

purposes such as further reproduction may be submitted for the original. Service upon such counsel or representative shall constitute service upon the party, but a copy also shall be transmitted to the party.

(c) A signed and dated statement of service shall accompany each document submitted to the Board. The statement of service shall include the names of the parties and persons served, their addresses, the date of service, the nature of the document served, and the manner in which service was made.

(d) The date of service or date served shall be the day when the matter served is deposited in the U.S. mail or is delivered in person.

(e) Unless otherwise provided by the Board or its designated representatives, any document or paper filed with the Board under these rules, together with any enclosure filed therewith, shall be submitted on 8 1/2" x 11 inch size paper.

§2471.6 Investigation of request; Board recommendation and assistance; approval of binding arbitration.

(a) Upon receipt of a request for consideration of an impasse, the Board or its designee will promptly conduct an investigation, consulting when necessary with the parties and with any mediation service utilized. After due consideration, the Board shall either:

(1) Decline to assert jurisdiction in the event that it finds that no impasse exists or that there is other good cause for not asserting jurisdiction, in whole or in part, and so advise the parties in writing, stating its reasons; or

(2) Recommend to the parties procedures, including but not limited to arbitration, for the resolution of the impasse and/or assist them in resolving the impasse through whatever methods and procedures the Board considers appropriate.

(b) Upon receipt of a request for approval of a binding arbitration procedure, the Board or its designee will promptly conduct an investigation, consulting when necessary with the parties and with any mediation service utilized. After due consideration, the Board shall either approve or disapprove the request; *provided, however*, that when the request is made pursuant to an agreed-upon procedure for arbitration contained in an applicable, previously negotiated agreement, the Board may use an expedited procedure and promptly approve or disapprove the request, normally within five (5) workdays.

§2471.7 Preliminary hearing procedures.

When the Board determines that a hearing is necessary under §2471.6, it will:

(a) Appoint one or more of its designees to conduct such hearing; and

(b) issue and serve upon each of the parties a notice of hearing and a notice of prehearing conference, if any. The notice will state: (1) The names of the parties to the dispute; (2) the date, time, place, type, and purpose of the hearing; (3) the date, time, place, and purpose of the prehearing conference, if any; (4) the name of the designated representatives appointed by the Board; (5) the issues to be resolved; and (6) the method, if any, by which the hearing shall be recorded.

§2471.8 Conduct of hearing and prehearing conference.

(a) A designated representative of the Board, when so appointed to conduct a hearing, shall have the authority on behalf of the Board to:

(1) Administer oaths, take the testimony or deposition of any person under oath, receive other evidence, and issue subpoenas;

(2) Conduct the hearing in open, or in closed session at the discretion of the designated representative for good cause shown;

(3) Rule on motions and requests for appearance of witnesses and the production of records;

(4) Designate the date on which posthearing briefs, if any, shall be submitted;

(5) Determine all procedural matters concerning the hearing, including the length of sessions, conduct of persons in attendance, recesses, continuances, and adjournments; and take any other appropriate procedural action which, in the judgment of the designated representative, will promote the purpose and objectives of the hearing.

(b) A prehearing conference may be conducted by the designated representative of the Board in order to:

(1) Inform the parties of the purpose of the hearing and the procedures under which it will take place;

(2) Explore the possibilities of obtaining stipulations of fact;

(3) Clarify the positions of the parties with respect to the issues to be heard; and

(4) Discuss any other relevant matters which will assist the parties in the resolution of the dispute.

§2471.9 Report and recommendations.

(a) When a report is issued after a hearing conducted pursuant to §§2471.7 and 2471.8, it normally shall be in writing and, when authorized by the Board, shall contain recommendations.

(b) A report of the designated representative containing recommendations shall be submitted to the parties, with two (2) copies to the Executive Director, within a period normally not to exceed thirty (30) calendar days after receipt of the transcript or briefs, if any.

(c) A report of the designated representative not containing recommendations shall be submitted to the Board with a copy to each party within a period normally not to exceed thirty (30) calendar days after receipt of the transcript or briefs, if any. The Board shall then take whatever action it may consider appropriate or necessary to resolve the impasse.

§2471.10 Duties of each party following receipt of recommendations.

(a) Within thirty (30) calendar days after receipt of a report containing recommendations of the Board or its designated representative, each party shall, after conferring with the other, either:

(1) Accept the recommendations and so notify the Executive Director; or

(2) Reach a settlement of all unresolved issues and submit a written settlement statement to the Executive Director; or

(3) Submit a written statement to the Executive Director setting forth the reasons for not accepting the recommendations and for not reaching a settlement of all unresolved issues.

(b) A reasonable extension of time may be authorized by the Executive Director for good cause shown when requested in writing by either party prior to the expiration of the time limits.

§2471.11 Final action by the Board.

(a) If the parties do not arrive at a settlement as a result of or during actions taken under §2471.6(a)(2), 2471.7, 2471.8, 2471.9, and 2471.10, the Board may take whatever action is necessary and not inconsistent with 5 U.S.C. chapter 71, as applied by the CAA, to resolve the impasse, including but not limited to, methods and procedures which the Board considers appropriate, such as directing the parties to accept a factfinder's recommendations, ordering binding arbitration conducted according to whatever procedure the Board deems suitable, and rendering a binding decision.

(b) In preparation for taking such final action, the Board may hold hearings, administer oaths, and take the testimony or deposition of any person under oath, or it may appoint or designate one or more individuals pursuant to 5 U.S.C. 7119(c)(4), as applied by the CAA, to exercise such authority on its behalf.

(c) When the exercise of authority under this section requires the holding of a hearing, the procedure contained in §2471.8 shall apply.

(d) Notice of any final action of the Board shall be promptly served upon the parties, and the action shall be binding on such parties during the term of the agreement, unless they agree otherwise.

2471.12 Inconsistent labor agreement provisions.

Any provisions of the parties' labor agreements relating to impasse resolution which are inconsistent with the provisions of either 5 U.S.C. 7119, as applied by the CAA, or the procedures of the Board shall be deemed to be superseded.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3027. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Importation of Embryos from Ruminants and Swine from Countries Where Rinderpest or Foot-and-Mouth Disease Exists (APHIS Docket No. 94-006-2) received May 13, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3028. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Import/Export User Fees (APHIS Docket No. 92-174-2) (RIN: 0579-AA67) received May 15, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3029. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Ohio (FRL-5439-4) received May 14, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3030. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rules—(1) State of California; approval of Section 112(1) Authority for Hazardous Air Pollutants; Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (FRL-5444-6), (2) Acid Rain Program: Continuous Emission Monitoring (FRL-5506-6), (3) Propylene Oxide; Pesticide Tolerance (PP 6E4647/R2220) (FRL-5357-8), and (4) National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List (FRL-5507-3) received May 14, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3031. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Korea (Transmittal No. DTC-19-96), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3032. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting a draft of proposed legislation to authorize appropriations for the U.S. Merit

Systems Protection Board, pursuant to 31 U.S.C. 1110; to the Committee on Government Reform and Oversight.

3033. A letter from the Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service, transmitting the Service's final rule—Groundfish of the Gulf of Alaska; Pacific cod in the Western Regulatory Area [Docket No. 960129018-6108-01; I.D. 050396C] received May 15, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3034. A letter from the Program Management Officer, National Marine Fisheries Service, transmitting the Service's final rule—American Lobster Fishery; Technical Amendment [Docket No. 960409108-6108-01; I.D. 040596A] (RIN: 0648-XX61) received May 15, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3035. A letter from the Chair of the Board, Office of Compliance, transmitting notice of proposed rulemaking for publication in the CONGRESSIONAL RECORD, pursuant to Public Law 104-1, section 304(b)(1) (109 Stat. 29); jointly, to the Committees on House Oversight and Economic and Educational Opportunities.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOLOMON: Committee on Rules. House Resolution 435. Resolution providing for further consideration of the concurrent resolution (H. Con. Res. 178) establishing the congressional budget for the United States Government for fiscal year 1997 and setting forth appropriate budgetary levels for fiscal year 1998, 1999, 2000, 2001, 2002 (Rept. 104-577). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. COMBEST: Permanent Select Committee on Intelligence. H.R. 3259. A bill to authorize appropriations for fiscal year 1997 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; with an amendment; referred to the Committee on National Security for a period ending not later than May 16, 1996, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(k), rule X.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. JACKSON-LEE (for herself, Mr. RANGEL, Mr. PAYNE of New Jersey, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP, Mr. ACKERMAN, Ms. BROWN of Florida, Ms. NORTON, Mr. JEFFERSON, Mr. STOKES, Mr. WATT of North Carolina, Mr. CLYBURN, Mr. LEWIS of Georgia, Mr. CONYERS, Mr. OWENS, Mr. FATTAH, Mr. HILLIARD, Mr. RICHARDSON, Mr.

COLLINS of Georgia, Mr. JACKSON, Mr. DELLUMS, Mr. ANDREWS, Mr. ORTIZ, Mr. RUSH, Ms. SLAUGHTER, Mr. GIBBONS, Mr. CLAY, Ms. VELAZQUEZ, Mr. GUTIERREZ, Mrs. MINK of Hawaii, Mr. BROWN of California, and Mr. LEVIN):

H.R. 3457. A bill to amend the Internal Revenue Code of 1986 to suspend the 4.3-cent general revenue portion of the fuel excise taxes; to the Committee on Ways and Means, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EVERETT (for himself, Mr. STUMP, Mr. MONTGOMERY, and Mr. EVANS):

H.R. 3458. A bill to increase, effective as of December 1, 1996, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. BUYER (for himself and Mr. FILNER):

H.R. 3459. A bill to amend title 38, United States Code, to extend the enhanced loan asset sale authority of the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MOORHEAD (for himself, Mrs. SCHROEDER, Mr. CONYERS, Mr. SENBENNER, Mr. COBLE, Mr. GOODLATTE, Mr. BERMAN, Mr. BOUCHER, Mr. GALLEGLY, Mr. HOKE, Mr. NADLER, and Ms. LOFGREN):

H.R. 3460. A bill to establish the Patent and Trademark Office as a Government corporation, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMAS:

H.R. 3461. A bill to authorize appropriations for the Federal Election Commission for fiscal year 1997; to the Committee on House Oversight.

By Mr. CARDIN (for himself, Mr. WATTS of Oklahoma, Mr. GILMAN, Mr. HOYER, Mrs. MORELLA, Mr. LAFALCE, Mr. PICKETT, Mr. CRAMER, Mr. POMEROY, Mr. BREWSTER, Mr. MORAN, Mr. JOHNSON of South Dakota, Mrs. MEEK of Florida, and Mr. EHRLICH):

H.R. 3462. A bill to amend title 5, United States Code, to require that written notice be furnished by the Office of Personnel Management before making any substantial change in the health benefits program for Federal employees; to the Committee on Government Reform and Oversight.

By Mr. GUTIERREZ:

H.R. 3463. A bill to provide for a livable wage for employees under Federal contracts and subcontracts; to the Committee on Economic and Educational Opportunities, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HANCOCK:

H.R. 3464. A bill to make a minor adjustment in the exterior boundary of the Devils Backbone Wilderness in the Mark Twain National Forest, MO, to exclude a small parcel of land containing improvements; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mrs. KENNELLY, Mr. SHAW, Mrs. MORELLA, Mrs. LOWEY, Mrs. CLAYTON, Mrs. CUBIN, Ms. DELAURO,

Ms. DUNN of Washington, Mrs. FOWLER, Ms. GREENE of Utah, Mrs. KELLY, Ms. LOFGREN, Mrs. MEEK of Florida, Mrs. MEYERS of Kansas, Mrs. MYRICK, Ms. PRYCE, Mrs. SEASTRAND, Mrs. SCHROEDER, Mrs. VUCANOVICH, Ms. WOOLSEY, Mr. CAMP, Mr. CHRISTENSEN, Mr. COLLINS of Georgia, Mr. CRANE, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. HOUGHTON, Mr. MATSUI, Mr. MCCREY, Mr. NEAL of Massachusetts, Mr. PORTMAN, Mr. RAMSTAD, Mr. ZIMMER, Mr. HOBSON, Mr. NUSSLE, Mr. UPTON, Mr. TORKILDSEN, Mr. FOLEY, Mr. BOEHLERT, and Mr. FRELINGHUYSEN):

H.R. 3465. A bill to amend part D of title IV of the Social Security Act to improve child support enforcement services, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Banking and Financial Services, the Judiciary, National Security, Transportation and Infrastructure, International Relations, Economic and Educational Opportunities, and Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Mr. TORRICELLI, Mr. GONZALEZ, Mr. YATES, Mr. CLAY, Mr. CONYERS, and Mr. STARK):

H.R. 3466. A bill to eliminate taxpayer subsidies for recreational shooting programs, and to prevent the transfer of federally owned weapons, ammunition, funds, and other property to a private corporation for the promotion of rifle practice and firearms safety; to the Committee on National Security.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 833: Mr. CAMPBELL.

H.R. 922: Mrs. CLAYTON.

H.R. 1023: Mr. BROWN of Ohio, Mr. RUSH, and Mr. MARTINEZ.

H.R. 1140: Mr. NADLER.

H.R. 1210: Mr. ENGLISH of Pennsylvania.

H.R. 1353: Mr. POMEROY.

H.R. 1402: Mr. CLAY.

H.R. 2011: Mr. GANSKE.

H.R. 2026: Mr. FRANK of Massachusetts, Mr. BACHUS, Mr. YOUNG of Alaska, Mr. HASTINGS of Florida, Mr. VOLKMER, Mr. SAWYER, Mr. TAYLOR of Mississippi, and Mr. GALLEGLY.

H.R. 2270: Mr. BATEMAN, Mr. CLINGER, Mr. KINGSTON, Mr. CREMEANS, Mr. BUNNING of Kentucky, Mr. KING, Mr. CAMPBELL, Mr. JONES, and Mr. BEREUTER.

H.R. 2272: Mr. NADLER and Mr. PICKETT.

H.R. 2463: Ms. SLAUGHTER.

H.R. 2508: Mr. UPTON.

H.R. 2579: Mr. LATHAM.

H.R. 2807: Mr. THORNBERRY, Mr. FATTAH, Mr. NORWOOD, and Mr. TOWNS.

H.R. 2931: Mr. WISE, Mr. BAKER of Louisiana, Mr. MANTON, Ms. MCCARTHY, and Mr. ACKERMAN.

H.R. 2976: Mr. BENTSEN, Mr. BROWN of Ohio, Mrs. CHENOWETH, Mrs. COLLINS of Illinois, Mr. DE LA GARZA, and Mr. WELDON of Florida.

H.R. 3012: Mr. COSTELLO, Mr. KINGSTON, Mr. HAYES, Mr. CLEMENT, and Ms. KAPTUR.

H.R. 3030: Mrs. THURMAN, Mr. JACKSON, and Mr. FILNER.

H.R. 3038: Mr. BLUTE and Mr. EMERSON.

H.R. 3060: Mr. FAWELL and Mr. PORTER.

H.R. 3083: Mrs. CHENOWETH, Mr. PORTER, Mr. DOOLITTLE, and Mr. DOOLEY.