

for him. He was too small to make a sound, but he spoke so powerfully to our hearts. His eyes never opened to see his mommy and daddy, but he allowed us to see in him the face of God.

Two hours later, he died in my arms.

We tried to make Gabriel's short time on earth filled with love, only love. We told him that soon he would experience something we are striving for. He will be with God in heaven. Finally, we pledged to him that we would rededicate ourselves to joining him someday.

This is our story. The irony of finding ourselves confronted with a baby with a fatal defect—when only a few days before some considered the absence of such experience to disqualify me from the debate on partial-birth abortion—was truly overwhelming. On two occasions, we too could have chosen the option to abort. We knew that Gabriel's life would probably be measured in minutes and hours, not in years and decades. We chose to let Gabriel live and die in the fullness of time—being held and loved and nurtured by two parents who loved him.

We wouldn't have traded the gift of those two hours with our son for anything in the world. And we know that he wouldn't have either.

In the midst of the debate that fall, worried about the impact of the gruesome description of the procedure, one of the senators opposing the ban said that a partial-birth abortion, like a simple appendectomy was bloody—that was just the nature of the event.

The Washington Post described what happened next.

"Republican Sen. Rick Santorum turned to face the opposition and in a high, pleading voice cried out, 'Where do we draw the line? Some people have likened this procedure to an appendectomy. That's not an appendix,' he shouted, pointing to a drawing of a fetus. 'That is not a blob of tissue. It is a baby. It's a baby.'

"And then, impossibly, in an already hushed gallery, in one of those moments when the floor of the Senate looks like a stage set, with its small wooden desks somehow too small for the matters at hand, the cry of a baby pierced the room, echoing across the chamber from an outside hallway.

"No one mentioned the cry, but for a few seconds no one spoke at all."

A freak occurrence—a visitor's baby was crying in the hallway as a door to the floor was opened and few seconds later closed.

A freak occurrence perhaps—or maybe, a cry from the son whose voice we never heard, but whose life has forever changed ours.

MEASURE RETURNED TO CALENDAR—S. 949

Mr. LOTT. Mr. President, I ask unanimous consent that Calendar No. 92, S. 949, be placed on the calendar.

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

ORDERS FOR MONDAY, JULY 7, 1997

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment under the provisions of House Concurrent Resolution 108 until the hour of 12 noon on Monday, July 7. I further ask unanimous consent that on Monday, immediately following the prayer, the routine requests through the morning hour be granted and the

Senate immediately resume consideration of the defense authorization bill.

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

Mr. LOTT. Mr. President, I ask unanimous consent that Senator COVERDELL and Senator DASCHLE, or his designee, each be recognized for up to 1 hour during Monday's session of the Senate.

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

PROGRAM

Mr. LOTT. Mr. President, again, I remind all Senators, when the Senate returns from the July 4th recess, we will resume consideration of the defense authorization bill. As announced earlier, no rollcall votes will occur on Monday, July 7. However, Senators should be prepared to offer their amendments to the defense bill so that progress can be made on that important legislation. A cloture motion was filed to the defense bill this afternoon, and under that order, a cloture vote will occur at 2:15 p.m. on Tuesday, July 8.

ADJOURNMENT UNTIL MONDAY, JULY 7, 1997

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the provisions of House Concurrent Resolution 108.

There being no objection, the Senate, at 6:56 p.m., adjourned until Monday, July 7, 1997, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 27, 1997:

THE JUDICIARY

JAMES S. WARE, OF CALIFORNIA, TO BE U.S. CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE J. CLIFFORD WALLACE, RETIRED.

IN THE MARINE CORPS

THE FOLLOWING-NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE U.S. MARINE CORPS UNDER TITLE 10, UNITED STATES CODE SECTION 624:

To be lieutenant colonel

DEMETRICE M. BABE, 0000
JOHN W. BLOODWORTH, JR., 0000
DEBRA A. FLETCHER, 0000
HAROLD J. GUILLORY, 0000
MARIE G. JULIANO, 0000
MARSHALL L. KINDRED, 0000
PETER J. KOUTROUBA, 0000
MICHAEL P. LINEHAM, 0000
ALBERT A. LUCKEY, 0000
DANIEL P. LYBERT, 0000
HECTOR L. MELENDEZ, 0000
LARRY T. MESSNER, 0000
MICHAEL C. MONTCRIEFF, 0000
WILLIAM J. RESAVY, JR., 0000
TIMOTHY R. ROLLINS, 0000
STANLEY D. TEMPLE, 0000
JOHN M. THORNTON, 0000
BERNDT H. TIETJEN, 0000
MICHAEL K. TOELLNER, 0000

To be major

ERNEST D. BANKS, 0000
THOMAS P. BARZDITIS, 0000
BRAD W. BERGMAN, 0000
WILLIAM BERTOTTE, JR., 0000
MICHAEL J. BISSONNETTE, 0000
CARMINE J. BORRELLI, 0000
JACK V. BUTLER, JR., 0000
RICHARD W. BYNO, JR., 0000
FRED M. CALLIES, 0000
ARTHUR P. COCHRAN, 0000
ROBERT N. CONQUEST, 0000

JOSEPH A. COPPOLA, 0000
NELLO E. DACHMAN, 0000
GERARD F. DORRE, 0000
ROURK A. ELLQUIST, 0000
DOUGLAS M. FARLEY, 0000
DAVID W. FISHER, 0000
VERNON R. FREDERICK, JR., 0000
MICHAEL J. GALLAGHER, 0000
LOWELL B. GOUTREMOUT, JR., 0000
RAYMOND L. KESSLER, 0000
MARK A. KNOWLES, 0000
RICHARD D. KOSS, 0000
MICHAEL J. LEWIS, 0000
JAMES R. LOGAN, 0000
KEVIN F. MASON, 0000
THOMAS P. MCCABE, 0000
DANIEL J. MCLEAN, 0000
WILLIAM A. MEZNARICH, JR., 0000
WILLIE J. MOORE, 0000
ROBERT M. REILLY, 0000
THOMAS R. RICE, 0000
GUILLERMO R. RIVERO, 0000
CARL J. SCHEIDT, 0000
SHANE D. SELLERS, 0000
DANIEL L. SPEEDY, 0000
LARRY E. SPICER, 0000
STANLEY E. THOMAS, 0000
DARRELL W. TIBBETS, JR., 0000
JAMES E. TURNER, 0000
GEORGE M. WYGANT, 0000
JOHN E. ZEGER, JR., 0000

IN THE ARMY

THE FOLLOWING-NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, UNITED STATES CODE, SECTIONS 12203 AND 1552:

To be colonel

TERRY L. BELVIN, 0000
MYRON J. BERMAN, 0000
ERWIN A. BURTNICK, 0000
GARY W. GARDENHIRE, 0000
GEORGE C. GOLLER II, 0000
KNUTE M. MILLER, 0000
JERRY W. RESHETAR, 0000
JAMES SPECHT, 0000
MARK O. WALSH, 0000
GEORGE W. WELLS, JR., 0000
JAMES A. ZERNICKE, 0000

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NANCY-ANN MINN DEPARLE, OF TENNESSEE, TO BE ADMINISTRATOR OF THE HEALTH CARE FINANCING ADMINISTRATION, VICE BRUCE C. VLADECK.

DEPARTMENT OF THE TREASURY

DAVID A. LIPTON, OF MASSACHUSETTS, TO BE AN UNDER SECRETARY OF THE TREASURY, VICE JEFFREY R. SHAFER, RESIGNED.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 27, 1997:

DEPARTMENT OF LABOR

KATHRYN O'LEARY HIGGINS, OF SOUTH DAKOTA, TO BE DEPUTY SECRETARY OF LABOR.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

RICHARD J. TARPLIN, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

ALAN S. GOLD, OF FLORIDA, TO BE U.S. DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

IN THE AIR FORCE

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be major general

BRIG. GEN. WALLACE W. WHALEY, 0000

IN THE ARMY

THE FOLLOWING U.S. ARMY RESERVE OFFICERS FOR PROMOTION IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTIONS 14101, 14315 AND 12203(A):

To be brigadier general

COL. HERBERT L. ALSHULER, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. HENRY T. GLISSON, 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. PHILLIP R. ANDERSON, 0000
 BRIG. GEN. BURWELL B. BELL III, 0000
 BRIG. GEN. BRYAN D. BROWN, 0000
 BRIG. GEN. JULIAN H. BURNS, JR., 0000
 BRIG. GEN. MICHAEL T. BYRNES, 0000
 BRIG. GEN. JOHN S. CALDWELL, JR., 0000
 BRIG. GEN. REGINAL D. CLEMMONS, 0000
 BRIG. GEN. GEORGE F. CLOSE, JR., 0000
 BRIG. GEN. CARL H. FREEMAN, 0000
 BRIG. GEN. JOSEPH R. INGE, 0000
 BRIG. GEN. PHILIP R. KENSINGER, JR., 0000
 BRIG. GEN. DONALD L. KERRICK, 0000
 BRIG. GEN. LARRY J. LUST, 0000
 BRIG. GEN. JOHN J. MARCELLO, 0000
 BRIG. GEN. TIMOTHY J. MAUDE, 0000
 BRIG. GEN. DAN K. MCNEILL, 4203
 BRIG. GEN. PAUL T. MIKOLASHEK, 0000
 BRIG. GEN. MARY E. MORGAN, 0000
 BRIG. GEN. BRUCE K. SCOTT, 0000
 BRIG. GEN. JERRY L. SINN, 0000
 BRIG. GEN. JAMES R. SNIDER, 0000
 BRIG. GEN. EDWARD SORIANO, 0000
 BRIG. GEN. JULIAN A. SULLIVAN, JR., 0000
 BRIG. GEN. JOHN D. THOMAS, JR., 0000
 BRIG. GEN. HOWARD J. VON KAENEL, 0000
 BRIG. GEN. WILLIAM S. WALLACE, 0000
 BRIG. GEN. WILLIAM E. WARD, 0000
 BRIG. GEN. DAVID S. WEISMAN, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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 K. HEEBNER, 0000

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be major general

BRIG. GEN. DARREL P. BAKER, 0000
 BRIG. GEN. MURREL J. BOWEN, JR., 0000
 BRIG. GEN. JOHN D. HAVENS, 0000
 BRIG. GEN. EUGENE S. IMAI, 0000
 BRIG. GEN. THOMAS D. KINLEY, 0000
 BRIG. GEN. FEDERICO LOPEZ III, 0000
 BRIG. GEN. JOEL W. NORMAN, 0000
 BRIG. GEN. JOHN C. ROWLAND, 0000

To be brigadier general

COL. JOHN C. ATKINSON, 0000
 COL. JOHN A. BATHKE, 0000
 COL. WILLIAM H. HALL, 0000
 COL. DENNIS A. KAMIMURA, 0000
 COL. EUGENE P. KYLNOOT, 0000
 COL. DENNIS D. KRŠNAK, 0000
 COL. BENNY M. PAULINO, 0000
 COL. JAMES L. PRUITT, 0000
 COL. EDWIN H. ROBERTS, JR., 0000
 COL. CHARLES L. ROSENFELD, 0000
 COL. JOHN R. SCALES, 0000
 COL. JOHN A. TYMESON, 0000
 COL. BRIAN D. WINTER, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. RICHARD A. CHILCOAT, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. THOMAS N. BURNETTE, JR., 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. PAUL J. KERN, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. ERIC K. SHINSEKI, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. ROBERT S. COFFEY, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. JOHN W. HENDRIX, 0000

IN THE MARINE CORPS

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. MARINE CORPS 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. FRANK LIBUTTI, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. MARINE CORPS 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. JOHN E. RHODES, 0000

IN THE NAVY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE RESERVE TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 12203:

To be rear admiral

REAR ADM. (LH) WILLIAM H. BUTLER, 0000
 REAR ADM. (LH) CASEY W. COANE, 0000
 REAR ADM. (LH) WILLIAM E. HERRON, 0000
 REAR ADM. (LH) STEPHEN T. KEITH, 0000
 REAR ADM. (LH) WILLIAM J. LOGAN, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT 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

REAR ADM. (LH) HENRY C. GIFFIN III, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. NAVY TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be rear admiral

REAR ADM. (LH) TIMOTHY R. BEARD, 0000
 REAR ADM. (LH) DAVID L. BREWER III, 0000
 REAR ADM. (LH) STANLEY W. BRYANT, 0000
 REAR ADM. (LH) TONEY M. BUCCHI, 0000
 REAR ADM. (LH) WILLIAM W. COPELAND, JR., 0000
 REAR ADM. (LH) JOHN W. CRAINE, JR., 0000
 REAR ADM. (LH) ROBERT E. FRICK, 0000
 REAR ADM. (LH) PAUL G. GAFFNEY II, 0000
 REAR ADM. (LH) EDMUND P. GIAMBASTIANI, JR., 0000
 REAR ADM. (LH) JOHN J. GROSSENBACHER, 0000
 REAR ADM. (LH) JAMES B. HINKLE, 0000
 REAR ADM. (LH) GORDON S. HOLDER, 0000
 REAR ADM. (LH) MARTIN J. MAYER, 0000
 REAR ADM. (LH) BARBARA E. MCGANN, 0000
 REAR ADM. (LH) CHARLES W. MOORE, JR., 0000
 REAR ADM. (LH) JOHN B. NATHMAN, 0000
 REAR ADM. (LH) WILLIAM R. SCHMIDT, 0000
 REAR ADM. (LH) ROBERT C. WILLIAMSON, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. NAVY TO THE GRADE INDICATED UNDER TITLE 10, UNITED STATES CODE, SECTION 624:

To be rear admiral (lower half)

CAPT. JOSEPH W. DYER, JR., 0000

IN THE ARMY

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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 J. KELLEY, 0000

THE FOLLOWING-NAMED OFFICER FOR APPOINTMENT IN THE U.S. ARMY 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. RANDOLPH W. HOUSE, 0000

IN THE AIR FORCE

AIR FORCE NOMINATION OF ANDREW J. JORGENSEN, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MAY 15, 1997.

IN THE ARMY

ARMY NOMINATIONS BEGINNING JOHN A. ADAMS, AND ENDING KENNETH M. YOUNGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JANUARY 9, 1997.

ARMY NOMINATIONS BEGINNING ROBERT T. ANDERSON, AND ENDING ROBERT J. WYGONSKI, WHICH WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 5, 1997.

ARMY NOMINATIONS BEGINNING CHARLES R. BAILEY, AND ENDING JOHN L. WYDEVEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MAY 15, 1997.

ARMY NOMINATIONS BEGINNING CHESSLEY R. ATCHISON, AND ENDING *STEPHEN E. SCHLESS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MAY 15, 1997.

ARMY NOMINATIONS BEGINNING ROBERT R. BOTTIN, JR., AND ENDING DIANE P. ROUSSEAU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 5, 1997.

ARMY NOMINATIONS BEGINNING DOREEN M* AGIN, AND ENDING DONALD G. ZUGNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 10, 1997.

ARMY NOMINATIONS BEGINNING BRET T. ACKERMANN, AND ENDING JOAN H. ZELLER, WHICH WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 10, 1997.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING CATHERINE M. KELLY, AND ENDING RONALD W. REUSCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF FEBRUARY 27, 1997.

COAST GUARD NOMINATIONS OF RICHARD W. SANDERS, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MAY 15, 1997.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF GILDA A. JACKSON, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF APRIL 7, 1997.

MARINE CORPS NOMINATION OF RICHARD L. SONGER, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MAY 15, 1997.

MARINE CORPS NOMINATIONS BEGINNING ROBERT E. BALLARD, AND ENDING PATRICK K WYMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MAY 15, 1997.

MARINE CORPS NOMINATIONS BEGINNING DAVID J. BIOW, AND ENDING ANDREW D. ZINN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 2, 1997.

MARINE CORPS NOMINATION OF JOHN M. METTERLE, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 10, 1997.

MARINE CORPS NOMINATION OF JOHN J. EGAN, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 10, 1997.

IN THE NAVY

NAVY NOMINATION OF TIMOTHY S. GARROLD, WHICH WAS RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF MAY 15, 1997.

NAVY NOMINATIONS BEGINNING JAMES P ADAMS, AND ENDING LEONARD A. ZINGARELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 2, 1997.

NAVY NOMINATIONS BEGINNING CHRISTINE L ABLEIN, AND ENDING LARRY L YOUNGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD OF JUNE 11, 1997.

H.R. 2014, AS AMENDED AND PASSED

Resolved, That the bill from the House of Representatives (H.R. 2014) entitled "An Act to provide for reconciliation pursuant to subsections (b)(2) and (d) of section 105 of the concurrent resolution on the budget for fiscal year 1998," do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; AMENDMENT OF 1986 CODE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Revenue Reconciliation Act of 1997".

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

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

Sec. 1. Short title; amendment of 1986 Code; table of contents.

TITLE I—CHILD TAX CREDIT AND OTHER FAMILY TAX RELIEF

- Sec. 101. Child tax credit.
 Sec. 102. Adjustment of minimum tax exemption amounts for taxpayers other than corporations.
 Sec. 103. Allowance of credit for employer expenses for child care assistance.
 Sec. 104. Expansion of coordinated enforcement efforts of Internal Revenue Service and HHS Office of Child Support Enforcement.
 Sec. 105. Adoption expenses.

TITLE II—EDUCATION INCENTIVES

Subtitle A—Tax Benefits Relating to Education Expenses

- Sec. 201. HOPE credit for higher education tuition and related expenses.
 Sec. 202. Deduction for interest on education loans.
 Sec. 203. Penalty-free withdrawals from individual retirement plans for higher education expenses.

Subtitle B—Expanded Education Investment Savings Opportunities

PART I—QUALIFIED TUITION PROGRAMS

- Sec. 211. Exclusion from gross income of education distributions from qualified tuition programs.
 Sec. 212. Eligible educational institutions permitted to maintain qualified tuition programs; other modifications of qualified State tuition programs.

PART II—EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS

- Sec. 213. Education individual retirement accounts.

Subtitle C—Other Education Initiatives

- Sec. 221. Extension of exclusion for employer-provided educational assistance.
 Sec. 222. Repeal of limitation on qualified 501(c)(3) bonds other than hospital bonds.
 Sec. 223. Increase in arbitrage rebate exception for governmental bonds used to finance education facilities.
 Sec. 224. 2-percent floor on miscellaneous itemized deductions not to apply to certain continuing education expenses of elementary and secondary school teachers.
 Sec. 225. Treatment of cancellation of certain student loans.

TITLE III—SAVINGS AND INVESTMENT INCENTIVES

Subtitle A—Retirement Savings

- Sec. 301. Restoration of IRA deduction for certain taxpayers.

Sec. 302. Establishment of nondeductible tax-free individual retirement accounts.

Sec. 303. Distributions from certain plans may be used without penalty to purchase first homes and when unemployed.

Sec. 304. Certain bullion not treated as collectibles.

Subtitle B—Capital Gains

Sec. 311. 20 percent maximum capital gains rate for individuals.

Sec. 312. Modifications to exclusion of gain on certain small business stock.

Sec. 313. Rollover of gain from sale of qualified stock.

Sec. 314. Exemption from tax for gain on sale of principal residence.

TITLE IV—ESTATE, GIFT, AND GENERATION-SKIPPING TAX PROVISIONS

Sec. 401. Cost-of-living adjustments relating to estate and gift tax provisions.

Sec. 402. Family-owned business exclusion.

Sec. 403. Treatment of land subject to a qualified conservation easement.

Sec. 404. 20-year installment payment where estate consists largely of interest in closely held business.

Sec. 405. No interest on certain portion of estate tax extended under section 6166, reduced interest on remaining portion, and no deduction for such reduced interest.

Sec. 406. Extension of treatment of certain rents under section 2032A to lineal descendants.

Sec. 407. Expansion of exception from generation-skipping transfer tax for transfers to individuals with deceased parents.

TITLE V—EXTENSIONS

- Sec. 501. Research tax credit.
 Sec. 502. Contributions of stock to private foundations.
 Sec. 503. Work opportunity tax credit.
 Sec. 504. Orphan drug tax credit.

TITLE VI—INCENTIVES FOR REVITALIZATION OF THE DISTRICT OF COLUMBIA

Sec. 601. Tax incentives for revitalization of the District of Columbia.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—Provisions Relating to Excise Taxes

- Sec. 701. Repeal of tax on diesel fuel used in recreational boats.
 Sec. 702. Intercity passenger rail fund.
 Sec. 703. Modification of tax treatment of hard cider.
 Sec. 704. General revenue portion of highway motor fuels taxes deposited into Highway Trust Fund.
 Sec. 705. Rate of tax on certain special fuels determined on basis of Btu equivalency with gasoline.
 Sec. 706. Study of feasibility of moving collection point for distilled spirits excise tax.
 Sec. 707. Extension and modification of subsidies for alcohol fuels.
 Sec. 708. Clarification of authority to use semi-generic designations on wine labels.

Subtitle B—Provisions Relating to Pensions and Fringe Benefits

- Sec. 711. Treatment of multiemployer plans under section 415.
 Sec. 712. Technical correction relating to partial termination of pension plans.
 Sec. 713. Increase in current liability funding limit.
 Sec. 714. Spousal consent required for certain distributions and loans under qualified cash or deferred arrangement.
 Sec. 715. Special rules for church plans.

Sec. 716. Repeal of application of unrelated business income tax to ESOPs.

Sec. 717. Diversification in section 401(k) plan investments.

Subtitle C—Revisions Relating to Disasters

- Sec. 721. Treatment of livestock sold on account of weather-related conditions.
 Sec. 722. Gain or loss from sale of livestock disregarded for purposes of earned income credit.
 Sec. 723. Mortgage financing for residences located in disaster areas.
 Sec. 724. Distributions from individual retirement accounts may be used without penalty to replace or repair property damaged in presidentially declared disaster areas.
 Sec. 725. Elimination of 10 percent floor for disaster losses.
 Sec. 726. Abatement of interest on underpayments by taxpayers in presidentially declared disaster areas.

Subtitle D—Provisions Relating to Small Businesses

- Sec. 731. Waiver of penalty through June 30, 1998, on small businesses failing to make electronic fund transfers of taxes.
 Sec. 732. Minimum tax not to apply to farmers' installment sales.
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Subtitle E—Foreign Provisions

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 Sec. 768. Expensing of environmental remediation costs.