

Thursday, May 21, 1998

Daily Digest

HIGHLIGHTS

The House passed H.R. 3616, National Defense Authorization Act for Fiscal Year 1999.

Senate

Chamber Action

Routine Proceedings, pages S5247–S5358

Measures Introduced: Seven bills and three resolutions were introduced, as follows: S. 2105–2111, S. Res. 233–234, and S. Con. Res. 98. **Page S5322**

Measures Reported: Reports were made as follows:

H.R. 1151, to amend the Federal Credit Union Act to clarify existing law and ratify the longstanding policy of the National Credit Union Administration Board with regard to field of membership of Federal credit unions, with an amendment in the nature of a substitute. (S. Rept. No. 105–193)

H.R. 824, to redesignate the Federal building located at 717 Madison Place, NW., in the District of Columbia, as the “Howard T. Markey National Courts Building”.

S. 1298, to designate a Federal building located in Florence, Alabama, as the “Justice John McKinley Federal Building”.

S. 1355, to designate the United States courthouse located in New Haven, Connecticut, as the “Richard C. Lee United States Courthouse”.

S. 1800, to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the “Joseph P. Kinneary United States Courthouse”.

S. 1892, to provide that a person closely related to a judge of a court exercising judicial power under article III of the United States Constitution (other than the Supreme Court) may not be appointed as a judge of the same court, and for other purposes.

S. 1898, to designate the Federal building located at 1301 Clay Street in Oakland, California, as the “Ronald V. Dellums Federal Building”.

S. 2022, to provide for the improvement of interstate criminal justice identification, information, communications, and forensics, with an amendment.

S. 2032, to designate the Federal building in Juneau, Alaska, as the “Hurff A. Saunders Federal Building”.

S. 2073, to authorize appropriations for the National Center for Missing and Exploited Children, with an amendment. **Page S5321**

Measures Passed:

Congressional Adjournment: Senate agreed to S. Con. Res. 98, providing for a conditional adjournment or recess of the Senate and House of Representatives. **Page S5280**

National Emergency Medical Services Memorial Service: Senate agreed to H. Con. Res. 171, declaring the memorial service sponsored by the National Emergency Medical Services (EMS) Memorial Service Board of Directors to honor emergency medical services personnel to be the “National Emergency Medical Services Memorial Service”. **Page S5356**

U.S. Agriculture Import Restrictions: Committee on Finance was discharged from consideration of S. Con. Res. 73, expressing the sense of Congress that the European Union is unfairly restricting the importation of United States agriculture products and the elimination of such restrictions should be a top priority in trade negotiations with the European Union, and the resolution was then agreed to. **Page S5356**

Restitution Subsidies Waiver: Committee on Finance was discharged from consideration of S. Res. 232, to express the sense of the Senate that the European Union should waive the penalty for failure to use restitution subsidies for barley to the United States and ensure that restitution or other subsidies are not used for similar sales in the United States and that the President, the United States Trade Representative, and the Secretary of Agriculture should conduct an investigation of and report on the sale and subsidies, and the resolution was then agreed to. **Pages S5356–57**

Pages S5356–57

Testimony and Document Production Authorization: Senate agreed to S. Res. 233, to authorize testimony and document production and representation of Senate employees in *People v. James Eugene Arenas*.

Page S5357

Honoring Stuart Balderson: Senate agreed to S. Res. 234, to honor Stuart Balderson.

Page S5358

Universal Tobacco Settlement Act: Senate continued consideration of S. 1415, to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, and to redress the adverse health effects of tobacco use, with a modified committee amendment in the nature of a substitute (Amendment No. 2420), taking action on amendments proposed thereto, as follows:

Pages S5247–S5314

Pending:

Gregg/Leahy Amendment No. 2433 (to Amendment No. 2420), to modify the provisions relating to civil liability for tobacco manufacturers. (By 37 yeas to 61 nays, two responding present (Vote No. 145), Senate failed to table the amendment.)

Pages S5248–69, S5280–91

Gregg/Leahy Amendment No. 2434 (to Amendment No. 2420), in the nature of a substitute. (The amendment fell when Amendment No. 2433, listed above, was tabled.)

Pages S5270–80, S5291

Gramm Motion to recommit the bill to the Committee on Finance with instructions to report back forthwith, with Amendment No. 2436, to modify the provisions relating to civil liability for tobacco manufacturers, and to eliminate the marriage penalty reflected in the standard deduction and to ensure the earned income credit takes into account the elimination of such penalty.

Pages S5291–93

Daschle (for Durbin) Amendment No. 2437 (to Amendment No. 2436), relating to reductions in underaged tobacco usage.

Pages S5292–93

Daschle (for Durbin) Amendment No. 2438 (to Amendment No. 2437), of a perfecting nature.

Pages S5292–93

Iran Missile Proliferation Sanctions Act: Pursuant to the order of April 3, 1998, Senate will consider 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, on Friday, May 22, 1998.

Pages S5308–09, S5358

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

Protocol to Extradition Treaty with Mexico (Treaty Doc. 105–46).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Commit-

tee on Foreign Relations and was ordered to be printed.

Page S5357

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

Transmitting, a report concerning the ratification of the Protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic; to the Committee on Foreign Relations. (PM–129).

Page S5317

Transmitting a report concerning the ratification of the Protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic; to the Committee on Foreign Relations. (PM–130).

Pages S5317–18

Transmitting a report concerning the ratification of the Protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic; to the Committee on Foreign Relations. (PM–131).

Page S5318

Transmitting the report of the National Endowment for the Humanities for calendar year 1997; referred to the Committee on Labor and Human Resources. (PM–132).

Page S5318

Nominations Confirmed: Senate confirmed the following nominations:

Fred P. Hochberg, of New York, to be Deputy Administrator of the Small Business Administration.

Jeanne Hurley Simon, of Illinois, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2002.

David R. Oliver, of Idaho, to be Deputy Under Secretary of Defense for Acquisition and Technology.

William James Ivey, of Tennessee, to be Chairperson of the National Endowment for the Arts for a term of four years.

Robert H. Beatty, Jr., of West Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term expiring August 30, 2004.

Thomas Ehrlich, of California, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term of five years.

Dorothy A. Johnson, of Michigan, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term of five years.

William Joseph Burns, of Pennsylvania, to be Ambassador to the Hashemite Kingdom of Jordan.

Ryan Clark Crocker, of Washington, to be Ambassador to the Syrian Arab Republic.

Routine lists in the Foreign Service.

Pages S5269, S5355–56, S5358

Nominations Received: Senate received the following nominations:

Richard M. Berman, of New York, to be United States District Judge for the Southern District of New York.

Donovan W. Frank, of Minnesota, to be United States District Judge for the District of Minnesota.

Colleen McMahan, of New York, to be United States District Judge for the Southern District of New York.

William H. Pauley III, of New York, to be United States District Judge for the Southern District of New York.

Michael S. Dukakis, of Massachusetts, to be a Member of the Reform Board (AMTRAK) for a term of five years.

Sylvia de Leon, of Texas, to be a Member of the Reform Board (AMTRAK) for a term of five years.

Linwood Holton, of Virginia, to be a Member of the Reform Board (AMTRAK) for a term of five years.

Amy M. Rosen, of New Jersey, to be a Member of the Reform Board (AMTRAK) for a term of five years.

John Robert Smith, of Mississippi, to be a Member of the Reform Board (AMTRAK) for a term of five years. (New Position)

Tommy G. Thompson, of Wisconsin, to be a Member of the Reform Board (AMTRAK) for a term of five years. (New Position) Page S5358

Messages From the President: Pages S5317–18

Messages From the House: Page S5318

Measures Referred: Page S5318

Communications: Pages S5318–21

Executive Reports of Committees: Pages S5321–22

Statements on Introduced Bills: Pages S5322–33

Additional Cosponsors: Pages S5333–34

Amendments Submitted: Pages S5334–42

Notices of Hearings: Page S5342

Authority for Committees: Pages S5342–43

Additional Statements: Pages S5343–55

Record Votes: One record vote was taken today. (Total–145) Pages S5290–91

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:10 p.m., until 9:30 a.m., on Friday, May 22, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5358.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 1,086 military nominations in the Army, Navy, Marine Corps, and Air Force.

ALTERNATIVE AND RENEWABLE FUELS

Committee on Energy and Natural Resources: Subcommittee on Energy Research, Development, Production and Regulation concluded hearings on the following bills:

S. 1141, to amend the Energy Policy Act of 1992 to take into account newly developed renewable energy-based fuels and to equalize alternative fuel vehicle acquisition incentives to increase the flexibility of controlled fleet owners and operators, after receiving testimony from Thomas J. Gross, Deputy Assistant Secretary of Energy/Office of Transportation Technologies, Energy Efficiency, and Renewable Energy; Mark Berg, Tripp, South Dakota, on behalf of the American Soybean Association; Gilbert P. Sperling, Natural Gas Vehicle Coalition, Rockville, Maryland; Joe Anderson, Potlatch, Idaho, on behalf of the U.S. Canola Association; Christopher D. Amos, City of St. Louis Board of Public Service/Equipment Services Division, St. Louis, Missouri; and Russell T. Teall, Biodiesel Development Corporation, Marathon Key, Florida; and

S. 1418, to promote the research, identification, assessment, exploration, and development of methane hydrate resources, after receiving testimony from Robert Kripowicz, Principal Deputy Assistant Secretary of Energy/Office of Fossil Energy; Timothy S. Collett, Research Geologist, United States Geological Survey, Department of the Interior; Charles K. Paull, University of North Carolina, Chapel Hill; and Arthur H. Johnson, Chevron USA Production Company, New Orleans, Louisiana, on behalf of Chevron, Natural Gas Supply Association, and the National Ocean Industries Association.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following measures:

S. 1677, to authorize funds through fiscal year 2003 for the North American Wetlands Conservation Act and the Partnerships for Wildlife Act;

S. 2095, to amend and authorize funds through fiscal year 2003 for the National Fish and Wildlife Foundation Establishment Act, with an amendment;

S. 627, to authorize funds for fiscal years 1997 through 2002 for the African Elephant Conservation Act;

H.R. 39, to authorize funds for fiscal years 1997 through 2002 for the African Elephant Conservation Act;

S. 1104, to direct the Secretary of the Interior to make corrections in maps relating to the Coastal Barrier Resources System;

S. 2038, to amend the John F. Kennedy Center Act to authorize funds through fiscal year 2009 for the John F. Kennedy Center for the Performing Arts and to further define the criteria for capital repair and operation and maintenance, with an amendment in the nature of a substitute;

H.R. 824, to redesignate the Federal building located at 717 Madison Place, NW., in the District of Columbia, as the "Howard T. Markey National Courts Building";

S. 1800, to designate the Federal building and United States courthouse located at 85 Marconi Boulevard in Columbus, Ohio, as the "Joseph P. Kinneary United States Courthouse";

S. 1898, to designate the Federal building located at 1301 Clay Street in Oakland, California, as the "Ronald V. Dellums Federal Building";

S. 1355, to designate the United States courthouse located in New Haven, Connecticut, as the "Richard C. Lee United States Courthouse";

S. 1298, to designate a Federal building located in Florence, Alabama, as the "Justice John McKinley Federal Building";

S. 2032, to designate the Federal building in Juneau, Alaska, as the "Hurff A. Saunders Federal Building";

S. 2090, to extend the authority of the Nuclear Regulatory Commission to collect fees through 2003;

S. 1531, to deauthorize certain portions of the project for navigation, Bass Harbor, Maine; and

S. 1532, to amend the Water Resources Development Act of 1996 to deauthorize the remainder of the project at East Boothbay Harbor, Maine.

IRAQ

Committee on Foreign Relations/Committee on Energy and Natural Resources: Committees concluded joint hearings to examine the future and effectiveness of United States policy and sanctions toward Iraq, after receiving testimony from Thomas R. Pickering, Under Secretary of State for Political Affairs; Richard N. Perle, former Assistant Secretary of Defense for International Security; David A. Kay, Science Applications International Corp, McLean, Virginia, former UNSCOM Nuclear Inspector; and Kenneth M. Pol-

lack, Washington Institute for Near East Policy, Washington, D.C.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings on the nomination of Jeffrey Davidow, of Virginia, to be Ambassador to Mexico, after the nominee testified and answered questions in his own behalf.

FOREIGN ICBM AND SATELLITE PROGRAMS

Committee on Governmental Affairs: Subcommittee on International Security, Proliferation and Federal Services held hearings to examine how a foreign country's satellite and Intercontinental Ballistic Missiles (ICBM) programs could benefit from launching United States commercial satellites, and whether the administration's export control policy is adequate to prevent technology transfers that endanger America, focusing on the evolution of U.S. commercial satellite export policies and whether military benefits are derived by China when it launches U.S.-built satellites, receiving testimony from William R. Graham, National Security Research, Inc., Arlington, Virginia; and John Pike, Federation of American Scientists, and William Schneider, Jr., Hudson Institute, both of Washington, D.C.

Hearings were recessed subject to call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

The nominations of William A. Fletcher, of California, to be United States Circuit Judge for the Ninth Circuit, Rosemary S. Pooler and Robert D. Sack, both of New York, each to be United States Circuit Judge for the Second Circuit, Victoria A. Roberts, to be United States District Judge for the Eastern District of Michigan, Richard W. Roberts, to be United States District Judge for the District of Columbia, Ronnie L. White, to be United States District Judge for the Eastern District of Missouri, and Q. Todd Dickinson, of Pennsylvania, to be Deputy Commissioner of Patents and Trademarks, Department of Commerce;

S. 1892, to provide that a person closely related to a judge of a court exercising judicial power under article III of the United States Constitution (other than the Supreme Court) may not be appointed as a judge of the same court;

S. 1301, to amend title 11, United States Code, to provide for consumer bankruptcy protection, with amendments;

S. 2022, to provide for the improvement of interstate criminal justice identification, information,

communications, and forensics, with an amendment; and

S. 2073, to authorize appropriations for the National Center for Missing and Exploited Children, with an amendment.

GENETIC INFORMATION AND HEALTH CARE

Committee on Labor and Human Resources: Committee concluded hearings on proposals to prohibit health care discrimination based on genetic information, including related measures S. 89 and S. 422, after receiving testimony from Senators Domenici and Snowe; Francis S. Collins, Director, National Human Genome Research Institute, National Institutes of Health, Department of Health and Human Services; Colorado Commissioner of Insurance Jack Ehnes, Denver, on behalf of the National Association of Insurance Commissioners; Christine Brunswick, National Breast Cancer Coalition, and Mary Nell Lehnhard, BlueCross BlueShield Association, both of Washington, D.C.; Judith L. Palkovitz, Hadassah, New York, New York; Jodi Klein Rucquoi, Yale University School of Medicine/Department of Genetics, New Haven, Connecticut; and Joanne Denise, Northwestern Mutual, Nashville, Tennessee, on behalf of the National Association of Health Underwriters.

INDIAN HEALTH CARE

Committee on Indian Affairs: Committee concluded oversight hearings to examine the state of Indian health and the availability of resources to meet their health care needs, after receiving testimony from David Satcher, Surgeon General of the United States and Assistant Secretary for Health, and Michael H. Trujillo, Assistant Surgeon General, and Director, Indian Health Service, both of the Department of Health and Human Services; Ralph Forquera, Seattle Indian Health Board, Seattle, Washington; Earl Old Person, Blackfeet Tribal Business Council, Browning, Montana; Julia A. Davis, Northwest Portland Area Indian Health Board, Portland, Oregon; W. Ron Allen, National Congress of American Indians, Craig Winkel, American College of Obstetricians and Gynecologists, Michael E. Bird, American Public Health Association, and Michael R. Sinclair,

Henry J. Kaiser Family Foundation, all of Washington, D.C.; Buford Rolin, National Indian Health Board, Denver, Colorado; Ray Begay, Association of American Indian Physicians, Oklahoma City, Oklahoma; Ron Morton, San Diego American Indian Health Center, and Jane Dumas, both of San Diego, California, on behalf of the National Council of Urban Indian Health; Eugene DeLorme, University of North Dakota School of Medicine and Health Sciences, Grand Forks; Kathryn Manness, Feather River Indian Health Clinic, Oroville, California, on behalf of the National Indian Child Welfare Association; Ronald M. Rowell, National Native American AIDS Prevention Center, Oakland, California; Alvin Windy Boy, Montana-Wyoming Area Indian Health Board, Box Elder, on behalf of the Self-Governance Task Force; Bill Anoatubby, Chickasaw Nation, Ada, Oklahoma; Russell D. Mason, Sr., Three Affiliated Tribes of the Fort Berthold Reservation of North Dakota, New Town; Mary V. Thomas, Gila River Indian Community, Sacaton, Arizona; Daniel Eddy, Jr., Colorado River Indian Tribes, Parker, Arizona; Sandra Ninham, Oneida Tribe of Indians of Wisconsin, Oneida; Joseph C. Saulque, Advisory Council on California Indian Policy, Sacramento; Margaret Terrance, St. Regis Mohawk Tribe Health Services, Hogansburg, New York; Genevieve Jackson, Navajo Nation Council, Window Rock, Arizona; Joann Bodurtha, Virginia Commonwealth University, Richmond, on behalf of the American Academy of Pediatrics; Murray D. Sykes, Silver Spring, Maryland, on behalf of the American Dental Association; Arthur McDonald, Morningstar Memorial Foundation, Lame Deer, Montana, on behalf of the American Psychological Association; Thurman Johnson, Shiprock, New Mexico; Gloria Harrison, Red Valley, Arizona; Jessie Rae Taken Alive, McLaughlin, South Dakota; and George Pickup, Kansas, Oklahoma.

NOMINATION

Select Committee on Intelligence: Committee concluded hearings on the nomination of Joan Avalyn Dempsey, of Virginia, to be Deputy Director of Central Intelligence for Community Management, after the nominee testified and answered questions in her own behalf.

House of Representatives

Chamber Action

Bills Introduced: 18 public bills, H.R. 3925–3942; 2 private bills, H.R. 3943–3944; and 5 resolutions, H. Con. Res. 279–280, and H. Res. 443–444, 447, were introduced. **Pages H3742–43**

Reports Filed: Reports were filed as follows:

H.R. 1690, to amend title 28 of the United States Code regarding enforcement of child custody orders (H. Rept. 105–546);

H. Res. 445, waiving a requirement of clause 4(b), rule XI with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 105–547); and

H. Res. 446, disposing of the conference report to accompany S. 1150, to ensure that federally funded agricultural research, extension, and education address high-priority concerns with national or multistate significance, to reform, extend, and eliminate certain agricultural research programs (H. Rept. 105–548). **Page H3742**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Bonilla to act as Speaker pro tempore for today. **Page H3627**

Guest Chaplain: The prayer was offered by the guest Chaplain, Rabbi Moshe Bomzer of Albany, New York. **Page H3627**

Journal: The House agreed to the Speaker's approval of the Journal of Wednesday, May 20 by yeas and nays vote of 339 yeas to 58 nays with 2 voting "present", Roll No. 175. **Pages H3627–28**

Member Sworn: Representative-elect Robert A. Brady presented himself in the well of the House and was administered the oath of office by the Speaker. **Page H3628**

President's Assertions of Executive Privilege: The House agreed to H. Res. 432, expressing the sense of the House of Representatives concerning the President's assertions of executive privilege by yeas and nays vote of 259 yeas to 157 nays with 6 voting "present", Roll No. 176. **Pages H3640–46**

Cooperation with Congressional Investigations: The House agreed to H. Res. 433, calling upon the President of the United States to urge full cooperation by his former political appointees and friends and their associates with congressional investigations by yeas and nays vote of 342 yeas to 69 nays with 12 voting "present", Roll No. 177. **Pages H3646–66**

H. Res. 436, the rule that provided for consideration of both H. Res. 432 and H. Res. 433 was agreed to earlier by a voice vote. **Pages H3634–40**

Presidential Messages: Read the following messages from the President:

NATO Expansion: Message wherein he transmitted his certification that each of the governments of Poland, Hungary, and the Czech Republic are fully cooperating with U.S. efforts to obtain an accounting of captured and missing U.S. personnel from past military conflicts or Cold War incidents—referred to the Committee on International Relations and ordered printed (H. Doc. 105–256). **Page H3666**

National Endowment for the Humanities: Message wherein he transmitted the 32nd annual report of the National Endowment for the Humanities—referred to the Committee on Education and the Workforce. **Page H3733**

DOD Authorization: The House passed H.R. 3616, to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1999 by a recorded vote of 357 yeas to 60 noes, Roll No. 183. Agreed to amend the title. (The House completed general debate on May 19 and began consideration of amendments on May 20). **Pages H3666–H3715**

Rejected the Frank of Massachusetts motion to recommit the bill to the Committee on National Security with instructions to report it back forthwith with an amendment that prohibits funding after December 31, 1998 for the deployment of U.S. Armed Forces to the Republic of Bosnia and Herzegovina unless a law has been enacted that explicitly authorizes the deployment by a recorded vote of 167 yeas to 251 noes, Roll No. 182. **Pages H3712–14**

Agreed To:

The Spence en bloc amendment consisting of H. Rept. 105–544 Part D amendments numbered 1 through 18, 21 through 38 and an amendment deemed printed by an order of the House on May 20: that clarifies limits State authority to tax compensation paid to certain individuals performing service in Ft. Campbell, Kentucky; seeks to enhance outdoor recreation development on military installations for disabled veterans, military dependents with disabilities, and other persons with disabilities; within 6 months of enactment requires certification and description of the system used to recover from commercial carriers the costs incurred by the Department; revises the time for submitting the annual report relating to the Buy American Act from 90 days

to 60 days; requires that all burial flags be wholly produced in the United States; transfers the title of the Youngstown Navy and Marine Corps Reserve facility to the city of Youngstown, Ohio; requires a DOD Inspector General investigation of actions relating to the 174th Fighter Wing of the New York Air National Guard; limits NATO expansion payments to \$2 billion or 10 percent of the total cost, whichever is less over the next thirteen years; requires that military physicians possess unrestricted licenses and establishes a mechanism for ensuring the completion of continuing medical education requirements; reduces the retirement pay for enlisted members who are reduced in grade before retirement; prohibits the use of tritium produced in facilities licensed under the Atomic Energy Act for nuclear explosive purposes; requires a proposal by November 1, 1998 to establish an appeals process in cases of ClaimCheck denials of claims for health care services submitted by civilian providers; requires, in conjunction with the National Academy of Sciences, a study on the technology base of the Department of Defense; encourages existing cooperative working relationships between the Air Force Flight Test Center and the NASA Dryden Flight Research Center at Edwards Air Force Base and requires a joint report concerning the base alliance; makes the export of U.S. satellites subject to the licensing requirements established by the Arms Export Control Act; requires reports from the Arms Control and Disarmament Agency or State Department on arms control developments including information on the activities of various arms control treaty compliance forums; requires a schedule for implementation of best commercial inventory practices for the management of secondary supply items; requires the Secretary Of Commerce to release within 5 days to the CIA, DOD, or Energy Department any information relating to exports carried out with or without an export license; expresses the sense of Congress concerning the inability of members of the armed forces away from their main residence on active duty to exercise the capital gains relief for homeowners as provided in the 1997 Taxpayer Relief Act; adds Indigenous groups, such as the Hmong, Nung, Montagnard, Kahmer, HoaHao, and CaoDai combat forces, to the list of those who made contributions during the Vietnam conflict; protects funding for the two national launch ranges in California and Florida which support DOD and NASA space launch activities; expresses the sense of Congress regarding the establishment of a counter drug center in Panama; establishes an Office of River Protection and directs Hanford tank cleanup program reforms; allows a partnership arrangement to operate a hazardous materials management and emergency response training program;

requires an annual report on private sector employees who provide services under contract for the Department of Defense; authorizes hardship duty pay on the basis of the nature of the duty rather than the location of the duty; expresses the sense of Congress concerning the New Parent Support Program and Military Families and requires a report on it; authorizes funding for the DOD portion of the Multi-Agency Next Generation Internet Program and specifies that it may only be authorized through the Defense authorization bill; establishes the Defense Against Weapons of Mass Destruction title to encourage better coordination and improve capabilities to respond to incidents involving weapons of mass destruction; expresses the sense of Congress that the President should direct the Secretaries of Defense, State, Energy, and the Administrator of EPA to assess the feasibility of a privately funded international project to exchange information related to advanced nuclear waste remediation technologies; requires the restructuring of Theater High-Altitude Area Defense System acquisition strategy; requires that the authority to issue an objection concerning the export of supercomputers be executed at a specified level and requires that procedures maximize the ability to issue an objection with the 10 day time limit; increases the amount authorized for basic research and applied research by \$1.1 billion; transfers oversight of the program for assessment of alternative technologies for demilitarization of assembled chemical weapons to the Army and authorizes \$12.6 million for the program; authorizes the conveyance of property at Fort Sheridan, Illinois to the City of Lake Forest, Illinois; requires a report on the rates of personnel retention by military services since 1989; and specifies requirements for the transfer of excess UH-1 Huey helicopters and AH-1 Cobra helicopters to foreign countries;

Pages H3666-84

The Thornberry amendment that authorizes DOD to conduct a demonstration program for enrolling Medicare-eligible military retirees in the Federal Employees Health Benefits Program (agreed to by a recorded vote of 420 ayes to 1 noes with 1 voting "present;")

Pages H3684-94

The Traficant amendment that authorizes the Secretary of Defense to assign members of the Armed Forces, under certain circumstances and subject to certain conditions, to assist the Immigration and Naturalization Service and the Customs Service in monitoring and patrolling our borders (agreed to by a recorded vote of 288 ayes to 132 noes, Roll No. 180);

Pages H3695-H3705

The Gilman amendment that establishes reporting requirements for nuclear exports that are comparable to those in existing law for conventional arms; requires the Executive branch to submit to Congress

a report describing each such export and the basis for approval; provides for Congress to have 30 days to review the proposed license and use expedited procedures to enact a resolution of disapproval if necessary (agreed to by a recorded vote of 405 ayes to 9 noes, Roll No.181); **Pages H3705-07, H3710-11**

The Hunter amendment, as modified, that requires a study to assess the impact of the current micropurchase program and the advisability of increasing the purchase threshold; **Pages H3707-09**

The Taylor of Mississippi amendment that requires the Secretary of Defense to expand its drug testing program to all civilian employees; and

Pages H3709-10

The Thomas amendment that provides for treatment of the State of California claim regarding the naval petroleum reserve numbered 1 and makes available amounts in the contingent fund for paying the claim. **Page H3710**

Rejected the Reyes amendment to the Traficant amendment that sought to require the Attorney General or the Secretary of the Treasury to submit a request to the Secretary of Defense prior to the assignment of armed forces personnel to assist the Immigration and Naturalization Service and Customs Service (rejected by a recorded vote of 179 ayes to 243 noes, Roll No. 179). **Pages H3702-05**

Rejected the Frank of Massachusetts motion to strike all after the enacting clause. **Pages H3694-95**

The Clerk was authorized in the engrossment of H.R. 3616 to correct section numbers, punctuation, cross references, table of contents, and to make other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill. **Page H3715**

H. Res. 441, the rule that is providing for the further consideration on the bill, was agreed to on May 20. Agreed today that during further consideration of the bill pursuant to the rule, the Thomas amendment be deemed to have been included as the last amendment printed in part D of H. Rept. 105-544, the report accompanying the rule.

Pages H3495-H3505, H3666

BESTEAMotion to Instruct Conferees: Rejected the Minge motion to instruct House conferees on H.R. 2400, Building Efficient Surface Transportation and Equity Act, to ensure that spending for highways and transit programs authorized in the conference agreement on H.R. 2400 is fully paid for using estimates of the Congressional Budget Office, to reject the use of estimates from any other source, to reject any method of budgeting that departs from the budget enforcement principles currently in effect, or the use of the budget surplus to pay for spending on highways or transit programs by a re-

corded vote of 156 ayes to 251 noes with 2 voting "present", Roll No. 185. **Pages H3715-19, H3722**

BESTEAMotion to Instruct Conferees: Rejected the Obey motion to instruct House conferees on H.R. 2400, Building Efficient Surface Transportation and Equity Act, to limit the aggregate number of earmarked highway demonstration projects included in the conference report on H.R. 2400 to a number that does not exceed the aggregate number of such highway demonstration projects earmarked during the 42 years since the enactment of the Highway Trust Fund in 1956 by a yea and nay vote of 77 yeas to 332 nays with 1 voting "present", Roll No. 184. **Pages H3719-22**

Campaign Finance Reform: The House agreed to H. Res. 442, the rule that is providing for consideration of H.J. Res. 119, proposing an amendment to the Constitution of the United States to limit campaign spending, and H.R. 2183, to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office. Agreed to order the previous question by a yea and nay vote of 208 yeas to 190 nays, Roll No. 186. **Pages H3722-33**

Recess: The House recessed at 11:59 p.m. and reconvened at 12:15 a.m. on Friday, May 22.

Page H3739

Senate Messages: Messages received from the Senate today appear on pages H3628 and H3690.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H3744-55.

Quorum Calls—Votes: Five yea and nay votes and seven recorded votes developed during the proceedings of the House today and appear on pages H3627-28, H3646, H3665-66, H3694, H3704-05, H3705, H3710-11, H3714, H3714-15, H3721-22, H3722, and H3732-33. There were no quorum calls.

Adjournment: Met at 10:00 a.m. and adjourned at 12:17 a.m. on Friday, May 22.

Committee Meetings

U.S. AGRICULTURE, ASIAN FINANCIAL CRISIS AND THE IMF

Committee on Agriculture: Held a hearing to review U.S. Agriculture, the Asian Financial Crisis, and the International Monetary Fund. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System; Robert E. Rubin, Secretary of the Treasury; and Dan Glickman, Secretary of Agriculture.

ELECTRONIC COMMERCE

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on Electronic Commerce: Doing Business On-Line. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth and Families approved for full Committee action the following measures: H. Res. 401, amended, expressing the sense of the House of Representatives that social promotion in America's schools should be ended and can be ended through the use of high-quality, proven programs and practices; H. Res. 399, amended, urging the Congress and the President to work to fully fund the Federal Government's obligation under the Individuals with Disabilities Education Act; H.R. 3254, IDEA Technical Amendments Act of 1998; H.R. 3871, amended, to amend the National School Lunch Act to provide children with increased access to food and nutrition assistance during the summer months; H.R. 3874, WIC Reauthorization Amendments of 1998; and H.R. 3892, to amend the Elementary and Secondary Act of 1965 to establish a program to help children and youth learn English.

MISCELLANEOUS MEASURES; COMMITTEE BUSINESS; RELEASING DEPOSITIONS

Committee on Government Reform and Oversight: Ordered reported the following bills: H.R. 3630, amended, to redesignate the facility of the United States Postal Service located at 9719 Candelaria Road, NE, in Albuquerque, New Mexico, as the "Steven Schiff Post Office"; H.R. 3808, amended, to designate the United States Post Office located at 47526 Clipper Drive in Plymouth, Michigan, as the "Carl D. Pursell Post Office"; H.R. 2798, to redesignate the building of the United States Postal Service located at 2419 West Monroe Street, in Chicago, Illinois, as the "Nancy B. Jefferson Post Office Building"; H.R. 2799, to redesignate the building of the United States Postal Service located at 324 South Laramie Street, in Chicago, Illinois, as the "Reverend Milton R. Brunson Post Office Building"; H.R. 1704, amended, Congressional Office of Regulatory Analysis Creation Act.

The Committee also approved the following: pending Committee business; and the release of 14 depositions regarding the campaign finance investigation.

2000 CENSUS OVERSIGHT

Committee on Government Reform and Oversight: Subcommittee on Census held a hearing on Oversight of

the 2000 Census: Reviewing the Long and Short Form Questionnaires. Testimony was heard from Representatives Morella and Canady; and public witnesses.

ASIAN FINANCIAL CRISIS—TAIWAN'S POSITIVE ROLE

Committee on International Relations: Subcommittee on Asia and the Pacific approved for full Committee action amended H. Con. Res. 270, acknowledging the positive role of Taiwan in the current Asian financial crisis and affirming the support of the American people for peace and stability on the Taiwan Strait and security for Taiwan's democracy.

INTELLECTUAL PROPERTY RIGHTS

Committee on International Relations: Subcommittee on International Economic Policy and Trade held a hearing on Intellectual Property Rights: the Music and Film. Testimony was heard from Bruce Lehman, Assistant Secretary and Commissioner of Patents and Trademarks, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Held a hearing on the following bills: H.R. 2448, to provide protection from personal intrusion; and H.R. 3224, Privacy Protection Act of 1998. Testimony was heard from public witnesses.

CHILD CUSTODY PROTECTION ACT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 3682, Child Custody Protection Act. Testimony was heard from Representatives Ros-Lehtinen, Oberstar and Smith of New Jersey; Robert Graci, Assistant Executive Deputy Attorney General, Law and Appeals, Criminal Law Division, Office of the Attorney General, State of Pennsylvania; and public witnesses.

TRADEMARK LEGISLATION; OVERSIGHT—TRADEMARK PROTECTION

Committee on the Judiciary: Subcommittee on Courts and Intellectual Property on the following bills: H.R. 3891, Trademark Anticounterfeiting Act of 1998; and H.R. 3119, to amend the Trademark Act of 1946 with respect to the dilution of famous marks and an oversight hearing on issues in trademark protection and the impact of regulatory delay on patents. Testimony was heard from Representative Blunt; and public witnesses.

SUBPOENAS; OVERSIGHT—INS RESTRUCTURE PROPOSALS

Committee on the Judiciary: Subcommittee on Immigration and Claims approved the issuance of subpoenas regarding the investigation of the death of Esequiel Hernandez, Jr.

The Subcommittee also held an oversight hearing on Alternative Proposals to Restructure the Immigration and Naturalization Service. Testimony was heard from Representatives Rogers and Reyes; Doris Meissner, Commissioner, Immigration and Naturalization Service, Department of Justice; and public witnesses.

ROYALTY ENHANCEMENT ACT

Committee on Resources: Subcommittee on Energy and Mineral Resources continues hearings on H.R. 3334, Royalty Enhancement Act of 1998, (Part II). Testimony was heard from Cynthia Quarterman, Director, Minerals Management Service, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks and Public Lands approved for full Committee action the following measures: H.J. Res. 113, amended, approving the location of a Martin Luther King, Jr. Memorial in the Nation's Capitol; H.R. 1042, amended, to amend the Illinois and Michigan Canal Heritage Corridor Act of 1984 to extend the Illinois and Michigan Canal Heritage Corridor Commission; H.R. 1894, to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission for 10 additional years; H.R. 2223, amended, Education Land Grant Act; H.R. 2776, to amend the Act entitled "An Act to provide for the establishment of the Morristown National Historical Park in the State of New Jersey, and for other purposes" to authorize the acquisition of property known as the Warren property; H.R. 2993, amended, to provide for the collection of fees for the making of motion pictures, television productions, and sound tracks in National Park System and National Wildlife Refuge System units; and H.R. 3047, amended, to authorize expansion of Fort Davis National Historic Site in Fort Davis, Texas, by 16 acres.

CONFERENCE REPORT ON AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998

Committee on Rules: Granted, by vote of 7 to 4, a rule waiving all points of order against the conference report [except those arising under clause 3 of rule XXVIII (pertaining to the scope of the conference) and predicated on provisions in subtitle A of title V (relating to the Food Stamp Program)] on S. 1150,

Agricultural Research, Extension, and Education Reform Act of 1998, and against its consideration except those arising under section 425 of the Congressional Budget Act (relating to Unfunded Mandates)]. The rule also provides that if a point of order against the conference report is sustained for failure to comply with clause 3 or rule XXVIII the conference report shall be considered as rejected and the pending question shall be whether the House shall recede from its amendment and agree to an amendment to the Senate bill consisting of the text of the conference report as modified. Testimony was heard from Chairman Smith of Oregon, and Representatives Smith of Texas and Stenholm.

EXPEDITED PROCEDURES—SAME DAY CONSIDERATION OF RULE

Committee on Rules: Granted, by voice vote, a rule waiving clause 4(b) of rule XI (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The waiver applies to a special rule reported on May 22, 1998, providing for consideration or disposition of H.R. 2400, BESTEA, an amendment thereto, a conference report thereon, or an amendment reported in disagreement from a conference thereon.

DOE LABS—EXTERNAL REGULATION

Committee on Science: Subcommittee on Basic Research and the Subcommittee on Energy and Environment held a joint oversight hearing on External Regulation of DOE Labs: Status of OSHA and NRC Pilot Programs. Testimony was heard from Elizabeth Moler, Deputy Secretary, Department of Energy; Shirley A. Jackson, Chairman, NRC; Charles N. Jeffress, Assistant Secretary, Occupational Safety and Health, Department of Labor; and Victor S. Rezendes, Director, Energy, Natural Resources, and Science Issues, Resources, Community, and Economic Development Division, GAO.

OVERSIGHT—ASTEROIDS

Committee on Science: Subcommittee on Space and Aeronautics held an oversight hearing on Asteroids: Perils and Opportunities. Testimony was heard from Carl Pilcher, Science Director, Solar System Exploration, NASA; Gregory Canavan, Senior Scientist, Los Alamos National Laboratory; and public witnesses.

ENTREPRENEURIAL EDUCATION

Committee on Small Business: Subcommittee on Empowerment held a hearing on entrepreneurial education. Testimony was heard from public witnesses.

FUTURE OF SOCIAL SECURITY

Committee on Ways and Means: Subcommittee on Social Security continued hearings on the Future of Social Security for this Generation and the Next, with emphasis on proposals affecting Federal, State, and Local Government Employees. Testimony was heard from Representatives Jefferson and Frank of Massachusetts; Cynthia Fagnoni, Director, Income Security Issues, Health, Education, and Human Services Division, GAO; Geoffrey Kollmann, Specialist in Social Legislation, Education and Public Welfare Division, Congressional Research Service, Library of Congress; and public witnesses.

BILL VETOED

S. 1502, the "District of Columbia Student Opportunity Scholarship Act". Vetoed May 20, 1998.

**COMMITTEE MEETINGS FOR FRIDAY,
MAY 22, 1998**

Senate

No meetings are scheduled.

House

Committee on Rules, to consider H.R. 3433, Ticket to Work and Self-Sufficiency Act of 1998, 9:30 a.m., H-313 Capitol.

Next Meeting of the SENATE

9:30 a.m., Friday, May 22

Senate Chamber

Program for Friday: After the transaction of any morning business (not to extend beyond 10:30 a.m.), Senate will consider H.R. 2709, Iran Missile Proliferation Sanctions Act.

Senate may also consider the conference report on H.R. 2400, Intermodal Surface Transportation Act (ISTEA).

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, May 22

House Chamber

Program for Friday: Consideration of Conference Report on S. 1150, Agricultural Research, Extension, and Education Reform Act (subject to a rule);

Consideration of H.R. 2183, Bipartisan Campaign Integrity Act of 1997 (Two Hours of General Debate); and

Consideration of H.R. 2400, Building Efficient Surface Transportation and Equity Act Conference Report (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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