

Federal Reserve System who, subsequent to his or her last period of service as an employee of the Board of Governors of the Federal Reserve System and prior to the date of enactment of this Act, became subject to subchapter III of chapter 83 or chapter 84 of title 5, United States Code, under the law in effect at the time of the individual's appointment.

**SEC. 502. CERTAIN TRANSFERS TO BE TREATED AS A SEPARATION FROM SERVICE FOR PURPOSES OF THE THRIFT SAVINGS PLAN.**

(a) AMENDMENTS TO CHAPTER 84 OF TITLE 5, UNITED STATES CODE.—

(1) IN GENERAL.—Subchapter III of chapter 84 of title 5, United States Code, is amended by inserting before section 8432 the following:

**“§8431. Certain transfers to be treated as a separation**

“(a) For purposes of this subchapter, separation from Government employment includes a transfer from a position that is subject to one of the retirement systems described in subsection (b) to a position that is not subject to any such system.

“(b) The retirement systems described in this subsection are—

“(1) the retirement system under this chapter;

“(2) the retirement system under subchapter III of chapter 83; and

“(3) any other retirement system under which individuals may contribute to the Thrift Savings Fund through withholdings from pay.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 84 of title 5, United States Code, is amended by inserting before the item relating to section 8432 the following:

“8431. Certain transfers to be treated as a separation.”.

(b) CONFORMING AMENDMENTS.—Subsection (b) of section 8351 of title 5, United States Code, is amended by redesignating paragraph (11) as paragraph (8), and by adding at the end the following:

“(9) For the purpose of this section, separation from Government employment includes a transfer described in section 8431.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to transfers occurring before, on, or after the date of enactment of this Act, except that, for purposes of applying such amendments with respect to any transfer occurring before such date of enactment, the date of such transfer shall be considered to be the date of enactment of this Act. The Executive Director (within the meaning of section 8401(13) of title 5, United States Code) may prescribe any regulations necessary to carry out this subsection.

**TITLE VI—EFFECTIVE DATE**

**SEC. 601. EFFECTIVE DATE.**

Except as otherwise provided in this Act, this Act shall take effect on the date of enactment of this Act.

**ESTABLISHING A CHIEF AGRICULTURAL NEGOTIATOR**

Mr. GRAMM. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 185 and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 185) to establish a Chief Agricultural Negotiator in the Office of United States Trade Representative.

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

Mr. GRAMM. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 185) was read the third time and passed, as follows:

S. 185

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

**SECTION 1. CHIEF AGRICULTURAL NEGOTIATOR.**

(a) ESTABLISHMENT OF A POSITION.—There is established the position of Chief Agricultural Negotiator in the Office of the United States Trade Representative. The Chief Agricultural Negotiator shall be appointed by the President, with the rank of Ambassador, by and with the advice and consent of the Senate.

(b) FUNCTIONS.—The primary function of the Chief Agricultural Negotiator shall be to conduct trade negotiations and to enforce trade agreements relating to U.S. agricultural products and services. The Chief Agricultural Negotiator shall be a vigorous advocate on behalf of U.S. agricultural interests. The Chief Agricultural Negotiator shall perform such other functions as the United States Trade Representative may direct.

(c) COMPENSATION.—The Chief Agricultural Negotiator shall be paid at the highest rate of basic pay payable to a member of the Senior Executive Service.

**EXPORT APPLE ACT**

Mr. GRAMM. Mr. President, I ask unanimous consent that H.R. 609 be discharged from the Banking Committee and, further, that the Senate now proceed to its consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:  
A bill (H.R. 609) to amend the Export Apple and Pear Act to limit the applicability of the Act to apples.

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

Mr. GRAMM. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 609) was read the third time and passed.

**OVERSEAS PRIVATE INVESTMENT CORPORATION REAUTHORIZATION**

Mr. GRAMM. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 77, S. 688.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 688) to amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation.

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

Mr. GRAMM. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 688) was read the third time and passed, as follows:

S. 688

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

**SECTION 1. EXTENSION OF OPIC AUTHORITIES.**

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(A)(2)) is amended by striking “1999” and inserting “2003”.

**HONORING WALTER JERRY PAYTON**

Mr. GRAMM. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 219, submitted earlier by Senators FITZGERALD, DURBIN, LOTT, COCHRAN, and HELMS.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 219) recognizing and honoring Walter Jerry Payton and expressing the condolences of the Senate to his family on his death.

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

Mr. GRAMM. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and, finally, any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 219) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 219

Whereas Walter Payton was a hero, a leader, and a role model both on and off the field; Whereas for 13 years, Walter Payton thrilled Chicago Bears' fans as the National Football League's (NFL's) all-time leading rusher—and as one of the greatest running backs ever to play the game—culminating with his induction into the Professional Football Hall of Fame;

Whereas after retiring from professional football in 1987, Payton continued to touch the lives of both his fellow Chicagoans and citizens of his native state of Mississippi, as a businessman and a community leader;

Whereas Walter Payton was born in 1954 to Mrs. Alyne Payton and the late Mr. Edward Payton, and his historic career began as a star running back at Columbia High School in his native hometown of Columbia, Mississippi, which he called “a child's paradise.” He went on to choose Jackson State University over 100 college offers, and to set nine

university football records, eventually scoring more points than any other football player in the history of the National Collegiate Athletic Association;

Whereas the first choice in the 1975 NFL draft, Payton—or “Sweetness” as he was known to his fans—became the NFL’s all-time leader in running and combined net yards and scored 110 touchdowns during his career with the Bears;

Whereas Walter Payton made the Pro Bowl nine times and was named the league’s Most Valuable Player twice, in 1977 and 1985;

Whereas in 1977, Payton rushed for a career-high 1,852 yards and carried the Bears to the playoffs for the first time since 1963;

Whereas Payton broke Jim Brown’s long-standing record in 1984 to become the league’s all-time leading rusher, and finished his career with a record 16,726 total rushing yards;

Whereas in 1985–86, Walter Payton led the Bears to an unforgettable 15–1 season and Super Bowl victory—the first and only Super Bowl win in Bears’ history;

Whereas Payton was inducted into the Pro Football Hall of Fame in 1993, and was selected this year as the Greatest All-Time NFL Player by more than 200 players from the NFL Draft Class of 1999;

Whereas Walter Payton matched his accomplishments on the football field with his selfless actions off the field on behalf of those in need. He excelled academically as well as athletically, earning a degree in special education from Jackson State University in just three and one half years, and going on to undertake additional graduate study. Payton worked throughout his adult life to improve the lives of others through personal involvement with many charitable organizations. He was particularly active in working with children facing physical, mental, or economic challenges. In 1988, he established the Halas/Payton Foundation, which continues his legacy of community involvement to help educate Chicago’s youth;

Whereas Walter Payton was a dedicated man of faith and principle, who, as a life-long Baptist, was known for his deep reverence for God; and, as a gracious and selfless citizen, was a devoted father with sterling personal integrity and a warm sense of humor. Walter Payton will always be remembered as a true gentleman with a heart full of genuine and active concern for others;

Whereas Walter Payton was truly an American hero in every sense of the term;

Whereas the members of the Senate extend our deepest sympathies to Walter Payton’s family and the host of friends that he had across the country; and

Whereas Walter Payton died tragically on November 1, 1999, at age 45, but his legacy will live in our hearts and minds forever: Now, therefore, be it

*Resolved*, That the Senate—

(1) hereby recognizes and honors Walter Jerry Payton

(A) as one of the greatest football players of all time; and

(B) for his many contributions to the Nation, especially to children, throughout his lifetime; and

(2) extends its deepest condolences to Walter Payton’s wife, Connie; his two children, Jarrett and Brittny; his mother, Alyne; his brother, Eddie; his sister, Pam; and other members of his family.

#### DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. GRAMM. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 3194, the D.C. appropriations bill. I

further ask consent that a substitute amendment which is at the desk be agreed to, the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD. I further ask consent that the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

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

The substitute amendment (No. 2509) was agreed to.

(The text of the amendment is printed in today’s RECORD under “Amendments Submitted.”)

The bill (H.R. 3194), as amended, was read the third time and passed.

The Presiding Officer (Mr. BROWNBACK) appointed Mrs. HUTCHISON, Mr. DOMENICI, Mr. STEVENS, Mr. DURBIN, and Mr. BYRD conferees on the part of the Senate.

#### ORDERS FOR THURSDAY, NOVEMBER 4, 1999

Mr. GRAMM. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Thursday, November 4. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of the conference report to accompany S. 900, the financial services modernization bill.

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

#### PROGRAM

Mr. GRAMM. For the information of all Senators, at 9:30 a.m. on Thursday, the Senate will immediately resume debate on the conference report to accompany the financial services modernization bill. At that point, Senator WELLSTONE will be recognized. He has an hour under the unanimous consent agreement. There are approximately 6 hours of debate remaining under the order. Therefore, Senators can expect a vote on the adoption of the conference report tomorrow afternoon.

I remind my colleagues of the ceremony to swear in the newest Member of the Senate, Senator Lincoln Chafee. I encourage all Senators to be in the Senate Chamber at 11:30 a.m. to give him a warm senatorial welcome.

For the rest of the day and week, the Senate may be ready to consider any available appropriations conference reports or may begin consideration of the bankruptcy reform bill.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. GRAMM. Mr. President, if there is no further business to come before

the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:11 p.m., adjourned until Thursday, November 4, 1999, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate November 3, 1999:

##### DEPARTMENT OF STATE

IRWIN BELK, OF NORTH CAROLINA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-FOURTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

CAROL MOSELEY-BRAUN, OF ILLINOIS, TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SAMOA.

EARL ANTHONY WAYNE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS), VICE ALAN PHILIP LARSON.

##### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREBY:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

##### DEPARTMENT OF STATE

RITA D. JENNINGS, OF MARYLAND

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JO ANN ZEALL HOWD, OF VIRGINIA  
JEAN ELIZABETH MANES, OF FLORIDA  
CAROLYN A. SMITH, OF WISCONSIN

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

YVONNE ANNETTE BARBER, OF MARYLAND  
JENNIFER N. M. COLLE, OF WYOMING  
J. JORJA-HOOPER, OF SOUTH CAROLINA  
DEBRA L. SMOKER-ALI, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENTS OF COMMERCE AND STATE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

CLAY ADLER, OF CALIFORNIA  
PATRICIA AGUILERA, OF TEXAS  
ROBERT H. ARBUCKLE, OF FLORIDA  
DAVID ATKINSON, OF NEW MEXICO  
MARY ALICE AUSTIN, OF MARYLAND  
BUSHRA A. AZAD, OF MICHIGAN  
DANA LYNN BANKS, OF PENNSYLVANIA  
ALISON T. BARR, OF MONTANA  
ALEXANDER LUCIAN BARRASSO, OF THE DISTRICT OF COLUMBIA

BRUCE W. BECK, OF VIRGINIA  
JOSEPH J. BEDESSEM, OF VIRGINIA  
SCOTT ANDREW BLOMQUIST, OF TEXAS  
TOMEKAH L. BURL, OF ARKANSAS  
SITA LIAN CHAKRAWARTI, OF MISSOURI  
YAN CHANG, OF GEORGIA  
MIKAEL CLEVERLY, OF CALIFORNIA  
DAVID N. COHEN, OF THE DISTRICT OF COLUMBIA  
KIA JEANNINE COLEMAN, OF MARYLAND  
CRAIG M. CONWAY, OF NEVADA  
ELIZABETH DETTER, OF MARYLAND  
LILLIAN GERMAINE DEVALCOURT, OF THE DISTRICT OF COLUMBIA

CYNTHIA A. EBEDI, OF THE DISTRICT OF COLUMBIA  
DANIEL J. FENNEL, OF PENNSYLVANIA  
NICOLAS ANTOINE FETCHKO, OF THE DISTRICT OF COLUMBIA

STEPHEN T. FRAHM, OF UTAH  
ANN E. GABRIELSON, OF MINNESOTA  
KENDRA LEANN GAITHER, OF VIRGINIA  
VIRGINIA TUTTIP GEORGE, OF ILLINOIS  
BRIDGET F. GERSTEN, OF ARIZONA  
RICHARD H. GLIFENN, OF CALIFORNIA  
STEPHEN PAUL GOLDRUP, OF VIRGINIA  
EMMA D. GORDON, OF VIRGINIA  
JOHN GORKOWSKI, OF VIRGINIA  
CHRISTOPHER LEE GREEN, OF TEXAS  
CYNTHIA GREGG, OF ALABAMA  
JASON BAIRD GRUBB, OF VIRGINIA  
HENRY HAGGARD, OF WASHINGTON  
CRAIG L. HALL, OF FLORIDA  
MORGAN C. HALL, OF NEW YORK  
DANIEL O’CONNELL HAMILTON, OF MISSOURI  
JULIA HARLAN, OF INDIANA  
ANDREW L. HARROP, OF VIRGINIA