

Weapons of Mass Destruction: Mr. Tony Beilenson of Maryland.

The message further announced that pursuant to the provisions of section 806(c)(1) of Public Law 104-132, the majority leader appoints the following individual to the Commission on the Advancement of Federal Law Enforcement: Mr. Gilbert Gallegos of New Mexico.

#### MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 822. An act to facilitate a land exchange involving private land within the exterior boundaries of Wenatchee National Forest in Chelan County, Washington; to the Committee on Energy and Natural Resources.

H.R. 951. An act to require the Secretary of the Interior to exchange certain lands located in Hinsdale, Colorado; to the Committee on Energy and Natural Resources.

H.R. 960. An act to validate certain conveyances in the City of Tulare, Tulare County, California, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1086. An act to codify without substantive change laws related to transportation and to improve the United States Code; to the Committee on the Judiciary.

H.R. 1198. An act to direct the Secretary of the Interior to convey certain land to the City of Grants Pass, Oregon; to the Committee on Energy and Natural Resources.

H.R. 1840. An act to provide a law enforcement exception to the prohibition on the advertising of certain electronic devices; to the Committee on Commerce, Science and Transportation; to the Committee on the Judiciary.

H.R. 1658. An act to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws; to the Committee on Commerce, Science and Transportation.

H.R. 1847. An act to improve the criminal law relating to fraud against consumers; to the Committee on the Judiciary.

H.R. 2016. An act making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes; to the Committee on Appropriations.

#### 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-2410. A communication from the Director, Office of Regulations Management, Office of the General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, a report of a rule entitled "Veterans' Benefits Improvement Act of 1996" (RIN:2900-AI66), received on July 1, 1997; to the Committee on Veterans' Affairs.

EC-2411. A communication from the Director, Office of Regulations Management, Office of the General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, a report of a rule entitled "Veterans Education: Submission of School Catalogs to State Approving Agencies" (RIN: 2900-AH97), received on July 1, 1997; to the Committee on Veterans' Affairs.

EC-2412. A communication from the Acting Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, a rule relative to export administration regulations (RIN0694-AB60), received on June 27, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-2413. A communication from the Acting Assistant Secretary for Export Administration, U.S. Department of Commerce, transmitting, pursuant to law, a rule relative to revisions to the entity list, received on June 27, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-2414. A communication from the Acting Executive Director, Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, the annual report for calendar year 1996 under the Federal Home Loan Bank Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-2415. A communication from the Deputy Secretary, U.S. Securities and Exchange Commission, transmitting, pursuant to law, a report relative to Release No. 33-7427 concerning the Electronic Data Gathering, Analysis, and Retrieval system; to the Committee on Banking, Housing, and Urban Affairs.

EC-2416. A communication from the Program Director, National Fund for Medical Education, transmitting, pursuant to law, the audited financial statement for the year ended December 31, 1996; to the Committee on the Judiciary.

EC-2417. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation entitled "To amend the Immigration and Nationality Act to authorize appropriations for refugee and entrant assistance for fiscal years 1998, 1999, and 2000"; to the Committee on the Judiciary.

EC-2418. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to the employment of Americans by the United Nations and Specialized Agencies under the Foreign Relations Authorization Act; to the Committee on Foreign Relations.

EC-2419. A communication from the Assistant Legal Adviser for Treaty Affairs, U.S. Department of State, transmitting, pursuant to law, agreements relative to treaties entered into by the United States under the Case-Zablocki Act; to the Committee on Foreign Relations.

EC-2420. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "Maritime Terrorism: A Report to Congress" for calendar year 1996 under the Omnibus Diplomatic Security and Antiterrorism Act; to the Committee on Foreign Relations.

EC-2421. A communication from the Assistant General Counsel, U.S. Information Agency, transmitting, pursuant to law, a report of a rule relative to the Exchange Visitor Program, received on June 27, 1997; to the Committee on Foreign Relations.

EC-2422. A communication from the Secretary of Defense, transmitting, pursuant to law, a proposal to obligate \$23.5 million in Fiscal Year 1997 to implement the Cooperative Threat Reduction Program under the Fiscal Year 1997 Defense Appropriations Act; to the Committee on Armed Services.

EC-2423. A communication from the Secretary of Defense, transmitting, pursuant to law, the Calendar Year 1996 Report on Accounting for United States Assistance Under the Cooperative Threat Reduction Program under the National Defense Authorization Act for Fiscal Year 1996; to the Committee on Armed Services.

EC-2424. A communication from the Director, Operational Test and Evaluation, Office

of the Secretary, Department of Defense, transmitting, pursuant to law, a report relative to an alternative live fire test; to the Committee on Armed Services.

EC-2425. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to medical care for children of members of the Armed Services under the 1997 National Defense Authorization Act; to the Committee on Armed Services.

EC-2426. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to Armed Forces Health Professions Scholarship and Financial Assistance Programs under the National Defense Authorization Act for Fiscal Year 1997; to the Committee on Armed Services.

EC-2427. A communication from the Secretary of Defense, transmitting, a notice relative to a retirement of General George A. Joulwan; to the Committee on Armed Services.

EC-2428. A communication from the Secretary of Defense, transmitting, a notice relative to a retirement of Lieutenant General Paul K. Van Riper; to the Committee on Armed Services.

EC-2429. A communication from the Secretary of Defense, transmitting, a notice relative to a retirement of Vice Admiral Douglas J. Katz; to the Committee on Armed Services.

EC-2430. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to property transferred to the Republic of Panama under the Panama Canal Act of 1979; to the Committee on Armed Services.

EC-2431. A communication from the U.S. Railroad Retirement Board, transmitting, pursuant to law, a report on the financial status of the railroad unemployment insurance system for calendar year 1997; to the Committee on Labor and Human Resources.

EC-2432. A communication from the Director, Office of Regulations Management, Office of the General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, a report of a rule entitled "Servicemen's and Veterans' Group Life Insurance" (RIN: 2900-AI73), received on July 7, 1997; to the Committee on Veterans' Affairs.

EC-2433. A communication from the Director, Office of Regulations Management, Office of the General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, a report of a rule entitled "Minimum Income Annuity" (RIN2900-AI83), received on July 7, 1997; to the Committee on Veterans' Affairs.

EC-2434. A communication from the Secretary of Veterans Affairs, transmitting, a draft of proposed legislation relative to memorialization of spouses of veterans; to the Committee on Veterans' Affairs.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-163. A joint resolution adopted by the General Assembly of the State of Colorado; to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION 97-1003

Whereas, The federal "Intermodal Surface Transportation Efficiency Act of 1991" (ISTEA) was designed to be the comprehensive solution to federal surface transportation funding since it replaced the "Surface Transportation and Uniform Relocation Assistance Act of 1987", which marked the end of the interstate era; and

Whereas, The purpose of ISTEA is "to develop a National Intermodal Transportation System that is economically efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner"; and

Whereas, When it was proposed, ISTEA was designed to give states and local governments flexibility as to how federal moneys were to be spent in their regions but, in fact and practice, the new federal program specifies how these moneys are distributed as well as how they can be spent by states and local governments; and

Whereas, Examples of the types of categories for which specified percentages of ISTEA moneys may be spent include, but are not limited to, safety, enhancements, population centers over 200,000 people, areas with populations under 5,000 people, transportation projects in areas that do not meet the Clean Air Act standards, and minimum allocation, reimbursement, and hold harmless programs; and

Whereas, For the six-year duration of ISTEA, Colorado will receive an estimated \$1.31 billion in federal moneys, compared to \$1.43 billion Colorado received in the previous six years; and

Whereas, Before the enactment of ISTEA, Colorado was permitted to use a portion of Interstate Maintenance Funds to increase vehicle carrying capacity, but under ISTEA, capacity improvements are limited to High Occupancy Vehicle (HOV) lanes or auxiliary lanes in nonattainment areas; and

Whereas, Since the six-year duration of ISTEA will end after the 1996 fiscal year, Congress will have to reauthorize ISTEA in order to continue the federal surface transportation funding to states and local governments; now, therefore,

*Be it Resolved by the House of Representatives of the Sixty-first General Assembly of the State of Colorado, the Senate concurring herein:*

That the Colorado General Assembly respectfully urges the 105th Congress of the United States to consider the following proposals as ISTEA comes under scrutiny for reauthorization:

(1) Eliminate federal mandates, sanctions, and restrictions that limit the powers of the states and local governments to accomplish their individual transportation needs and reduce federal oversight and reporting requirements;

(2) Transfer from the General Fund to the Highway Trust Fund, for distribution to the states, the 4.3 cents per gallon fuel tax added by the United States Congress in 1993; and

(3) Allow the 2.5 cents per gallon fuel tax added by the United States Congress in 1990 to be deposited into the Highway Trust Fund and distributed to the states, given the demonstrated need for moneys for transportation systems.

*Be It Further Resolved, That copies of this Resolution be sent to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Speaker of the House and the President of the Senate of each state's legislature of the United States of America, and Colorado's Congressional delegation.*

POM-164. A concurrent resolution adopted by the Legislature of the State of Hawaii; to the Committee on Environment and Public Works.

#### SENATE CONCURRENT RESOLUTION 242

Whereas, one of the most important legislative initiatives in the 105th Congress is the reauthorization of the federal highway and mass transit programs, referred to as the Intermodal Surface Transportation Efficiency Act (ISTEA); and

Whereas, the quality of our highways and mass transit systems directly affect the lives of virtually all Americans; and

Whereas, the United States Department of Transportation reports that an additional \$15 billion in highway investment above current spending is needed annually just to maintain existing highway conditions; and

Whereas, highway users pay for construction and maintenance of highways and mass transit through the Highway Trust Fund, which is financed with the revenues from the federal motor fuels tax; and

Whereas, in 1993, Congress enacted a 4.3 cent per gallon increase in the motor fuels highway user fee which was directed into the Treasury general fund for deficit reduction rather than into the Highway Trust Fund; and

Whereas, the allocation of federal highway user fee revenues among the states will be the single most contentious issue in the Intermodal Surface Transportation Efficiency Act reauthorization debate; and

Whereas, the allocation debate could effectively be eliminated before it becomes contentious by significantly increasing the total amount of federal highway funds available to be allocated among the states; and

Whereas, this can be accomplished by swift action on the following two measures:

(1) Redirecting the revenue from the 1993, 4.3 cent federal motor fuels tax increase into the Highway Trust Fund; and

(2) Removing the Highway Trust Fund from the unified budget to ensure that all revenues into the Highway Trust Fund are spent; and

Whereas, failure to act on these two measures before the completion of the fiscal year 1998 budget resolution means this source of additional highway revenues for the State of Hawaii could be lost for the entire six-year duration of the Intermodal Surface Transportation Efficiency Act reauthorization measures; now, therefore,

Be it resolved by the Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1997, the House of Representatives concurring, that Hawaii's Congressional Delegation is respectfully urged to support and enact measures before the United States House of Representatives and the United States Senate to redirect the revenue from the 1993, 4.3 cent federal motor fuels tax increase into the Highway Trust Fund, and to remove the Highway Trust Fund from the unified budget, before Congress completes the fiscal year 1998 budget resolution; and

Be it further resolved that certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, Senator Daniel K. Akaka, Senator Daniel K. Inouye, Representative Neil Abercrombie, and Representative Patsy T. Mink.

POM-165. A resolution adopted by the House of the Legislature of the Commonwealth of Pennsylvania; to the Committee on Environment and Public Works.

#### HOUSE RESOLUTION 203

Whereas, on November 15, 1990, the President signed the Clean Air Act Amendments of 1990 (Public Law 101-549, 104 Stat. 2399); and

Whereas, the Environmental Protection Agency has demonstrated an inability to effectively promulgate fair and equitable regulations pertaining to vehicle emissions which frustrate the intent of the Congress of the United States to permit the various states to have a range of acceptable options; and

Whereas, a number of members of Pennsylvania's Congressional delegation have ex-

pressed concern over various aspects to the operational parameters of the emissions program as currently mandated by the Environmental Protection Agency; and

Whereas, it is quite likely that the Commonwealth will be threatened with the loss of up to \$1 billion in Federal highway funds and possibly fined on a daily basis by a Federal District Court judge; and

Whereas, the only remedy for Pennsylvania is Congressional action to relieve these penalties; therefore be it

*Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize Congress to suspend implementation of the vehicle emissions provisions of the Clean Air Act Amendments of 1990 and subsequent regulations promulgated by the Environmental Protection Agency until October 1, 1998; and be it further,*

*Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.*

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. THURMOND, from the Committee on Armed Services:

The following named officer for appointment in the United States Army 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. Wesley K. Clark, 0000

The following named officer for appointment in the United States Marine Corps 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. Anthony C. Zinni, 0000

(The above nominations were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. ROBB, and Mr. SARBANES):

S. 998. A bill to simplify and consolidate the pay system for the United States Secret Service Uniformed Division, and for other purposes; to the Committee on Governmental Affairs.

By Mr. SPECTER:

S. 999. A bill to specify the frequency of screening mammograms provided to women veterans by the Department of Veterans Affairs; to the Committee on Veterans Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROBB (for himself, Ms. MIKULSKI, Mr. SARBANES, Mr. WARNER, Mr. KENNEDY, Mr. TORRICELLI, Mr. ROCKEFELLER, Mr. SANTORUM, and Mr. KERRY):