

real specter of the nullification of an American presidential election. It is, however, at such a moment, when the high standard for impeachment and conviction becomes especially important.

The reason I describe the decision of the American people to elect a president as the most salient fact in this case is not simply because it is the right of the American people to choose their president. It is also because of the constitutional goal of our Founding Fathers to create a system of political stability. Just as the Framers wished to avoid the uncertainty of a parliamentary system, we today in this last year of the twentieth century should be concerned about political instability and the threat that excessive partisanship poses to our constitutional order.

I see the four year elected term of our president as a unifying force in our country. Yet this is the second time in my adult life that a President of the United States has undergone a serious impeachment process. And I am only 45 years old. In the nearly two hundred years prior to the case of President Nixon, this happened only once.

Are these two recent impeachments a fluke? Is it coincidence that two of our recent presidents were thought by some to be sufficiently unfit to be president to warrant this procedure? I wonder how we will feel about the stability of our system if another presidential impeachment occurs sometime in the next ten or twenty years.

I see a danger in this. I see a danger in this in an increasingly diverse country. I see a danger in this in an increasingly divided country. I see a danger when national elections seem never to be over. I see a danger when the lead House Manager in his concluding remarks in this trial asserts that we are engaged in a "culture war" in this country. I hope that is not where we are, and I hope that is not where we are heading.

In making a decision of this magnitude, it is best not to err at all. If we must err, however, we should err on the side of avoiding such divisions, and of respecting the will of the people. Senator James W. Grimes of Iowa, one of the seven Republicans who voted to acquit President Andrew Johnson in 1868, said in his Opinion at the conclusion of the trial:

"I cannot agree to destroy the harmonious working of the Constitution for the sake of getting rid of an unacceptable President. Whatever may be my opinion of the incumbent, I cannot consent to trifle with the high office he holds. I can do nothing which, by implication, may be construed into an approval of impeachment as a part of future political machinery."

Spoken almost 131 years ago, these words express nearly perfectly my sentiments on the grave constitutional questions I was required to address in this case.

#### MEASURES REFERRED

The following bills, previously received from the House of Representatives for the concurrence of the Senate, were read the first and second times by unanimous consent and referred as indicated:

H.R. 68. An act to amend section 20 of the Small Business Act and make technical corrections in title III of the Small Business Investment Act; to the Committee on Small Business.

H.R. 98. An act to amend chapter 443 of title 49, United States Code, to extend the aviation war risk insurance program and to amend the Centennial of Flight Commemoration Act to make technical and other cor-

rections; to the Committee on Governmental Affairs.

H.R. 169. An act to amend the Packers and Stockyards Act, 1921, to expand the pilot investigation or the collection of information regarding prices paid for the procurement of cattle and sheep for slaughter of muscle cuts of beef and lamb to include swine and muscle cuts of swine; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 391. An act to amend chapter 35 of title 44, United States Code, for the purposes of facilitating compliance by small business with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small business, and for other purposes; to the Committee on Governmental Affairs.

H.R. 432. An act to designate the North/South Center as the Dante B. Fascell North-South Center; to the Committee on Foreign Relations.

H.R. 437. An act to provide for a Chief Financial Officer in the Executive Office of the President; to the Committee on Governmental Affairs.

H.R. 439. An act to amend chapter 35 of title 44, United States Code, popularly known as the Paperwork Reduction Act, to minimize the burden of Federal paperwork demands upon small business, educational and nonprofit institutions, Federal contractors, State and local governments, and other persons through the sponsorship and use of alternative information technologies; to the Committee on Governmental Affairs.

H.R. 440. An act to make technical corrections to the Microloan Program; to the Committee on Small Business.

#### MEASURE PLACED ON THE CALENDAR

The following bill was read twice and placed on the calendar:

H.R. 435. An act to make miscellaneous and technical changes to various trade laws, and for other purposes.

#### 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-1748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-539, "Motor Vehicle Parking Regulation Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-553, "Child Abuse and Neglect Prevention Children's Trust Fund Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1750. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-561, "Drug Prevention and Children at Risk Tax Check Off, Tax Initiative Delay, and Attorney License Fee Act of 1998"; to the Committee on Governmental Affairs.

EC-1751. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-559, "Harris/Hinton Place and Bishop Samuel Kelsey Way Designation Act

of 1998"; to the Committee on Governmental Affairs.

EC-1752. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-558, "Schedule of Heights of Buildings Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1753. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-573, "Self-Sufficiency Promotion Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1754. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-568, "Fiscal Year 1999 Disability Compensation Administrative Financing Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1755. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-567, "Health-Care Facility Unlicensed Personnel Criminal Background Check Act of 1998"; to the Committee on Governmental Affairs.

EC-1756. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-563, "Lowell School, Inc., Real Property Tax Relief Temporary Act of 1998"; to the Committee on Governmental Affairs.

EC-1757. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-582, "Homestead Housing Preservation Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1758. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-581, "Year 2000 Government Computer Immunity Act of 1998"; to the Committee on Governmental Affairs.

EC-1759. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-577, "Procurement Practices Bid Notice Period Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1760. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-575, "Human Rights Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1761. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-587, "Compensation Increase for the Chairperson of the Rental Housing Commission Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1762. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-586, "Sex Offender Registration Risk Assessment Clarification Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1763. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-584, "Housing Finance Agency Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1764. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-583, "Community Development Program Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1765. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-593, "Hazardous Duty Compensation for Metropolitan Police Department Scuba Divers Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1766. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-591, "Dedication and Designation of Harry Thomas Way Temporary Act of 1998"; to the Committee on Governmental Affairs.

EC-1767. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-589, "Sex Offender Registration Immunity From Liability Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1768. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-588, "Mentally Retarded Citizens Substituted Consent for Health Care Decisions and Emergency Care Definition Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1769. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-606, "Reorganization Plan No. 5 for the Department of Human Services and Department of Corrections Act of 1998"; to the Committee on Governmental Affairs.

EC-1770. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-603, "Child Development Home Promotion Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1771. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-602, "Food Stamp Trafficking and Public Assistance Fraud Control Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1772. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-601, "Retired Police Officer Redeployment Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1773. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-612, "Legal Service Establishment Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1774. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-611, "Home Purchase Assistance Fund Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1775. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-610, "Home and Community Juvenile Probation Supervision Act of 1998"; to the Committee on Governmental Affairs.

EC-1776. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-608, "Criminal Records Check for the Protection of Children Act of 1998"; to the Committee on Governmental Affairs.

EC-1777. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-615, "Second Omnibus Regulatory Reform Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1778. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. ACT 12-613, "Metropolitan Police Department Civilianization Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1779. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-616, "Sex Offender Registration Immunity From Liability Second Temporary Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1780. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-622, "Confirmation Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1781. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-625, "Residential Real Property Seller Disclosure, Funeral Services Date Change, and Public Service Commission Independent Procurement Authority Act of 1998"; to the Committee on Governmental Affairs.

EC-1782. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-626, "Technical Amendments Act of 1998"; to the Committee on Governmental Affairs.

EC-1783. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-571, "Workers Compensation Amendment Act of 1998"; to the Committee on Governmental Affairs.

EC-1784. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a cumulative report on rescissions and deferrals dated February 9, 1999; transmitted jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Energy and Natural Resources and to the Committee on Foreign Relations.

EC-1785. A communication from the Secretary of Education, transmitting, pursuant to law, the annual report on surplus Federal real property disposed of to educational institutions in fiscal year 1998; to the Committee on Governmental Affairs.

EC-1786. A communication from the Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's annual report under the Government in the Sunshine Act for calendar year 1998; to the Committee on Governmental Affairs.

EC-1787. A communication from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting, pursuant to law, a copy of the Company's Balance Sheet as of December 31, 1998; to the Committee on Governmental Affairs.

EC-1788. A communication from the Director of the Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled "Post-Employment Conflict of Interest Restrictions; Revision of Departmental Component Designations" (RIN3209-AA07) received on February 1, 1999; to the Committee on Governmental Affairs.

EC-1789. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report on General Accounting Office employees detailed to congressional committees as of January 22, 1999; to the Committee on Governmental Affairs.

EC-1790. A communication from the Executive Secretary of the National Labor Relations Board, transmitting, pursuant to law,

the Board's annual report under the Government in the Sunshine Act for calendar year 1998; to the Committee on Governmental Affairs.

EC-1791. A communication from the Chief Judge of the Superior Court of the District of Columbia, transmitting, pursuant to law, an amendment to the "Jury Plan for the Superior Court of the District of Columbia"; to the Committee on Governmental Affairs.

EC-1792. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. ACT 12-416, "Eastern Market Real Property Asset Management and Outdoor Vending Act of 1998"; to the Committee on Governmental Affairs.

EC-1793. A communication from the Administrator of the Energy Information Administration, Department of Energy, transmitting, pursuant to law, the Department's report entitled "Performance Profiles of Major Energy Producers 1997"; to the Committee on Energy and Natural Resources.

EC-1794. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Open Access Same-time Information; System and Standards of Conduct" (Docket RM95-9-003) received on February 10, 1999; to the Committee on Energy and Natural Resources.

EC-1795. A communication from the Chief Counsel of the Bureau of the Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Book-Entry Treasury Bonds, Notes and Bills" received on February 8, 1999; to the Committee on Finance.

EC-1796. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, the Highway Trust Fund quarterly report dated December 1998; to the Committee on Finance.

EC-1797. 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 "Electronic Funds Transfer—Temporary Waiver of Failure to Deposit Penalty for Certain Taxpayers" (Notice 99-12) received on February 9, 1999; to the Committee on Finance.

EC-1798. 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 "Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Correct Tax Liability" (Rev. Proc. 99-14) received on February 4, 1999; to the Committee on Finance.

EC-1799. 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 "Changes in Accounting Periods and in Methods of Accounting" (Rev. Proc. 99-17) received on February 8, 1999; to the Committee on Finance.

EC-1800. 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 "Low Income Housing Tax Credit—1999 Calendar Year Resident Population Estimates" (Notice 99-10) received on February 8, 1999; to the Committee on Finance.

EC-1801. 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 "Roth IRAs" (RIN 1545-AW62) received on February 8, 1999; to the Committee on Finance.

EC-1802. 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 "Establishment of Port of Entry in Fort Myers, Florida" (T.D. 99-9) received on February 8, 1999; to the Committee on Finance.

EC-1803. 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 "Foreign-Based Commercial Motor Vehicles in International Traffic" (RIN 1515-AB88) received on February 8, 1999; to the Committee on Finance.

EC-1804. 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 "Automated Clearinghouse Credit" (RIN 1515-AC26) received on February 8, 1999; to the Committee on Finance.

EC-1805. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's Performance Plans for fiscal years 1999 and 2000; to the Committee on Finance.

EC-1806. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's report on the implementation of the Prescription Drug User Fee Act of 1992 for fiscal year 1998; to the Committee on Health, Education, Labor, and Pensions.

EC-1807. A communication from the Secretary of Labor, transmitting, pursuant to law, the report of the Department's Advisory Council for Employee Welfare and Pension Benefit Plans for 1998; to the Committee on Health, Education, Labor, and Pensions.

EC-1808. A communication from the Assistant Secretary of Labor for Employment and Training, transmitting, pursuant to law, the report of a rule entitled "Unemployment Insurance Program Letter" (No. 13-99) received on February 10, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-1809. A communication from the Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule regarding international studies and foreign language programs received on February 10, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-1810. A communication from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Impact Aid" received on February 10, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-1811. A communication from the Deputy Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Polymers" (Docket 93F-0151) received on February 10, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-1812. A communication from the Deputy Executive Director and Chief Operating Officer of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits" received on February 8, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC-1813. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Laxative Drug Products for Over-the-Counter Human Use" (RIN 0910-AA01) received on February 10, 1999; to the

Committee on Health, Education, Labor, and Pensions.

EC-1814. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report on the Administration's 1999 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1815. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Nebraska-Western Iowa Marketing Area; Suspension of Certain Provisions of the Order" (Docket DA-98-10) received on February 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1816. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Order Amending Marketing Agreement and Order No. 956" (Docket 98AMA-FV-956-1) received on February 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1817. A communication from the Administrator of the Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fees for Federal Rice Inspection Services" (RIN0580-AA67) received on February 8, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1818. A communication from the Administrator of the Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Small Hog Operation Payment Program" (RIN0560-AF70) received on February 8, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1819. 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 "Cinnamaldehyde; Exemption from the Requirement of a Tolerance" (FRL6049-9) received on February 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1820. 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 "Fenbuconazole; Re-establishment of Time-Limited Pesticide Tolerance" (FRL 6059-7) received on February 9, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1821. A communication from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Sale or Rental of Sexually Explicit Material on DoD Property" (RIN0790-AG66) received on February 10, 1999; to the Committee on Armed Services.

EC-1822. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the Department's report on pilot programs for testing program manager performance of product support oversight responsibilities for the life cycle of acquisition programs; to the Committee on Armed Services.

EC-1823. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the Department's report on funds expended during fiscal year 1998 for the performance of depot-level maintenance and repair by the public and private sectors; to the Committee on Armed Services.

EC-1824. A communication from the Federal Register Liaison Officer, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Consumer Credit Classified as a Loss, Slow Consumer Credit and Slow Loans" (RIN1550-AB28) received on February 3, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1825. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (64 FR 3046) received on February 10, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1826. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (64 FR 1523) received on February 10, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1827. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Docket FEMA-7268) received on February 10, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1828. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (64 FR 1521) received on February 10, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1829. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "List of Communities Eligible for the Sale of Flood Insurance" (Docket FEMA-7706) received on February 10, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-1830. A communication from the Director of the Defense Security Cooperation Agency, Department of Defense, transmitting, pursuant to law, the Agency's report on security assistance information relative to Military Assistance, Military Exports, and Military Imports for fiscal year 1998; to the Committee on Armed Services.

EC-1831. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's report on U.S. Government Assistance to and Cooperative Activities with the New Independent States of the Former Soviet Union; to the Committee on Foreign Relations.

EC-1832. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates" received on February 10, 1999; to the Committee on Foreign Relations.

EC-1833. A communication from the Administrator of the U.S. Agency for International Development, transmitting, pursuant to law, a report on Development Assistance Program Allocations for fiscal year 1999; to the Committee on Foreign Relations.

EC-1834. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Transportation Equity Act for the 21st Century; Implementation Guidance for the Interstate Highway Reconstruction/Rehabilitation Pilot Program; Solicitation for Candidate Proposals" received on February 8, 1999; to the Committee on Environment and Public Works.

EC-1835. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally Assisted Programs" (RIN2125-AE34) received on February 8, 1999; to the Committee on Environment and Public Works.

EC-1836. 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 Air Quality Implementation Plans; Illinois: Motor Vehicle Inspection and Maintenance" (FRL6232-7) received on February 9, 1999; to the Committee on Environment and Public Works.

EC-1837. 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 "Federal Operating Permits Program" (RIN2060-AG90) received on February 9, 1999; to the Committee on Environment and Public Works.

EC-1838. 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 "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Petroleum Refining Process Wastes; Exemption for Leachate from Non-Hazardous Waste Landfills; Final Rule" (RIN2050-AE61) received on February 9, 1999; to the Committee on Environment and Public Works.

EC-1839. 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 Air Quality Implementation Plans; Illinois: Clean Fuel Fleet Program Revision" (FRL6232-8) received on February 9, 1999; to the Committee on Environment and Public Works.

EC-1840. 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 of the Clean Air Act, Section 112(1), Delegation of Authority to Three Local Air Agencies in Washington; Correction and Clarification" (FRL6233-6) received on February 10, 1999; to the Committee on Environment and Public Works.

EC-1841. 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 "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Petroleum Refining Process Wastes; Exemption for Leachate from Non-Hazardous Waste Landfills; Final Rule" (RIN2050-AE61) received on February 5, 1999; to the Committee on Environment and Public Works.

EC-1842. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's quarterly report on the nondisclosure of Safeguards Information for the period October 1, 1998 through December 31, 1998; to the Committee on Environment and Public Works.

EC-1843. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department's report entitled "1998 Annual Report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology"; to the Committee on Commerce, Science, and Transportation.

EC-1844. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department's report entitled "National Implementation Plan for Modernization of the National Weather Service for Fiscal Year 1999"; to the Committee on Commerce, Science, and Transportation.

EC-1845. A communication from the Director of the National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the Institute's report on donated educationally useful Federal equipment; to the Committee on Commerce, Science, and Transportation.

EC-1846. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Adjustments to the 1999 Summer Flounder Commercial Quota; Commercial Quota Harvested for Delaware" (I.D. 012299B) received on February 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1847. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Eastern Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands" (I.D. 012899A) received on February 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1848. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (I.D. 012999A) received on February 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1849. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish by Vessels Using Non-pelagic Trawl Gear in the Red King Crab Savings Subarea" (I.D. 020199A) received on February 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1850. A communication from the General Counsel of the Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Final Technical Changes; Standard for the Flammability of Children's Sleepwear: Sizes 0 Through 6X; Standard for the Flammability of Children's Sleepwear: Sizes 7 Through 14" received on February 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1851. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Board of Veteran's Appeals: Rules of Practice—Notification of Representatives in Connection with Motions for the Revision of Decisions on Grounds of Clear and Unmistakable Error" (RIN2900-AJ75) received on February 16, 1999; to the Committee on Veterans' Affairs.

EC-1852. A communication from the Executive Director of the Committee for Purchase From People who are Blind or Severely Disabled, transmitting, pursuant to law, a list of additions to and deletions from the Committee's Procurement List dated February

10, 1999; to the Committee on Governmental Affairs.

EC-1853. A communication from the Assistant Legal Adviser for Treaty Affairs, transmitting, pursuant to law, the texts of international agreements other than treaties entered into by the United States (99-8 to 99-13); to the Committee on Foreign Relations.

EC-1854. A communication from the Acting Administrator of the Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sugar to be Imported and Re-exported in Refined Form or in Sugar Containing Products, or Used for the Production of Polyhydric Alcohol" (RIN0551-AA39) received on February 16, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1855. 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 "Abandoned Mine Land (AML) Reclamation Program; Enhancing AML Reclamation" (RIN1029-AB89) received on February 11, 1999; to the Committee on Energy and Natural Resources.

EC-1856. A communication from the Director of the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the Service's report on the New England fishing capacity reduction initiative for calendar year 1998; to the Committee on Commerce, Science, and Transportation.

EC-1857. A communication from the Director of the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Pacific Offshore Cetacean Take Reduction Plan Regulations" (I.D. 111398D) received on February 11, 1999; to the Committee on Commerce, Science, and Transportation.

EC-1858. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, the Report of the Proceedings of the Judicial Conference of the United States, held in Washington, D.C., on September 15, 1998; to the Committee on the Judiciary.

EC-1859. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Regulations to Increase Harvest of Mid-Continent Light Geese" (RIN1018-AF25) received on February 11, 1999; to the Committee on Environment and Public Works.

EC-1860. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Establishment of a Conservation Order for the Reduction of Mid-Continent Light Goose Populations" (RIN1018-AF05) received on February 11, 1999; to the Committee on Environment and Public Works.

EC-1861. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Policy and Procedure for NRC Enforcement Actions; Revised Treatment of Severity Level IV Violations at Power Reactors" (NUREG 1600, Rev.1) received on February 11, 1999; to the Committee on Environment and Public Works.

EC-1862. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Spent Fuel Heat Generation in an Independent Spent Fuel Storage Installation" (Guide 3.54) received on February 11, 1999; to the Committee on Environment and Public Works.

EC-1863. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standard Format and Content of License Termination Plans for Nuclear Power Reactors" (Guide 1.179) received on February 11, 1999; to the Committee on Environment and Public Works.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MURKOWSKI:

S. 430. A bill to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THURMOND:

S. 431. A bill to amend the Alcohol Beverage Labeling Act of 1988 to grant authority to the Secretary of Health and Human Services to carry out the Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

S. 432. A bill to amend the Internal Revenue Code of 1986 to increase the rate of tax on wine and to dedicate the resulting increased revenues to programs for the prevention and treatment of alcohol abuse; to the Committee on Finance.

S. 433. A bill to amend the Alcoholic Beverage Labeling Act of 1988 to prohibit additional statements and representations relating to alcoholic beverages and health, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BREAUX (for himself, Mr. BRYAN, Mr. DORGAN, and Mr. FRIST):

S. 434. A bill to amend the Internal Revenue Code of 1986 to simplify the method of payment of taxes on distilled spirits; to the Committee on Finance.

By Mr. ENZI (for himself and Mr. THOMAS):

S. 435. A bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to waive the contemporaneous substantiation requirement for deduction of charitable contributions in certain cases; to the Committee on Finance.

By Mr. HELMS:

S. 436. A bill for the relief of Augusto Segovia and Maria Segovia, husband and wife, and their children; to the Committee on the Judiciary.

By Mr. REID (for himself and Mr. BRYAN):

S. 437. A bill to designate the United States courthouse under construction at 338 Las Vegas Boulevard South in Las Vegas, Nevada, as the "Lloyd D. George United States Courthouse"; to the Committee on Environment and Public Works.

By Mr. BURNS (for himself and Mr. BAUCUS):

S. 438. A bill to provide for the settlement of the water rights claims of the Chippewa Cree Tribe of the Rocky Boy's Reservation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BRYAN:

S. 439. A bill to amend the National Forest and Public Lands of Nevada Enhancement Act of 1988 to adjust the boundary of the Toiyabe National Forest, Nevada; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. COLLINS (for herself, Mr. INOUE, Mr. NICKLES, Mr. ROTH, Mr. FRIST, Mr. JEFFORDS, Mr. ROCKEFELLER, Mr. TORRICELLI, Mr. KERRY, Mr. DEWINE, Mr. COVERDELL, Mr. VOINOVICH, Mr. SHELBY, Mr. HELMS, Mr. ROBB, Mr. CLELAND, Mr. CONRAD, Mr. DASCHLE, Mr. GRASSLEY, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mr. BAUCUS, Mr. BROWNBACK, Mr. BRYAN, Mr. CHAFFEE, Mr. CRAIG, Mr. DODD, Mr. DOMENICI, Mr. ENZI, Mr. FEINGOLD, Mr. FITZGERALD, Mr. GORTON, Mr. GRAMM, Mr. GREGG, Ms. LANDRIEU, Mr. STEVENS, Mr. THURMOND, Mr. WELLSTONE, Mr. SPECTER, Mr. ASHCROFT, Mr. DURBIN, Mr. WARNER, Mr. HAGEL, Mr. REID, Mr. INHOFE, Mrs. BOXER, Mr. BIDEN, Mr. GRAMS, Mr. LOTT, Mr. KENNEDY, Mr. SESSIONS, Mr. LAUTENBERG, Ms. SNOWE, Mr. WYDEN, Mr. HATCH, Mr. CRAPO, and Mrs. LINCOLN):

S. Con. Res. 12. A concurrent resolution requesting that the United States Postal Service issue a commemorative postage stamp honoring the 100th anniversary of the founding of the Veterans of Foreign Wars of the United States; to the Committee on Governmental Affairs.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI:

S. 430. A bill to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Kake Tribal Corporation, and for other purposes; to the Committee on Energy and Natural Resources.

##### KAKE TRIBAL CORPORATION PUBLIC INTEREST LAND EXCHANGE ACT

• Mr. MURKOWSKI. Mr. President, today I rise to introduce the second of two bills of which passed the Senate last year with unanimous consent. The first bill which was introduced on February 12, 1999, amends the Alaska Native Claims Settlement Act (ANCSA), to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, a village corporation created under that Act. The second bill provides for a similar land exchange between the Secretary and the Kake Tribal Corporation. Both of these bills will allow the Kake Tribal and Huna Totem Corporations to convey land needed as municipal watersheds in their surrounding communities to the Secretary in exchange for other Forest Service lands.

Enactment of these bills will meet two objectives. First, the two corporations will finally be able to fully recognize the economic benefits promised to them under ANCSA. Second, the watersheds that supply the communities of Hoonah, Alaska and Kake, Alaska will be protected in order to provide safe water for those communities.

The legislation I offer today clarifies several issues that were raised during

the Committee hearings and mark-up last year. First, the legislation directs that the subsurface estates owned by Sealaska Corporation in the Huna and Kake exchange lands are exchanged for similar subsurface estates in the conveyed Forest Service lands. Second the substitute clarifies that these exchanges are to be done on an equal value basis. Both the Secretary of Agriculture and the corporations insisted on this provision. I believe this is critical, Mr. President, because both these bills provide that any timber derived from the newly acquired Corporation lands be processed in-state, a requirement that does not currently exist on the watershed lands the corporations are exchanging. Therefore, if this exchange simply were done on an acre-for-acre basis it is likely that the acreage the corporations are exchanging, without any timber export restrictions, would have a much higher value than what they would get in return. It is for this reason that these exchanges will not be done on an acre-for-acre basis. If it ends up that either party has to receive additional compensation, either in additional lands or in cash to equalize the value, then it is my hope this will be done in an expeditious way to allow the exchange to move forward within the times specified in the legislation.

I believe these two pieces of legislation are in the best interest of the native corporations, the Alaska communities where the watersheds are located, and the Federal government. It is my intention to try and pass these bills out of the Senate Energy and Natural Resources Committee at the earliest opportunity.

Mr. President, I ask that the text of the bills be printed in the RECORD.

The bill follows:

S. 430

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Kake Tribal Corporation Public Interest Land Exchange Act".

##### SEC. 2. AMENDMENT OF SETTLEMENT ACT.

The Alaska Native Claims Settlement Act (Public Law 92-203, December 18, 1971, 85 Stat. 688, 43 U.S.C. 1601 et seq.), as amended, is further amended by adding at the end thereof:

##### "SEC. . KAKE TRIBAL CORPORATION LAND EXCHANGE.

"(a) GENERAL.—In exchange for lands and interests therein described in subsection (b), the Secretary of Agriculture shall, subject to valid existing rights, convey to the Kake Tribal Corporation the surface estate and to Sealaska Corporation the subsurface estate of the Federal land identified by Kake Tribal Corporation pursuant to subsection (c): Lands exchanged pursuant to this section shall be on the basis of equal value.

"(b) The surface estate to be conveyed by Kake Tribal Corporation and the subsurface estate to be conveyed by Sealaska Corporation to the Secretary of Agriculture are the municipal watershed lands as shown on the map dated September 1, 1997, and labeled Attachment A, and are further described as follows: