

NATIONAL TRANSPORTATION
SAFETY BOARD AMENDMENTS
OF 1996

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 503, S. 1831.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1831) to amend title 49, United States Code, to authorize appropriations for fiscal years 1997, 1998, and 1999 for the National Transportation Safety Board, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. PRESSLER. Mr. President, I am pleased to bring to the Senate S. 1831, the National Transportation Safety Board Amendments of 1996. This bill is sponsored by myself, along with Senators HOLLINGS, LOTT, FORD, and STEVENS. As chairman of the Committee on Commerce, Science, and Transportation, I urge swift passage of this bipartisan reauthorization bill.

Mr. President, the National Transportation Safety Board [NTSB] is one of our government's most important independent agencies. Its statutory mission is to determine the probable cause of transportation accidents and to promote transportation safety. The NTSB is world renown for its timely and expert determinations of accident causation and for issuing realistic and feasible safety recommendations.

The NTSB investigates all types of transportation accidents and incidents. It also conducts transportation safety studies and evaluates the effectiveness of other government agencies' programs for preventing transportation accidents. Indeed, its work product is critical.

As my colleagues are acutely aware, the NTSB is faced with an extremely heavy workload. In addition to investigating the two most recent major aviation accidents, TWA flight 800 and ValuJet flight 592, the NTSB continues its work on several other major ongoing investigations, including the USAir accident near Pittsburgh, Pennsylvania, the school bus/train collision in Fox River Grove, Illinois, and the MARC commuter Train/Amtrak collision near Silver Spring, MD. Many other investigations also are underway.

Mr. President, the NTSB's authorization expires at the end of fiscal year 1996—the end of this month. Earlier this year, the Senate Committee on Commerce, Science, and Transportation held a hearing on issues relating to reauthorization of the NTSB. On June 4, 1996, S. 1831 was introduced. It was ordered reported by a unanimous vote of the Commerce Committee on June 6, 1996.

S. 1831 provides a three year authorization of appropriations for fiscal years 1997, 1998 and 1999 at a level of 370 FTEs. It establishes sufficient funding

levels to enable the NTSB to carry out its immense workload, yet does so in a fiscally responsible manner.

The bill also includes a few minor statutory changes as requested by the NTSB. First, the bill provides a temporary deferral of Freedom of Information Act (FOIA) requests regarding the release of foreign aviation accident or incident information for 2 years or until the foreign government leading the investigation approves the release of the information. This would apply to NTSB participation in foreign accident investigations only. Additionally, the NTSB would not be restricted from utilizing foreign accident investigation information in making safety recommendations.

Mr. President, the December 1995 American Airlines accident in Colombia is a good example of the kind of problem this provision seeks to remedy. Because of the location of the accident, the Colombian government is leading the investigation and the NTSB is participating. As a participant, NTSB has complete access to accident information, but the Government of Colombia—as lead investigator—determines when any information can be released. Since NTSB is covered by FOIA, any information in the Board's possession could be requested under FOIA. To avoid releasing information prior to the Colombian government's approval, I am told the NTSB avoids bringing any accident information into its actual possession and control. This hampers NTSB's ability to effectively assist in the investigation of this type of accident.

Second, the legislation creates a statutory exemption from FOIA for aviation data voluntarily supplied to the NTSB. The aviation industry currently generates a wealth of information not required to be collected by the government. While this data could be extremely useful to the NTSB, the industry is reluctant to share it because of concerns it will be released to the public through FOIA requests. This provision is designed to encourage the aviation industry to more freely share significant safety-related data with the Board.

Finally, S. 1831 grants authority to the Board to charge non-NTSB personnel attending its training courses for the costs associated with their attendance.

The NTSB carries out an enormously important public service. They do admirable work and deserve our full support. This legislation will ensure the NTSB can continue its essential work in an efficient manner.

Mr. President, the amendment I am offering to S. 1831 is almost identical to S. 1957, the Intermodal Safe Container Transportation Amendments Act of 1996, which I introduced on July 16, 1996. It is designed to give motor carriers the information necessary to prevent the carriage of overweight intermodal containers. S. 1957, cosponsored by Senators LOTT, INOUE and BREAUX,

is a bipartisan technical corrections bill to the Intermodal Safe Container Transportation Act of 1992.

To address legitimate concerns raised by shippers and carriers about implementation of the 1992 Act, including timely compliance and the need for world-wide education, this amendment would help streamline the implementation process. It would reduce unnecessary paperwork requirements that otherwise would be imposed and allow greater use of electronic interchange technology to expedite the transfer of information. It also would eliminate needless compliance burdens on smaller shipments, yet ensure the intent of the 1992 Act is not jeopardized.

Mr. President, overweight vehicles impair safety and cause severe damage to our nation's highway infrastructure. The purpose of the 1992 Act was to help prevent the operation of overweight vehicles on our nation's roads and highways. This amendment would help ensure the purpose of the 1992 Act is carried out by allowing the law to be implemented in a reasonable manner.

Mr. President, this amendment is critical to the future of intermodal transportation. I urge its adoption and passage of S. 1831.

Mr. FORD. Mr. President, the passage of S. 1831, which reauthorizes the National Transportation Safety Board [NTSB] is a very important matter.

One cannot watch television lately without seeing the NTSB in action. Everyone knows that the NTSB is the primary agency responsible for investigating each accident. When an accident occurs, it is the NTSB's job to secure the scene, and coordinate all activities. The Board has spent and is still spending countless hours trying to figure out the TWA crash off of Long Island, the ValuJet crash in Florida, the USAir crash in Pittsburgh, the American crash in Cali, Colombia, and the crash of Ron Brown's plane in Croatia, to name but a few. No matter what the circumstances of any accident, the NTSB is always there to fulfill their vital role. The Board's work in other transportation areas also continues. Rail, highway, and maritime accidents continue to receive the care and attention of the NTSB needed to make our transportation system safer.

I would like to commend all the NTSB staff and its Board members for their fine work and dedication. While we often recognize the Chairman of the Board, Jim Hall, and the Vice Chairman, Bob Francis, they know the quality of the NTSB employees. The staff's efforts are really an example of public service at its very best.

The President has also given the NTSB a new role. The NTSB has been designated as the lead agency for providing information and coordinating services for the families of victims of aviation disasters. This is a key role. The NTSB may require additional resources, and we may need to revisit the issue next year.

The bill before us today ensures that the NTSB will be able to continue carrying out its mandate. The bill provides \$42.4 million for fiscal year 1997, \$44.4 million for fiscal year 1998, and \$46.6 million for fiscal year 1999. The bill authorizes 370 FTE's, an additional 20 FTE's from the original request submitted by the administration. It is clear from seeing the demands placed on the NTSB that the additional staff are needed.

As a cosponsor of the bill, I urge my colleagues to support it.

Mr. INOUE. Mr. President, I rise in support of S. 1831 which is similar to H.R. 3152 which the Senate will pass tonight. Title I of this bill reauthorizes the National Transportation Safety Board [NTSB]. The NTSB plays an integral role in the transportation life of this nation and it deserves our continued support and respect. The NTSB has over many years acquitted itself in determining the cause of transportation accidents and recommending actions to prevent repetitions of these accidents. Particularly over the last several months NTSB has shown the World its professionalism. I wish to note my firm support for the agency its members and its personnel and assure them and this body of my continued support for an appropriation that allows it to accomplish its mission. Safety is the highest mission any agency can have and the NTSB clearly is a lead agency in ensuring the safety of the travelling public.

I also support title II of S. 1831, which contains the Intermodal Safe Container Transportation Amendments Act of 1996. These amendments modify the Intermodal Safe Container Transportation Act of 1992, Public Law 102-548 in an effort to strengthen that legislation. These amendments have been crafted in a true bipartisan manner. The Commerce Committee staff has crafted these amendments with industry representatives and in consultation with the Department of Transportation. In fact, these amendments are supported by a wide range of transportation and shipper interests. Carriers of every transportation mode have written in support of these amendments. In addition, the Nation's largest shipper associations and the nation's ports also support this effort.

These amendments will prevent cargo at the Nation's ports from simply lying at those ports and ensure rather that cargo speeds to its destination. Under the original legislation, cargo in containers weighing over 10,000 pounds would have to be certified, in writing, by the shipper before the container could leave the port for its next destination. The truck driver or the rail carrier taking the container to its next destination would be required to carry that certification and subject to a fine if he or she is caught without this piece of paper. Potentially, the certification could be delayed, or in the case of international cargo there could be delayed, or in the case of international cargo there could

be confusion as to the requirement for a certificate. Should a container not have a certificate it would be required to stay at the port or at the point of shipment clogging the port and delaying delivery of critical time sensitive cargo.

These amendments clarify and simplify the procedures for certification. One provision of these amendments prevents delay and confusion by the simple expedient of raising the certification requirement to 29,000 pounds. Certification as to the weight of the container will be required if its weight is in excess of that amount. With this provision fewer containers will be required to remain at port or point of shipment awaiting certification.

Another provision dispenses with the requirement that the certification be carried with the container. Instead, the information on the certification will be required to be made available on request. Thus, police officers or state officials requesting the certification information could access it by fax or other electronic means. The information would be provided without the unnecessarily delaying transport.

It is important to note what these amendments do not do. They do not in anyway alter any State or Federal law limiting the amount of weight a motor carrier or rail carrier may carry. Likewise, the amendments do not change current limits concerning the amount of hazardous materials a carrier may transport. These limits are left intact. It bears repeating: These amendments do not change any law respecting the transportation of hazardous materials or place any additional burden on the Nation's highway and bridges.

I urge my colleagues to vote in favor of this legislation.

Mr. HOLLINGS. Mr. President, I am pleased the Senate is considering S. 1831, a bill which reauthorizes the National Transportation Safety Board [NTSB].

As we know, all too well I might add, the NTSB is required to investigate transportation accidents. It is called upon immediately following a transportation catastrophe to send out the right people to carry out a thorough examination of the facts and circumstances surrounding each event. We can see evidence of NTSB investigators carrying out this mandate every day on the news as they continue the grim task of investigating the crash of TWA Flight 800 off the coast of Long Island. This inquiry is being conducted simultaneously with the ValuJet Flight 592 investigation in the Everglades. The NTSB is asked repeatedly to assist in investigations overseas such as the one a few months ago in Croatia where my good friend Ron Brown was killed in a military plane crash. When a barge hits a railroad bridge, or a train collides with another train, the NTSB is called upon to figure out what happened, and more importantly, to figure out how to prevent tragedies from recurring.

Concerning TWA Flight 800, the NTSB is working with local and State officials, the FBI, the Navy, and most importantly, with the families. The investigation is a painstaking, detailed process—literally requiring divers to pick up by hand the wreckage 110 feet below the surface. The divers, working in teams, have done an extraordinary job to facilitate the NTSB's investigation. Teamwork is essential and the efforts of all involved are very much appreciated.

The NTSB does excellent work. I would especially like to commend its Chairman Jim Hall and Vice Chairman Robert Francis for all their hard work and dedication. Their service on the NTSB could not have come at a more critical time, and I appreciate their great efforts as well as those of the other members of the Board and all the NTSB staff.

As I have said before, if this were a perfect world, we would not need the NTSB. But as we have seen all too well in the last few months, we need the NTSB now more than ever. Ensuring the safety of our transportation system is of primary importance, and I believe passage of this bill is vital to that goal.

I urge my colleagues to vote in favor of this legislation.

Mr. BREAU. Mr. President, I rise in support of the bill that reauthorizes the operations of the National Transportation Safety Board [NTSB]. The NTSB is an extremely important Federal agency, as evidenced by their professionalism in the investigation of the recent Valujet and TWA airplane disasters. Safety should be one of the paramount transportation issues confronting the Federal Government, and the Federal Government's paramount transportation safety agency is the NTSB. The NTSB deserves our support.

I am particularly pleased to see that the NTSB reauthorization has been amended to include a new Title II, which would add the provisions of S. 1957, the Intermodal Safe Container Transportation Act Amendments Act. The Intermodal Safe Container Transportation Amendments Act is a bill which would address some of the problems which were created with the 1992 enactment of the original Intermodal Safe Container Transportation Act.

The purpose for enacting the original Intermodal Safe Container Transportation Act was to ensure that intermodal shipping containers were not exceeding certain weight limitations. Overweight shipping containers constitute a significant threat to the safety of our Nations infrastructure. The principals of the original enactment were sound. Unfortunately, the implementation of that original Intermodal Safe Container Act has the potential to unnecessarily create a number of problems that could impede the transfer of intermodal containers and affect our international and domestic intermodal trade.

A coalition of ocean shipping companies, trucking companies, railroad

companies, ports and shippings have worked hard to develop a legislative proposal to address the problems that could be caused through the implementation of the original law. Senate Commerce Committee staff has worked to further refine the industry proposal. I believe that the provisions embodied in S. 1957, balance the interests of all segments of the transportation community, while at the same time preserving the original bill's intent to protect our infrastructure from overweight containers. This bill in no way impedes the application of current laws governing the safe transportation of hazardous materials.

As a Senator from the State of Louisiana, who represents the Port of the New Orleans, I understand the special importance of continuing to facilitate international and domestic trade in as safe a manner as possible. I urge my colleagues to support the NTSB reauthorization bill, and to help facilitate the implementation of the Intermodal Safe Contained Transportation Act.

AMENDMENT NO. 5390

(Purpose: To amend chapter 59 of title 49, United States Code, relating to intermodal safe container transportation)

Mr. STEVENS. Mr. President, Senator PRESSLER has an amendment at the desk. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS], for Mr. PRESSLER, proposes an amendment numbered 5390.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, before line 1, insert the following:

TITLE I—NTSB AMENDMENTS

On page 2, line 1, strike "SECTION 1." and insert "SEC. 101."

On page 2, line 4, strike "SEC. 2." and insert "SEC. 102."

On page 3, line 3, strike "SEC. 3." and insert "SEC. 103."

On page 3, line 17, strike "SEC. 4." and insert "SEC. 104."

On page 4, line 8, strike "SEC. 5." and insert "SEC. 105."

On page 4, after line 15, insert the following:

TITLE II—INTERMODAL TRANSPORTATION

SEC. 201. SHORT TITLE.

This title may be cited as the "Intermodal Safe Container Transportation Amendments Act of 1996".

SEC. 202. AMENDMENT OF TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49 of the United States Code.

SEC. 203. DEFINITIONS.

Section 5901 (relating to definitions) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) except as otherwise provided in this chapter, the definitions in sections 10102 and 13102 of this title apply.";

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(3) by inserting after paragraph (5) the following:

"(6) 'gross cargo weight' means the weight of the cargo, packaging materials (including ice), pallets, and dunnage."

SEC. 204. NOTIFICATION AND CERTIFICATION.

(a) PRIOR NOTIFICATION.—Subsection (a) of section 5902 (relating to prior notification) is amended—

(1) by striking "Before a person tenders to a first carrier for intermodal transportation a" and inserting "If the first carrier to which any";

(2) by striking "10,000 pounds (including packing material and pallets), the person shall give the carrier a written" and inserting "29,000 pounds is tendered for intermodal transportation is a motor carrier, the person tendering the container or trailer shall give the motor carrier a";

(3) by striking "trailer." and inserting "trailer before the tendering of the container or trailer.";

(4) by striking "electronically." and inserting "electronically or by telephone."; and

(5) by adding at the end thereof the following: "This subsection applies to any person within the United States who tenders a container or trailer subject to this chapter for intermodal transportation if the first carrier is a motor carrier."

(b) CERTIFICATION.—Subsection (b) of section 5902 (relating to certification) is amended to read as follows:

"(b) CERTIFICATION.—

"(1) IN GENERAL.—A person who tenders a loaded container or trailer with an actual gross cargo weight of more than 29,000 pounds to a first carrier for intermodal transportation shall provide a certification of the contents of the container or trailer in writing, or electronically, before or when the container or trailer is so tendered.

"(2) CONTENTS OF CERTIFICATION.—The certification required by paragraph (1) shall include—

"(A) the actual gross cargo weight;

"(B) a reasonable description of the contents of the container or trailer;

"(C) the identify of the certifying party;

"(D) the container or trailer number; and

"(E) the date of certification or transfer of data to another document, as provided for in paragraph (3).

"(3) TRANSFER OF CERTIFICATION DATA.—A carrier who receives a certification may transfer the information contained in the certification to another document or to electronic format for forwarding to a subsequent carrier. The person transferring the information shall state on the forwarded document the date on which the data was transferred and the identify of the party who performed the transfer.

"(4) SHIPPING DOCUMENTS.—For purposes of this chapter, a shipping document, prepared by the person who tenders a container or trailer to a first carrier, that contains the information required by paragraph (2) meets the requirements of paragraph (1).

"(5) USE OF 'FREIGHT ALL KINDS' TERM.—The term 'Freight All Kinds' or 'FAK' may not be used for the purpose of certification under section 5902(b) after December 31, 2000, as a commodity description for a trailer or container if the weight of any commodity in the trailer or container equals or exceeds 20 percent of the total weight of the contents of the trailer or container. This subsection does not prohibit the use of the term after that date for rating purposes.

"(6) SEPARATE DOCUMENT MARKING.—If a separate document is used to meet the requirements of paragraph (1), it shall be conspicuously marked 'INTERMODAL CERTIFICATION'.

"(7) APPLICABILITY.—This subsection applies to any person, domestic or foreign, who first tenders a container or trailer subject to this chapter for intermodal transportation within the United States."

(c) FORWARDING CERTIFICATIONS.—Subsection (c) of section 5902 (relating to forwarding certifications to subsequent carriers) is amended—

(1) by striking "transportation." and inserting "transportation before or when the loaded intermodal container or trailer is tendered to the subsequent carrier. If no certification is received by the subsequent carrier before or when the container or trailer is tendered to it, the subsequent carrier may presume that no certification is required."; and

(2) by adding at the end thereof the following: "If a person inaccurately transfers the information on the certification, or fails to forward the certification to a subsequent carrier, then that person is liable to any person who incurs any bond, fine, penalty, cost (including storage), or interest for any such fine, penalty, cost (including storage), or interest incurred as a result of the inaccurate transfer of information or failure to forward the certification. A subsequent carrier who incurs a bond, fine, penalty, or cost (including storage), or interest as a result of the inaccurate transfer of the information, or the failure to forward the certification, shall have a lien against the contents of the containers or trailer under section 5905 in the amount of the bond, fine, penalty, or cost (including storage), or interest and all court costs and legal fees incurred by the carrier as a result of such inaccurate transfer or failure."

(d) LIABILITY.—Section 5902 is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following:

"(d) LIABILITY TO OWNER OR BENEFICIAL OWNER.—If—

"(1) a person inaccurately transfers information on a certification required by subsection (b)(1), or fails to forward a certification to the subsequent carrier;

"(2) as a result of the inaccurate transfer of such information or a failure to forward a certification, the subsequent carrier incurs a bond, fine, penalty, or cost (including storage), or interest; and

"(3) that subsequent carrier exercises its rights to a lien under section 5905,

then that person is liable to the owner or beneficial owner, or to any other person paying the amount of the lien to the subsequent carrier, for the amount of the lien and all costs related to the imposition of the lien, including court costs and legal fees incurred in connection with it."

(e) NONAPPLICATION.—Subsection (e) of section 5902, as redesignated, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively; and

(2) by inserting before paragraph (2), as redesignated, the following:

"(1) The notification and certification requirements of subsections (a) and (b) of this section do not apply to any intermodal container or trailer containing consolidated shipments loaded by a motor carrier if that motor carrier—

"(A) performs the highway portion of the intermodal movement; or

"(B) assumes the responsibility for any weight-related fine or penalty incurred by any other motor carrier that performs a part of the highway transportation."

SEC. 205. PROHIBITIONS

Section 5903 (relating to prohibitions) is amended—

(1) by inserting after "person" and comma and the following: "to whom section 5902(b) applies,";

(2) by striking subsection (b) and inserting the following:

"(b) TRANSPORTING PRIOR TO RECEIVING CERTIFICATION.—

"(1) PRESUMPTION.—If no certification is received by a motor carrier before or when a loaded intermodal container or trailer is tendered to it, the motor carrier may presume that the gross cargo weight of the container or trailer is less than 29,001 pounds.

"(2) COPY OF CERTIFICATION NOT REQUIRED TO ACCOMPANY CONTAINER OR TRAILER.—Notwithstanding any other provision of this chapter to the contrary, a copy of the certification required by section 5902(b) is not required to accompany the intermodal container or trailer.";

(3) by striking "10,000 pounds (including packing materials and pallets)" in subsection (c)(1) and inserting "29,000 pounds"; and

(4)—by adding at the end the following:

"(d) NOTICE TO LEASED OPERATORS.—

"(1) IN GENERAL.—If a motor carrier knows that the gross cargo weight of an intermodal container or trailer subject to the certification requirements of section 5902(b) would result in a violation of applicable State gross vehicle weight laws, than—

"(A) the motor carrier shall give notice to the operator of a vehicle which is leased by the vehicle operator to a motor carrier that transports an intermodal container or trailer of the gross cargo weight of the container or trailer as certified to the motor carrier under section 5902(b);

"(B) the notice shall be provided to the operator prior to the operator being tendered the container or trailer;

"(C) the notice required by this subsection shall be in writing, but may be transmitted electronically; and

"(D) the motor carrier shall bear the burden of proof to establish that it tendered the required notice to the operator.

"(2) REIMBURSEMENT.—If the operator of a leased vehicle transporting a container or trailer subject to this chapter is fined because of a violation of a State's gross vehicle weight laws or regulations and the lessee motor carrier cannot establish that it tendered to the operator the notice required by paragraph (1) of this subsection, then the operator shall be entitled to reimbursement from the motor carrier in the amount of any fine and court costs resulting from the failure of the motor carrier to tender the notice to the operator."

SEC. 206. LIENS.

Section 5905 (relating to liens) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) GENERAL.—If a person involved in the intermodal transportation of a loaded container or trailer for which a certification is required by section 5902(b) of this title is required, because of a violation of a State's gross vehicle weight laws or regulations, to post a bond or pay a fine, penalty, cost (including storage), or interest resulting from—

"(1) erroneous information provided by the certifying party in the certification to the first carrier in violation of section 5903(a) of this title;

"(2) the failure of the party required to provide the certification to the first carrier to provide it;

"(3) the failure of a person required under section 5902(c) to forward the certification to forward it; or

"(4) an error occurring in the transfer of information on the certification to another document under section 5902(b)(3) or (c), then

the person posting the bond, or paying the fine, penalty, costs (including storage), or interest has a lien against the contents equal to the amount of the bond, fine, penalty, cost (including storage), or interest incurred, until the person receives a payment of that amount from the owner or beneficial owner of the contents, or from the person responsible for making or forwarding the certification, or transferring the information from the certification to another document.";

(2) by inserting a comma and "or the owner or beneficial owner of the contents," after "first carrier" in subsection (b)(1); and

(3) by striking "cost, or interest," in subsection (b)(1) and inserting "cost (including storage), or interest. The lien shall remain in effect until the lien holder has received payment for all costs and expenses described in subsection (a) of this section."

SEC. 207. PERISHABLE AGRICULTURAL COMMODITIES.

Section 5906 (relating to perishable agricultural commodities) is amended by striking "Section 5904(a)(2) and 5905 of this title do" and inserting "Section 5905 of this title does".

SEC. 208. EFFECTIVE DATE.

(a) IN GENERAL.—Section 5907 (relating to regulations and effective date) is amended to read as follows:

§ 5907. Effective date

"This chapter shall take effect 180 days after the date of enactment of the Intermodal Safe Container Transportation Amendments Act of 1996."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 59 is amended by striking the items relating to section 5709 and inserting the following:

"5907. Effective date".

SEC. 209. RELATIONSHIP TO OTHER LAWS.

(a) IN GENERAL.—Chapter 59 is amended by adding at the end thereof the following:

§ 5908. Relationship to other laws

"Nothing in this chapter affects—

"(1) chapter 51 (relating to transportation of hazardous material) or the regulations promulgated under that chapter; or

"(2) any State highway weight or size law or regulation applicable to tractor-trailer combinations."

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by adding at the end thereof the following:

"5908. Relationship to other laws"

Mr. STEVENS. I ask this amendment be agreed to.

The amendment (No. 5390) was agreed to.

Mr. STEVENS. I ask unanimous consent the bill be considered read for a third time, the Senate immediately proceed to Calendar 508, H.R. 3159, further, all after the enacting clause be stricken and the text of S. 1831, as amended, be inserted in lieu thereof, the bill be deemed read for a third time and passed, the motion to reconsider be laid upon the table, any statements related to the bill be printed at the appropriate place in the RECORD, and finally, S. 1831 be placed back on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 3159), as amended, was deemed read a third time and passed, as follows:

[The bill was not available for printing. It will appear in a future issue of the RECORD.]

ORDERS FOR THURSDAY, SEPTEMBER 19, 1996

Mr. STEVENS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Thursday, September 19; further, that immediately following the prayer, the Journal of proceedings be deemed approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and there be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with the following Senators to be recognized for the designated time: Senator THOMAS for 30 minutes; Senator CONRAD for 30 minutes; Senator HEFLIN for 10 minutes; Senator REID for 10 minutes; Senator MURKOWSKI for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I further ask unanimous consent that following morning business at 11 a.m., the Senate resume consideration of S. 39, the Magnuson fisheries bill. At that time, under a previous order, there will be 4 minutes of debate equally divided on a Hutchison amendment. Following that debate time, I ask unanimous consent that the Senate proceed to a rollcall vote on or in relation to the Hutchison amendment, if necessary, to be followed by a rollcall vote on passage of S. 39, the Magnuson fisheries bill, as amended, and I ask paragraph 4 of rule XII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. STEVENS. Mr. President, tomorrow at 11 a.m., following the 4 minutes of debate, the Senate will proceed to one, perhaps two, consecutive rollcall votes—first, on or in relation to the Hutchison amendment, if necessary, to be followed by a vote on the passage of the Magnuson fisheries bill. Following the votes, or vote, the Senate may be asked to turn to consideration of any of the following items: The pipeline safety bill, the maritime bill, H.R. 1350, available appropriations bills or conference reports. Rollcall votes are, therefore, possible throughout Thursday's session on the items just mentioned or any other items cleared for action.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. STEVENS. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:48 p.m., adjourned until Thursday, September 19, 1996, at 9:30 a.m.