(2) SUBMISSION DATE.—For purposes of this subsection the term ''submission or publication date'' means the later of the date on which—

(A) the Congress receives the report submitted under section 503(a)(1); or

(B) the rule is published in the Federal Register.

(c) DISCHARGE.—If the committee to which is referred a resolution described in subsection (a) has not reported such resolution (or an identical resolution) at the end of 20 calendar days after the submission or publication date defined under subsection (b)(2), such committee may be discharged from further consideration of such resolution in the Senate upon a petition supported in writing by 30 Members of the Senate and in the House upon a petition supported in writing by one-fourth of the Members duly sworn and chosen or by motion of the Speaker supported by the Minority Leader, and such resolution shall be placed on the appropriate calendar of the House involved.

(d) FLOOR CONSIDERATION.—

(1) IN GENERAL.—When the committee to which a resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of, a resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(2) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order.

(3) FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in subsection (a) shall be decided without debate.

(e) TREATMENT IF OTHER HOUSE HAS ACTED.—If, before the passage by one House of a resolution of that House described in subsection (a), that House receives from the other House a resolution described in subsection (a), then the following procedures shall apply:

(1) NONREFERRAL.—The resolution of the other House shall not be referred to a committee.

(2) FINAL PASSAGE.—With respect to a resolution described in subsection (a) of the House receiving the resolution—

(A) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(B) the vote on final passage shall be on the resolution of the other House.

(f) CONSTITUTIONAL AUTHORITY.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 505. SPECIAL RULE ON STATUTORY, REGULATORY AND JUDICIAL DEADLINES.

(a) IN GENERAL.—In the case of any deadline for, relating to, or involving any rule which does not take effect (or the effectiveness of which is terminated) because of the enactment of a joint resolution under section 504, that deadline is extended until the date 12 months after the date of the joint resolution. Nothing in this subsection shall be construed to affect a deadline merely by reason of the postponement of a rule's effective date under section 503(a).

(b) DEADLINE DEFINED.—The term ''deadline'' means any date certain for fulfilling any obligation or exercising any authority established by or under any Federal statute or regulation, or by or under any court order implementing any Federal statute or regulation.

SEC. 506. DEFINITIONS.

For purposes of this title—

(1) FEDERAL AGENCY.—The term ''Federal agency'' means any ''agency'' as that term is defined in section 551(1) of title 5, United States Code (relating to administrative procedure).

(2) SIGNIFICANT RULE.—The term ''significant rule''—

(A) means any final rule that the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget finds—

(i) has an annual effect on the economy of $100,000,000 or more or adversely affects in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(ii) creates a serious inconsistency or otherwise interferes with an action taken or planned by another agency;

(iii) materially alters the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(iv) raises novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866; and

(B) shall not include any rule promulgated under the Telecommunications Act of 1996 and the amendments made by such Act.

(3) FINAL RULE.—The term ''final rule'' means any final rule or interim final rule. As used in this paragraph, ''rule'' has the meaning given such term by section 551 of title 5, United States Code, except that such term does not include any rule of particular applicability including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefor, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing or any rule of agency organization, personnel, procedure, practice or any routine matter.

SEC. 507. JUDICIAL REVIEW.

No determination, finding, action, or omission under this title shall be subject to judicial review.

SEC. 508. APPLICABILITY; SEVERABILITY.

(a) APPLICABILITY.—This title shall apply notwithstanding any other provision of law.

(b) SEVERABILITY.—If any provision of this title, or the application of any provision of this title to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this title, shall not be affected thereby.

SEC. 509. EXEMPTION FOR MONETARY POLICY.

Nothing in this title shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

SEC. 510. EXEMPTION FOR HUNTING AND FISHING.

Nothing in this title shall apply to rules that establish, modify, open, close, or conduct a regulatory program for a commercial, recreational, or subsistence activity relating to hunting, fishing, or camping.

SEC. 511. EFFECTIVE DATE.

This title shall take effect on the date of the enactment of this Act and shall apply to any rule that takes effect as a final rule on or after such effective date.

THE 1996 BALANCED BUDGET DOWN PAYMENT ACT, II

HATFIELD (AND WYDEN) AMENDMENT NO. 3536

Mr. HATFIELD (for himself and Mr. WYDEN) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill (H.R. 3019) making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget, and for other purposes; as follows:

On page 577 of the pending amendment, strike lines 14 through the period on line 23.

BOND (AND HARKIN) AMENDMENT NO. 3537

Mr. HATFIELD (for Mr. BOND, for himself, Mr. SIMON, Mr. GRASSLEY, Ms. MOSELEY-BRAUN, and Mr. HARKIN) proposed an amendment to amendment No. 3466 proposed by him to the bill H.R. 3019, supra; as follows:

Insert the following at the appropriate place under Title III of the Committee amendment:

''SEC. . Any funds heretofore appropriated and made available in Public Law 102–104 and Public Law 102–377 to carry out the provisions for the project for navigation, St. Louis Harbor, Missouri and Illinois; may be utilized by the Secretary of the Army in carrying out the Upper Mississippi and Illinois Waterway System Navigation Study, Iowa, Illinois, Missouri, Wisconsin, Minnesota, in Fiscal Year 1996 or until expended.''

SPECTER AMENDMENTS NOS. 3538–3539

Mr. HATFIELD (for Mr. SPECTER) proposed two amendments to amendment No. 3466 proposed by him to the bill H.R. 3019, supra; as follows:

AMENDMENT NO. 3538

On page 546, line 21 of the pending amendment, increase the rescission amount by $1,000,000.

On page 572, line 16 of the pending amendment, strike ''$129,499,000'' and insert in lieu thereof ''$130,499,000''.

AMENDMENT NO. 3539

On page 590, after the word ''for'' on line 19, strike all up to the word ''payment'' on line 23.

On page 590, after the word ''education'' on line 25, strike all up to the period on page 591, line 3.

JEFFORDS AMENDMENT NO. 3540

Mr. HATFIELD (for Mr. JEFFORDS) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

At the end of title III, on page 771 after line 17, add the following new section:

SEC. . The Secretary of Health and Human Services shall grant a waiver of the requirements set forth in section 1903(m)(2)(A)(ii) of the Social Security Act to D.C. Chartered Health Plan, Inc. of the District of Columbia: *Provided,* That such waiver shall be deemed to have been in place for all contract periods from October 1, 1991 through the current contract period or October 1, 1999, whichever shall be later.

COCHRAN (AND BUMPERS) AMENDMENT NO. 3541

Mr. HATFIELD (for Mr. COCHRAN, for himself and Mr. BUMPERS) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

At the appropriate place insert the following:

Sec. . Of the funds appropriated by Public Law 104–37 or otherwise made available to the Food Safety and Inspection Service for Fiscal Year 1996, not less than $363,000,000 shall be available for salaries and benefits of in-plant personnel: *Provided,* That this limitation shall not apply if the Secretary of Agriculture certifies to the House and Senate Committees on Appropriations that a lesser amount will be adequate to fully meet in-plant inspection requirements for the fiscal year.

LAUTENBERG AMENDMENT NO. 3542

Mr. HATFIELD (for Mr. LAUTENBERG) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

On page 769, line 24, delete the word ''Of'' and insert ''Notwithstanding any other provision of law, of''

On page 770, line 4, after the word ''available'', insert the words ''for operating expenses''.

GREGG (AND OTHERS) AMENDMENT NO. 3543

Mr. HATFIELD (for Mr. GREGG, for himself, Mr. KENNEDY, Mr. HATCH, and Mrs. KASSEBAUM) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

At the appropriate place in the bill, insert the following:

TITLE —FOOD AND DRUG EXPORT REFORM

SEC. 01. SHORT TITLE, REFERENCE.

(a) SHORT TITLE.—This title may be cited as the ''FDA Export Reform and Enhancement Act of 1996''.

(b) REFERENCE.—Wherever in this title (other than in section 04) 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 the Federal Food. Drug, and Cosmetic Act. (21 U.S.C. 321 et seq.)

SEC. 02. EXPORT OF DRUGS AND DEVICES.

(a) EXPORT AND IMPORTS.—Section 801 (21 U.S.C. 381) is amended—

(1) In subsection (d), by adding at the end thereof the following new paragraphs:

''(3) No component, part, or accessory of a drug, biological product, or device, including a drug in bulk inform, shall be excluded from importation into the United States under subsection (a) if—

''(A) the importer affirms at the time of initial importation that such component, part, or accessory is intended to be incorporated by the initial owner or consignee into a drug, biological product, or device that will be exported by such owner or consignee from the United States in accordance with subsection 801(e) or section 802 of this Act or section 351(h) of the Public Health Service Act;

''(B) the initial owner or consignee responsible for such imported articles maintains records that identify the use of such imported articles and upon request of the Secretary submits a report that provides an accounting of the exportation or the disposition of the imported articles, including portions that have been destroyed, and the manner in which such person complied with the requirements of this paragraph; and

''(C) any imported component, part or accessory not so incorporated is destroyed or exported by the owner or consignee.''

''(4) The importation into the United States of blood, blood components, source plasma, and source leukocytes, is not permitted pursuant to paragraph (3) unless the importation complies with section 351(a) of the Public Health Service Act. The importation of tissue is not permitted pursuant to paragraph (3) unless the importation complies with section 361 of the Public Health Service Act.'';

''(2) in subsection (e)(1), by striking the second sentence;

''(3) in subsection (e)(2)—

''(A) by striking ''the Secretary'' and inserting ''either (i) the Secretary''; and

''(B) by inserting before the period at the end thereof the following: ''or (ii) the device is eligible for export under section 802''; and

''(4) in subsection (e), by adding at the end thereof the following new paragraph:;

''(3) A new animal drug that requires approval under section 512 shall not be exported pursuant to paragraph (1) if such drug has been banned in the United States.''.

''(b) EXPORT OF CERTAIN UNAPPROVED DRUGS AND DEVICES.—Section 802 (21 U.S.C. 382) is amended to read as follows:

''EXPORTS OF CERTAIN UNAPPROVED PRODUCTS

''SEC. 802. (a) A drug (including a biological product) intended for human use or a device for human use—

''(1) which, in the case of a drug—

''(A)(i) requires approval by the Secretary under section 505 before such drug may be introduced or delivered for introduction into interstate commerce; or

''(ii) requires licensing by the Secretary under section 351 of the Public Health Service Act or by the Secretary of Agriculture under the Act of March 4, 1913 (known as the Virus-Serum Toxin Act) before it may be introduced or delivered for introduction into interstate commerce; and

''(B) does not have such approval or license, is not exempt from such sections or Act, and is introduced or delivered for introduction into interstate commerce; or

''(2) which, in the case of a device—

''(A) does not comply with an applicable requirement under section 514 or 515;

''(B) under section 520(g) is exempt from either such section; or

''(C) is a banned device under section 516,

is adulterated, misbranded, and in violation of such sections or Act unless the export of the drug or device is authorized under subsection (b), (c), (d), or (e), or under section 801(e)(2). If a drug (including a biological product) or device described in paragraphs (1) and (2) may be exported under subsection (b) and if an application for such drug or device under section 505 or 514 or section 351 of the Public Health Service Act was disapproved, the Secretary shall notify the appropriate public health official of the country to which such drug will be exported of such disapproval.

''(b)(1) Except as otherwise provided in this section, a drug (including a biological product) or device may be exported to any country, if the drug or device complies with the laws of that country and has valid marketing authorization by the appropriate approval authority—

''(A) in Australia, Canada, Israel, Japan, New Zealand, Switzerland, or South Africa; or

''(B) in the European Union or a country in the European Economic Area (the countries in the European Union and the European Free Trade Association) if the drug or device is marketed in that country or the drug or device is authorized for general marketing in the European Economic Area.

''(2) The Secretary may designate an additional country or countries to be included in the list of countries described in subparagraphs (A) and (B) of paragraph (1). The Secretary shall not delegate the authority granted under this paragraph.

''(3) An appropriate country official, manufacturer, or exporter may request the Secretary to designate an additional country or countries to be included in the list of countries described in subparagraphs (A) and (B) of paragraph (1) by submitting documentation to the Secretary in support of such designation. Any person other than a country requesting such designation shall include along with the request a letter from the country indicating the desire of such country to be designated.

''(4) The Secretary shall designate a country or countries to be included in the list of countries described in subparagraphs (A) and (B) of paragraph (1) of the Secretary finds that the valid marketing authorization system in such country or countries is equivalent to the systems in the countries described in subparagraphs (A) and (B) of paragraph (1).

''(c) A drug or device intended for investigational use in any country described in subsection (b) may be exported in accordance with the laws of that country and shall be exempt from regulation under section 505(i) or 520(g).

''(d) A drug or device intended for formulation, filling, packaging, labeling, or further processing in anticipation of market authorization in any country described in paragraph (1)(A) or (B) of subsection (b) may be exported to those countries for use in accordance with the laws of that country.

''(e)(1) A drug (including a biological product) or device which is to be used in the prevention or treatment of a tropical disease or other disease not prevalent in the United States and which does not otherwise qualify for export under this section may, upon approval of an application submitted under paragraph (2), be exported if—

''(A) the Secretary finds, based on credible scientific evidence, including clinical investigations, that the drug or device is safe and effective in the country to which the drug or device is to be exported in the prevention or treatment of a tropical disease or other disease not prevalent in the United States in such country.

''(B) the drug or device is manufactured, processed, packaged, and held in conformity with current good manufacturing practice and is not adulterated under subsection (a)(1), (a)(2)(A), (a)(3), (c), or (d) of section 501;

''(C) the outside of the shipping package is labeled with the following statement: 'This drug or device may be sold or offered for sale only in the following countries: _____', the blank space being filled with a list of the countries to which export of the drug or device is authorized under this subsection;

''(D) the drug or device is not the subject of a notice by the Secretary or the Secretary of Agriculture of a determination that the manufacture of the drug or device in the United States for export to a country is contrary to the public health and safety of the United States; and

''(E) the requirements of subparagraphs (A) through (D) of section 801(e)(1) have been met.

''(2) Any person may apply to have a drug or device exported under paragraph (1). The application shall—

''(A) describe the drug or device to be exported;

''(B) list each country to which the drug or device is to be exported;

''(C) contain a certification by the applicant that the drug or device will not be exported to a country for which the Secretary cannot make a finding described in paragraph (1)(A);

''(D) identify the establishments in which the drug or device is manufactured; and

''(E) demonstrate to the Secretary that the drug or device meets the requirements of paragraph (1).

''(3) The holder of an approved application for the export of a drug or device under this subsection shall report to the Secretary—

''(A) the receipt of any information indicating that the drug or device is being or may have been exported from a country for which the Secretary made a finding under paragraph (1)(A) to a country for which the Secretary cannot make such a finding; and

''(B) the receipt of any information indicating any adverse reactions to such drug.

''(4)(A) If the Secretary determines that—

''(i) a drug or device for which an application is approved under paragraph (2) does not continue to meet the requirements of paragraph (1);

''(ii) the holder of such application has not made the report required by paragraph (3); or

''(iii) the manufacture of such drug or device in the United States for export is contrary to the public health and safety of the United States and an application for the export of such drug or device has been approved under paragraph (2).

then before taking action against the holder of an application for which a determination was made under clause (i), (ii), or (iii), the Secretary shall notify the holder in writing of the determination and provide the holder 30 days to take such action as may be required to prevent the Secretary from taking action against the holder under this subparagraph. If the Secretary takes action against such holder because of such a determination, the Secretary shall provide the holder a written statement specifying the reasons for such determination and provide the holder, on request, an opportunity for an informal hearing with respect to such determination.

''(B) If at any time the Secretary, or in the absence of the Secretary, the official designated to act on behalf of the Secretary, determines that—

''(i) the holder of an approved application under paragraph (2) is exporting a drug or device from the United States to an importer;

''(ii) such importer is exporting the drug or device to a country for which the Secretary cannot make a finding under paragraph (1)(A); and

''(iii) such export presents an imminent hazard to the public health in such country, the Secretary shall immediately prohibit the export of the drug or device to such importer, provide the person exporting the drug or device from the United States prompt notice of the determination, and afford such person an opportunity for an expedited hearing. A determination by the Secretary under this subparagraph may not be stayed pending final action by a reviewing court. The authority conferred by this subparagraph shall not be delegated by the Secretary.

''(C) If the Secretary, or in the absence of the Secretary, the official designated to act on behalf of the Secretary, determines that the holder of an approved application under paragraph (2) is exporting a drug or device to a country for which the Secretary cannot make a finding under paragraph (1)(A), and that the export of the drug or device presents an imminent hazard, the Secretary shall immediately prohibit the export of the drug or device to such country, give the holder prompt notice of the determination, and afford the holder an opportunity for an expedited hearing. A determination by the Secretary under this subparagraph may not be stayed pending final action by a reviewing court. The authority conferred by this subparagraph shall not be delegated by the Secretary.

''(D) If the Secretary receives credible evidence that the holder of an application approved under paragraph (2) is exporting a drug or device to a country for which the Secretary cannot make a finding under paragraph (1)(A), the Secretary shall give the holder 60 days to provide information to the Secretary respecting such evidence and shall provide the holder an opportunity for an informal hearing on such evidence. Upon the expiration of such 60 days, the Secretary shall prohibit the export of such drug or device to such country if the Secretary determines the holder is exporting the drug or device to a country for which the Secretary cannot make a finding under paragraph (1)(A).

''(E) If the Secretary receives credible evidence that an importer is exporting a drug or device to a country for which the Secretary cannot make a finding under paragraph (1)(A), the Secretary shall notify the holder of the application authorizing the export of such drug or device of such evidence and shall require the holder to investigate the export by such importer and to report to the Secretary within 14 days of the receipt of such notice the findings of the holder. If the Secretary determines that the importer has exported a drug or device to such a country, the Secretary shall prohibit such holder from exporting such drug or device to the importer unless the Secretary determines that the export by the importer was unintentional.

''(f) A drug or device may not be exported under this section if—

''(1) the drug or device is not manufactured, processed, packaged, and held in conformity with current good manufacturing practice or is adulterated under paragraph (1), (2)(A), or (3) of section 501(a) or subsection (c) or (d) of section 501;

''(2) the requirements of subparagraphs (A) through (d) of section 801(e)(1) have not been met;

''(3)(A) the drug or device is the subject of a notice by the Secretary or the Secretary of Agriculture of a determination that the possibility of reimportation of the exported drug or device would present an imminent hazard to the public health and safety of the United States and the only means of limiting the hazard is to prohibit the export of the drug or device;

''(B) the drug or device presents an imminent hazard to the public health of the country to which the drug or device would be exported; or

''(4) the drug or device is not lableld or promoted—

''(A) in accordance with the requirements and conditions for use in—

''(i) the country in which the drug or device received a valid marketing authorization under subsection (b)(2); and

''(ii) the country to which the drug or device would be exported; and

''(B) in the language of the country or designated by the country to which the drug or device would be exported.

''In making a finding under paragraph (37)(B), the Secretary shall, to the maximum extent possible, consult with the appropriate public health official in the affected country.

''(g) The exporter of a drug or device exported under this section shall provide a simple notification to the Secretary when the exporter first begins to export such drug or device to a country and shall maintain records of all products exported pursuant to this section.

''(h) For purposes of this section—

''(1) a reference to the Secretary shall in the case of a biological product which is required to be licensed under the Act of March 4, 1913 (37 Stat. (832–833) (commonly known as the Virus-Serum Toxin Act) be considered to be a reference to the Secretary of Agriculture, and

''(2) the term ''drug'' includes drugs for human use as well as biological under section 351 of the Public Health Service Act or the Act of March 4, 1913 (37 Stat. 832–833) (commonly known as the Virus-Serum Toxin Act).''

SEC. 03. PROHIBITED ACT.

Section 301 (21 U.S.C. 331) is amended—

(1) by redesignating the second subsection (u) as subsection (v); and

(2) by adding at the end thereof the following new subsection:

''(w)(1) The failure to maintain records as required by section 801(d)(3), the making of a knowing false statement in any record or report required or requested under section 801(d)(3), the release into interstate commerce of any article imported into the United States under section 801(d)(3) or any finished product made from such article (except for export in accordance with subsection 801(e) or section 802 of the Act or section 351(h) of the Public Health Service Act), or the failure to export or destroy any component, part or accessory not incorporated into a drug, biological product or device that will be exported in accordance with subsection 801(e) or section 802 of this Act or section 351(h) of the Public Health Service Act.''

SEC. 04. PARTIALLY PROCESSED BIOLOGICAL PRODUCTS.

Subsection (h) of section 351 of the Public Health Service Act (42 U.S.C. 262) is amended to read as follows:

''(h) A partially processed biological product which—

''(1) is not in a form applicable to the prevention, treatment, or cure of diseases or injuries of man;

''(2) is not intended for sale in the United States; and

''(3) is intended for further manufacture into final dosage form outside the United States,

shall be subject to no restriction on the export of the product under this Act or the Federal Food, Drug, and cosmetic Act (21 U.S.C. 321 et seq.) if the product is manufactured, processed, packaged, and held in conformity with current good manufacturing practice and meets the requirements in section 801(e)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)).''.

GRAMM (AND HUTCHISON) AMENDMENTS NOS. 3544–3545

Mr. HATFIELD (for Mr. GRAMM, for himself and Mrs. HUTCHISON) proposed two amendments to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

AMENDMENT NO. 3544

On page 577, line 14 of the committee substitute, insert:

''SEC. 213. If the Secretary fails to approve the application for waivers related to the Achieving Change for Texans, a comprehensive reform of the Texas Aid To Families With Dependent Children program designed to encourage work instead of welfare, a request under section 1115(a) of the Social Security Act submitted by the Texas Department of Human Services on September 30, 1995, by the date of enactment of this Act, notwithstanding the Secretary's authority to approve the applications under such section, the applications shall be deemed approved.''

AMENDMENT NO. 3545

Section 223B of the amendment is amended to read as follows:

''SEC. 223B. Section 415 of the Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1988 (Public Law 100–202; 101 Stat. 1329–213) is repealed effective the date of enactment of Public Law 104–19. The Secretary is authorized to demolish the structures identified in such section. The Secretary is also authorized to compensate those local governments which, due to this provision, expended local revenues demolishing the developments identified in such provision.''.

GORTON AMENDMENT NO. 3546

Mr. HATFIELD (for Mr. GORTON) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

To the amendment numbered 3466: On page 406, line 8, strike ''$567,152,000'' and insert in lieu thereof ''$567,753,000''.

HATFIELD (AND OTHERS) AMENDMENT NO. 3547

Mr. HATFIELD (for himself, Mr. HOLLINGS, Mr. PELL, Mr. DASCHLE, and Mr. KERRY) proposed an amendment to amendment No. 3466 proposed by Mr. HATFIELD to the bill H.R. 3019, supra; as follows:

At the appropriate place, insert the following:

The appropriation for the Arms Control and Disarmament Agency in Public Law 103–317 (108 STAT. 1768) is amended by deleting after ''until expended'' the following: ''only for activities related to the implementation of the Chemical Weapons Convention'' : *Provided,* That amounts made available shall not be used to undertake new programs or to increase employment above levels on board at the time of enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, March 28 at 9:30 a.m. in the Russell Caucus Room (SR–325) in Washington, DC.

The purpose of this hearing is to receive testimony on the issue of competitive change in the electric power industry. It will focus on what State public utility commissions are doing to make electric utilities more competitive. Although an oversight hearing, witnesses are asked to provide comment on S. 1526 as it relates to this issue.

Those who wish to testify or to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. Presentation of oral testimony is by committee invitation. For further information, please contact Shawn Taylor or Howard Useem at (202) 224–6567.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to hold a meeting during the session of the Senate on Friday, March 15, 1996, at 9:30 a.m. in room 430 of the Dirksen Senate Office Building. The committee will hold a hearing regarding S. 581, the National Right-to-Work Act.

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

SUBCOMMITTEE ON AIRLAND FORCES

Mr. KYL. Mr. President, I ask unanimous consent that the Subcommittee on Airland Forces be authorized to meet at 9:30 a.m. on Friday, March 15, 1996, to receive testimony on tactical aviation issues in review of the defense authorization request for fiscal year 1997 and the future years defense program.

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

SUBCOMMITTEE ON ACQUISITION AND TECHNOLOGY

Mr. KYL. Mr. President, I ask unanimous consent that the Acquisition and Technology Subcommittee of the Committee on Armed Services be authorized to meet at 10 a.m. on Friday, March 15, in open session, to receive testimony on emerging battlefield concepts for the 21st century and the implications of these concepts for technology investment decisions in the defense authorization request for fiscal year 1997 and the future.

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

ADDITIONAL STATEMENTS

TRIBUTE TO GEORGE WHITTINGTON

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a civic leader, decorated veteran, adventurer, and extraordinary Kentuckian. George P. Whittington, who passed away January 27, was all of these things, and more.

Mr. Whittington, born October 5, 1913, served his country in both World War II and the Korean war. A graduate of the New Mexico Military Institute, Whittington was awarded the Silver Star, Bronze Star, and Purple Heart for service in both the Army and the Marine Corps. During the D-day invasion on June 6, 1944, Whittington commanded Company B of the Fifth Ranger Battalion which landed on Omaha Beach. According to an account of the attack, Whittington led a detachment that punched through obstacles on the beach, scaled a 100-foot cliff and then crawled under machinegun fire to destroy an enemy position. For his leadership, Mr. Whittington was awarded the Distinguished Service Cross.

After the war, Whittington earned a bachelor's degree in journalism from the University of Missouri. He then returned to active duty to serve as a major and battalion commander in the Army during the Korean war. After military service, Whittington returned to Kentucky where he served for more than 25 years on the Henderson City-County Air Board and was a member of the Henderson Community College Foundation board. During the 1970's and 1980's Whittington owned a 1,000-acre cattle ranch in Costa Rica. He also hunted big game in Africa and was an avid private pilot.

Walt Dear, president of the Gleaner-Journal Publishing Co., said Whittington ''was an absolute original. George Whittington was the kind of guy you meet once in a lifetime. He was definitely interesting—a great conversationalist and a great reader.''

Survivors include his wife of 40 years, Agnes; two daughters, Janet and Elizabeth Whittington; two sons, Charles and Richard Whittington; and two grandsons. I would ask that my colleagues join me in honoring this heroic and extraordinary Kentuckian.●

CENTENNIAL OF THE JEWISH WAR VETERANS OF THE U.S.A.

● Mr. LIEBERMAN. Mr. President, today, March 15, 1996, marks the 100th anniversary of the founding of the oldest veterans organization in this country—the Jewish War Veterans of the U.S.A. Most people think that the American Legion is the oldest veterans group but, in fact, it is not.

On March 15, 1896, 63 Jewish Civil War veterans gathered in New York City to form the Hebrew Union Veterans as a response to allegations that Jews in 19th century America were not