This legislation currently has over 140 cosponsors; it indisputably serves to maintain a balance of fairness in the increasingly competitive global marketplace. The penalties of the past that have been imposed on industries for allowing teenagers to toss boxes into balers are not only astronomical for the company, but also detrimental to the teenagers of today. There is no incentive to employ our youth and instill a work ethic that they will carry with them from job to job if companies are constantly wary of prosecution. H.R. 1114 allows companies to employ our youth and it gives teenagers additional employment opportunities. Without it our youth will lose.

Mr. Speaker, I ask my fellow colleagues to support H.R. 1114.

Mr. KOLBE. Mr. Speaker, I rise today in support of H.R. 1114 and the managers amendment, a bill to reform Hazardous Occupation Order No. 12.

I first heard about this issue in the late 1980's, when food stores in my own district were being punished based on a simple statement by a former teenage employee who would truthfully tell a Department of Labor investigator: ''Yeah, I tossed a box into a baler once.'' Huge fines were being levied against supermarket companies—large chains as well as independent operators. Efforts to reform Hazardous Occupation Order 12 through the regulatory process were unsuccessful. The Labor Department showed an amazing—though not surprising—lack of common sense. So, I am pleased to vote today for legislation which will correct this longstanding problem for Arizona grocers.

In 1992, I saw this problem first hand. I toured a supermarket's back room and looked at a cardboard baler with members of the Arizona Food Marketing Alliance. These balers operate much like your home dishwasher. If the door is open you can't run the machine, even if you press the ''on'' button. The cardboard baler operates under the same principle. When the gate is open it can be filled with cardboard boxes. When it is time to run the machine, an authorized adult can close the gate and turn the key to operate the equipment. Only an adult has the operating key. The gate has a lock-out device which prevents it from operating when the gate is opened, even if the machine is in the operating position. This is much the way a microwave oven works. If you open it while it's on, the machine stops. It is beyond comprehension why able 16- and 17-year-olds must stack cardboard by the baler—possibly causing a greater hazard and encumbrance to workers moving around in the area, not to mention health hazards as they attract rats and roaches—and wait for someone 18-years-old or older to place the boxes in the baler.

The owners and store managers of the Nation's supermarkets who don't want to harm these young people entering the work world or working their way through school. They have a good financial incentive to look after the safety anyhow—their insurance costs. But, as it stands now, if minors are stocking shelves, they cannot toss empty, cardboard boxes into an open and locked baler. This is absurd.

I urge my colleagues to support this bill which includes a compromise worked out to address safety concerns. It is a perfect Corrections Day item to fix an outdated 41-year-old regulation while keeping young people safe.

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

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

The SPEAKER pro tempore (Mr. FOLEY). Pursuant to the rule, the previous question is ordered on the amendment and the bill.

The question is on the amendment in the nature of a substitute offered by the gentleman from Pennsylvania [Mr. GOODLING].

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and (three-fifths having voted in favor thereof) the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL EMPLOYEE REPRESENTATION IMPROVEMENT ACT OF 1995

The SPEAKER pro tempore. The Clerk called the bill (H.R. 782) to amend title 18 of the United States Code to allow members of employee associations to represent their views before the United States Government.

The Clerk read the bill, as follows:

H.R. 782

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Employee Representation Improvement Act of 1995''.

SEC. 2. REPRESENTATION BY FEDERAL OFFICERS AND EMPLOYEES.

(a) EXTENSION OF EXEMPTION TO PROHIBITION.—Subsection (d) of section 205 of title 18, United States Code, is amended to read as follows:

''(d)(1) Nothing in subsection (a) or (b) prevents an officer or employee, if not inconsistent with the faithful performance of that officer's or employee's duties, from acting without compensation as agent or attorney for, or otherwise representing—

''(A) any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings; or

''(B) except as provided in paragraph (2), any cooperative, voluntary, professional, recreational, or similar organization or group not established or operated for profit, if a majority of the organization's or group's members are current officers or employees of the United States or of the District of Columbia, or their spouses or dependent children.

''(2) Paragraph (1)(B) does not apply with respect to a covered matter that—

''(A) is a claim under subsection (a)(1) or (b)(1);

''(B) is a judicial or administrative proceeding where the organization or group is a party; or

''(C) involves a grant, a contract, or other agreement (including a request for any such grant, contract, or agreement) providing for the disbursement of Federal funds to the organization or group.''.

(b) APPLICATION TO LABOR-MANAGEMENT RELATIONS.—Section 205 of title 18, United States Code, is amended by adding at the end the following:

''(i) Nothing in this section prevents an employee from acting pursuant to chapter 71 of title 5 or section 1004 or chapter 12 of title 39.''.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the committee amendment in the nature of a substitute.

The clerk read as follows:

Committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Employee Representation Improvement Act of 1995''.

SEC. 2. REPRESENTATION BY FEDERAL OFFICERS AND EMPLOYEES.

(a) EXTENSION OF EXEMPTION TO PROHIBITION.—Subseciton (d) of section 205 of title 18, United States Code, is amended to read as follows:

''(d)(1) Nothing in subsection (a) or (b) prevents an officer or employee, if not inconsistent with the faithful performance of that officer's or employee's duties, from acting without compensation as agent or attorney for, or otherwise representing—

''(A) any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings; or

''(B) except as provided in paragraph (2), any cooperative, voluntary, professional, recreational, or similar organization or group not established or operated for profit, if a majority of the organization's or group's members are current officers or employees of the Untied States or of the District of Columbia, or their spouses or dependent children.

''(2) Paragraph (1)(B) does not apply with respect to a covered matter that—

''(A) is a claim under subsection (a)(1) or (b)(1);

''(B) is a judicial or administrative proceeding where the organization or group is a party; or

''(C) involves a grant, a contract, or other agreement (including a request for any such grant, contract, or agreement) providing for the disbursement of Federal funds to the organization or group.''.

(b) APPLICATION TO LABOR-MANAGEMENT RELATIONS.—Section 205 of title 18, United States Code, is amended by adding at the end the following:

''(i) Nothing in this section prevents an employee from acting pursuant to chapter 71 of title 5 or section 1004 or chapter 12 of title 39.''.

Mr. HOKE (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio [Mr. HOKE] will be recognized for 30 minutes, and the gentleman from

Massachusetts [Mr. FRANK] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. HOKE].

□ 1615

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

Mr. Speaker, I rise in support of the bill.

Mr. Speaker, H.R. 782, the Federal Employee Representation Improvement Act of 1995 is good Government measure with broad bipartisan support. The act is a remedial measure necessary to protect the right of Federal employees as representatives of their employee organizations to communicate with Federal departments and agencies in appropriate circumstances.

In an effort to influence the crime bill before the 103d Congress in 1994, some employees of the Department of Justice, who are also members of the National Association of Assistant United States Attorneys, met with Justice Department officials to express their views as an employee organization.

Attorney General Reno asked for an official opinion from Assistant Attorney General Walter Dellinger in the Office of Legal Counsel regarding the propriety of this group's expression of their opinion to top Justice Department officials. The Department was concerned that communications by the employees on behalf of the employee organization was a conflict of interest under section 205 of title 18, a criminal statute, which prohibits Federal employees from representing persons in matters in which the United States has a direct and substantial interest.

The Justice Department issued an opinion concluding that no general exception exists for employee organizations from the restrictions of section 205 of title 18. Under that opinion, any representation made by a Federal employee on behalf of an employee organization is a criminal conflict of interest under section 205. Included among these organizations are credit unions, child care centers, health and fitness organizations, recreational associations, and professional associations. This interpretation of the law has had a chilling effect on communications between Federal employees and management on exactly those issues where communications should be fostered, not discouraged.

H.R. 782, introduced by the gentleman from Virginia, Mr. WOLF, will correct this situation and protect the right of Federal employees as representatives of their employee organizations to communicate with Federal agencies in appropriate circumstances.

The Subcommittee on the Constitution reported an amendment in the nature of a substitute to H.R. 782. The substitute differs from the introduced bill by providing certain specific limitations on when an employee can represent an employee organization. The substitute will continue to prohibit employees from representing organizations or groups in formal adversarial matters or in competition with the private sector for the assistance the Government provides through actual cash disbursements, as opposed to services, equipment and facilities.

Therefore, under the language of the substitute, a Federal employee may not represent an organization or group in a claim against the Government, in a judicial or administrative proceeding where the organization or group is a party, or where the organization or group is seeking money from the Government.

Mr. Speaker, H.R. 782 will restore and protect the rights that Federal employees have enjoyed for over 30 years until the Justice Department removed those rights through its interpretation of the law. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve balance of my time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Ohio [Mr. HOKE] has accurately stated both the history that led up to this bill and its purpose. As a member of the Committee on the Judiciary conference, I thought the Assistant U.S. Attorneys Association was dead wrong in what they were arguing. Why they insisted on keeping people locked up for many, many years, whose sole crime was the possession of relatively small amounts of marijuana, I will never understand. But this institution defends in part the right of people to do things that do not make a great deal of sense, and certainly to say things that I disagree with. I believe the response of the Justice Department was erroneous, in that it did lead to a curtailment of the rights of Federal employees.

We have taken some steps to expand the rights of employees, and we certainly should not be going back, so I was glad to cooperate with the chairman of the Subcommittee on the Constitution, the gentleman from Florida [Mr. CANADY], and others, in moving this bill quickly forward.

As evidence of the importance of this bill, Mr. Speaker, I will include into the RECORD a letter from Leonard Hirsch, president of the board of directors of the Gay, Lesbian or Bisexual Employees of the Federal Government, who testified in this letter to the importance of this kind of right of free expression for the kind of efforts that they and other organizations engage in.

Mr. Speaker, the gentleman from Virginia [Mr. WOLF] was the moving force behind this bill, and is entitled to a great deal of credit for it.

Mr. Speaker, I include the letter referred to for the RECORD.

FEDERAL GLOBE,
Washington, DC, October 20, 1995.

Hon. BARNEY FRANK,
House of Representatives, Washington, DC.

DEAR CONGRESSMAN FRANK: I want to take this opportunity to thank you for your past support for H.R. 782—To amend title 18 of the US Code to allow members of employee associations to represent their views before the US Government—and to urge you to continue this support as the bill comes to the floor this week.

As you know, this law returns basic rights of free association and speech to federal employees. These rights were inadvertently removed during the important process of streamlining the Federal Personnel Manual. This legislation simply returns these rights to federal employees.

Good business practice, in addition to the base ideals of this country, undergird the need for this small but important piece of legislation. Federal agencies must be able to gather information and advice from the most knowledgeable and useful sources. This often means their own employees who by joining cooperative, voluntary, professional organizations bring together information and wisdom that can, through consultation and discussion, make for better and more efficient workplace policies.

Absent this bill, all employee groups—senior managers, women, African-Americans, Native Americans, health care professionals, scientists, etc—cannot as a group give advise, or advocate for better policy implementation within their areas of purview. This makes for bad process and bad policy. Employees must feel free to join groups and know that they can speak within the workplace for these groups and the knowledge they bring forward. As the federal workplace strives to make itself free from harassment and discrimination against its lesbian, gay, and bisexual employees (which it sadly is not), it is vital that the GLOBE groups in the agencies are able to work with the department and agency administration in developing workable and useful procedures and programs. This bill will enable such cooperation to continue without fear.

Thank you for your continued support and we look forward to working closely with you on future issues.

Sincerely,

LEONARD P. HIRSCH,
President Board of Directors.

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

Mr. Speaker, we are very proud to be here on the floor today to actually get this on Corrections Day corrected. I also think that the gentleman from Massachusetts [Mr. FRANK] was quite correct in saying that the Justice Department's interpretation of this particular portion of the code is, in my opinion, completely incorrect. But in any event, we have now dealt with that in a way that will not be confused in the future.

Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. WOLF]. The gentleman from Virginia carried the water on this and did a good job with it.

Mr. WOLF. Mr. Speaker, I rise in support of the bill. It is the Federal Employee Representation Improvement Act. It is bipartisan. It has been supported by the chairman of the Subcommittee on the Constitution of the Committee on Justice, the gentleman from Florida [Mr. CANADY] and the ranking member, the gentleman from Massachusetts [Mr. FRANK]. It will help Federal employees. Whereby up until this time they were able to negotiate and talk about day-care and different

things like that. When the Department of Justice came down with their ruling, they were no longer able to do it. This will now permit them to do it.

Mr. Speaker, this is strongly supported by a number of Federal employee groups. It will protect the rights of Federal employees that they have enjoyed until the Department of Justice removed them through its interpretation of section 205. It is a good measure.

Mr. Speaker, I want to express my gratitude to the gentleman from Florida [Mr. CANADY], the chairman of the Subcommittee on the Constitution, and the gentleman from Massachusetts [Mr. FRANK], the ranking member of the subcommittee, for quickly moving this, and also appreciate the hard work of the Office of Government Ethics and the staff of the Subcommittee on the Constitution, all of whom worked with my staff to create this bipartisan legislation.

Mr. Speaker, I also want to commend and thank Will Moschella, who works for me, who really did the bulk of the work on this.

Mr. Speaker, I rise in support of H.R. 782, the Federal Employee Representation Improvement Act. This legislation, which has bipartisan support, would allow Federal employee management and professional organizations to have Federal employees speak on their behalf without violating criminal law. This legislation is necessary because the Department of Justice [DOJ] issued a legal opinion on November 7, 1994, explaining Federal employee speaking on behalf of a nonunion association to their superiors could be guilty of violating 18 U.S.C. section 205, a criminal provision. It is apropos that H.R. 782 is being considered under the correction calendar process because we must correct the consequences of the DOJ legal opinion which has had negative repercussions throughout the entire Federal Government.

Federal employees who are members of employee organizations, like child care centers, health and fitness organizations, recreation associations, and professional associations, have traditionally been able to represent the views of the employee organization to the employing department or agency. I think all would agree that active employee participation in matters of employment should be encouraged.

Until now, Federal employees' ability to represent to their agencies the interests of their employee organization has peacefully coexisted with 18 U.S.C. section 205, which prohibits a Government employee, except in the performance of official duties, from acting as agent or attorney for anyone before any agency or court of the United States in connection with a covered matter. A covered matter is described at 18 U.S.C. sections 205(h) as including ''any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest, or other particular matter.'' Until now, issues affecting employees as employees, such as pay and benefits issues, have not been viewed as covered matters.

DOJ legal opinions and guidelines state that managers or supervisors who are Federal employees and who represent the interests of their peers or associations before senior management officials are guilty of a violation of 18 U.S.C. sections 205 and could be prosecuted as felons and subject to imprisonment and fines. Technically, according to DOJ, an employee who asks to use office space on behalf of an employee organization may have violated the law and could be subject to criminal prosecution or a civil penalty of not more than $50,000 for each violation. This is chilling to employee participation and is the wrong policy to pursue. During this time of downsizing and cutbacks, we should be encouraging more employee participation instead of less.

18 U.S.C. section 205 was enacted in 1962 and there has not been a problem until DOJ issued its opinion. Now, if a Federal employee wishes to discuss child care on behalf of his or her employee organization, he or she is in violation of the law. This situation is outrageous and must be corrected. This legislation, which reverses the Department of Justice's interpretation of the law, allows a Federal employee to represent an employee association or the interests of its members to the executive branch or any agency of the Government.

For example, this legislation would allow a Federal employee member of the Conference of Administrative Law Judges to represent its views on changes in the Social Security adjudication process to or before a Federal department or agency. Under DOJ's interpretation of current law, administrative law judges who have experience in matters involving the administrative adjudicatory process, would not be able to share that knowhow with the agency. This is an absurd situation and H.R. 782 will change it.

This bill will protect the rights that Federal employees have enjoyed for years until the Department of Justice removed them through its interpretation of section 205. This legislation is a good-government measure, is good for Federal employees and maintains the integrity and purpose of section 205. I urge unanimous support for this legislation.

Mr. Speaker, I want to express my gratitude to Congressman CANADY, chairman of the Constitution Law Subcommittee and Congressman FRANK, the ranking member of the subcommittee, for quickly moving this legislation. I also appreciate the hard work of the staff of the Office of Government Ethics and the staffs of the Constitutional Law Subcommittee, all of whom worked with my staff to craft this bipartisan legislation.

Mr. Speaker, I ask unanimous consent to include a list of Federal employee groups who support H.R. 782.

WHO SUPPORTS H.R. 782?

American Federation of Federal Employees.
American Foreign Service Association.
Asian Pacific American Network in Agriculture.
Blacks in Government.
Classification and Compensation Society.
Coalition for Effective Change (29 Federal Employee Groups).
Customs National Hispanic Agents Association.
Federal Investigators' Association.
Federal Bar Association.
Federal Bureau of Investigation Agents Association
Federal Law Enforcement Officers Association.
Federal Managers Association.
Federal Physicians Association.
Federal Asian Pacific American Council.
Fraternal Order of Police, National Park Ranger Lodge.
International Personnel Management Association.
National Association of Assistant United States Attorneys.
National Association of Black Customs Enforcement Officers.
National Association of Federal Veterinarians.
National Association of Retired Federal Employees.
National Association of Treasury Agents.
Naval Civilian Managers Association.
NIST, Child Care Association.
Organization of Professional Employees of the USDA.
Professional Managers Association.
Senior Executives Association.
Senior Foreign Service Association.
Social Security Management Associations, Inc.

Mr. DAVIS. Mr. Speaker, I rise to voice my strong support for this important legislation and to thank my friend and neighbor, Mr. WOLF, for crafting this solution to what has become a stifling regulatory burden on the free speech rights of Federal employees. I would also like to thank Mr. CANADY, chairman of the Subcommittee on the Constitution, for sheparding this bill through the legislative process and bringing it to the floor today.

The Federal Employee Representation Improvement Act corrects a Department of Justice [DOJ] legal opinion that promulgated an overly broad interpretation of section 205 of the 1962 Government Ethics Statute, Public Law 87–849. This controversial legal opinion stated that Federal employees would be subject to prosecution if they communicated with the U.S. Government in any way on any matter currently before a Federal agency. Now, this might make sense in the context of Federal employees interfering in a rulemaking that affects the general public, but the Department of Justice legal opinion is so overbroad that it could be interpreted to forbid Federal employees from contacting their employing agency regarding personnel and administrative matters.

I have been contacted by numerous constituents who report that the DOJ legal opinion has had a chilling effect on what we all would agree are merely routine contacts between employees and management. Federal employees are currently afraid to communicate with management regarding administrative issues in Federal agencies, such as child care centers, health and fitness facilities, credit unions, and professional associations. The modern workplace is often the site of many activities that are not related to the official duties carried out by the office or agency. Employees should be encouraged to get involved in these activities and to speak out when necessary. H.R. 782 will correct the existing confusion and allow an open dialog on administrative issues within government agencies.

I believe it is especially appropriate that we advance this legislation via the new corrections day procedure which was designed by the Speaker to resolve poorly written or interpreted regulations and laws. H.R. 782 will correct an overbroad legal opinion that has stifled the open exchange of views in the Federal workplace on administrative and quality of life issues. I urge my colleagues to unanimously support this important legislation.

Mrs. MORELLA. Mr. Speaker, I rise in strong support of H.R. 782, a commonsense measure aimed at protecting the channels of communication between Federal employees and management.

One of the key factors that is driving the continuous improvement initiatives in government and the private sector is employee involvement. In fact, employee involvement and employee empowerment are cornerstones in the administration's national performance review and are essential to an agency's ability to explore new paths in solving problems.

For employees, who speak on behalf of employee associations, having an entree to management is vital in the process. For management, having this feedback system is essential in staying abreast of emerging workplace concerns and in developing solutions that reduce conflict and costly potential grievances.

And for years, no one questioned this beneficial relationship between employees and management. However, a Justice Department interpretation of title 18, section 205 prohibits employee representatives from expressing the views of an employee organization or association before a government agency. In fact the employee could be prosecuted if he/she does so.

Mr. Speaker, I ask you to imagine being prosecuted for offering suggestions to make a day care facility safer and more enjoyable for our children. I ask you to imagine being arrested because as a representative of blacks in government or the Professional Managers Association you raise concerns about new hiring initiatives in your agency, or as a representative of the Coalition for Effective Change you had the nerve to comment on suggestions to improve the efficiency of the organization.

The Justice Department was correct in its interpretation of the law, but in doing so, it compromised the spirit of the law and the spirit of cooperation between employees and management.

H.R. 782 restores the voice of these employees and the spirit of the law, without overextending the rights of employee associations or infringing on the responsibilities of executives. I urge my colleagues to support H.R. 782.

Mr. HOYER. Mr. Speaker, I hope that the House will approve this legislation that will revise rules for representational activities of Federal employees.

This is commonsense government and, as a cosponsor, I am pleased to see H.R. 782 included on today's agenda. The legislation authored by Congressman WOLF will resolve existing problems that make it illegal for Federal employees to express the view of an employee organization or association to a governmental agency.

This has been a troublesome issue for child care groups, credit unions, recreational associations, and other employee organizations. This bill will allow members of such groups to discuss all matters except judicial proceedings and grant requests.

In my view, the 1962 ethics provisions, as interpreted by the Department of Justice in 1994, were never intended to prohibit such communication. It does not make sense to stop the president of a credit union from discussing his needs or issues with representatives of the agency or Department. In fact, open discussion benefits both the organizations, the employees involved, and the employer.

I thank the Committee on the Judiciary for reporting the legislation and I urge its adoption.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and (three-fifths having voted in favor thereof) the bill was passed.

A motion to reconsider was laid on the table.

APPOINTMENT OF ADDITIONAL CONFEREE ON H.R. 4, PERSONAL RESPONSIBILITY ACT OF 1995

The SPEAKER pro tempore. Without objection, the gentleman from California [Mr. CUNNINGHAM] is appointed as a conferee on H.R. 4.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

COMMUNICATION FROM HONORABLE SAM M. GIBBONS, MEMBER OF CONGRESS

The Chair laid before the House the following communication from the Honorable SAM M. GIBBONS, Member of Congress:

SAM M. GIBBONS,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 18, 1995.

Hon. NEWT GINGRICH,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that a member of my staff has been served with a subpoena issued by the United States District Court for the Middle District of Florida.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SAM M. GIBBONS,
U.S. Congressman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules, but not before 5 p.m. today.

FISHERIES ACT OF 1995

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 716) to amend the Fishermen's Protective Act.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fisheries Act of 1995''.

SEC. 2. TABLE OF CONTENTS.

The Table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—HIGH SEAS FISHING COMPLIANCE

Sec. 101. Short title.
Sec. 102. Purpose.
Sec. 103. Definitions.
Sec. 104. Permitting.
Sec. 105. Responsibilities of the Secretary.
Sec. 106. Unlawful activities.
Sec. 107. Enforcement provisions.
Sec. 108. Civil penalties and permit sanctions.
Sec. 109. Criminal offenses.
Sec. 110. Forfeitures.
Sec. 111. Effective date.

TITLE II—IMPLEMENTATION OF CONVENTION ON FUTURE MULTILATERAL COOPERATION IN THE NORTHWEST ATLANTIC FISHERIES

Sec. 201. Short title.
Sec. 202. Representation of United States under convention.
Sec. 203. Requests for scientific advice.
Sec. 204. Authorities of Secretary of State with respect to convention.
Sec. 205. Interagency cooperation.
Sec. 206. Rulemaking.
Sec. 207. Prohibited acts and penalties.
Sec. 208. Consultative committee.
Sec. 209. Administrative matters.
Sec. 210. Definitions.
Sec. 211. Authorization of appropriations.

TITLE III—ATLANTIC TUNAS CONVENTION ACT

Sec. 301. Short title.
Sec. 302. Research and monitoring activities.
Sec. 303. Definitions.
Sec. 304. Advisory committee procedures.
Sec. 305. Regulations and enforcement of Convention.
Sec. 306. Fines and permit sanctions.
Sec. 307. Authorization of appropriations.
Sec. 308. Report and savings clause.
Sec. 309. Management and Atlantic yellowfin tuna.
Sec. 310. Study of bluefin tuna regulations.
Sec. 311. Sense of the Congress with respect to ICCAT negotiations.

TITLE IV—FISHERMEN'S PROTECTIVE ACT

Sec. 401. Findings.
Sec. 402. Amendment to the Fishermen's Protective Act of 1967.
Sec. 403. Reauthorization.
Sec. 404. Technical corrections.

TITLE V—FISHERIES ENFORCEMENT IN CENTRAL SEA OF OKHOTSK

Sec. 501. Short title.
Sec. 502. Fishing prohibition.