

of the conduct, which is not ever to suggest that we condone perjury or obstruction of justice.

We all recognize, if those offenses have been committed, they are worth pursuing. But one only need look at the testimony and the professional prosecutors who testified before the Judiciary Committee to get a sense of what the world of professional prosecutors would do faced with these kinds of allegations in this kind of setting, and that really is the key: How many prosecutors would ever reach into the middle of an ongoing civil litigation and bring these kinds of charges?

The proportionality, obviously, has other implications and certainly goes right to the heart of the role played by this body. That is, what is the proportional response to whatever you think of the President as a man, whatever you think of his conduct. Even if you should conclude—although we do not believe you should—that he violated the law in some respect, what is the constitutionally proportional response to your judgment. And there you go right back to the essence of what the framers were talking about, which is responding with the ultimate sanction only when the ultimate problem is posed to you.

I suggest, as I have on too many occasions, I fear, that if that is the proportionality question you are asking—and all must at some point ask that question—the answer has to be clear, that no one ever thought in 1787 and, I suggest to you, in the intervening 212 years that it would be a proportional response to the conduct alleged here to remove a President.

The CHIEF JUSTICE. The Chair recognizes the majority leader.

#### ORDER OF PROCEDURE

Mr. LOTT. Mr. Chief Justice, I believe we have reached a point where we can take a break. I think we have had responses to approximately 50 questions today. Now we will have a chance to assess, on all sides, what additional questions might be needed to be asked tomorrow. I remind my colleagues that we are scheduled to resume at 10 a.m. on Saturday.

NOTICE OF INTENT TO SUSPEND THE RULES OF THE SENATE BY SENATOR HUTCHISON, SENATOR SPECTER, SENATOR LIEBERMAN, SENATOR HAGEL, SENATOR COLLINS, AND SENATOR SNOWE

In accordance with Rule V of the Standing Rules of the Senate, I (for myself and for Mr. SPECTER, Mr. LIEBERMAN, Mr. HAGEL, Ms. COLLINS, and Ms. SNOWE) hereby give notice in writing that it is my intention to move to suspend the following portions of the *Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials* for the final deliberation on the articles of impeachment of the trial of President William Jefferson Clinton:

(1) The following portion of Rule XX: “, unless the Senate shall direct the doors to be closed while deliberating upon its decisions. A motion to close the doors may be acted upon without objection, or, if objection is heard, the motion shall be voted on without debate by the yeas and nays, which shall be entered on the Record”; and

(2) In Rule XXIV, the phrases “without debate”, “except when the doors shall be closed for deliberation, and in that case” and “, to be had without debate”.

#### ADJOURNMENT

Mr. LOTT. If there is nothing further, I move we adjourn, Mr. Chief Justice.

The motion was agreed to; and at 5:49 p.m., the Senate, sitting as a Court of Impeachment, adjourned until Saturday, January 23, 1999, at 10 a.m.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. ENZI). The Chair recognizes the majority leader.

#### MEASURES PLACED ON THE CALENDAR—S. 254, S. 269, S. 270, AND S. 271

Mr. LOTT. Mr. President, there are four bills at the desk that are due for their second reading. Therefore, I ask unanimous consent that the bills be considered read a second time and placed on the Calendar, and that the reading be shown separately in the RECORD.

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

The bills placed on the Calendar are as follows:

S. 254, a bill to reduce violent juvenile crime, promote accountability by and rehabilitation of juvenile criminals, punish and deter violent gang crime, and for other purposes.

S. 269, a bill to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

S. 270, a bill to improve pay and retirement equity for members of the Armed Forces, and for other purposes.

S. 271, a bill to provide for education flexibility partnerships.

#### UNANIMOUS-CONSENT AGREEMENT—NOMINATIONS OF INSPECTORS GENERAL

Mr. LOTT. Mr. President, I ask unanimous consent that the nominations to the Office of Inspector General, excepting the Office of Inspector of the Central Intelligence Agency, be referred in each case to the committee having substantive jurisdiction over the Department, Agency, or entity, and if and when reported in each case, then to the Committee on Governmental Affairs for not to exceed 20 days. I finally ask unanimous consent that if not reported after that 20-day period, the nomination be automatically discharged and placed on the Executive Calendar.

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

#### MEASURES PLACED ON THE CALENDAR

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

S. 254. A bill to reduce violent juvenile crime, promote accountability by rehabilita-

tion of juvenile criminals, punish and deter violent gang crime, and for other purposes.

S. 269. A bill to state the policy of the United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

S. 270. A bill to improve pay and retirement equity for members of the Armed Forces, and for other purposes.

S. 271. A bill to provide for education flexibility partnerships.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-857. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Increase In Cash-Out Limit Under Sections 411(a)(7), 411(a)(11), and 417(e)(1) for Qualified Retirement Plans” (RIN1545-AW58) received on December 18, 1998; to the Committee on Finance.

EC-858. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Exemption of Returns and Claims for Refund, Credit or Abatement; Determination of Correct Tax Liability” (Rev. Proc. 98-62) received on December 18, 1998; to the Committee on Finance.

EC-859. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Examination of Returns and Claims for Refund, Credit or Abatement; Determination of Correct Tax Liability” (Rev. Proc. 98-64) received on December 18, 1998; to the Committee on Finance.

EC-860. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Rulings and Determination Letters” (Rev. Proc. 99-3) received on December 21, 1998; to the Committee on Finance.

EC-861. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Modification of Rev. Proc. 65-17, 1965-1 C.B. 833” (Announcement 99-1) received on December 21, 1998; to the Committee on Finance.

EC-862. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property” (Rev. Rul. 99-2) received on December 21, 1998; to the Committee on Finance.

EC-863. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Optional Standard Mileage Rates for Employees, Self-employed Individuals, and Other Taxpayers Used in Computing Deductible Costs” (Announcement 99-7) received on December 29, 1998; to the Committee on Finance.

EC-864. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule

entitled "Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Correct Tax Liability" (Rev. Proc. 99-7) received on December 29, 1998; to the Committee on Finance.

EC-865. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Eligible Rollover Distributions" (Notice 99-5) received on December 28, 1998; to the Committee on Finance.

EC-866. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Alternative Methods for Reporting 1998 and 1999 IRA Recharacterizations and Reconversions" (Announcement 99-5) received on December 28, 1998; to the Committee on Finance.

EC-867. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reduction in Certain Deductions of Mutual Life Insurance Companies" (Rev. Rul. 99-3) received on December 22, 1998; to the Committee on Finance.

EC-868. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Penalty and Interest Study" (Notice 99-4) received on December 22, 1998; to the Committee on Finance.

EC-869. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plan; Louisiana; Nonattainment Major Stationary Source Revision" (FRL6207-8) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-870. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Antelope Valley Air Pollution Control District" (FRL6214-1) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-871. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky; Approval of Revisions to Basic Motor Vehicle Inspection and Maintenance Program" (FRL6199-1) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-872. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1998 Reporting Notice and Amendment; Partial Updating of TSCA Inventory Data Base, Production and Site Reports" (FRL6052-7) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-873. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision,

Antelope Valley Air Pollution Control District" (FRL6211-2) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-874. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Mojave Desert Air Quality Management District" (FRL6211-1) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-875. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "California State Implementation Plan Revision; Interim Final Determination That State Has Corrected Deficiencies" (FRL6211-9) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-876. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dicamba; Pesticide Tolerance" (FRL6049-2) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-877. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Copper-ethylene-diamine complex; Exemption from the Requirement of a Tolerance" (FRL6052-5) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-878. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Announcement of Competition for EPA's Brownfields Job Training and Development Demonstration Pilots" (FRL6208-1) received on December 22, 1998; to the Committee on Environment and Public Works.

EC-879. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee: Approval of Revisions to the Nashville/Davidson County Portion of the Tennessee SIP" (FRL6208-5) received on December 22, 1998; to the Committee on Environment and Public Works.

EC-880. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Monterey Bay Unified Air Pollution Control District" (FRL6203-7) received on December 22, 1998; to the Committee on Environment and Public Works.

EC-881. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "OMB Approval Numbers Under the Paperwork Reduction Act and Technical Correction to Consumer Confidence Report Rule" (FRL6210-7) received on December 22, 1998; to the Committee on Environment and Public Works.

EC-882. A communication from the Director of the Office of Regulatory Management

and Information, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of North Carolina: Approval of Miscellaneous Revisions to the Forsyth County Air Quality Control Ordinance and Technical Code" (FRL6207-3) received on December 22, 1998; to the Committee on Environment and Public Works.

EC-883. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting pursuant to law, the report of a rule entitled "Correction and Clarification to the Finding of Significant Contribution and Rulemaking for Purposes of Reducing Regional Transport of Ozone" (FRL6198-1) received on December 21, 1998; to the Committee on Environment and Public Works.

EC-884. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Source Categories: Pulp and Paper Production" (FRL6210-5) received on December 21, 1998; to the Committee on Environment and Public Works.

EC-885. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Wood Furniture Manufacturing Operations" (FRL6210-3) received on December 21, 1998; to the Committee on Environment and Public Works.

EC-886. A communication from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting pursuant to law, the report of a rule entitled "Universal Waste Rule (Hazardous Waste Management Systems; Modification of the Hazardous Waste Recycling Regulatory Program)" (FRL6207-7) received on December 18, 1998; to the Committee on Environment and Public Works.

EC-887. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting pursuant to law, the report of a rule entitled "Procedures Applicable to Proceedings for the Issuance of Licenses for the Receipt of High-Level Radioactive Waste at a Geographic Repository" (RIN3150-AF88) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-888. A communication from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting pursuant to law, the report of a rule entitled "Policy and Procedure for Enforcement Actions; Fuel Cycle Facilities Civil Penalties and Notices of Enforcement Discretion" (NUREG 1600) received on December 29, 1998; to the Committee on Environment and Public Works.

EC-889. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Random Drug and Alcohol Testing; Determination of 1999 Minimum Testing Rate" (RIN21230-AB31) received on December 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-890. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "'Maintenance' Under Definition of Safety-Sensitive Functions in

Drug and Alcohol Rules" (RIN2132-AB61) received on December 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-891. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents" (RIN2130-AB30) received on December 29, 1998; to the Committee on Commerce, Science, and Transportation.

EC-892. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Truck Size and Weight; Technical Corrections" (RIN2125-AE47) received on December 21, 1998; to the Committee on Commerce, Science, and Transportation.

EC-893. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments" (Docket 29417) received on December 21, 1998; to the Committee on Commerce, Science, and Transportation.

EC-894. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments" (Docket 29416) received on December 21, 1998; to the Committee on Commerce, Science, and Transportation.

EC-895. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments" (Docket 29404) received on December 21, 1998; to the Committee on Commerce, Science, and Transportation.

EC-896. A communication from the Director of the Office of Legislative and International Affairs, Federal Communications Commission, transmitting, pursuant to law, the Commission's report entitled "Status of Competition in the Markets for the Delivery of Video Programming"; to the Committee on Commerce, Science, and Transportation.

EC-897. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Guides for the Decorative Wall Paneling Industry" received on December 21, 1998; to the Committee on Commerce, Science, and Transportation.

EC-898. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Guides Against Deceptive Labeling and Advertising of Adhesive Compositions" received on December 21, 1998; to the Committee on Commerce, Science, and Transportation.

EC-899. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Policies and Rules Regarding Minority and Female Ownership of Mass Media Facilities" (Docket 94-149) received on December 16, 1998; to the Committee on Commerce, Science, and Transportation.

EC-900. A communication from the Associate Managing Director for Performance Evaluation and Records Management, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Restrictions on Over-the-Air Reception Devices; Television Broadcast Multichannel Multipoint Distribution and Direct Broadcast Satellite Services" (Docket 96-83) received on December 16, 1998; to the Com-

mittee on Commerce, Science, and Transportation.

EC-901. A communication from the Under Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, notice of foreign policy-based export controls relative to certain terrorist organizations; to the Committee on Banking, Housing, and Urban Affairs.

EC-902. A communication from the Assistant Secretary for Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Expansion of License Exception CIV Eligibility for 'Microprocessors' Controlled by Eccc 3A001" (RIN0694-AB83) received on December 22, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-903. A communication from the Acting Director of the Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, the report of a rule entitled "Releasing Information" (RIN2550-AA01) received on December 18, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-904. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Rent Control Preemption for Supportive Housing for the Elderly and Persons with Disabilities" received on December 15, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-905. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Organization and Operations of Federal Credit Unions" received on December 28, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-906. A communication from the Regulatory Policy Official, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "Privacy Act Regulations" (3095-AA66) received on December 22, 1998; to the Committee on Banking, Housing, and Urban Affairs.

EC-907. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department's report entitled "Equity Sharing Under the Multifamily Assisted Housing Reform and Affordability Act of 1997"; to the Committee on Banking, Housing, and Urban Affairs.

EC-908. A communication from the Director of the Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Indirect Food Additives: Paper and Paperboard Components" (Docket 95F-0255) received on December 30, 1998; to the Committee on Health, Education, Labor, and Pensions.

EC-909. A communication from the Deputy Executive Director of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Trading Hours" received on January 4, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-910. A communication from the Administrator of the Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Walnuts Grown in California; Increased Assessment Rate" (Docket FV99-984-1 FR) received on January 4, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-911. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Liechtenstein Because of

BSE" (Docket 98-119-1) received on December 30, 1998; to the Committee on Agriculture, Nutrition, and Forestry.

EC-912. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the Agency's report entitled "The Superfund Innovative Technology Evaluation Program: Annual Report to Congress FY 1997" received on January 4, 1998; to the Committee on Environment and Public Works.

EC-913. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Bag Limit Reduction" (I.D. 122298A) received on January 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC-914. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Special Management Zones" (I.D. 061298A) received on January 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC-915. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries" (I.D. 101498B) received on January 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC-916. A communication from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Final 1999 Fishing Quotas for Atlantic Surf Clams, Ocean Quahogs, and Maine Mahogany Quahogs" (I.D. 100898A) received on January 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC-917. A communication from the Director of the National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the Service's Southeastern United States Shrimp Trawl Bycatch Program Report; to the Committee on Commerce, Science, and Transportation.

EC-918. A communication from the Acting Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Administrative Revisions to the NASA FAR Supplement, Mid-Range Procurement Procedures" received on January 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC-919. A communication from the Chairman of the Postal Rate Commission, transmitting, pursuant to law, the Commission's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-920. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Commission's annual report under the Federal Managers' Financial Integrity Act for fiscal year 1998; to the Committee on Governmental Affairs.

EC-921. A communication from the President of the United States Institute of Peace, transmitting, pursuant to law, the Institute's consolidated annual report under the Inspector General Act and the Federal Managers' Financial Integrity Act for fiscal year

1998; to the Committee on Governmental Affairs.

EC-922. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department's report under the Inspector General Act for the period from April 1, 1998 through September 30, 1998; to the Committee on Governmental Affairs.

EC-923. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Department's report under the Inspector General Act for the period from April 1, 1998 through September 30, 1998; to the Committee on Governmental Affairs.

EC-924. A communication from the Interim District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Statutory Audit of Advisory Neighborhood Commission 2C for the Period October 1, 1995 through December 31, 1997"; to the Committee on Governmental Affairs.

EC-925. A communication from the Executive Director of the Committee for Purchase From People who are Blind or Severely Disabled, transmitting, pursuant to law, a list of additions to and deletions from the Committee's Procurement List dated December 22, 1998; to the Committee on Governmental Affairs.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of committees were submitted:

By Mr. ROTH, from the Committee on Finance:

Susan G. Esserman, of Maryland, to be Deputy United States Trade Representative, with the rank of Ambassador.

Timothy F. Geithner, of New York, to be an Under Secretary of the Treasury.

Gary Gensler, of Maryland, to be an Under Secretary of the Treasury.

Edwin M. Truman, of Maryland, to be a Deputy Under Secretary of the Treasury.

David C. Williams, of Maryland, to be Inspector General for Tax Administration, Department of the Treasury. (New Position)

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

#### 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. WYDEN (for himself and Mr. SMITH of Oregon):

S. 294. A bill to direct the Secretary of the Army to develop and implement a comprehensive program for fish screens and passage devices; to the Committee on Environment and Public Works.

By Mr. LUGAR:

S. 295. A bill to amend part S of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to permit the use of certain amounts for assistance to jail-based substance treatment programs, and for other purposes; to the Committee on the Judiciary.

By Mr. FRIST (for himself, Mr. ROCKEFELLER, Mr. DOMENICI, Mr. LIEBERMAN, Mr. GRAMM, Mr. BINGAMAN, Mr. BURNS, Mr. BREAUX, Mrs. HUTCHISON, Mr. CLELAND, Mr. THOMP-

SON, Mr. KERRY, Mr. DEWINE, Mr. KERREY, Mr. ABRAHAM, Mr. AKAKA, Mr. ALLARD, Mrs. BOXER, Mr. ROBERTS, and Mr. ROBB):

S. 296. A bill to provide for continuation of the Federal research investment in a fiscally sustainable way, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SHELBY:

S. 297. A bill to amend title 37, United States Code, to authorize members of the uniformed services to participate in the Thrift Savings Plan, and for other purposes; to the Committee on Governmental Affairs.

S. 298. A bill to amend the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) to clarify that donations of hard and soft money by foreign nationals are prohibited; to the Committee on Rules and Administration.

By Mr. MCCAIN (for himself, Mr. INOUE, and Mr. CONRAD):

S. 299. A bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other purposes; to the Committee on Indian Affairs.

By Mr. LOTT (for himself, Mr. NICKLES,

Ms. COLLINS, Mr. FRIST, Mr. GRAMM, Mr. HAGEL, Mr. JEFFORDS, Mr. ROTH, Mr. SANTORUM, Mr. MACK, Mr. CRAIG, Mr. COVERDELL, Mr. MCCONNELL, Mr. ABRAHAM, Mr. ALLARD, Mr. ASHCROFT, Mr. BENNETT, Mr. BOND, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Mr. COCHRAN, Mr. DEWINE, Mr. DOMENICI, Mr. ENZI, Mr. GORTON, Mr. GRAMS, Mr. GRASSLEY, Mr. GREGG, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. LUGAR, Mr. MCCAIN, Mr. MURKOWSKI, Mr. ROBERTS, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. STEVENS, Mr. THOMAS, Mr. THOMPSON, Mr. THURMOND, Mr. VOINOVICH, and Mr. WARNER):

S. 300. A bill to improve access and choice of patients to quality, affordable health care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CAMPBELL:

S. 301. A bill to amend title 39, United States Code, relating to mailability, false representations, civil penalties, and for other purposes; to the Committee on Governmental Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ROBB (for himself and Mr. CAMPBELL):

S. Res. 29. A resolution to designate the week of May 2, 1999, as "National Correctional Officers and Employees Week"; to the Committee on the Judiciary.

By Mr. DEWINE (for himself, Mr. GRAHAM, Mr. HELMS, and Mr. COVERDELL):

S. Con. Res. 3. A concurrent resolution condemning the irregular interruption of the democratic political institutional process in Haiti; to the Committee on Foreign Relations.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 294. A bill to direct the Secretary of the Army to develop and implement a comprehensive program for fish screens and passage devices; to the Committee on Environment and Public Works.

#### WATER DIVERSION PROTECTION AND FISHERIES ENHANCEMENT PROGRAM

• Mr. WYDEN. Mr. President, the legislation I introduce today will help the people of the Pacific Northwest address one of the most important natural resource issues in the region: the restoration of our majestic salmon runs. This bill will lend a much-needed hand to Oregonians and other Northwesters who have been working together to find common sense solutions to preserve this precious natural resource.

As many people know, any effort to recover these salmon runs must be both creative and comprehensive, due to the complex nature of the salmon life cycle. Salmon are hatched in fresh water, migrate down streams and rivers to the sea to grow and mature, and then return to the streams of their birth to spawn. This complex life cycle exposes the fish to many hazards which threaten their survival. If we are to achieve our goal of restoring salmon runs to healthy levels, we must identify and address the various causes of salmon mortality.

One of the hazards facing salmon and other fish is the diversion of water from streams and rivers to irrigate agricultural crops. Migrating juvenile fish, including endangered salmon and bull trout, are killed when they are diverted from rivers and streams along with water used for irrigation.

The common-sense solution to this pervasive problem is to safely screen the points of water diversion: to allow water through while keeping fish out. Despite existing State and Federal programs to assist with the installation of fish screens, unscreened diversions continue to be a significant problem for endangered fish in the Pacific Northwest.

My home state of Oregon has identified fish mortality caused by water diversions as a priority problem. One of Oregon's primary goals relating to salmon restoration is to encourage the installation of fish screens and passage devices for water diversions on streams and rivers. Oregon has developed a cooperative program to assist in screening smaller diversions used on family farms. However, the State cannot afford to provide similar assistance for larger sized diversions. That's where the Federal government can help.

This bill gives the U.S. Army Corps of Engineers new authority to help irrigators make their water systems safer for fish. Participation by irrigators in the program will be voluntary and will require a sharing of the cost.

I believe this legislation will be very effective because irrigators from Oregon and the other Northwest states have told me they want to make their water systems more fish-friendly, but