

when compared to the present budget baseline. As explained above, the President's wish to the contrary notwithstanding, it does not result in a dollar amount of discretionary budget authority. Thus, the President has exceeded his delegated authority by violating the terms of the statute, and I would urge the Justice Department to concede that the cancellation of section 642 was outside the authority provided by the statute.

Mr. DOMENICI. I concur in the Senator's analysis and recommendation. The Line Item Veto Act is a carefully crafted delegation of authority. The President undermines that delegation when he attempts to reach outside the clear limits of that Act.

Mr. STEVENS. I thank the Senator from New Mexico for joining me in this colloquy, and I yield the floor.

#### STATUS OF OCEAN SHIPPING REFORM AND OECD SHIPBUILDING AGREEMENT LEGISLATION

Mr. LOTT. Mr. President, I rise today to address the status of the Ocean Shipping bill and the implementation of the OECD Shipbuilding Agreement in the Senate. These are very important bills which are badly needed to reform America's maritime industry.

A number of my Senate colleagues joined me in working very hard this year, in a bipartisan way, to get these two bills done. The legislation and amendments reflected a balance among the concerns of all affected parties. However, I must report that a few Senators have held up each bill. This minority of Senators wants more than most of us believe is do-able. Given the waning hours of this session, the Senate will not be able to consider and pass either of these bills this year. I am deeply disappointed.

Mr. President, maritime issues are very important to me. I grew up in the port town of Pascagoula. I still live there. My father worked in the shipyard. I have spent my entire adult life working on maritime issues. So I am very concerned by the Senate's inaction on these two pieces of legislation.

The Ocean Shipping Act is D.I.W.—“dead in the water”, at least for this year. The incremental Shipping Act reforms have been stopped because some want to inject new issues into the legislation. Issues that should be resolved at the labor-management negotiating table. Issues not directly related to making America's container ships more competitive in the international marketplace.

Mr. President, the bill's sponsors have made it clear on several occasions that we are not trying to undo or inject the Senate into the collective-bargaining process for port labor agreements. These concerns can and should be addressed in a fair and even-handed manner at the bargaining table.

Despite my efforts to work through this issue this past weekend, some Senators on the other side of the aisle have

chosen to stop the Ocean Shipping Reform bill.

Mr. President, the Ocean Shipping Reform bill is necessary.

Mr. President, the Ocean Shipping Reform bill helps U.S. exporters in every State of this nation compete with their foreign competitors.

Without Ocean Shipping Reform, the Senate keeps 50 states D.I.W. for a small organized group.

Mr. President, the Ocean Shipping Reform bill helps America's container ships and exporters.

When we take up this bill early next year, each Senator will be asked to choose between helping the thousands of workers in his or her State or harming them.

Mr. President, the second piece of important maritime legislation I would like to see passed is the implementation of the OECD Shipbuilding Agreement, signed nearly 3 years ago. This legislation, I am disappointed to report, is also D.I.W.

Senators on two committees worked very hard this session, in a bipartisan manner, to address the legitimate concerns of our nation's largest shipyards. U.S. participation in this agreement is essential, but it must be based on the firm understanding that the Jones Act and national security requirements regarding vessel construction will not be restricted by other countries. What America desires is a level playing field, without compromising our national security interests.

I believe that S. 1216, with the Lott-Breaux amendment, addresses these principles in a good faith effort to resolve the issues identified by Representative BATEMAN. I would not support any legislation that didn't respect these principles.

Let me be clear. I am a Jones Act supporter, period. And I believe the amendment protects the integrity of the Jones Act.

But once again, a few Senators have stopped this vital legislation in mid-ocean. Another D.I.W. bill.

This minority of Senators wants to include additional exceptions to the OECD Agreement's limitations on commercial vessel construction subsidies and credits. I am concerned that this attempt will scuttle the entire Agreement. This is counter-productive. This would force U.S. shipbuilders back into a subsidy race that the U.S. cannot afford to win. This small minority of Senators are not just stopping this legislation in mid-ocean, but scuttling it—sinking it. And I believe that, no matter how well-meaning they may be, they will eventually jeopardize the very U.S. commercial shipbuilding industry they are trying to protect. Our commercial shipbuilding industry needs a worldwide, level playing field. We need it now.

Mr. President, it is time for these few Senators to set aside narrow regional and partisan interests and take up an oar and start rowing with the rest of the Senate. The Senate needs to get

the Ocean Shipping and OECD bills moving. I intend to put these bills to a Senate vote early next year.

In the meantime, the Senate has left two vital pieces of maritime legislation stranded in the middle of the ocean, for a long winter. D.I.W. Dead in the water. This is not good for America's maritime world. This is not good for America.

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 7, 1997, the Secretary of the Senate, on November 13, 1997, during the adjournment of the Senate, received a message from the House of Representatives announcing that House had passed the following bills, each without amendment:

S. 1378. An act to extend the authorization of use of official mail in the location and recovery of missing children, and for other purposes.

S. 1507. An act to amend the National Defense Authorization Act for Fiscal Year 1998 to make certain technical corrections.

S. 1519. An act to provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991.

The message also announced that the House has agreed to the following concurrent resolutions, each without amendment.

S. Con. Res. 61. Concurrent resolution authorizing printing of a revised edition of the publication entitled “Our Flag.”

S. Con. Res. 62. Concurrent resolution authorizing of the brochure entitled “How Our Laws Are Made.”

S. Con. Res. 63. Concurrent resolution authorizing printing of the pamphlet entitled “The Constitution of the United States of America.”

The message further announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. An act to make technical corrections to title 11, United States Code, and for other purposes.

H.R. 2440. An act to make technical amendments to section 10 of title 9, United States Code.

H.R. 2709. An act to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles, and to implement the obligations of the United States under the Chemical Weapons Convention.

H.R. 2979. An act to authorize acquisition of certain real property for the Library of Congress, and for other purposes.

H.J. Res. 95. Joint resolution granting the consent of Congress to the Chickasaw Trail Economic Development Compact.

H.J. Res. 96. Joint resolution granting the consent and approval of Congress for the States of Maryland, the Commonwealth of Virginia, and the District of Columbia to amend the Washington Metropolitan Transit Regulation Compact.

The message also announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate.

S. 1079. An act to permit the mineral leasing of Indian land located within the Fort

Berthold Indian Reservation in any case in which there is consent from a majority interest in the parcel of land under consideration for lease.

The message further announced that the House agrees to the amendments of the Senate to the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2159) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker has signed the following enrolled bills and joint resolutions:

S. 699. An act to provide for the acquisition of the Plains Railroad Depot at the Jimmy Carter National Historic Site.

S. 714. An act to amend title 38, United States Code, to revise, extend, and improve programs for veterans.

S. 923. An act to amend title 38, United States Code, to prohibit interment or memorialization in certain cemeteries of persons committing Federal or State capital crimes.

S. 1231. An act to authorize appropriations for fiscal years 1998 and 1999 for the United States Fire Administration, and for other purposes.

S. 1258. An act to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to prohibit an alien who is not lawfully present in the United States from receiving assistance under that Act.

S. 1347. An act to permit the city of Cleveland, Ohio, to convey certain lands that the United States conveyed to the city.

H.R. 1086. An act to codify without substantive change laws related to transportation and to improve the United States Code.

H.R. 1090. An act to amend title 38, United States Code, to allow revision of veterans benefits decisions based on clear and unmistakable error.

H.R. 1840. An act to provide a law enforcement exception to the prohibition on the advertising of certain electronic devices.

H.R. 2366. An act to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

H.R. 2813. An act to waive time limitations specified by law in order to allow the Medal of Honor to be awarded to Robert R. Ingram of Jacksonville, Florida, for acts of valor while a Navy Hospital Corpsman in the Republic of Vietnam during the Vietnam conflict.

H.J. Res. 91. Joint resolution granting the consent of Congress to the Apalachicola-Chattahoochee-Flint River Basin Compact.

H.J. Res. 92. Joint resolution granting the consent of Congress to the Alabama-Coosa-Tallapoosa River Basin Compact.

The enrolled bills and joint resolution were signed subsequently by the

President pro tempore [Mr. THURMOND].

#### MESSAGES FROM THE HOUSE

At 12:56 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the amendment of the Senate of the bill (H.R. 867) to promote the adoption of children in foster care, with an amendment, in which it requests the concurrence of the Senate.

At 3:05 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the bills, each without amendment:

S. 1228. An act to provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

S. 1354. An act to amend the Communications Act of 1934 to provide for the designation of common carriers not subject to the jurisdiction of a State commission as eligible telecommunications carriers.

S. 1417. An act to provide for the design, construction, furnishing and equipping of a Center for Performing Arts within the complex known as the New Mexico Hispanic Cultural Center and for other purposes.

S. 1505. An act to make technical and conforming amendments to the Museum and Library Services Act, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3025. An act to amend the Federal charter for Group Hospitalization and Medical Services, Inc., and for other purposes.

The message further announced that the House agrees to the amendments of the Senate to the bill (H.R. 1658) to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 731. An act to extend the legislative authority for construction of the National Peace Garden memorial, and for other purposes.

The message further announced that the House agrees to the amendments of the Senate numbered 1-60, 62, and 63 to the bill (H.R. 1604) to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 364, and 18-R before the Indian Claims Commission; and that the House disagrees to the amendment of the Senate numbered 61 to the said bill.

At 3:54 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 103. Concurrent resolution concerning the situation in Kenya.

H. Con. Res. 172. Concurrent resolution expressing the sense of Congress in support of efforts to foster friendship and cooperation between the United States and Mongolia, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 476. An act to provide for the establishment of not less than 2,500 Boys and Girls Clubs of America facilities by the year 2000.

At 6:25 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 196. Concurrent resolution to correct the enrollment of the bill S. 830.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2796. An act to authorize the reimbursement of members of the Army deployed to Europe in support of operations in Bosnia for certain out-of-pocket expenses incurred by the members during the period beginning on October 1, 1996, and ending on May 31, 1997.

H.R. 3034. An act to amend section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985, relating to customs user fees, to allow the use of such fees to provide for customs inspectional personnel in connection with the arrival of passengers in Florida, and for other purposes.

H.R. 3037. An act to clarify that unmarried children of Vietnamese reeducation camp internees are eligible for refugee status under the Orderly Departure Program.

The message further announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 738. An act to reform the status relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes.

The message also announced that the House agrees to the amendment of the Senate to the amendments of the House to the bill (S. 562) to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage, with an amendment, in which it requests the concurrence of the Senate.

#### MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 112. An act to provide for the conveyance of certain property from the United States to Stanislaus County, California; to the Committee on Commerce, Science, and Transportation.

H.R. 404. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to State and local governments of certain surplus property needed for use for a law enforcement or fire and rescue purpose; to the Committee on Governmental Affairs.