

## DEPARTMENT OF DEFENSE

Arthur L. Money, of California, to be an Assistant Secretary of the Air Force.

H. Martin Lancaster, of North Carolina, to be an Assistant Secretary of the Army.

The above nominations were approved to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

The following-named officer for appointment as Vice Chairman of the Joint Chiefs of Staff and reappointment to the grade of general under the provisions of Title 10, United States Code, Section 154:

VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF

*To be general*

GEN. JESSEPH W. RALSTON, 000-00-0000, U.S. AIR FORCE.

## IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL ON THE RETIRED LIST PURSUANT TO THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 1370:

*To be lieutenant general*

LT. GEN. MARCUS A. ANDERSON, 000-00-0000, U.S. AIR FORCE.

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE, TO THE GRADE INDICATED, UNDER THE PROVISIONS OF TITLE 10, UNITED STATES CODE, SECTION 8373, 8374, 12201 AND 12212:

*To be major general*

BRIG. GEN. WILLIAM A. HENDERSON, 000-00-0000, AIR NATIONAL GUARD.  
BRIG. GEN. TIMOTHY J. LOWENBERG, 000-00-0000, AIR NATIONAL GUARD.  
BRIG. GEN. MELVYN S. MONTANO, 000-00-0000, AIR NATIONAL GUARD.  
BRIG. GEN. GUY S. TALLENT, 000-00-0000, AIR NATIONAL GUARD.  
BRIG. GEN. LARRY R. WARREN, 000-00-0000, AIR NATIONAL GUARD.

*To be brigadier general*

COL. JAMES H. BAKER, 000-00-0000, AIR NATIONAL GUARD.  
COL. JAMES H. BASSHAM, 000-00-0000, AIR NATIONAL GUARD.  
COL. PAUL D. KNOX, 000-00-0000, AIR NATIONAL GUARD.  
COL. CARL A. LORENZEN, 000-00-0000, AIR NATIONAL GUARD.  
COL. TERRY A. MAYNARD, 000-00-0000, AIR NATIONAL GUARD.  
COL. FRED L. MORTON, 000-00-0000, AIR NATIONAL GUARD.  
COL. LORAN C. SCHNAIDT, 000-00-0000, AIR NATIONAL GUARD.  
COL. BRUCE F. TUXILL, 000-00-0000, AIR NATIONAL GUARD.

## IN THE NAVY

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST OF THE U.S. NAVY IN THE GRADE INDICATED UNDER SECTION 1370 OF TITLE 10, UNITED STATES CODE:

*To be vice admiral*

VICE ADM. RICHARD C. ALLEN, 000-00-0000.

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF VICE ADMIRAL IN THE U.S. NAVY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 UNITED STATES CODE, SECTION 601:

*To be vice admiral*

REAR ADM. JOHN J. MAZACH, 000-00-0000.

THE FOLLOWING-NAMED OFFICER TO BE PLACED ON THE RETIRED LIST OF THE U.S. NAVY IN THE GRADE INDICATED UNDER SECTION 1370 OF TITLE 10, UNITED STATES CODE:

*To be admiral*

ADM. WILLIAM A. OWENS, 000-00-0000.

## IN THE AIR FORCE

Air Force nominations beginning Todd D. Bergman, and ending Scott J. Woollard, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Air Force nominations beginning Ruth T. Lim, and ending Barrett F. Schwartz, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Air Force nominations beginning James P. Aaron, and ending Karen C. Yamaguchi, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Air Force nominations beginning Carlos L. Acevedo, and ending Brian D. Zullo, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Air Force nominations beginning William C. Alford, and ending Linda S. Mitchell, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 1995.

Air Force nominations beginning Rogelio F. Golle, and ending Michael L. Delorenzo, which nominations were received by the Senate and appeared in the Congressional Record on December 4, 1995.

Air Force nominations beginning Dwayne A. Alons, and ending Francis K. Manuel, which nominations were received by the Senate and appeared in the Congressional Record on December 18, 1995.

## IN THE ARMY

Army nominations beginning David L. Abbott, and ending X2444, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 1995.

Army nomination beginning Nelson L. Michael, which nomination was received by the Senate and appeared in the Congressional Record on November 28, 1995.

Army nominations beginning Robert L. Ackley, and ending Daniel V. Wright, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Army nomination beginning Paul A. Ostergaard, which nomination was received by the Senate and appeared in the Congressional Record on November 28, 1995.

Army nominations beginning Charles W. Baccus, and ending Donna M. Wright, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Army nominations beginning Mark E. Benz, and ending Steven R. Young, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Army nominations beginning Vincent B. Bogan, and ending Krista E. Murphy, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Army nominations beginning Alvin D. Aaron, and ending Craig L. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on November 28, 1995.

Army nominations beginning James M. Baker, and ending William Hayes-Regan, which nominations were received by the Senate and appeared in the Congressional Record on December 18, 1995.

Army nominations beginning Michael C. Appe, and ending Janet M. Harrington, which nominations were received by the Senate and appeared in the Congressional Record on December 18, 1995.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

## IMPACT AID PAYMENTS

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1543, a bill relating to impact aid payments introduced earlier today by Senator KERREY, that the bill be read three times, passed, the motion to re-

consider be laid upon the table; further, that any statements on this measure appear at the appropriate place in the RECORD as though read.

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

So the bill (S. 1543) was deemed read for a third time, and passed, as follows:

S. 1543

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. TREATMENT OF IMPACT AID PAYMENTS.

(a) IN GENERAL.—The Secretary of Education shall treat any State as having met the requirements of section 5(d)(2)(A) of Public Law 81-874 for fiscal year 1991, and as not having met those requirements for each of the fiscal years 1992, 1993, and 1994, if—

(1) its program of State aid was not certified by the Secretary under section 5(d)(2)(C)(i) of Public Law 81-874 for any fiscal year before fiscal year 1991;

(2) the State submitted timely notice under that section of its intention to seek that certification;

(3) the Secretary determined that the State did not meet the requirements of section 5(d)(2)(A) of Public Law 81-874 for fiscal year 1991; and

(4) it has made a payment of each local educational agency in the State, other than any local educational agency that received a payment for fiscal year 1991 under section 3(d)(2)(B) of Public Law 81-874, whose State aid it reduced for the fiscal year, in the full amount of that reduction.

(b) REPAYMENT NOT REQUIRED.—Notwithstanding any other provision of law, any local educational agency in such a State that received funds under section 3(d)(2)(B) of Public Law 81-874 for fiscal year 1991 shall not, by virtue of subsection (a), be required to repay those funds to the Secretary.

## LAWS RELATING TO NATIVE AMERICANS

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2726, just received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2726) to make certain technical corrections in laws relating to Native Americans, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCAIN. Mr. President, I rise today to express my support for H.R. 2726, a bill to make technical amendments to various laws affecting native Americans and to urge its immediate adoption. This bill includes a number of provisions which have been considered and approved by this body in the first session of the 104th Congress. This legislation addresses a wide range of Indian issues. I am joined by a number of Senators who have sponsored provisions which were included in H.R. 2726. I will briefly describe the provisions of H.R. 2726. Section 1 of the bill makes technical corrections to section 9 of the Pokagon Potawatomi Restoration

Act. These corrections would change the reference in section 9 from plural to singular. Section 2 of S. 325 makes technical corrections to the Odawa and Ottawa Restoration Act. This section corrects all of the references in section 9 by using the plural.

Section 3 of the bill corrects a citation in section 4 of the Indian Dams Safety Act of 1994. Section 4 of H.R. 2726 amends the Pascua Yaqui Indians Act to capitalize the words "Pascua Yaqui Tribe." Section 5 amends section 3(7) of the Indian Lands Open Dump Cleanup Act of 1994 to correct the citation to the Solid Waste Disposal Act. Section 6 of the bill amends the American Indian Trust Fund Management Reform Act of 1994 to correct a reference in section 303(c) of the act and to correct a typographical error in section 306 of the act. Section 7 of the bill corrects a reference in section 102 of the Indian Self-Determination Contract Reform Act of 1994. Section 8 of the bill corrects certain references in sections 203 and 206 of the Auburn Indian Restoration Act. Section 9 of the bill amends the Crow Boundary Settlement Act of 1994 corrects several references in sections 5, 9, and 10 of the act. Section 10 of H.R. 2726 corrects a typographical error in section 205 of the Tlingit and Haida Status Clarification Act. Section 11 of the bill amends section 103 of the Native American Languages Act to correct several citations in the section. Section 12 of the bill amends section 5 of the Ponca Restoration Act to modify the service area of the Ponca Indian Tribe to include Indians living in Sarpy, Burt, Platte, Stanton, Hall, Holt, and Wayne Counties in Nebraska and Indians living in Woodbury and Pottawattomie Counties in Iowa. It has been estimated that there are 110 Ponca tribal members living in these counties who are not currently eligible to receive services from the tribe. This amendment to the Ponca Restoration Act would make these members eligible for tribal services from the Ponca Tribe. I would like to recognize the leadership of the delegation from Nebraska, Senators EXON and Kerrey who brought this provision to my attention and urged its inclusion in the legislation.

Section 13 of the bill provides for the revocation of the charter of incorporation of the Minnesota Chippewa Tribe under the Indian Reorganization Act. The Minnesota Chippewa Tribe has requested the Congress to accept their surrender of the Corporate Charter of the Minnesota Chippewa. By its own terms, this charter can only be revoked by act of Congress. This provision would revoke the charter. Section 14 of the bill amends section 5(6) of the Advisory Council on California Indian Policy Act of 1992 to extend the term of the Advisory Council on California Indian Policy from 18 to 36 months in order to allow them to complete their study of issues affecting California Indian tribes.

Section 15 of the bill amends section 401 of the Public law 100-581, to provide

the authority to the Army Corps of Engineers to provide funding for the operation and maintenance of in lieu fishing access sites on the Columbia River. Public Law 100-581 was enacted in 1988 to authorize the U.S. Army Corps of Engineers to develop 32 Indian fishing access sites along the Columbia River for the Warm Springs, Yakima, Umatilla, and Nez Perce tribes. These fishing sites were intended to compensate these Indian tribes for fishing sites which were lost due to the construction of several dams by the Army Corps of Engineers. In a June 25, 1995 memorandum of understanding between the Army Corps of Engineers and the Department of the Interior agreed to a lump sum payment of funds to provide for the operation and maintenance of such sites. I would like to express my appreciation to the Senator from Oregon [Mr. HATFIELD] for his leadership in advancing this provision. I have worked closely with him in ensuring that this provision is clarified and provides the necessary authority to ensure that these sites are adequately maintained. Section 16 of the bill provides authority to the Ponca Indian Tribe of Nebraska to utilize funds provided in prior fiscal years to acquire, develop, and maintain a transitional living facility for Indian adolescents. Sections 1 through 16 of this bill have been considered and passed by the full Senate in the last session of the Congress.

H.R. 2726 includes three additional technical amendments which have not been considered by this body but which are not controversial and represent purely technical changes and corrections to provisions of affecting native Americans. I have reviewed these provisions and I support them. First such provision is in section 17 of the bill, which provides that authority to the Mescalero Apache Tribe to authorize the Secretary of the Interior to reprogram judgment funds awarded to the tribe pursuant to Docket Nos. 22-G, 30, 48, 30-A, and 48-A of the Indian Claims Commission. This provision will provide the authority necessary for the Mescalero Apache Tribe to modify their judgment fund distribution plan to utilize these funds pursuant to their current tribal priorities. Section 18 of the bill authorizes the Lac View Desert Bank of Lake Superior Chippewa Indians to amend their tribal membership roll to enroll individuals who meet the tribal eligibility criteria for inclusion in the tribal rolls. This provision does not alter the criteria for tribal membership including the tribe's blood quantum requirements but merely opens the tribal rolls to individuals who were not previously enrolled. Section 19 of the bill amends section 403 of the Indian Self-Determination and Education Assistance Act by adding a new subsection that authorizes Indian tribes to include any or all the provisions of title I of the act in an agreement entered into under title III or IV of the act. This provision authorizes Indian tribes to include any provision

under title I of the act relating to self-determination contracts in a self-governance compact entered into with the Department of the Interior or with the Indian Health Service.

Finally, I would like to express my appreciation for the work of the many Senators who worked on the development of many of these amendments and I urge my colleagues to support passage of H.R. 2726.

Mr. DOLE. Mr. President, I ask unanimous consent the bill be deemed read for the third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

So the bill (H.R. 2726) was deemed read the third time and passed.

FRANCIS J. HAGEL FEDERAL BUILDING

Mr. DOLE. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 2111, designating the Francis Hagel Federal Building in Richmond, CA, and that the Senate then proceed to its immediate consideration; that the bill be read three times, passed, and the motion to reconsider be laid upon the table, with the above occurring without intervening action or debate.

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

So the bill (H.R. 2111) was deemed read for a third time and passed.

#### FARM CREDIT SYSTEM REGULATORY RELIEF ACT OF 1995

Mr. DOLE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on H.R. 2029, a bill to amend the Farm Credit Act of 1971 to provide regulatory relief.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the House agree to the amendments of the Senate to the bill (H.R. 2029) entitled "An Act to amend the Farm Credit Act of 1971 to provide regulatory relief, and for other purposes", with the following amendment:

In lieu of the matter inserted by the Senate amendment to the text of the bill, insert:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Farm Credit System Reform Act of 1996".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—AGRICULTURAL MORTGAGE SECONDARY MARKET

Sec. 101. Definition of real estate.

Sec. 102. Definition of certified facility.

Sec. 103. Duties of Federal Agricultural Mortgage Corporation.

Sec. 104. Powers of the Corporation.

Sec. 105. Federal reserve banks as depositaries and fiscal agents.

Sec. 106. Certification of agricultural mortgage marketing facilities.