

Tribal Governments; Marc Nicole; and Impact on the Private Sector: Ralph Smith.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis. •

#### RIVER AND HARBOR ACT DEAUTHORIZATION

Mr. McCAIN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No 391, S. 1531.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will report the bill. The bill clerk read as follows:

A bill (S. 1531) to deauthorize certain portions of the project for navigation, Bass Harbor, Maine.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

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

Mr. McCAIN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (S. 1531) was considered read a third time and passed, as follows:

S. 1531

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

#### SECTION 1. BASS HARBOR, MAINE.

(a) DEAUTHORIZATION.—The portions of the project for navigation, Bass Harbor, Maine, authorized on May 7, 1962, under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), that are described in subsection (b) are not authorized after the date of enactment of this Act.

(b) DESCRIPTION.—The portions of the project referred to in subsection (a) are described as follows:

(1) Beginning at a bend in the project, N149040.00, E538505.00, thence running easterly about 50.00 feet along the northern limit of the project to a point N149061.55, E538550.11, thence running southerly about 642.08 feet to a point, N148477.64, E538817.18, thence running southwesterly about 156.27 feet to a point on the westerly limit of the project, N148348.50, E538737.02, thence running northerly about 149.00 feet along the westerly limit of the project to a bend in the project, N148489.22, E538768.09, thence running northwesterly about 610.39 feet along the westerly limit of the project to the point of origin.

(2) Beginning at a point on the westerly limit of the project, N148118.55, E538689.05, thence running southeasterly about 91.92 feet to a point, N148041.43, E538739.07, thence running southerly about 65.00 feet to a point, N147977.86, E538725.51, thence running southwesterly about 91.92 feet to a point on the westerly limit of the project, N147927.84, E538648.39, thence running northerly about 195.00 feet along the westerly limit of the project to the point of origin.

#### WATER RESOURCES DEVELOPMENT ACT DEAUTHORIZATIONS

Mr. McCAIN. Mr. President, I ask unanimous consent that the Senate

now proceed to the consideration of calendar No. 392, S. 1532.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

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

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

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

Mr. McCAIN. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (S. 1532) was considered read a third time and passed, as follows:

S. 1532

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

#### SECTION 1. DEAUTHORIZATION OF REMAINDER OF PROJECT AT EAST BOOTHBAY HARBOR, MAINE.

Section 364 of the Water Resources Development Act of 1996 (110 Stat. 3731) is amended by striking paragraph (9) and inserting the following:

“(9) EAST BOOTHBAY HARBOR, MAINE.—The project for navigation, East Boothbay Harbor, Maine, authorized by the first section of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved June 25, 1910 (36 Stat. 657).”.

Ms. SNOWE. Mr. President, I rise today to thank my colleagues for their support of my legislation, S. 1531 and S. 1532, introduced on behalf of the towns of Tremont and East Boothbay, Maine. S. 1531 deauthorizes certain portions of the navigational project for Bass Harbor, and S. 1532 deauthorizes the final portions of East Boothbay Harbor.

Bass Harbor has the greatest concentration of fishing boats on Mt. Desert Island and all mooring spaces are currently full, with a long waiting list to obtain future moorings. When the townspeople approached the U.S. Army Corps of Engineers to obtain a permit for expansion, they were told that no improvements could be made until the federal project area boundary was moved to the proper location by legislative action. I was happy to do this on their behalf. The Selectmen, Town Manager, and Harbor Committee will now be working with the Corps and the State in anticipation of having the harbor dredged, which last occurred in 1966, so that they may make space available for more and larger boats.

S. 1532 deauthorizes the remainder of the federal navigational project at Boothbay Harbor. The current marina owners purchased the former ship-building yard in East Boothbay in 1993 and have since turned it into a full

service marina. In the process of getting all the permits together for further economic development, the marina discovered that parts of the harbor, while no longer used as such, were still deemed a federal navigation project created back in 1913, when mine sweepers and other ships were being built there for World War I. Because part of the federal navigation project is still considered active, the Corps told the town that nothing could be done in the water until the entire area was deauthorized. My bill takes care of this final deauthorization, the rest of which was accomplished in the last reauthorization of Water Resources Development Act, but the coordinates were ultimately found to be inaccurate. This legislation, with the assistance of the Corps, addresses that small section still requiring deauthorization.

I am especially pleased for the towns of Tremont and East Boothbay, with whom I have worked in the long deauthorization process, so as to allow them to continue with much needed harbor development. I want to thank Senator CHAFFEE and his Environment and Public Works Committee for moving these bills out of committee and to the Senate floor. When passed by the House and signed into law, the bills will allow the towns to get on with much needed economic development in their harbors.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCAIN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 643, 644, and 645. I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

Mr. President, for the benefit of colleagues, those executive calendar items, Nos. 643, 644, and 645, those nominations are Joseph Westphal, Assistant Secretary of the Army; Mahlon Apgar, IV, Assistant Secretary of the Army; and Hans Mark, Director of Defense Research and Engineering.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### DEPARTMENT OF DEFENSE

Joseph W. Westphal, of Virginia, to be an Assistant Secretary of the Army.

Mahlon Apgar, IV, of Maryland, to be an Assistant Secretary of the Army.

Hans Mark, of Texas, to be Director of Defense Research and Engineering.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

## REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 105-49

Mr. MCCAIN. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on June 9, 1998 by the President of the United States: Inter-American Convention Against Illicit Manufacturing and Trafficking of Firearms, Ammunition, Explosives, and Other Related Materials (Treaty Document No. 105-49); I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (the "Convention"), adopted at the Special Session of the General Assembly of the Organization of American States (OAS) at Washington on November 13, 1997. The Convention was signed by the United States and 28 other OAS Member States on November 14, 1997, at the OAS Headquarters in Washington. So far, 31 States have signed the Convention and one (Belize) has ratified it. In addition, for the information of the Senate, I transmit the report of the Department of State with respect to the Convention.

The Convention is the first multilateral treaty of its kind in the world. The provisions of the Convention are explained in the accompanying report of the Department of State. The Convention should be an effective tool to assist in the hemispheric effort to combat the illicit manufacturing and trafficking in firearms, ammunition, explosives, and other related materials, and could also enhance the law enforcement efforts of the States Parties in other areas, given the links that often exist between those offenses and organized criminal activity, such as drug trafficking and terrorism.

The Convention provides for a broad range of cooperation, including extradition, mutual legal assistance, technical assistance, and exchanges of information, experiences, and training, in relation to the offenses covered under the treaty. The Convention also imposes on the Parties an obligation to criminalize the offenses set forth in the treaty if they have not already done so. The Convention will not require implementing legislation for the United States.

This treaty would advance important U.S. Government interests, and would

enhance hemispheric security by obstructing the illicit flow of weapons to criminals such as terrorists and drug traffickers. In addition, ratification of this Convention by the United States would be consistent with, and give impetus to, the active work being done by the United States Government on this subject in other fora, such as the United Nations, the P-8 Group, and the OAS Inter-American Drug Abuse Control Commission (CICAD).

I recommend that the Senate give early and favorable consideration to the Convention, and that it give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 9, 1998.

## ORDERS FOR WEDNESDAY, JUNE 10, 1998

Mr. MCCAIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. on Wednesday, June 10th. I further ask that on Wednesday, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then resume consideration of S. 1415, the tobacco bill.

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

Mr. MCCAIN. I further ask unanimous consent that the cloture vote occur immediately upon convening, and the mandatory quorum under rule XXII be waived.

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

## PROGRAM

Mr. MCCAIN. Mr. President, for the information of all Senators, tomorrow there will be a joint meeting in the House Chamber to hear an address by the President of South Korea. Senators are asked to be in the Senate Chamber by 9:40 a.m. in order to proceed as a body to the Hall of the House of Representatives to hear the address.

The Senate will then convene at 11 a.m. and immediately proceed to the second attempt to invoke cloture on the pending tobacco bill. Assuming cloture is not invoked, it will be the leader's intention to try to reach an agreement similar to the agreement reached today with respect to the drug issue, which will call for two votes on the marriage penalty issue, at 1 p.m. or 2 p.m. on Wednesday.

Therefore, votes will occur during Wednesday's session of the Senate, with the first vote being the second attempt to invoke cloture on the tobacco bill.

## ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MCCAIN. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:10 p.m., adjourned until Wednesday, June 10, 1998, at 11 a.m.

## NOMINATIONS

Executive nominations received by the Senate June 9, 1998:

## DEPARTMENT OF HOUSING OF URBAN DEVELOPMENT

WILLIAM C. APGAR, JR., OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE NICOLAS R. RETSINAS, RESIGNED.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

MICHAEL H. TRUJILLO, OF NEW MEXICO, TO BE DIRECTOR OF THE INDIAN HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE AS DEAN OF FACULTY, UNITED STATES AIR FORCE ACADEMY, A POSITION ESTABLISHED UNDER TITLE 10, UNITED STATES CODE, SECTION 9335, AND FOR APPOINTMENT TO THE GRADE INDICATED IN ACCORDANCE WITH ARTICLE II, SECTION 2 OF THE CONSTITUTION OF THE UNITED STATES:

*To be brigadier general*

COL. DAVID A. WAGIE, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10 U.S.C., SECTION 12203:

*To be brigadier general*

COL. GEORGE W. KEEFE, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. KENNETH W. FESS, 0000.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10 U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. RICHARD C. COSGRAVE, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. THOMAS J. KECK, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MARVIN R. ESMOND, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. RICHARD B. MYERS, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. PATRICK K. GAMBLE, 0000.

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be brigadier general*

COL. RICHARD S. COLT, 0000.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

KEITH B. ALEXANDER, 0000  
DORIAN T. ANDERSON, 0000  
ELDON A. BARGEWELL, 0000  
DAVID W. BARNO, 0000  
WILLIAM H. BRANDENBURG, 0000