

Twenty-five years ago, September 8, 1972, the Federal debt stood at \$435,645,000,000 (Four hundred thirty-five billion, six hundred forty-five million) which reflects a debt increase of nearly \$5 trillion—\$4,975,673,696,295.51 (Four trillion, nine hundred seventy-five billion, six hundred seventy-three million, six hundred ninety-six thousand, two hundred ninety-five dollars and fifty-one cents) during the past 25 years.

NOTICE OF PROPOSED RULEMAKING

Mr. THURMOND. Mr. President, pursuant to section 304(b) of the Congressional Accountability Act of 1995 (2 U.S.C. sec. 1384(b)), a notice of proposed rulemaking was submitted by the Office of Compliance, U.S. Congress. The notice publishes proposed amendments to regulations previously adopted by the Board implementing sections 204, section 205, and section 215 of the Congressional Accountability Act of 1995.

Section 204 concerns the extension of rights and protections under the Employee Polygraph Protection Act of 1988. Section 205 applies rights and protections of the Worker Adjustment and Retraining Notification Act. Section 215 concerns the extension of rights and protections under the Occupational Safety and Health Act of 1970.

Section 304(b) requires this notice to be printed in the CONGRESSIONAL RECORD, therefore I ask unanimous consent that the notice be printed in the RECORD.

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

OFFICE OF COMPLIANCE—THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995: EXTENSION OF RIGHTS AND PROTECTIONS UNDER THE EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988, THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT, AND THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970
NOTICE OF PROPOSED RULEMAKING

Summary: The Board of Directors ("Board") of the Office of Compliance is publishing proposed amendments to its regulations implementing sections 204, 205, and 215 of the Congressional Accountability Act of 1995 ("CAA" or the "Act"), 2 U.S.C. §§1314, 1315, 1341. The CAA applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices within the Legislative Branch. Section 204 applies rights and protections of the Employee Polygraph Protection Act of 1988 ("EPPA"), section 205 applies rights and protections of the Worker Adjustment and Retraining Notification Act ("WARN Act"), and section 215 applies rights and protections of the Occupational Safety and Health Act of 1970 ("OSHAAct"). These sections of the CAA will go into effect with respect to the General Accounting Office ("GAO") and the Library of Congress (the "Library") on December 30, 1997, and this Notice of Proposed Rulemaking ("NPRM") proposes to amend the Board's regulations implementing these sections to extend the coverage of the regulations to include GAO and the Library. Several typographical and other minor corrections and changes are also being made to the regulations being amended.

The regulations under sections 204, 205, and 215 were adopted in three virtually identical versions, one that applies to the Senate and employees of the Senate, one that applies to the House of Representatives and employees of the House, and one that applies to other covered employees and employing offices. This NPRM proposes that identical amendments be made to the three versions of the regulations. The proposal to amend the regulations that apply to the Senate and its employees is the recommendation of the Office of Compliance's Deputy Executive Director for the Senate, the proposal to amend the regulations that apply to the House and its employees is the recommendation of the Office of Compliance's Deputy Executive Director for the House of Representatives, and the proposal to amend the regulations that apply to other employing offices and their employees is the recommendation of the Executive Director of the Office of Compliance.

Dates: Comments are due within 30 days after the date of publication of this NPRM in the Congressional Record.

Addresses: Submit comments in writing (an original and 10 copies) to the Chair of the Board of Directors, Office of Compliance, Room LA 200, John Adams Building, 110 Second Street, S.E., Washington, D.C. 20540-1999. Those wishing to receive notification of receipt of comments are requested to include a self-addressed, stamped post card. Comments may also be transmitted by facsimile ("FAX") machine to (202) 426-1913. This is not a toll-free call. Copies of comments submitted by the public will be available for review at the Law Library Reading Room, Room LM-201, Law Library of Congress, James Madison Memorial Building, Washington, D.C., Monday through Friday, between the hours of 9:30 a.m. and 4:00 p.m.

For further information contact: Executive Director, Office of Compliance, at (202) 724-9250 (voice), (202) 426-1912 (TTY). This Notice is also available in the following formats: large print and braille. Requests for this notice in large print or braille should be made to Mr. Russell Jackson, Director, Services Department, Office of the Sergeant at Arms and Doorkeeper of the Senate, at (202) 224-2705 (voice), (202) 224-5574 (TTY).

SUPPLEMENTARY INFORMATION

1. Background and purpose of this rulemaking

The Congressional Accountability Act of 1995 ("CAA" or the "Act"), Pub. L. 104-1, 109 Stat. 3, 2 U.S.C. §§1301-1438, was enacted on January 23, 1995. The CAA applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices within the Legislative Branch.

Sections 204, 205, and 215 apply three of these laws. Section 204 of the CAA, 2 U.S.C. §1314, applies the rights and protections under the Employee Polygraph Protection Act of 1988 ("EPPA"), by providing generally that no employing office may require a covered employee to take a lie detector test where such a test would be prohibited if required by an employer under paragraph (1), (2), or (3) of section 3 of the EPPA, 29 U.S.C. §2002(1), (2), (3). Section 205 of the CAA, 2 U.S.C. §1315, applies the rights and protections of the Worker Adjustment and Retraining Notification Act ("WARN Act"), by providing generally that no employing office shall be closed or a mass layoff ordered within the meaning of section 3 of the WARN Act, 29 U.S.C. §2102, until 60 days after the employing office has provided written notice to covered employees. Section 215 of the CAA, 2 U.S.C. §1341, applies the rights and protections of section 5 of the Occupational Safety and Health Act of 1970 ("OSHAAct"), by providing generally that each employing office and each covered employee must com-

ply with the provisions of section 5 of the OSHAAct, 29 U.S.C. §654.

For most covered employees and employing offices, sections 204 and 205 became effective on January 23, 1996, and section 215 became effective on January 1, 1997. However, "with respect to the General Accounting Office and the Library of Congress," the CAA provides that sections 204, 205, and 215 "shall be effective . . . 1 year after transmission to the Congress of the study under section 230." Sections 204(d)(2), 205(d)(2), 215(g)(2) of the CAA, 2 U.S.C. §§1314(d)(2), 1315(d)(2), 1341(g)(2). This "study under section 230" is a study of the application of certain laws, regulations, and procedures at the General Accounting Office ("GAO"), the Government Printing Office ("GPO"), and the Library of Congress ("Library"), which the Board was directed to undertake by section 230 of the CAA, as amended, 2 U.S.C. §1371. The Board transmitted the completed study to Congress on December 30, 1996, and sections 204, 205, and 215 will therefore become effective with respect to GAO and the Library on December 30, 1997.¹

The CAA requires that the Board adopt regulations to implement sections 204, 205, and 215, and further requires that these regulations be the same as the substantive regulations promulgated by the Secretary of Labor to implement the provisions of applicable statute, except if the Board determines, for good cause shown, that a modification would be more effective for the implementation of the rights and protections under these sections. 2 U.S.C. §§1314(c), 1315(c), 1341(d). The Board has adopted regulations implementing these sections with respect to employing offices other than GAO and the Library, and the purpose of this rulemaking is to adopt regulations implementing these sections with respect to GAO and the Library as well.

2. Record of earlier rulemakings

To avoid duplication of effort in proposing and adopting regulations with respect to GAO and the Library, the Board plans to rely, in part, on the record of its earlier rulemakings. The regulations implementing sections 204 and 205 of the CAA were proposed, adopted, and issued during the latter part of 1995 and the first part of 1996, and, during that period, the Board solicited comment and explained the basis and purpose of the regulations in several notices published in the CONGRESSIONAL RECORD. On September 28, 1995, the Board published an Advance Notice of Proposed Rulemaking ("ANPRM"), in which the Board solicited comments before promulgating proposed rules under several sections of the CAA, including sections 204 and 205. 141 CONG. REC. S14542-44 (daily ed. Sept. 28, 1995). On November 28, 1995, the Board issued NPRMs proposing regulations under sections 204 and 205, among others. 141 CONG. REC. S17652-64 (daily ed. Nov. 28, 1995), and on January 22, 1996, the Board published Notices of Adoption of Regulation and Submission for Approval and Issuance of Interim Regulations under these sections, 142 CONG. REC. S262-74 (daily ed. Jan. 22, 1996). The Board also proposed and adopted separate regulations, pursuant to section 204(a)(3) of the CAA, authorizing the Capitol Police to use lie detector tests. 141 CONG. REC. S14544-45 (daily ed. Sept. 28, 1995) (NPRM); 142 CONG. REC. S260-62 (daily ed. Jan. 22, 1996) (Notice

¹The study under section 230, as well as copies of the December 30, 1996 letters from the Board transmitting the study to Congress, are available for inspection in the Law Library Reading Room, at the address and times stated at the beginning of this Notice. The study may also be viewed on the Office of Compliance's Internet web site at either <http://www.compliance.gov/230.html> or <http://www.access.gpo.gov/compliance/230.html>.

of Adoption, etc.). The adopted regulations were then approved by Congress, and, on April 23, 1996, the Board's Notices of Issuance of Final Regulations were published in the CONGRESSIONAL RECORD setting forth the text of the final regulations implementing several CAA sections, including 204 and 205. 142 CONG. REC. S3917-24, S3948-52 (daily ed. Apr. 23, 1996).

The Board published proposed regulations to implement section 215 on September 19, 1996, 142 CONG. REC. H10711-19 (daily ed. Sept. 19, 1996), and published its Notice of Adoption and Submission for Approval for these regulations on January 7, 1997, 143 CONG. REC. S61-70 (Jan. 7, 1997). The House and Senate have not yet approved the section 215 regulations, and, accordingly, these regulations have not yet been issued.²

3. Proposed amendments

The Board is presently aware of no reason why the regulations to be adopted under section 204, 205, or 215 for GAO and the Library and their employees should be separate or substantively different from the regulations already adopted for other employing offices and their employees. The Board therefore proposes in this NPRM to expand the coverage of the regulations already adopted under sections 204, 205, and 215 to include GAO and the Library and their employees, and to make no other substantive change to the regulations.

a. Regulations Under Section 204—Rights and Protections Under the Employee Polygraph Protection Act of 1988. The Board's two regulations implementing section 204 of the CAA—*i.e.*, the exclusion for employees of the Capitol Police, and the regulations covering all other employing offices except GAO and the Library—were issued in final form and published in the April 23, 1996 issue of the Congressional Record, 142 CONG. REC. S3917-24 (Apr. 23, 1996). In the regulations for employing offices other than the Capitol Police, the scope of coverage is established by the definitions of "covered employee" in section 1.2(c) and "employing office" in section 1.2(i). The Board proposes to amend these regulations by adding any employee of GAO or the Library to the definition of "covered employee," and by adding GAO and the Library to the definition of "employing office."

b. Regulations under Section 205—Rights and Protections Under the Worker Adjustment and Retraining Notification Act. Regulations implementing section 205 for employing offices other than GAO and the Library were issued in final form and published in the April 23, 1996 issue of the CONGRESSIONAL RECORD, 142 CONG. REC. S3949-52 (Apr. 23, 1996). The scope of coverage of these regulations is established by the definition of "employing office" in section 639.3(a)(1). As presently drafted, the definition in section 639(a)(1) incorporates by reference the definition of "employing office" in section 101(9) of the CAA, 2 U.S.C. § 1301(9), which includes all covered employees and employing offices other than GAO and the Library. The Board proposes to amend these regulations by adding to the definition of "employing office" a reference to section 205(a)(2) of the CAA, which, for purposes of section 205, adds GAO

and the Library to the definition of "employing office."

c. Regulations under Section 215—Rights and Protections Under the Occupational Safety and Health Act of 1970. Regulations implementing section 215 for employing offices other than GAO and the Library were adopted by the Board and published in the January 7, 1997 issue of the "CONGRESSIONAL RECORD, 143 CONG. REC. S61-79 (Jan. 7, 1997). The scope of coverage of these regulations is established by the definition of "covered employee" in section 1.102(c), the definition of "employing office" in section 1.102(i), and a listing in both sections 1.102(j) and 1.103 of entities that, pursuant to the regulations are included as employing offices if responsible for correcting a violation of section 215 of the CAA. The Board proposes to amend these regulations by adding any employee of GAO or of the Library to the definition of "covered employee," and by adding GAO and the Library to the definition of "employing office" and to the entities listed in sections 1.102(j) and 1.103 that can be included as employing offices.

In addition to the proposed changes described above, several typographical and other minor corrections are being made to the regulations being amended, including a few corrections and changes to the list of Department of Labor's regulations under the OSHA Act that are incorporated by reference into the regulations adopted by the Board under section 215 of the CAA.³

4. Request for Comment

The Board invites comment on these proposed amendments generally, and invites comment specifically on whether there is any reason why the regulations to be adopted under section 204, 205, or 215 for GAO and the Library and their employees should be separate or substantively different from the regulations already adopted for other employing offices and their employees.

Recommended method of approval. The Board proposes that it will adopt three identical versions of the amendments and recommends: (1) that the version amending the regulations that apply to the Senate and employees of the Senate be approved by the Senate by resolution, (2) that the version amending the regulations that apply to the House of Representatives and employees of

the House of Representatives be approved by the House by resolution, and (3) that the version amending the regulations that apply to other covered employees and employing offices be approved by the Congress by concurrent resolution.

The Board expects to adopt the amendments and to submit them to the House and Senate for approval by three separate documents, one for the amendments under section 204 of the CAA, one for the amendments under section 205, and one for the amendments under section 215. This procedure will enable the House and Senate to consider and act on the amendments under sections 204, 205, and 215 separately, if the House and Senate so choose. The Board's regulations under section 215 have not yet been approved by the House and Senate, and, if the regulations remain unapproved when the Board adopts the amendments under section 215, the Board recommends that the House and Senate approve those amendments together with the regulations.

Signed at Washington, D.C., on this 5th day of September, 1997.

GLEN D. NAGER,

Chair of the Board, Office of Compliance.

Accordingly, the Board of Directors of the Office of Compliance hereby proposes the following amendments to its regulations:

AMENDMENTS TO REGULATIONS UNDER SECTION 204 OF THE CAA—APPLICATION OF RIGHTS AND PROTECTIONS OF THE EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988

It is proposed that the regulations implementing section 204 of the CAA, issued by publication in the CONGRESSIONAL RECORD on April 23, 1996 at 142 CONG. REC. S3917-3924 (daily ed. Apr. 23, 1996), be amended by revising section 1.2(c) and the first sentence of section 1.2(i) to read as follows:

'Sec. 1.2 Definitions

* * * * *

(c) The term *covered employee* means any employee of (1) the House of Representatives; (2) the Senate; (3) the Capitol Guide Service; (4) the Congressional Budget Office; (5) the Office of the Architect of the Capitol; (6) the Office of the Attending Physician; (7) the Office of Compliance; (8) the General Accounting Office; or (9) the Library of Congress.

* * * * *

(i) The term *employing office* means (1) the personal office of a Member of the House of Representatives or of a Senator; (2) a committee of the House of Representatives or the Senate or a joint committee; (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate; (4) the Capitol Guide Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; (5) the General Accounting Office; or (6) the Library of Congress. * * * * *

AMENDMENTS TO REGULATIONS UNDER SECTION 205 OF THE CAA—APPLICATION OF RIGHTS AND PROTECTIONS OF THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT

It is proposed that the regulations implementing section 205 of the CAA, issued by publication in the CONGRESSIONAL RECORD on April 23, 1996 at 142 CONG. REC. S3949-52 (daily ed. Apr. 23, 1996), be amended by revising the title at the beginning of the regulations, and the introductory text of the first sentence 639.3(a)(1), to read as follows:

"APPLICATION OF RIGHTS AND PROTECTIONS OF THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT

* * * * *

²Although the Board's regulations implementing section 215 have not yet been issued, section 411 of the CAA provides that, in proceedings to enforce most provisions of the CAA, including section 215, "if the Board has not issued a regulation on a matter for which this Act requires a regulation to be issued, the hearing officer, Board, or court, as the case may be, shall apply, to the extent necessary and appropriate, the most relevant substantive executive agency regulation promulgated to implement the statutory provision at issue in the proceeding." 2 U.S.C. § 1411.

³In the regulations implementing section 204 of the CAA, in the definitions of "employing office" and "covered employee" in sections 1.2(c) and (i), the references to the Office of Technology Assessment ("OTA") and to employees of OTA are being removed, as OTA no longer exists. In the regulations implementing section 205 of the CAA, the title at the beginning of the regulations is being corrected. In the regulations implementing section 215 of the CAA, in the definition of "employing office" in section 1.102(i), "the Senate" is stricken from clause (1) and "of a Senator" is inserted instead, and "or a joint committee" is stricken from that clause, for conformity with the text of section 101(9)(A) of the CAA, 2 U.S.C. § 1301(9)(A). In section 1.102(j) of those regulations, "a violation of this section" is stricken and "a violation of section 215 of the CAA (as determined under section 1.106)" is inserted instead, for consistency with the language in section 1.103 of the regulations. Furthermore, in Appendix A to Part 1900 of the regulations, several editorial and technical errors are being corrected in the cross-references to the Secretary of Labor's regulations under the OSHA Act and recent changes in the Secretary's regulations are being incorporated. These corrections comport with the Board's stated intention to incorporate by reference the Labor Secretary's substantive regulations in effect at the time the Board approved the regulations under section 215 of the CAA, and to update the list of incorporated regulations when necessitated by the Secretary's changes to those regulations. See 142 CONG. REC. H10711, H10715 (daily ed. Sept. 19, 1996) (NPRM under section 215); section 1900.1(c) of the Board's regulations under section 215, 143 CONG. REC. S61, S67 (daily ed. Jan. 7, 1997).

“§639.3 Definitions.

“(a) *Employee office.* (1) The term “employing office” means any of the entities listed in section 101(9) of the CAA, 2 U.S.C. §1301(9), and either of the entities included in the definition of “employee office” by section 205(a)(2) of the CAA, 2 U.S.C. §1315(a)(2), that employ—

“(i) * * * *”.

AMENDMENTS TO REGULATIONS UNDER SECTION 215 OF THE CAA—APPLICATION OF RIGHTS AND PROTECTIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

It is proposed that the regulations implementing section 215 of the CAA, adopted and published in the CONGRESSIONAL RECORD on January 7, 1997 at 143 CONG. REC. S61, 66-69 (daily ed. Jan. 7, 1997), be amended as follows:

1. EXTENSION OF COVERAGE.—By revising sections 1.102(c), (i), and (j) and 1.103 to read as follows:

“§1.102 Definitions.

(c) The term *covered employee* means any employee of (1) the House of Representatives; (2) the Senate; (3) the Capitol Guide Service; (4) the Capitol Police; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; (8) the Office of Compliance; (9) the General Accounting Office; and (10) the Library of Congress.

“(i) The term *employing office* means: (1) the personal office of a Member of the House of Representatives or of a Senator; (2) a committee of the House of Representatives or the Senate or a joint committee; (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate; (4) the Capitol Guide Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; (5) the General Accounting Office; or (6) the Library of Congress.”

“(j) The term *employing office* includes any of the following entities that is responsible for the correction of a violation of section 215 of the CAA (as determined under section 1.106), irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such violation occurs: (1) each office of the Senate, including each office of a Senator and each committee; (2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee; (3) each joint committee of the Congress; (4) the Capitol Guide Service; (5) the Capitol Police; (6) the Congressional Budget Office; (7) the Office of the Architect of the Capitol (including the Senate Restaurants and the Botanic Garden); (8) the Office of the Attending Physician; (9) the Office of Compliance; (10) the General Accounting Office; and (11) the Library of Congress.

“§1.103 Coverage.

“The coverage of Section 215 of the CAA extends to any “covered employee.” It also extends to any “covered employing office,” which includes any of the following entities that is responsible for the correction of a violation of section 215 (as determined under section 1.106), irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such a violation occurs:

“(1) each office of the Senate, including each office of a Senator and each committee;

“(2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;

“(3) each joint committee of the Congress;

“(4) the Capitol Guide Service;

“(5) the Capitol Police;

“(6) the Congressional Budget Office;

“(7) the Office of the Architect of the Capitol (including the Senate Restaurants and the Botanic Garden);

“(8) the Office of the Attending Physician;

“(9) the Office of Compliance;

“(10) the General Accounting Office; and

“(11) the Library of Congress.”.

2. Corrections to cross-references.—By making the following amendments in Appendix A to Part 1900, which is entitled “REFERENCES TO SECTIONS OF PART 1910, 29 CFR, ADOPTED AS OCCUPATIONAL SAFETY AND HEALTH STANDARDS UNDER SECTION 215(d) OF THE CAA”

(a) After “1910.1050 (Methylenedianiline.” insert the following:

“1910.1051 1,3-Butadiene.

“1910.1052 Methylene chloride.”.

(b) Strike “1926.63—Cadmium (This standard has been redesignated as 1926.1127).” and insert instead the following:

“1926.63 [Reserved]”.

(c) Strike “Subpart L—Scaffolding”, “1926.450 [Reserved]”, “1926.451 Scaffolding.”, “1926.452 Guardrails, handrails, and covers.”, “1926.453 Manually propelled mobile ladder stands and scaffolds (towers).” and insert instead the following:

“SUBPART L—SCAFFOLDS

“1926.450 Scope, application, and definitions applicable to this subpart.

“1926.451 General requirements.

“1926.452 Additional requirements applicable to specific types of scaffolds.

“1926.453 Aerial lifts.

“1926.454 Training.”.

(d) Strike “1926.556 Aerial lifts.”.

(e) Strike “1926.753 Safety Nets.”.

(f) Strike “Appendix A to Part 1926—Designations for General Industry Standards” and insert instead the following:

“APPENDIX A TO PART 1926—DESIGNATIONS FOR GENERAL INDUSTRY STANDARDS INCORPORATED INTO BODY OF CONSTRUCTION STANDARDS”.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting a withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:55 a.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 700. An act to remove the restrictions on the distribution of certain revenues from

the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians.

H.R. 976. An act to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 700. An act to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; to the Committee on Indian Affairs.

H.R. 976. An act to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes; to the Committee on Indian Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2880. A communication from the Acting Secretary of Veterans Affairs, transmitting, a draft bill of proposed legislation to remove a statutory provision; to the Committee on Veterans' Affairs.

EC-2881. A communication from the Acting Assistant Secretary of the Interior for Fish and Wildlife and Parks, transmitting, pursuant to law, a rule relative to migratory bird hunting (RIN1018-AE14) received on August 27, 1997; to the Committee on Indian Affairs.

EC-2882. A communication from the Director of the Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, a rule entitled “Urine Surveillance” (RIN1120-AA68) received on August 26, 1997; to the Committee on the Judiciary.

EC-2883. A communication from the Secretary of Labor, transmitting, pursuant to law, the report under the Freedom of Information Act for calendar year 1996; to the Committee on the Judiciary.

EC-2884. A communication from the President of the United States, transmitting, pursuant to law, the report on foreign economic collection and industrial espionage; to the Select Committee on Intelligence.

EC-2885. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a rule relative to private delivery services received on August 29, 1997; to the Committee on Finance.

EC-2886. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of Revenue Ruling 97-37 received on August 29, 1997; to the Committee on Finance.

EC-2887. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, a rule relative to weighted average interest received on September 3, 1997; to the Committee on Finance.

EC-2888. A communication from the Secretary of Agriculture, transmitting, a draft bill of proposed legislation entitled the “Agricultural Fair Practices Enforcement Authority Act of 1997”; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2889. A communication from the Secretary of Agriculture, transmitting, a draft