

Senate record. (145 Cong. Rec. S1214, S1226 (Lewinsky)). Senator Thompson reiterated that ruling in the Jordan deposition. (*Id.* at S1236). Senator Thompson also ruled that grand jury exhibits in the Senate record used as deposition exhibits should not be referred to by their grand jury exhibit number, but rather by an exhibit number for this impeachment trial deposition. (*Id.*) Senators Thompson and Dodd numbered the exhibits as they were presented, rather than as they were admitted into evidence. (*Id.* at S1245).

**Admitting Exhibits into Evidence.** S. Res. 16, the agreement which emerged from the Senate's January 8, 1999 bipartisan caucus in the Old Senate Chamber, provides that the material the House filed with the Senate on January 13, 1999 "will be admitted into evidence." Those materials were printed, bound, and distributed to Senators. (*See* S. Doc. No. 106-3, vols. I-XXIV (1999)). Thus, any documents in that Senate record were already admitted into evidence by the time the depositions were taken. S. Res. 30, which governs the conduct of these depositions, provides that "[n]o exhibits outside of the Senate record shall be employed, except for articles and materials in the press, including electronic media." When a party used a document during a deposition that was in the Senate record, there was no need to seek admission of that document into evidence. The only non-record documents that could be used in these depositions were "articles and materials in the press, including electronic media." A party needed to seek the admission of those documents into evidence before they could become part of the record.

During the Jordan deposition, Manager Hutchinson attempted to use as an exhibit a summary of telephone records, a redacted form of which was in the Senate record. Mr. Kendall objected to the use of the exhibit because it had not been properly authenticated. Senators Thompson and Dodd sustained the objection. (145 Cong. Rec. S1241).

After the Manager's examination of Mr. Blumenthal, the President's counsel, Lanny Breuer, presented various news articles that were admitted into evidence. (Blumenthal Depo. Tr., p. 81, ln. 8-p. 82, ln. 2). Manager Graham also submitted articles into evidence, including those not referred to by Mr. Blumenthal, and they were admitted after Mr. Breuer withdrew his objection that no reference had been made to the articles during the examination. (*Id.* at p. 82, lns. 16-25, p. 83, ln. 15-p. 85, ln. 25).

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 1999, the Sec-

retary of the Senate, on February 12, 1999, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 27. Concurrent resolution providing for an adjournment or recess of the two Houses.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 391. An act to amend chapter 35 of title 44, United States Code, for the purpose 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 businesses, and for other purposes.

H.R. 437. An act to provide for a Chief Financial Officer in the Executive Office of the President.

H.R. 705. An act to make technical corrections with respect to the monthly reports submitted by the Postmaster General on official mail of the House of Representatives.

The message further announced that pursuant to section 852(b) of Public Law 105-244, the Minority Leader appoints the following Member and individual to the Web-Based Education Commission: Mr. FATTAH of Pennsylvania and Mr. Doug King of St. Louis, Missouri.

The message also announced that pursuant to section 3(b) of Public Law 105-341, the Minority Leader appoints the following Member and individuals to the Woman's Progress Commemoration Commission: Ms. SLAUGHTER of New York, Ms. Clayola Brown of New York, New York, and Ms. Barbara Haney of Irvine, New Jersey.

The message further announced that pursuant to section 955(b)(1)(B) of Public Law 105-93, the Minority Leader reappoints the following Member to the National Council on the Arts: Mrs. LOWEY of New York.

The message also announced that pursuant to the provisions of 22 U.S.C. 1928a, the Speaker appoints the following Members of the House to the United States Group of the North Atlantic Assembly: Mr. BEREUTER of Nebraska, Chairman, Mr. BATEMAN of Virginia, Mr. BLILEY of Virginia, Mr. BOEHLERT of New York, Mr. REGULA of Ohio, Mr. Goss of Florida, Mr. DEUTCH of Florida, Mr. BORSKI of Pennsylvania, Mr. LANTOS of California, and Mr. RUSH of Illinois.

The message further announced that pursuant to the provisions of 22 U.S.C. 276d, the Speaker appoints the following Member of the House to the Canada-United States Interparliamentary Group: Mr. HOUGHTON of New York, Chairman.

The message also announced that pursuant to the provisions of 22 U.S.C. 276h, the Speaker appoints the fol-

lowing Member of the House to the Mexico-United States Interparliamentary Group: Mr. KOLBE of Arizona, Chairman.

The message further announced that pursuant to subsection (c)(3) of division A of Public Law 105-277, the Minority Leader appoints the following individuals to the Trade Deficit Review Commission: Mr. George Becker of Pittsburgh, Pennsylvania, Mr. Kenneth Lewis of Portland, Oregon, and Mr. Michael Wessel of Falls Church, Virginia.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 257. A bill to state the policy of the United States regarding the deployment of a missile defense capable of defending the territory of the United States against limited ballistic missile attack (Rept. No. 106-4).

#### 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. 426. A bill to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ABRAHAM (for himself, Mr. DOMENICI, Mr. THOMPSON, Mr. LOTT, Mr. ALLARD, Mr. HAGEL, Mr. SESSIONS, Mr. HUTCHINSON, Mr. COCHRAN, Mr. BURNS, Mr. MCCAIN, Mr. INHOFE, Mr. DEWINE, Mr. BOND, Mr. SMITH of Oregon, Mr. ENZI, Mr. HELMS, and Mr. NICKLES):

S. 427. A bill to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes; to the Committee on the Budget and the Committee on Governmental Affairs, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. GORTON:

S. 428. A bill to amend the Agricultural Market Transition Act to ensure that producers of all classes of soft white wheat (including club wheat) are permitted to repay marketing assistance loans, or receive loan deficiency payments, for the wheat at the same rate; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURBIN (for himself, Mr. KENNEDY, Mr. CLELAND, Mr. GRAMS, Mr. DASCHLE, Mr. DEWINE, Mr. LAUTENBERG, and Mr. LEVIN):

S. 429. A bill to designate the legal public holiday of "Washington's Birthday" as "Presidents' Day" in honor of George Washington, Abraham Lincoln, and Franklin Roosevelt and in recognition of the importance of the institution of the Presidency and the contributions that Presidents have made to the development of our Nation and the principles of freedom and democracy; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 37. A resolution to express gratitude for the service of the Chief Justice of the United States as Presiding Officer during the impeachment trial; considered and agreed to.

By Mr. MCCONNELL (for himself and Mr. DODD):

S. Res. 38. A resolution to waive the Standing Rules of the Senate in order to permit a resolution authorizing Senate committee expenditures for the period March 1, 1999 through September 30, 1999; considered and agreed to.

By Mr. DOMENICI (for himself and Mr. LAUTENBERG):

S. Res. 39. A resolution commending June Ellenoff O'Neill for her service to Congress and to the Nation; considered and agreed to.

S. Res. 40. A resolution commending James L. Blum for his service to Congress and to the Nation; considered and agreed to.

By Mr. THURMOND (for himself, Mr. LOTT, Mr. DASCHLE, Mr. BYRD, Mr. STEVENS, Mr. WARNER, Mr. COCHRAN, Mr. GRAMM, Mr. SARBANES, Mr. BENNETT, Mr. DODD, Mr. HAGEL, Mr. KERRY, Mr. BRYAN, Mr. JOHNSON, Mr. MACK, and Mr. BUNNING):

S. Res. 41. A resolution expressing the gratitude of the United States Senate for the service of Francis L. Burk, Jr., Legislative Counsel of the United States Senate; considered and agreed to.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 42. A resolution relating to the retirement of David G. Marcos; considered and agreed to.

S. Res. 43. A resolution relating to the retirement of Thomas G. Pellikaan; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. BENNETT, Mr. MOYNIHAN, Mr. CHAFEE, Mr. KOHL, Mr. JEFFORDS, Mr. LIEBERMAN, Mr. SMITH of Oregon, Mr. DASCHLE, Ms. SNOWE, Mr. REID, Mr. GORTON, Mr. BRYAN, Mr. MCCONNELL, Mr. CLELAND, Mr. DOMENICI, Mr. TORRICELLI, Mr. CAMPBELL, Mr. WYDEN, Mrs. LINCOLN, Mr. KERRY, Mr. KERREY, Mr. SCHUMER, Mr. DURBIN, Mrs. MURRAY, Mr. WELLSTONE, Mr. BREAUX, Ms. MIKULSKI, Mr. DORGAN, Mr. BAUCUS, Mr. REED, Ms. LANDRIEU, Mr. KENNEDY, Mr. LEVIN, Mr. ROCKEFELLER, Mr. ROBB, Mr. INOUE, and Mr. AKAKA):

S. Res. 44. A resolution relating to the censure of William Jefferson Clinton; to the Committee on Rules and Administration.

By Mr. HUTCHINSON (for himself, Mr. WELLSTONE, Mr. MACK, Mr. FEINGOLD, Mr. ABRAHAM, Mr. LEAHY, Mr. HELMS, Mr. TORRICELLI, Mr. LOTT, Mr. INHOFE, Mr. SESSIONS, Mr. ASHCROFT, Mr. DEWINE, Mr. KYL, Mr. BROWNBACK, and Mr. LUGAR):

S. Res. 45. A resolution expressing the sense of the Senate regarding the human rights situation in the People's Republic of China; to the Committee on Foreign Relations.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 46. A resolution relating to the retirement of William D. Lackey; considered and agreed to.

By Mr. MURKOWSKI (for himself, Mr. LOTT, Mr. DASCHLE, Mr. AKAKA, Mr. ASHCROFT, Mr. BAUCUS, Mr. CONRAD, Mr. DEWINE, Mr. ENZI, Mr. GRASSLEY, Mr. LAUTENBERG, Mr. MACK, Ms. MIKULSKI, Mr. SMITH of Oregon, Mr. TORRICELLI, and Mr. HELMS):

S. Res. 47. A resolution designating the week of March 21 through March 27, 1999, as "National Inhalants and Poisons Awareness Week"; to the Committee on the Judiciary.

By Mr. SARBANES (for himself, Ms. MIKULSKI, Mr. WARNER, and Mr. CLELAND):

S. Con. Res. 10. A concurrent resolution expressing the sense of Congress that there should continue to be parity between the adjustments in the compensation of members of the uniformed services and the adjustments in the compensation of civilian employees of the United States; to the Committee on Armed Services.

By Mr. CAMPBELL (for himself, Mr. CONRAD, Mr. BROWNBACK, Mrs. HUTCHISON, Mr. FRIST, Mr. GRAMM, Ms. LANDRIEU, and Mr. HUTCHINSON):

S. Con. Res. 11. A concurrent resolution expressing the sense of Congress with respect to the fair and equitable implementation of the amendments made by the Food Quality Protection Act of 1996; to the Committee on Agriculture, Nutrition, and Forestry.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MURKOWSKI:

S. 426. A bill to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem 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 two similar bills both of which passed the Senate last year with unanimous consent. One of these bills 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 other 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 unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 426

*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