

Wednesday, September 10, 1997

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S9033–S9096*

**Measures Introduced:** Four bills and one resolution were introduced, as follows: S. 1158–1161, and S. Res. 121. **Page S9080**

**Measures Reported:** Reports were made as follows:  
S. 1026, to reauthorize the Export-Import Bank of the United States, with an amendment in the nature of a substitute. (S. Rept. No. 105–76)

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1998”. (S. Rept. No. 105–77) **Page S9080**

#### Measures Passed:

**National Historically Black Colleges and Universities Week:** Committee on the Judiciary was discharged from further consideration of S. Res. 111, designating the week beginning September 14, 1997, as “National Historically Black Colleges and Universities Week”, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S9091**

Gorton (for Thurmond) Amendment No. 1128, designating the week beginning September 21, 1997 as “National Historically Black Colleges and Universities Week”. **Page S9091**

**Refugee Assistance:** Senate passed S. 1161, to amend the Immigration and Nationality Act to authorize appropriations for refugee and entrant assistance for fiscal years 1998 and 1999. **Page S9091**

**National Wildlife Refuge System Improvement Act:** Senate passed H.R. 1420, to amend the National Wildlife Refuge System Administration Act of 1996 to improve the management of the National Wildlife Refuge System, after agreeing to the following amendment proposed thereto: **Pages S9092–96**

Gorton (for Chafee) Amendment No. 1129, to clarify that uses can be both wildlife-dependent and other uses, to require that the Secretary provide for monitoring of the status and trends of fish, wildlife and plants on refuges, and to clarify the intent re-

garding the periodic reevaluation of longterm secondary uses, such as electric utility rights-of-way.

**Pages S9092–96**

**Labor/HHS Appropriations, 1998:** Senate resumed consideration of S. 1061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, taking action on amendments proposed thereto, as follows:

**Pages S9033–59, S9062–78**

#### Adopted:

By 95 yeas to 3 nays (Vote No. 227), Durbin/Collins Amendment No. 1078, to repeal the tobacco industry settlement credit contained in the Balanced Budget Act of 1997. **Pages S9033, S9049–51, S9053**

Sessions Modified Amendment No. 1125 (to Amendment No. 1078), to provide for certain limitations on attorneys’ fees under any global tobacco settlement and for increased funding for children’s health research. (By 48 yeas to 49 nays (Vote No. 224), Senate earlier failed to table the amendment.)

**Pages S9034–43**

Wellstone Amendment No. 1126 (to Amendment No. 1078), to establish that nothing in this Act may be construed to interfere with any agreement previously entered into between any State and any private attorney with respect to litigation involving tobacco. (By 48 yeas to 50 nays (Vote No. 225), Senate earlier failed to table the amendment.)

**Pages S9044–48**

By 97 yeas to 1 nay (Vote No. 226), Durbin Amendment No. 1127 (to Amendment No. 1078), to express the sense of the Senate that attorneys’ fees paid in connection with an action maintained by a State against one or more tobacco companies to recover tobacco-related costs affected by federal tobacco settlement legislation should be publicly disclosed and should not displace spending in the settlement legislation intended for public health. **Pages S9047–49**

By 98 yeas to 1 nay (Vote No. 228), Murray/Wellstone Amendment No. 1118, to clarify the family violence option under temporary assistance to needy families program.

**Pages S9034, S9051–53, S9062–63**

Coverdell Amendment No. 1097, to enhance food safety for children through preventative research and medical treatment. **Pages S9034, S9064**

By 91 yeas to 8 nays (Vote No. 230), Coverdell Amendment No. 1098 (to Amendment No. 1097), in the nature of a substitute.

**Pages S9034, S9058–59, S9063–74**

By 96 yeas to 3 nays (Vote No. 231), Harkin (for Daschle) Modified Amendment No. 1116, to express the sense of the Senate regarding Federal Pell Grants and a child literacy initiative.

**Pages S9034, S9058, S9064–66**

Specter Modified Amendment No. 1110, to reduce unemployment insurance service administrative expenses to offset costs of administering a welfare-to-work jobs initiative. **Pages S9034, S9078**

Withdrawn:

Mack/Graham Amendment No. 1090, to increase the appropriations for the Mary McLeod Bethune Memorial Fine Arts Center. **Pages S9033, S9078**

Pending:

Gregg Amendment No. 1070, to prohibit the use of funds for national testing in reading and mathematics, with certain exceptions. **Page S9033**

Coats/Gregg Amendment No. 1071 (to Amendment No. 1070), to prohibit the development, planning, implementation, or administration of any national testing program in reading or mathematics unless the program is specifically authorized by Federal statute. **Page S9033**

Nickles/Jeffords Amendment No. 1081, to limit the use of taxpayer funds for any future International Brotherhood of Teamsters leadership election. **Page S9033**

Craig/Jeffords Amendment No. 1083 (to Amendment No. 1081), in the nature of a substitute. **Page S9033**

Harkin/Bingaman/Kennedy Amendment No. 1115, to authorize the National Assessment Governing Board to develop policy for voluntary national tests in reading and mathematics. **Page S9034**

Domenici (for Gorton) Modified Amendment No. 1122, to provide certain education funding directly to local educational agencies. **Pages S9034, S9066–78**

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

By 45 yeas to 54 nays (Vote No. 223), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 904 of the Congressional Budget Act with respect to consideration of McCain/Gramm Amendment No. 1091, to eliminate Medicare incentive payments under plans for voluntary reduction in the number of residents. Subsequently, a point of order that the amendment was in violation of the

Congressional Budget Act was sustained, and the amendment thus fell.

**See Congressional Record of September 9, 1997**

By 27 yeas to 72 nays (Vote No. 229), 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 Harkin (for Wellstone) Modified Amendment No. 1087, to increase funding for the Head Start Act. Subsequently, a point of order that the amendment was in violation of section 306 of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S9034, S9053–58, S9063**

A unanimous-consent agreement was reached providing for further consideration of the bill and amendments pending thereto on Thursday, September 11, 1997.

**FDA Administration Modernization and Accountability Act—Agreement:** A unanimous-consent agreement was reached providing for the 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, on Thursday, September 11, 1997. **Page S9072**

#### **Appointments:**

**Canada-U.S. Interparliamentary Group:** The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 105th Congress, to be held in Nova Scotia and Prince Edward Island, Canada, September 11–15, 1997: Senators Murray (Vice Chair), Sarbanes, and Akaka. **Page S9078**

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

Transmitting a report relative to telecommunications services; referred to the Committee on Foreign Relations. (PM–64). **Page S9079**

**Nominations Received:** Senate received the following nominations:

Robert M. Walker, of Tennessee, to be Under Secretary of the Army. **Page S9096**

**Messages From the President:** **Page S9079**

**Measures Referred:** **Page S9079**

**Communications:** **Pages S9079–80**

**Petitions:** **Page S9080**

**Executive Reports of Committees:** **Page S9080**

**Statements on Introduced Bills:** **Pages S9080–85**

**Additional Cosponsors:** **Pages S9085–87**

**Amendments Submitted:** Page S9088  
**Notices of Hearings:** Page S9088  
**Authority for Committees:** Page S9088  
**Additional Statements:** Pages S9088–91  
**Record Votes:** Eight record votes were taken today. (Total—231) Pages S9043, S9048–50, S9062–64, S9066

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 8:31 p.m., until 9 a.m., Thursday, September 11, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9096.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATION

*Committee on Armed Services:* Committee ordered favorably reported the nomination of Gen. Henry H. Shelton, USA, to be Chairman of the Joint Chiefs of Staff.

### NOMINATIONS

*Committee on Commerce, Science, and Transportation:* Committee ordered favorably reported the nominations of Heidi H. Schulman, of California, and Katherine Milner Anderson, of Virginia, each to be a Member of the Board of Directors of the Corporation for Public Broadcasting, and Sheila Foster Anthony, of Arkansas, to be a Federal Trade Commissioner.

Prior to this action, committee concluded hearings on the aforementioned nominations, after the nominees testified and answered questions in their own behalf. Ms. Anderson was introduced by Senator Lott, and Ms. Anthony was introduced by Senators Bumpers and Hutchinson.

### FOREST SERVICE ALASKA REGION

*Committee on Energy and Natural Resources:* Committee concluded oversight hearings to examine the organizational structure, staffing, and budget for implementation of the Tongass Land Management Plan and the management of programs under the jurisdiction of the Alaska region of the Forest Service, after receiving testimony from Ronald E. Stewart, Deputy Chief, and Phil Janik, Regional Forester (Juneau, Alaska), both of the Forest Service, Department of Agriculture; and Mayor Dennis Egan, Juneau, Alaska.

### NOMINATIONS

*Committee on Finance:* Committee concluded hearings on the nominations of Rita D. Hayes, of South Carolina, to be Deputy United States Trade Representative, with the rank of Ambassador, Kenneth S. Apfel, of Maryland, to be Commissioner of Social Security, Social Security Administration, Nancy-Ann Minn DeParle, of Tennessee, to be Administrator of the Health Care Financing Administration, and Olivia A. Golden, of the District of Columbia, to be Assistant Secretary for Family Support, both of the Department of Health and Human Services, and David A. Lipton, of Massachusetts, to be Under Secretary for International Affairs, Timothy F. Geithner, of New York, to be Deputy Under Secretary, Gary Gensler, of Maryland, to be Assistant Secretary for Financial Markets, and Nancy Killefer, of Florida, to be Assistant Secretary and Chief Financial Officer, all of the Department of the Treasury, after the nominees testified and answered questions in their own behalf. Ms. Hayes was introduced by Senators Thurmond and Hollings, Ms. DeParle was introduced by Senator Frist, and Ms. Golden was introduced by Senator Moynihan.

### NOMINATIONS

*Committee on Foreign Relations:* Committee concluded hearings on the nominations of Thomas J. Dodd, of the District of Columbia, to be Ambassador to the Republic of Costa Rica, Donna Jean Hrinak, of Virginia, to be Ambassador to the Republic of Bolivia, Edward E. Shumaker III, of New Hampshire, to be Ambassador to the Republic of Trinidad and Tobago, and Curtis Warren Kamman, of the District of Columbia, to be Ambassador to the Republic of Colombia, after the nominees testified and answered questions in their own behalf. Mr. Shumaker was introduced by Senators Smith and Gregg.

### 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 Joseph E. Sandler, General Counsel, Democratic National Committee.

Hearings continue tomorrow.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on intelligence matters from officials of the intelligence community.

Committee recessed subject to call.