

FDA Modernization and Accountability Act—Cloture Vote Agreement: A unanimous-consent agreement was reached providing for a cloture vote on the motion to proceed to consideration of S. 830, to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, to occur at 9:50 a.m., on Friday, September 5, 1997, and that if cloture is invoked, there be up to 8 hours for debate on Friday and 4 hours for debate on Monday, equally divided. **Page S8821**

A second motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on the cloture motion could occur on Monday, September 8, 1997. **Page S8821**

Subsequently, the motion to proceed to consideration of the bill was withdrawn. **Page S8821**

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

Transmitting a report of the activities of the U.S. Government in the United Nations for calendar year 1996; referred to the Committee on Foreign Relations. (PM-62). **Page S8822**

Transmitting the annual report of the Federal Labor Relations Authority for fiscal year 1996; referred to the Committee on Governmental Affairs. (PM-63). **Page S8822**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 96 yeas (Vote No. 218 EX), Henry Harold Kennedy, Jr., of the District of Columbia, to be United States District Judge for the District of Columbia. **Pages S8818-21, S8836**

By unanimous vote of 96 yeas (Vote No. 219 EX), Frank M. Hull, of Georgia, to be United States Circuit Judge for the Eleventh Circuit. **Pages S8818-21, S8836**

Nominations Received: Senate received the following nominations:

Dale A. Kimball, of Utah, to be United States District Judge for the District of Utah.

Edward F. Shea, of Washington, to be United States District Judge for the Eastern District of Washington.

R. Roger Majak, of Virginia, to be an Assistant Secretary of Commerce.

Raymond G. Kammer, of Maryland, to be Director of the National Institute of Standards and Technology.

Routine lists in the Foreign Service and Public Health Service. **Page S8836**

Messages From the President: **Page S8822**

Messages From the House: **Pages S8822-23**

Measures Referred: **Page S8823**

Statements on Introduced Bills: **Pages S8823-31**

Additional Cosponsors: **Pages S8831-32**

Amendments Submitted: **Page S8833**

Notices of Hearings: **Page S8833**

Authority for Committees: **Page S8834**

Additional Statements: **Pages S8834-35**

Record Votes: Five record votes were taken today. (Total-219) **Pages S8781, S8793, S8805, S8818-19**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:32 p.m., until 9:30 a.m., on Friday, September 5, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8836.)

Committee Meetings

(Committees not listed did not meet)

RURAL AGRICULTURAL CREDIT

Committee on Agriculture, Nutrition and Forestry: Committee concluded hearings to examine the availability of credit in rural America, focusing on the performance of rural financial markets and the safety and soundness of the Farm Credit System, after receiving testimony from Marsha Pyle Martin, Chairman and Chief Executive Officer, Farm Credit Administration; Susan E. Offutt, Administrator, Economic Research Service, and Dayton J. Watkins, Administrator, Rural Business-Cooperative Service, both of the Department of Agriculture; David Hemingway, Member of the Board of Directors, Federal Agricultural Mortgage Corporation; Mark Drabenstott, Federal Reserve Bank of Kansas City, Kansas City, Missouri; Mark A. Edelman, Iowa State University, Ames; Dennis Everson, First Dakota National Bank, Yankton, South Dakota, on behalf of the American Bankers Association; Terry Jorde, Towner County State Bank, Cando, North Dakota, on behalf of the Independent Bankers Association of America; and Jerold L. Harris, Farm Credit Bank of Wichita, Wichita, Kansas, on behalf of the Farm Credit Council.

NATIONAL EDUCATION TESTING

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded hearings to examine the Administration's proposed initiative to develop voluntary national standards to measure academic achievement in reading and mathematics, after receiving testimony from

Representative Goodling; Richard W. Riley, Secretary of Education; and Marshall Smith, Acting Deputy Secretary of Education.

AUTHORIZATION—SUPERFUND

Committee on Environment and Public Works: Committee held hearings on S. 8, to revise and authorize funds for fiscal years 1998 through 2002 for the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund), receiving testimony from Carol M. Browner, Administrator, Environmental Protection Agency; Nebraska Governor E. Benjamin Nelson, Lincoln, on behalf of the National Governors' Association; Mayor James P. Perron, Elkhart, Indiana, on behalf of the United States Conference of Mayors; New York State Assistant Attorney General Gordon J. Johnson, New York, New York, on behalf of the National Association of Attorneys General; and Wilma Subra, Subra Company, New Iberia, Louisiana.

Hearings recessed subject to call.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings on the nomination of Peter L. Scher, of the District of Columbia, for the rank of Ambassador during his tenure of service as Special Trade Negotiator, after the nominee, who was introduced by Senator Baucus, testified and answered questions in his own behalf.

CAMBODIA

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded hearings to examine the current political situation in Cambodia and the policy taken by the United States in response to Hun Sen's seizure of power in Cambodia, after receiving testimony from former Representative Thomas H. Andrews; Stanley O. Roth, Assistant Secretary of State for East Asian and Pacific Affairs; Sichan Siv, former Deputy Assistant to President Bush; Frederick Z. Brown, Southeast Asian Studies School of Advanced International Studies/Johns Hopkins University, Washington, D.C.; and Brad Adams, United Nations Human Rights Center, Phnom Penh, Cambodia.

CAMPAIGN FINANCING INVESTIGATION

Committee on Governmental Affairs: Committee resumed hearings to examine certain matters with regard to the committee's special investigation on campaign financing, receiving testimony from Venerable Man-Ho, Venerable Yi Chu, and Venerable Man Ya, all of Hsi Lai Temple, Hacienda Heights, California.

Hearings continue tomorrow.

ONLINE COPYRIGHT INFRINGEMENT LIABILITY

Committee on the Judiciary: Committee held hearings to examine how to combat the risk of copyright infringement facing online and internet service providers, and S. 1146, to provide limitations on copyright liability relating to material on-line, receiving testimony from Fritz E. Attaway, Motion Picture Association of America, Cary H. Sherman, Recording Industry Association of America, Roy Neel, United States Telephone Association, and Robert L. Oakley, Georgetown University Law Center, on behalf of the American Association of Law Libraries, all of Washington, D.C.; Daniel Burton, Novell, Orem, Utah, on behalf of the Business Software Alliance and the Software Publishers Association; and George Vradenburg III, America OnLine, Inc., Dulles, Virginia, on behalf of the Ad Hoc Copyright Coalition.

Hearings recessed subject to call.

JUDGESHIP ALLOCATION

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded hearings to examine the allocation of judgeships in the United States Court of Appeals for the Second and Eighth Circuits, after receiving testimony from Richard S. Arnold, Chief Judge, United States Court of Appeals for the Eighth Circuit (Little Rock, Arkansas); Ralph K. Winter, Chief Judge, United States Court of Appeals for the Second Circuit (New Haven, Connecticut); Jon O. Newman, Senior Judge, United States Court of Appeals for the Second Circuit (Hartford, Connecticut); and Lawrence L. Piersol, District Judge, United States District Court (Sioux Falls, South Dakota).