

Parker was confirmed to the U.S. Court of Appeals for the Second Circuit last year and Judge Billings assumed senior status. Vermont has been without its complement of two U.S. District Court judges. Vermont deserves to have its Federal judges considered, confirmed and in place ready to rule on important matters.

I thank the President for nominating Bill Sessions and thank my colleagues for expediting his confirmation. I commend them all for recognizing the merit of this extraordinary nominee.

#### NOMINATION OF JILL L. LONG

Mr. LUGAR. Mr. President, I strongly support the nomination of Jill Long to be the Under Secretary of Agriculture for Rural Economic and Community Development. As chairman of the Committee on Agriculture, Nutrition, and Forestry, I successfully urged my colleagues on that committee to support my fellow Hoosier for this key position. The committee approved her nomination by a unanimous voice vote on August 9.

Many Senators have worked with Jill as a respected and valued colleague on the House Agriculture Committee. She served on that committee with distinction from the time of her election to Congress in 1989.

Jill Long was raised on a grain and dairy farm in Whitley County, Indiana. Her active involvement in helping to manage the farm continued through the difficult period of the 1980s.

At the same time, she began her public service in 1983 on the Valparaiso City Council. She has a distinguished teaching career at Valparaiso University, Indiana University-Purdue University at Fort Wayne, and Indiana University in Bloomington.

The nominee has had a long interest in rural development issues. During her chairmanship of the Congressional Rural Caucus, that group's membership more than doubled. She has a reputation for approaching issues thoughtfully and with common sense.

Although we are of different parties, we have often worked together in a bipartisan way on issues that affected our State. Last year, we joined in promoting legislation to roll back unnecessary and intrusive federal environmental regulations that, in effect, treated soybean oil as the equivalent of toxic petroleum oil.

The agencies and programs Ms. Long will oversee are important to rural America's future. We must consolidate an array of existing programs into a more coherent economic development effort. The Agriculture Committee voted to do precisely that when it approved a rural development title for the 1995 farm bill last month.

The nominee will need both creativity and perseverance to manage effectively her substantial portfolio at USDA. She will need to set priorities and identify opportunities. She must decisively correct problems and insist on efficient management. She will need to provide focus to a part of USDA that

is very important—but suffers from a lack of clear direction.

I believe Jill Long is well qualified for the position to which she has been nominated. She acquitted herself ably during her confirmation hearing, and I urge Senators to vote in favor of her nomination.

#### LEGISLATIVE SESSION

Mr. DOLE. Mr. President, are we back to legislative session?

The PRESIDING OFFICER. The Senate is back in legislative session.

#### ORDERS FOR TUESDAY, SEPTEMBER 5, 1995

Mr. DOLE. I ask unanimous consent that the Senate reconvene on Tuesday, September 5, at 10 a.m., and that following the prayer the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have been expired, the time for the two leaders be reserved for their use later in the day, and the Senate immediately resume consideration of S. 1026, the DOD authorization bill, under the previous consent agreement.

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

#### PROGRAM

Mr. DOLE. Mr. President, for the information of all Senators, at 10 a.m. on Tuesday, the Senate will resume consideration of S. 1026, the DOD authorization bill, with 24 amendments in order. Senators who have amendments are expected to be present to offer and dispose of their amendments. Under a previous consent, a rollcall vote will occur on passage of the DOD appropriations bill on Tuesday, September 5, 1995, which will be the first rollcall vote of the day.

Senators should also be on notice the Senate will remain in session on Tuesday until the DOD authorization bill will be completed. Therefore, a late session can be anticipated.

Also, following the DOD authorization bill, on Wednesday, the Senate will resume consideration of the so-called welfare bill, the Work Opportunity Act of 1995. Therefore, late sessions and votes can be expected throughout the first week after the August recess. I think I can add throughout the month of September.

#### BLOCKING OF WTO

Mr. DOLE. Mr. President, while we are waiting, I would just say I regret the Senator from West Virginia, Senator BYRD, without any notification to me, has chosen to block the WTO legislation, on which I have worked with the administration, which I was promised by the administration if I would support GATT. It was part of the agree-

ment in an effort to gain my support. I kept my word and did, for the President of the United States and, more importantly, for the country.

I was advised, after being told today by the chairman of the Finance Committee that the WTO legislation had been cleared, late this afternoon the Senator from West Virginia, Senator BYRD, as he has a right to do, would not permit it to go forward. At that point, the leader had either the choice to block all the nominees or to do what I have just done. It is unfair to the families to have another 3 or 4 weeks' wait because of an unexpected hold put on legislation, which had been cleared by the committee of jurisdiction, cleared by the minority leader, cleared by the administration, and blocked by someone who I have tried to accommodate at every turn in this Chamber, the Senator from West Virginia, Senator BYRD. That certainly is not right.

I must say, this legislation was very important to me and will remain very important to me. I am disappointed that he chose not to even contact me before taking this action. Now the Senator from North Carolina is here so we can do some treaties.

#### EXECUTIVE SESSION

##### INCOME TAX CONVENTION WITH SWEDEN

##### INCOME TAX CONVENTION WITH UKRAINE

##### EXCHANGE OF NOTES DATED AT WASHINGTON MAY 26 AND JUNE 6, 1995, RELATING TO THE IN- COME TAX CONVENTION AND PROTOCOL WITH UKRAINE

##### ADDITIONAL PROTOCOL MODI- FYING THE INCOME TAX CON- VENTION WITH MEXICO

##### INCOME TAX CONVENTION WITH THE FRENCH REPUBLIC

##### INCOME TAX CONVENTION AND PROTOCOL WITH PORTUGAL

##### REVISED PROTOCOL AMENDING THE TAX CONVENTION WITH CANADA

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 4 through 10.

I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; that all committee provisions, reservations, understandings, et cetera, be considered agreed to.

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

The clerk will state the resolutions of ratification.

The legislative clerk read as follows:

#### INCOME TAX CONVENTION WITH SWEDEN

*Resolved, (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the Convention between the Government of the United States of America and the Government of Sweden for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed at Stockholm on September 1, 1994, together with a related exchange of notes (Treaty Doc. 103-29).

#### INCOME TAX CONVENTION WITH UKRAINE

EXCHANGE OF NOTES DATED AT WASHINGTON, DC, MAY 26 AND JUNE 6, 1995 RELATING TO THE INCOME TAX CONVENTION AND PROTOCOL WITH UKRAINE

*Resolved, (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the Convention between the Government of the United States of America and the Government of Ukraine for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, Together With a Related Protocol, signed at Washington on March 4, 1994 (Treaty Doc. 104-11).

#### ADDITIONAL PROTOCOL MODIFYING THE INCOME TAX CONVENTION WITH MEXICO

*Resolved, (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the Additional Protocol that Modifies the Convention between the Government of the United States of America and the Government of the United Mexican States for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Washington on September 18, 1992. The Additional Protocol was signed at Mexico City on September 8, 1994 (Treaty Doc. 103-31).

#### INCOME TAX CONVENTION WITH THE FRENCH REPUBLIC

*Resolved (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 31, 1994, together with two related exchanges of notes (Treaty Doc. 103-32). The Senate's advise and consent is subject to the following declaration, which shall not be included in the instrument of ratification to be signed by the President:

That it is the Sense of the Senate that the tax relief available under paragraph 5(b) of Article 30 of the proposed Convention, which exempts certain interest payments to French subsidiaries from United States tax to the extent that United States tax is imposed on such payments under subpart F of Part III of subchapter N of chapter 1 of subtitle A of the Internal Revenue Code ("subpart F"), should be automatically available to any French subsidiary that is a controlled foreign corporation under Section 957 of the Internal Revenue Code to the extent that such payments are taxed under subpart F. The Treasury Department and the Internal Revenue Service shall negotiate with their Dutch counterparts an application of Paragraph 8 of the Article 12 of the U.S.-Netherlands Tax Treaty consistent with the French Treaty as described above and grant a long-term ex-

emption from United States tax for interest paid to Dutch subsidiaries to the extent such interest is taxed under subpart F.

#### INCOME TAX CONVENTION AND PROTOCOL WITH PORTUGAL

*Resolved, (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of the Convention between the Government of the United States of America and the Portuguese Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, together with a related Protocol, signed at Washington on September 6, 1994 (Treaty Doc. 103-34). The Senate's advice and consent is subject to the following two understandings, both of which shall be included in the instrument of ratification to be signed by the President and the following two declarations, neither of which shall be included in the instrument of ratification to be signed by the President:

(a) Understanding: That if the Portuguese Republic changes its internal policy with respect to government ownership of commercial banks in a manner that has the effect of exempting from U.S. tax the U.S.-source interest paid to Portuguese commercial banks under paragraph 3(b) of Article 11, the Government of Portugal shall so notify the Government of the United States and the two Governments shall enter into consultations with a view to restoring the balance of benefits under the proposed Convention;

(b) Understanding: That the second sentence of paragraph 2 of article 2 of the proposed Convention shall be understood to include the specific agreement that the Portuguese Republic regularly shall inform the Government of the United States of America as to the progress of all negotiations with and actions taken by the European Union or any representative organization thereof, which may affect the application of paragraph 3(b) of article 10 of the proposed Convention;

(c) Declaration: That the United States Department of the Treasury shall inform the Senate Committee on Foreign Relations as to the progress of all negotiations with and actions taken by the European Union or any representative organization thereof, which may affect the application of paragraph 3(b) of article 10 of the proposed Convention; and

(d) Declaration: That it is the Sense of the Senate that (1) the effect of the Portuguese Substitute Gift and Inheritance Tax is to provide for nonreciprocal rates of tax between the two parties; (2) such nonreciprocal treatment is a significant concession by the United States that should not be viewed as a precedent for future U.S. tax treaties, and, could in fact be a barrier to Senate advice and consent to ratification of future treaties; (3) the Portuguese Government should take appropriate steps to insure that interest and dividend income beneficially owned by residents of the United States is not subject to higher effective rates of taxation by Portugal than the corresponding effective rates of taxation imposed by the United States on such income beneficially owned by residents of Portugal; and (4) the United States should communicate this Sense of the Senate to the Portuguese Republic.

#### REVISED PROTOCOL AMENDING THE TAX CONVENTION WITH CANADA

*Resolved, (two-thirds of the Senators present concurring therein),* That the Senate advise and consent to the ratification of a Revised Protocol Amending the Convention between the United States and Canada with Respect to Taxes on Income and on Capital signed at Washington on September 26, 1980, as Amended by the Protocols signed on June 14, 1983 and March 28, 1984. The Revised Protocol

was signed at Washington on March 17, 1995 (Treaty Doc. 104-4). The Senate's advice and consent is subject to the following declaration, which shall not be included in the instrument of ratification to be signed by the President:

That the United States Department of the Treasury shall inform the Senate Committee on Foreign Relations as to the progress of all negotiations with and actions taken by Canada that may affect the application of paragraph 3(d) of article XII of the Convention, as amended by article 7 of the proposed Protocol.

Mr. DOLE. Mr. President, I ask unanimous consent that any statements be inserted in the CONGRESSIONAL RECORD as if read; that the Senate take one vote on the resolutions of ratification to be considered as separate votes; further, that when the resolutions of ratification are voted upon, the motions to reconsider be laid upon the table; that the President be notified of the Senate's action, and that following disposition of the treaties, the Senate return to legislative session.

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

Mr. DOLE. Mr. President, I ask for consideration of the resolutions before the Senate by a division vote.

The PRESIDING OFFICER. A division vote is requested.

Senators in favor of the resolutions of ratification please stand and be counted. [After a pause.] All those opposed please stand and be counted.

On a division, two-thirds of the Senators present and voting having voted in the affirmative, the resolutions of ratification are agreed to.

#### ORDER FOR ADJOURNMENT

Mr. DOLE. Mr. President, I ask unanimous consent that following the statement by the Senator from West Virginia, the Senate stand in adjournment under the provisions of House Concurrent Resolution 92.

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

Mr. BYRD. I thank the leader.

#### WORLD TRADE ORGANIZATION

Mr. BYRD. Mr. President, before the leader leaves the floor, if I may have the attention of the distinguished leader. I just came to the floor because I heard the distinguished leader mention my name in connection with the bill to establish a commission to review the dispute settlement of the reports of the World Trade Organization, and for other purposes.

May I say to the leader that this is a matter about which I know very little. I am not on the committee that has jurisdiction over this legislation. I was asked this afternoon about this. I was asked if I would give consent. I understood that the leader wanted to get unanimous consent to adopt this bill this afternoon. I think it is too much of a bill to pass by unanimous consent on the last day before we go out. Mr. Kantor called me and I said, "Is there