

of self-sacrifice and devotion to character displayed by Jacob Chestnut and John Gibson of the United States Capitol Police.

The message further announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 417. An act to extend energy conservation programs under the Energy Policy and Conservation Act through September 30, 2002.

ENROLLED BILLS SIGNED

At 6:28 p.m., a message from the House of Representatives, delivered by one of its reading clerks announced that the Speaker has signed the following bills:

S. 1355. An act to designate the United States courthouse located at 141 Church Street in New Haven, Connecticut, as the "Richard C. Lee United States Courthouse".

S. 2071. An act to extend a quarterly financial report program administered by the Secretary of Commerce.

H.R. 3096. An act to correct a provision relating to termination of benefits for convicted persons.

H.R. 4060. An act making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes.

H.R. 4382. An act to amend the Public Health Service Act to revise and extend the program for mammography quality standards.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

At 6:35 p.m. a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4658. An act to extend the date by which an automated entry-exit control system must be developed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 1, 1998 he had presented to the President of the United States, the following enrolled bills:

S. 1355. An act to designate the United States courthouse located at 141 Church Street in New Haven, Connecticut, as the Richard C. Lee United States Courthouse.

S. 2071. An act to extend a quarterly financial report program administered by the Secretary of Commerce.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7275. A communication from the Assistant Secretary of the Navy (Installations and Environment), Department of the Navy, transmitting, pursuant to law, notice of the Department's decision to study certain functions performed by military and civilian personnel for possible performance by private contractors; to the Committee on Armed Services.

EC-7276. A communication from the Assistant Administrator for Fisheries, National

Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Threatened Status for the Oregon Coast Evolutionarily Significant Unit of Coho Salmon" (I.D. 063098A) received on September 29, 1998; to the Committee on Environment and Public Works.

EC-7277. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Federal Work Study Programs" (RIN1840-AC56) received on September 29, 1998; to the Committee on Labor and Human Resources.

EC-7278. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Fuel Cost Adjustment Clause Regulation Relating to Fuel Purchases From Company-Owned or Controlled Source" (Docket RM93-24-000) received on September 29, 1998; to the Committee on Energy and Natural Resources.

EC-7279. A communication from the Director of the Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Surface Coal Mining and Reclamation Operations On Federal Lands; State-Federal Cooperative Agreements; Kentucky" (Docket KY-214-FOR) received on September 29, 1998; to the Committee on Energy and Natural Resources.

EC-7280. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Exchanges: General Procedures; State Exchanges; National Park Exchanges; Wildlife Refuge Exchanges; Miscellaneous Exchanges" (RIN1004-AC58) received on September 29, 1998; to the Committee on Energy and Natural Resources.

EC-7281. A communication from the Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Grazing Administration; Alaska; Livestock" (RIN1004-AC70) received on September 29, 1998; to the Committee on Energy and Natural Resources.

EC-7282. A communication from the Deputy Assistant Secretary for Land and Minerals Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Final Rule Providing Uniform Procedures for Public Availability of Mineral Resources Information" (RIN1004-AB55) received on September 29, 1998; to the Committee on Energy and Natural Resources.

EC-7283. A communication from the Chief of the Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Removal of Brazil from the List of Nations Entitled to Reciprocal Exemption From the Payment of Special Tonnage Taxes" (T.D. 98-79) received on September 29, 1998; to the Committee on Finance.

EC-7284. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Medical Savings Accounts" (Announcement 98-88) received on September 29, 1998; to the Committee on Finance.

EC-7285. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Continuity of Interest" (RIN1545-AW45) received on September 29, 1998; to the Committee on Finance.

EC-7286. A communication from the General Counsel of the Office of Community Ori-

ented Policing Services, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "FY 1998 Police Recruitment Program" (RIN1105-AA58) received on September 29, 1998; to the Committee on the Judiciary.

EC-7287. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule regarding a Carbon Monoxide Redesignation Plan and Emissions Inventory for the New Haven-Meriden-Waterbury Area in Connecticut (FRL61667-1) received on September 29, 1998; to the Committee on Environment and Public Works.

EC-7288. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled "Assessment and Recommendations for Fissile Material Packaging Exemptions and General License Provisions Within 10 CFR Part 71"; to the Committee on Environment and Public Works.

EC-7289. A communication from the Chief of the Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting, pursuant to law, notice of a cost comparison of the base operation support functions at Offutt Air Force Base, Nebraska; to the Committee on Armed Services.

EC-7290. A communication from the Assistant Commissioner for Examination, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue; Utilities Industry; Capitalization of Costs—Unclassified Labor Costs" received on September 30, 1998; to the Committee on Finance.

EC-7291. A communication from the Assistant Commissioner for Examination, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue; Motor Vehicle Industry; Excess Parts Inventory" received on September 30, 1998; to the Committee on Finance.

EC-7292. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alder Bark; Exemption from the Requirement of a Tolerance" (FRL6032-2) received on September 30, 1998; to the Committee on Environment and Public Works.

EC-7293. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans Georgia: Approval of Revisions to the Georgia State Implementation Plan" (FRL6270-8) received on September 30, 1998; to the Committee on Environment and Public Works.

EC-7294. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Source Performance Standards—Applicability of Performance for Coal Preparation Plants to Coal Unloading Operations" (FRL6168-9) received on September 30, 1998; to the Committee on Environment and Public Works.

EC-7295. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Reconsideration of Petition Criteria and Incorporation of Montreal Protocol Decisions" (FRL6171-9) received on September 30, 1998; to the Committee on Environment and Public Works.

EC-7296. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyridaben; Pesticide Tolerances for Emergency Exemptions" (FRL6031-5) received on September 30, 1998; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-548. A petition from a citizen of the State of Georgia relative to national efforts to combat lung cancer; to the Committee on Labor and Human Resources.

POM-549. A resolution adopted by the Legislature of the State of Colorado; to the Committee on Governmental Affairs.

SENATE RESOLUTION 98S-004

Whereas, Article I, section 2, clause 3 of the U.S. Constitution requires an "actual enumeration" of the population every ten years and entrusts Congress with overseeing all aspects of each decennial census; and

Whereas, The purpose of the enumeration, as set forth in the Constitution, is to apportion the seats in the federal House of Representatives among the several states; and

Whereas, An accurate decennial census is necessary to apportion such seats and to enable states to comply with federal and state constitutional requirements of equal population in legislative districts; and

Whereas, The U.S. Constitution, in order to ensure an accurate count and to minimize the potential for political manipulation, mandates an "actual enumeration" of the population, which requires a physical headcount and prohibits statistical guessing or estimates of the population; and

Whereas, Federal law, consistent with this constitutional mandate, expressly prohibits the use of statistical sampling to enumerate the population, and the Federal District Court for the District of Columbia so held in *U.S. House of Representatives v. U.S. Department of Commerce, et al.*, Case No. 98-0456; and

Whereas, Every reasonable and practical effort should be made to obtain the fullest and most accurate count possible, including appropriate funding for state and local census outreach and education programs, as well as provision for post-census review; and

Whereas, The U.S. Census Bureau has proposed to use two population-polling techniques in the 2000 decennial census, known as "sampling for nonresponse follow-up" and the "Integrated Coverage Measurement"; now, therefore, be it

Resolved by the Senate of the Sixty-first General Assembly of the State of Colorado:

(1) That the U.S. Census Bureau is requested to conduct the 2000 census consistent with constitutional and statutory mandates, which require a physical headcount of the population and bar the use of statistical sampling to create or adjust the count in any way;

(2) That the Colorado State Senate opposes the use of census number for redistricting that have been determined in whole or in part by the use of sampling techniques or other statistical methodologies that add or subtract persons from the census counts based solely on statistical inference;

(3) That the Colorado State Senate urges Congress, as the branch of government charged with overseeing the decennial census, to take whatever steps are necessary to ensure that the 2000 census is conducted fairly and legally; be it further

Resolved, That a copy of this Resolution be transmitted to the Speaker of the U.S. House of Representatives, the President of the U.S. Senate, the President of the United States, each member of the congressional delegation from Colorado, and James F. Holmes, Acting Director, U.S. Census Bureau.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance, with an amendment in the nature of a substitute and an amendment to the title: H.R. 3809. A bill to authorize appropriations for the United States Customs Service for fiscal years 1999 and 2000, and for other purposes (Rept. No. 105-359).

By Mr. CHAFEE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute and an amendment to the title:

S. 555. A bill to amend the Solid Waste Disposal Act to require that at least 85 percent of funds appropriated to the Environmental Protection Agency from the Leaking Underground Storage Tank Trust Fund be distributed to States to carry out cooperative agreements for undertaking corrective action and for enforcement of subtitle I of that Act (Rept. No. 105-360).

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

H.R. 1949. A bill for the relief of Nuratu Olarewaju Abeke Kadiri.

S. Res. 283. A resolution to refer H.R. 998 entitled "A bill for the relief of Lloyd B. Gamble" to the chief judge of the United States Court of Federal Claims for a report thereon.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 1171. A bill for the relief of Janina Altagracia Castillo-Rojas and her husband, Diogenes Patricio Rojas.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1720. A bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 1916. A bill for the relief of Marin Turcinovic, and his fiancée, Corina Dechalup.

S. 1926. A bill for the relief of Regine Beatie Edwards.

S. 1961. A bill for the relief of Suchada Kwong.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2099. A bill to provide for enhanced Federal sentencing guidelines for counterfeiting offenses, and for other purposes.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 2476. A bill for the relief of Wei Jengsheng.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 2516. A bill to make improvements in the operation and administration of the Federal courts, and for other purposes.

S. 2524. A bill to codify without substantive change laws related to Patriotic and National Observances, Ceremonies, and Organizations and to improve the United States Code.

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 2536. An original bill to protect the safety of United States nationals and the interests of the United States at home and abroad, to improve global cooperation and responsiveness to international crime and terrorism, and to more effectively deter international crime and acts of violence.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs:

Montie R. Deer, of Kansas, to be Chairman of the National Indian Gaming Commission for the term of three years.

By Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry:

Michael M. Reyna, of California, to be a Member of the Farm Credit Administration Board, Farm Credit Administration, for a term expiring May 21, 2004.

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation:

Robert Clarke Brown, of Ohio, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring November 22, 1999.

John Paul Hammerschmidt, of Arkansas, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of four years. (New Position)

Norman Y. Mineta, of California, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term of six years. (New Position)

Eugene A. Conti, Jr., of Maryland, to be an Assistant Secretary of Transportation.

Peter J. Basso, Jr., of Maryland, to be an Assistant Secretary of Transportation.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271:

To be rear admiral (lower half)

Capt. Robert C. Olsen, Jr., 4781
 Capt. Robert D. Sirois, 8309
 Capt. Patrick M. Stillman, 0193
 Capt. Ronald F. Silva, 1219
 Capt. David R. Nicholson, 0216

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271:

To be rear admiral

Rear Adm. (lh) Thomas J. Barrett, 7105
 Rear Adm. (lh) James D. Hull, 9426
 Rear Adm. (lh) George N. Naccara, 7780
 Rear Adm. (lh) Terry M. Cross, 4308

Mr. MCCAIN, Madam President, for the Committee on Commerce, Science, and Transportation, I also report favorably four nomination lists in the Coast Guard which were printed in full in the RECORDS of September 3, 1998, September 16, 1998 and September 29, 1998, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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