

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-919. A communication from the Acting Director of Intelligence, transmitting, a draft of proposed legislation to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence.

EC-920. A communication from the Attorney General of the United States, transmitting, pursuant to law, a report pursuant to the Intelligence Surveillance Act for calendar year 1994; to the Committee on the Judiciary.

EC-921. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the Agency's report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC-922. A communication from the Acting Assistant Attorney General, transmitting, a draft of proposed legislation to disapprove sentencing guideline amendments relating to cocaine base and money laundering; to the Committee on the Judiciary.

EC-923. A communication from the Vice President of Government and Public Affairs, Amtrak, transmitting, pursuant to law, a report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC-924. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department's annual report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC-925. A communication from the Freedom of Information Officer, Environmental Protection Agency, transmitting, pursuant to law, the Agency's report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

EC-926. A communication from the Chairman of the Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's annual report under the Freedom of Information Act for calendar year 1994; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-129. A resolution adopted by the House of the Legislature of the State of Alaska; to the Committee on Foreign Relations.

"HOUSE RESOLVE No. 8

"Whereas the International Maritime Organization (IMO), an organization under the auspices of the United Nations, is currently drafting proposals for an international treaty adopting and expanding insurance indemnity provisions for seaborne commodities; and

"Whereas, in contrast to existing maritime classifications and the policies and regulations of the United States Department of Transportation and the United States Coast Guard, the IMO proposes classifying coal as a hazardous and noxious material; and

"Whereas there is no rational reason or precedent for classifying coal as a hazardous or noxious material and the current maritime insurance has, without exception, adequately provided insurance indemnity for seaborne coal shipping; and

"Whereas action classifying coal as a hazardous or noxious material could significantly increase insurance rates and the delivered cost of coal to the benefit of competing fuel sources; and

"Whereas this action would dramatically reduce the competitiveness of coal as an import fuel and reduce the amount of exported coal from countries such as the United States; and

"Whereas this action would reduce the potential for the export of Alaska coal; and

"Whereas the National Coal Association, the United States Coal Exporters Association, and the Alaska Coal Association, together with labor organizations, adamantly oppose the IMO proposal; and

"Whereas it is critical that United States Government representatives to the IMO convention oppose the classification of coal as a hazardous or noxious material; be it

"Resolved, That the House of Representatives respectfully urges the United States Senate not to ratify a Hazardous and Noxious Substance Convention proposed by the International Maritime Organization that includes coal as a designated hazardous or noxious material.

"Copies of this resolution shall be sent to the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Bob Dole, Majority Leader of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress."

POM-130. A concurrent resolution adopted by the Legislature of the State of Arizona; to the Committee on Foreign Relations.

"HOUSE CONCURRENT RESOLUTION 2004

"Whereas, since 1949, China has been a divided nation, with the government of the Republic of China on Taiwan and the People's Republic of China on the Chinese mainland exercising exclusive jurisdiction over separate parts of China. The government of Taiwan further acknowledges that two equal and distinct political entities exist within the divided China. United Nations General Assembly Resolution 2758, which in 1971 restored to the People's Republic of China its seat in the United Nations while expelling the Republic of China on Taiwan, does not provide a complete solution to the issue of China's seat in the United Nations that resulted from this division of China; and

"Whereas, Taiwan's twenty-one million people enjoy a multiparty, democratic form of government, the policies of which conform to those of other democratic nations; and

"Whereas, during the past decade, Taiwan has assumed regional and global responsibilities in international development programs and humanitarian relief operations. Taiwan often has closely coordinated its efforts in responding to international disasters and crises and in undertaking programs of assistance for less-developed nations with those of the United States. Taiwan clearly has shown its willingness to assume a direct role in contributing to the well-being of the global community; and

"Whereas, Taiwan has joined several important multilateral organizations in recent years, including Asia/Pacific Economic Cooperation (APEC) and the Asian Development Bank. The United States has supported the admission of Taiwan into these organizations; and

"Whereas, Taiwan is currently the fourteenth largest trading nation in the world and its gross national product is the world's twentieth largest. Its annual per capital income exceeds ten thousand dollars in United States currency, its foreign exchange reserves exceed eighty billion dollars in United States currency and it has become the world's seventh largest outbound investor; and

"Whereas, the government of Taiwan has initiated a campaign to pursue a seat in the United Nations without threatening the current position of the People's Republic of China in this organization. Several other countries have expressed their support of Taiwan's efforts in this capacity by urging the United Nations to consider the exceptional situation of Taiwan in the international community. Taiwan's membership in the United Nations would conform with the established pattern of parallel representation by divided countries as well as with the principle of universality, whereby all people can be represented in this world organization. Furthermore, the participation of Taiwan in the United Nations would contribute to the peace and stability of the Pacific region and therefore to the interests of the United States; and

"Whereas, the fifth-largest foreign market for Arizona products in 1993, Taiwan enjoys a friendly commercial relationship with the state of Arizona and last year received \$477 million in Arizona exports. Recognizing the importance of trade with Asia and particularly with Taiwan, the Arizona Department of Commerce established the Arizona Asian-Pacific Trade Office in Taipei, Taiwan to help Arizona's exporting companies conduct business in Asia and to strive to increase foreign investment in this state. Arizona is strongly committed to encouraging awareness of both the commercial and cultural benefits of Taiwan, as demonstrated by the recent Multi-State Trade Days mission, in which the Arizona Department of Commerce recruited companies to promote their products in such overseas locations as Kaohsiung, Taiwan, and the activities of the Phoenix Sister Cities Commission, established in 1975 to help promote student exchanges and cultural and business ties with sister cities such as Taipei, Taiwan: Therefore, be it

"Resolved by the House of Representatives of the State of Arizona, the Senate concurring:

"1. That the Members of the House of Representatives express their support of the broader participation of Taiwan in the United Nations and in the international community, and in so doing, encourage the people of this state and country to recognize the mutual benefits of our ongoing commercial relationship with Taiwan.

"2. That the Secretary of State of the State of Arizona transmit a certified copy of this Resolution to the Speaker of the United States House of Representatives, to the President of the United States Senate, to the Secretary-General of the United Nations, to the United States Trade Representative and each member of the Arizona Congressional delegation."

POM-131. A resolution adopted by the Senate of the Legislature of the Commonwealth of Massachusetts; to the Committee on Foreign Relations.

"SENATE RESOLUTION

"Whereas, the extermination of the more than one and one-half million Armenians by the Ottoman Turks and the forced deportation of countless others has been remembered every year on April twenty-fourth since Nineteen Hundred and Fifteen as Armenian Martyrs Day; and

"Whereas, eighty years ago Armenians were forced to witness the slaughter of their relatives and the loss of their ancestral homeland; and

"Whereas, modern Turkey continues to deny and distort the facts of the genocide and honors the perpetrators of the crime against humanity as national heroes; and

"Whereas, the continued denial of the Armenian genocide by the present-day Turkish Government deprives the Armenian people full recognition of this tragic chapter in their history; and

"Whereas, the Armenian people have not received reparations for their losses; and

"Whereas, ancestral Armenian lands have not been returned to the Armenian people; Now therefore be it

"Resolved, That the Massachusetts Senate hereby joins in commemorating this eightieth anniversary of the Armenian genocide on April twenty-fourth, Nineteen Hundred and Ninety-Five and urges the citizenry of the Commonwealth of Massachusetts to do the same; and be it further

"Resolved, That the Massachusetts Senate respectfully calls on the President of the United States to request the Turkish Government to acknowledge the genocide perpetrated against the Armenians in 1915-1923; and be it further

"Resolved, That a copy of these resolutions be transmitted forthwith by the Clerk of the Senate to the President of the United States."

POM-132. A concurrent resolution adopted by the General Assembly of the State of Indiana; to the Committee on Foreign Relations.

"HOUSE CONCURRENT RESOLUTION NO. 71

"Whereas, China has been a divided nation since 1949, and the governments of the Republic of China on Taiwan (hereinafter cited as "Taiwan") and the People's Republic of China on Mainland China (hereinafter cited as "Mainland China") have exercised jurisdiction over separate parts of China;

"Whereas, Taiwan has the 19th largest gross national product in the world, strong and vibrant economy, and one of the largest foreign exchange reserves of any nation;

"Whereas, Taiwan has dramatically improved its record on human rights and routinely holds free and fair elections in a multiparty system, as evidenced most recently by the December 3, 1994 balloting for local and provincial officials;

"Whereas, The 21 million people on Taiwan are not represented in the United Nations and their human rights as citizens of the world are therefore severely abridged;

"Whereas, Taiwan has in recent years repeatedly expressed its strong desire to participate in the United Nations;

"Whereas, Taiwan has much to contribute to the work and funding of the United Nations;

"Whereas, Taiwan has demonstrated its commitment to the world community by responding to international disasters and crises such as environmental destruction in the Persian Gulf and famine in Rwanda by providing financial donations, medical assistance, and other forms of aid;

"Whereas, The world community has reacted positively to Taiwan's desire for international participation, as shown by Taiwan's continued membership in the Asian Development Bank, the admission of Taiwan into the Asia-Pacific Economic Cooperation group as a full member, and the accession of Taiwan as an observer at the General Agreement on Tariffs and Trade as the first step toward becoming a contracting party to that organization;

"Whereas, The United States has supported Taiwan's participation in these bodies

and indicated, in its policy review of September 1994, a stronger and more active policy of support for Taiwan's participation in other international organizations;

"Whereas, Taiwan has repeatedly stated that its participation in international organizations is that of a divided nation, with no intention to challenge the current international status of Mainland China;

"Whereas, The United Nations and other international organizations have established precedents concerning the admission of separate parts of divided nations, such as Korea and Germany; and

"Whereas, Taiwan's participation in international organizations would not prevent or imperil a future voluntary union between Taiwan and Mainland China any more than the recognition of separate governments in the former West Germany and the former East Germany prevented the voluntary reunification of Germany. Now, therefore, be it

"Resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

"Section 1. Taiwan deserves full participation, including a seat in the United Nations, and the government of the United States should immediately encourage the United Nations to establish an ad hoc committee for the purpose of studying membership for Taiwan in that organization and its related agencies.

"Section 2. The Principal Clerk of the House of Representatives is directed to transmit a copy of this resolution to the President of the United States, the Speaker of the United States House of Representatives, and the United States Senate Majority Leader."

POM-133. A joint resolution adopted by the Legislature of the State of Washington; to the Committee on the Budget.

"HOUSE JOINT MEMORIAL 4029

"Whereas, A safe and efficient national transportation system is essential to the nation's international competitiveness; key to domestic productivity; and vital to our quality of life; and

"Whereas, despite the transportation investments promised in the enactment of the Intermodal Surface Transportation Efficiency Act (ISTEA), Congress has yet to fully fund the authorizations it contains for highways and transit; and

"Whereas, The current levels of federal funding for the nation's highway and public transportation systems are inadequate to meet rehabilitation needs, to ensure the safety of the traveling public, to begin solving congestion and rural access problems, to conduct adequate transportation research programs, and to keep America competitive in world economy; and

"Whereas, The Federal motor fuel tax and aviation fuel tax have traditionally been regarded as user fees paid by transportation users, the proceeds of which are and will continue to be required to help meet America's transportation requirements; and

"Whereas, The action to divert transportation user fees from documented transportation needs was taken by Congress despite strong support for placing the revenue in the Highway Trust Fund from the National Governors' Association, the United States Conference of Mayors, and the American Association of State Highway and Transportation Officials, in addition to many industry and transportation user organizations; and

"Whereas, Use of the transportation fuel taxes for deficit reduction purposes places the burden of reducing the deficit on industry and individuals based predominantly on how many miles they travel, without taking into account their ability to pay; and be-

cause of the long distances that must be driven by many people and industries in some states as opposed to other states, great inequities are inherent in any proposal to utilize motor fuel taxes for deficit reduction purposes; and

"Whereas, Including of the transportation trust funds in the Unified Federal Budget subjects transportation programs to arbitrary expenditure ceilings, despite the fact that trust fund expenditures are fully financed by users, and do not contribute to the federal deficit; and

"Whereas, In recent years the imposition of such budgetary limitations has resulted in a substantial build up of revenue in the trust funds, while states and local agencies have received less federal funding than authorized and available, and as a consequence, the nation's transportation needs are being inadequately addressed: Now, therefore,

"Your Memorialists respectfully urge Congress to:

"(1) Invest the resources in the nation's transportation system needed to enable economic competitiveness and job creation, as a minimum by fully funding at the earliest possible time the ISTEA highway and transit authorizations;

"(2) Recognize and reaffirm the traditional user-fee principle that has sustained the development of the national transportation system for more than 70 years, by reserving the transportation user fees now being collected for deficit reduction solely for future transportation purposes; and

"(3) Act expeditiously to remove the Highway Trust Fund and Airport and Airway Trust Fund from the Unified Federal Budget, be it

"Resolved, That copies of this Memorial be immediately transmitted to the President and the Secretary of the United States Senate, to the Speaker and the Clerk of the United States House of Representatives, and to each member of this state's delegation to Congress."

POM-134. A concurrent resolution adopted by the General Assembly of the State of Iowa; to the Committee on Commerce, Science, and Transportation.

"SENATE CONCURRENT RESOLUTION NO. 11

"Whereas, Amtrak, the national railroad passenger corporation providing national railroad passenger service, is energy efficient and environmentally beneficial, consuming about half as much energy per passenger mile as an airline and causing less air pollution; and

"Whereas, Amtrak provides mobility to citizens of many smaller communities poorly served by air and bus services and to those persons with medical conditions which prevent them from flying; and

"Whereas, Amtrak is nine times safer than driving a motor vehicle on a passenger mile basis, and operates even in severe weather conditions; and

"Whereas, Amtrak travel rose forty-eight percent from 1982 to 1993 and Amtrak dramatically improved coverage of its operating costs from revenues; and

"Whereas, expansion of Amtrak service by using existing rail rights-of-way would cost less and use less land than new highways and airports and would further increase Amtrak's energy efficiency advantage; and

"Whereas, federal investment in Amtrak has fallen in the last decade while it has risen for airports and highways; and

"Whereas, Amtrak pays a fuel tax that airlines do not pay; and

"Whereas, Amtrak workers and vendors pay more in taxes than the federal government invests in Amtrak: Now therefore, be it

"Resolved by the Senate, the House of Representatives concurring, That the President of

the United States and the Congress are urged to do the following:

"1. Maintain the current level of Amtrak funding.

"2. Exempt Amtrak from paying fuel taxes that airlines do not pay.

"3. Include a strong Amtrak system in any plans for a national transportation system: be it further

"*Resolved*, That copies of this Resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and members of Iowa's congressional delegation."

POM-135. A resolution adopted by the Senate of Legislature of the State of Hawaii; to the Committee on Energy and Natural Resources.

"SENATE RESOLUTION NO. 21

"Whereas, H.R. 602, Title III, if enacted, would grant the State of Hawaii concurrent jurisdiction over Baker Island, Jarvis Island, Johnston Atoll, Kingman Reef, Howland Island, the Midway Islands, and Palmyra Atoll, to the same extent as and in the same manner that such jurisdiction applies to all other areas within the State of Hawaii; and

"Whereas, all of these areas have historical links to the State of Hawaii, the Territory of Hawaii, and the Kingdom of Hawaii, and are either part of the Hawaiian Archipelago or are within the same relative distance as the distant islands of the State; and

"Whereas, no rights or liabilities of title or ownership are transferred to Hawaii as a result of this Act; and

"Whereas, the people of Hawaii have demonstrated, by their wise governance and stewardship of the ocean resources of the Hawaiian Archipelago, both living and non-living, their desire to insure wise management and careful preservation of the ocean environment; and

"Whereas, Hawaii's political, economic, and social destiny has been linked, historically, to the ocean environment and its resources, and Hawaii's people, from the early Polynesian voyagers who discovered these islands nearly two thousand years ago, to Hawaii's present-day citizens, represent one of the great oceanic societies of globe; and

"Whereas, Hawaii's future, now as in the past, is linked to its surrounding seas and its freedom to make wise use of them; and

"Whereas, the joint exercise of concurrent jurisdiction over these islands and atolls will undoubtedly devolve to great benefit to the strategic interests of both the State of Hawaii and the United States of America; and

"Whereas, the Omnibus Territories Act, H.R. 602, grants the Governor of the State of Hawaii authority to accept or refuse jurisdiction over these areas, with no time limitation imposed on this decision: Now, therefore, be it

"*Resolved by the Senate of the Eighteenth Legislature of the State of Hawaii*, Regular Session of 1995, that the United States Congress is respectfully urged to enact H.R. 602 as it pertains to allowing Hawaii to assume jurisdiction over these islands and atolls; and, be it further

"*Resolved*, That certified copies of this Resolution be transmitted to Hawaii's Congressional Delegation, the Speaker of the United States House of Representatives, and the President of the United States Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 101. A bill to transfer a parcel of land to the Taos Pueblo Indians of New Mexico (Rept. No. 104-85).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LUGAR, from the Committee on Agriculture, Nutrition, and Forestry:

Eugene Branstool, of Ohio, to be a member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

Karl N. Stauber, of Minnesota, to be Under Secretary of Agriculture for Research, Education, and Economics.

Karl N. Stauber, of Minnesota, to be a member of the Board of Directors of the Commodity Credit Corporation.

(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.)

By Mr. THURMOND, from the Committee on Armed Services:

Mr. THURMOND. Mr. President, for the Committee on Armed Services, I report favorably the attached listing of nominations.

Those identified with a single asterisk (*) are to be placed on the Executive Calendar. Those identified with a double asterisk (**) are to lie on the Secretary's desk for the information of any Senator since these names have already appeared in the RECORDS of March 23, March 30, April 3, April 24, and May 2, 1995, 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 RECORD of March 23, and 30, April 3, and 24, and May 2, 1995, at the end of the Senate proceedings.)

*Lieutenant General Billy J. Boles, USAF to be general (Reference No. 200)

*Vice Admiral Donald F. Hagan, USN to be placed on the retired list in the grade of vice admiral (Reference No. 203)

*Major General John C. Griffith, USAF to be lieutenant general (Reference No. 264)

*Lieutenant General Charles C. Krulak, USMC to be Commandant of the Marine Corps and for appointment to the grade of general (Reference No. 266)

**In the Army there are 53 promotions to the grade of major (list begins with John A. Adams) (Reference No. 276)

**In the Marine Corps there are 510 appointments to the grade of major and below (list begins with David F. Allen) (Reference No. 277)

*Major General Lloyd W. Newton, USAF to be lieutenant general (Reference No. 282)

**In the Air Force there are 6 appointments to the grade of second lieutenant (list begins with Robert D. Curry) (Reference No. 289)

**In the Army there are 6 promotions to the grade of lieutenant colonel and below (list begins with Russell R. Moores, Jr.) (Reference No. 290)

**In the Navy there are 41 appointments to the grade of lieutenant (list begins with Vanita Ahvja) (Reference No. 291)

**In the Navy there are 767 appointments to the grade of ensign (list begins with Charles S. Abbot) (Reference No. 292)

**In the Navy there are 1,271 appointments to the grade of ensign (list begins with Ryan D. Aaron) (Reference No. 293)

*Major General Leonard D. Holder, Jr., USA to be lieutenant general (Reference No. 299)

**In the Air Force Reserve there are 21 promotions to the grade of lieutenant colonel (list begins with Bradley C. Andreesen) (Reference No. 301)

**In the Air Force Reserve there are 22 promotions to the grade of lieutenant colonel (list begins with Jose T. Aguinaga) (Reference No. 302)

*General Charles G. Boyd, USAF to be placed on the retired list in the grade of general (Reference No. 311)

*General John M. Loh, USAF to be placed on the retired list in the grade of general (Reference No. 312)

*Lieutenant General John S. Fairfield, USAF for reappointment to the grade of lieutenant general (Reference No. 315)

*Lieutenant General Carl G. O'Berry, USAF to be placed on the retired list in the grade of lieutenant general (Reference No. 316)

*Major General Eugene D. Santarelli, USAF to be lieutenant general (Reference No. 317)

*General Dennis J. Reimer, USA to be Chief of Staff of the Army and for reappointment to the grade of general (Reference No. 319)

*General Gordon R. Sullivan, USA to be placed on the retired list in the grade of general (Reference No. 333)

*Lieutenant General Marvin L. Covault, USA to be placed on the retired list in the grade of lieutenant general (Reference No. 334)

*Major General Robert E. Gray, USA to be lieutenant general (Reference No. 335)

*Lieutenant General John E. Miller, USA for reappointment to the grade of lieutenant general (Reference No. 336)

*Major General William G. Carter III, USA to be lieutenant general (Reference No. 337)

**In the Air Force Reserve there is 1 appointment to the grade of colonel (James C. Ingram, Jr.) (Reference No. 340)

**In the Army Reserve there are 20 promotions to the grade of colonel and below (list begins with James W. Clevenger, Jr.) (Reference No. 342)

**In the Marine Corps there are 125 appointments to the grade of second lieutenant (list begins with Stephen J. Acosta) (Reference No. 361)

Total: 2,860.

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. ROCKEFELLER (for himself and Mr. SIMPSON):

S. 831. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of certain contributions made pursuant to veterans' reemployment; to the Committee on Finance.

By Mr. GRAHAM:

S. 832. A bill to require the Prospective Payment Assessment Commission to develop separate applicable percentage increases to ensure that medicare beneficiaries who receive services from medicare dependent hospitals receive the same quality of care and