

Wednesday, April 1, 1998

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

The House passed H.R. 2400, Building Efficient Surface Transportation and Equity Act.

The House passed H.R. 1151, Credit Union Membership Access Act.

House Committees ordered reported 7 sundry measures.

Senate

Chamber Action

Routine Proceedings, pages S2879–S3022

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 1894–S. 1904, and S.J. Res. 44. Pages S2967–68

Measures Passed:

Congressional Adjournment: Senate agreed to H. Con. Res. 257, providing for an adjournment of the House of Representatives and the Senate. Page S2949

Land Conveyance: Senate passed H.R. 1116, to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District and the Fabens Independent School District, clearing the measure for the President. Page S3021

Texas Low-Level Radioactive Waste Disposal Compact Consent Act: Senate passed H.R. 629, to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact, after taking action on amendment proposed thereto, as follows: Pages S3015–19

Adopted:

Domenici (for Snowe) Amendment No. 2276, in the nature of a substitute. Pages S3018–19

Domenici (for Wellstone) Amendment No. 2277 (to Amendment No. 2276), to add certain conditions to the grant of consent to the compact. Pages S3018–19

Domenici (for Wellstone) Amendment No. 2278 (to Amendment No. 2276), to add certain conditions to the grant of consent to the compact. Pages S3018–19

Congressional Budget: Senate resumed consideration of S. Con. Res. 86, setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998, taking action on amendments proposed thereto, as follows: Pages S2879–S2964

Adopted:

Kerrey Amendment No. 2214, to express the sense of the Senate on the need for long-term entitlement reforms. Pages S2890–92

Burns Amendment No. 2178, to express the sense of the Senate regarding the use of agricultural trade programs to promote the export of United States agricultural commodities and products. Page S2892

By 51 yeas to 47 nays (Vote No. 53), Kyl Amendment No. 2169, to express the sense of the Congress regarding freedom of health care choice for medicare seniors. Pages S2893–95

Lautenberg (for Johnson) Modified Amendment No. 2210, to express the sense of the Senate regarding repair and construction of Indian schools. Pages S2909–14

By 51 yeas to 49 nays (Vote No. 56), Domenici (for Roth) Amendment No. 2209, to express the sense of the Senate that the Committee on Finance shall consider and report a legislative proposal this year that would dedicate the Federal budget surplus to the establishment of a program of personal retirement accounts for working Americans. Pages S2917–29

By a unanimous vote of 99 yeas (Vote No. 59), Domenici (for Faircloth) Amendment No. 2251, to express the sense of the Senate that the Congress should begin to phase out the marriage penalty this year. Pages S2944–45, S2950

Lautenberg (for Durbin/Chafee) Modified Amendment No. 2205, to express the sense of Congress regarding the right to affordable, high-quality health care for seniors. **Pages S2961–62**

Domenici (for Burns/Baucus) Amendment No. 2275, to express the sense of the Congress regarding a permanent extension of income averaging for farmers. **Page S2962**

Rejected:

Conrad (for Moseley-Braun) Amendment No. 2175, to express the sense of the Senate regarding elementary and secondary school modernization and construction. (By 54 yeas to 46 nays (Vote No. 57), Senate tabled the amendment.)

Pages S2898–S2905, S2914–17, S2948–49

Withdrawn:

Lautenberg (for Wyden) Amendment No. 2203, to direct the Congressional Budget Office to calculate inflation swings or shortfalls in each function of the Government. **Pages S2933, S2962–63**

Pending:

Allard Amendment No. 2170, to require the reduction of the deficit, a balanced Federal budget, and the repayment of the national debt.

Pages S2955–58

Conrad (for Boxer) Modified Amendment No. 2176, to increase Function 500 discretionary budget authority and outlays to accommodate an initiative promoting after-school education and safety.

Page S2879

Brownback Amendment No. 2177, to express the sense of the Senate regarding economic growth, social security, and Government efficiency. **Page S2879**

Smith (Oregon) Amendment No. 2179, to express the sense of the Senate on Social Security taxes.

Page S2879

Smith (Oregon) Amendment No. 2180, to express the sense of the Senate with respect to the use of marijuana for medicinal purposes. **Page S2879**

Smith (Oregon) Amendment No. 2181, to express the sense of the Senate concerning increases in the prices of tobacco products. **Page S2882**

Kennedy Amendment No. 2183, to express the sense of the Senate concerning the enactment of a patient's bill of rights. **Page S2879**

Kennedy Amendment No. 2184, to increase Function 500 discretionary budget authority and outlays to support innovative education reform efforts in urban and rural school districts. **Page S2879**

Kennedy Amendment No. 2185, to express the sense of the Congress regarding additional budget authority for the Equal Employment Opportunity Commission. **Page S2879**

Wellstone Modified Amendment No. 2186, to provide a reserve fund to pay for increased Pell

Grants by reducing or eliminating corporate welfare tax expenditures. **Page S2879**

Wellstone/Moynihan Amendment No. 2187, to express the sense of the Senate regarding a report of the Secretary of Health and Human Services evaluating the outcomes of welfare reform. **Page S2879**

Wellstone Modified Amendment No. 2188, to provide additional funds for medical care for veterans. **Page S2879**

Thurmond Amendment No. 2191, to clarify outlay levels for major functional categories. **Page S2879**

Thurmond Amendment No. 2192, to clarify outlay levels for national defense. **Page S2879**

Lautenberg Amendment No. 2194, to express the sense of the Senate to ensure that the tobacco reserve fund in the resolution may be used to protect the public health. **Page S2880**

Lautenberg Amendment No. 2195, to establish a deficit-neutral reserve fund for environmental and natural resources. **Pages S2958–61**

Lautenberg (for Kohl/Reid) Modified Amendment No. 2204, to express the sense of the Senate regarding the establishment of a national background check system for long-term care workers. **Page S2929**

Reid/Bryan Amendment No. 2206, to express the sense of the Senate that the landowner incentive program included in the Endangered Species Recovery Act should be financed from a dedicated source of funding and that public lands should not be sold to fund the landowner incentive program of the Endangered Species Recovery Act. **Page S2880**

Domenici (for Hutchison) Amendment No. 2208, to express the sense of the Senate that any budget surplus should be dedicated to debt reduction or direct tax relief for hard-working American families. **Page S2934**

Lautenberg (for Torricelli/Jeffords) Amendment No. 2212, to express the sense of the Senate on battlefield preservation. **Page S2933**

Bond/Mikulski Modified Amendment No. 2213, to express the sense of the Senate that the Elderly Housing program shall be funded at not less than the fiscal year 1998 funding level. **Pages S2887–90, S2961**

Kerrey Amendment No. 2215, to express the sense of the Senate regarding passage of the IRS Restructuring and Reform Act of 1997. **Page S2892**

Murray Amendment No. 2216, to increase Function 500 discretionary budget authority and outlays to accommodate both Administration investments in education and the \$2.5 billion increase assumed by the resolution for IDEA. **Pages S2894–95**

Murray Amendment No. 2217, to express the sense of the Senate regarding the expansion of Medicare benefits. **Pages S2894–95**

Dorgan Modified Amendment No. 2218, to strike section 301 of the concurrent resolution, which expresses the sense of Congress regarding the sunset of the Internal Revenue Code of 1986, and replace it with a section expressing the sense of Congress that important tax incentives such as those for encouraging home ownership and charitable giving should be retained.

Pages S2896–97, S2951–55

Dorgan Amendment No. 2219, to establish a reserve fund for health research at the National Institutes of Health, funded by receipts from tobacco legislation.

Pages S2896–97

Biden Amendment No. 2220, to permit the use of Federal tobacco funds to reimburse the Veterans Administration for the costs of treating smoking-related illnesses.

Page S2897

Kyl Amendment No. 2221, to express the sense of the Senate supporting a supermajority requirement for raising taxes.

Page S2897

Domenici (for Grams) Amendment No. 2222, to use any budget surplus to reduce payroll tax and establish personal retirement accounts for hard-working Americans.

Page S2934

Bingaman/Lieberman Amendment No. 2223, to establish a deficit-neutral reserve fund for civilian research and development.

Pages S2900–01

Feingold Amendment No. 2224, to establish a disability reserve fund.

Page S2909

Domenici (for DeWine) Amendment No. 2225, to state the sense of the Senate regarding the quality of teachers.

Page S2909

Lautenberg (for Rockefeller) Amendment No. 2226, to revise outlays and new budget authority for transportation (400) programs and allowances (920), and to strike those provisions with regard to outlays and new budget authority for programs of function 700, Veterans Benefits and Services.

Pages S2929–30, S2963–64

Lautenberg (for Conrad) Amendment No. 2227, to ensure that the tobacco reserve fund in the resolution may be used to strengthen social security.

Pages S2929–30

Lautenberg (for Bumpers) Amendment No. 2228, to provide for funding to help the states comply with the Individuals with Disabilities Education Act by eliminating an unjustified tax loophole.

Pages S2929–30

Lautenberg (for Feinstein) Amendment No. 2229, to express the sense of the Senate on education goals.

Pages S2929–30

Lautenberg (for Kerry) Amendment No. 2230, to ensure that tobacco reserve fund in the resolution protects public health.

Pages S2929–30

Lautenberg (for Wellstone) Amendment No. 2231, to express the sense of the Senate supporting

additional funding for fiscal year 1999 for medical care for veterans.

Pages S2929–30

Lautenberg (for Robb) Amendment No. 2232, to ensure that the tobacco reserve fund in the resolution protects tobacco farmers.

Pages S2929–31

Lautenberg (for Biden) Amendment No. 2233, to provide for the Senate's support for Federal, State and local law enforcement.

Pages S2929, S2931

Lautenberg (for Boxer) Amendment No. 2234, to expand the uses of the tobacco reserve fund to include funding for health research, including the National Institutes of Health.

Pages S2929, S2931

Lautenberg (for Bingaman/Lieberman) Amendment No. 2235, to express the sense of the Senate regarding the analysis of civilian science and technology expenditures in the budget.

Pages S2929, S2931

Lautenberg (for Bingaman) Amendment No. 2236, to express the sense of the Senate regarding long-term civilian science and technology budget trends.

Pages S2929, S2931

Lautenberg (for Kerrey) Amendment No. 2237, to express the sense of the Senate on long-term Federal budgeting and the repayment of the public debt.

Pages S2929, S2931–32

Lautenberg (for Moseley-Braun) Amendment No. 2238, to express the sense of the Senate regarding tax legislation that increases the complexity of any tax return.

Pages S2929, S2932

Lautenberg (for Moseley-Braun) Amendment No. 2239, to express the sense of the Senate that the President should submit a generational study with the budget request.

Pages S2929, S2932

Lautenberg (for Moseley-Braun) Amendment No. 2240, to express the sense of the Senate regarding the value of the social security system for future retirees.

Pages S2929, S2932

Lautenberg (for Durbin) Amendment No. 2241, to express the sense of Congress regarding the right to affordable, high-quality health care for seniors.

Pages S2929, S2932

Lautenberg (for Dorgan) Amendment No. 2242, to express the sense of the Senate on ensuring social security solvency.

Pages S2929, S2932–33

Lautenberg Amendment No. 2243, to express the sense of the Senate that the Congress and the Administration should fulfill the intent of the Amtrak Reform and Accountability Act of 1997 and appropriate sufficient funds in each of the next five years to enable Amtrak to implement its Strategic Business Plan, while preserving the integrity of the \$2.2 billion provided under the Taxpayer Relief Act for the statutory purpose of capital investment.

Pages S2929, S2933

Lautenberg (for Daschle) Amendment No. 2244, in the nature of a substitute.

Pages S2929, S2933

Lautenberg (for Torricelli) Amendment No. 2245, to express the sense of the Senate on battlefield preservation. **Pages S2929, S2933**

Lautenberg (for Torricelli) Amendment No. 2246, to express the sense of the Senate on the Land and Water Conservation Fund. **Pages S2929, S2933**

Lautenberg (for Moynihan) Amendment No. 2247, to express the sense of the Senate that the Committee on Finance should consider legislation to preserve social security and ensure its long-run solvency; and that no policy options, affecting either outlays, revenues, or the manner of investment of funds, should be excluded from consideration. **Pages S2929, S2933**

Domenici (for Bond) Amendment No. 2248, to express the sense of the Senate regarding Immigration and Naturalization Service circuit rides in the former Soviet Union. **Page S2934**

Domenici (for Abraham) Amendment No. 2249, to express the sense of Congress that the Budget Act should be amended to facilitate the use of future unified budget surpluses to strengthen and reform social security, reform the tax code, and reduce the tax burden on middle-class families. **Page S2934**

Domenici (for Thurmond) Amendment No. 2250, to express the sense of the Senate regarding long-term care needs. **Pages S2934–35**

Domenici (for Sessions) Amendment No. 2252, to express the sense of the Senate regarding the display of the Ten Commandments by a judge on the circuit court of the State of Alabama. **Page S2935**

Domenici (for Stevens) Amendment No. 2253, to express the sense of the Senate regarding outlay estimates of the Department of Defense budget. **Page S2935**

Domenici (for Specter) Amendment No. 2254, to modify the use of the tobacco reserve fund. **Page S2935**

Domenici (for Specter) Amendment No. 2255, to modify the tobacco reserve fund to allow up to \$10.5 billion to be spent on post-service smoking related Veterans compensation benefits. **Page S2935**

Domenici (for Specter) Amendment No. 2256, relating to the distribution of certain receipts from tobacco legislation. **Page S2935**

Domenici (for Nickles) Amendment No. 2257, to establish a prohibition on precatory language on budget resolutions. **Pages S2935–36**

Domenici (for Frist) Amendment No. 2258, to express the sense of the Senate regarding funding for the Airport Improvement Program. **Page S2936**

Domenici (for McConnell) Amendment No. 2259, to express the sense of the Congress that the award of attorneys' fees, costs, and sanctions of those amounts ordered by U.S. District Judge Royce C.

Lamberth on December 18, 1997, should not be paid with taxpayer funds. **Page S2936**

Domenici (for Sessions) Amendment No. 2260, to express the sense of the Senate regarding limitations on attorneys' fees under any global tobacco settlement. **Page S2936**

Domenici (for Craig) Amendment No. 2261, to express the sense of the Senate on the eligibility of individuals suffering from post-service smoking-related illnesses for VA compensation. **Page S2936**

Domenici (for Coverdell) Amendment No. 2262, to express the sense of the Senate on the procurement of Blackhawk utility helicopters for Colombia to reduce illicit drug trafficking. **Pages S2936–37**

Domenici (for Santorum) Amendment No. 2263, to express the sense of the Senate regarding reauthorization of the Farmland Protection Program. **Page S2937**

Domenici (for Santorum) Amendment No. 2264, to express the sense of the Senate concerning health care quality for participants in the Federal Employees Health Benefits Program. **Page S2937**

Domenici (for Kempthorne) Amendment No. 2265, to express the sense of the Senate regarding the Market Access Program. **Pages S2937–38**

Domenici (for Gramm) Amendment No. 2266, to extend the Violent Crime Reduction Trust Fund. **Pages S2934, S2938**

Domenici (for Coverdell) Amendment No. 2267, to express the sense of the Senate regarding the Department of Justice's pursuit of Medicare fraud and abuse. **Page S2938**

Domenici (for Coverdell) Amendment No. 2268, to express the sense of the Senate regarding national response to the threat of illegal drugs. **Page S2938**

Domenici (for Coverdell) Amendment No. 2269, to express the sense of the Senate regarding wasteful spending in Defense Department acquisition practices. **Page S2938**

Domenici (for Coverdell/Kyl) Amendment No. 2270, to express the sense of the Senate regarding the United States' response to the changing nature of terrorism. **Pages S2938–39**

Domenici (for Coverdell/Dodd) Amendment No. 2271, to express the sense of the Senate regarding a multinational alliance against drug trafficking. **Page S2939**

Domenici (for Mack) Amendment No. 2272, to express the sense of the Senate regarding funding of the National Institutes of Health. **Page S2939**

Domenici (for Hatch) Amendment No. 2273, to assume that the use of the tobacco reserve fund is consistent with tobacco legislation approved by the Senate. **Pages S2939–40**

Domenici (for Sessions) Amendment No. 2274, to express the sense of the Senate regarding limitations

on attorneys' fees under any global tobacco settlement. **Page S2940**

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

Three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected motions to waive certain provisions of the Congressional Budget Act with respect to consideration of the following amendments:

By 46 yeas to 54 nays (Vote No. 54), Conrad/Lautenberg/Bingaman/Reed Amendment No. 2174, to ensure that the tobacco reserve fund in the resolution protects public health. **Pages S2905-09**

By 38 yeas to 62 nays (Vote No. 55), Coverdell Amendment No. 2199, to provide middle class tax relief. **Pages S2880-87, S2906-08**

By 42 yeas to 58 nays (Vote No. 58), Lautenberg (for Hollings) Amendment No. 2193, to provide a supermajority point of order against any change in the off-budget status of Social Security. **Pages S2933, S2940-44, S2949-50**

By 54 yeas to 45 nays (Vote No. 60), Craig Amendment No. 2211, to modify the pay-as-you-go requirement of the budget process to require that direct spending increases be offset only with direct spending decreases. **Pages S2946-48, S2950-51**

Subsequently, a point of order that the amendments were violations of the Congressional Budget Act was sustained, and the amendments thus fell. **Pages S2908, S2950-51**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, April 2, 1998. **Page S3021**

Visa Waiver Pilot Program Reauthorization Act: Senate concurred in the amendments of the House to S. 1178, to amend the Immigration and Nationality Act to extend the visa waiver pilot program, clearing the measure for the President. **Page S3019**

Wireless Telephone Protection Act: Senate concurred in the amendments of the House to S. 493, to amend section 1029 of title 18, United States Code, with respect to cellular telephone cloning paraphernalia, clearing the measure for the President. **Pages S3019-21**

Nominations—Agreement: A unanimous-consent agreement was reached providing for the consideration of the nominations of G. Patrick Murphy, to be United States District Judge for the Southern District of Illinois, and Michael P. McCuskey, to be United States District Judge for the Central District of Illinois, on Thursday, April 2, 1998, with votes to occur thereon. **Page S3015**

Removal of Injunction of Secrecy: The injunction of secrecy was removed for the following treaty:

Inter-American Convention Against Corruption. (Treaty Doc. 105-39)

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. **Pages S3014-15**

Nominations Received: Senate received the following nominations:

Timothy B. Dyk, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit.

1 Army nomination in the rank of Chief, Army Reserve, United States Army.

Routine lists in the Air Force, Army, Navy.

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Messages From the House: **Page S2967**

Measures Placed on Calendar: **Page S2967**

Communications: **Page S2967**

Petitions: **Page S2967**

Executive Reports of Committees: **Page S2967**

Statements on Introduced Bills: **Pages S2968-87**

Additional Cosponsors: **Pages S2987-89**

Amendments Submitted: **Pages S2989-S3007**

Notices of Hearings: **Page S3007**

Authority for Committees: **Pages S3007-08**

Additional Statements: **Pages S3008-14**

Record Votes: Eight record votes were taken today. (Total—60) **Pages S2895, S2908, S2929, S2948-49, S2951**

Adjournment: Senate convened at 10 a.m., and adjourned at 10:33 p.m., until 8:30 a.m., on Thursday, April 2, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record, on pages S3021-22.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—INTERIOR

Committee on Appropriations: Subcommittee on Interior held hearings on proposed budget estimates for fiscal year 1999 for the Department of the Interior, receiving testimony from Bruce Babbitt, Secretary of the Interior.

Subcommittee will meet again on Thursday, April 23.

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee on Defense held hearings on proposed budget estimates for fiscal