

Tuesday, April 21, 1998

Daily Digest

HIGHLIGHTS

Senate passed Ocean Shipping Reform Act.

Senate

Chamber Action

Routine Proceedings, pages S3305–S3373

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 1959–1964 and S. Res. 211. Page S3356

Measures Reported: Reports were made as follows:

H.R. 2766, to designate the United States Post Office located at 215 East Jackson Street in Painesville, Ohio, as the “Karl Bernal Post Office Building”.

H.R. 2773, to designate the facility of the United States Postal Service located at 3750 North Kedzie Avenue in Chicago, Illinois, as the “Daniel J. Doffyn Post Office Building”.

H.R. 2836, to designate the building of the United States Postal Service located at 180 East Kellogg Boulevard in Saint Paul, Minnesota, as the “Eugene J. McCarthy Post Office Building”.

H.R. 3120, to designate the United States Post Office located at 95 West 100 South Street in Provo, Utah, as the “Howard C. Nielson Post Office Building”.

Page S3356

Measures Passed:

Ocean Shipping Reform Act: Senate passed S. 414, to amend the Shipping Act of 1984 to encourage competition in international shipping and growth of United States exports, after agreeing to a committee amendment in the nature of a substitute, and taking action on amendments proposed thereto, as follows: Pages S3306–21

Adopted:

Hutchison Amendment No. 1689, in the nature of a substitute. Page S3313

Rejected:

Gorton Amendment No. 2287 (to Amendment No. 1689), to provide authority for non-vessel-operating common carriers who buy vessel space from vessel-operating common carriers to resell that space to shipper customers through confidential contracts.

(By 72 yeas to 25 nays (Vote No. 85), Senate tabled the amendment.) Pages S3306–11

Death of Former Senator Sanford: Senate agreed to S. Res. 211, expressing the condolences of the Senate on the death of Honorable Terry Sanford, former United States Senator from North Carolina. Pages S3331–33

Education Savings Act for Public and Private Schools:

Senate continued consideration of H.R. 2646, to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, and to increase the maximum annual amount of contributions to such accounts, taking action on amendments proposed thereto, as follows: Pages S3321–31, S3333–53

Adopted:

By 63 yeas to 35 nays (Vote No. 88), Mack/D’Amato Amendment No. 2288, to provide incentives for States to establish and administer periodic teacher testing and merit pay programs for elementary and secondary school teachers. Page S3334

By 69 yeas to 29 nays (Vote No. 89), Coverdell (for Hutchison) Amendment No. 2291, to establish education reform projects that provide same gender schools and classrooms, as long as comparable educational opportunities are offered for students of both sexes. Pages S3323–25, S3334–35

Rejected:

Kennedy Amendment No. 2289, to authorize funds to provide an additional 100,000 elementary and secondary school teachers annually to the national pool of such teachers during the 10-year period beginning with 1999 through a new student loan forgiveness program. (By 56 yeas to 41 nays (Vote No. 86), Senate tabled the amendment.) Pages S3321–23

Glenn Amendment No. 2017, to delete education IRA expenditures for elementary and secondary

school expenses. (By 60 yeas to 38 nays (Vote No. 87), Senate tabled the amendment.)

Pages S3328–31, S3333–34

Moseley-Braun Amendment No. 2292, to expand the incentives for the construction and renovation of public schools. (By 56 yeas to 42 nays (Vote No. 90), Senate tabled the amendment.) Pages S3339–46

A unanimous-consent agreement was reached providing for further consideration of the bill and certain amendments to be proposed thereto, on Wednesday, April 22, 1998. Page S3371

Nominations Received: Senate received the following nominations:

Neal F. Lane, of Oklahoma, to be Director of the Office of Science and Technology Policy.

Henry L. Solano, of Colorado, to be Solicitor of the Department of Labor.

Jonathan H. Spalter, of the District of Columbia, to be an Associate Director of the United States Information Agency.

2 Air Force nominations in the rank of general.

8 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy, and Public Health Service.

Pages S3371–73

Communications:

Page S3354

Petitions:

Pages S3354–56

Statements on Introduced Bills:

Pages S3356–61

Additional Cosponsors:

Pages S3361–63

Amendments Submitted:

Pages S3363–68

Notices of Hearings:

Pages S3368–69

Authority for Committees:

Page S3369

Additional Statements:

Pages S3369–71

Record Votes: Six record votes were taken today. (Total—90)

Pages S3311, S3322, S3334–35, S3346

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:10 p.m., until 9:30 a.m., on Wednesday, April 22, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3371.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—FOREIGN ASSISTANCE

Committee on Appropriations: Subcommittee on Foreign Operations held hearings on proposed budget estimates for fiscal year 1999 for foreign assistance, focusing on international crime prevention programs, receiving testimony from Louis Freeh, Director, and

Michael Pyszczmuka, Legal Attache (Kiev, Ukraine), both of the Federal Bureau of Investigation, Department of Justice; and Gen. Ihor Smeshko, Center for Strategic Planning and Analysis, Kiev, Ukraine.

Subcommittee will meet again on Thursday, April 23.

APPROPRIATIONS—GAO/BIA

Committee on Appropriations: Subcommittee on the Interior and Related Agencies held hearings on proposed budget estimates for fiscal year 1999, receiving testimony in behalf of funds for their respective activities from Victor S. Rezendes, Director of Energy, Resources and Science Issues, Sue Ellen Naiberk, Assistant Director, and Jennifer L. Duncan, Evaluator, all of the General Accounting Office; and Kevin Gover, Assistant Secretary of the Interior for Indian Affairs.

Subcommittee will meet again on Thursday, April 23.

BREAST CANCER PREVENTION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies held hearings to examine the use of the drug Tamoxifen for the prevention and treatment of breast cancer, receiving testimony from Harold E. Varmus, Director, and Richard D. Klausner, Director, National Cancer Institute, both of the National Institutes of Health; Norman Wolmark, Pittsburgh, Pennsylvania, and Helene Wilson, North Wales, Pennsylvania, both on behalf of the National Surgical Adjuvant Breast and Bowel Project (NSABP); and Cynthia Pearson, National Women's Health Network, Washington, D.C.

Subcommittee recessed subject to call.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported S. 1873, to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

MARITIME AND AVIATION LIABILITY

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine concluded hearings on the following measures:

Proposed legislation to revise certain provisions with regard to the liability of ship owners for loss of and damage to cargo on the high seas as contained in the United States Carriage of Goods by Sea Act of 1936, after receiving testimony from Chester D. Hooper, Haight Gardner Holland & Knight, on behalf of the Maritime Law Association of the

United States, and Walter M. Kramer, American Institute of Marine Underwriters, both of New York, New York; William J. Augello, Augello, Pezold & Hirschmann, Huntington, New York, on behalf of the National Industrial Transportation League; Jon Roethke, Sea-Land Service, Inc., Charlotte, North Carolina; and William M. Woodruff, Eastham, Watson, Dale and Forney, Houston, Texas, on behalf of the American Waterways Operators; and

S. 943 and H.R. 2005, bills to allow a dependent of a victim of an international aviation accident occurring on or after January 1, 1995, to sue for pecuniary loss, after receiving testimony from and Paul T. Hofmann, Cappiello Hofmann & Katz, New York, New York; Eric Danoff, Kaye, Rose & Partners, San Francisco, California; and John Sleavin, Portland, Oregon.

AGRICULTURE TRADE NEGOTIATIONS

Committee on Finance: Subcommittee on International Trade held hearings to examine certain issues in preparation for the next round of multilateral agricultural trade negotiations scheduled for May 18–20, 1999 in Geneva, focusing on barriers to United States farm exports, receiving testimony from Senator Brownback; Peter Scher, Special Trade Negotiator for Agriculture, Office of the United States Trade Representative; August Schumacher, Jr., Under Secretary of Agriculture for Farm and Foreign Agricultural Services; William B. Campbell, Central Soya, Inc., Fort Wayne, Indiana, on behalf of the National Oilseed Processors Association; Charles S. Johnson, Pioneer Hi-Bred International, Inc., Des Moines, Iowa; Dean Kleckner, American Farm Bureau Federation, Park Ridge, Illinois; Carl Peterson, AgriMark, Inc., Delanson, New York, on behalf of the Council of Northeast Farmer Cooperatives; and Ann M. Veneman, California Department of Food and Agriculture, Sacramento.

Committee recessed subject to call.

VETERANS HEALTH CARE

Committee on Veterans Affairs: Committee concluded hearings to examine the health effects of ionizing radiations on veterans, and related measures S. 1385, to expand the list of diseases presumed to be service connected with respect to radiation-exposed veterans, and S. 1822, to authorize provision of care to veterans treated with nasopharyngeal radium irradiation, after receiving testimony from Kenneth W. Kizer, Under Secretary for Health, Joseph Thompson, Under Secretary for Benefits, John Thompson, Acting General Counsel, all of the Department of Veterans Affairs; Joan Ma Pierre, Director for Electronics and Systems, Defense Special Weapons Agency, Department of Defense; Capt. Richard L. LaFontaine, Medical Service Corps, United States Navy; Richard B. Setlow, Brookhaven National Laboratory, Upton, New York; Rosalie Bertell, International Institute of Concern for Public Health, Toronto, Canada; William J. Brady, former Prime Support Contractor to the Department of Energy at the Nevada Test Site, Las Vegas; Otto G. Raabe, University of California, Davis, on behalf of the Health Physics Society; Tidorio A. Garcia, Las Cruces, New Mexico, on behalf of the National Association of Atomic Veterans; James Garrity, Branford, Florida, on behalf of the Submarine Survivors Group; and former Mayor Albert G. Parrish, Hackensack, Minnesota, on behalf of the Forgotten 216th.

CHEMICAL AND BIOLOGICAL WEAPONS THREAT

Select Committee on Intelligence: Committee met in a closed joint session with the Committee on the Judiciary's Subcommittee on Technology, Terrorism, and Government Information to receive a briefing from officials of the intelligence community on chemical and biological weapons threats to America.

Committees will meet again tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 9 public bills, H.R. 3693–3701 were introduced.

Page H2119

Reports Filed:

H.R. 6, to extend the authorization of programs under the Higher Education Act of 1965, amended (H. Rept. 105–481);

H.R. 755, to amend the Internal Revenue Code of 1986 to allow individuals to designate any portion of their income tax overpayments, and to make other contributions, for the benefit of units of the National Park System, amended (H. Rept. 105–482, Part 1);

H.R. 2376, to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act, amended (H. Rept. 105–483);

H.R. 1522, to extend the authorization for the National Historic Preservation Fund, amended (H. Rept. 105-484);

H.R. 3164, to describe the hydrographic services functions of the Administrator of the National Oceanic and Atmospheric Administration, amended (H. Rept. 105-485);

H.R. 3565, to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968 (H. Rept. 105-486);

H.R. 3528, to amend title 28, United States Code, with respect to the use of alternative dispute resolution processes in United States district courts, amended (H. Rept. 105-487); and

H. Res. 407, providing for consideration of H.J. Res. 111, proposing an amendment to the Constitution of the United States with respect to tax limitations (H. Rept. 105-488). Pages H2118-19

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Nethercutt to act as Speaker pro tempore for today. Page H2059

Recess: The House recessed at 12:54 p.m. and reconvened at 2:00 p.m. Page H2062

Capitol Preservation Commission Appointments: Pursuant to the provisions of section 801 of Public Law 100-696, appointments to the Capitol Preservation Commission were announced as follows: by the Speaker, Representative Davis of Virginia; by the Minority Leader, Representative Serrano of New York; and by the Chairman of the Committee on House Oversight for the position reserved for the Chairman of the Joint Committee on the Library, Representative Mica of Florida. Page H2062

National Health Museum Commission: Read a letter from the Minority Leader wherein he appointed Dr. H. Richard Nesson, M.D. of Brookline, Massachusetts to the National Health Museum Commission. Pages H2062-63

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

Care for Police Survivors: H.R. 3565, to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968 (passed by a ye and nay vote of 403 yeas to 8 nays, Roll No. 100);

Pages H2065-66, H2075-76

Alternative Dispute Resolution: H.R. 3528, amended, to amend title 28, United States Code, with respect to the use of alternative dispute resolution processes in United States district courts, amended (passed by a ye and nay vote of 405 yeas to 2 nays, Roll No. 101); and Pages H2066-69, H2076

National Highway Traffic Safety Administration Reauthorization Act. H.R. 2691, amended, to reauthorize and improve the operations of the National Highway Traffic Safety Administration. Pages H2069-72

Recess: The House recessed at 2:56 p.m. and reconvened at 5:00 p.m. Page H2072

Private Calendar: On the call of the Private Calendar the House passed H.R. 2729, for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity. Pages H2072-73

Members Sworn: Representatives-elect Mary Bono and Barbara Lee presented themselves in the well of the House and were administered the oath of office by the Speaker. Page H2073

Senate Messages: Message received from the Senate appears on page H2059.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H2120-21.

Quorum Calls—Votes: One quorum call (Roll No. 99) and two ye and nay votes developed during the proceedings of the House today and appear on pages H2073, H2075-76, and H2076.

Adjournment: Met at 12:30 p.m. and adjourned at 10:47 p.m.

Committee Meetings

LABOR-HHS-EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education held a hearing on Inspector General Panel—Year 2000 Problem, Year 2000 Management Panel, the Railroad Retirement Board and the Medicare Payment Advisory Commission. Testimony was heard from the following officials of the Department of Labor: Patricia W. Lattimore, Assistant Secretary, Administration and Management; and Charles C. Masten, Inspector General; the following officials of the Department of Health and Human Services: John Callahan, Assistant Secretary, Management and Budget, Chief Financial Officer and Chief Information Officer; and Thomas D. Roslewicz, Deputy Inspector General, Audit Services; the following officials of the Department of Education: Marshall S. Smith, Acting Deputy Secretary; and John P. Higgins, Jr., Acting Inspector General; the following officials of the SSA: John R. Dyer, Principal Deputy Commissioner; and David C. Williams, Inspector General; the following officials of the Railroad Retirement Board: Martin J. Dickman, Inspector General; Robert T. Rose, Chief Information Officer; Jerome F. Kever, Management

Member; and V.M. Speakman, Jr., Labor Member; and Gail Wilensky, Chairman, Medicare Payment Advisory Commission.

VA-HUD-AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies continued appropriation hearings. Testimony was heard from public witnesses.

IMF OPERATIONS

Committee on Banking and Financial Services: Subcommittee on General Oversight and Investigations held a hearing to review the Operations of the International Monetary Fund. Testimony was heard from Karin Lissakers, U.S. Executive Director, International Monetary Fund; Timothy S. Geithner, Assistant Secretary, International Affairs, Department of the Treasury; and public witnesses.

MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT—EFFECT OF FLSA ON AMISH

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on Issues under the Migrant and Seasonal Agricultural Worker Protection Act, and the Effect of the Fair Labor Standards Act on Amish Families, including discussion of H.R. 2038, MSPA Clarification Act of 1997. Testimony was heard from Representatives Pitts and Canady; and public witnesses.

OVERSIGHT—INSPECTOR GENERAL ACT

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology held an oversight hearing on the Inspector General Act of 1978: Twenty Years After Passage, Are The Inspectors General Fulfilling Their Mission? Testimony was heard from Senator Collins; David L. Clark, Director, Audit Oversight and Liaison Group, Accounting and Information Management Division, GAO; Eleanor Hill, Inspector General, Department of Defense and Vice Chairman, President's Council on Integrity and Efficiency; June Gibbs Brown, Inspector General, Department of Health and Human Services; Susan M. Gaffney, Inspector General, Department of Housing and Urban Development; and public witnesses.

OVERSIGHT—IMMIGRATION AND AMERICA'S WORKFORCE FOR 21ST CENTURY

Committee on the Judiciary: Subcommittee on Immigration and Claims held an oversight hearing on Immigration and America's Workforce for the 21st Century. Testimony was heard from John Fraser,

Acting Administrator, Wage and Hour Division, Employment Standards Administration, Department of Labor; Carlotta Joyner, Director, Education and Employment Issues, Health, Education, and Human Services Division, GAO; and public witnesses.

TAX LIMITATION CONSTITUTIONAL AMENDMENT

Committee on Rules: Granted, by voice vote, a modified closed rule providing for consideration of H.J. Res. 111, proposing an amendment to the Constitution of the United States with respect to tax limitations. The rule provides that the amendment specified in the report of the Committee on Rules will be considered as adopted. The rule provides 3 hours of debate equally divided between the chairman and ranking minority member of the Committee on the Judiciary. The rule provides one motion to amend if offered by the Minority Leader or his designee, which will be considered as read, and which will be debatable for one hour equally divided between the proponent and an opponent. Finally, the rule provides one motion to recommit, with or without instructions. Testimony was heard from Representatives Smith of Texas, Barton of Texas and Shadegg.

SSI FRAUD AND ABUSE

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on Supplemental Security Income (SSI) fraud and abuse. Testimony was heard from Representative Herger; the following officials of the SSA: John Dyer, Acting Principle Deputy Commissioner; and David C. Williams, Inspector General; Cynthia Fagnoni, Director, Income Security Issues, GAO; and a public witness.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 22, 1998

(Committee meetings are open unless otherwise indicated)

House

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, on SSA, 10 a.m., and on Corporation for Public Broadcasting and National Education Goals Panel, 2 p.m., 2358 Rayburn.

Subcommittee on VA, HUD, and Independent Agencies, on public witnesses, 10 a.m., and 1 p.m., H-143 Capitol.

Committee on Commerce, Subcommittee on Energy and Power, to mark up the following bills: H.R. 3532, Nuclear Regulatory Commission Authorization Act for Fiscal Year 1999; H.R. 2217, to extend the deadline under the Federal Power Act applicable to the construction of FERC Project No. 9248 in the State of Colorado; and H.R. 2841, to extend the time required for the construction of a hydroelectric project, 11 a.m., 2123 Rayburn.

Subcommittee on Health and Environment, hearing on the implementation of the Reformulated Gasoline Program in California, focusing on H.R. 630, to amend the Clean Air Act to permit the exclusive application of California State regulations regarding reformulated gas in certain areas within the State, 10:30 a.m., 2322 Rayburn.

Committee on Government Reform and Oversight, hearing on Clinical Trial Subjects: Adequate FDA Protections? 1 p.m., 2154 Rayburn.

Committee on Resources, oversight hearing on Government Performance and Results Act, 11 a.m., 1324 Longworth.

Committee on Rules, to consider the following: H.R. 1252, Judicial Reform Act of 1998; H.R. 512, New Wildlife Refuge Authorization Act; and H.R. 3164, Hydrographic Services Improvement Act of 1998, 2 p.m., H-313 Capitol.

Committee on Science, oversight hearing on the Irreplaceable Federal Role in Funding Basic Scientific Research, 10 a.m., 2318 Rayburn.

Subcommittee on Basic Research, oversight hearing on National Science Foundation Fiscal Year Budget Authorization, 2 p.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Government Programs and Oversight, hearing regarding the Small Business Innovation Research Program, 10 a.m., 311 Cannon.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, hearing on Surface Transportation Board Reauthorization: State of the Railroad Industry, 10:30 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, hearing on proposals for a Water Resources Development Act of 1998, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, to mark up the following bills; H.R. 1023, Ricky Ray Hemophilia Relief Fund Act of 1997; and H.R. 3546, National Dialogue on Social Security Act of 1998, 10:30 a.m., 1100 Longworth.

Next Meeting of the SENATE

9:30 a.m., Wednesday, April 22

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 22

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 2646, Education Savings Act for Public and Private Schools.

House Chamber

Program for Wednesday: Consideration of H.R. 3164, Hydrographic Services Improvement Act of 1998; and Consideration of H.J. Res. 111, Tax Limitation Constitutional Amendment (modified closed rule, three hours of general debate).

Extensions of Remarks, as inserted in this issue

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