of the product regardless of how and by whom it was manufactured. A process patentee's power extends only to those products made by the patented process. A process patent thus ''leaves the field open to ingenious men to invent and to employ other processes. . . .'' A sale of a product made by a patented process does not itself infringe the patent; it is the unauthorized use of the process that infringes the patent.

The Process Patent Amendments Act of 1988 provided additional protection for process patent owners. Under this act, the process patent owner may not only prevent unauthorized domestic use of the process, but also the importation of foreign-manufactured products if a U.S. patented process was used in making the products. This amendment provides protection to domestic U.S. process patent holders against foreign companies using the U.S. patented process overseas and importing the resulting product into the United States without any recourse by the process patent owner for infringement. Therefore, a patent on the final product, or at least a patent on the process for making that product, is necessary in order to effectively protect innovators from the unfair competition of imported ''knock-offs'' of their creations.

Although a product patent is generally considered to provide better protection for innovators than process patents, they are often not available for products of biotechnology. Biotechnology products are difficult to patent because they are usually the recombinant version of a naturally occurring protein. In many cases, the naturally occurring version of the protein has been identified and described in the literature to some extent. Even if this protein has not been completely characterized, the patent application on the recombinant version of the protein may be denied because, in the eyes of the PTO, it is not novel, or it is obvious in light of the previous disclosure. In patent law parlance, that product has already been discovered and does not warrant a patent under the U.S. patent code.

A good example of this problem is human insulin. Human insulin was discovered in 1921 when scientists first extracted the protein from a dog's pancreas. In 1951, Frederick Sanger identified the chemical structure of human insulin and won the Nobel Prize for this discovery. He would not have been able to obtain a patent on insulin despite the fact that his discovery earned him the Nobel Prize. Then in 1979, David Goeddel synthesized human insulin using biotechnology methods, enabling patients to gain access to the product they needed to control their diabetes. Even Goeddel would not have been able to receive a product patent on insulin.

The difficulties in obtaining patents on products of biotechnology, therefore, make the availability of effective process patent protection vital in providing a reward for the achievements of biotechnology pioneers. Moreover, adequate protection is necessary to encourage the continued investment in biotechnology research and development.

Biotechnology process patenting: The ability of the biotechnology industry to obtain process patent protection has been undermined by the lack of clarity in the rules for the patentability of such process patents. Not only does the lack of adequate and effective process patent protection affect the industry's ability to fend off unfair competition of foreign-made products using U.S. patented starting products, but it also inhibits venture capital investment in biotechnology research.

The uncertainty in the rules of process patent protection has been the result of the Patent and Trademark Office's [PTO] inconsistent and erroneous application of In re Durden, and other related and conflicting decisions issued by the U.S. Court of Appeals for the Federal Circuit [CAFC].

Although In re Durden did not involve a biotechnology invention, the principles espoused by the court in that case have had a significant effect on the patentability of biotechnology processes. In re Durden involved an appeal of the PTO's denial of a patent for a process to make certain new chemical compounds. The process used was similar to one already familiar to those in the industry, however, it used a novel and nonobvious starting material and produced a novel and nonobvious chemical product. As stated by the court, the issue in the case was ''whether a chemical process, otherwise obvious, is patentable because either or both the specific starting material employed and the product obtained are novel and nonobvious.'' The court concluded that the process was not patentable. Given the particular facts of In re Durden, it held that a process using a new starting material to make a new product will not automatically be presumed nonobviousness for patentability purposes. It noted

that the patentability of each process claim must be evaluated on a case-by-case basis.

Since the In re Durden decision, it has become increasingly difficult to obtain process patent protection in the United States for genetic engineering inventions. It is reported that the PTO frequently cites this case in automatically rejecting applications for biotechnology processes.

The reasoning used in rejecting biotechnology process patent applications is as follows: The basic process of genetic engineering, recombinant DNA technology, is known. It consists of inserting a DNA molecule into a living cell so that the cellular machinery produces the specific protein encoded by the inserted DNA molecule. Therefore, when a new DNA molecule has been invented, it is assumed ''obvious'' that it can be used in a recombinant DNA process to produce the protein it encodes. Since nonobviousness is a condition for patentability, the process for producing the protein is rejected by the PTO as obvious. Under In re Durden, the process is rejected even if the starting materials used in the process in producing the final product are new and patentable.

The Court of Appeals for the Federal Circuit revisited the issue in the subsequent case of In re Pleuddemann. As with In re Durden, this case involved a challenge of the PTO's denial of a patent to a process. The challenger had a patent on a starting material that he used in the process at issue to make a patentable final product. Except for the use of the patented starting material, the process for making the final product was already known in the industry. The court held that the process in this particular case was patentable. In its opinion, the court emphasized that In re Durden was not to be read as a ''per se'' rule against patenting old processes that use new starting materials or produce new products.

The court distinguished In re Durden in this case on the ground that the process at issue in In re Pleuddemann involved a process of ''using'' rather than a process of ''making,'' which was the claimed process at issue in In re Durden. This distinction between the two types of processes was lost on many and has caused further confusion on the status of the law on patenting processes. It is not clear why a method of ''using'' a starting material should be treated differently, for purposes of determining nonobviousness, from a method of ''making'' the end product.

Relying on In re Pleuddemann, some applicants have manipulated phrasing in crafting patent applications to explain processes in terms of ''using'' rather than ''making.'' However, the PTO continues to reject such claims citing In re Durden and arguing that such claims are really a process of making claim in disguise

Although biotechnology innovators have difficulties obtaining patents on products and processes of biotechnology, they can receive patents on new starting materials they discover. However, unlike patents on products or the process by which those products are developed, U.S. patents on the starting materials fail to provide adequate protection from unfair foreign competition.

The U.S. patent on the starting materials—typically a new DNA molecule, a genetically altered host cell or a vector—can prevent others from using them in the United States in any way, including using them to produce a final product. However, without process patent protection, the patent owner of the starting materials cannot prevent another from taking the patented materials to another country, use it to produce a product based on such material, and import the product back into this country for commercial sale.

Under the patent laws, there is no infringement of the patent on the starting materials because there is no ''use'' of the materials in the United States. Without process patent protection, the inventor can not challenge the unfair importation of the product and is forced to watch helplessly as foreign copy-cats reap the harvest to which he, as a pioneer, is entitled.

The uncertainty in the examination of biotechnology process patents under current U.S. law has become a serious impediment to the development of new technologies in this industry. The confusion in the case has led to inconsistent results by patent examiners. The inconsistent application of the case law, in turn, has led to severe delays or denials of issuance of process patent protection to deserving patent applicants. The resolution of this problem will provide both certainty for patent applications in this field and adequate protection against unfair foreign competition.

It is not clear if or when the CAFC will resolve the confusion in the case law relating to process patents. Currently, there are two cases pending in the CAFC relating to this issue. These two cases have been pending before the CAFC for over 3 years, and there is no indication when the court might issue a decision on them. Even if the court issues a decision on these cases, it is by no means certain that they will resolve the confusion caused by In re Durden and related cases. The PTO, in congressional hearings, testified that it does not believe it can resolve the problem administratively because of the seemingly conflicting court opinions.

S. 1111 resolves the In re Durden problem in our patent law by providing that a biotechnological process of making or using a product may be considered nonobvious if the starting material or resulting product is patentable. This change will provide a degree of certainty to the protection of biotechnology inventions and will simplify the PTO's examination of biotechnology process patent applications. This bill will also allow U.S. researchers to enforce their patents claiming a certain starting material against the unfair importation of products made overseas using such material.

As my colleagues are aware, the Senate has gone on record in support of this change in the law many times, most recently in 1994 when we approved the Deconcini-Hatch legislation. I am proud that the Congress has now given final approval to the bill, and I am hopeful the President will sign the measure as soon as it reaches his desk.

Mr. President, I ask unanimous consent that the text of S. 1111 and a section-by-section summary be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD as follows:

S. 1111

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

SECTION 1. BIOTECHNOLOGICAL PROCESS PATENTS; CONDITIONS FOR PATENTABILITY; NONOBVIOUS SUBJECT MATTER.

Section 103 of title 35, United States Code, is amended—

(1) by designating the first paragraph as subsection (a);

(2) by designating the second paragraph as subsection (c); and

(3) by inserting after the first paragraph the following:

''(b)(1) Notwithstanding subsection (a), and upon timely election by the applicant for patent to proceed under this subsection, a biotechnological process using or resulting in a composition of matter that is novel under section 102 and nonobvious under subsection (a) of this section shall be considered nonobvious if—

''(A) claims to the process and the composition of matter are contained in either the same application for patent or in separate applications having the same effective filing date; and

''(B) the composition of matter, and the process at the time it was invented, were owned by the same person or subject to an obligation of assignment to the same person.

''(2) A patent issued on a process under paragraph (1)—

''(A) shall also contain the claims to the composition of matter used in or made by that process, or

''(B) shall, if such composition of matter is claimed in another patent, be set to expire on the same date as such other patent, notwithstanding section 154.

''(3) For purposes of paragraph (1), the term 'biotechnological process' means—

''(A) a process of genetically altering or otherwise inducing a single- or multi-celled organism to—

''(I) express an exogenous nucleotide sequence,

''(ii) inhibit, eliminate, augment, or alter expression of an endogenous nucleotide sequence, or

''(iii) express a specific physiological characteristic not naturally associated with said organism;

''(B) cell fusion procedures yielding a cell line that expresses a specific protein, such as a monoclonal antibody; and

''(C) a method of using a product produced by a process defined by (A) or (B), or a combination of (A) and (B).''.

SEC. 2. PRESUMPTION OF VALIDITY; DEFENSES.

Section 282 of title 35, United States Code, is amended by inserting after the second sentence of the first paragraph the following:

''Notwithstanding the preceding sentence, if a claim to a composition of matter is held invalid and that claim was the basis of a determination of nonobviousness under section 103(b)(1), the process shall no longer be considered nonobvious solely on the basis of section 103(b)(1).''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 1 shall apply to any application for patent filed on or after the date of enactment of this Act and to any application for patent pending on such date of enactment, including (in either case) an application for the reissuance of a patent.

SECTION-BY SECTION ANALYSIS AND DISCUSSION

SECTION 1. BIOTECHNOLOGICAL PROCESS PATENTS; CONDITIONS FOR PATENTABILITY; NONOBVIOUS SUBJECT MATTER

Section 1 provides a mechanism for applicants to facilitate the procurement of a patent for a biotechnological process that makes or uses a novel and non-obvious biotechnology product, overruling the decision in In re Durden, 763 F.2d 1406 (Fed. Cir. 1985). This section would amend section 103 of title 35, United States Code, to ensure that a biotechnological process would not be considered obvious, and thus unpatentable, if it either makes or uses a composition of matter that itself is novel and non-obvious.

The legislation has an impact on only one element of patentability of biotechnological processes—the element of non-obviousness. There is no guarantee of patentability even if the process claim satisfies the non-obvious provisions of the revised section 103. The process must still satisfy all other requirements of patentability, including novelty and utility among other requirements.

To qualify as non-obvious under this section, the claims to the process and the composition of matter, to which the process is linked, must be contained in either the same application for patent or in separate applications having the same effective filing date. Additionally, the composition of matter and the process at the time it was invented, must be owned by the same person or be subject to an obligation of assignment to the same person.

Section 1 also allows an applicant to demonstrate the independent patentability of a process under current law or proceed under the non-obviousness rule established by this section. Independent patentability may be demonstrated, for example, by showing the non-obviousness of the process through proof that the process demonstrates unpredictable results.

Finally, this section provides five possible definitions of the term ''biotechnological process.'' These definitions limit the applicability of this section to biotechnological process patents. The new definitions are broad enough to include most genetic engineering technologies that are currently being used by biotechnology researchers.

The first proffered definition explains a ''biotechnological process'' as a process of inducing an organism to express a characteristic not naturally associated with it through the methods of genetic engineering or other methods. Such a process may cause an organism to ''express an exogenous nucleotide sequence.'' An example of such a method is the process by which human insulin is produced in commercial quantities. The DNA sequence for human insulin is inserted into the bacteria E. coli so the bacteria begins expressing, or producing, human insulin in its cellular machinery.

This second definition of a ''biotechnological process'' specifies that such a process could be altering an organism to ''inhibit, eliminate, augment, or alter expression of an endogenous nucleotide sequence.'' A popular example of a product produced by such a process is the Flavr-Savr Tomato. This process involves the alteration of tomatoes to eliminate the inter-cellular production of an enzyme that causes the tomato to rot. By eliminating the expression of this ''rotting'' enzyme, the tomato is allowed to have a longer shelf-life.

The third qualifying definition interprets ''biotechnological process'' as altering an organism to ''express a specific physiological characteristic not naturally associated with said organism.'' The Hepatitis B virus vaccine is produced utilizing such a process. The ''antigen,'' or surface protein to which the human immune system responds, for Hepatitis B is inserted into yeast to yield commercial quantities of the protein. The expression of the protein does not occur naturally in yeast but does so because its genetic coding has been altered. The protein is then removed from the yeast and injected into humans to induce the body to safely and naturally produce an immune reaction to fight the deadly virus, which causes liver damage and cancer. The use of such a process to combat many human and animal diseases, including AIDS.

The fourth qualifying definition comprises ''cell fusion procedures.'' An example of such a process is the method used for producing monoclonal antibodies, referred to by scientists as ''hybridoma technology.'' This technology involves fusing spleen cells that produce certain desired antibodies to a specialized ''immortal'' cell—usually a cancer cell—that no longer produces an antibody of its own. The resulting fused cells, or ''hybridomas,'' grow continuously and rapidly like a cancer cell, yet they produce the desired antibodies. Monoclonal antibodies are widely used in targeting special cells to diagnose infections and cancer. The possibility of their use in the direct treatment of cancer and immune disorders is currently a major focus of biomedical researchers.

Finally, the fifth definition of a qualifying ''biotechnological process'' is described as any method of using a final product that has been produced by a process defined by any of the other four definitions provided or a combination of the processes thereof.

SECTION 2. PRESUMPTION OF VALIDITY

This section provides that if a patent claim to a composition of matter—either the starting material or the final product—is held invalid because the Patent and Trademark Office determines that it is non-obvious, the patent process application that is dependent on that composition of matter will no longer be entitled to rely on that composition of matter for a presumption of non-obviousness. In such a case, the inventor must show that such a process is non-obvious without relying on this legislation.

SECTION 3. EFFECTIVE DATE

The amendments made by this act are effective on the date of enactment. The amendments will apply to all patents filed on or after the date of enactment and all patent applications, including applications for the reissuance of a patent, pending on the date of enactment.

MESSAGES FROM THE HOUSE

At 2:24 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate.

H.R. 2405. An act to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes.

At 6:09 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, without amendment.

S. 227. An act to amend title 17, United States Code, to provide an exclusive right to perform sound recordings publicly by means of digital transmissions and for other purposes.

S. 268. An act to authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes.

S. 1111. An act to amend title 35, United States Code, with respect to patents on biotechnological processes.

The message also announced that the Speaker appoints Mr. OBERSTAR as a conferee in the committee of conference on the disagreeing votes of the two Houses on the amendment numbered 4 of the House to 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; to fill the vacancy resulting from the resignation from the House of Representatives of Mr. Mineta.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House:

From the Permanent Select Committee on Intelligence, for consideration of the House bill, and the Senate amendment, and modifications committed to conference: Mr. COMBEST, Mr. DORNAN, Mr. YOUNG of Florida, Mr. HANSEN, Mr. LEWIS of California, Mr. GOSS, Mr. SHUSTER, Mr. MCCOLLUM, Mr. CASTLE, Mr. DICKS, Mr. RICHARDSON, Mr. DIXON, Mr. TORRICELLI, Mr. COLEMAN, Mr. SKAGGS, and Ms. PELOSI.

From the Committee on National Security for the consideration of defense tactical intelligence and related activities: Mr. SPENCE, Mr. STUMP, and Mr. DELLUMS.

As additional conferees from the Committee on International Relations, for consideration of section 303 of the House bill, and section 303 of the Senate amendment, and modifications committed to conference: Mr. GILMAN, Mr. SMITH of New Jersey, and Mr. BERMAN.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated: