

Arkansas resident. But if they do not have a presence in Arkansas, they can send all the merchandise they want to into the State and not collect a dime in sales tax.

It is also unfair to the State and local governments which bear increased burdens because of mail order activity. For example, every year millions of tons of catalogs go into the municipal landfills of this country, and State and local governments must pay for that. I think much of that comes to my house every year, frankly. Here it is, getting close to Christmas, and every night when I go home, I can't open my front door because there are so many catalogs behind it. But yet mail order companies pay virtually nothing to help States dispose of those millions of tons of waste.

So, Mr. President, I have always felt that this was terribly unfair to Main Street merchants in America. There is not a great incentive to avoid taxes on small ticket items, but on big ticket items there is a huge incentive. A few States, like Wisconsin and Maine, have put a provision in their State income tax return for taxpayers to list the value of merchandise purchased through mail order. Last year, Wisconsin collected \$1.3 million from that provision. But there is no telling what the State should have collected had all mail order sales taxes been collected. The \$1.3 million came from people who were honest and voluntarily put on their State tax return what they purchased by mail order catalog and paid the sales tax on it. But there is no way the States can enforce an effective sales tax collection system on mail order goods. Forty-five States impose sales taxes on mail order purchases, but they have no effective way to collect it.

Sometimes the States do collect the taxes on big-ticket items, however, and then the customer gets a rude awakening. I remember the story of a family in Florida which went up to North Carolina and bought some \$25,000 worth of furniture because that company in North Carolina had advertised no sales tax. The family furnished their entire house all with new furniture, loaded it onto a van, and took it back. And, lo and behold, they were stopped at the Florida border and had sales tax assessed against them. The tax came to several hundred dollars, and it was a rude shock to that couple. There are a number of illustrations like that.

But I do not want to take up too much of the Senate's time on this issue. All I want to say is that when mail order companies fail to collect sales taxes on their sales, it is unfair for the Main Street companies who do collect such taxes. It is not right for some to do it and the rest to be exempt. Now this agreement, which will reportedly be announced tomorrow between the largest States and the largest mail order houses, is a giant step in the right direction. I do not want to say anything tonight that would in the

least hinder those people negotiating that agreement from finishing it. On the contrary, I applaud them, I thank them for doing what is right.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDER FOR ADJOURNMENT

Mr. COATS. Mr. President, after some modifications and consultation with the minority leader we are ready to once again ask this unanimous-consent request as modified.

Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Friday, November 7.

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

UNANIMOUS-CONSENT REQUEST

Mr. COATS. Mr. President, on Friday, at the hour of 9:30, I further ask that, immediately following the prayer, the routine requests through the morning hour be granted.

Mr. DASCHLE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COATS. Mr. President, I once again suggest the absence of a quorum. There seems to be some confusion here.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on the Executive Calendar: Nos. 334, 336, 340, 385, 387, 388, 389 through 391, 393 through 409, 411, 414 through 426, except for 419. I further ask unanimous consent that the nominations be confirmed; that the motions to reconsider be laid upon the table; that any statements relating to the nominations appear at the appropriate place in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF LABOR

Patricia Watkins Lattimore, of the District of Columbia, to be an Assistant Secretary of Labor.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Jeannette C. Takamura, of Hawaii, to be Assistant Secretary for Aging, Department of Health and Human Services.

DEPARTMENT OF LABOR

Susan Robinson King, of the District of Columbia, to be an Assistant Secretary of Labor.

DEPARTMENT OF COMMERCE

F. Amanda DeBusk, of Maryland, to be an Assistant Secretary of Commerce.

R. Roger Majak, of Virginia, to be Assistant Secretary of Commerce.

David L. Aaron, of New York, to be Under Secretary of Commerce for International Trade.

DEPARTMENT OF STATE

Julia Taft, of the District of Columbia, to be an Assistant Secretary of State.

Phyllis E. Oakley, of Louisiana, to be an Assistant Secretary of State.

Mary Mel French, of the District of Columbia, to be Chief of Protocol, and to have the rank of Ambassador during her tenure of service.

Lange Schermerhorn, of New Jersey, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Djibouti.

Brenda Schoonover, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Togo.

Kathryn Walt Hall, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Austria.

Edward M. Gabriel, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Morocco.

Joseph A. Presel, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uzbekistan.

Richard Frank Celeste, of Ohio, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to India.

Shaun Edward Donnelly, of Indiana, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Maldives.

Edward S. Walker, Jr., of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Stanley Tuemler Escudero, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Azerbaijan.

Daniel Fried, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

James Carew Rosapepe, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

Peter Francis Tufo, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Hungary.

Kathryn Linda Haycock Proffitt, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Malta.

William H. Twaddell, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Nigeria.

Steven J. Green, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

Daniel Charles Kurtzer, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Arab Republic of Egypt.

Steven Karl Pifer, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ukraine.

Cameron R. Hume, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic and Popular Republic of Algeria.

Gerald S. McGowan, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Portugal.

Lyndon Lowell Olson, Jr., of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Sweden.

Christopher C. Ashby, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Oriental Republic of Uruguay.

James A. Larocco, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

David B. Hermelin, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Norway.

George Edward Moose, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Representative of the United States of America to the European Office of the United Nations, with the rank of Ambassador.

Victor Marrero, of New York, to be the Permanent Representative of the United States to the Organization of American States, with the rank of Ambassador, vice Harriet C. Babbitt.

Alexander R. Vershbow, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

B. Lynn Pascoe, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Negotiator for Nagorno-Karabakh.

David Timothy Johnson, of Georgia, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as Head of

the United States Delegation to the Organization for Security and Cooperation in Europe (OSCE).

Thomas J. Miller, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as Special Coordinator for Cyprus.

Amy L. Bondurant, of the District of Columbia, to be Representative of the United States of America to the Organization of Economic Cooperation and Development, with the rank of Ambassador.

LEGISLATIVE SESSION

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

ORDERS FOR FRIDAY, NOVEMBER 7, 1997

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Friday, November 7. I further ask unanimous consent that on Friday, immediately following the prayer, the routine requests through the morning hour be granted and that the Senate proceed to morning business for not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator DASCHLE, or his designee, for up to 30 minutes, from 9:30 a.m. to 10 a.m.; Senator HELMS, or his designee, for up to 30 minutes, from 10 a.m. to 10:30 a.m.

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

PROGRAM

Mr. LOTT. I might say, Mr. President, since the Democratic leader is here, we have a couple things we are trying to work out. I believe by 10:30 a.m., we will have those problems resolved and that we can continue to consider the Inhofe amendment or the second-degree amendment to it and get the Amtrak legislation also cleared and other issues we will still be working on.

Mr. President, tomorrow, the Senate will then be in a period for morning business from 9:30 a.m. until 10:30 a.m. The Senate may also consider and complete action on any of the following: Amtrak reform, the D.C. appropriations bill—even though there may be some problems with that now, we will continue to try to see if we can work through that—and any other additional legislative or executive items that can be cleared for action. Therefore, Members can anticipate rollcall votes throughout Friday's session of the Senate.

Mr. DASCHLE. Mr. President, I will just ask for the information of our colleagues whether this might be an appropriate time to inform our colleagues that we are not prepared at this point to talk about the weekend, but that they should be prepared to

stay here this weekend, given the uncertainty of the schedule.

Would the majority leader care to comment on that?

Mr. LOTT. Well, I think that is a good notice. I think Members are already thinking that may be the case. I have already canceled my own events for Friday, Saturday, and Sunday. And we will continue to work to see if we can find a way to complete action on the three appropriations conference reports. And, of course, we will be waiting to see what the House does on fast track. And depending on that, then, of course, we would proceed accordingly.

But if it is at all possible that we can finish our work on Saturday or Sunday, which I still think we can, I would think we should stay here and get that work done. If we cannot, then we will have to consider the alternatives, but Members should begin to be aware of it. And the odds are now that we will be in session Saturday and even possibly Sunday.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order until 9:30 in the morning.

There being no objection, the Senate, at 7:06 p.m., adjourned until Friday, November 7, 1997, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate November 6, 1997:

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

JOHN PAUL HAMMERSCHMIDT, OF ARKANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM OF FOUR YEARS. (NEW POSITION)

THE JUDICIARY

CHRISTINE O.C. MILLER, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE U.S. COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

ROSEMARY S. POOLER, OF NEW YORK, TO BE U.S. CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE FRANK X. ALTIMARI, RETIRED.

ROBERT D. SACK, OF NEW YORK, TO BE U.S. CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE ROGER J. MINER, RETIRED.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

JEANNE HURLEY SIMON, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2002. (REAPPOINTMENT)

IN THE COAST GUARD

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT IN THE U.S. COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 14, UNITED STATES CODE, SECTION 729:

To be captain

COMMANDER CLAUDIO R. AZZARO, 0000
COMMANDER SHARON J. ARMSTRONG, 0000
COMMANDER CHARLES M. MCDONNELL, 0000
COMMANDER DANIEL R. FLOOD, 0000
COMMANDER WILLIAM J. VANORDEN, 0000
COMMANDER ROBERT C. BUCKLES, 0000
COMMANDER ARTHUR S. OLSEN, 0000
COMMANDER JOHN C. ACTON, 0000
COMMANDER ROBERT W. KELLY, 0000
COMMANDER GROVER N. LIPE, 0000
COMMANDER RAYMOND W. BLOWITTSKI, 0000
COMMANDER EVERETTE W. HOLLINGSWORTH, 0000
COMMANDER JERRY J. SAULTER, 0000

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE U.S. AIR FORCE