

State Justice Institute for a term expiring September 17, 1997.

Florence K. Murray, of Rhode Island, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1998.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Melissa T. Skolfield, of Louisiana, to be an Assistant Secretary of Health and Human Services.

DEPARTMENT OF THE TREASURY

Darcy E. Bradbury, of New York, to be an Assistant Secretary of the Treasury, vice Hollis S. McLoughlin.

David A. Lipton, of Massachusetts, to be a Deputy Under Secretary of the Treasury.

THE JUDICIARY

Joseph H. Gale, of Virginia, to be a Judge of the United States Tax Court for a term expiring fifteen after years he takes office.

Bruce D. Black, of New Mexico, to be United States District Judge for the District of New Mexico, vice Juan Guerrero Burciaga.

Hugh Lawson, of Georgia, to be United States District Judge for the Middle District of Georgia vice Wilbur D. Owens, Jr.

Patricia A. Gaughan, of Ohio, to be United States District Judge for the Northern District of Ohio vice Ann Aldrich.

DEPARTMENT OF STATE

Ralph R. Johnson, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Slovak Republic.

FEDERAL LABOR RELATIONS AUTHORITY

Donald S. Wasserman, of the District of Columbia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2000.

DEPARTMENT OF THE TREASURY

Jeffrey R. Shafer, of New Jersey, to be an Under Secretary of the Treasury.

Joshua Gotbaum, of New York, to be an Assistant Secretary of the Treasury.

STATE JUSTICE INSTITUTE

Tommy Edward Jewell, III, of New Mexico, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1995.

Tommy Edward Jewell, III, of New Mexico, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1998.

SOCIAL SECURITY ADMINISTRATION

David C. Williams, of Illinois, to be Inspector General, Social Security Administration. (New Position)

THE JUDICIARY

Joan A. Lenard, of Florida, to be United States District Judge for the Southern District of Florida.

Barbara S. Jones, of New York, to be United States District Judge for the Southern District of New York.

Bernice B. Donald, of Tennessee, to be United States District Judge for the Western District of Tennessee.

C. Lynwood Smith, of Alabama, to be United States District Judge for the Northern District of Alabama.

IN THE COAST GUARD, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, PUBLIC HEALTH SERVICE

Coast Guard nominations beginning John D. Cook, and ending Charles T. Lancaster, which nominations were received by the Senate and appeared in the Congressional Record of September 5, 1995

Coast Guard nominations beginning James E. Bussey, III, and ending Scott L. Krammes, which nominations were received by the Sen-

ate and appeared in the Congressional Record of September 19, 1995

Coast Guard nomination of Jordan D. Isaac, which was received by the Senate and appeared in the Congressional Record of October 11, 1995

Coast Guard nomination beginning Kurt J. Colella, and ending George J. Rezendes, which nominations were received by the Senate and appeared in the Congressional Record of October 11, 1995

National Oceanic and Atmospheric Administration Nominations beginning Andrew M. Snella, and ending Jennifer D. Garte, which nominations were received by the Senate and appeared in the Congressional Record of October 13, 1995

Public Health Service nominations beginning Patricia A. Berry, and ending Catherine I. Woodhouse, which nominations were received by the Senate and appeared in the Congressional Record of June 26, 1995

NOMINATION OF JOSEPH H. GALE TO BE A JUDGE ON THE UNITED STATES TAX COURT

Mr. MOYNIHAN. Mr. President, it is with great pride that I rise to congratulate Joseph H. Gale of Virginia, who has just been confirmed by the Senate to be a judge on the United States Tax Court for a term of 15 years. Mr. Gale, who is well known to Members of the Senate, has been a good friend and trusted counsel to the Senator from New York for 11 years now. He joined my personal staff in 1985 as Tax Counsel, just in time for the fundamental restructuring of the tax code in the Tax Reform Act of 1986, with which he was intimately involved. Since then he has been a major force in the development and passage of literally every piece of tax legislation considered by the Congress.

In 1993, Mr. Gale became Chief Tax Counsel for the Senate Committee on Finance, and in that capacity took a leading role in the drafting, and ultimately in the enactment, of the Omnibus Budget Reconciliation Act of 1993. In 1995, he became our Minority Staff Director.

Three weeks ago, when Mr. Gale appeared before the Finance Committee for his confirmation hearing, Senators from both sides of the aisle praised him highly for his professionalism, his unmatched knowledge of tax law and the legislative process, and his dedication to public service. At least one Senator attended the hearing solely for the purpose of making a statement in support of Joe Gale's nomination, and Chairman ROTH took the opportunity to declare that only our former Chairman Lloyd Bentsen got through the Committee more easily.

Mr. President, I am pleased and gratified that the Senate has confirmed Mr. Gale to be a United States Tax Court Judge. He is superbly qualified for this position, and I know he will be an outstanding jurist. Finally, I thank Joe Gale for his 11 years of distinguished service to the Senate, and I wish him well in his new career as a member of the Federal judiciary.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS UNTIL 11 A.M. TOMORROW

Mr. WARNER. Mr. President, if there is no further business to come before the Senate, I first wish my colleague from Kentucky a merry Christmas.

Mr. FORD. Mr. President, may I also wish my distinguished friend and colleague from Virginia a merry Christmas, a happy new year, and a successful 1996.

Let me say, Mr. President, also, that we thank you for being here. It is late. Everybody else basically has gone home. We are here trying to do the Government's and the institution's business.

Let me thank the staff because if they were not here and dedicated we would have a difficult time getting through.

So I want the record to show that we appreciate the staff and all their work.

I thank my friend.

Mr. WARNER. Mr. President, I further join with my friend in expressing appreciation to the staff present in the Chamber, and throughout the Senate, the considerable infrastructure that is required, as we well know.

I now ask that the Senate stand in recess, under the previous order.

There being no objection, the Senate, at 6:54 p.m., recessed until Saturday, December 23, 1995, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate December 22, 1995:

DEPARTMENT OF ENERGY

ALVIN L. ALM, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENVIRONMENTAL MANAGEMENT), VICE THOMAS P. GRUMBLY.

THE JUDICIARY

EDMUND A. SARGUS, JR., OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO, VICE CARL B. RUBIN, DECEASED.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 22, 1995:

NUCLEAR REGULATORY COMMISSION

GRETA JOY DICUS, OF ARKANSAS, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 1998.

NATIONAL COUNCIL ON DISABILITY

HUGHEY WALKER, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1996.

NATIONAL MEDIATION BOARD

ERNEST W. DUBESTER, OF NEW JERSEY, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 1998.

DEPARTMENT OF THE INTERIOR

PATRICIA J. BENEKE, OF IOWA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

UNITED STATES ENRICHMENT CORPORATION

CHARLES WILLIAM BURTON, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES ENRICHMENT CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING FEBRUARY 24, 1996.

DEPARTMENT OF THE INTERIOR

ELUID LEVI MARTINEZ, OF NEW MEXICO, TO BE COMMISSIONER OF RECLAMATION.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

ELI J. SEGAL, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR THE REMAINDER OF THE TERM EXPIRING FEBRUARY 8, 1999.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

MARC R. PACHECO, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING OCTOBER 3, 2000.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

MEL CARNAHAN, OF MISSOURI, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 1999.

UNITED STATES INSTITUTE OF PEACE

CHESTER A. CROCKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 1999.

MAX M. KAMPELMAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 1999.

SEYMOUR MARTIN LIPSET, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 1999.

DEPARTMENT OF EDUCATION

THOMAS R. BLOOM, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF EDUCATION.

EXECUTIVE OFFICE OF THE PRESIDENT

KATHLEEN A. MCGINTY, OF PENNSYLVANIA, TO BE A MEMBER OF THE COUNCIL ON ENVIRONMENTAL QUALITY.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

DWIGHT P. ROBINSON, OF MICHIGAN, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

HAL C. DECELL III, OF MISSISSIPPI, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

JOHN A. KNUBEL, OF MARYLAND, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

SECURITIES INVESTOR PROTECTION CORPORATION

ALBERT JAMES DWOSKIN, OF VIRGINIA, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 1995.

FEDERAL DEPOSIT INSURANCE CORPORATION

JOSEPH H. NEELY, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF SIX YEARS.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

KEVIN G. CHAVERS, OF PENNSYLVANIA, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION.

DEPARTMENT OF LABOR

SUSAN ROBINSON KING, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF LABOR.

ANNE H. LEWIS, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF LABOR.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

ELISABETH GRIFFITH, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FOUNDATION FOR THE REMAINDER OF THE TERM EXPIRING SEPTEMBER 27, 1996.

UNITED STATES INSTITUTE OF PEACE

THEODORE M. HESBURGH, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 1999.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

JAMES CHARLES RILEY, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

WALTER ANDERSON, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2000.

DEPARTMENT OF AGRICULTURE

JOHN DAVID CARLIN, OF KANSAS, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE.

MICHAEL V. DUNN, OF IOWA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE.

COMMODITY CREDIT CORPORATION

MICHAEL V. DUNN, OF IOWA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

LOUISE L. STEVENSON, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING NOVEMBER 17, 1999.

DEPARTMENT OF COMMERCE

JANE BOBBITT, OF WEST VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF TRANSPORTATION

NANCY E. MCFADDEN, OF CALIFORNIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION.

EXECUTIVE OFFICE OF THE PRESIDENT

ERNEST J. MONIZ, OF MASSACHUSETTS, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY.

DEPARTMENT OF TRANSPORTATION

GEORGE D. MILDRAG, OF MICHIGAN, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.

GAIL CLEMENTS MCDONALD, OF MARYLAND, TO BE ADMINISTRATOR OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING MARCH 20, 1998.

MISSISSIPPI RIVER COMMISSION

REAR ADMIRAL JOHN CARTER ALBRIGHT, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION.

DEPARTMENT OF COMMERCE

PHILLIP A. SINGERMAN, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

MELISSA T. SKOLFIELD, OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

DEPARTMENT OF THE TREASURY

DARCY E. BRADBURY, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

DAVID A. LIPTON, OF MASSACHUSETTS, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.

THE JUDICIARY

JOSEPH H. GALE, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM EXPIRING FIFTEEN YEARS AFTER HE TAKES OFFICE.

DEPARTMENT OF STATE

RALPH R. JOHNSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SLOVAK REPUBLIC.

FEDERAL LABOR RELATIONS AUTHORITY

DONALD S. WASSERMAN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2000.

DEPARTMENT OF THE TREASURY

JEFFREY R. SHAFER, OF NEW JERSEY, TO BE AN UNDER SECRETARY OF THE TREASURY.

JOSHUA GOTBAUM, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

SOCIAL SECURITY ADMINISTRATION

DAVID C. WILLIAMS, OF ILLINOIS, TO BE INSPECTOR GENERAL, SOCIAL SECURITY ADMINISTRATION.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

R. GUY COLE, JR., OF OHIO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT.

BARRY TED MOSKOWITZ, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

STEPHEN M. ORLOFSKY, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

JOHN R. TUNHEIM, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA.

SUSAN J. DLOTT, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO.

DEPARTMENT OF JUSTICE

JUAN ABRAN DEHERRERA, OF WYOMING, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF WYOMING FOR THE TERM OF FOUR YEARS.

THE JUDICIARY

TODD J. CAMPBELL, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.

KIM McLANE WARDLAW, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

E. RICHARD WEBBER, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI.

P. MICHAEL DUFFY, OF SOUTHERN CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA.

DEPARTMENT OF JUSTICE

D.W. BRANSOM, JR., OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

FRANK POLICARO, JR., OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS.

STATE JUSTICE INSTITUTE

JOSEPH FRANCIS BACA, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 1998.

ROBERT NELSON BALDWIN, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 1998.

DAVID ALLEN BROCK, OF NEW HAMPSHIRE, TO BE MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 1997.

FLORENCE K. MURRAY, OF RHODE ISLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 1998.

THE JUDICIARY

BRUCE D. BLACK, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO.

HUGH LAWSON, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF GEORGIA.

PATRICIA A. CAUGHAN, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO.

STATE JUSTICE INSTITUTE

TOMMY EDWARD JEWELL, III, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 1995.

TOMMY EDWARD JEWELL, III, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 1998.

THE JUDICIARY

JOAN A. LENARD, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

BARBARA S. JONES, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

BERNICE B. DONALD, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

C. LYNWOOD SMITH, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA.

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING PATRICIA A. BERRY AND ENDING CATHERINE L. WOODHOUSE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 26, 1995.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING JOHN D. COOK, AND ENDING CHARLES T. LANCASTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 5, 1995.

COAST GUARD NOMINATIONS BEGINNING JAMES E. BUSSEY, III, AND ENDING SCOTT L. KRAMMES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 19, 1995.

COAST GUARD NOMINATION OF JORDAN D. ISAAC, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF OCTOBER 11, 1995.

COAST GUARD NOMINATIONS BEGINNING KURT J. COLELLA, AND ENDING GEORGE J. REZENDES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 11, 1995.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING ANDREW M. SNELLA, AND ENDING JENNIFER D. GARTÉ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 13, 1995.

THE LOBBYING DISCLOSURE ACT OF 1995

NOTICE FROM THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

The Lobbying Disclosure Act of 1995, Public Law 104-65, was signed by the President on December 19, 1995, and takes effect on January 1, 1996. The Federal Regulation of Lobbying Act of 1946 (2 USC 261 et seq.) is repealed on January 1, and certain other laws that regulate lobbying activities are amended, including the Foreign Agents Registration Act of 1938 (22 USC 611 et seq.) and the 1989 Byrd Amendment (31 USC 1352).

FOR FURTHER INFORMATION: For further information, forms, and instructions concerning the Lobbying Disclosure Act, contact the House Legislative Resource Center, 1036 Longworth House Office Building, Washington, DC 20515, (202) 225-1300, or the Senate Office of Public Records, 232 Hart Senate Office Building, Washington, DC 20510, (202) 224-0758.

DESCRIPTION OF LAW

In general, the Lobbying Disclosure Act ("Act") establishes broad requirements that individuals and entities who seek to influence the Federal government register with the Secretary of the Senate and the Clerk of the House of Representatives, and disclose their clients, issues, fees, and interests of foreign entities. All registrations and reports filed under the Act are public records. The key provisions of the Act are summarized below; however, lobbyists, their employers, clients, and other interested persons should always consult the full text of the new law.

REGISTRATION

The Act requires registration of: 1) **lobbying firms** that employ **lobbyists** for **clients**; and 2) **organizations** that employ **in-house lobbyists**. Registration with both the Secretary and the Clerk is required no later than 45 days after a lobbyist first makes a **lobbying contact** or is employed or retained to do so, **whichever is earlier** (e.g., a lobbyist who has a retainer agreement with a client in effect on January 1, 1996, must register on or before February 14, 1996). **Lobbying firms must file separate registrations for each client**, subject to limited exceptions.

NOTE: Individuals and organizations currently registered under the Federal Regulation of Lobbying Act should file their final quarterly reports under the former law with the Clerk and the Secretary by January 10, 1996, to prevent a gap in the records. However, registrations under the former law will no longer be effective, and all lobbyists active after January 1, 1996, must register under the new Lobbying Disclosure Act.

Registration forms and instructions will be available from the House Legislative Resource Center and the Senate Office of Public Records in early January 1996.

REPORTS

Lobbying firms are required to file semiannual reports of income, and **organizations** employing **in-house lobbyists** are required to file semiannual reports of expenditures, by **August 14** (covering the period January 1 thru June 30) and **February 14** (covering the period July 1 thru December 31). **The first reports under the new Act will be due by August 14, 1996. Lobbying firms must file separate reports for each client.** Forms and instructions will be available from the House Legislative Resource Center and the Senate Office of Public Records.

MAIN DEFINITIONS

A **LOBBYIST** is an individual who is employed or retained for compensation to make more than one **lobbying contact**, and whose **lobbying activities** constitute at least 20 percent of his or her services performed for that **client** during a six month period.

A **LOBBYING FIRM** means a person or entity that has one or more employees who are **lobbyists** on behalf of a **client**, other than that person or entity, and also includes a self-employed individual.

A **CLIENT** is any person or entity that employs another person for financial or other compensation to conduct **lobbying activities** on behalf of that person or entity. A person or entity whose employees act as **lobbyists** on its own behalf is both the **client** and employer of such individuals. In the case of a coalition or association that employs or retains other persons to conduct **lobbying activities**, the client is the coalition or association, not its individual members. Under the Act, there is no requirement that coalitions or associations disclose contributions or dues from the individual membership of such groups.

A **LOBBYING CONTACT** means any oral or written communication (including an electronic communication) to a **covered executive branch official or a covered legislative branch official** that is made on behalf of a **client** with regard to:

- (i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);
- (ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government;
- (iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); or
- (iv) the nomination or confirmation of a person for a position subject to confirmation by the Senate.

The law provides for 19 specific exceptions from the definition of **lobbying contacts** (e.g. for contacts that are not considered lobbying, are routine in nature, are inherently confidential, are subject to formal procedural safeguards, or are the subject of a separate public record).

LOBBYING ACTIVITIES are **lobbying contacts** and efforts in support of **lobbying contacts**, including preparation and planning activities, research and other background work that is intended at the time it is performed for use in contacts and coordination with the **lobbying activities** of others.

COVERED EXECUTIVE BRANCH OFFICIALS include the President, Vice President, employees of the Executive Office of the President, Level I-V of the Executive Schedule, Members of the Uniformed Services at a pay grade above 0-7, or any officer or employee in a position of a confidential, policy-determining, policy-making, or policy-advocating character.

COVERED LEGISLATIVE BRANCH OFFICIALS include Members of the House of Representatives and Senate, their staffs, elected officers of either House of Congress, committee and leadership staff, joint committee staff, a working group

or caucus organized to provide legislative services or other assistance to Members of Congress, and all legislative employees required to file Financial Disclosure Reports under the Ethics in Government Act.

IDENTIFICATION OF CLIENTS

Any lobbyist making an *oral lobbying contact* with a **covered legislative branch official** or **covered executive branch official** is required, on request of the official, to state whether his or her **lobbying firm** or organization is registered, to identify the client, and to disclose any foreign interest regulated by the Act. A lobbyist making a *written lobbying contact* to a covered official for foreign interests regulated by the Act must disclose that fact in the writing.

EXEMPTIONS

A **LOBBYING FIRM** is exempt from registration with respect to a particular **client** if total income from that **client** for **lobbying activities** does not exceed or is not expected to exceed \$5,000 in a six month period.

An **ORGANIZATION** whose employees engage in **lobbying activities** on its own behalf is exempt from registration if total expenses in connection with **lobbying activities** do not exceed or are not expected to exceed \$20,000 in a six month period.

PENALTIES

Whoever knowingly fails to—

- (1) correct a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House, or
- (2) fails to comply with any other provision of the Act,

is subject to a civil fine of not more than \$50,000.

KELLY D. JOHNSTON
Secretary of the Senate

ROBIN H. CARLE
Clerk of the House of Representatives