

Thursday, July 31, 1997

Daily Digest

HIGHLIGHTS

Senate agreed to Budget Reconciliation and Revenue Reconciliation Conference Reports.

House agreed to the Conference report on H.R. 2014, the Taxpayer Relief Act of 1997. (H. Rept. 105-220).

House Committee ordered reported the Treasury, Postal Service, and General Government appropriations for fiscal year 1998.

Senate

Chamber Action

Routine Proceedings, pages S8385-S8629

Measures Introduced: Forty-Five bills and nine resolutions were introduced, as follows: S. 1094-1138, S. Res. 111-116, and S. Con. Res. 47-49.

Pages S8531-33

Measures Reported: Reports were made as follows:

S. 399, to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, with an amendment in the nature of a substitute. (S. Rept. No. 105-60)

S. 414, to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States imports and exports, with an amendment in the nature of a substitute. (S. Rept. No. 105-61)

S. Res. 110, A bill to permit an individual with a disability with access to the Senate floor to bring necessary supporting aids and services. Page S8531

Measures Passed:

Oklahoma City National Memorial: Senate passed S. 871, to establish the Oklahoma City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust. Pages S8410-15

Congressional Adjournment: Senate agreed to H. Con. Res. 136, providing for an adjournment of the House of Representatives and the Senate. Page S8481

Waiving Enrollment Requirements: Senate passed H.J. Res. 90, waiving certain enrollment requirements with respect to two specified bills of the One Hundred Fifth Congress, clearing the measure for the President. Page S8482

Enrollment Correction: Senate agreed to H. Con. Res. 138, to correct technical errors in the enrollment of the bill H.R. 2014. Page S8482

Kennedy Center Parking Improvement Act: Senate passed S. 797, to amend the John F. Kennedy Center Act to authorize the design and construction of additions to the parking garage and certain site improvements, after agreeing to the following amendments proposed thereto: Pages S8506-11

Domenici (for Chafee) Amendment No. 1048, of a technical nature. Pages S8506-11

Domenici/Bingaman Amendment No. 1049, to provide for the design, construction, furnishing, and equipping of a Center for Performing Arts within the complex known as the New Mexico Hispanic Cultural Center. Pages S8506-11

Domenici (for Graham/Mack) Amendment No. 1050, to provide for the design, construction, furnishing and equipping of a Center for Historically Black Heritage within Florida A&M University. Pages S8506-11

Domenici (for Chafee) Amendment No. 1051, to provide for the relocation and expansion of the Haffenreffer Museum of Anthropology at Brown University in Providence, Rhode Island. Pages S8506-11

Domenici (for Chafee) Amendment No. 1052, to provide for a grant to Juniata College for the construction of environmental research facilities and structures at Raystown Lake, Pennsylvania. Pages S8506-11

Domenici (for Baucus) Amendment No. 1053, to provide for the design, construction, furnishing, and equipping of an historical, cultural and paleontological interpretive center and museum to be located at Fort Peck Dam, Montana. Pages S8506-11

President Pro Tempore Consultant: Senate passed S. 1120, to provide for a consultant for the President pro tempore. Page S8524

Earthquake Hazards Reduction Act Authorization: Senate passed S. 910, to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto:

Pages S8524–26

Warner (for Frist) Amendment No. 1054, to increase the authorization for the United States Geological Survey for 1998 and 1999.

Page S8526

Grants Pass, Oregon Land Conveyance: Senate passed H.R. 1198, to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon, clearing the measure for the President.

Page S8526

Oregon Land Exchange: Senate passed H.R. 1944, to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon, clearing the measure for the President.

Pages S8526–27

Senate Floor Disability Access: Senate agreed to S. Res. 110, to permit an individual with a disability with access to the Senate floor to bring necessary supporting aids and services.

Page S8527

Private Relief: Senate passed H.R. 584, for the relief of John Wesley Davis, clearing the measure for the President.

Page S8527

Indian Independence Day: Committee on the Judiciary was discharged from further consideration of S. Res. 102, designating August 15, 1997, as "Indian Independence Day: A National Day of Celebration of Indian and American Democracy," and the resolution was then agreed to.

Pages S8527–28

U.S. District Courts Authorization: Committee on the Judiciary was discharged from further consideration of S. 996, to provide for the authorization of appropriations in each fiscal year for arbitration in United States district courts, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Page S8528

Warner (for Biden) Amendment No. 1055, to provide for the reauthorization of report requirements to enhance judicial information dissemination.

Page S8528

Budget Reconciliation Conference Report: By 85 yeas to 15 nays (Vote No. 209), Senate agreed to the conference report on H.R. 2015, to provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998.

Pages S8386–S8410

Revenue Reconciliation-Conference Report: By 92 yeas to 8 nays (Vote No. 211), Senate agreed to the conference report on H.R. 2014, to provide for reconciliation pursuant to subsections (b)(2) and (d) of section 105 of the concurrent resolution on the budget for fiscal year 1998.

Pages S8410, S8415–61, S8465–80

During consideration of this measure today, Senate also took the following action:

By 78 yeas to 22 nays (Vote No. 210), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to waive points of order against the Congressional Budget Act with respect to consideration of the conference report. Subsequently, a point of order that section 1604(f)(3) of the bill violates section 313(b)(1)(A) of the Congressional Budget Act was not sustained, and the point of order thus fell.

Pages S8450–51

Agriculture Appropriations—Agreement: A unanimous-consent time agreement was reached providing for the consideration of H.R. 2160, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, on Tuesday, September 2, 1997, with one amendment to be proposed thereto.

Page S8482

A further consent agreement was reached providing that on Wednesday, September 3, 1997, prior to third reading of the bill, all after the enacting clause be stricken and the text of S. 1033, Senate companion measure, as passed by the Senate on July 24, 1997, be inserted in lieu thereof, the bill be read the third time and agreed to, the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate.

Page S8482

Labor/HHS Appropriations—Agreement: A unanimous-consent agreement was reached providing for the consideration of S. 1061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, on Tuesday, September 2, 1997.

Page S8461

Authority for Committees: All committees were authorized to file executive and legislative reports during the adjournment of the Senate on Tuesday, August 19, 1997, from 11 a.m. to 2 p.m.

Page S8524

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties:

Extradition Treaty with Barbados (Treaty Doc. 105-20); and

Extradition Treaty with Trinidad and Tobago (Treaty Doc. 105-21).

The treaties were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.

Page S8523

Appointments:

Global Climate Change Observer Group: Pursuant to the provisions of S. Res. 98, agreed to on July 25, 1997, the following Senators were appointed to the Global Climate Change Observer Group: Senators Hagel, Chairman, Abraham, Chafee, Craig, Murkowski, Roberts, Byrd, Co-Chairman, Baucus, Bingaman, Kerry, Levin, and Lieberman.

Pages S8523–24

Commission on Security and Cooperation in Europe: The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appointed the following Senators to the Commission on Security and Cooperation in Europe: Senators Feingold, Graham, Lautenberg, and Reid.

Pages S8523-24

Messages from the President: Senate received the following messages from the President of the United States: A communication from the President of the United States, transmitting, a report of the notice of the continuation of Iraqi emergency; referred to the Committee on Banking, Housing and Urban Affairs. (PM-58).

Page S8528

A communication from the President of the United States, transmitting, a report concerning the national emergency with respect to Iraq; referred to the Committee on Banking, Housing and Urban Affairs. (PM-59).

Pages S8528-30

Nominations Confirmed: Senate confirmed the following nominations:

Eric L. Clay, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Arthur Gajarsa, of Maryland, to be United States Circuit Judge for the Federal Circuit.

Thomas W. Thrash, Jr., of Georgia, to be United States District Judge for the Northern District of Georgia.

Jose-Marie Griffiths, of Tennessee, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2001.

Mary Ann Gooden Terrell, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Robert S. LaRussa, of Maryland, to be an Assistant Secretary of Commerce.

James H. Atkins, of Arkansas, to be a Member of the Federal Retirement Thrift Investment Board for a term expiring September 25, 2000.

Calvin D. Buchanan, of Mississippi, to be United States Attorney for the Northern District of Mississippi for the term of four years.

Linda Jane Zack Tarr-Whelan, of Virginia, for the rank of Ambassador during her tenure of service as United States Representative to the Commission on the Status of Women of the Economic and Social Council of the United Nations.

Yerker Andersson, of Maryland, to be a Member of the National Council on Disability for a term expiring September 17, 1999.

Gina McDonald, of Kansas, to be a Member of the National Council on Disability for a term expiring September 17, 1998.

Bonnie O'Day, of Minnesota, to be a Member of the National Council on Disability for a term expiring September 17, 1998.

Edward William Gnehm, Jr., of Georgia, to be Director General of the Foreign Service.

Richard Sklar, of California, to be Representative of the United States of America to the United Nations for UN Management and Reform, with the Rank of Ambassador.

A. Peter Burleigh, of California, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

James W. Pardew, Jr., of Virginia, for the Rank of Ambassador during his tenure of service as U.S. Special Representative for Military Stabilization in the Balkans.

Stanley O. Roth, of Virginia, to be an Assistant Secretary of State.

Marc Grossman, of Virginia, to be an Assistant Secretary of State.

John Christian Kornblum, of Michigan, to be Ambassador to the Federal Republic of Germany.

David J. Scheffer, of Virginia, to be Ambassador at Large for War Crimes Issues.

James P. Rubin, of New York, to be an Assistant Secretary of State.

Paul Simon, of Illinois, to be a Member of the National Institute for Literacy Advisory Board for a term expiring September 22, 1998.

Bonnie R. Cohen, of District of Columbia, to be an Under Secretary of State.

James Franklin Collins, of Illinois, to be Ambassador to the Russian Federation.

Janice R. Lachance, of Virginia, to be Deputy Director of the Office of Personnel Management

Patrick A. Shea, of Utah, to be Director of the Bureau of Land Management.

George A. Omas, of Mississippi, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2000.

Jane Garvey, of Massachusetts, to be Administrator of the Federal Aviation Administration for the term of five years.

Karl Frederick Inderfurth, of North Carolina, to be Assistant Secretary of State for South Asian Affairs.

David Andrews, of California, to be Legal Adviser of the Department of State.

Ralph Frank, of Washington, to be Ambassador to the Kingdom of Nepal.

John C. Holzman, of Hawaii, to be Ambassador to the People's Republic of Bangladesh.

Shirley Robinson Watkins, of Arkansas, to be Under Secretary of Agriculture for Food, Nutrition, and Consumer Services.

Louis Caldera, of California, to be a Managing Director of the Corporation for National and Community Service.

Rudy deLeon, of California, to be Under Secretary of Defense for Personnel and Readiness.

Robert G. Stanton, of Virginia, to be Director of the National Park Service.

Catherine E. Woteki, of the District of Columbia, to be Under Secretary of Agriculture for Food Safety.

Kneeland C. Youngblood, of Texas, to be a Member of the Board of Directors of the United States Enrichment Corporation for a term expiring February 24, 2002.

Wendy Ruth Sherman, of Maryland, to be Counselor of the Department of State, and to have the rank of Ambassador during her tenure of service.

Gordon D. Giffin, of Georgia, to be Ambassador to Canada.

Maura Harty, of Florida, to be Ambassador to the Republic of Paraguay.

James F. Mack, of Virginia, to be Ambassador to the Co-operative Republic of Guyana.

Anne Marie Sigmund, of the District of Columbia, to be Ambassador to the Kyrgyz Republic.

Keith C. Smith, of California, to be Ambassador to the Republic of Lithuania.

Daniel V. Speckhard, of Wisconsin, to be Ambassador to the Republic of Belarus.

George Munoz, of Illinois, to be President of the Overseas Private Investment Corporation.

Richard Dale Kauzlarich, of Virginia, to be Ambassador to the Republic of Bosnia and Herzegovina.

Jamie Rappaport Clark, of Maryland, to be Director of the United States Fish and Wildlife Service.

I. Miley Gonzalez, of New Mexico, to be Under Secretary of Agriculture for Research, Education, and Economics.

August Schumacher, Jr., of Massachusetts, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Kathleen M. Karpan, of Wyoming, to be Director of the Office of Surface Mining Reclamation and Enforcement.

August Schumacher, Jr., of Massachusetts, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Shirley Robinson Watkins, of Arkansas, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Thomas E. Scott, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

Felix George Rohatyn, of New York, to be Ambassador to France.

Philip Lader, of South Carolina, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Foreign Service.

Pages S8462-63, S8516-23

Nominations Received: Senate received the following nominations:

Jo Ann Jay Howard, of Texas, to be Federal Insurance Administrator, Federal Emergency Management Agency.

Paul M. Igasaki, of California, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2002.

Tadd Johnson, of Minnesota, to be Chairman of the National Indian Gaming Commission for the term of three years.

Ernest J. Moniz, of Massachusetts, to be Under Secretary of Energy.

A. Richard Caputo, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

G. Patrick Murphy, of Illinois, to be United States District Judge for the Southern District of Illinois.

Carlos R. Moreno, of California, to be United States District Judge for the Central District of California.

Michael P. McCuskey, of Illinois, to be United States District Judge for the Central District of Illinois.

Victoria A. Roberts, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Frederica A. Massiah-Jackson, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Bruce C. Kauffman, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

John H. Bingler, Jr., of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

James S. Gwin, of Ohio, to be United States District Judge for the Northern District of Ohio.

Jeffrey D. Colman, of Illinois, to be United States District Judge for the Northern District of Illinois.

Rebecca R. Pallmeyer, of Illinois, to be United States District Judge for the Northern District of Illinois.

Dan A. Polster, of Ohio, to be United States District Judge for the Northern District of Ohio.

Algenon L. Marbley, of Ohio, to be United States District Judge for the Southern District of Ohio.

John E. Mansfield, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2001.

George Edward Moose, of Maryland, to be Representative of the United States of America to the European Office of the United Nations, with the rank of Ambassador.

Nancy Dorn, of the District of Columbia, to be Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2002.

Hershel Wayne Gober, of Arkansas, to be Secretary of Veterans Affairs.

Dennis Dollar, of Mississippi, to be a Member of the National Credit Union Administration Board for a term expiring April 10, 2003.

Michael K. Powell, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 1997.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army.

| | |
|---|---------------------------|
| | Pages S8461–62 |
| Messages From the President: | Pages S8528–30 |
| Messages From the House: | Page S8530 |
| Communications: | Pages S8530–31 |
| Executive Reports of Committees: | Page S8531 |
| Statements on Introduced Bills: | Pages S8533–S8607 |
| Additional Cosponsors: | Pages S8607–08 |
| Amendments Submitted: | Pages S8612–15 |
| Notices of Hearings: | Page S8615 |
| Authority for Committees: | Page S8615 |
| Additional Statements: | Page S8615 |
| Record Votes: Three record votes were taken today. (Total—211) | Pages S8410, S8451, S8480 |
| Adjournment: Senate convened at 9:15 a.m. and, in accordance with H. Con. Res. 136, adjourned at 8 p.m., until 11 a.m., on Tuesday, September 2, 1997. | |

Committee Meetings

(Committees not listed did not meet)

FOOD SECURITY IN AFRICA

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings on proposed legislation to enhance African food security and increase U.S. exports by stimulating a new trade and development relationship between the United States and Africa, and on provisions of S. 778, to authorize a new trade and investment policy for sub-Saharan African countries, after receiving testimony from Lawrence H. Summers, Deputy Secretary of the Treasury; Derek Hanekom, South Africa Minister of Agriculture and Land Affairs, Pretoria; Edith G. Ssempala, Republic of Uganda Ambassador to the United States; Norman E. Borlaug, Sasakawa-Global 2000, Mexico City, Mexico; Ernie Micek, Cargill, Incorporated, Minneapolis, Minnesota; and Joseph C. Kennedy, AFRICARE, Washington, D.C.

EXPORT-IMPORT BANK

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported S. 1026, authorizing funds for the Export-Import Bank of the United States, with amendments.

NATIONAL PARKS OVERFLIGHTS

Committee on Commerce, Science, and Transportation: Committee held hearings on S. 268, to promote air safety and restore or preserve natural quiet in na-

tional parks by establishing minimum flight altitudes and prohibiting overflights below such minimum altitudes in any national park, receiving testimony from Senators Akaka and Allard; Representatives Mink and Gibbons; Louise E. Maillett, Acting Administrator for Policy, Planning and International Aviation, Federal Aviation Administration, Department of Transportation; Destry Jarvis, Assistant Director, External Affairs, National Park Service, Department of the Interior; Tom Robinson, Grand Canyon Trust, Flagstaff, Arizona; Phil Pearl, National Parks and Conservation Association, Washington, D.C.; James Petty, Air Vegas Airlines, Henderson, Nevada, on behalf of the United States Air Tour Association and the Grand Canyon Air Tour Council; Richard L. Larew, Era Aviation, Inc., Anchorage, Alaska; and Frank L. Jensen, Jr., Helicopter Association International, Alexandria, Virginia.

Hearings were recessed subject to call.

FOREST SERVICE ALASKA REGION

Committee on Energy and Natural Resources: Committee held oversight hearings to examine the organizational structure, staffing, and budget for implementation of the Tongass Land Management Plan and the management of programs under the jurisdiction of the Alaska region of the Forest Service, receiving testimony from Ronald E. Stewart, Acting Associate Chief, and Phil Janik, Regional Forester (Juneau, Alaska), both of the Forest Service, Department of Agriculture.

Hearings were recessed subject to call.

NOMINATIONS

Committee on Governmental Affairs: Committee ordered favorably reported the nominations of James H. Atkins, of Arkansas, to be a Member of the Federal Retirement Thrift Investment Board, Janice R. Lachance, of Virginia, to be Deputy Director of the Office of Personnel Management, and George A. Omas, of Mississippi, to be a Commissioner of the Postal Rate Commission.

CAMPAIGN FINANCING INVESTIGATION

Committee on Governmental Affairs: Committee continued hearings to examine certain matters with regard to the committee's special investigation on campaign financing, receiving testimony from Terry Lenzner and Loren Berger, both of the Investigative Group, Incorporated, Washington, D.C.; and Zhi Hua Dong, Ching Hai Meditation Society, Brooklyn, New York.

Hearings were recessed subject to call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 53, to require the general application of the antitrust laws to major league baseball, with an amendment in the nature of a substitute; and