

that as the appropriations process continues, the negotiators will give fair and appropriate consideration to the Senate's \$175 million earmark for prostate cancer research.

#### TRIBUTE TO SENATOR DALE BUMPERS

Mr. NICKLES. Mr. President, I would like to pay a brief tribute to my friend and colleague and neighbor from the State of Arkansas for his 24 years of service in the Senate.

I have had the pleasure of working with Senator DALE BUMPERS since I was elected to the Senate 18 years ago. So I am completing three terms. He is just completing four terms. Twenty-four years in the Senate is a long time. But I think the Senate has been blessed by his humor, his levity. The camaraderie that Senator BUMPERS has brought to the Senate floor and to the Senate group has been enjoyable, educational, and humorous, to say the least.

I have had the pleasure of serving with Senator BUMPERS on the Energy Committee where he has been ranking member for the last several years. We have worked together on a lot of legislation. We passed some good legislation, I might add, as well. So I compliment him for his years of service.

He served 4 years as Governor of Arkansas; I think he was elected in 1970; and elected to the U.S. Senate in 1974. It seems like he has been in the same chair for years. He has been the same Senator who will still get excited on a speech and pull his microphone cord to the limit. Maybe he might test the limit of the cord as much as anybody I know in the Senate—a very good speaker, a very good friend who has served his State very well.

We worked together on several pieces of legislation, including legislation that dealt with the exchange of lands, both for the Forest Service and for protecting lands in both Arkansas and Oklahoma, that would not have happened if it had not been for his good work and leadership. And frankly, he was a pleasure to work with on that bill, and many other pieces of legislation throughout our careers.

So I certainly wish DALE BUMPERS and his wife Betty every best wish in their days ahead. He has made a valuable contribution as a Member of the U.S. Senate and as a Member of our Senate family.

Mr. President, I yield the floor.

Mr. JEFFORDS addressed the Chair. The PRESIDING OFFICER. The Senator from Vermont.

Mr. JEFFORDS. Let me first join my good friend from Oklahoma in his accolades for Senator BUMPERS. I expect that I, as a Republican, probably supported some of Senator BUMPERS' pieces of legislation more than any other Republican. And I had an opportunity to work with him on many that were not popular with some of the people, especially in the far West. But I

point out that I have enjoyed so much working with him, especially on things which most all of us agreed on, as the preservation of Civil War sites and other of our historical aspects which are so important to this Nation.

I am going to be so sorry to see him leave. We had many wonderful times together. And I expect we will have some more out in his great State.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting one withdrawal and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mr. Hayes, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4104) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes.

##### ENROLLED BILL SIGNED

The message also announced that Speaker has signed the following enrolled bill:

S. 2392. An act to encourage the disclosure and exchange of information about computer processing problems, solutions, test practices and test results, and related matters in connection with the transition to the year 2000.

Under the authority of the order of today, October 8, 1998, the enrolled bill was signed subsequently by the Acting President pro tempore (Mr. DEWINE).

At 1:50 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 804. An act to amend part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that Federal funds made available to hire or rehire law enforcement officers are used in a manner that produces a net gain of the number of law enforcement officers who perform non-administrative public safety services.

H.R. 2348. An act to redesignate the Federal building located at 701 South Santa Fe Avenue in Compton, California, and known as the Compton Main Post Office, as the "Mervyn Dymally Post Office Building."

H.R. 2921. An act to promote the competitive viability of direct-to-home satellite television service.

H.R. 3783. An act to amend the Communications Act of 1934 to require persons who are engaged in the business of distributing, by means of the World Wide Web, material that is harmful to minors to restrict access to such material by minors, and for other purposes.

H.R. 4151. An act to amend chapter 47 of title 18, United States Code, relating to identify fraud, and for other purposes.

H.R. 4293. An act to establish a cultural training program for disadvantaged individuals to assist the Irish peace process.

H.R. 4616. An act to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the "Corporal Harold Gomez Post Office."

H.R. 4679. An act to amend the Federal Food, Drug, and Cosmetic Act to clarify the circumstances in which a substance is considered to be a pesticide chemical for purposes of such Act, and for other purposes.

The message also announced that the House has passed the following bills, without amendment:

S. 53. An act to require the general application of the antitrust laws to major league baseball, and for other purposes.

S. 505. An act to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and for other purposes.

S. 1892. An act 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. 1976. An act to increase public awareness of the plight of victims of crime with developmental disabilities, to collect data to measure the magnitude of the problem, and to develop strategies to address the safety and justice needs of victims of crime with developmental disabilities.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 2022. An act to provide for the improvement of interstate criminal justice identification, information, communications, and forensics.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 8) to amend the Clean Air Act to deny entry into the United States of certain foreign motor vehicles that do not comply with State laws governing motor vehicles emissions, and for other purposes.

At 3:48 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 131. Joint resolution waiving certain enrollment requirements for the remainder of the One Hundred Fifth Congress with respect to any bill or joint resolution making general or continuing appropriations for fiscal year 1999.

#### MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2921. An act to promote the competitive viability of direct-to-home satellite television service; to the Committee on the Judiciary.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on October 8, 1998 he had presented to the President of the United States, the following enrolled bill:

S. 314. An act to provide a process for identifying the functions of the Federal Government that are not inherently governmental functions, and for other purposes.

S. 2392. An act to encourage the disclosure and exchange of information about computer processing problems, solutions, test practices and test results, and related matters in connection with the transition to the year 2000.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7363. A communication from the Director of Defense Procurement, Office of the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Contracting by Negotiation; Part 215 Rewrite" (Case 97-D018) received on October 5, 1998; to the Committee on Armed Services.

EC-7364. A communication from the Director of the Executive Office of the President, Office of Management and Budget, transmitting, pursuant to law, a report on appropriations legislation within seven days of enactment (H.R. 4059) dated October 2, 1998; to the Committee on the Budget.

EC-7365. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Empowerment Zones: Rule for Second Round Designations; Final Rule" (FR 4281-F-07) received on October 6, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-7366. A communication from the Director of the Office of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Eligibility Reporting Requirements" (RIN: 2900-AJ09) received on October 5, 1998; to the Committee on Veterans Affairs.

EC-7367. A communication from the Interim District of Columbia Auditor, transmitting, pursuant to law, the Auditor's report entitled "Audit of the Financial Accounts and Operations of ANC 5B for Fiscal Years 1991 through 1997"; to the Committee on Governmental Affairs.

EC-7368. A communication from the General Counsel, Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Suspension of Deportation and Cancellation of Removal" (RIN: 1125-AA25) received on October 6, 1998; to the Committee on the Judiciary.

EC-7369. A communication from the Director of the Executive Office for Immigration Review, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Executive Office for Immigration Review, Board of Immigration Appeals; 18 Board Members" (RIN: 1125-AA24) received on October 6, 1998; to the Committee on the Judiciary.

EC-7370. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Adhesives and Components of Coatings" (Docket 98F-0183) received on October 5, 1998; to the Committee on Labor and Human Resources.

EC-7371. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Orthopedic Devices: Classification and Reclassification of Pedicle Screw Spinal Systems" (RIN: 0910-ZA12) received on August 17, 1998; to the Committee on Labor and Human Resources.

EC-7372. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Performance Partnership Grants for State and Tribal Environmental Programs; Revised Interim Guidance" (FR L6171-7) received on October 5, 1998; to the Committee on Environment and Public Works.

EC-7373. A communication from the Secretary of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Designation of Rural Empowerment Zones and Enterprise Communities" (RIN: 0503-AA18) received on October 5, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7374. A communication from the Inspector General of the Department of Agriculture, transmitting, pursuant to law, a report entitled "Evaluation of the Office of Civil Rights' Effort to Reduce the Backlog of Program Complaints"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7375. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Mediterranean Fruit Fly; Removal of Quarantined Areas" (Docket 97-056-17) received on October 5, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7376. A communication from the Administrator of the Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Year 2000 Compliance; Electric Program" received on October 6, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7377. A communication from the Administrator of the Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Long Range Financial Forecasts of Electric Borrowers" (RIN: 0572-AA89) received on October 6, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7378. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Processed Fruits and Vegetables" (Docket FV-98-327) received on October 5, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7379. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dried Prunes Produced in California; Increased Assessment Rate" (Docket FV98-993-2FR) received on October 5, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7380. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Egg, Poultry, and Rabbit Grading

Increase in Fees and Charges" (Docket PY-98-002) received on October 5, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7381. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule regarding a Virginia State Air Quality Plan to control total sulfur emissions from existing kraft pulp mills (FR L6174-7) received on October 5, 1998; to the Committee on Environment and Public Works.

EC-7382. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's report entitled "Hazardous Materials Emergency Preparedness Grants Program" for fiscal year 1993 through 1996; to the Committee on Commerce, Science, and Transportation.

EC-7383. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's report entitled "Status of the Public Ports of the United States" for calendar year 1996 and 1997; to the Committee on Commerce, Science, and Transportation.

EC-7384. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker/Rougheye Rockfish in the Eastern Regulatory Area of the Gulf of Alaska" (I.D. 092998C) received on October 6, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7385. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "North Atlantic Swordfish Fishery; Closure" (I.D. 072398A) received on October 6, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7386. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Changes" (I.D. 092898D) received on October 6, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7387. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone off Alaska; Pacific Cod in the Central Regulatory Area of the Gulf of Alaska" (I.D. 092298A) received on October 6, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7388. A communication from the Acting Director of the Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Ocean Recreational Salmon Fisheries; Closure and Reopening; Queets River, Washington, to Cape Falcon, Oregon" (I.D. 091198B) received on October 6, 1998; to the Committee on Commerce, Science, and Transportation.

EC-7389. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Reports of Motor