

Thursday, June 26, 1997

Daily Digest

Highlights

House passed H.R. 2014, Taxpayer Relief Act.

House stands adjourned until Tuesday, July 8 for the Independence Day District Work Period.

Senate

Chamber Action

Routine Proceedings, pages S6393-S6667

Measures Introduced: Eleven bills were introduced, as follows: S. 964-974. **Page S6496**

Measures Reported: Reports were made as follows:
S. 231, to establish the National Cave and Karst Research Institute in the State of New Mexico. (S. Rept. No. 105-37)

S. 423, to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason. (S. Rept. No. 105-38)

S. 669, to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site. (S. Rept. No. 105-39)

S. 731, to extend the legislative authority for construction of the National Peace Garden Memorial. (S. Rept. No. 105-40)

H.R. 173, to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of surplus Federal law enforcement canines to their handlers.

H.R. 680, to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to States of surplus personal property for donation to nonprofit providers of necessities to impoverished families and individuals.

S. 307, to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to States of surplus personal property for donation to nonprofit providers of assistance to impoverished families and individuals.

S. 833, to designate the Federal building courthouse at Public Square and Superior Avenue in Cleveland, Ohio, as the "Howard M. Metzenbaum United States Courthouse".

S. 861, to amend the Federal Property and Administrative Services Act of 1949 to authorize dona-

tion of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance of law enforcement duties. **Page S6496**

Measures Passed:

Congressional Adjournment: Senate agreed to H. Con. Res. 108, to provide for an adjournment of the House of Representatives and Senate. **Page S6440**

Revenue Reconciliation: Senate continued consideration of S. 949, to provide for revenue reconciliation pursuant to section 104(b) of the concurrent resolution on the budget for fiscal year 1998, taking action on amendments/motions proposed thereto, as follows: **Pages S6393-S6473, S6479**

Adopted:

Roth Amendment No. 520, to provide for children's health insurance initiatives. **Pages S6394, S6434-37**

Roth (for Shelby) Amendment No. 553, to express the sense of the Senate regarding reform of the Internal Revenue Code of 1986. **Pages S6469-73**

Roth (for Levin/McCain) Amendment No. 556, to express the sense of the Senate regarding tax treatment of stock options. **Pages S6469-73**

Roth (for Enzi) Amendment No. 557, to express the sense of the Senate on Federal estate tax relief in the "Balanced Budget Act of 1997". **Pages S6469-73**

Roth (for Dodd) Amendment No. 558, to amend the Internal Revenue Code of 1986 regarding the treatment of cancellation of student loans. **Pages S6469-73**

Roth (for Grams) Amendment No. 559, to exclude from unrelated business taxable income for certain charitable gambling. **Pages S6469-73**

Roth (for Dorgan) Amendment No. 560, to provide tax relief for taxpayers located in Presidentially declared disaster areas. **Pages S6469-73**

Roth (for Dorgan) Amendment No. 561, to authorize the Secretary of the Treasury to abate the accrual of interest on income tax underpayments by taxpayers located in Presidentially declared disaster areas if the Secretary extends the time for filing returns and payment of tax (and waives any penalties relating to the failure to so file or so pay) for such taxpayers. **Pages S6469-73**

Roth (for Biden) Amendment No. 562, to provide survivor benefits attributable to service by a public safety officer who is killed in the line of duty. **Pages S6469-73**

Roth (for Dodd/D'Amato) Amendment No. 563, to clarify the tax treatment of certain disability benefits received by former police officers or firefighters. **Pages S6469-73**

Roth (for Boxer) Amendment No. 564, to provide for diversification in section 401(k) plan investments. **Pages S6469-73**

Roth (for Daschle) Amendment No. 565, to expand non-Amtrak States' use of the Intercity Passenger Rail Fund. **Pages S6469-73**

Rejected:

By 24 yeas to 75 nays (Vote No. 132), Dorgan Amendment No. 517, to impose a lifetime cap of \$1,000,000 on capital gains reduction. **Pages S6394, S6397-99**

By 38 yeas to 61 nays (Vote No. 134), Daschle Amendment No. 527, in the nature of a substitute. **Pages S6401-34**

Withdrawn:

Allard Amendment No. 523, to strike section 881, providing for an extension of the Temporary Federal Unemployment Surtax.

Domenici/Lautenberg Amendment No. 537, to implement the enforcement provisions of the Bipartisan Budget Agreement, enforce the Balanced Budget Act of 1997, extend the Budget Enforcement Act of 1990 through fiscal year 2002, and make technical and conforming changes to the Congressional Budget and Impoundment Control Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985. **Pages S6438-41**

Subsequently, Biden Amendment No. 539 (to Amendment No. 537), to provide for the transfer of funds from the general fund to the Violent Crime Reduction Trust Fund fell when Amendment No. 537 was withdrawn. **Pages S6440-41**

Subsequently, the request to withdraw Amendment No. 537 (listed above) was vitiated, thus Amendment No. 539 (listed above) also remains pending.

A motion to waive the Congressional Budget Act with respect to consideration of Section 602 of the bill. Subsequently, a point of order that section 602 relating to incentives conditioned on other District

of Columbia government reform violates section 313(b)(1)(A) of the Congressional Budget Act was sustained, and the provisions were removed from the bill. **Pages S6393, S6447-48**

Pending:

Dorgan Amendment No. 515, to authorize the Secretary of the Treasury to abate the accrual of interest on income tax underpayments by taxpayers located in Presidentially declared disaster areas if the Secretary extends the time for filing returns failure to so file or so pay) for such taxpayers. **Page S6393**

Dorgan Amendment No. 516, to provide tax relief for taxpayers located in Presidentially declared disaster areas. **Page S6393**

Jeffords Amendment No. 522, to provide for a trust fund for District of Columbia school renovations. **Page S6394**

Domenici/Lautenberg Amendment No. 537, to implement the enforcement provisions of the Bipartisan Budget Agreement, enforce the Balanced Budget Act of 1997, extend the Budget Enforcement Act of 1990 through fiscal year 2002, and make technical and conforming changes to the Congressional Budget and Impoundment Control Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985.

Biden Amendment No. 539 (to Amendment No. 537), to provide for the transfer of funds from the general fund to the Violent Crime Reduction Trust Fund.

Nickles Modified Amendment No. 551, to provide for an increase in deduction for health insurance costs of self-employed individuals, and to modify rules for allocating interest expense to tax-exempt interest. **Pages S6460-61, S6479**

Gramm Amendment No. 552, to allow families to decide for themselves how best to use their child tax credit. **Pages S6461-69**

Kerry Amendment No. 554, to allow payroll taxes to be included in the calculation of tax liability for receiving the children's tax credit. **Page S6465**

During consideration of this measure today, Senate also took the following action:

By 36 yeas to 63 nays (Vote 131), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Bumpers Amendment No. 518, to repeal the depletion allowance available to certain hardrock mining companies. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S6394-97**

By 34 yeas to 64 nays (Vote No. 133), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to

waive the Congressional Budget Act with respect to consideration of Dorgan motion to refer to the Committee on the Budget with instructions. Subsequently, a point of order that the motion to refer was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the motion was ruled out of order. **Pages S6393, S6399–S6401**

By 80 yeas to 19 nays (Vote No. 135), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to waive the Congressional Budget Act with respect to consideration of Roth Amendment No. 520, listed above. **Page S6437**

By 12 yeas to 86 nays, 1 voting present (Vote No. 136), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 305(b)(2) of the Congressional Budget Act with respect to consideration of Byrd Amendment No. 540, to eliminate tax deductions for advertising and promotion expenditures relating to alcoholic beverages and to increase funding for programs that educate and prevent the abuse of alcohol among our Nation's youth. Subsequently, a point of order that the amendment was not germane was sustained, and the amendment thus fell. **Pages S6442–47**

By 41 yeas to 58 nays (Vote No. 137), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Durbin Amendment No. 519, to increase the deduction for health insurance costs of self-employed individuals, and to increase the excise tax on tobacco products. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S6394, S6449–55**

A unanimous-consent agreement was reached providing for further consideration of the bill, the pending amendments, and amendments to be proposed thereto on Friday, June 27, 1997. **Page S6667**

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

Convention with South Africa (Treaty Doc. 105–9).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S6667**

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

Transmitting the report concerning the national emergency with respect to Libya; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–48). **Page S6494**

Transmitting the annual report of the Corporation for Public Broadcasting for fiscal year 1996; referred to the Committee on Commerce, Science, and Transportation. (PM–49). **Page S6494**

Nominations Received: Senate received the following nominations:

Jerome B. Friedman, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Ronnie L. White, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Robert G. Stanton, of Virginia, to be Director of the National Park Service.

W. Scott Gould, of the District of Columbia, to be Chief Financial Officer, Department of Commerce.

W. Scott Gould, of the District of Columbia, to be an Assistant Secretary of Commerce.

Catherine E. Woteki, of the District of Columbia, to be Under Secretary of Agriculture for Food Safety.

Kneeland C. Youngblood, of Texas, to be a Member of the Board of Directors of the United States Enrichment Corporation for a term expiring February 24, 2002.

Wendy Ruth Sherman, of Maryland, to be Counselor of the Department of State, and to have the rank of Ambassador during her tenure of service.

Gordon D. Giffin, of Georgia, to be Ambassador to Canada.

Maura Harty, of Florida, to be Ambassador to the Republic of Paraguay.

Curtis Warren Kamman, of the District of Columbia, to be Ambassador to the Republic of Colombia.

James F. Mack, of Virginia, to be Ambassador to the Co-operative Republic of Guyana.

Anne Marie Sigmund, of the District of Columbia, to be Ambassador to the Kyrgyz Republic.

Keith C. Smith, of California, to be Ambassador to the Republic of Lithuania.

Daniel V. Speckhard, of Wisconsin, to be Ambassador to the Republic of Belarus.

George Donohue, of Maryland, to be Deputy Administrator of the Federal Aviation Administration.

Gary Gensler, of Maryland, to be an Assistant Secretary of the Treasury.

Nancy Killefer, of Florida, to be an Assistant Secretary of the Treasury.

Nancy Killefer, of Florida, to be Chief Financial Officer, Department of the Treasury.

George Munoz, of Illinois, to be President of the Overseas Private Investment Corporation. **Page S6667**

Messages From the President:	Pages S6493-94
Messages From the House:	Page S6494
Communications:	Pages S6495-96
Executive Reports of Committees:	Page S6496
Statements on Introduced Bills:	Pages S6496-S6508
Additional Cosponsors:	Page S6508
Amendments Submitted:	Pages S6508-53
Notices of Hearings:	Page S6553
Authority for Committees:	Pages S6553-54
Additional Statements:	Pages S6554-57
Text of H.R. 2015 as Previously Passed:	Pages S6557-S6666

Record Votes: Seven record votes were taken today. (Total-137) Pages S6396-97, S6399, S6401, S6434, S6437, S6447, S6455

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:22 p.m., until 9 a.m., on Friday, June 27, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6667.)

Committee Meetings

(Committees not listed did not meet)

SOCIAL SECURITY REFORM

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities resumed hearings on proposals to reform the Social Security system, focusing on the impact of Social Security privatization, receiving testimony from Jose Pinera and Mark M. Klugmann, both of the International Center for Pension Reform, Santiago, Chile.

Subcommittee recessed subject to call.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following bills:

S. 738, to reform the statutes relating to Amtrak, and to authorize funds for Amtrak, with amendments. (As approved by the committee, the bill authorizes \$1,138,000,000 for fiscal year 1998, \$1,058,000,000 for fiscal year 1999, \$1,023,000,000 for fiscal year 2000, \$989,000,000 for fiscal year 2001, and \$955,000,000 for fiscal year 2002.); and

S. 39, to support the International Dolphin Conservation Program in the eastern tropical Pacific Ocean, with an amendment in the nature of a substitute.

Also, committee began mark up of S. 442, to establish a national policy against State and local gov-

ernment interference with interstate commerce on the Internet or interactive computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, but did not complete action thereon, and recessed subject to call.

RECREATION AREAS ACCESSIBILITY

Committee on Energy and Natural Resources: Subcommittee on Forests and Public Land Management concluded hearings on S. 783, to provide for improved access to and use of the Boundary Waters Canoe Area Wilderness in Minnesota, after receiving testimony from Senators Feingold and Wellstone; Lyle Laverty, Director, Recreation, Wilderness and Heritage Programs, Forest Service, Department of Agriculture; Guy Holmes, Wilderness Disability Project, Virginia, Minnesota; David E. Jenkins, American Canoe Association, Springfield, Virginia; Greg Lais, Wilderness Inquiry, Minneapolis, Minnesota; Robert D. LaTourell, Jr., Ely Outfitter's Association, and former Mayor Frank Salerno, both of Ely, Minnesota; and Bill Reffalt, Wilderness Society, Washington, D.C.

NATIONAL PARKS

Committee on Energy and Natural Resources: Subcommittee on National Parks, Historic Preservation, and Recreation concluded hearings on S. 308, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, Wyoming, and to extend temporarily certain grazing privileges, and S. 360, to require adoption of a management plan for the Hells Canyon National Recreation Area that allows appropriate use of motorized and non-motorized river craft in the recreation area, after receiving testimony from Michael Soukup, Associate Director, Natural Resource Stewardship and Science, National Park Service, Department of the Interior; Lyle Laverty, Director, Recreation, Wilderness and Heritage Programs, Forest Service, Department of Agriculture; Carole Finley, Hughes River Expeditions, Inc., Cambridge, Idaho; Darrell Bentz, Inter-mountain Excursions and Bentz Boats, Lewiston, Idaho; Peter Grubb, River Odysseys West, Coeur d'Alene, Idaho; Richard G. Sherwin, River Access for Tomorrow, Clarkston, Washington; Jack Sterne, Hells Canyon Preservation Council, Sisters, Oregon; and Sandra F. Mitchell, Hells Canyon Alliance, Boise, Idaho.

HOWARD M. METZENBAUM COURTHOUSE

Committee on Environment and Public Works: Committee ordered favorably reported S. 833, to designate the Federal building courthouse at Public Square and