

markets, and I want to commend the Federal Maritime Commission, its Chairman, Hal Creel, and members of the administration, particularly Stu Eizenstat, for the good work they have done in bringing this to a conclusion.

I yield the floor, and I suggest the regular order.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ALGENON L. MARBLEY, OF OHIO, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF OHIO

The PRESIDING OFFICER. Under the previous order, the hour of 5 p.m. having arrived, the Senate will now go into executive session and proceed to vote on the nomination of Algenon L. Marbley, of Ohio, to be U.S. District Judge for the Southern District of Ohio.

The clerk will report.

The bill clerk read the nomination of Algenon L. Marbley, of Ohio, to be a United States District Judge for the Southern District of Ohio.

Mr. STEVENS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New York [Mr. D'AMATO], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Delaware [Mr. ROTH], and the Senator from Virginia [Mr. WARNER] are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Maryland [Ms. MIKULSKI], and the Senator from Oregon [Mr. WYDEN] are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey [Mr. LAUTENBERG] would vote "aye."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 279 Ex.]

YEAS—91

Abraham	Bond	Byrd
Akaka	Boxer	Campbell
Allard	Breaux	Chafee
Ashcroft	Brownback	Cleland
Baucus	Bryan	Coats
Bennett	Bumpers	Cochran
Bingaman	Burns	Collins

Conrad	Holms	Murkowski
Coverdell	Hollings	Murray
Craig	Hutchinson	Nickles
Daschle	Hutchison	Reed
DeWine	Inhofe	Reid
Dodd	Inouye	Robb
Domenici	Jeffords	Roberts
Dorgan	Johnson	Rockefeller
Durbin	Kempthorne	Santorum
Enzi	Kerrey	Sarbanes
Feingold	Kerry	Sessions
Feinstein	Kohl	Shelby
Ford	Kyl	Smith (NH)
Frist	Landrieu	Smith (OR)
Glenn	Leahy	Snowe
Gorton	Levin	Specter
Graham	Lieberman	Stevens
Gramm	Lott	Thomas
Grans	Lugar	Thompson
Grassley	Mack	Thurmond
Gregg	McCain	Torricelli
Hagel	McConnell	Wellstone
Harkin	Moseley-Braun	
Hatch	Moynihan	

NOT VOTING—9

Biden	Kennedy	Roth
D'Amato	Lautenberg	Warner
Faircloth	Mikulski	Wyden

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid upon the table, and the President will be notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

UNANIMOUS-CONSENT AGREEMENT—CONFERENCE REPORT ACCOMPANYING H.R. 2107

Mr. LOTT. Mr. President, I ask unanimous consent that, immediately following the cloture vote, if not invoked on Tuesday morning, the Senate then turn to the Interior appropriations conference report; that the conference report be considered as having been read, and that it be limited to the following time constraints: 60 minutes on the conference report, to be equally divided between Senators GORTON and BYRD; 15 minutes for Senator MURKOWSKI; 10 minutes for Senator ASHCROFT; 10 minutes for Senator MCCAIN; that following the conclusion or yielding back of time, the Senate proceed to vote on the adoption of the conference report without any further action or debate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LOTT. Let me confirm again, we have cleared this with the Democratic side of the aisle. This vote will be tomorrow, not tonight, and it will be after the cloture vote on the highway infrastructure bill. I have set out the times of debate before that vote.

EXECUTIVE SESSION

NOMINATIONS OF WYCHE FOWLER, JR., OF GEORGIA, TO BE AMBASSADOR TO THE KINGDOM OF SAUDIA ARABIA, AND THOMAS S. FOLEY, OF WASHINGTON, TO BE AMBASSADOR TO JAPAN

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to executive session to consider Executive Calendar No. 318, Wyche Fowler, and Executive Calendar No. 320, Thomas Foley. I further ask unanimous consent that there be 10 minutes for debate, equally divided in the usual form on these nominations; and that, finally, at 6:15 p.m. tonight, the Senate proceed to a vote on Calendar No. 318, to be followed by a vote on Calendar No. 320.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Those will be the final two votes of the night. Senator DASCHLE and I discussed this last week. This will give us time to have some brief statements in behalf of these two nominees to be ambassadors. I feel it is very important these actions be taken.

I also note that tomorrow, or not later than Wednesday, if we have not cleared them, we will also have votes on the five FCC nominations. We had discussed the need to do that, and we believe we will be able to move them tomorrow. If necessary, we will call for a recorded vote on those nominees also.

Mr. President, I yield the floor. If no Senator seeks recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The clerk will report the nominations.

The assistant legislative clerk read the nominations of Wyche Fowler, Jr., of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Saudi Arabia, and Thomas S. Foley, of Washington, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

NOMINATION OF THOMAS S. FOLEY

Mrs. MURRAY. Mr. President, it is a personal pleasure and an honor for me to be here this afternoon as one of Washington's U.S. Senators. My State—my entire State—is immensely proud today as Tom Foley's nomination to be our Ambassador to Japan comes to the Senate floor.

Most of my Senate colleagues know Tom Foley personally as a result of working with him on legislation and on maintaining the integrity and authority of the legislative branch.

Important for those of us in the Senate, the man who eventually became Speaker began his congressional career in the U.S. Senate as special counsel to the late and revered Washington State Senator Henry M. "Scoop" Jackson. Despite his distinguished service in the other body, Tom Foley is really one of our own.

Tom was born and raised in Spokane, WA. The son of Superior Court Judge Ralph and Helen Foley, he is the descendant of a pioneering family that settled in Washington's big bend country. He also learned firsthand the importance of public service from his father, Judge Foley. In addition, he learned firsthand about the crop that has become one of our most successful export commodities, wheat, by working in his uncle's grain elevator business.

It was that early introduction to the export dominated economy of our State that led to his unstinting advocacy of American agricultural exports to Japan, most of Asia, and throughout the world.

Throughout his long service as a Washington State Representative to Congress and as its Speaker, he was a tireless advocate for American competitiveness in the world market and for its peerless agricultural productivity. As a champion of America's family farmers throughout his service as a member and then chairman of the House Agriculture Committee, he took every opportunity to press, usually successfully, the opening of markets throughout the world to the production of America's farmers.

But Speaker Foley always understood that America's national interest would be best served by ensuring that all of its products would have a level playing field with all our trading partners. It is my belief that the reason Speaker Foley enjoys such great respect in Japan today is his consistent and candid portrayal of critical issues that have arisen between this country and Japan. The Japanese, like many of my Senate colleagues who have served here longer than I, also know him as a skilled and tireless negotiator.

In my opinion, no recent Member of Congress surpasses Speaker Foley in the depth and breadth of his understanding of Japan. It is no exaggeration to say that during the more than 25 years he has traveled regularly to Japan, he has made the acquaintance of virtually every single political and economic leader of note in that country. On those trips, and the many occasions when he received Japanese political and business leaders in this country, he pressed the full range of American trade and vital mutual security concerns. Throughout this period, Speaker Foley also provided counsel and sage advice to Presidents of both parties.

This record of understanding, great knowledge, and policy expertise is unparalleled in either Tokyo or Washington. It makes Speaker Foley the natural choice to be our Ambassador to

Japan, representing our Nation, its people, and its vital interests. The residents of my State are so proud of Tom Foley's record of public service.

Mr. President, I believe it is time once again, to draw from the illustrious alumni ranks of the Senate to fill what is perhaps our most important diplomatic post as we did when we sent Majority Leader Mansfield and Vice President Walter Mondale to Tokyo.

Tom Foley will be a fabulous ambassador. I urge all of my colleagues to join me in supporting this nomination.

Mr. LOTT. Mr. President, I yield back all time for debate on these nominations.

The PRESIDING OFFICER. All time is yielded back.

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LOTT. There will be a recorded vote at 6:15. Until then, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON THE NOMINATION OF WYCHE FOWLER, JR., OF GEORGIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF SAUDI ARABIA

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Wyche Fowler, Jr., to be Ambassador to the Kingdom of Saudi Arabia. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New York [Mr. D'AMATO], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Virginia [Mr. WARNER], and the Senator from Delaware [Mr. ROTH] are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from South Dakota [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Maryland [Ms. MIKULSKI], and the Senator from Oregon [Mr. WYDEN] are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey [Mr. LAUTENBERG] would vote "aye."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 280 Ex.]

YEAS—90

Abraham	Enzi	Lieberman
Akaka	Feingold	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Bingaman	Gorton	Moseley-Braun
Bond	Graham	Moynihan
Boxer	Gramm	Murkowski
Breaux	Grams	Murray
Brownback	Grassley	Nickles
Bryan	Gregg	Reed
Bumpers	Hagel	Reid
Burns	Harkin	Robb
Byrd	Hatch	Roberts
Campbell	Helms	Rockefeller
Chafee	Hollings	Santorum
Cleland	Hutchinson	Sarbanes
Coats	Hutchison	Sessions
Cochran	Inhofe	Shelby
Collins	Inouye	Smith (NH)
Conrad	Jeffords	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kerrey	Specter
Daschle	Kerry	Stevens
DeWine	Kohl	Thomas
Dodd	Kyl	Thompson
Domenici	Landrieu	Thurmond
Dorgan	Leahy	Torricelli
Durbin	Levin	Wellstone

NOT VOTING—10

Biden	Kennedy	Warner
D'Amato	Lautenberg	Wyden
Faircloth	Mikulski	
Johnson	Roth	

The nomination was confirmed.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the nomination was confirmed.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON THE NOMINATION OF THOMAS S. FOLEY, OF WASHINGTON, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAPAN

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Thomas S. Foley, of Washington, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New York [Mr. D'AMATO], the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Virginia [Mr. WARNER], and the Senator from Delaware [Mr. ROTH] are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware [Mr. BIDEN], the Senator from South Dakota [Mr. JOHNSON], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Maryland [Ms. MIKULSKI], and the Senator from Oregon [Mr. WYDEN] are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey [Mr. LAUTENBERG] would vote "aye."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 281 Ex.]

YEAS—91

Abraham	Feingold	Lott
Akaka	Feinstein	Lugar
Allard	Ford	Mack
Ashcroft	Frist	McCain
Baucus	Glenn	McConnell
Bennett	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murkowski
Boxer	Grams	Murray
Breaux	Grassley	Nickles
Brownback	Gregg	Reed
Bryan	Hagel	Reid
Bumpers	Harkin	Robb
Burns	Hatch	Roberts
Byrd	Helms	Rockefeller
Campbell	Hollings	Santorum
Chafee	Hutchinson	Sarbanes
Cleland	Hutchison	Sessions
Coats	Inhofe	Shelby
Cochran	Inouye	Smith (NH)
Collins	Jeffords	Smith (OR)
Conrad	Kempthorne	Snowe
Coverdell	Kennedy	Specter
Craig	Kerrey	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Leahy	Wellstone
Durbin	Levin	
Enzi	Lieberman	

NOT VOTING—9

Biden	Johnson	Roth
D'Amato	Lautenberg	Warner
Faircloth	Mikulski	Wyden

The nomination was confirmed.

LEGISLATIVE SESSION

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

MORNING BUSINESS

Mr. ENZI. Mr. President, I ask unanimous consent that there be a period of morning business with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE HEROISM OF ANDREW MONTGOMERY

Mr. LOTT. Mr. President, too often the media reports about a terrible mistake made or a crime committed by one of America's young people. But there are millions and millions of young people who we never hear about—young people who are doing the right things, young people avoiding the mistakes often made by their peers, young people working hard in school, young people participating in the civic activities of their town or city, and, sometimes, young people doing remarkable things.

Mr. President, I want to tell my Senate colleagues about one special young person, Andrew Montgomery, from Crystal Springs, MS.

On August 19, 1995, when he was only eleven years old, Andrew first proved himself. He came upon a crowd of people who had surrounded an unconscious woman near the seawall in Galveston, TX. No one in the crowd was taking action, so Andrew stepped forward and administered CPR and treatment for

shock. Eventually, an emergency medical team arrived and transported the woman to a local hospital, where she recovered.

Mr. President, 2 years later, Andrew Montgomery was again confronted with an emergency situation. On August 10 of this year, Andrew was riding with his family near Lafayette, LA, when they came upon a multivehicle wreck. A car and a pickup had collided, and the car came to rest in a ditch, with a heavy metal sign collapsed upon it. Andrew quickly rushed to the scene. The car was smashed and on fire. The driver of the car was dead, and a baby in the back seat, covered with blood, was in danger. Unable to immediately pull the baby out of the wrecked car, Andrew wrapped the infant in a beach towel, and protected the baby from the smoke and flames of the car fire. Andrew was then joined by his parents, Ann and Bill, Kenneth Puckett, a truckdriver, and Dr. Thomas Dewey. The group rescued the child and lifted the baby hand-over-hand out of the ditch in which the car settled following the collision.

Mr. President, how many of us would have had the presence to do the same? Mind you, we're talking about a young boy.

Andrew, I might add, knew what to do because he received training from both the American Red Cross and the Boy Scouts. Andrew's reactions were a direct result of this training. It saved two lives, and speaks volumes about how important organizations like the Red Cross and the Boy Scouts are to all Americans.

Mr. President, as I said, too often we hear about the "bad eggs" among America's youth. And, we worry about America's future. But the story of Andrew Montgomery should remind us all how many of our youth are out there doing the right thing.

We too often also hear about the broken families in America. But Andrew's story should remind us how many of our families are still out there doing the right thing. His parents, Ann and Bill Montgomery have good reason to be proud of their son. They raised a boy who is willing to make sacrifices, willing to work hard, and willing to act courageously. I want to also recognize his parents for setting a good example for their son, by being active in their community—as Scout leaders.

Mr. President, I personally want to recognize Andrew Montgomery for being an outstanding example of America's youth.

CONGRATULATIONS TO ARTHUR E. KRUSE CELEBRATING HIS 100TH BIRTHDAY

Mr. ASHCROFT. Mr. President, I rise today to encourage my colleagues to join me in congratulating Arthur E. Kruse of St. Louis, MO, who will celebrate his 100th birthday on November 10. Arthur is a truly remarkable individual. He has witnessed many of the

events that have shaped our Nation into the greatest the world has ever known. The longevity of Arthur's life has meant much more, however, to the many relatives and friends whose lives he has touched over the last 100 years.

Arthur's celebration of 100 years of life is a testament to me and all Missourians. His achievements are significant and deserve to be recognized. I would like to join Arthur's many friends and relatives in wishing him health and happiness in the future.

CORRECTING CLERICAL ERRORS REGARDING AMENDMENT NO. 1425 AND AMENDMENT NO. 1424

Mr. CAMPBELL. Mr. President, I take this opportunity to state for the record that there is a misprint in the CONGRESSIONAL RECORD of October 23, 1997, at page S11068. Due to a clerical error, my name is inadvertently listed as filing amendment No. 1425, which was filed by our colleague from Florida, Senator GRAHAM. In addition, the name of our colleague from Illinois, Senator MOSELEY-BRAUN, was inadvertently not listed as an original cosponsor to amendment No. 1424.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting withdrawals and sundry nominations which were referred to the Committee on Labor and Human Resources.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following measures were read the second time and placed on the calendar:

S.J. Res. 37. Joint resolution to provide for the extension of a temporary prohibition of strikes or lockout and to provide for binding arbitration with respect to the labor dispute between Amtrak and certain of its employees.

H.R. 2646. An act to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MACK (for himself, Mr. ABRAHAM, Mr. NICKLES, and Mr. CRAIG):