

grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. James P. Czেকanski, 0000

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force, to the grade indicated under title 10, United States Code, section 12203:

To be major general

Brig Gen. Rendell F. Clark, Jr., 0000
Brig Gen. Wilfred Hessert, 0000
Brig Gen. Theodore F. Mallory, 0000
Brig Gen. Loran C. Schnaidt, 0000
Brig Gen. James E. Whinnery, 0000

To be brigadier general

Col. Garry S. Bahling, 0000
Col. David A. Beasley, 0000
Col. Jackson L. Davis, III, 0000
Col. David R. Hudlet, 0000
Col. Karl W. Kristoff, 0000
Col. John A. Love, 0000
Col. Clark W. Martin, 0000
Col. Robert P. Meyer, Jr., 0000
Col. John H. Oldfield, Jr., 0000
Col. Eugene A. Schmitz, 0000
Col. Joseph K. Simeone, 0000
Col. Dale K. Snider, Jr., 0000
Col. Emmett R. Titshaw, 0000
Col. Edward W. Tonini, 0000
Col. Giles E. Vanderhoof, 0000

The following-named officer for appointment in the U.S. Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be general

Lt. Gen. John A. Gordon, 0000

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force, to the grade indicated under title 10, United States Code, section 12203:

To be major general

Brig Gen. Paul A. Weaver, Jr., 0000

To be brigadier general

Col. Craig R. McKinley, 0000
Col. Kenneth J. Stromquist Jr., 0000
Col. Jay W. Van Pelt, 0000

The following-named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be general

Lt. Gen. Peter J. Schoemaker, 0000

The following-named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Jack P. Nix, Jr., 0000

The following-named officer for appointment in the U.S. Army to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be lieutenant general

Maj. Gen. Larry R. Jordan, 0000

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, United States Code, section 12203:

To be major general

Brig. Gen. Fletcher C. Coker, Jr., 0000

The following-named officers for appointment in the U.S. Navy to the grade indicated under title 10, United States Code, section 624:

To be rear admiral (lower half)

Capt. Phillip M. Balisle, 0000
Capt. Kenneth E. Barbor, 0000
Capt. Larry C. Baucom, 0000
Capt. Robert E. Besal, 0000
Capt. Joseph D. Burns, 0000
Capt. Joseph A. Carnevale, Jr., 0000
Capt. Jay M. Cohen, 0000
Capt. Christopher W. Cole, 0000
Capt. David R. Ellison, 0000
Capt. Lillian E. Fishburne, 0000
Capt. Rand H. Fisher, 0000
Capt. Alan M. Gemmill, 0000
Capt. David T. Hart, Jr., 0000
Capt. Kenneth F. Heimgartner, 0000
Capt. Joseph G. Henry, 0000
Capt. Gerald L. Hoewing, 0000
Capt. Michael L. Holmes, 0000
Capt. Edward E. Hunter, 0000
Capt. Thomas J. Jurkowsky, 0000
Capt. William R. Klemm, 0000
Capt. Michael D. Malone, 0000
Capt. William J. Marshall, III, 0000
Capt. Peter W. Marzluff, 0000
Capt. James D. McArthur, Jr., 0000
Capt. Michael J. McCabe, 0000
Capt. David C. Nichols, Jr., 0000
Capt. Gary Roughead, 0000
Capt. Kenneth D. Slight, 0000
Capt. Stanley R. Szymorski, 0000
Capt. George E. Voelker, 0000
Capt. Christopher E. Weaver, 0000
Capt. Robert F. Willard, 0000
Capt. Charles B. Young, 0000

The following-named officers for appointment in the U.S. Navy to the grade indicated under title 10 United States Code, section 624:

To be rear admiral (lower half)

Capt. Marion J. Balsam, 0000
Capt. Barry C. Black, 0000
Capt. Richard T. Ginman, 0000
Capt. Michael R. Johnson, 0000
Capt. Charles R. Kubic, 0000
Capt. Rodrigo C. Melendez, 0000
Capt. Daniel H. Stone, 0000

The following-named officer for appointment in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, sections 601 and 5035:

To be Admiral

Vice Adm. Donald L. Pilling, 0000

The following-named officer for appointment in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. Conrad C. Lautenbacher, 0000

The following-named officer for appointment in the U.S. Navy to the grade indicated under title 10, United States Code, section 624:

To be rear admiral

Rear Adm. (1h) Lowell E. Jacoby, 0000

The following-named officer for appointment in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be vice admiral

Rear Adm. Michael L. Bowman, 0000

The following-named officer for appointment in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. Vernon E. Clark, 0000

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

Mr. THURMOND. Mr. President, for the Committee on Armed Services, I report favorably 17 nomination lists in the Air Force, Army, Marine Corps, and Navy which were printed in full in the CONGRESSIONAL RECORD of June 12, September 18, October 7, 9, and 20, 1997, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators:

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

(The nominations ordered to lie on the Secretary's desk were printed in the RECORDS of June 12, September 18, October 7, 9, 20, 1997, at the end of the Senate proceedings.)

Military nominations which have been pending with the Senate Armed Services Committee the required length of time and which are proposed for the committee's consideration on October 28, 1997.

In the Naval Reserve there is one appointment to the grade of captain (Jeffrey L. Schram, USNR) (Reference No. 384-2)

In the Navy there are 587 appointments to the grade of commander (list begins with Frank P. Achron, Jr.) (Reference No. 654)

In the Army there are six appointments to the grade of lieutenant colonel and below (list begins with Reed S. Christensen) (Reference No. 704)

In the Army there are two appointments to the grade of major (list begins with Perry W. Blackburn, Jr.) (Reference No. 705)

In the Marine Corps there is one appointment to the grade of lieutenant colonel (Paul D. McGraw) (Reference No. 706)

In the Navy there are three appointments to the grade of lieutenant (list begins with Frederick Braswell) (Reference No. 707)

In the Navy there are 690 appointments to the grade of lieutenant commander (list begins with Leigh P. Ackart) (Reference No. 708)

In the Navy there are 216 appointments to the grade of lieutenant (list begins with William L. Abbott) (Reference No. 709)

In the Navy there are 53 appointments to the grade of lieutenant commander (list begins with William B. Allen) (Reference No. 710)

In the Air Force there are 1,292 appointments to the grade of lieutenant colonel (list begins with Rebecca G. Abraham) (Reference No. 711)

In the Army there are three appointments as permanent professors at the U.S. Military Academy to the grade of colonel and below (list begins with Russell D. Howard) (Reference No. 742)

In the Air Force there are 49 appointments to the grade of captain (list begins with Share Dawn P. Angel) (Reference No. 748)

In the Army there are 16 appointments to the grade of colonel (list begins with Debra L. Boudreau) (Reference No. 749)

In the Army there are three appointments to the grade of lieutenant colonel (list begins with LeLon W. Carroll) (Reference No. 750)

In the Naval Reserve there is one appointment to the grade of captain (Arvin W. Johnsen) (Reference No. 751)

In the Navy there are two appointments to the grade of captain (list begins with William L. Richards) (Reference No. 752)

In the Navy there is one appointment to the grade of commander (James R. Pipkin) (Reference No. 753)

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. LIEBERMAN:

S. 1329. A bill to prohibit the taking of certain lands by the United States in trust for economically self-sufficient Indian tribes for commercial and gaming purposes, and for other purposes; to the Committee on Indian Affairs.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1330. A bill to designate the United States Post Office located at 450 North Centre Street in Pottsville, Pennsylvania, as the "Peter J. McClosky Postal Facility"; to the Committee on Governmental Affairs.

By Mr. McCAIN:

S. 1331. A bill to amend title 49, United States Code, to enhance domestic aviation competition by providing for the auction of slots at slot-controlled airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ENZI:

S. 1332. A bill to amend title 28, United States Code, to recognize and protect State efforts to improve environmental mitigation and compliance through the promotion of voluntary environmental audits, including limited protection from discovery and limited protection from penalties, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FRIST:

S. 1333. A bill to amend the Land and Water Conservation Fund Act of 1965 to allow national park units that cannot charge an entrance or admission fee to retain other fees and charges; to the Committee on Energy and Natural Resources.

By Mr. BOND (for himself, Mr. SHELBY, Mr. WARNER, Mr. REID, Mr. JOHNSON, Mr. HOLLINGS, Mr. HUTCHINSON, Mr. MACK, Mrs. MURRAY, Mr. ASHCROFT, Mr. CRAIG, Mr. BUMPERS, Mr. LEAHY, Ms. COLLINS, Mr. SESSIONS, Mr. ALLARD, Mr. BAUCUS, and Mrs. FEINSTEIN):

S. 1334. A bill to amend title 10, United States Code, to establish a demonstration project to evaluate the feasibility of using the Federal Employees Health Benefits program to ensure the availability of adequate health care for Medicare-eligible beneficiaries under the military health care system; to the Committee on Armed Services.

By Ms. SNOWE:

S. 1335. A bill to amend title 5, United States Code, to ensure that coverage of bone mass measurements is provided under the health benefits program for Federal employees; to the Committee on Governmental Affairs.

By Mr. GRAHAM:

S. 1336. A bill for the relief of Roy Desmond Moser; to the Committee on the Judiciary.

S. 1337. A bill for the relief of John Andre Chalot; to the Committee on the Judiciary.

By Mr. KERREY:

S. 1338. A bill to authorize the expenditure of certain health care funds by the Ponca Tribe of Nebraska; to the Committee on Indian Affairs.

By Mrs. HUTCHISON (for herself, Mr. GRAMM, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 1339. A bill to provide for an increase in pay and allowances for members of the uniformed services for fiscal year 1998, to improve certain authorities relating to the pay and allowances and health care of such members, to authorize appropriations for fiscal year 1998 for military construction, and for other purposes; to the Committee on Armed Services.

By Mr. DURBIN:

S. 1340. A bill entitled the "Telephone Consumer Fraud Protection Act of 1997"; to the Committee on the Judiciary.

By Mr. DASCHLE (for himself and Mr. JOHNSON):

S. 1341. A bill to provide for mitigation of terrestrial wildlife habitat lost as a result of the construction and operation of the Pick-Sloan Missouri River Basin program in the State of South Dakota, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MURKOWSKI (for himself and Mr. THOMAS):

S. 1342. A bill to amend title XVIII of the Social Security Act to increase access to quality health care in frontier communities by allowing health clinics and health centers greater medicare flexibility and reimbursement; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 1343. A bill to amend the Internal Revenue Code of 1986 to increase the excise tax rate on tobacco products and deposit the resulting revenues into a Public Health and Education Resource Trust Fund, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. MURRAY (for herself, Mr. KEMPTHORNE, Mr. WELLSTONE, Mr. AKAKA, Mr. CRAIG, Mr. LAUTENBERG, Mr. HOLLINGS, Mr. CHAFEE, Mr. BRYAN, Ms. COLLINS, Mr. FORD, Mr. SARBANES, Mr. ROCKEFELLER, Mr. JEFFORDS, Mr. ROTH, Mr. KOHL, Mr. TORRICELLI, Mrs. FEINSTEIN, Mr. ABRAHAM, Mr. WARNER, Mr. FRIST, Mr. DORGAN, Mr. SPECTER, Mr. ROBB):

S. Res. 141. A resolution expressing the sense of the Senate regarding National Concern About Young People and Gun Violence Day; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN:

S. 1329. A bill to prohibit the taking of certain lands by the United States in trust for economically self-sufficient Indian tribes for commercial and gaming purposes, and for other purposes; to the Committee on Indian Affairs.

THE INDIAN TRUST LANDS REFORM ACT OF 1997

Mr. LIEBERMAN. Mr. President, I rise today to introduce legislation aimed at returning some common sense to one aspect of the Federal Government's Indian lands policies. My bill, the Indian Trust Lands Reform Act of 1997, arises out of a problem Connecticut and other States have been struggling with for the last few years.

The bill would amend the Indian Reorganization Act of 1934 to reinforce its original purpose: helping Indian tribes and individual Indians to hold on to or obtain land they need to survive economically and become self-sufficient. Congress passed the 1934 act after the landholdings of some tribes had dwindled down to acres. Tribes and their members were selling and losing land to foreclosures, tax arrearages, and the like. The 1934 act gave the Secretary of the Interior the authority needed to help tribes hold on to or acquire land

on which they could earn a living and, further, to hold those lands in trust for them so they would not be sold or otherwise lost. Once the United States takes land into trust for a tribe through this process, the land becomes part of the tribe's sovereign property. This means that State and local governments no longer have jurisdiction over the land, and the land is removed from those governments' tax, zoning, and police powers.

Economic conditions for some tribes have improved since 1934 through a variety of commercial, agricultural, and other enterprises, but many are still struggling. Few could be described as rich or even comfortable; far too many still live in poverty. The 1934 act should remain available to help those tribes who still need assistance from the Federal Government in attaining economic self-sufficiency.

As our experience in Connecticut has shown, however, that act is now being used to achieve goals far removed from its original purpose. As a result of the Indian Gaming Regulatory Act of 1988, many tribes have established casinos and gambling operations, and, although gaming has not brought riches to many of those tribes, some have been very successful, particularly in my home State. One of the most successful gambling casinos in the country is located in eastern Connecticut and is owned and operated by the Mashantucket Pequot Tribe. The success of the tribe's Foxwoods Casino has been well chronicled. Established in 1992, the casino has been open 24 hours a day, 7-days a week ever since. Whatever one thinks about the Indian Gaming Regulatory Act or gambling, either morally or as a vehicle for economic growth, the Mashantucket Pequots seized the opportunity presented to them by the Indian Gaming Act. They have developed an extraordinarily successful, well-run casino in record time. Annual casino revenues for the 500-member tribe reportedly approach \$1 billion. By any measure, the tribe has become very wealthy.

Given the tribe's tremendous financial success, it is not at all surprising that it has decided to buy more land near its reservation in order to expand and diversify its businesses. According to press accounts, the tribe owns over 3,500 acres outside of the boundaries of its reservation, in addition to the approximately 1,320 acres that is held in trust on its behalf within the reservation. The tribe is now the largest private landowner in southeastern Connecticut. It already runs several hotels outside of its reservation's boundaries, and tribal leaders have at various times talked of building a massive theme park and golf courses on its off-reservation land.

The tribe owns its land in fee simple and so is free to develop it like any other property owner might. But unlike other property owners—who must develop their land in compliance with State and local zoning laws and who