

Monday, June 15, 1998

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S6309-S6356

Measures Introduced: One resolution was introduced, as follows: S. Res. 248. **Page S6339**

Measures Passed:

Condemning Killing of James Byrd, Jr.: Senate agreed to S.Res. 248, condemning the brutal killing of Mr. James Byrd, Jr., and commending the community of Jasper, Texas. **Pages S6323-24**

Violent Crimes Offenders: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 75, expressing the sense of the Congress that States should work more aggressively to attack the problem of violent crimes committed by repeat offenders and criminals serving abbreviated sentences, and the resolution was then agreed to. **Page S6347**

Congressional Budget Resolution: Pursuant to the order of April 2, 1998, Senate agreed to H. Con. Res. 284, revising the congressional budget for the fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003, after striking all after the resolving clause and inserting in lieu thereof the text of S. Con. Res. 86, as passed by the Senate. **Page S6348**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair appointed the following conferees: Senators Domenici, Grassley, Nickles, Gramm, Bond, Gorton, Gregg, Snowe, Abraham, Frist, Grams, Smith, Lautenberg, Hollings, Conrad, Sarbanes, Boxer, Murray, Wyden, Feingold, Johnson, and Durbin. **Page S6348**

Senate also agreed to a motion to instruct the Senate conferees to include the Wellstone amendments in any conference agreement.

Universal Tobacco Settlement Act: Senate resumed consideration of S. 1415, to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, and to redress the adverse health effects of tobacco use, with

a modified committee amendment in the nature of a substitute (Amendment No. 2420), taking action on amendments proposed thereto, as follows:

Pages S6314-23, S6324-26

Adopted:

Reed Amendment No. 2702 (to Amendment No. 2437), to disallow tax deductions for advertising, promotional, and marketing expenses relating to tobacco product use unless certain requirements are met. (By 47 yeas to 47 nays (Vote No. 159), Senate earlier failed to table the amendment.)

Pages S6314, S6316-23

Pending:

Gregg/Leahy Amendment No. 2433 (to Amendment No. 2420), to modify the provisions relating to civil liability for tobacco manufacturers.

Page S6314

Gregg/Leahy Amendment No. 2434 (to Amendment No. 2433), in the nature of a substitute.

Page S6314

Gramm Motion to recommit the bill to the Committee on Finance with instructions to report back forthwith, with Amendment No. 2436, to modify the provisions relating to civil liability for tobacco manufacturers, and to eliminate the marriage penalty reflected in the standard deduction and to ensure the earned income credit takes into account the elimination of such penalty.

Page S6314

Daschle (for Durbin) Amendment No. 2437 (to Amendment No. 2436), relating to reductions in underage tobacco usage.

Page S6314

Gorton Amendment No. 2705 (to Amendment No. 2437), to limit attorneys' fees. **Pages S6324-26**

Senate will continue consideration of the bill on Tuesday, June 16, 1998.

Texas Low-Level Radioactive Waste Disposal Compact Consent Act: Senate insisted on its amendment to H.R. 629, to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact, agreed to the request of the House for a conference thereon, and the Chair appointed the following conferees: Senators Thurmond, Hatch, and Leahy. **Pages S6346-47**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting the report concerning cost-sharing arrangements of the Convention on the Prohibition, Stockpiling, and Use of Chemical Weapons and on Their Destruction; to the Committee on Foreign Relations. (PM-140). **Page S6338**

Nominations Confirmed: Senate confirmed the following nominations:

Robert D. Sack, of New York, to be United States Circuit Judge for the Second Circuit.

Margaret Hornbeck Greene, of Kentucky, to be a Member of the Board of Directors of the United States Enrichment Corporation for a term expiring February 24, 2003.

James K. Robinson, of Michigan, to be an Assistant Attorney General. **Pages S6347-48, S6356**

Nominations Received: Senate received the following nominations:

James Howard Holmes, of Virginia, to be Ambassador to the Republic of Latvia.

Steven Robert Mann, of Pennsylvania, to be Ambassador to the Republic of Turkmenistan.

Kenneth Spencer Yalowitz, of Virginia, to be Ambassador to the Republic of Georgia.

3 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Air Force, Marine Corps, and Navy. **Page S6356**

Messages From the President: **Page S6338**

Communications: **Pages S6338-39**

Additional Cosponsors: **Page S6340**

Amendments Submitted: **Page S6341**

Authority for Committees: **Page S6341**

Additional Statements: **Pages S6341-46**

Record Votes: One record vote was taken today. (Total—159) **Pages S6322-23**

Adjournment: Senate convened at 1 p.m., and adjourned at 7:03 p.m., until 9:30 a.m., on Tuesday, June 16, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6348.)

Committee Meetings

(Committees not listed did not meet)

FEDERAL AGENCY COMPLIANCE ACT/10TH CIRCUIT JUDGESHIPS

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded hearings on S. 1166, to require a Federal agency, in administering a statute, rule, regulation, program, or policy (statute) within a judicial circuit, to adhere to the existing precedent respecting the interpretation and application of such statute, as established by the decisions of the United States Court of Appeals for that circuit, with exceptions, after receiving testimony from Senator Campbell; Representative Gekas; Arthur J. Fried, General Counsel, Social Security Administration; Ronald G. Bernoski, Administrative Law Judge (Assigned to the Office of Hearings and Appeals/Social Security Administration), on behalf of the Association of Administrative Law Judges, Inc.; James F. Allsup, Allsup Incorporated, Belleville, Illinois; John Bowman, Bowman and DePree, Davenport, Iowa; and Lynn Conforti, Denver, Colorado.

Also, subcommittee concluded hearings to examine the state of the Federal courts in the Tenth Circuit, focusing on the need to fill existing vacancies or create new judgeships in certain district courts within the circuit, after receiving testimony from Stephanie K. Seymour, Chief Judge, United States Court of Appeals for the Tenth Circuit.

House of Representatives

Chamber Action

Bills Introduced: One Resolution, H. Res. 470, was introduced. Page H4567

Reports Filed: One report was filed as follows:

Conference report on 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, to increase the maximum annual amount of contributions to such accounts (H. Rept. 105-577). Page H4551-65

Speaker pro Tempore: Read a letter from the Speaker wherein he designated Representative Barrett of Nebraska to act as Speaker pro tempore for today. Page H4551

Senate Messages: Message received from the Senate today appears on page H4551.

Referral: S. 1693, to provide for improved management and increased accountability for certain National Park Service programs, was referred to the Committee on Resources. Page H4566

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: Met at 12:00 noon and adjourned at 12:10 p.m.

Committee Meetings

No Committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, JUNE 16, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations, Subcommittee on Foreign Operations, to hold hearings on proposed budget estimates for fiscal year 1999 for the Department of State, 10:30 a.m., SD-192.

Committee on Armed Services, to hold hearings on the nominations of Louis Caldera, of California, to be Secretary of the Army, and Daryl L. Jones, of Florida, to be Secretary of the Air Force, both of the Department of Defense, 10 a.m., SR-222.

Committee on Commerce, Science, and Transportation, to hold hearings to examine the effectiveness of music advisory labels, 2:30 p.m., SR-253.

Committee on Energy and Natural Resources, Subcommittee on Water and Power, to hold hearings on S. 1398, S. 2041, S. 2087, S. 2140, S. 2142, H.R. 2165, H.R. 2217,

and H.R. 2841, bills relating to water and power construction projects, 2:30 p.m., SD-366.

Committee on Foreign Relations, to hold hearings to examine United States interests in the Panama Canal, 10 a.m., SD-419.

Full Committee, to hold hearings on the nominations of Shirley Elizabeth Barnes, of New York, to be Ambassador to the Republic of Madagascar, William Davis Clarke, of Maryland, to be Ambassador to the State of Eritrea, Vivian Lowery Derryck, of Ohio, to be Assistant Administrator for Africa, Agency for International Development, George Williford Boyce Haley, of Maryland, to be Ambassador to the Republic of the Gambia, Katherine Hubay Peterson, of California, to be Ambassador to the Kingdom of Lesotho, Charles Richard Stith, of Massachusetts, to be Ambassador to the United Republic of Tanzania, and William Lacy Swing, of North Carolina, to be Ambassador to the Democratic Republic of the Congo, 2:30 p.m., SD-419.

Full Committee, to hold hearings on the nominations of Paul L. Cejas, of Florida, to be Ambassador to Belgium, Eric S. Edelman, of Virginia, to be Ambassador to the Republic of Finland, Nancy Halliday Ely Raphel, of the District of Columbia, to be Ambassador to the Republic of Slovenia, Michael Craig Lemmon, of Florida, to be Ambassador to the Republic of Armenia, Rudolf Vilem Perina, of California, to be Ambassador to the Republic of Moldova, Edward L. Romero, of New Mexico, to be Ambassador to Spain and to serve concurrently and without additional compensation as Ambassador to Andorra, and Cynthia Perrin Schneider, of Maryland, to be Ambassador to the Kingdom of the Netherlands, 4 p.m., SD-419.

Committee on the Judiciary, to hold hearings to examine mergers and corporate consolidation, 10 a.m., SH-216.

NOTICE

For a listing of Senate committee meetings scheduled ahead, see pages E1129-30 in today's Record.

House

Committee on Appropriations, to consider the following: Section 302(b) Budget Allocations for fiscal year 1999; Energy and Water Development appropriations for Fiscal Year 1999; Military Construction appropriations for Fiscal Year 1999; and the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations for fiscal year 1999, 1 p.m., 2359 Rayburn.

Committee on Banking and Financial Services, Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises, hearing on H.R. 3637, Children's Development Commission Act, 2 p.m., 2128 Rayburn.

Committee on Commerce, Subcommittee on Energy and Power, to hold a hearing on H.R. 3610, National Oilheat Research Alliance Act of 1998, 2 p.m., 2123 Rayburn.

Committee on Education and the Workforce, Subcommittee on Oversight and Investigations, hearing on International

Brotherhood of Teamsters Financing Reporting and Pension Disclosures, 1:30 p.m., 2175 Rayburn.

Committee on Government Reform and Oversight, and the Committee on International Relations, to hold a joint hearing on the Sale of Body Parts by the People's Republic of China, Part II, 3 p.m., 2154 Rayburn.

Subcommittee on Government Management, Information, and Technology, to mark up the following: Government Waste, Fraud, and Error Reduction Act of 1998; H.R. 2508, to provide for the conveyance of Federal land in San Joaquin County, CA, to the city of Tracy, CA; the Federal Procurement System Performance Measurement and Acquisition Workforce Training Act of 1998; and H.R. 716, Freedom From Government Competition Act of 1997, 10 a.m., 2247 Rayburn.

Committee on International Relations, Subcommittee on International Operations and Human Rights, hearing on Victims of Religious Persecution Around the World, 10 a.m., 2200 Rayburn.

Committee on the Judiciary, Subcommittee on the Constitution, hearing on H.R. 4019, Religious Liberty Protection Act of 1998, 10 a.m., 2237 Rayburn.

Committee on Rules, to consider the following: Conference Report to accompany H.R. 2646, Education Savings and School Excellence Act of 1998; and H.R. 3097, Tax Code Termination Act; to be followed by a hearing and markup of H. Res. 463, to establish the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China, 2 p.m., H-313 Capitol.

Committee on Transportation and Infrastructure, Subcommittee on Public Buildings and Economic Development, to mark up the following: GSA Fiscal Year 1999 Repair and Alteration Program; Advanced Design Program; Border Station Program; H.R. 2379, to designate the Federal building and U.S. courthouse located at 251 North Main Street in Winston-Salem, NC, as the "Hiram H. Ward Federal Building and United States Courthouse"; H.R. 2787, to designate the United States courthouse located in New Haven, Connecticut, as the "Richard C. Lee United States Courthouse"; H.R. 3696, to designate the Federal courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin Federal Courthouse"; H.R. 3223, to designate the Federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building"; and S. 1800, to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse", 4 p.m., 2253 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, hearing on the Year 2000 (Y2K) computer problems and telecommunications systems, 3 p.m., 1100 Longworth.

Joint Meetings

Conferees, on H.R. 2676, to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, 3 p.m., SD-215.

Next Meeting of the SENATE

9:30 a.m., Tuesday, June 16

Senate Chamber

Program for Tuesday: After the recognition of three Senators for speeches and the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will resume consideration of S. 1415, Universal Tobacco Settlement Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

(At 2:15 p.m., Senate will sit for the taking of an official photograph in the Senate Chamber.)

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, June 16

House Chamber

Program for Tuesday: Consideration of 8 Suspensions:

(1) H.R. 3156, To present a Congressional Gold Medal to Nelson Rolihlahla Mandela;

(2) H.R. 1847, Telemarketing Fraud Prevention Act of 1997;

(3) H.R. 3796, Conveyance Re Rogue River National Forest;

(4) H.R. 3069, Advisory Council on California Indian Policy Extension Act of 1997;

(5) H.R. 3824, Fastener Quality Act Amendments;

(6) H.R. 3035, National Drought Policy Act of 1997;

(7) H. Res. 399, Urging the Congress and the President to work to fully fund the Federal government's obligation under the Individuals with Disabilities Education Act; and

(8) H. Res. 401, Sense of the House of Representatives that social promotion in schools can be ended through the use of quality, proven programs and practices.

NOTE: The House will meet at 12:30 p.m. for morning hour and 2:00 p.m. for legislative business. No recorded votes are expected before 5:00 p.m.

Extensions of Remarks, as inserted in this issue

HOUSE

Edwards, Chet, Tex., E1127
Hinchey, Maurice D., N.Y., E1127
Menendez, Robert, N.J., E1128



Congressional Record

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