

Mr. BREAUX. I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

# SMALL BUSINESS JOB PROTECTION ACT OF 1996—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the clerk will report the conference report to accompany H.R. 3448.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H.R. 3448 to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take-home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer-owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that Act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

(The conference report is printed in the House proceedings of the RECORD of August 1, 1996.)

The PRESIDING OFFICER. The question is on agreeing to the adoption of the conference report. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Washington [Mrs. MURRAY] and the Senator from Arkansas [Mr. PRYOR], are necessarily absent.

The result was announced—yeas 76, nays 22, as follows:

[Rollcall Vote No. 265 Leg.]

## YEAS—76

Abraham	Frist	Mikulski
Akaka	Glenn	Moseley-Braun
Baucus	Gorton	Moynihan
Bennett	Graham	Murkowski
Biden	Grams	Nunn
Bingaman	Grassley	Pell
Boxer	Gregg	Pressler
Bradley	Harkin	Reid
Breaux	Hatch	Robb
Bryan	Hatfield	Rockefeller
Bumpers	Heflin	Roth
Byrd	Hollings	Santorum
Campbell	Inouye	Sarbanes
Chafee	Jeffords	Shelby
Cohen	Johnston	Simon
Conrad	Kassebaum	Simpson
D'Amato	Kennedy	Snowe
Daschle	Kerrey	Specter
DeWine	Kerry	Stevens
Dodd	Kohl	Thompson
Domenici	Lautenberg	Thurmond
Dorgan	Leahy	Warner
Exon	Levin	Wellstone
Feingold	Lieberman	Wyden
Feinstein	McCain	
Ford	McConnell	

## NAYS—22

Ashcroft	Coats	Faircloth
Bond	Cochran	Frahm
Brown	Coverdell	Gramm
Burns	Craig	Helms

Hutchison	Lott	Smith
Inhofe	Lugar	Thomas
Kempthorne	Mack	
Kyl	Nickles	

## NOT VOTING—2

Murray	Pryor
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The conference report was agreed to. Mr. KENNEDY. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FORD. Will the Senator yield to me?

Mr. KENNEDY. Can I ask for order, Mr. President?

The PRESIDING OFFICER. The Senate will come to order. Will Senators remove audible conversations to the Cloakroom?

The Chair recognizes the Senator from Massachusetts.

Mr. FORD. Mr. President, will the Senator yield me 10 seconds?

Mr. KENNEDY. I yield.

## EXPLANATION OF ABSENCE

Mr. FORD. Mr. President, I would like for the record to reflect that our good friend and colleague, DAVID PRYOR, has missed votes yesterday and today because of the death in his family of his father-in-law and the funeral today. I want the record to reflect that because it was not official business.

I thank the Chair.

Mr. KENNEDY. Mr. President, in the last half hour, we have experienced a double-header victory for the American people: health care and a raise in the minimum wage. In a sense, both these bills had nine lives, and they needed all of them. But they have come to a successful resolution this evening and, hopefully, they will be on the President's desk in the very near future.

I would like to just take a moment—I know others want to address the Senate and we still have time for discussion on these two measures—but I do want to at this time express my very, very strong personal appreciation for the support, the assistance, and the help of our leader, Senator DASCHLE, for his leadership throughout the process on both of these pieces of legislation, as well as so much other legislation.

I pay tribute, as I did earlier, to Senator KASSEBAUM for sponsoring the legislation and for all that she has done to move it forward.

To Senator HARKIN for his work on the genetic information, the fraud and abuse provisions. He has been tireless in both of these areas, as well as many others.

Senator WELLSTONE's work on domestic violence, the mental health issues has been enormously important, and although we did not achieve them in this legislation, I think all of us have an understanding we are going to revisit those issues in September, and I look forward to joining with Senator WELLSTONE, Senator DOMENICI and others for, hopefully, an important down-

payment on that issue to try and reflect what is the reality, and that is a mental illness should be treated just like every other illness in our health care system.

To Senator SIMON for his work on the privacy issues.

To Senator MIKULSKI and Senator DODD who were extremely active and involved in the markup and are always involved, Senator DODD particularly, on children's issues and Senator MIKULSKI on the impact of this legislation and also the minimum wage legislation on women in our society.

To Senator BREAUX for his help in making the compromise possible.

And to all the others who helped.

I also thank all of my staff who worked so tirelessly: David Nexon who has done such an extraordinary job over many years and has devoted the better part of his life to trying to improve quality health for American people. I think all of us at this time are mindful of the extraordinary quality of individuals on our staff who really make such an enormous difference in the legislative achievements and for changes in policy.

Carey Parker; Nick Littlefield, our overall staff director for his tirelessness in both of these endeavors; Lauren Ewers, who has been a key member of our health staff; Jim Manley; Dennis Kelleher, Sue Castleberry, April Savoy, Brian Moran.

I, too, want to thank Dean Rosen and Susan Hattan of Senator KASSEBAUM's staff.

I think we have been fortunate on our committee to have Republican and Democratic staff. There have been extremely important and cooperative, and have high talent on both sides of the aisle. Senator MOYNIHAN's staff, Laird Burnett and Jon Talisman, have been enormously helpful.

Finally, I also thank Minority Leader GEPHARDT in the House of Representatives for his strong support and advocacy in working with all of our friends and Members of our party.

Congressman DINGELL, Congressman WAXMAN and the others in the House who participated in the conference committee. I am grateful to all of them.

With respect to the minimum wage, this uphill effort against the odds could not have succeeded without the leadership and support of Secretary of Labor Bob Reich and the contributions of his Department. Many people there lent us their expertise, but let me single out Assistant Secretary Geri Palast, Chief Economist Lisa Lynch, John Fraser at the Wage and Hour Administration, and Seth Harris at the Office of Policy.

Many organizations made a difference in this effort, but I want especially to thank the U.S. Catholic Conference, the Women's Legal Defense Fund, the Mon Valley Unemployed Council, and the Business and Professional Women USA for all of their help. As always, the AFL-CIO and its unions worked very hard for this legislation,

even though very few union members earn wages low enough to be affected by this increase. They did so because they honor work and care about the well-being of every American—not just their members. Chris Owens worked with all of these groups to help educate the public and the Congress.

Finally, on my own staff, Sarah Fox devoted her phenomenal energy to this bill for a year before leaving to join the National Labor Relations Board. And Ross Eisenbrey, a congressional fellow detailed from the Department of Labor, worked very hard over the last 16 months to help us accomplish this 22 percent pay increase for millions of Americans.

I thank the majority leader for his help and assistance and courtesy on these issues, as on others.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. THURMOND. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the Executive Calendar: Calendar Nos. 687 through 709, 711 through 715 and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

I might say, these are military nominations.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The nominations considered and confirmed, en bloc, are as follows:

#### PANAMA CANAL COMMISSION

Alberto Aleman Zubieta, a citizen of the Republic of Panama, to be Administrator of the Panama Canal Commission.

#### UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

Everett Alvarez, Jr., of Maryland, to be a Member of the Board of Regents of the Uniformed Services University of the Health Sciences for a term expiring May 1, 1999. (Reappointment).

#### AIR FORCE

The following-named officer for promotion in the Regular Air Force of the United States to the grade indicated under title 10, United States Code, section 624:

##### To be brigadier general

Col. Gilbert J. Regan, 000-00-0000, U.S. Air Force.

The following-named officer for appointment in the Reserve of the Air Force, to the Air Force, to the grade indicated, under title 10, United States Code, sections 8374, 12201, and 12212:

##### To be brigadier general

Col. Christopher J. Luna, 000-00-0000, Air National Guard of the United States.

The following-named officer for appointment to the grade of lieutenant general in the United States Air Force while assigned to a position of importance and responsibility under title 10 United States Code, section 601:

##### To be lieutenant general

Maj. Gen. Roger G. DeKok, 000-00-0000.

The following-named officer for appointment to the grade of lieutenant general in the U.S. Air Force while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

##### To be lieutenant general

Maj. Gen. Patrick K. Gamble, 000-00-0000.

The following-named officer for reappointment to the grade of lieutenant general in the U.S. Air Force while assigned to a position of importance and responsibility under title 10 United States Code, section 601:

##### To be lieutenant general

Lt. Gen. Lester L. Lyles, 000-00-0000.

The following-named officer for appointment to the grade of lieutenant general while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

##### To be lieutenant general

Maj. Gen. John B. Sams, Jr., 000-00-0000, U.S. Air Force.

The following-named officer for reappointment to the grade of lieutenant general while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

##### To be lieutenant general

Lt. Gen. Charles T. Robertson, 000-00-0000, U.S. Air Force.

The following-named officer for reappointment to the grade of lieutenant general while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

##### To be lieutenant general

Maj. Gen. Frank B. Campbell, 000-00-0000, U.S. Air Force.

#### ARMY

The following-named officer for reappointment to the grade of lieutenant general in the United States Army while assigned to a position of importance and responsibility under title 10, United States Code, section 601(a):

##### To be lieutenant general

Maj. Gen. David L. Benton, 000-00-0000.

The following-named Army Medical Service Corps Competitive Category officer for appointment in the Regular Army of the United States to the grade of brigadier general under the provisions of title 10, United States Code, sections 611(a) and 624(c):

##### To be brigadier general

Col. Mack C. Hill, 000-00-0000, U.S. Army

The following-named Army Medical Corps Competitive Category officers for appointment in the Regular Army of the United States to the grade of brigadier general under the provisions of title 10, United States Code, sections 611(a) and 624(c):

##### To be brigadier general

Col. Ralph O. Dewitt, Jr., 000-00-0000, U.S. Army.

Col. Kevin C. Kiley, 000-00-0000, U.S. Army.

Col. Michael J. Kussman, 000-00-0000, U.S. Army.

Col. Darrel R. Porr, 000-00-0000, U.S. Army.

The following-named officer for appointment to the grade of lieutenant general in

the U.S. Army while assigned to a position of importance and responsibility under title 10, United States Code, section 601(a):

##### To be lieutenant general

Maj. Gen. Eric K. Shinseki, 000-00-0000.

The following-named officers for promotion in the Regular Army of the United States to the grade indicated under title 10, United States Code, sections 611(a) and 624:

##### To be major general

Brig. Gen. Michael W. Ackerman, 000-00-0000.

Brig. Gen. Frank H. Akers, Jr., 000-00-0000.

Brig. Gen. Leo J. Baxter, 000-00-0000.

Brig. Gen. Roy E. Beauchamp, 000-00-0000.

Brig. Gen. Kenneth R. Bowra, 000-00-0000.

Brig. Gen. Kevin P. Byrnes, 000-00-0000.

Brig. Gen. Michael A. Canavan, 000-00-0000.

Brig. Gen. Robert T. Clark, 000-00-0000.

Brig. Gen. Michael L. Dodson, 000-00-0000.

Brig. Gen. Robert B. Flowers, 000-00-0000.

Brig. Gen. Peter C. Franklin, 000-00-0000.

Brig. Gen. Thomas W. Garrett, 000-00-0000.

Brig. Gen. Emmitt E. Gibson, 000-00-0000.

Brig. Gen. David L. Grange, 000-00-0000.

Brig. Gen. David R. Gust, 000-00-0000.

Brig. Gen. Mark R. Hamilton, 000-00-0000.

Brig. Gen. Patricia R.P. Hickerson, 000-00-0000.

Brig. Gen. Robert R. Ivany, 000-00-0000.

Brig. Gen. Joseph K. Kellogg, Jr., 000-00-0000.

Brig. Gen. John M. LeMoine, 000-00-0000.

Brig. Gen. John M. McDuffie, 000-00-0000.

Brig. Gen. Freddy E. McFarren, 000-00-0000.

Brig. Gen. Mario F. Montero, Jr., 000-00-0000.

Brig. Gen. Stephen T. Rippe, 000-00-0000.

Brig. Gen. John J. Ryneska, 000-00-0000.

Brig. Gen. Robert D. Shadley, 000-00-0000.

Brig. Gen. Edwin P. Smith, 000-00-0000.

Brig. Gen. John B. Sylvester, 000-00-0000.

Brig. Gen. Ralph G. Wooten, 000-00-0000.

#### MARINE CORPS

The following-named brigadier generals of the U.S. Marine Corps Reserve for promotion to the grade of major general, under the provisions of section 5898 of title 10, United States Code:

##### To be major general

Brig. Gen. John W. Hill, 000-00-0000, USMCR.

Brig. Gen. Dennis M. McCarthy, 000-00-0000, USMCR.

The following-named colonels of the U.S. Marine Corps for promotion to the grade of brigadier general, under the provisions of section 624 of title 10, United States Code:

##### To be brigadier general

Col. Robert R. Blackman, Jr., 000-00-0000, USMC.

Col. William G. Bowdon III, 000-00-0000, USMC.

Col. James T. Conway, 000-00-0000, USMC.

Col. Keith T. Holcomb, 000-00-0000, USMC.

Col. Harold Mashburn, Jr., 000-00-0000, USMC.

Col. Gregory S. Newbold, 000-00-0000, USMC.

The following-named colonel of the U.S. Marine Corps for promotion to the grade of brigadier general, under the provisions of section 624 of title 10, United States Code:

##### To be brigadier general

Col. Guy M. Vanderlinden, 000-00-0000, USMC.

The following-named colonel of the U.S. Marine Corps for promotion to the grade of brigadier general under the provisions of section 624 of title 10, United States Code:

##### To be brigadier general

Col. Arnold Fields, 000-00-0000, USMC.

The following-named officer for appointment to the grade of lieutenant general in the U.S. Marine Corps while assigned to a position of importance and responsibility under the provisions of section 601(a) title 10, United States Code: