

Wednesday, October 7, 1998

Daily Digest

HIGHLIGHTS

The House agreed to the conference report on H.R. 3694, Intelligence Authorization Act.

The House agreed to the conference report on H.R. 4104, Treasury, Postal Appropriations Act.

Senate

Chamber Action

Routine Proceedings, pages S11643–S11830

Measures Introduced: Fourteen bills and three resolutions were introduced, as follows: S. 2563–2576 and S. Res. 289–291. Page S11698

Measures Reported: Reports were made as follows:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 1999." (S. Rept. No. 105–373)

Report to accompany S. 2041, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Willow Lake Natural Treatment System Project for the reclamation and reuse of water. (S. Rept. No. 105–374)

Report to accompany S. 2140, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Denver Water Reuse project. (S. Rept. No. 105–375)

Report to accompany S. 2142, to authorize the Secretary of the Interior to convey the facilities of the Pine River Project, to allow jurisdictional transfer of lands between the Department of Agriculture, Forest Service, and the Department of the Interior, Bureau of Reclamation, and the Bureau of Indian Affairs. (S. Rept. No. 105–376)

Report to accompany H.R. 2402, to make technical and clarifying amendments to improve management of water-related facilities in the Western United States. (S. Rept. No. 105–377)

Report to accompany H.R. 4079, to authorize the construction of temperature control devices at Folsom Dam in California. (S. Rept. No. 105–378)

S. 391, to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, with an amendment in the nature of a substitute. (S. Rept. No. 105–379)

H.R. 1023, to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products.

S. 2564, to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes. Pages S11697–98

Measures Passed:

Copyright Term Extension Act: Committee on the Judiciary was discharged from further consideration of S. 505, to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and the bill was then passed after agreeing to the following amendment proposed thereto:

Pages S11672–75

Lott (for Hatch) Amendment No. 3782, in the nature of a substitute. Pages S11672–73

Thomas Alva Edison Commemorative Coin Act: Senate passed H.R. 678, to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the birth of Thomas Alva Edison, to redesign the half dollar circulating coin for 1997 to commemorate Thomas Edison, clearing the measure for the President. Pages S11807–08

School Resource Officers: Senate passed S. 2235, to amend part Q of the Omnibus Crime Control and Safe Streets Act of 1968 to encourage the use of school resource officers. Page S11808

Alternative Dispute Resolution Act: Senate passed H.R. 3528, to amend title 28, United States Code, with respect to the use of alternative dispute resolution processes in United States district courts, after agreeing to committee amendments, and the following amendment proposed thereto:

Pages S11808–10

McCain (for Grassley/Durbin) Amendment No. 3784, to make technical modifications regarding the use of alternative dispute resolution processes in United States district courts.

Page S11810

Printing Authority: Senate agreed to S. Res. 289, authorizing the printing of the "Testimony from the Hearings of the Task Force on Economic Sanctions".

Page S11810

Senate Legal Counsel Representation: Senate agreed to S. Res. 290, to authorize representation by Senate Legal Counsel.

Page S11810

Senate Legal Counsel Representation: Senate agreed to S. Res. 291, to authorize representation by Senate Legal Counsel.

Pages S11810–11

Democracy Transition in Iraq: Senate passed H.R. 4655, to establish a program to support a transition to democracy in Iraq, clearing the measure for the President.

Pages S11811–12

Bounty Hunter Accountability and Quality Assistance Act: Senate passed S. 1637, to expedite State review of criminal records of applicants for bail enforcement officer employment, after agreeing to a committee amendment in the nature of a substitute.

Pages S11812–13

Irrigation Project Contract Extension Act: Senate passed H.R. 2795, to extend certain contracts between the Bureau of Reclamation and irrigation water contractors in Wyoming and Nebraska that receive water from Glendo Reservoir, clearing the measure for the President.

Page S11813

Mount St. Helens National Volcanic Monument Completion Act: Senate passed H.R. 1659, to provide for the expeditious completion of the acquisition of private mineral interests within the Mount St. Helens National Volcanic Monument mandated by the 1982 Act that established the Monument, clearing the measure for the President.

Page S11813

Alaska Native Claims Settlement Act: Senate passed H.R. 2000, to amend the Alaska Native Claims Settlement Act to make certain clarifications to the land bank protection provisions, clearing the measure for the President.

Page S11813

Carlsbad Irrigation Project Acquired Land Transfer Act: Senate passed S. 736, to convey certain real property within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District, after

agreeing to a committee amendment in the nature of a substitute.

Pages S11813–14

Lewis and Clark Rural Water System Act: Senate passed S. 777, to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corporation, for planning and construction of the water supply system, after agreeing to committee amendments.

Pages S11814–16

Advisory Commission Reauthorization: Senate passed S. 1175, to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission for 10 additional years.

Page S11816

Women's Rights National Historic Trail: Senate passed S. 1641, to direct the Secretary of the Interior to study alternatives for establishing a national historic trail to commemorate and interpret the history of women's rights in the United States, after agreeing to a committee amendment.

Page S11816

Willow Lake Natural Treatment System Project: Senate passed S. 2041, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Willow Lake Natural Treatment System Project for the reclamation and reuse of water.

Page S11816

George Washington Birthplace National Monument: Senate passed S. 2086, to revise the boundaries of the George Washington Birthplace National Monument, after agreeing to a committee amendment in the nature of a substitute.

Pages S11816–17

Denver Water Reuse Project: Senate passed S. 2140, to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Denver Water Reuse Project.

Page S11817

Pine River Project Conveyance: Senate passed S. 2142, to authorize the Secretary of the Interior to convey the facilities of the Pine River Project, to allow jurisdictional transfer of lands between the Department of Agriculture, Forest Service, and the Department of the Interior, Bureau of Reclamation, and the Bureau of Indian Affairs, after agreeing to a committee amendment in the nature of a substitute.

Pages S11817–18

Fort Matanzas National Monument: Senate passed S. 2239, to revise the boundary of Fort Matanzas National Monument.

Page S11818

Adams National Historical Park: Senate passed S. 2240, to establish the Adams National Historical

Park in the Commonwealth of Massachusetts, after agreeing to committee amendments. **Pages S11818–20**

Land Acquisition: Senate passed S. 2241, to provide for the acquisition of lands formerly occupied by the Franklin D. Roosevelt family at Hyde Park, New York. **Page S11820**

Boundary Modification: Senate passed S. 2246, to amend the Act which established the Frederick Law Olmsted National Historic Site, in the Commonwealth of Massachusetts, by modifying the boundary. **Page S11820**

U.S. Park Police Medical Expenses: Senate passed S. 2247, to permit the payment of medical expenses incurred by the United States Park Police in the performance of duty to be made directly by the National Park Service. **Page S11820**

Waiver Allowance/Indemnification: Senate passed S. 2248, to allow for waiver and indemnification in mutual law enforcement agreements between the National Park Service and a State or political subdivision, when required by State law. **Pages S11820–21**

National Historic Preservation Act: Senate passed S. 2257, to reauthorize the National Historic Preservation Act, after agreeing to committee amendments. **Page S11821**

Minuteman Missile National Historic Site: Senate passed S. 2284, to establish the Minuteman Missile National Historic Site in the State of South Dakota, after agreeing to a committee amendment in the nature of a substitute. **Page S11821**

Seneca Falls Convention 150th Anniversary: Senate passed S. 2285, to establish a commission, in honor of the 150th Anniversary of the Seneca Falls Convention, to further protect sites of importance in the historic efforts to secure equal rights for women. **Pages S11821–22**

Gateway Visitor Center: Senate passed S. 2309, to authorize the Secretary of the Interior to enter into an agreement for the construction and operation of the Gateway Visitor Center at Independence National Historical Park. **Pages S11822–23**

Dante Fascell Visitor Center: Senate passed S. 2468, to designate the Biscayne National Park visitor center as the Dante Fascell Visitor Center at Biscayne National Park, after agreeing to a committee amendment. **Page S11823**

Land Exchange: Senate passed H.R. 2411, to provide for a land exchange involving the Cape Cod National Seashore and to extend the authority for the Cape Cod National Seashore Advisory Commission, clearing the measure for the President. **Page S11823**

Folsom Dam: Senate passed H.R. 4079, to authorize the construction of temperature control devices at Folsom Dam in California, clearing the measure for the President. **Page S11823**

Idaho Admission Act: Senate passed H.R. 4166, to amend the Idaho Admission Act regarding the sale or lease of school land, clearing the measure for the President. **Page S11823**

Fall River Water Users District Rural Water System Act: Senate passed S. 744, to authorize the construction of the Fall River Water Users District Rural Water System and authorize financial assistance to the Fall River Water Users District, a non-profit corporation, in the planning and construction of the water supply system, after agreeing to committee amendments, and the following amendment proposed thereto: **Pages S11823–25**

McCain (for Daschle/Johnson) Amendment No. 3786, to reduce the Federal share of expenditures and require a water conservation program. **Page S11824**

Perkins County Water Supply System: Senate passed S. 2117, to authorize the construction of the Perkins County Rural Water System and authorize financial assistance to the Perkins County Rural Water System, Inc., a nonprofit corporation, in the planning and construction of the water supply system, after agreeing to committee amendments, and the following amendment proposed thereto: **Pages S11825–28**

McCain (for Daschle/Johnson) Amendment No. 3787, to require a water conservation program. **Pages S11827–28**

Hydroelectric Project Extension: Senate passed H.R. 4081, to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Arkansas, clearing the measure for the President. **Page S11828**

Financial Services Act: By 88 yeas to 11 nays (Vote No. 301), Senate agreed to a motion to proceed to consideration of H.R. 10, to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, with a committee amendment in the nature of a substitute. **Page S11648**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, October 8, 1998, at 5 p.m.

Internet Tax Freedom Act: Senate resumed consideration of S. 442, to establish a national policy against State and local government interference with interstate commerce on the Internet or interactive

computer services, and to exercise Congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, taking action on amendments proposed thereto, as follows:

Pages S11651–70, S11675–79, S11682–91

Adopted:

By 98 yeas to 1 nay (Vote No. 303), Coats Modified Amendment No. 3695, to exempt from the moratorium on Internet taxation any persons engaged in the business of selling or transferring by means of the World Wide Web material that is harmful to minors who do not restrict access to such material by minors.

Pages S11651–56

Dodd Amendment No. 3780 (to Amendment No. 3695), to provide for an exception to the moratorium with respect to Internet access providers who do not offer customers screening software.

Pages S11652–56

McCain (for Graham) Amendment No. 3734, to modify the Commission membership.

Pages S11656–57

McCain Modified Amendment No. 3723, to establish a relationship with other provisions of existing law, and to set forth the role of the National Commission on Uniform State Legislation.

Pages S11656–57

McCain/Wyden Amendment No. 3717, to add severability provisions.

Pages S11656–57

McCain/Wyden Amendment No. 3713, of a clarifying nature.

Pages S11656–57

McCain/Wyden Amendment No. 3710, of a clarifying nature.

Pages S11656–57

McCain/Wyden Amendment No. 3712, to define the term “Internet”.

Pages S11656–57

McCain (for Bryan) Amendment No. 3735, to make it clear that the delayed effective date for the Children’s Online Privacy Act is keyed to the filing date of the application.

Pages S11656–57

McCain Modified Amendment No. 3721, to establish an Advisory Commission on Electronic Commerce.

Page S11656

Subsequently, the amendment was further modified.

Pages S11659, S11677

McCain Amendment No. 3722, to direct the Commission to examine model State legislation.

Pages S11659–70

Hutchinson Modified Amendment No. 3760 (to Amendment No. 3722), relating to the duties of the Advisory Commission on Electronic Commerce. (By 30 yeas to 68 nays (Vote No. 304), Senate earlier failed to table the amendment.)

Pages S11660–69

McCain (for Graham) Amendment No. 3732, to modify the duties of the Commission.

Page S11670

McCain (for Graham) Amendment No. 3733, to modify the report of the Commission.

Page S11670

Dorgan Modified Amendment No. 3779 (to Amendment No. 3719), to establish a definition of generally imposed and actually enforced.

Pages S11675–76

McCain (for Enzi) Amendment No. 3727, to include legislative recommendations in the commission’s report.

Page S11679

McCain Modified Amendment No. 3718, to revise the definitions of the terms “tax”, “telecommunications service”, and “tax on Internet access”.

Page S11679

McCain (for Abraham) Modified Amendment No. 3678, to enhance electronic commerce by promoting the reliability and integrity of commercial transaction through establishing authentication standards for electronic communications.

Page S11676

Subsequently, the amendment was further modified.

Pages S11687–88

Pending:

McCain/Wyden Amendment No. 3719, to make changes in the moratorium provision. By 28 yeas to 69 nays (Vote No. 306), Senate earlier failed to table the amendment.

Pages S11675, S11688–90

Rejected:

By 45 yeas to 52 nays (Vote No. 305), McCain/Wyden Amendment No. 3783 (to Amendment No. 3719), to extend the ending date of the moratorium.

Pages S11676–79, S11683–87

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

By 94 yeas to 4 nays (Vote No. 302), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to close further debate on the bill.

Page S11649

Senate may resume consideration of the bill on Thursday, October 8, 1998.

Freedom from Religious Persecution Act—Cloture Filed:

A motion was entered to close further debate on the motion to proceed to the consideration of H.R. 2431, to establish an Office of Religious Persecution Monitoring, and to provide for the imposition of sanctions against countries engaged in a pattern of religious persecution and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on the cloture motion will occur on Friday, October 9, 1999.

Page S11807

Child Nutrition and WIC Reauthorizations—

Conference Report: Senate agreed to the conference report on H.R. 3874, to amend the Child Nutrition Act of 1966 to make improvements to the special supplemental nutrition program for women, infants,

and children and to extend the authority of that program through fiscal year 2003, clearing the measure for the President.

Page S11807

Head Start/Low-Income Energy Assistance/Community Services Block Grant Authorizations Conference Report—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the conference report on S. 2206, to amend the Head Start Act, the Low-Income Home Energy Assistance Act of 1981, and the Community Services Block Grant Act to reauthorize and make improvements to those Acts, and to establish demonstration projects that provide an opportunity for persons with limited means to accumulate assets.

Page S11808

Intelligence Authorizations Conference Report—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the conference report on H.R. 3694, to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

Page S11828

VA/HUD Appropriations Conference Report—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the conference report on H.R. 4194, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999, on Thursday, October 8, 1998, with a vote to occur thereon.

Page S11828

Nominations Confirmed: Senate confirmed the following nominations:

Joy Harjo, of New Mexico, to be a Member of the National Council on the Arts for a term expiring September 3, 2002.

Joan Specter, of Pennsylvania, to be a Member of the National Council on the Arts for a term expiring September 3, 2002.

Pages S11813, S11830

Nominations Received: Senate received the following nominations:

Margaret Ellen Curran, of Rhode Island, to be United States Attorney for the District of Rhode Island for the term of four years.

Byron Todd Jones, of Minnesota, to be United States Attorney for the District of Minnesota for the term of four years.

Harold J. Creel, Jr., of South Carolina, to be a Federal Maritime Commissioner for the term expiring June 30, 2004.

Robert W. Perciasepe, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

Page S11830

Messages From the House: Page S11695

Communications: Page S11695

Executive Reports of Committees: Page S11698

Statements on Introduced Bills: Pages S11698–S11714

Additional Cosponsors: Pages S11714–15

Amendments Submitted: Pages S11716–96

Authority for Committees: Pages S11796–97

Additional Statements: Pages S11797–S11806

Text of S. 2561 as Previously Passed: Pages S11806–09

Record Votes: Six record votes were taken today. (Total—306)

Pages S11648, S11649, S11656, S11669, S11687, S11690

Recess: Senate convened at 9:30 a.m., and recessed at 8:04 p.m., until 9:30 a.m., on Thursday, October 8, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11828.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nomination of Ira G. Peppercorn, of Indiana, to be Director of the Office of Multifamily Housing Assistance Restructuring, Department of Housing and Urban Development, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded hearings on the nominations of Isadore Rosenthal, of Pennsylvania, and Andrea Kidd Taylor, of Michigan, each to be a Member of the Chemical Safety and Hazard Investigation Board, and William Clifford Smith, of Louisiana, to be a Member of the Mississippi River Commission, after the nominees testified and answered questions in their own behalf. Mr. Smith was introduced by Senator Breaux and Representative Tauzin.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings on the nominations of William B. Bader, of New Jersey, to be Associate Director for Educational and Cultural Affairs, United States Information