

PERMISSION TO CONVEY CERTAIN LANDS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 1347, and that the Senate then proceed to its immediate consideration.

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

The clerk will report.

The legislative clerk read as follows:

A bill (S. 1347) to permit the City of Cleveland, Ohio to convey certain lands that the U.S. conveyed to the city.

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. CRAIG. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be placed in the RECORD at the appropriate place as if read.

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

The bill (S. 1347) was passed, as follows:

S. 1347

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

SECTION 1. DEFINITIONS.

For purposes of this section, the term "fair market value" shall have the meaning provided that term by the Secretary of Transportation, by regulation.

SEC. 2. AUTHORITY TO GRANT WAIVERS.

(a) IN GENERAL.—Notwithstanding any other provision of law and subject to section 47153 of title 49, United States Code, and section 3, the Secretary of Transportation may waive any of the terms contained in the deed of conveyance described in subsection (b).

(b) DEED OF CONVEYANCE.—The deed of conveyance described in this subsection is the deed of conveyance issued by the United States and dated January 10, 1967, for the conveyance of lands to the city of Cleveland, Ohio, for use by the city for airport purposes.

SEC. 3. CONDITIONS.

(a) FAIR MARKET VALUE OR EQUIVALENT BENEFIT.—As a condition to receiving a waiver under this section, the city of Cleveland, Ohio, may convey an interest in the lands described in section 2(b) only if the city receives, in exchange for the interest—

(1) an amount equal to the fair market value of the interest; or

(2) an equivalent benefit.

(b) USE OF AMOUNTS OR EQUIVALENT BENEFITS.—Any amount or equivalent benefit that is received by the city of Cleveland shall be used by the city for—

(1) the development, improvement, operation, or maintenance of a public airport; or

(2) lands (including any improvements to those lands) that produce revenues that are used for airport development purposes.

MEASURE PLACE ON THE CALENDAR—S. 1414

Mr. CRAIG. Mr. President, I ask unanimous consent that S. 1414 be read for a second time.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1414) to reform and restructure the processes by which tobacco byproducts are manufactured, marketed and distributed to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes.

Mr. CRAIG. I object to further consideration.

The PRESIDING OFFICER. The bill will be placed on the Calendar of General Orders.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations which are at the desk: Joseph Brame and Sarah Fox.

I further ask unanimous consent that the Labor Committee be discharged from further consideration of Peter Hurtgen and Wilma Liebman and the Senate proceed to these nominations en bloc. I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

NATIONAL LABOR RELATIONS BOARD

Peter J. Hurtgen, of Florida, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2001.

Wilma B. Liebman, of the District of Columbia, to be a Member of the National Labor Relations Board for the remainder of the term expiring December 16, 1997.

Wilma B. Liebman, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2002.

Joseph Robert Brame, III, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2000.

Sarah McCracken Fox, of New York, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 1999.

NATIONAL LABOR RELATIONS BOARD

Mr. KENNEDY. Mr. President, the long impasse over the membership of the National Labor Relations Board is finally broken. For the first time since August 1995, the Board will have a full complement of five confirmed members. As a result, the Board will have additional resources to handle the many important cases on its docket. There will be greater certainty in industrial relations, which is good for labor, good for management, and good for the country.

The nominees to be confirmed represent a balanced and fair package. The two Republican nominees, Peter Huertgen of Miami and J. Robert Bram

III of Charlottesville, VA, are distinguished management lawyers, with many years of experience in Federal court in the NLRB litigation, and I know they will make a significant contribution as members of that Board.

There are also two Democratic nominees, Wilma Liebman and Sarah Fox, both of Washington, DC. Ms. Liebman has served as Deputy Director of the Federal Mediation and Conciliation Service since 1994, and she has done an outstanding job. She helped to resolve dozens of disputes between labor and management, and worked effectively to administer the operations of the FMCS. Ms. Liebman also has extensive experience representing labor unions and their members. She brings a wealth of knowledge of labor-management relations to this position, and I am confident she will serve with great distinction on the Board.

I am particularly pleased that the Senate will finally confirm the nomination of Sarah Fox, who is well known to many of us in the Senate. From 1990 until January 1996, she served as counsel on the Labor Committee staff, and she did an extraordinary job on issues of vital importance to working families, especially in areas such as job safety and health, pension rights, fair wages, and reform of job training programs and the Davis-Bacon Act. She worked well with Senators on both sides of the aisle, and has been serving as a recess appointee on the Board. I have great respect to Sarah's ability, an commitment to public service, and I'm delighted by her confirmation.

Mr. CRAIG. Mr. President, I ask unanimous consent that the Senate consider the following nominations on the Executive Calendar. Calendar items 180, 181, 248, 252, 332, 375, 384, 455, 457, 464, 467, 468, 469 through 483 and all other military nominations reported by the Armed Services Committee today.

I further ask unanimous consent that the nominations be confirmed, the motion to reconsider be laid upon the table, any statements relating to the nominations be printed in the RECORD, the President be immediately notified of the Senate's actions, and the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

LEGAL SERVICES CORPORATION

Ernestine P. Watlington, of Pennsylvania, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 1999.

John T. Broderick, Jr., of New Hampshire, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 1999.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Olivia A. Golden, of the District of Columbia, to be Assistant Secretary for Family Support, Department of Health and Human Services.

Nancy-Ann Minn Deparle, of Tennessee, to be Administrator of the Health Care Financing Administration.

NATIONAL COUNCIL ON DISABILITY

Ela Yazzie-King, of Arizona, to be a Member of the National Council on Disability for a term expiring September 17.

DEPARTMENT OF COMMERCE

Terry D. Garcia, of California, to be Assistant Secretary of Commerce for Oceans and Atmosphere.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Eva M. Plaza, of Maryland, to be an Assistant Secretary of Housing and Urban Development.

THE JUDICIARY

Rodney W. Sippel, of Missouri, to be U.S. District Judge for the Eastern and Western District of Missouri.

Charles R. Breyer, of California, to be U.S. District Judge for the Northern District of California.

Bruce C. Kauffman, of Pennsylvania, to be U.S. District Judge for the Eastern District of Pennsylvania.

DEPARTMENT OF JUSTICE

James William Blagg, of Texas, to be U.S. Attorney for the Western District of Texas for the term of 4 years.

G. Douglas Jones, of Alabama, to be U.S. Attorney for the Northern District of Alabama for the term of 4 years.

DEPARTMENT OF DEFENSE

Robert M. Walker, of Tennessee, to be Under Secretary of the Army.

Jerry MacArthur Hultin, of Virginia, to be Under Secretary of the Navy.

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

IN THE AIR FORCE

The following Air National Guard of the U.S. officer for appointment in the Reserve of the Air Force, to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. Ronald A. Turner, 0000

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

To be general

Lt. Gen. John P. Jumper, 0000

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

To be lieutenant general

Lt. Gen. Frank B. Campbell, 0000

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

To be lieutenant general

Maj. Gen. David W. McIlvoy, 0000

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

To be lieutenant general

Maj. Gen. Lansford E. Trapp, Jr., 0000

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

To be lieutenant general

Lt. Gen. David J. McCloud, 0000

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

To be lieutenant general

Lt. Gen. Patrick K. Gamble, 0000

IN THE ARMY

The following Army National Guard of the U.S. officer for appointment in the Reserve of the Army to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. Howard L. Goodwin, 0000

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, United States Code, section 12203:

To be major general

Brig. Gen. David R. Bockel, 0000

Brig. Gen. James G. Browder, Jr., 0000

Brig. Gen. Melvin R. Johnson, 0000

Brig. Gen. J. Craig Larson, 0000

Brig. Gen. Rodney D. Ruddock, 0000

To be brigadier general

Col. Celia L. Adolphi, 0000

Col. Donna F. Barbish, 0000

Col. Emile P. Bataille, 0000

Col. Joel G. Blanchette, 0000

Col. George F. Bowman, 0000

Col. Gary R. DiLallo, 0000

Col. Douglas O. Dollar, 0000

Col. Russell A. Eggers, 0000

Col. Sam E. Gibson, 0000

Col. Fred S. Haddad, 0000

Col. Karol A. Kennedy, 0000

Col. Dennis E. Klein, 0000

Col. Duane L. May, 0000

Col. Robert S. Silverthorn, Jr., 0000

Col. James T. Spivey, Jr., 0000

Col. William B. Watson, Jr., 0000

Col. Charles E. Wilson, 0000

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, United States Code, section 12203:

To be brigadier general

Col. David R. Irvine, 0000

IN THE NAVY

The following named officer for appointments in the U.S. Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, United States Code, section 601:

To be vice admiral

Vice Adm. William J. Fallon, 0000

CENTRAL INTELLIGENCE AGENCY

Robert M. McNamara, Jr., of Maryland, to be General Counsel of the Central Intelligence Agency.

Navy nominations beginning MATTHEW B. AARON, and ending THOMAS A. ZWOLFER, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 29, 1997.

LEGISLATIVE SESSION

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

ORDERS FOR SUNDAY, NOVEMBER 9, 1997

Mr. CRAIG. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until the hour of 1 p.m. on Sunday, November 9. I further ask that on Sunday,

immediately following the prayer, the routine requests through the morning hour be granted.

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

PROGRAM

Mr. CRAIG. Mr. President, tomorrow it is the hope that the omnibus appropriations bill will be cleared for action by the Senate. A rollcall vote is anticipated. However, I would not expect that vote to occur prior to 1:30 p.m.

The Senate intends to consider and complete action on the following: the FDA reform conference report and legislative or executive items cleared for action. Therefore, Members can anticipate rollcall votes throughout Sunday's session of the Senate.

ORDER FOR ADJOURNMENT

Mr. CRAIG. If there is no further business to come before the Senate, I now ask the Senate stand adjourned under the previous order, following remarks of Senator GRASSLEY and Senator CHAFFEE.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered. The Senator from Rhode Island.

PROMOTION OF ADOPTION, SAFETY, AND SUPPORT FOR ABUSED AND NEGLECTED CHILDREN ACT

Mr. CHAFFEE. Mr. President, I would like to express my strong support for legislation we considered this evening, the Promotion of Adoption, Safety, and Support for Abused and Neglected Children, the so-called PASS Act. This bill, which I introduced along with Senators CRAIG, ROCKEFELLER, DEWINE, COATS, JEFFORDS, and others, will make some critical changes to the child welfare system, changes which will vastly improve the lives of hundreds of thousands of children currently in foster care and waiting for adoptive homes.

We have been working on this legislation for the past year, and I am very pleased we were able to work out a proposal that everyone could support. The primary goal of this so-called PASS Act is to ensure that abused and neglected children are in safe, permanent settings. About a half a million children who have been abused or neglected currently live outside their homes, either in foster care or with relatives. In Rhode Island, there are nearly 1,500 children who have been removed from their homes and are in foster care. Many of these children will be able to return to their parents, but others will not.

Under the current system, children remain in foster care an average of 3 years. Mr. President, I call to your attention and that of everyone who may be interested in this subject, a child in foster care on the average remains there 3 years before any decision is