Tuesday, September 16, 1997

Daily Digest

HIGHLIGHTS

Senate confirmed Gen. Shelton as Chairman of the Joint Chiefs of Staff.

Senate

Chamber Action

Routine Proceedings, pages S9359-S9436

Measures Introduced: Four bills were introduced, as follows: S. 1179-1182. Page S9411

Measures Passed:

Grazing Use and Privileges: Senate passed S. 308, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges, after agreeing to a committee amendment in the nature of a substitute. Pages S9360-63, S9375-76, S9378-85

Wilderness and Visitor Center Designations: Senate passed S. 931, to designate the Marjory Stoneman Douglas Wilderness and Ernest F. Coe Visitor Center. Page S9434


Trinity Lake Reservoir: Senate passed H.R. 63, to designate the reservoir created by Trinity Dam in the Central Valley project, California, as "Trinity Lake", clearing the bill for the President. Page S9435

Retirement of Hans Blix: Senate agreed to S. Con. Res. 45, commending Dr. Hans Blix for his distinguished service as Director General of the International Atomic Energy Agency on the occasion of his retirement. Page S9435

Export-Import Bank Reauthorization: Senate passed S. 1026, to reauthorize the Export-Import Bank of the United States, after agreeing to a committee amendment in the nature of a substitute. Page S9435

FDA Administration Modernization and Accountability Act: Senate resumed consideration of S. 830, to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, with a modified committee amendment in the nature of a substitute. (The modification incorporated the language of Jeffords Amendment No. 1130, in the nature of a substitute.) Pages S9360-63, S9375-76, S9378-85

Harkin Amendment No. 1137 (to Amendment No. 1130), authorizing funds for each of fiscal years 1998 through 2002 to establish within the National Institutes of Health an agency to be known as the National Center for Complementary and Alternative Medicine. Pages S9361-63, S9378-85

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

By 94 yeas to 4 nays (Vote No. 239), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to close further debate on Amendment No. 1130, listed above. Pages S9375-76

Interior Appropriations, 1998: Senate resumed consideration of H.R. 2107, making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, with certain excepted committee amendments, taking action on amendments proposed thereto, as follows:

Adopted:

Campbell Amendment No. 1197 (to committee amendment beginning on page 52, line 16 through page 54, line 22), to develop a new formula for distribution of tribal priority allocation funding. Pages S9389-97

Gorton (for Mack/Graham) Amendment No. 1200, to clarify that funds provided for land acquisition in South Florida may be used for acquisitions within Stormwater Treatment Area 1-E. Pages S9401-02
Gorton (for Murkowski) Amendment No. 1201, to permit the Virgin Islands to issue parity bonds in lieu of priority bonds.

Gorton/Byrd Amendment No. 1202, to clarify that the provision regarding Forest Ecosystems Health and Recovery Revolving Fund applies only to the Federal share of receipts.

Gorton/Byrd Amendment No. 1203, to clarify the provision allowing tribal priority allocation funds be used for repair and replacement of school facilities.

Withdrawn:
Committee amendment beginning on page 55, line 11 through page 56, line 2, regarding tribal sovereign immunity.

Pending:
Ashcroft Amendment No. 1188 (to committee amendment beginning on page 96, line 12 through page 97, line 8), to eliminate funding for programs and activities carried out by the National Endowment for the Arts.

Hutchinson Amendment No. 1196, to authorize the President to implement the recently announced American Heritage Rivers Initiative subject to designation of qualified rivers by Act of Congress.

Senate will continue consideration of the bill on Wednesday, September 17, 1997.

Military Construction Appropriations Conference Report—Agreement: A unanimous-consent agreement was reached providing for the consideration of the conference report on H.R. 2016, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, on Wednesday, September 17, 1997, with a vote to occur thereon.

Messages from the President: Senate received the following messages from the President of the United States:

Transmitting, a draft of proposed legislation entitled “The Export Expansion and Reciprocal Trade Agreements Act of 1997”; to the Committee on Finance. (PM—65).

Nominations Confirmed: Senate confirmed the following nominations: General Henry H. Shelton for appointment as Chairman of the Joint Chiefs of Staff.

Richard Thomas White, of Michigan, to be a Member of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 1999.

John D. Trasavina, of California, to be Special Counsel for Immigration-Related Unfair Employment Practices for a term of four years.

Stephen R. Sestanovich, of the District of Columbia, as Ambassador at Large and Special Adviser to the Secretary of State for the New Independent States.

Messages From the House:

Statements on Introduced Bills:

Additional Cosponsors:

Amendments Submitted:

Notices of Hearings:

Authority for Committees:

Additional Statements:

Record Votes: One record vote was taken today. (Total—239)

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:14 p.m., until 9:45 a.m., on Wednesday, September 17, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9436.)

Committee Meetings

NOMINATIONS

Committee on Armed Services: Committee concluded hearings on the nominations of Gen. Michael E. Ryan, USAF, to be Chief of Staff, United States Air Force, Adm. Harold W. Gehman Jr., USN, to be Commander-in-Chief, United States Atlantic Command, and Lt. Gen. Charles E. Wilhelm, USMC, to be Commander-in-Chief, United States Southern Command and for appointment to the grade of general, after the nominees testified and answered questions in their own behalf.

FINANCIAL INSTRUMENT FRAUD

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Services and Technology concluded hearings to examine the widespread growth of fraud using financial institutions, focusing on national security implications, organized crime involvement, and the types of counterfeit financial instruments being circulated, after receiving testimony from Charles L. Owens, Chief, Financial Crimes Section, Federal Bureau of Investigation, Department of Justice; Dana Brown, Deputy Special Agent in Charge, Financial Crimes Division, U.S. Secret Service, Department of the Treasury; Robert
M. Edmund, Edmund Scientific Company, Barrington, New Jersey; Dennis Brosan, Visa U.S.A., Inc., Washington, D.C.; Roger Leblond, Pacific Southwest Bank, Corpus Christi, Texas; and Diana Christiansen, Provo, Utah.

TOBACCO ADVERTISING
Committee on Commerce, Science, and Transportation: Committee held hearings to examine the effect of tobacco advertising and marketing on children and the advertising restrictions included in the proposed settlement between State Attorneys General and tobacco companies to mandate a total reformation and restructuring of how tobacco products are manufactured, marketed and distributed in America, receiving testimony from Matthew L. Myers, National Center for Tobacco-Free Kids, and Shirley Igo, National PTA, both of Washington, D.C.; Alfred Munzer, Washington Adventist Hospital, Takoma Park, Maryland, on behalf of the American Lung Association; Joseph R. DiFranza, University of Massachusetts Medical Center, Worcester, on behalf of STAT (Stop Teenage Addiction to Tobacco); and D. Scott Wise, Davis Polk & Wardwell, New York, New York.

Hearings were recessed subject to call.

CAMPAIGN FINANCING INVESTIGATION
Committee on Governmental Affairs: Committee resumed hearings to examine certain matters with regard to the committee's special investigation on campaign financing, receiving testimony from Karl Jackson, U.S.-Thailand Business Council, Beth E. Dozoretz, Democratic National Committee, Rawlein Soberano, Asian-American Business Round Table, and Clarke Southall Wallace, all of Washington, D.C.

Hearings continue tomorrow.
House of Representatives

Chamber Action

Bills Introduced: 9 public bills, H.R. 2477-2485; and 1 private bill, H.R. 2486, were introduced.
Page H7364

Reports Filed: Reports were filed today as follows:
H.R. 695, to amend title 18, United States Code, to affirm the rights of United States persons to use and sell encryption and to relax export controls on encryption, amended (H. Rept. 105-108 Part 4).
Page H7364

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Miller of Florida to act as Speaker pro tempore for today.
Page H7283

Recess: The House recessed at 10:53 and reconvened at 12 noon.
Page H7285

Military Construction Conference Report: By a yea and nay vote of 413 yeas to 12 nays, Roll No. 394, the House agreed to the conference report on H.R. 2016, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998.

The House agreed to H. Res. 228, the rule waiving points of order against the conference report. Earlier, agreed to order the previous question by a yea and nay vote of 238 yeas to 189 nays, Roll No. 393.


Agreed to the Pelosi motion to instruct conferees to insist on the provision of the House bill with respect to providing $650 million for the Child Survival and Disease Programs Fund, including $50 million for combating infectious diseases.

Suspensions: The House agreed to suspend the rules and pass the following measures:

John Griesemer Post Office Building: H.R. 1254, amended, to designate the United States Post Office building located at Bennett and Kansas Avenue in Springfield, Missouri, as the “John N. Griesemer Post Office Building”. Agreed to amend the title;

Airmen Held as Political Prisoners at the Buchenwald Concentration Camp: H. Con. Res. 95, recognizing and commending American airmen held as political prisoners at the Buchenwald concentration camp during World War II for their service, bravery, and fortitude;

Honoring the Late Jimmy Stewart: H. Con. Res. 109, recognizing the many talents of the actor Jimmy Stewart and honoring the contributions he made to the Nation;

Computer Security Enhancement Act: H.R. 1903, amended, to amend the National Institute of Standards and Technology Act to enhance the ability of the National Institute of Standards and Technology to improve computer security;

Earthquake Hazards Reductions Act: S. 910, to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1998 and 1999 (passed by a yea and nay vote of 421 yeas with none voting “nay”, Roll No. 395)— clearing the measure for the President;

His All Holiness Patriarch Bartholomew: H. Con. Res. 134, amended, authorizing the use of the rotunda of the Capitol to allow members of Congress to greet and receive His All Holiness Patriarch Bartholomew (agreed to by a yea and nay vote of 421 yeas with none voting “nay”, Roll No. 396); and

Senior Citizen Home Equity Protection Act: S. 562, amended, to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage. Agreed to amend the title (passed by a yea and nay vote of 422 yeas to 1 nay, Roll No. 397)— clearing the measure for the President.

Recess: The House recessed at 4:13 p.m. and reconvened at 5:11 p.m.

Labor, HHS, and Education Appropriations Act: The House continued consideration of amendments to H.R. 2264, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998. The House completed general debate and considered amendments to the bill on September 4, 5, 8, 9, 10, and 11.
Agreed To:

The Goodling amendment that prohibits any funds to be used to develop, plan, implement, or administer any national testing program in reading or mathematics (agreed to by a recorded vote of 295 ayes to 125 noes, Roll No. 398); and

The Hoekstra amendment that prohibits any funds to be used to pay the expenses of an election officer appointed by a court to oversee an election for the International Brotherhood of Teamsters (agreed to by a recorded vote of 225 ayes to 195 noes, Roll No. 399).

The bill is being considered pursuant to the order of the House of Thursday, July 31.


Amendments: Amendments ordered printed pursuant to the rule appear on page H7365.

Quorum Calls—Votes: Three yea-and-nay votes and four recorded votes developed during the proceedings of the House today and appear on pages H7315–16, H7319–20, H7322, H7322–23, H7323–24, H7349–50, and H7350–51. There were no quorum calls.

Adjournment: Met at 10:30 a.m. and adjourned at 12 midnight.

Committee Meetings

EPA's National Ambient Air Quality Standards
Committee on Agriculture: Held a hearing to review EPA’s National Ambient Air Quality Standards and the potential effects on U.S. agriculture. Testimony was heard from Representatives Dingell and Klink; Carol M. Browner, Administrator, EPA; and public witnesses.

Federal Reserve's Payment System
Committee on Banking and Financial Services: Subcommittee held a hearing on the Federal Reserve’s payment system. Testimony was heard from the following officials of the Federal Reserve System: Alice M. Rivlin, Vice Chairwoman, Board of Governors; Thomas McFarland, Manager, Transportation Operations; Thomas Hunt, Senior Systems Analyst and Charles Fazio, Transportation Analyst, all with the Interdistrict Transportation System, Federal Reserve of Boston; and public witnesses.

Miscellaneous Measures
Committee on Commerce: Subcommittee on Energy and Power approved for full Committee action the following bills: H.R. 2472, to extend certain programs under the Energy Policy and Conservation Act; and H.R. 2165, to extend the deadline under the Federal Power Act applicable to the construction of FERC Project Number 3862 in the State of Iowa.

Prior to this action, the Subcommittee held a hearing on H.R. 2472. Testimony was heard from Elizabeth Anne Moler, Deputy Secretary, Department of Energy; and public witnesses.

Charter Schools
Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth and Families held a hearing on Charter Schools. Testimony was heard from Cornelia Blanchette, Associate Director, Education and Employment Issues, GAO; and public witnesses.

Committee Business
Committee on House Oversight: Approved the following: Committee on Science Reserve Fund Request; Information Security Policy; and Pension Forfeiture.

Fast Track Legislation
Committee on International Relations: Subcommittee on International Economic Policy and Trade held a hearing on Fast Track: On Course or Derailed? Necessary or Not? Testimony was heard from Bruce Lehman, Assistant Secretary and Commissioner, Patents and Trademarks, Department of Commerce; Marybeth Peters, Register of Copyrights, Library of Congress; and public witnesses.

Copyright Legislation
Committee on the Judiciary: Subcommittee on Courts and Intellectual Property held a hearing on the following bills: H.R. 2281, WIPO Copyright Treaties Implementation Act; and H.R. 2180, On-Line Copyright Liability Limitation Act. Testimony was heard from Bruce Lehman, Assistant Secretary and Commissioner, Patents and Trademarks, Department of Commerce; Marybeth Peters, Register of Copyrights, Library of Congress; and public witnesses.

Hearings continue tomorrow.

Oversight—Forest Service Appointment
Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the implications to public domain national forests should a measure be enacted to require the appointment of the Chief of the Forest Service by the President, by
and with the advice and consent of the Senate. Testimony was heard from James R. Lyons, Under Secretary, Natural Resources and Environment, USDA; and a public witness.

MISCELLANEOUS MEASURES
Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on the following bills: H.R. 351, to authorize the Secretary of the Interior to make appropriate improvements to a county road located in the Pictured Rocks National Lakeshore, and to prohibit construction of a scenic shoreline drive in that national lakeshore; H.R. 1714, to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site; H.R. 2136, to direct the Secretary of the Interior to convey, at fair market value, certain properties in Clark County, Nevada, to persons who purchased adjacent properties in good faith reliance on land surveys that were subsequently determined to be inaccurate; and H.R. 2283, Arches National Park Expansion Act of 1997. Testimony was heard from Representatives Stupak, Bishop and Cannon; the following officials of the Department of the Interior: Mat Millenbach, Deputy Director, Bureau of Land Management; and Denis Galvin, Deputy Director, National Park Service; Ed Norton, Vice President, Law and Public Policy, National Trust for Historic Preservation; and a public witness.

NATIONAL COMMISSION ON RESTRUCTURING THE IRS
Committee on Ways and Means: Held a hearing to examine the recommendations of the National Commission on Restructuring the IRS with regard to Executive Branch governance and Congressional oversight of IRS. Testimony was heard from the following officials of the National Commission on Restructuring the IRS: Senators Kerrey, Co-Chair; and Grassley, Commissioner; Representative Portman, Co-Chair; Fred T. Goldberg, Jr., Josh S. Weston and James W. Wetzler, all Commissioners; Representatives Cardin, Coyne and Hoyer; Robert A. Rubin, Secretary of the Treasury; and public witnesses. Hearings continue tomorrow.

Joint Meetings

APPROPRIATIONS—DEFENSE
Conferees met to resolve the differences between the Senate- and House-passed versions of H.R. 2266, making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, but did not complete action thereon, and recessed subject to call.

AUTHORIZATION—INTELLIGENCE
Conferees agreed to file a conference report on the differences between the Senate and House-passed versions of S. 858, to authorize funds for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 17, 1997
(Congressional meetings are open unless otherwise indicated)

Senate
Committee on Commerce, Science, and Transportation, Subcommittee on Surface Transportation and Merchant Marine, to hold hearings on S. 1115, to improve one-call notification process, 10 a.m., SR-253.

Committee on Energy and Natural Resources, to hold hearings on S. 1158, to amend the Alaska Native Claims Settlement Act regarding the Huna Totem Corporation public interest land exchange, and S. 1159, to amend the Alaska Native Claims Settlement Act regarding the Kake Tribal Corporation public interest land exchange, 9:30 a.m., SD-366.

Committee on Environment and Public Works, business meeting, to mark up S. 1173, to authorize funds for construction of highway safety programs, and for mass transit programs, 9:30 a.m., SD-406.

Committee on Finance, to hold hearings on proposed legislation providing fast track trade authority, 10 a.m., SD-215.

Committee on Foreign Relations, to hold hearings on the International Telecommunication Union Constitution and Convention (Treaty Doc. 104-34), 10 a.m., SD-419.

Committee on Governmental Affairs, to continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing, 10 a.m., SH-216.

Committee on Homeland Security, to hold hearings to examine competition issues in the telecommunications industry, 1:30 p.m., SD-226.
Committee on Indian Affairs with the Committee on the Judiciary, to examine incidences of criminal gang activity within Indian country, 10 a.m., SD–226.

House

Committee on Agriculture, Subcommittee on Livestock, Dairy, and Poultry, hearing to review forage improvement legislation, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on the District of Columbia, to markup appropriations for fiscal year 1998, 1 p.m., H–144 Capitol.

Committee on Banking and Financial Services, Subcommittee on Housing and Community Opportunity, hearing on Tax Consequences of FHA Multifamily Restructuring, 2 p.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Health and Environment, to markup the following bills: H.R. 1411, Drug and Biological Products Modernization Act of 1997; H.R. 2469, Food and Nutrition Information Reform Act; and H.R. 1710, Medical Device Regulatory Modernization Act of 1997, 11 a.m., 2123 Rayburn.

Committee on International Relations, Subcommittee on Asia and the Pacific, hearing on U.S. Democracy Program Promotions in Asia, 2 p.m., 2200 Rayburn.

Committee on Resources, to markup the following measures: H. Con. Res. 131, expressing the sense of Congress regarding the ocean; H.R. 134, to authorize the Secretary of the Interior to provide a loan guarantee to the Olivenhain water storage project; H.R. 512, New Wildlife Refuge Authorization Act; H.R. 1154, Indian Federal Recognition Administrative Procedures Act of 1997; H.R. 1400, Tumalo Irrigation District Water Conservation Project Authorization Act; H.R. 1476, Miccosukee Settlement Act of 1997; H.R. 1567, Eastern Wilderness Act; H.R. 1805, Auburn Indian Restoration Amendment Act; H.R. 1849, Oklahoma City National Memorial Act of 1997; H.R. 2007, to amend the act that authorized the Canadian River reclamation project, Texas, to direct the Secretary of the Interior to allow use of the project distribution system to transport water from sources other than the project; H.R. 2233, Coral Reef Conservation Act of 1997; H.R. 2314, Kickapoo Tribe of Oklahoma Federal Indian Services Restoration Act of 1997; and H.R. 2402, to make technical and clarifying amendments to improve management of water-related facilities in the Western United States, 11 a.m., 1324 Longworth.

Committee on Science, to markup the following bills: H.R. 2429, to reauthorize the Small Business Technology Transfer Program through fiscal year 2000; H.R. 860, Surface Transportation Research and Development Act of 1997; and H.R. 112, to provide for the conveyance of certain property from the United States to Stanislaus County, CA., 2 p.m., 2318 Rayburn.

Committee on Small Business, hearing on OSHA’s proposed revision on occupational injury and illness recording and reporting requirements, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, to markup H.R. 2400, Building Efficient Surface Transportation and Equity Act of 1997, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, to continue hearings to examine the recommendations of the National Commission on Restructuring the IRS with regard to Executive Branch governance and Congressional oversight of IRS, 10 a.m., 1100 Longworth.

Joint Meetings

Conferees, on H.R. 2209, making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, 10:30 a.m., S–128, Capitol.

Conferees, on 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, 2 p.m., H–137, Capitol.
Next Meeting of the SENATE
9:45 a.m., Wednesday, September 17, 1997

Senate Chamber

Program for Wednesday: Senate will resume consideration of H.R. 2107, Interior Appropriations, 1998.
At 10:45 a.m., Senate will consider the conference report on H.R. 2016, Military Construction Appropriations, 1998, with a vote to occur thereon, following which Senate will resume consideration of H.R. 2107, Interior Appropriations, 1998.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, September 17

House Chamber

Program for Wednesday: Consideration of H.R. 2264, Labor, Health and Human Services, and Education Appropriations Act for FY 1998 (open rule).

Extensions of Remarks, as inserted in this issue

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