

to the Battle of Midway, after agreeing to a committee amendment in the nature of a substitute.

Pages S11705-06

**Mississippi Navigation Regulation:** Senate passed S. 1324, to deauthorize a portion of the project for navigation, Biloxi Harbor, Mississippi.

Page S11706

**Grand Teton Grazing Study:** Senate passed H.R. 708, to require the Secretary of the Interior to conduct a study concerning grazing use and open space within and adjacent to Grant Teton National Park, Wyoming, and to extend temporarily certain grazing privileges, clearing the measure for the President.

Page S11706

**Education Savings Act for Public and Private Schools—Cloture Vote:** By 56 yeas to 44 nays (Vote No. 291), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to close further debate H.R. 2646, to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, and to increase the maximum annual amount of contributions to such accounts.

Pages S11626-27

**Reciprocal Trade Agreement/Fast Track:** Senate began consideration of the motion to proceed to the consideration of S. 1269, to establish objectives for negotiating and procedures for implementing certain trade agreements.

Pages S11632-61

During consideration of this measure today, Senate took the following action:

By 69 yeas to 31 nays (Vote No. 292), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to a motion to close further debate on the motion to proceed to consideration of the bill.

Page S11632

A unanimous-consent time-agreement was reached providing for further consideration of the motion to proceed to consideration of the bill on Wednesday, November 5, 1997, with a vote on, or in relation to the motion to occur thereon.

Pages S11706-07

**Nomination—Agreement:** A unanimous-consent time-agreement was reached providing for the consideration of the nomination of James S. Gwin, of Ohio, to be United States District Judge for the Northern District of Ohio, on Wednesday, November 5, 1997, with a vote to occur thereon.

Pages S11703, S11706

### Appointments:

**Board of Visitors—U.S. Military Academy:** The Chair, on behalf of the Vice President, pursuant to 10 USC 4355(a) appointed Senator Lautenberg, from the Committee on Appropriations, to the Board of

Visitors of the U.S. Military Academy, vice Senator Kohl.

Page S11703

**Messages from the President:** Senate received the following messages from the President of the United States:

Transmitting the report of the Executive Order blocking Sudanese government property and prohibiting transactions with Sudan; referred to the Committee on Banking, Housing, and Urban Affairs. (PM—79).

Page S11666

**Messages From the President:** Page S11666

**Messages From the House:** Page S11666

**Petitions:** Page S11666

**Executive Reports of Committees:** Pages S11667-77

**Statements on Introduced Bills:** Pages S11678-92

**Additional Cosponsors:** Pages S11692-93

**Notices of Hearings:** Page S11694

**Authority for Committees:** Pages S11694-95

**Additional Statements:** Pages S11695-S11703

**Record Votes:** Two record votes were taken today. (Total—292) Pages S11626-27, S11632

**Adjournment:** Senate convened at 10 a.m., and adjourned at 8:11 p.m., until 9:30 a.m., on Wednesday, November 5, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11707.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATIONS

**Committee on Banking, Housing, and Urban Affairs:** Committee ordered favorably reported the nominations of Kevin Emanuel Marchman, of Colorado, to be Assistant Secretary for Public and Indian Housing, Saul N. Ramirez, Jr., of Texas, to be Assistant Secretary for Community Planning and Development, Richard F. Keevey, of Virginia, to be Chief Financial Officer, Eva M. Plaza, of Maryland, to be Assistant Secretary for Fair Housing and Equal Opportunity, and Gail W. Laster, of New York, to be General Counsel, all of the Department of Housing and Urban Development, Jo Ann Jay Howard, of Texas, to be Federal Insurance Administrator, Federal Emergency Management Agency, and F. Amanda Debusk, of Maryland, to be an Assistant Secretary, R. Roger Majak, of Virginia, to be Assistant Secretary for Export Administration, and David L. Aaron, of New York, to be Under Secretary for International Trade, all of the Department of Commerce.

**YEAR 2000 LIABILITY AND DISCLOSURE**

*Committee on Banking, Housing, and Urban Affairs:* Subcommittee on Financial Services and Technology concluded hearings to examine potential economic risks associated with the Year 2000 computer conversion problem and its impact on the financial services industry, and proposals to require United States corporations to fully disclose all information concerning their year 2000 remediation efforts and potential liabilities, after receiving testimony from Edward E. Yardeni, Deutsche Morgan Grenfell, New York, New York.

**BUSINESS MEETING**

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the following business items:

The nominations of Terry D. Garcia, of California, to be Assistant Secretary for Oceans and Atmosphere, and Raymond G. Kammer, of Maryland, to be Director, National Institute of Standards and Technology, both of the Department of Commerce, and Arthur Bienenstock, of California, and Duncan T. Moore, of New York, each to be an Associate Director of the Office of Science and Technology Policy, and two promotion lists in the U.S. Coast Guard, received in the Senate on October 7 and October 29, 1997;

S. 442, to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, with an amendment in the nature of a substitute;

S. 608, to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment;

S. 1354, to provide for the designation of common carriers not subject to the jurisdiction of a State commission as eligible telecommunications carriers;

S. 852, to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles, with an amendment in the nature of a substitute;

H.R. 624, to revise certain requirements for State reciprocity of weapons licenses for armored car company crew members;

S. 1115, to create uniform national standards and provide grants to establish or improve State one-call notification systems designed to protect America's underground infrastructure which includes buried

communication and fiber optic cables, water and sewer pipes, electric lines, and oil and gas pipelines;

S. 1213, to establish a National Ocean Council and a Commission on Ocean Policy to develop and implement national ocean and coastal policy to conserve use fisheries and other ocean and coastal resources and to protect the marine environment, with amendments;

Provisions of S. 1216, to approve and implement the Agreement Respecting Normal Competitive Conditions in the Commercial Shipbuilding and Repair Industry (Shipbuilding Agreement), negotiated under the auspices of the Organization for Economic Cooperation and Development, with an amendment;

S. 1248, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for vessel SUMMER BREEZE;

S. 1272, to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel ARCELLA; and

H.R. 1271, authorizing funds for fiscal years 1998 through 2000 for Federal Aviation Administration's research, engineering, and development programs, with an amendment in the nature of a substitute. (As approved by the Committee, the amendment incorporates provisions of S. 1358, Senate companion measure and authorizes \$229.7 million for fiscal year 1998.)

Also, committee began consideration of S. 943, to allow a dependent of a victim of an international aviation accident occurring on or after January 1, 1995, to sue for pecuniary loss, but did not complete action thereon, and recessed subject to call.

**NEXT GENERATION INTERNET**

*Committee on Commerce, Science, and Transportation:* Subcommittee on Science, Technology, and Space concluded hearings to examine the federal management of the President's Next Generation Internet initiative, a research program to foster partnerships among academia, industry and Federal laboratories to develop and experiment with technologies that will promote a high-quality network infrastructure, after receiving testimony from John H. Gibbons, Assistant to the President, Office of Science and Technology Policy; Martha Krebs, Director of Energy Research, Department of Energy; George Strawn, Director, Networking, Communications, Research, and Infrastructure Division, National Science Foundation; David L. Tennenhouse, Director, Information Technology Office, Defense Advanced Research Projects Agency; John Miller, Montana State University, Bozeman; Robert C. Ward, University of Tennessee,

Knoxville; and Stephen S. Wolff, Cisco Systems, Inc., Washington, D.C.

## NOMINATIONS

*Committee on Energy and Natural Resources:* Committee concluded hearings on the nominations of Linda Key Breathitt, of Kentucky, and Curt Hebert Jr., of Mississippi, each to be a Member of the Federal Energy Regulatory Commission, Department of Energy, after the nominees testified and answered questions in their own behalf. Ms. Breathitt was introduced by Senator Ford, and Mr. Hebert was introduced by Senator Lott.

## ELEPHANT CONSERVATION

*Committee on Environment and Public Works:* Committee concluded hearings on S. 627 and H.R. 39, bills authorizing funds through fiscal year 2002 for programs of the African Elephant Conservation Act, and S. 1287 and H.R. 1787, bills to assist in the conservation of Asian elephants by supporting and providing financial resources for the conservation programs of nations within the range of Asian elephants and projects of persons with demonstrated expertise in the conservation of Asian elephants, after receiving testimony from Senator Jeffords; Representative Saxton; Marshall P. Jones, Assistant Director for International Affairs, U.S. Fish and Wildlife Service, Department of the Interior; Ginette Hemley, World Wildlife Fund, and John W. Grandy, Humane Society of the United States, both of Washington, D.C.; and Stuart A. Marks, Safari Club International, Herndon, Virginia.

## TRANSPORTATION FUNDING

*Committee on Environment and Public Works:* Subcommittee on Transportation and Infrastructure concluded hearings to examine the status of federal surface transportation programs in the absence of funding from a federal highway reauthorization act, and strategies to temporarily assist States to continue to fund highway programs, after receiving testimony from Peter J. Basso, Acting Assistant Secretary of Transportation for Budget and Programs; Phyllis F. Scheinberg, Associate Director, Transportation Issues, Resources, Community, and Economic Development Division, General Accounting Office; Kentucky Governor Paul E. Patton, Frankfort, on behalf of the National Governors' Association; and Steve L. Massie, Williamsburg, Virginia, on behalf of the Transportation Construction Coalition.

## BUSINESS MEETING

*Committee on Foreign Relations:* Committee ordered favorably reported the following business items:

S. 759, to provide for an annual report to Congress concerning diplomatic immunity, with an amendment in the nature of a substitute;

S. Con. Res. 48, expressing the sense of the Congress regarding proliferation of missile technology from Russia to Iran;

S. Con. Res. 58, expressing the concern of Congress over Russia's newly passed religion law; and

The nominations of Steven J. Green, of Florida, to be Ambassador to the Republic of Singapore, Daniel Fried, of the District of Columbia, to be Ambassador to the Republic of Poland, Peter Francis Tufo, of New York, to be Ambassador to the Republic of Hungary, James Carew Rosapepe, of Maryland, to be Ambassador to Romania, Thomas J. Miller, of Virginia, for the rank of Ambassador during his tenure of service as Special Coordinator for Cyprus, David Timothy Johnson, of Georgia, for the rank of Ambassador during his tenure of service as Head of the United States Delegation to the Organization for Security and Cooperation in Europe (OSCE), Cheryl F. Halpern, of New Jersey, to be a Member of the Broadcasting Board of Governors, United States Information Agency, Richard Frank Celeste, of Ohio, to be Ambassador to India, Shaun Edward Donnelly, of Indiana, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives, Edward M. Gabriel, of the District of Columbia, to be Ambassador to the Kingdom of Morocco, Cameron R. Hume, of New York, to be Ambassador to the Democratic and Popular Republic of Algeria, Daniel Charles Kurtzer, of Maryland, to be Ambassador to the Arab Republic of Egypt, James A. Larocco, of Virginia, to be Ambassador to the State of Kuwait, and Edward S. Walker, Jr., of Maryland, to be Ambassador to Israel, Harriet C. Babbitt, of Arizona, to be Deputy Administrator, Terrence J. Brown, of Virginia, to be Assistant Administrator for Management, and Thomas H. Fox, of the District of Columbia, to be Assistant Administrator for Policy and Program Coordination, all of the Agency for International Development, Amy L. Bondurant, of the District of Columbia, to be Representative of the United States to the Organization for Economic Cooperation and Development, with the rank of Ambassador, Kirk K. Robertson, of Virginia, to be Executive Vice President of the Overseas Private Investment Corporation, Joseph A. Presel, of Rhode Island, to be Ambassador to the Republic of Uzbekistan, Stanley Tuemler Escudero, of Florida, to be Ambassador to the Republic of Azerbaijan, B. Lynn Pascoe, of Virginia, for the rank of Ambassador during his tenure of Service as Special Negotiator for Nagorno-Karabakh, Steven Karl Pifer, of California,

to be Ambassador to Ukraine, Lyndon Lowell Olson, Jr., of Texas, to be Ambassador to Sweden, Gerald S. McGowan, of Virginia, to be Ambassador to the Republic of Portugal, Kathryn Linda Haycock Proffitt, of Arizona, to be Ambassador to the Republic of Malta, James Catherwood Hormel, of California, to be Ambassador to Luxembourg, and David B. Hermelin, of Michigan, to be Ambassador to Norway, Christopher C. Ashby, of Connecticut, to be Ambassador to the Oriental Republic of Uruguay, Hank Brown, of Colorado, to be a Member of the United States Advisory Commission on Public Diplomacy, Timothy Michael Carney, of Washington, to be Ambassador to the Republic of Haiti, Carolyn Curiel, of Indiana, to be Ambassador to Belize, Mark Erwin, of Florida, to be Member of the Board of Directors of the Overseas Private Investment Corporation, Mary Mel French, of the District of Columbia, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service, Kathryn Walt Hall, of Texas, to be Ambassador to the Republic of Austria, Betty Eileen King, of Maryland, to be Representative of the United States on the Economic and Social Council of the United Nations, with the rank of Ambassador, Penne Percy Korth, of Texas, to be a Member of the United States Advisory Commission on Public Diplomacy, Victor Marrero, of New York, to be the Permanent Representative of the United States to the Organization of American States, with the rank of Ambassador, Stanley Louis McLelland, of Texas, to be Ambassador to Jamaica, William Dale Montgomery, of Pennsylvania, to be Ambassador to the Republic of Croatia, George Edward Moose, of Maryland, to be Representative of the United States to the European Office of the United Nations, with the rank of Ambassador, Phyllis E. Oakley, of Louisiana, to be Assistant Secretary of State for Intelligence and Research, Nancy H. Rubin, of the District of Columbia, for the rank of Ambassador during her tenure of service as Representative of the United States on the Human Rights Commission of the Economic and Social Council of the United Nations, Lange Schermerhorn, of New Jersey, to be Ambassador to the Republic of Djibouti, Brenda Schoonover, of Maryland, to be Ambassador to the Republic of Togo, Carl Spielvogel, of New York, to be a Member of the Broadcasting Board of Governors, Julia V. Taft, of the District of Columbia, to be Assistant Secretary of State for Population, Refugees and Migration, William H. Twaddell, of Rhode Island, to be Ambassador to the Federal Republic of Nigeria, Alexander Vershbow, of the District of Columbia, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, Frank D.

Yturria, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation, Bill Richardson, of New Mexico, to be a Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States to the United Nations, A. Peter Burleigh, of California, to be a Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Deputy Representative of the United States to the United Nations, Betty Eileen King, of Maryland, to be an Alternate Representative of the United States to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States on the Economic and Social Council of the United Nations, Richard Sklar, of California, to be an Alternate Representative of the United States to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States to the United Nations for UN Management and Reform, and three Foreign Service Officer promotion lists received in the Senate on September 3 (omit John M. O'Keefe), October 8, and October 9, 1997 (omit Stephen A. Dodson).

#### NOMINATIONS

*Committee on Governmental Affairs:* Committee concluded hearings on the nominations of Ernesta Ballard, of Alaska, to be a Governor of the United States Postal Service, Dale Cabaniss, of Virginia, to be a Member of the Federal Labor Relations Authority, and Susanne T. Marshall, of Virginia, to be a Member of the Merit Systems Protection Board, after the nominees testified and answered questions in their own behalf. Ms. Ballard and Ms. Cabaniss were introduced by Senators Stevens and Murkowski, and Ms. Marshall was introduced by Senator Stevens.

#### COMPETITION IN THE DIGITAL AGE

*Committee on the Judiciary:* Committee held hearings to examine the impact of high-growth technology and the internet on antitrust, intellectual property, competition policy and enforcement, including Microsoft's recent efforts to exercise its monopoly power and the Department of Justice's pending action against the company, receiving testimony from Robert E. Kahn, Corporation for National Research Initiatives, Reston, Virginia; Kathie Sawyer, Paper-Work Solutions, Inc., Westford, Vermont; Paul M. Ruden, American Society of Travel Agents, Alexandria, Virginia; Edward J. Black, Computer and Communications Industry Association, Charles F. Rule, Covington and Burling, and Kevin J. Arquit, Rogers and Wells, all of Washington, D.C.; and Joseph Farrell, University of California, Berkeley.

Hearings were recessed subject to call.

## NOMINATIONS

*Committee on Veterans Affairs:* Committee ordered favorably reported the nominations of Richard J. Griffin, of Illinois, to be Inspector General, and Joseph Thompson, of New York, to be Under Secretary for Benefits, both of the Department of Veterans Affairs, William P. Greene, Jr., of West Virginia, to be an Associate Judge of the United States Court of Veterans Appeals, and Espiridion A. Borrego, of Texas, to be Assistant Secretary of Labor for Veterans' Employment and Training.

## BUSINESS MEETING

*Committee on Indian Affairs:* Committee ordered favorably reported the following business items:

H.R. 976, to provide for the disposition of certain funds appropriated to pay judgement in favor of the Mississippi Sioux Indians, with an amendment in the nature of a substitute; and

The nomination of Kevin Gover, of New Mexico, to be Assistant Secretary of the Interior for Indian Affairs.

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# House of Representatives

## Chamber Action

**Bills Introduced:** 18 public bills, H.R. 2795–2812; 1 private bill, H.R. 2813; and 1 resolution, H. Res. 301, were introduced. Pages H9993–94

**Reports Filed:** Reports were filed as follows:

Filed on November 3, H.R. 10, to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers (H. Rept. 105–164 Part 3);

H.R. 2675, to require that the Office of Personnel Management submit proposed legislation under which group universal life insurance and group variable universal life insurance would be available under chapter 87 of title 5, United States Code, amended (H. Rept. 105–373);

H.R. 1836, amended, to amend chapter 89 of title 5, United States Code, to improve administration of sanctions against unfit health care providers under the Federal Employees Health Benefits Program, amended (H. Rept. 105–374);

H.R. 2709, to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, amended (H. Rept. 105–375);

H.R. 2534, to reform, extend, and repeal certain agricultural research, extension, and education programs, amended (H. Rept. 105–376);

H.R. 799, to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness (H. Rept. 105–377);

H.R. 838, to require adoption of a management plan for the Hells Canyon National Recreation Area

that allows appropriate use of motorized and non-motorized river craft in the recreation area (H. Rept. 105–378);

H. Res. 302, providing for consideration of nine measures relating to the policy of the United States with respect to the People's Republic of China (H. Rept. 105–379); and

H. Res. 303, providing for consideration of H.R. 2676, to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service (H. Rept. 105–380). Page H9993

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Snowbarger to act as Speaker pro tempore for today. Page H9867

**Recess:** The House recessed at 10:44 a.m. and reconvened at 12:00 noon. Page H9868

**Private Calendar:** On the call of the Private Calendar, the House passed H.R. 2732, for the relief of John Andre Chalot and H.R. 2731, for the relief of Roy Desmond Moser. Page H9869

**Funeral Committee:** Pursuant to the provisions of H. Res. 286, the Chair announced the Speaker's appointment of the following members of the House to the Committee to Attend the Funeral of the late Walter H. Capps: Representatives Dellums, Gephardt, Fazio of California, Brown of California, Stark, Miller of California, Waxman, Dixon, Lewis of California, Matsui, Thomas, Dreier, Hunter, Lantos, Martinez, Berman, Packard, Torres, Gallegly, Herger, Pelosi, Cox of California, Rohrabacher, Condit, Cunningham, Dooley of California, Doolittle, Waters, Becerra, Calvert, Eshoo, Filner, Harman, Horn, Kim, McKeon, Pombo, Roybal-Allard, Royce, Woolsey, Farr of California, Riggs, Bilbray, Bono, Lofgren, Radanovich, Campbell, Millender-