

APPOINTMENT BY THE PRESIDENT  
PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to the provisions of S. Res. 208 of the 105th Congress, appoints the Senator from Utah (Mr. BENNETT) as Chairman of the Special Committee on the Year 2000 Technology Problem.

APPOINTMENT BY THE  
DEMOCRATIC LEADER

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 105-78, appoints Dr. Robert C. Talley, of South Dakota, as a member of the National Health Museum Commission.

AUTHORITY FOR COMMITTEES TO  
FILE

Mr. LOTT. Mr. President, I ask unanimous consent that committees have between 11 a.m. and 3 p.m. on Tuesday, April 14, to file committee reported legislation and executive items.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 240, 559, 566, 568, 570, 571, 575, 576, and 577. I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations appear at this point in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

STATE JUSTICE INSTITUTE

Sophia H. Hall, Illinois, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2000.

INSTITUTE OF AMERICAN INDIAN AND ALASKA  
NATIVE CULTURE AND ARTS

Katherine L. Archuleta, of Colorado, to be a Member of the Institute of American Indian and Alaska Native Culture and Arts Development for the remainder of the term expiring May 19, 2000.

NATIONAL COMMISSION ON LIBRARIES AND  
INFORMATION SCIENCE

Rebecca T. Bingham, of Kentucky, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2000.

NATIONAL COMMISSION ON LIBRARIES AND  
INFORMATION SCIENCE

Martha B. Gould, of Nevada, to be a Member of the National Commission on Libraries

and Information Science for a term expiring July 19, 2002.

SECURITIES AND EXCHANGE COMMISSION

Arthur Levitt, Jr., of New York, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2003.

THE JUDICIARY

Ivan L. R. Lemelle, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

DEPARTMENT OF JUSTICE

Richard H. Deane, Jr., of Georgia, to be United States Attorney for the Northern District of Georgia for the term of four years.

Stephen C. Robinson, of Connecticut, to be United States Attorney for the District of Connecticut for the term of four years.

Daniel C. Byrne, of New York, to be United States Marshal for the Eastern District of New York for the term of four years.

JUDICIAL CONFIRMATION

Mr. LEAHY. Mr. President, I thank the Majority Leader for calling up the nomination of Ivan Lemelle to the District Court for the Eastern District of Louisiana.

Judge Lemelle's nomination has been pending over a year. When the Chief Judge of the Eastern District of Louisiana testified in May 1996 that the vacancies on that Court should not be filled, it put this nomination on hold. I only wish that when the Chief Justice of the United States says that we need more judges, when Chief Judges in the Second Circuit and other Circuits and Districts say that they need their vacancies filled without further delay, we would listen to them.

Judge Sear has recently written a letter to Senator BREAUX that reports that his Court now unanimously votes to fill the two vacancies in that District. I know that as a Magistrate Judge Ivan Lemelle has already contributed to the administration of justice in that District. It is high time to provide him the opportunity to contribute more fully to handling the District's caseload.

I congratulate and thank Senator BREAUX and Senator LANDRIEU for their effective advocacy in support of this nomination.

Before adjourning for a two-week recess, it is important for the Senate to clear its calendar of nominations to the maximum extent possible. We made some progress today. I have been urging the Majority Leader to move judicial nominations through the Senate and I thank him for moving Judge Lemelle.

As the Senate recesses, seven judicial nominations still remain on the calendar awaiting Senate action. With this additional confirmation, the Senate will still have confirmed only 20 judges for the year in which the Federal courts have experienced 100 vacancies. So, while I thank the Senate for its actions today, I must note that we have not ended the crisis of which the Chief Justice of the United States Supreme Court warned in his most recent year end report.

Most troubling to me are the continuing vacancies on the Second Cir-

cuit. I deeply regret the Senate's unwillingness to vote upon the nomination of Judge Sonia Sotomayor to the Second Circuit or to provide hearings for Judge Rosemary Pooler, Robert Sack and Chester Straub. I look forward to action on these and the other judicial nominees left pending before the Senate.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

AVIATION MEDICAL ASSISTANCE  
ACT OF 1998

Mr. LOTT. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of H.R. 2843 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2843) directing the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. Mr. President, the Commerce Committee has agreed to discharge H.R. 2843, the Aviation Medical Assistance Act of 1998. The companion Senate bill, S. 1584, was introduced by Senators FRIST and DORGAN and was also referred to the Commerce Committee.

Mr. FORD. I thank the Chairman. There is one point I want to make about the bill. The report accompanying the House version of H.R. 2843, House Report 105-456, notes that the Federal Aviation Administration (FAA) has the discretion not to require defibrillators on aircraft with a payload capacity of more than 7,500 pounds, or at small airports. The report goes on to indicate that the smaller aircraft, less than the size of major carrier jets, typically have "relatively narrow aisles and limited open floor space at the entry door and in the service areas." Is it the Senator's understanding that the FAA has the discretion not to require defibrillators on small aircraft typically used by the regional airlines?

Senator MCCAIN. That is my understanding.

Senator FORD. So for example, the FAA could require the use of defibrillators on board a Boeing 747, but has the discretion not to do so for classes of aircraft, like regional jets or turbo prop aircraft. Is that correct?

Senator FRIST. If I could indicate to the Chairman and other members, it is the intention of the authors of the bill to provide the FAA with the ability to make just that sort of determination. The bill clearly gives the

FAA the ability to use its judgement, to take into account many factors, in determining the size and type of aircraft, subject to any defibrillator requirement. For example, the report accompanying the House bill talks about the ability of smaller aircraft to land in the event of an emergency more quickly than larger aircraft because they need shorter runways. The report "urges the FAA to consider these factors in deciding where to draw the line".

Senator MCCAIN. I appreciate the comments of my colleagues to clarify the intent of the bill.

Senator FORD. I thank the Chairman and my colleagues.

Mr. LOTT. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid on the table, and that any statements relating to the bill appear at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2843) was passed.

#### ORDERS FOR MONDAY, APRIL 20, 1998

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment under the provisions of H. Con. Res. 257, until 11 a.m. on Monday, April 20; and, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then proceed to 2 hours of morning business, with time to be divided as follows: 1 hour under the control of Senator HAGEL, 1 hour under the control of Senator DASCHLE.

I further ask that following the morning business period, the Senate proceed to consideration of the Coverdell education savings account bill under the consent agreement of March 27, 1998.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. LOTT. When the Senate reconvenes from the Easter holidays, we then will resume consideration of the Coverdell education A+ bill. In addition, it is hoped the Senate will be able to consider the NATO enlargement treaty the first week after the Senate reconvenes. I want to emphasize again that that will be done only after careful consideration of the arguments of those who are for the treaty enlargement and also the arguments of those who are opposed. We want to make sure we have ample time for all the arguments to be heard on both sides. So we will work early in the week to make sure we get a time agreement that is satisfactory.

We also hope to take up the State Department Reauthorization Conference Report under a time agreement.

As earlier announced, there will be no rollcall votes on the Monday that we return, so the next votes then will occur on Tuesday, April 21, at 10 a.m. The Senate could consider further votes on Tuesday morning as a result of debate on the Coverdell education bill, because we do have 15 amendments that could be offered as well as second-degree amendments to those. Senators should expect votes throughout the day of Tuesday, April 21, and we will begin early in the morning and we will go potentially late into the night that day.

#### ADJOURNMENT UNTIL MONDAY, APRIL 20, 1998, AT 11 A.M.

Mr. LOTT. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the provisions of H. Con. Res. 257.

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in adjournment until the hour of 11 a.m., Monday, April 20, 1998.

Thereupon, the Senate, at 2:18 p.m., adjourned until Monday, April 20, 1998, at 11 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate April 3, 1998:

##### INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS

KATHERINE L. ARCHULETA, OF COLORADO, TO BE A MEMBER OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR THE REMAINDER OF THE TERM EXPIRING MAY 19, 2000.

##### NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

REBECCA T. BINGHAM, OF KENTUCKY, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2001.

##### NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

MARTHA B. GOULD, OF NEVADA, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2002.

##### SECURITIES AND EXCHANGE COMMISSION

ARTHUR LEVITT, JR., OF NEW YORK, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE TERM EXPIRING JUNE 5, 2003.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

##### STATE JUSTICE INSTITUTE

SOPHIA H. HALL, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2000.

##### THE JUDICIARY

IVAN L. R. LEMELLE, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA.

##### DEPARTMENT OF JUSTICE

RICHARD H. DEANE, JR., OF GEORGIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF GEORGIA FOR THE TERM OF FOUR YEARS.

STEPHEN C. ROBINSON, OF CONNECTICUT, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF CONNECTICUT FOR THE TERM OF FOUR YEARS.

DANIEL C. BYRNE, OF NEW YORK, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.