

Friday, July 30, 1999

# Daily Digest

## HIGHLIGHTS

Senate passed Budget Reconciliation/Tax Relief.

House Committee ordered reported the following appropriation bills for fiscal year 2000: VA, HUD, and Independent Agencies; and Commerce, Justice, State, and Judiciary.

## Senate

### Chamber Action

*Routine Proceedings, pages S9885–S9957*

**Measures Introduced:** Four bills and one resolution were introduced, as follows: S. 1467–1470, and S. Res. 169. **Page S9946**

**Measures Reported:** Reports were made as follows:

S. 244, 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 the planning and construction of the water supply system, with an amendment in the nature of a substitute. (S. Rept. No. 106–130)

S. 761, to regulate interstate commerce by electronic means by permitting and encouraging the continued expansion of electronic commerce through the operation of free market forces, with an amendment in the nature of a substitute. (S. Rept. No. 106–131) **Page S9946**

### Measures Passed:

**Budget Reconciliation:** By 57 yeas to 43 nays (Vote No. 247), Senate continued consideration of S. 1429, to provide for reconciliation pursuant to section 104 of the concurrent resolution on the budget for fiscal year 2000, after taking action on the following amendments proposed thereto:

**Pages S9885–S9937**

Adopted:

By 98 yeas to 2 nays (Vote No. 233), Hutchison Further Modified Amendment No. 1472, to provide for the relief of the marriage tax penalty beginning in the year 2001. **Pages S9885, S9887–89**

Dodd/Jeffords Amendment No. 1452, to increase the mandatory spending in the Child Care and Development Block Grant by \$10,000,000,000 over 10

years in order to assist working families with the costs of child care. **Pages S9898–99**

Coverdell Modified Amendment No. 1426, to provide for a long-term capital gains deduction for certain individuals. **Pages S9904–05, S9935–36**

Gregg Modified Amendment No. 1375, to provide a minimum dependent care credit for stay-at-home parents. **Page S9906**

Snowe Amendment No. 1468, to provide for a credit for interest on higher education loans.

**Pages S9905–06**

Roth (for Bond) Amendment No. 1425, to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of health insurance costs of self-employed individuals. **Page S9906**

Roth (for Bunning) Amendment No. 1377, to provide that certain costs of private foundations in removing hazardous substances shall be treated as qualifying distributions. **Page S9906**

Roth (for Coverdell) Amendment No. 1458, to express the sense of the Senate regarding savings incentives by providing a partial Federal income tax exclusion for income derived from interest and dividends of no less than \$400 for married taxpayers and \$200 for single taxpayers. **Page S9906**

Moynihan (for Dorgan) Amendment No. 1441, to express the sense of Congress regarding the need for additional Federal funding and tax incentives for empowerment zones and enterprise communities authorized and designated pursuant to 1997 and 1998 laws. **Page S9906**

Moynihan (for Dorgan) Amendment No. 1491, to encourage improvements in Main Street businesses by expanding existing small business tax expensing rules to include investments in buildings and other depreciable real property. **Page S9906**

Roth (for Grassley) Amendment No. 1387, to amend the Internal Revenue Code of 1986 to provide increased retirement savings opportunities by treating certain accounts and annuities under qualified employer plans in the same manner as IRAs.

Page S9906

Roth (for Gregg) Amendment No. 1394, relating to estate tax treatment of conservation easements on land near Urban National Forests.

Page S9906

Moynihan (for Hatch) Amendment No. 1464, to make a technical change to the calculation of rents from real property for real estate investment trusts.

Page S9906

Moynihan (for Johnson) Amendment No. 1479, to provide for certain Native American housing assistance disregarded in determining whether building is federally subsidized for purposes of the low-income housing credit.

Page S9906

Moynihan (for Kerry) Amendment No. 1402, to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax information by the Secretary of the Treasury to facilitate combined Federal and State employment tax reporting.

Page S9906

Moynihan (for Landrieu) Modified Amendment No. 1404, to expand the adoption credit to provide assistance to adoptive parents of special needs children.

Pages S9906-07

Moynihan (for Leahy/Jeffords) Modified Amendment No. 1418, to amend the Internal Revenue Code of 1986 with respect to the treatment of maple syrup production.

Pages S9906-07

Moynihan (for Murray) Amendment No. 1485, to amend the Internal Revenue Code of 1986 to modify the treatment of bonds issued to acquire renewable resources on land subject to conservation easement.

Page S9906

Subsequently, the amendment was modified.

Pages S9909-10

Roth (for Nickles) Amendment No. 1407, clarifying the transition exception for closely held REITs.

Page S9906

Roth (for Santorum/Feinstein) Modified Amendment No. 1465, to index the State-ceiling on the low-income housing credit.

Pages S9906-08

Roth (for Stevens) Amendment No. 1460, to extend Risk Management Accounts to fishermen.

Page S9906

Roth (for Stevens) Modified Amendment No. 1403, to amend the Internal Revenue Code of 1986 with respect to the treatment of the transportation of person traveling to or from areas not connected to a road system.

Pages S9906-07

Roth (for Stevens) Amendment No. 1488, to extend income averaging to fishermen and to not increase Alternative Minimum Tax liability.

Page S9906

Moynihan (for Torricelli) Modified Amendment No. 1474, to exclude certain severance payment amounts from income.

Pages S9906, S9908

Roth (for Allard/Robb) Modified Amendment No. 1378, to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks.

Pages S9906-07

Roth (for Frist) Modified Amendment No. 1443, to provide that trusts established for the benefit of individuals with disabilities shall be taxed at the same rates as individual taxpayers.

Pages S9906-07

Roth/Moynihan Amendment No. 1496, to make certain improvements to the bill.

Page S9936

Rejected:

Lautenberg motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith. (By 55 yeas to 45 nays (Vote No. 236), Senate tabled the motion.)

Pages S9891-92

Kyl Modified Amendment No. 1469, to repeal the Federal estate and gift taxes and the tax on generation-skipping transfer, to repeal a step up basis at death. (Amendment was ruled non-germane by the Chair.)

Pages S9892-94

Hollings motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith. (By 65 yeas to 35 nays (Vote No. 237), Senate tabled the motion.)

Page S9894

Robb motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith. (By 55 yeas to 45 nays (Vote No. 242), Senate tabled the motion.)

Page S9899

Bingaman motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith.

Pages S9900-01

Dorgan motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith.

Page S9901

Kennedy motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith.

Page S9903

Dorgan motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith.

Page S9903

By 23 yeas to 77 nays (Vote No. 246) Ashcroft Amendment No. 1456, to strike the provision expanding tax credit to facilities that produce electricity from poultry waste.

Pages S9903-04

Feingold Amendment No. 1417, to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines.

Page S9904

Withdrawn:

Abraham Amendment No. 1470, to provide for the Sense of the Senate regarding Capital Gains Tax Cuts.

Page S9901

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

Three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected motions to waive certain provisions of the Congressional Budget Act with respect to consideration of the following amendments/motions:

By 48 yeas to 52 nays (Vote No. 232), Bingaman Amendment No. 1462, to express the sense of the Senate regarding investment in education.

Pages S9885–87, S9889

By 50 yeas to 50 nays (Vote No. 234), Kerry motion to recommit the bill to the Committee on Finance, with instructions.

Pages S9889–90

By 54 yeas to 46 nays (Vote No. 235), Frist Amendment No. 1467, to express the Sense of the Senate on the Medicare Reserve Fund.

Pages S9890–91

By 13 yeas to 87 nays (Vote No. 238), McCain Amendment No. 1397, to provide educational opportunities for disadvantaged children.

Pages S9895–96

By 46 yeas to 54 nays (Vote No. 239), Kennedy Amendment No. 1383, to increase the Federal minimum wage.

Pages S9896–97

By 35 yeas to 65 nays (Vote No. 240), Specter Amendment No. 1386, in the nature of a substitute.

Pages S9897–98

By 53 yeas to 47 nays (Vote No. 241), Schumer Amendment No. 1416, to amend the Internal Revenue Code of 1986 to make higher education more affordable by providing a full tax deduction for higher education expenses and a tax credit for student education loans.

Page S9898

By 58 yeas to 42 nays (Vote No. 243), Wellstone motion to recommit the bill to the Committee on Finance, with instructions to report back forthwith.

Pages S9899–S9900

By 46 yeas to 54 nays (Vote No. 244), Conrad Amendment No. 1439, to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax for information technology training expenses paid or incurred by the employer.

Pages S9901–02

By 48 yeas to 52 nays (Vote No. 245), Harkin Amendment No. 1454, to block companies from entering into a situation where they are giving benefits to younger workers and denying those same benefits to older employees.

Page S9902

Subsequently, certain points of order that the amendments/motions to recommit were in violation of the Congressional Budget Act were sustained, and the amendments/motions thus fell.

Also, during consideration of this measure today, Senate took the following action:

By voice vote, three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to a motion to waive any point of order against Section 202 of the bill (S. 1429), a subsequent conference report, or in an amendment between the Houses if such point of order is made on the grounds that the enhancement of the Earned Income Tax Credit for married couples is an increase in outlays.

Page S9906

**Tax Relief:** Senate passed H.R. 2488, to amend the Internal Revenue Code of 1986 to reduce individual income tax rates, to provide marriage penalty relief, to reduce taxes on savings and investments, to provide estate and gift tax relief, and to provide incentives for education savings and health care, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1429 (listed above), as passed by the Senate today.

Page S9936

Senate insisted on its amendment, and requested a conference with the House thereon.

Page S9936

Subsequently, passage of S. 1429 was vitiated and the bill was placed back on the Senate calendar.

Page S9936

**Aviation Programs Extension:** Senate passed S. 1467, to extend the funding levels for aviation programs for 60 days.

Pages S9953–54

**Capitol Visitor Center Commemorative Coins:** Senate passed S. 1468, to authorize the minting and issuance of Capitol Visitor Center Commemorative Coins.

Pages S9954–55

**Rejecting American Psychological Association Article:** Senate agreed to H. Con. Res. 107, expressing the sense of Congress rejecting the conclusions of a recent article published by the American Psychological Association that suggests that sexual relationships between adults and children might be positive for children.

Page S9956

**Deceptive Mail Prevention and Enforcement Act Agreement:** A unanimous-consent-time agreement was reached providing for the consideration of S. 335, to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, with a vote to occur thereon at 5:30 p.m., on Monday, August 2, 1999.

Page S9953

**Agriculture Appropriations—Agreement:** A unanimous-consent agreement was reached providing for the consideration of S. 1233, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2000, on Monday, August 2, 1999.

Page S9956

**Appointment:**

**John C. Stennis Center for Public Service Training and Development:** The Chair, on behalf of the Majority Leader, pursuant to Public Law 100-458, appointed Senator Warner to the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, for a term ending October 11, 2004. **Page S9953**

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

Transmitting a report relative to the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process; referred to the Committee on Banking, Housing, and Urban Affairs. (PM-53). **Page S9946**

**Nominations Confirmed:** Senate confirmed the following nominations:

Sylvia de Leon, of Texas, to be a Member of the Reform Board (Amtrak) for a term of five years.

William Haskell Alsup, of California, to be United States District Judge for the Northern District of California.

Charles R. Wilson, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

J. Brady Anderson, of South Carolina, to be Administrator of the Agency for International Development.

F. Whitten Peters, of the District of Columbia, to be Secretary of the Air Force.

Evelyn Simonowitz Lieberman, of New York, to be Under Secretary of State for Public Diplomacy.

Curt Hebert, Jr., of Mississippi, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2004.

4 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages S9955-57**

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

Susan M. Wachter, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

Zell Miller, of Georgia, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2000. **Page S9957**

**Messages From the President:** **Pages S9945-46**

**Messages From the House:** **Pages S9941-42**

**Communications:** **Pages S9942-44**

**Petitions:** **Pages S9944-45**

**Executive Reports of Committees:** **Page S9946**

**Statements on Introduced Bills:** **Pages S9946-47**

**Additional Cosponsors:** **Pages S9947-49**

**Amendments Submitted:** **Pages S9949-52**

**Notices of Hearings:** **Page S9952**

**Additional Statements:** **Page S9953**

**Record Votes:** Sixteen record votes were taken today. (Total—247)

**Pages S9889-92, S9895-S9900, S9902, S9904, S9934-35**

**Adjournment:** Senate convened at 8:31 a.m., and adjourned at 3:37 p.m., until 12 Noon, on Monday, August 2, 1999. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9956.)

## **Committee Meetings**

*(Committees not listed did not meet)*

### **U.S. POLICY TOWARD TORTURE VICTIMS**

**Committee on Foreign Relations:** Subcommittee on International Operations concluded hearings on United States policy toward victims of torture, after receiving testimony from Bennett Freeman, Deputy Assistant Secretary of State for Bureau of Democracy, Human Rights, and Labor; Ann VanDusen, Deputy Assistant Administrator, Bureau for Policy and Program Coordination, U.S. Agency for International Development; Douglas A. Johnson, Center for Victims of Torture, and Angelique Cooper, both of Minneapolis, Minnesota; and Inge Genefke, International Rehabilitation Council for Victims of Torture, Copenhagen, Denmark.