

Rather than overriding local and State authority for this important task, Congress has encouraged coastal States to utilize their full authority. Furthermore, through the CZMA, Congress has provided a constant reminder to coastal States of their vital role in promoting common interests shared by all States, whether coastal or landlocked.

Because the CZMA has been so successful and because pressures on the coast are constantly increasing, the committee recognizes the need to enhance the total level of support for this program. However, we are not recommending increased Federal support; rather, increases would come from greater coastal State matching contributions. Beginning in fiscal year 1989 and beyond, there would be a 50/50, rather than 80/20, Federal/State partnership.

By reducing the share of Federal involvement in CZM, we do not want to give the misimpression that this program is not serving national interests. On the contrary, our Nation will always need to play an active role in overseeing the wise management of our coastal areas because important national concerns are being served. The increasing State share reflects the fact that State programs are beginning to mature. Further implementation should be accomplished on the basis of an equal partnership.

These amendments do more than simply equalize the Federal/State partnership in coastal zone management. Other important provisions are contained in the bill—

It requires States to promptly submit for Federal review and approval any program changes they may have and clarifies that no amendment may be implemented as part of a federally approved coastal program unless it has first been approved by the Secretary of Commerce. Therefore, unless a proposed amendment has been so approved, it may not be implemented with the use of CZM funds and may not be used to enforce Federal consistency with the State's program.

It allows the Secretary of Commerce to reduce funding for programs which are not making satisfactory progress in identifying and protecting coastal resources of national significance.

Some dormant provisions of the act are repealed and the National Estuarine Sanctuary Program is strengthened to reflect an emphasis on research, so that our knowledge and awareness of estuaries will be improved, and we can better provide for their continued health.

These provisions of subtitle E are carefully balanced. They enjoy bipartisan support. In this regard, I would like to acknowledge the thoughtful contributions of Congressmen NORM LENT, our full committee ranking member, and NORM SHUMWAY, ranking member on the Oceanography Subcommittees well as my colleague, subcommittee Chairwoman BARBARA MIKULSKI. With their assistance, you have before you a subtitle of the reconciliation conference report which continues the important work of managing our Nation's coastal zone and reduces the need for additional spending over the next several years.

Finally, I would like to address a provision in title VIII of the conference report. Title VIII includes amendments to the Outer Continental Shelf Lands Act [OCSLA].

Subtitle B of title VIII involves an amendment to section 19 of the law, dealing with the relationship between the Secretary of the Interior and the Governors of affected coastal States with respect to OCS lease sales and development and production plans.

The House and Senate conferees agreed on language that would require the Secretary to give equal weight to the need for oil and gas and the need to protect other resources and uses of the coastal and marine environment that are affected by offshore energy development.

In my judgment, the conferees did not mean that in any particular lease sale or development plan, there will be equal oil and gas resource benefits and environmental costs.

Rather we intended that the Secretary consider, with equal seriousness, resource development values, on the one hand, as against environmental protection values, on the other.

The conferees also decided to delete section 19(D) of the law which provides that the Secretary's decision to accept or reject a Governor's recommendation shall be final and shall not, alone, be a basis for invalidation of the proposed action in any suit or judicial review, unless found to be arbitrary or capricious.

The "arbitrary or capricious" language is taken from the Administrative Procedure Act. To make certain that the scope of judicial review of the Secretary's decision, under the language of the amendment, shall be that applied to final Federal agency actions by the Administrative Procedure Act, 5 U.S.C. 706(2)(A)—"arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law"—the conferees reinserted that standard at the end of subsection (C), as modified by the amendment. Scrutiny of the Secretary's decisions under section 19, therefore, will be limited to those standards specified in 5 U.S.C. 706(2)(A).

Mr. HAMMER-SCHMIDT. Mr. Speaker, as the ranking member of the House Veterans' Affairs Committee, I rise in strong support of H.R. 3128's provisions on veterans' programs. This bill would be of great benefit to service-connected disabled veterans and to needy veterans. We are in a time of difficult decisions because of the imperative for deficit reduction.

The Committee on Veterans' Affairs at the outset adopted a bipartisan approach to the budget for the VA, and when the joint budget resolution for fiscal year 1986 instructed a savings of \$300 million for the VA, the committee again acted on a bipartisan basis to achieve the savings. We are now well into the fiscal year, but it is not too late to achieve at least some of the budgetary savings and the health care reforms, which continue to produce savings in the out years.

The principal vehicles for meeting the budgetary goals for the VA are reform of veterans' health care eligibility and third-party reimbursement from health care insurance.

It was necessary to work out differences with the other body on much of the reform of veterans' health care eligibility. Both bodies began with their own means tests and strengthened commitments to provide health care. The third-party reimbursement proposals had only technical differences, which were easily resolved.

There is no need to repeat the details of the health care eligibility reform which the

chairman, SONNY MONTGOMERY, has outlined. Suffice it to say, for the first time ever, the Government is formally committed to providing hospital care for service-connected and truly needy veterans. For the first time ever, the universe of veterans for whom the VA is going to provide hospital care is clearly defined.

I would have preferred the income line of the means test be drawn somewhat higher than allowed by the compromise with the other body. However, the \$15,000 limitation for single veterans and the \$18,000 limitation for married veterans provide a starting point and could possibly be adjusted in the future, if experience shows that they are too low.

Mr. Speaker, I hope the reform of health care eligibility with its strengthened commitment to provide hospital care is as pleasing to our Nation's veterans as it is to me. This legislation adopts the frame work of the original House Bill. It is a truly historic step which confirms that the Congress intends for the Veterans' Administration hospital system to keep essential its present form for many years to come.

This important legislation in large part owes its existence to the leadership and personal dedication of my friend and colleague, SONNY MONTGOMERY, chairman of our committee. He has been most instrumental in bringing this veterans' legislation to the floor.

Also a special note of appreciation should go the chairman of the House Budget Committee, BILL GRAY, to its ranking member, DEL Latta, and to MARVIN LEATH, a member of the Veterans' Affairs Committee on temporary leave of absence to the Budget Committee.

Mr. Speaker, I urge my fellow Members to support the veterans' provisions of this measure, which will achieve both a desirable savings in the VA budget and a significant reform of veterans' health care eligibility.

Ms. MIKULSKI. Mr. Speaker, I rise today to speak in support of the proposed House amendments to the budget reconciliation bill. This bill proves that we in Congress can make difficult choices to reduce the deficit.

It shows that we can meet human needs, yet keep our fiscal responsibility. It shows we can sweat the details by deciding which programs work and which ones do not; which ones we should keep, which ones we should cut.

This bill is a budget cutter and a deficit dampener. I will save American taxpayers billions of dollars over the next 3 years without reducing our quality of life.

But, as is true with any large budget package, there is good news and bad news.

For Marylanders, the good news includes the fact that this reconciliation bill has a "Mikulski amendment" which saves the State of Maryland almost \$8 million in penalties caused by the failure of a contractor to provide the State with a certified management information system for the Maryland Medicaid Program.

Without this amendment, the State would have to pay these penalties to the Federal Government, and would thereby have to reduce funds available to provide health care to low-income people under Medicaid.

Another good part of this reconciliation bill is the fact that it extends the authorization for Amtrak. That means thousands of Maryland jobs are being saved, as well as important rail

service for thousands of Maryland commuters who live in Baltimore and work in Washington.

The bill also continues Federal support for hospice services for the terminally ill. It penalizes hospitals and doctors who refuse to treat emergency patients because of a lack of insurance or ability to pay, and it sets up experiments to determine the cost effectiveness of Medicare coverage for preventive health care.

For Maryland and American workers, the bill extends the Trade Adjustment Assistance Program for 6 years. This program provides important assistance to workers and companies hurt by foreign competition. It also protects American jobs by including a "buy American" provision for materials and supplies used on oil rigs in offshore drilling.

As I said before, there is good news and some bad news in this bill. The bad news includes the fact that this bill does not reduce the deficit by as much as the earlier budget bill we passed.

Another piece of bad news in this bill is the failure to include the "Mikulski Medicare vision" amendment which the House approved in a previous reconciliation bill.

This amendment would have saved money for Medicare by providing coverage for vision care services provided by optometrists. Medicare currently only covers vision services if they're provided by ophthalmologists, usually at higher fees than those charged by optometrists. By including my amendment, this bill would have saved money and made vision care services more widely available for Medicare users.

Even though I'm disappointed at certain aspects of the budget reconciliation bill, I supported it. I did so because I believe it is important to create a frame work for our future.

To build that future, we must rid ourselves of the deficits facing us: Budget deficit, trade deficit, research and development deficit, and what I call our education deficit.

This budget reconciliation bill goes a long way toward reducing the biggest of our deficits—our budget deficit. That's why I proudly supported the House amendments to this bill.

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

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PETRI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 314, nays 86, not voting 34, as follows:

(Roll No. 411)
YEAS—314

Akaka	Archer	Bartlett
Alexander	Army	Barton
Anderson	Aspin	Bateman
Andrews	Atkins	Bates
Annunzio	AuCoin	Bedell
Anthony	Barnes	Beilenson

Bennett	Gray (PA)	Panetta
Bentley	Green	Parris
Bereuter	Guarini	Pease
Berman	Hall (OH)	Penny
Bevill	Hall, Ralph	Pepper
Blagyt	Hamilton	Perkins
Bliley	Hammerschmidt	Pickle
Boehlert	Hatcher	Price
Boggs	Hawkins	Pursell
Boland	Hayes	Quillen
Boner (TN)	Hefner	Rahall
Bonior (MI)	Heftel	Ray
Bonker	Hendon	Regula
Borski	Henry	Reid
Bosco	Hertel	Richardson
Boutter	Holt	Ridge
Boxer	Hopkins	Rinaldo
Breaux	Horton	Roberts
Brooks	Howard	Robinson
Brown (CA)	Hoyer	Rodino
Broyhill	Hubbard	Roe
Bruce	Hubbaly	Roemer
Bryant	Hughes	Rogers
Burton (CA)	Hutto	Rose
Bustamante	Jacobs	Roukema
Byron	Jenkins	Rowland (CT)
Callahan	Jones (NC)	Rowland (GA)
Campbell	Jones (OK)	Roybal
Carper	Jones (TN)	Russo
Chandler	Kaptur	Sabo
Chapman	Kasich	Savage
Clay	Kastenmeyer	Scheuer
Clinger	Kemp	Schneider
Cobey	Kennelly	Schroeder
Coble	Kildee	Schuetz
Coelho	Kindness	Schumer
Coleman (TX)	Kiecicka	Seiberling
Combest	Kolbe	Sensenbrenner
Conte	Kostmayer	Shelby
Cooper	LaFalce	Sikorski
Courter	Lantos	Sisisky
Coyne	Leach (IA)	Skeen
Crockett	Leach (TX)	Skelton
Daniel	Lehman (CA)	Slattery
Darden	Lehman (FL)	Smith (FL)
Daschle	Leiland	Smith (NE)
Daub	Leit	Smith (NJ)
Davis	Levin (MI)	Snowe
de la Garza	Lightfoot	Snyder
Dellums	Lipinski	Spence
Derrick	Livingston	Spratt
Dickinson	Loeffler	St Germain
Dicks	Long	Staggers
Dingell	Lott	Stallings
DioGuardi	Lowry (WA)	Stark
Dixon	Lujan	Stenholm
Donnelly	Luken	Stokes
Dorgan (ND)	Lundine	Strang
Dowdy	MacKay	Studds
Downey	Manton	Sweeney
Duncan	Markey	Swift
Durbin	Martin (NY)	Synar
Dwyer	Martinez	Tallon
Dymally	Matsui	Tauke
Dyson	Mavroules	Tauzin
Early	Mazzoli	Taylor
Eckart (OH)	McCloskey	Thomas (GA)
Eckert (NY)	McCollum	Torres
Edwards (CA)	McCurdy	Torricelli
Edwards (OK)	McHugh	Towns
Emerson	McKernan	Traffant
English	McKinney	Udall
Erdreich	McMillan	Valentine
Evans (IL)	Meyers	Vento
Fascell	Mica	Viscosky
Fazio	Mikulski	Walgren
Feighan	Miller (CA)	Watkins
Fields	Miller (WA)	Waxman
Fish	Moakley	Weaver
Filippo	Montgomery	Weber
Foley	Moody	Wells
Ford (MI)	Moore	Wheat
Ford (TN)	Morrison (CT)	Whitehurst
Fowler	Mrazek	Whitley
Frank	Murphy	Whittaker
Franklin	Murtha	Williams
Frost	Natcher	Wilson
Fuqua	Neal	Wirth
Gallo	Nelson	Wise
Garcia	Nichols	Wolf
Gaydos	Nielson	Wolpe
Gejdenson	Nowak	Wortley
Gephardt	O'Brien	Wright
Gibbons	Oakar	Wyden
Gillie	Oberstar	Wylie
Glickman	Obey	Yatron
Gonzales	Olin	Young (AK)
Gordon	Ortiz	Young (MO)
Gradison	Owens	

NAYS—86

Applegate	Hyde	Ritter
Badham	Ireland	Saxton
Bilirakis	Jeffords	Schaefer
Broomfield	Kanjorski	Schulze
Brown (CO)	Kramer	Sharp
Burton (IN)	Lagomarsino	Shaw
Carney	Lewis (CA)	Shumway
Chappie	Lewis (FL)	Shuster
Cheney	Lloyd	Siljander
Coats	Lowery (CA)	Smith (IA)
Coughlin	Lungren	Smith, Denny
Craig	Mack	(OR)
Crane	Madigan	Smith, Robert
Dannemeyer	Marlenee	(NH)
DeLay	Martin (IL)	Smith, Robert
DeWine	McCain	(OR)
Dorman (CA)	McCandless	Solomon
Dreier	McEwen	Stangeland
Fawell	McGrath	Stratton
Fiedler	Michel	Stump
Florio	Miller (OH)	Sundquist
Frenzel	Mitchell	Swindall
Gekas	Mollinari	Thomas (CA)
Gingrich	Moorhead	Vander Jagt
Goodling	Morrison (WA)	Volkmer
Gregg	Oxley	Vucanovich
Gunderson	Packard	Walker
Hansen	Pashayan	Yates
Hillier	Petri	Young (FL)
Hunter	Porter	

NOT VOTING—34

Ackerman	Gray (IL)	Myers
Addabbo	Grotberg	Rangel
Barnard	Hartnett	Rostenkowski
Boucher	Hillis	Roth
Carr	Johnson	Rudd
Chappell	Kolter	Slaughter
Coleman (MO)	Latta	Solarz
Collins	Levine (CA)	Traxler
Conyers	McDade	Whittem
Edgar	Mineta	Zschau
Evans (IA)	Mollohan	
Foglietta	Monson	

□ 1225

The Clerk announced the following pair:

On this vote:

Mr. Coleman of Missouri for, with Mr. Zschau against.

Messrs. HUNTER, APPELEGATE, and LEWIS of Florida changed their votes from "yea" to "nay."

Messrs. WORTLEY, LEACH of Iowa, and LUJAN changed their votes from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to the provisions of House Resolution 390 the House recesses from its disagreement to the Senate amendment and concurs with an amendment to the Senate amendment to the House amendment to the Senate amendment to the bill H.R. 3128, as follows:

Amendment to the Senate amendment to the House amendment to the Senate amendment to H.R. 3128:

In section 4016, insert "or seasonal suspension" after "adjustment in frequency"; and insert "adjustment or" after "service unless such".

In subparagraph (F)(ii) of paragraph (10) of section 204(b) of the Magnuson Fishery Conservation and Management Act, as proposed to be amended by section 8021, strike out "from such nations".

In subsection (b)(2)(B) of section 315 of the Coastal Zone Management Act, as proposed to be amended by section 6044, strike out "environmental" and insert "environment".

In section 3A of the National Ocean Pollution Planning Act of 1978, as proposed to be added by section 6072(2)—

(1) amend subparagraph (B) of subsection (a)(2) to read as follows:

"(B) be headed by a director who shall—
(i) be appointed by the Administrator,
(ii) serve as the Chair of the Board, and
(iii) be the spokesperson for the program;"

(2) insert a quotation mark and a period after the period at the end of subparagraph (D) of subsection (b)(2); and

(3) strike out paragraph (3) of subsection (b).

In section 6085—

(1) insert "and duties" after "functions" in the long title of the Act of August 6, 1947 cited in such section; and

(2) strike out "or subdivision thereof" and insert "or subdivision thereof," in paragraph (2).

In section 8003, amend the first sentence of the proposed section 8(g)(2) of the Outer Continental Shelf Lands Act to read as follows:

Notwithstanding any other provision of this Act, the Secretary shall deposit into a separate account in the Treasury of the United States all bonuses, rents, and royalties, and other revenues (derived from any bidding system authorized under subsection (a)(1)), excluding Federal income and windfall profit taxes, derived from any lease issued after September 18, 1978, of any Federal tract which lies wholly or partially within three nautical miles of the seaward boundary of any coastal State.

In section 8004(a), strike out "January 1, 1986" and insert in lieu thereof "April 15, 1986".

In section 8006(a), insert "issued after September 18, 1978" after "any Federal leases".

In section 8006(a)(1), insert "issued after September 18, 1978" after "derived from any lease".

Amend section 8201 by striking out the close quote and period at the end and inserting in lieu thereof the following new paragraph:

"(4)(A) Notwithstanding the provisions of this subsection, a lessee may petition the Secretary for a waiver of the requirements of this subsection.

"(B) The Secretary shall assign an Administrative Law Judge to conduct a hearing on the record on the petition and make a finding for the Secretary.

"(C) The Administrative Law Judge shall recommend to the Secretary that the Secretary grant such waiver if the Administrative Law Judge finds that the lessee's exploration or development and production plan cannot be carried out solely because of the additional costs that would be incurred as a result of the requirements of this subsection.

"(D) If the Secretary receives the recommendation from the Administrative Law Judge provided in paragraph (C), the Secretary may grant the waiver if the Secretary concurs with the finding of the Administrative Law Judge."

In subtitle A of title IX, strike out sections 9203, 9212, 9302, 9311, and 9312, and conform the table of contents of title IX accordingly.

In section 9101—

(1) in subsection (a), strike out "FEBRUARY 28" and "February 28" and insert in lieu thereof "APRIL 30" and "April 30", respectively;

(2) in subsections (b), (e)(1)(B), (e)(2)(B), (e)(2)(C), and (e)(3)(B), strike out "1 percent" and insert in lieu thereof "1/2 percent";

(3) in subsection (d), strike out "December 19, 1985" and insert in lieu thereof "March 15, 1986";

(4) in subsection (e)(1)(A), strike out "March" and insert in lieu thereof "May";

(5) in subsection (e)(2)(B), strike out "5 months" and "7 months" and insert in lieu thereof "7 months" and "5 months", respectively; and

(6) in subsection (e)(3)(B), strike out "7/12" and insert in lieu thereof "5/24".

In section 9102—

(1) in subsection (d)(2)(B), strike out "5 months" and "7 months" and insert in lieu thereof "7 months" and "5 months", respectively; and

(2) in subsection (d)(3), strike out "March" and insert in lieu thereof "May".

In section 9103, in subsections (a) and (b)(2), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9104, in subsections (a) and (c)(1), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9105, in subsections (a) and (e), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9123(b), strike out "January" and insert in lieu thereof "April".

In section 9124(b)(1), strike out "April" and insert in lieu thereof "July".

In section 9128, strike out "will go" and insert in lieu thereof "went".

In section 9201(d), strike out "March" and insert in lieu thereof "May" each place it appears.

In section 9211(e), strike out "February" and "April" and insert in lieu thereof "May" and "July", respectively, each place each appears.

In section 9301—

(1) in subsection (a), strike out "JANUARY 31" and "January 31" and insert in lieu thereof "APRIL 30" and "April 30", respectively;

(2) in subsection (b), strike out "11-month", "February", "January 31", "4-month", and "January 1986" and insert in lieu thereof "8-month", "May", "April 30", "7-month", and "April 1986", respectively, each place each appears; and

(3) in subsection (c)(5), strike out "July" and insert in lieu thereof "October".

In section 9303—

(1) in subsection (b)(2), strike out "April", "1987" and "December 31, 1988" and insert in lieu thereof "July", "1988", and "December 31, 1987", respectively; and

(2) in subsection (b)(5)(A), strike out "April" and insert in lieu thereof "July".

In section 9304(b)—

(1) strike out "11-month" and "February" and insert in lieu thereof "8-month" and "May", respectively;

(2) in paragraph (1) in the matter before subparagraph (A), insert "at any time" after "in the case of any physician who"; and

(3) in paragraph (1)(B), strike out "is not a participating physician" and all that follows through "September 30, 1985, or" and insert in lieu thereof "was not a participating physician (as defined in section 1842(b)(1) of the Social Security Act) on September 30, 1985, and who is not such a physician".

In section 9307(c)—

(1) in paragraph (1), strike out "subsection (1)" and insert in lieu thereof "subsection (k)";

(2) in paragraph (2), strike out "after subsection (k), added by section 146(a) of this title," and insert in lieu thereof "at the end"; and

(3) in the subsection added by paragraph (2), strike out "(1)(1)" and insert in lieu thereof "(k)(1)".

In subtitle B of title IX, strike out sections 9504, 9513, and 9521, and conform the table of contents of title IX accordingly.

In section 9501(d)(1), strike out "April" and insert in lieu thereof "July".

In section 9505(b)(1)—

(1) strike out "sections 9501 and 9504" and insert in lieu thereof "section 9501", and

(2) strike out "(VI)" and "(VII)" and insert in lieu thereof "(V)" and "(VI)", respectively

In section 9506(a), in proposed subsection (k)(2) of section 1902 of the Social Security Act, insert "(other than by will)" after "established".

In section 9511(b) strike out "January" and insert in lieu thereof "April".

In section 9517(c), amend paragraph (2) to read as follows:

(2)(A) Except as provided in subparagraph (B), the amendments made by paragraph (1) shall apply to expenditures incurred for health insuring organizations which first become operational on or after January 1, 1986.

(B) In the case of a health insuring organization—

(i) which first becomes operational on or after January 1, 1986, but

(ii) for which the Secretary of Health and Human Services has waived, under section 1915(b) of the Social Security Act and before such date, certain requirements of section 1902 of such Act.

clauses (ii) and (vi) of section 1903(m)(2)(A) of such Act shall not apply during the period for which such waiver is effective.

In section 9522, insert "(or submitted during 1986 by)" after "granted to".

In section 9523—

(1) in subsection (a) strike out "CONTINUED" and "continue" and insert in lieu thereof "RENEWED" and "renew", respectively, and

(2) in subsection (b)—
(A) strike out "continued" and insert in lieu thereof "renewed".

(B) strike out "the date of the enactment of this Act" and insert in lieu thereof "December 31, 1985".

In section 9526, at the end of subsection (a) of proposed section 1920 of the Social Security Act, add the following:

"(F) Section 310(b)(1) of Public Law 96-272 (relating to continuing medical eligibility for certain recipients of Veterans' Administration pensions).

In section 12301—

(1) in subsection (b)—
(A) strike out "or 1903(u)" in paragraph (1), and

(B) strike out "titles IV-A and XIX" and insert in lieu thereof "title IV-A" each place it appears; and

(2) after subsection (d), strike out "and 1982".

In section 12304(a)(3), immediately before the semicolon at the end of the proposed new subparagraph (C), insert the following: "; but the State shall not be subject to any financial penalty in the administration or enforcement of this subparagraph as a result of any monitoring, quality control, or auditing requirements".

Part 1 of subtitle A of title XIII of the bill is amended to read as follows:

PART 1—TRADE ADJUSTMENT ASSISTANCE

SEC. 13001. SHORT TITLE.

This part may be cited as the "Trade Adjustment Assistance Reform and Extension Act of 1986".

SEC. 13002. ELIGIBILITY OF WORKERS AND FIRMS FOR TRADE ADJUSTMENT ASSISTANCE.

(a) **WORKERS**—Sections 221(a) and 222 of the Trade Act of 1974 (19 U.S.C. 2271(a); 2272) are each amended by inserting "(including workers in any agricultural firm or subdivision of an agricultural firm)" after "group of workers".

(b) **FIRMS**—

(1) Subsections (a) and (c) of section 251 of the Trade Act of 1974 (19 U.S.C. 2341) are each amended by inserting "(including any agricultural firm)" after "a firm".

(2) Paragraph (2) of section 251(c) of the Trade Act of 1974 (19 U.S.C. 2341(c)(2)) is amended to read as follows:

"(2) that—

"(A) sales or production, or both, of the firm have decreased absolutely, or

"(B) sales or production, or both, of an article that accounted for not less than 25 percent of the total production or sales of the firm during the 12-month period preceding the most recent 12-month period for which data are available have decreased absolutely, and".

SEC. 13003. CASH ASSISTANCE FOR WORKERS.

(a) **PARTICIPATION IN JOB SEARCH PROGRAM REQUIRED**—

(1) Subsection (a) of section 231 of the Trade Act of 1974 (19 U.S.C. 2291(a)) is amended by adding at the end thereof the following new paragraph:

"(5) Such worker, unless the Secretary has determined that no acceptable job search program is reasonably available—

"(A) is enrolled in a job search program approved by the Secretary under section 237(c), or

"(B) has, after the date on which the worker became totally separated, or partially separated, from the adversely affected employment, completed a job search program approved by the Secretary under section 237(c)".

(2) Section 231 of the Trade Act of 1974 (19 U.S.C. 2291) is amended by adding at the end thereof the following new subsection:

"(c) If the Secretary determines that—

"(1) the adversely affected worker—

"(A) has failed to begin participation in the job search program the enrollment in which meets the requirement of subsection (a)(5), or

"(B) has ceased to participate in such job search program before completing such job search program, and

"(2) there is no justifiable cause for such failure or cessation.

no trade readjustment allowance may be paid to the adversely affected worker under this part on or after the date of such determination until the adversely affected worker begins or resumes participation in a job search program approved under section 237(c)".

(3) Subsection (a) of section 239 of the Trade Act of 1974 (19 U.S.C. 2311(a)) is amended—

(A) by striking out "training," in clause (2) and inserting in lieu thereof "training and job search programs,"; and

(B) by striking out "and (3)" and inserting in lieu thereof "(3) will make determinations and approvals regarding job search programs under sections 231(c) and 237(c), and (4)".

(b) **QUALIFYING WEEKS OF EMPLOYMENT**—

The last sentence of section 231(a)(2) of the Trade Act of 1974 (19 U.S.C. 2291(a)(2)) is amended by striking out all that follows after subparagraph (C) and inserting in lieu thereof "shall be treated as a week of employment at wages of \$30 or more, but not more than 7 weeks, in case of weeks described in paragraph (A) or (C), or both,

may be treated as weeks of employment under this sentence."

(c) **WEEKLY AMOUNTS OF READJUSTMENT ALLOWANCES**—Section 232 of the Trade Act of 1974 (19 U.S.C. 2292) is amended—

(1) by striking out "under any Federal law," in subsection (c) and inserting in lieu thereof "under any Federal law other than this Act";

(2) by striking out "under section 236(c)" in subsection (c) and inserting in lieu thereof "under section 231(c) or 236(c)"; and

(3) by striking out "If the training allowance" in subsection (c) and inserting in lieu thereof "If such training allowance".

(d) **LIMITATIONS**—

(1) Paragraph (2) of section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)(2)) is amended by striking out "52-week period" and inserting in lieu thereof "104-week period".

(2) Section 233 of the Trade Act of 1974 (19 U.S.C. 2293) is amended by adding at the end thereof the following new subsection:

"(e) No trade readjustment allowance shall be paid to a worker under this part for any week during which the worker is receiving on-the-job training."

SEC. 13004. JOB TRAINING FOR WORKERS.

(a) **IN GENERAL**—Section 236 of the Trade Act of 1974 (19 U.S.C. 2296) is amended—

(1) by striking out "for a worker" in subsection (a)(1)(A) and inserting in lieu thereof "for an adversely affected worker";

(2) by striking out "may approve" in the first sentence of subsection (a)(1) and inserting in lieu thereof "shall (to the extent appropriated funds are available) approve";

(3) by striking out "under paragraph (1)" in subsection (a)(2) and inserting in lieu thereof "under subsection (a)";

(4) by striking out "this subsection" in subsection (a)(3) and inserting in lieu thereof "this section";

(5) by redesignating paragraphs (2) and (3) of subsection (a) as subsections (e) and (f), respectively;

(6) by inserting at the end of subsection (a) the following new paragraphs:

"(2) For purposes of applying paragraph (1)(C), a reasonable expectation of employment does not require that employment opportunities for a worker be available, or offered, immediately upon the completion of training approved under this paragraph (1).

"(3)(A) If the costs of training an adversely affected worker are paid by the Secretary under paragraph (1), no other payment for such costs may be made under any other provision of Federal law.

"(B) No payment may be made under paragraph (1) of the costs of training an adversely affected worker if such costs—

"(i) have already been paid under any other provision of Federal law, or

"(ii) are reimbursable under any other provision of Federal law and a portion of such costs have already been paid under such other provision of Federal law.

"(C) The provisions of this paragraph shall not apply to, or take into account, any funds provided under any other provision of Federal law which are used for any purpose other than the direct payment of the costs incurred in training a particular adversely affected worker, even if such use has the effect of indirectly paying or reducing any portion of the costs involved in training the adversely affected worker.

"(4) The training programs that may be approved under paragraph (1) include, but are not limited to—

"(A) on-the-job training.

"(B) any training program provided by a State pursuant to section 303 of the Job Training Partnership Act,

"(C) any training program approved by a private industry council established under section 202 of such Act, and

"(D) any other training program approved by the Secretary,"; and

(7) by inserting after subsection (c) the following new subsection:

"(d) Notwithstanding any provision of subsection (a)(1), the Secretary may pay the costs of on-the-job training of an adversely affected worker under subsection (a)(1) only if—

"(1) no currently employed worker is displaced by such adversely affected worker, (including partial displacement such as a reduction in the hours of nonovertime work, wages, or employment benefits),

"(2) such training does not impair existing contracts for services or collective bargaining agreements,

"(3) in the case of training which would be inconsistent with the terms of a collective bargaining agreement, the written concurrence of the labor organization concerned has been obtained,

"(4) no other individual is on layoff from the same, or any substantially equivalent, job for which such adversely affected worker is being trained,

"(5) the employer has not terminated the employment of any regular employee or otherwise reduced the workforce of the employer with the intention of filling the vacancy so created by hiring such adversely affected worker,

"(6) the job for which such adversely affected worker is being trained is not being created in a promotional line that will infringe in any way upon the promotional opportunities of currently employed individuals,

"(7) such training is not for the same occupation from which the worker was separated and with respect to which such worker's group was certified pursuant to section 222,

"(8) the employer certifies to the Secretary that the employer will continue to employ such worker for at least 26 weeks after completion of such training if the worker desires to continue such employment and the employer does not have due cause to terminate such employment,

"(9) the employer has not received payment under subsection (a)(1) with respect to any other on-the-job training provided by such employer which failed to meet the requirements of paragraphs (1), (2), (3), (4), (5), and (6), and

"(10) the employer has not taken, at any time, any action which violated the terms of any certification described in paragraph (8) made by such employer with respect to any other on-the-job training provided by such employer for which the Secretary has made a payment under subsection (a)(1)."

(b) **ON-THE-JOB TRAINING DEFINED**—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319) is amended by adding at the end thereof the following new paragraph:

"(16) The term "on-the-job training" means training provided by an employer to an individual who is employed by the employer."

(c) **AGREEMENTS WITH THE STATES**—Section 239 of the Trade Act of 1974 (19 U.S.C. 2311) is amended—

(1) by amending subsection (a)(2) by inserting "but in accordance with subsection (f)," after "where appropriate"; and

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

"(e) Agreements entered into under this section may be made with one or more State or local agencies including—

"(1) the employment service agency of such State,

"(2) any State agency carrying out title III of the Job Training Partnership Act, or
 "(3) any other State or local agency administering job training or related programs.

"(f) Each cooperating State agency shall, in carrying out subsection (a)(2)—

"(1) advise each adversely affected worker to apply for training under section 236(a) at the time the worker makes application for trade readjustment allowances (but failure of the worker to do so may not be treated as cause for denial of those allowances), and
 "(2) within 60 days after application for training is made by the worker, interview the adversely affected worker regarding suitable training opportunities available to the worker under section 236 and review such opportunities with the worker."

SEC. 13005. JOB SEARCH ALLOWANCES.
 (a) IN GENERAL.—Section 237 of the Trade Act of 1974 (19 U.S.C. 2297) is amended by adding at the end thereof the following new subsection:
 "(c) The Secretary shall reimburse any adversely affected worker for necessary expenses incurred by such worker in participating in a job search program approved by the Secretary."

(b) DEFINITIONS.—Section 247 of the Trade Act of 1974 (19 U.S.C. 2319), as amended by section 13004(b) of this Act, is further amended by adding at the end thereof the following new paragraph:
 "(17)(A) The term 'job search program' means a job search workshop or job finding club.

"(B) The term 'job search workshop' means a short (1 to 3 days) seminar designed to provide participants with knowledge that will enable the participants to find jobs. Subjects are not limited to, but should include, labor market information, résumé writing, interviewing techniques, and techniques for finding job openings.
 "(C) The term 'job finding club' means a job search workshop which includes a period (1 to 2 weeks) of structured, supervised activity in which participants attempt to obtain jobs."

SEC. 13006. ADJUSTMENT ASSISTANCE FOR FIRMS.
 (a) TECHNICAL ASSISTANCE.—
 (1) Paragraph (1) of section 252(b) of the Trade Act of 1974 (19 U.S.C. 2342(b)(1)) is amended to read as follows:
 "(1) Adjustment assistance under this chapter consists of technical assistance. The Secretary shall approve a firm's application for adjustment assistance only if the Secretary determines that the firm's adjustment proposal—
 "(A) is reasonably calculated to materially contribute to the economic adjustment of the firm,
 "(B) gives adequate consideration to the interests of the workers of such firm, and
 "(C) demonstrates that the firm will make all reasonable efforts to use its own resources for economic development."

(2) Section 252 of the Trade Act of 1974 (19 U.S.C. 2342) is amended by striking out subsection (c) and redesignating subsection (d) as subsection (c).

(3) Paragraph (2) of section 253(b) of the Trade Act of 1974 (19 U.S.C. 2343(b)(2)) is amended by striking out "such cost" and inserting in lieu thereof "such cost for assistance described in paragraph (2) or (3) of subsection (a)".

(b) NO NEW LOANS OR GUARANTEES.—Section 254 of the Trade Act of 1974 (19 U.S.C. 2344) is amended by adding at the end thereof the following new subsection:
 "(d) Notwithstanding any other provision of this chapter, no direct loans or guarantees of loans may be made under this chapter after the date of enactment of the Trade

Adjustment Assistance Reform and Extension Act of 1986."

SEC. 13007. EXTENSION AND TERMINATION OF TRADE ADJUSTMENT ASSISTANCE.

(a) IN GENERAL.—Section 285 of the Trade Act of 1974 (19 U.S.C. 2271, preceding note) is amended—

(1) by striking out the first sentence thereof and inserting in lieu thereof "(a)",

(2) by striking out the section heading and inserting in lieu thereof "SEC. 285. TERMINATION.", and

(3) by adding at the end thereof the following new subsection:
 "(b) No assistance, allowances, or other payments may be provided under chapter 2, and no technical assistance may be provided under chapter 3, after September 30, 1991."

(b) CONFORMING AMENDMENT.—The table of contents of the Trade Act of 1974 is amended by striking out the item relating to section 285 and inserting in lieu thereof the following:
 "Sec. 285. Termination."

SEC. 13008. AUTHORIZATION OF APPROPRIATIONS.
 (a) WORKERS.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by striking out "1982 through 1985" and inserting in lieu thereof "1988, 1987, 1988, 1989, 1990, and 1991".

(b) FIRMS.—Subsection (b) of section 256 of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended—

(1) by inserting "for fiscal years 1986, 1987, 1988, 1989, 1990, and 1991" after "to the Secretary",
 (2) by striking out "from time to time", and
 (3) by striking out the last sentence thereof.

SEC. 13009. EFFECTIVE DATES; APPLICATION OF GRAMM-RUDMAN.

(a) IN GENERAL.—Except as provided in subsections (b) and (c), the amendments made by this part shall take effect on the date of the enactment of this Act.

(b) JOB SEARCH PROGRAM REQUIREMENTS.—The amendments made by section 13003(a) apply with respect to workers covered by petitions filed under section 221 of the Trade Act of 1974 on or after the date of the enactment of this Act.

(c) EXTENSION AND AUTHORIZATION.—Chapters 2 and 3 of title II of the Trade Act of 1974 (19 U.S.C. 2271, et seq.) shall be applied as if the amendments made by sections 13007 and 13008 had taken effect on December 18, 1985.

(d) APPLICATION OF GRAMM-RUDMAN.—Trade readjustment allowances payable under part I of chapter 2 of title II of the Trade Act of 1974 for the period from March 1, 1986, and until October 1, 1986, shall be reduced by a percentage equal to the non-defense sequester percentage applied in the Sequestration Report (submitted under the Balanced Budget and Emergency Deficit Control Act of 1985 and dated January 21, 1986) of the Comptroller General of the United States for fiscal year 1986.

Strike out subtitle B of title XIII and redesignate the following subtitles accordingly.
 Strike out subsection (d) of section 13262 and insert in lieu thereof the following:
 (c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to smokeless tobacco removed after June 30, 1986.

(2) TRANSITIONAL RULE.—Any person who—
 (A) on the date of the enactment of this Act, is engaged in business as a manufacturer of smokeless tobacco, and
 (B) before July 1, 1986, submits an application under subchapter B of chapter 52 of the Internal Revenue Code of 1954 to engage in such business,

may, notwithstanding such subchapter B, continue to engage in such business pending final action on such application. Pending such final action, all provisions of chapter 52 of such Code shall apply to such applicant in the same manner and to the same extent as if such applicant were a holder of a permit to manufacture smokeless tobacco under such chapter 52.

Strike out subsection (e) of section 1320 and insert the following:
 (c) EXISTING REDUCTION IN RATES FOR PERIOD AFTER TEMPORARY INCREASE RETAINED.—So much of subsection (e) of section 4121 (relating to temporary increase in amount of tax) as precedes paragraph (2) is amended to read as follows:
 "(e) REDUCTION IN AMOUNT OF TAX.—

"(1) IN GENERAL.—Effective with respect to sales after the temporary increase termination date, subsection (b) shall be applied—
 "(A) by substituting '\$.50' for '\$1.10',
 "(B) by substituting '\$.25' for '\$.55', and
 "(C) by substituting '2 percent' for '4.4 percent'."

In section 13203(d), strike out "December 31, 1985" and insert in lieu thereof "March 31, 1986".

In section 13205(a)(1), strike out "of the Internal Revenue Code of 1954".

In subsection (a)(2) of section 13205, strike out "of such Code" each place it appears.

In section 13205, strike out "December 31, 1985" and "January 1, 1986" and insert in lieu thereof "March 31, 1986" and "April 1, 1986", respectively, each place either appears.

At the end of paragraph (2) of section 1303(d) of the Internal Revenue Code of 1954 (as proposed to be added by section 13206(a)), insert the following:
 In applying subparagraph (B), amounts which constitute earned income (within the meaning of section 911(d)(2)) and are community income under community property laws applicable to such income shall be taken into account as if such amounts did not constitute community income.

In section 13207(c), strike out "September 12, 1985" and insert in lieu thereof "September 12, 1984".

In subparagraph (A) of section 531(g)(1) of the Tax Reform Act of 1984 (as proposed to be added by section 13207(d)), strike out "performed" and insert in lieu thereof "performs".

In paragraph (2) of section 531(g) of the Tax Reform Act of 1984 (as proposed to be added by section 13207(d)), strike out subparagraph (B) and insert in lieu thereof the following:
 "(B) if—

"(i) such organization is described in section 501(c)(6) of the Internal Revenue Code of 1954 and the membership of such organization is limited to entities engaged in the transportation by air of individuals or property for compensation or hire, or

"(ii) such organization is a corporation all the stock of which is owned entirely by entities referred to in clause (i), and".

In clause (vi) of section 57(a)(9)(E) of the Internal Revenue Code of 1954 (as proposed to be added by section 13208(a)), strike out "The" and insert in lieu thereof "For purposes of this subparagraph, the".

In clause (vii) of such section 57(a)(9)(E), strike out "The" and insert in lieu thereof "For purposes of this subparagraph, the".

In section 1401(a)(2), strike out "amounts".

In section 1901(a), strike out "and Compensation Rate Amendments of 1985" and insert in lieu thereof "Amendments of 1986".

In section 19011—

(1) strike out "April 1, 1986" in the last sentence of subsection (e)(2) and insert in lieu thereof "July 1, 1986"; and

(2) in subsection (f)—

(A) strike out "April 1, 1986" each place it appears and insert in lieu thereof "July 1, 1986";

(B) strike out "March 31, 1986" both places it appears in paragraph (2)(A) and insert in lieu thereof "June 30, 1986"; and

(C) strike out "April and May 1986" in paragraph (2)(B) and insert in lieu thereof "July and August 1986".

Strike out subtitle B of title XIX (and redesignate subtitle C as subtitle B).

In section 19031(b)(2), strike out "April 1, 1986" and insert in lieu thereof "July 1, 1986".

In section 19032—

(1) strike out "February 1, 1986" in subsection (a) and insert in lieu thereof "May 1, 1986"; and

(2) strike out "November 1, 1986, and November 1, 1987," in subsection (f) and insert in lieu thereof "February 1, 1987, and February 1, 1988."

GENERAL LEAVE

Mr. DERRICK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 390, the resolution just agreed to.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1614. An act to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning June 1, 1986.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1 minute requests, pending other legislative business.

LEGISLATIVE PROGRAM

(Mr. LOEFFLER asked and was given permission to address the House for 1 minute.)

Mr. LOEFFLER. Mr. Speaker, I rise for the purpose of determining the schedule for the remainder of the day and for next week, and the times of votes that might occur today.

Mr. FOLEY. Will the gentleman yield?

Mr. LOEFFLER. I yield to the gentleman.

Mr. FOLEY. Mr. Speaker, the Committee on Rules is now considering a rule which would make in order the consideration of H.R. 4306, to amend certain sections of the 1985 farm bill. It is anticipated that the Rules Committee will grant such a rule today,

and it is our intention to call up such a rule when it is available, and to consider, if the appropriate leave is granted by the House, to consider H.R. 4306 today; or in the alternative to take from the Speaker's table as the rule may permit the Senate-passed bill on the same subject matter.

I believe it is the intention of the Chair to designate 1-minute speeches and to proceed with special orders with the understanding that we will return to official business of the House when the Committee on Rules has filed the rule.

Mr. LOEFFLER. Does the distinguished majority whip have any feel as to what time today we might adjourn?

Mr. FOLEY. I would assume that the consideration of the rule and the consideration of the bill if the rule is granted would probably continue the House in business until somewhere around 4:30 or 5 o'clock this afternoon, perhaps earlier.

Mr. LOTT. Would the gentleman yield?

Mr. LOEFFLER. I yield to the distinguished minority whip.

Mr. LOTT. The Committee on Rules is meeting at this moment, and expects to be through with the rule within the next 25 to 30 minutes at the very most. So we should be able—OK. I understand they have just completed. So we should be able to have it here on the floor by 1:30 or so, and it would take I guess about an hour and a half after that, probably?

□ 1235

Mr. FOLEY. As I say, if the rule is available and adopted, I would hope we could conclude business by 4 o'clock this afternoon.

Mr. Speaker, if the gentleman will yield further, the program for today I have already announced. That will conclude legislative business, although the House will meet on pro forma session tomorrow.

On Monday the House will also meet in pro forma session.

On Tuesday we will consider seven bills under suspension of the rules:

H.R. 4240, to Increase the Limitation on Emergency Relief Projects of Catastrophic Nature, and Natural Disasters.

H.R. 969, conservation services bill.
House Joint Resolution 17, amendments to Hawaiian Homes Commission Act of 1920.

S. 1396, to settle unresolved claims of White Earth Indian Reservation, MN.

H.R. 3556, land exchange at Fort Story.

H.R. 4329, Anglo-Irish Peace Agreement for Ireland and Northern Ireland.

House Resolution 389, commend Inter-American Foundation for its 15th anniversary and contributions to U.S. development assistance in Latin America and the Caribbean.

Votes will be postponed on Tuesday until the conclusion of debate on the

suspensions. But votes will be taken Tuesday if ordered on any of the suspensions considered on Tuesday.

On Wednesday and the balance of the week, the House will meet at 3 p.m. on Wednesday, 11 a.m. on Thursday, and the balance of the week, to consider H.R. 1920, the Indian gambling bill, subject to a rule being granted. This announcement is made subject to the usual reservations: conference reports may be brought up at any time and further business may be announced later.

Mr. LOEFFLER. I then take it from the distinguished majority whip that the gentleman does not intend to have other legislation then that may be up on the floor of the House on Wednesday and Thursday of next week.

Mr. FOLEY. Yes; I would underscore the gentleman's thought that there may be additional business scheduled that is not part of this announcement.

Mr. LOEFFLER. Does the gentleman have any idea what it may be, any ideas of legislation that may be considered at that time.

Mr. FOLEY. It is possible that there could be legislation with reference to the so-called lie detector bill, the polygraph legislation.

Mr. LOEFFLER. Is it the intention of the majority leadership to be in session on Friday of next week?

Mr. FOLEY. We have not made a decision not to be in session on Friday at this time, but will advise the House as soon as a determination is made. It has to be assumed at this time.

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

ADJOURNMENT TO MONDAY, MARCH 10, 1986

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow, Friday, March 7, 1986, it adjourn to meet at 12 noon on Monday next.

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

There was no objection.

REQUEST TO DISPENSE WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

Mr. WALKER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.