

flowing into the United States—now 8,145,000 barrels a day.

#### RESOLVING OUR MARITIME DISPUTES WITH CANADA

Mr. BIDEN. Mr. President, today I voted against the resolution offered by Senator MURKOWSKI condemning the Government of Canada for its failure to resolve the blockade of a United States vessel in Canadian waters.

Canada's inaction clearly was wrong. The M/V *Malaspina*, a United States passenger vessel operated by the Alaska Marine Highway System, was blockaded in port by Canadian fishing boats for 3 days. The Canadian Government not only failed to condemn the blockade of the ferry boat, it also took no action to enforce an injunction issued by a Canadian court requiring the M/V *Malaspina* to be allowed to continue its passage. The ferry was able to continue its passage only when the fishing boats voluntarily ended their blockade.

There is no doubt that the M/V *Malaspina* has the right of innocent passage through the territorial sea of Canada. Article 17 of the United Nations Convention on the Law of the Sea guarantees that right to the ships of all states.

There can also be no doubt that Canada failed to handle the illegal blockage of the United States vessel responsibly.

The amendment introduced by Senator MURKOWSKI, however, is overkill. It would grant broad authority to the President and instruct him to compel Canada to prevent any further harassment of United States shipping. The amendment hints at the use of military force to escort shipping through Canadian waters, and offers only vague guidance on how outstanding maritime disputes with Canada might ultimately be resolved.

I believe that we should not jump to coercive methods to deal with maritime disputes—especially with one of our closest allies and largest trading partners—until all other diplomatic avenues have been tried and exhausted. Moreover, as a general rule, the Senate should avoid granting the President broad authority to accomplish vague objectives.

Rather than escalating this dispute, the Senate should call on Canada to fulfill its international commitments and provide assurances that the M/V *Malaspina* episode will not be repeated. We deserve at least that much consideration from our ally to the north.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United

States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 12 noon, a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 765. An act to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore.

H.R. 1585. An act to allow postal patrons to contribute to funding for breast cancer research through the voluntary purchase of certain specially issued United States postage stamps, and for other purposes.

H.R. 1661. An act to implement the provisions of the Trademark Law Treaty.

H.R. 1663. An act to clarify the intent of the Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide for the maintenance of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated as wilderness in that Public Law.

H.R. 1853. An act to amend the Carl D. Perkins Vocational and Applied Technology Education Act.

H.R. 1944. An act to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 81. Concurrent resolution calling for a United States initiative seeking a just and peaceful resolution of the situation on Cyprus.

H. Con. Res. 88. Concurrent resolution congratulating the Government and the people of the Republic of El Salvador on successfully completing free and democratic elections on March 16, 1997.

H. Con. Res. 99. Concurrent resolution expressing concern over recent years in the Republic of Sierra Leone in the wake of the recent military coup d'etat of that country's first democratically elected President.

#### MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 1661. An act to implement the provisions of the Trademark Law Treaty; to the Committee on the Judiciary.

H.R. 1663. An act to clarify the intent of the Congress in Public Law 93-632 to require the Secretary of Agriculture to continue to provide the maintenance of 18 concrete dams and weirs that were located in the Emigrant Wilderness at the time the wilderness area was designated as wilderness in that Public Law; to the Committee on Energy and Natural Resources.

H.R. 1853. An act to amend the Carl D. Perkins Vocational and Applied Technology Education Act; to the Committee on Labor and Human Resources.

H.R. 1944. An act to provide for a land exchange involving the Warner Canyon Ski Area and other land in the State of Oregon; to the Committee on Energy and Natural Resources.

The following concurrent resolutions were read and referred as indicated:

H. Con. Res. 81. Concurrent resolution calling for a United States initiative seeking a just and peaceful resolution of the situation on Cyprus; to the Committee on Foreign Relations.

H. Con. Res. 88. Concurrent resolution congratulating the Government and the people of the Republic of El Salvador on successfully completing free and democratic elections on March 16, 1997; to the Committee on Foreign Relations.

H. Con. Res. 99. Concurrent resolution expressing concern over recent events in the Republic of Sierra Leone in the wake of the recent military coup d'etat of that country's first democratically elected President; to the Committee on Foreign Relations.

#### MEASURE PLACED ON THE CALENDAR

The following measure was read the second time and placed on the calendar:

H.R. 748. An act to amend the prohibition of title 18, United States Code, against financial transactions with terrorists.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-186. A resolution adopted by the East Tennessee Development District relative to the National Spallation Neutron Source; to the Committee on Commerce, Science, and Transportation.

POM-187. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Armed Services.

##### RESOLUTION

Whereas Alaska is the 49th state to enter the federal union of the United States of America and is entitled to all of the rights, privileges, and obligations that the union affords and requires; and

Whereas Alaska possesses natural resources, including energy, mineral, and human resources, vital to the prosperity and national security of the United States; and

Whereas the people of Alaska are conscious of the state's remote northern location and proximity to Northeast Asia and the Eurasian land mass, and of how the unique location places the state in a more vulnerable position than other states with regard to missiles that could be launched in Asia and Europe; and

Whereas the people of Alaska recognize the changing nature of the international political structure and evolution and proliferation of missile delivery systems and weapons of mass destruction as foreign states seek the military means to deter the power of the United States in international affairs; and

Whereas there is a growing threat to Alaska by potential aggressors in these nations and in rogue nations that are seeking nuclear weapons capability and that have sponsored international terrorism; and

Whereas a National Intelligence Estimate to assess missile threats to the United States left Alaska and Hawaii out of the assessment and estimate; and

Whereas one of the primary reasons for joining the Union of the United States of America was to gain security for the people of Alaska and for the common regulation of foreign affairs on the basis of an equitable membership in the United States federation; and

Whereas the United States plans to field a national missile defense, perhaps as early as 2003; this national missile defense plan will provide only a fragile defense for Alaska, the state most likely to be threatened by new missile powers that are emerging in North-east Asia; be it

*Resolved* That the Alaska State Legislature respectfully requests the President of the United States to take all actions necessary, within the considerable limits of the resources of the United States, to protect on an equal basis all peoples and resources of this great Union from threat of missile attack regardless of the physical location of the member state; and be it further

*Resolved* That the Alaska State Legislature respectfully requests that Alaska be included in every National Intelligence Estimate conducted by the United States joint intelligence agencies; and be it further

*Resolved* That the Alaska State Legislature respectfully requests the President of the United States to include Alaska and Hawaii, not just the contiguous 48 states, in every National Intelligence Estimate of missile threat to the United States; and be it further

*Resolved* That the Alaska State Legislature urges the United States government to take necessary measures to ensure that Alaska is protected against foreseeable threats, nuclear and otherwise, posed by foreign aggressors, including deployment of a ballistic missile defense system to protect Alaska; and be it further

*Resolved* That the Alaska State Legislature conveys to the President of the United States expectations that Alaska's safety and security take priority over any international treaty or obligation and that the President take whatever action is necessary to ensure that Alaska can be defended against limited missile attacks with the same degree of assurance as that provided to all other states; and be it further

*Resolved* That the Alaska State Legislature respectfully requests that the appropriate Congressional committees hold hearings in Alaska that include defense experts and administration officials to help Alaskans understand their risks, their level of security, and Alaska's vulnerability.

POM-188. A resolution adopted by General Court of the Commonwealth of Massachusetts; to the Committee on Energy and Natural Resources.

#### RESOLUTION

Whereas, the Blackstone River Valley National Heritage Corridor was established by Congress through the enactment of Public Law 99-647, for the purpose of preserving and interpreting for the educational and inspirational benefit of present and future generations the unique and significant contributions to our national heritage certain historic and cultural lands, waterways, and structures within the Blackstone River Valley of the States of Massachusetts and Rhode Island; and

Whereas, the Peters River, which begins at the Silver Lake Beach Dam in the town of Bellingham, is a major tributary of the historic Blackstone River; and

Whereas, it is a historic fact that, at a time when few bridges spanned the Blackstone River, many travelers had to rely on Bellingham's Scott Hill Boulevard, then part of East Bank Road, as a river crossing, tying the town of Bellingham to the other towns of the Blackstone Valley, and at a time when Bellingham residents also operated several mills in the early nineteenth century, providing significant historic and cultural links to the corridor communities; and

Whereas, Bellingham's commitment to providing open space is demonstrated by the town's purchase of Silver Lake and of land

for the development of a town common, achieves another significant requirement for membership in the National Heritage Corridor; and

Whereas, the town officials and members of the business community in Bellingham have demonstrated significant support for preservation of historic and natural assets of Bellingham and the Blackstone River Valley; and

Whereas, the addition of Bellingham, a town which abuts the corridor communities of Blackstone and Mendon in Massachusetts and Woonsocket in the State of Rhode Island, to the Blackstone River National Heritage Corridor, would enhance the historic and cultural resources of the existing corridor; therefore be it

*Resolved*, That the Massachusetts General Court respectfully urges the President and the Congress of the United States to enact legislation to expand the Blackstone River Valley National Heritage Corridor to include the town of Bellingham within the corridor boundaries; and be it further

*Resolved*, That copies of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, the Presiding Officer of each branch of the Congress, and to each member thereof from this commonwealth.

POM-189. A resolution adopted by General Court of the Commonwealth of Massachusetts; to the Committee on Energy and Natural Resources.

#### RESOLUTION

Whereas, the Quinebaug and Shetucket Rivers Valley National Heritage Corridor was established by Congress through the enactment of Public Law 103-449 for the purpose of providing assistance in the development and implementation of integrated cultural, historical, and recreational land resource management programs in order to retain, enhance, and interpret significant features of the lands, water, and structures of the Quinebaug and Shetucket Rivers Valley; and

Whereas, the Quinebaug and Shetucket Rivers Valley extends beyond the boundary of the State of Connecticut northward into the Commonwealth of Massachusetts including towns along the French River, a tributary of the Quinebaug, such as Charlton, Dudley, Oxford, Southbridge, Sturbridge, and Webster; and

Whereas, the Massachusetts communities within the Quinebaug and Shetucket Rivers Valley include nationally significant historic and cultural resources such as Samuel Slater's Mill Village in Webster, the birthplace of Clara Barton in Oxford, the Optical Museum of America in Southbridge, and the nationally known "Old Sturbridge Village" in Sturbridge, as well as countless buildings on the National Register of Historic Places; and

Whereas, the Massachusetts communities include significant natural scenic areas, tourist attractions, and local, State, and Federal recreational sites that would enhance the historic, cultural, and natural resources of the existing corridor; therefore be it

*Resolved*, That the Massachusetts General Court respectfully urges the President and the Congress of the United States to enact legislation to expand the Quinebaug and Shetucket Rivers Valley National Heritage Corridor to include the towns of Charlton, Dudley, Oxford, Southbridge, Sturbridge, and Webster, within the corridor boundaries; and be it further

*Resolved*, That copies of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, the Presiding Officer of each branch of the

Congress, and to each member thereof from this commonwealth.

POM-190. A resolution adopted by the Legislature of the State of Alaska; to the Committee on Finance.

#### RESOLUTION

Whereas the federal matching rate for the Medicaid program in each state varies from 50 percent to 77 percent based on the relative per capita income of each state; and

Whereas the use of a simple per capita income figure in the Medicaid program is unfair to the State of Alaska because it ignores the higher cost of living in Alaska, particularly the higher cost of health care services; and

Whereas this unfair federal funding formula affects not only the state's receipt of federal matching funds for Medicaid but also for the Foster Care and Adoption Assistance Program, child support disbursements, and certain funds under welfare reform; and

Whereas the federal government has already recognized the higher cost of living in Alaska by adjusting by 25 percent the Medicare nursing facility rates and the federal poverty level figures for the state; and

Whereas the use of a 25 percent cost-of-living adjustment in the federal formula would reduce the state's general fund Medicaid match from 50 percent to 38 percent, resulting in a savings of \$39,249,300 in Medicaid and \$646,000 in the Foster Care and Adoption Assistance Program that could be applied to other state purposes without any reductions in Medicaid services or services to children; be it

*Resolved* That the Alaska State Legislature respectfully urges the Congress to amend the Social Security Act so that the higher cost of living in Alaska is reflected when per capita income is used in determining the federal share of Medicaid costs in the state.

POM-191. A joint resolution adopted by the Legislature of the State of Maine; to the Committee on Governmental Affairs.

#### RESOLUTION

Whereas, Joshua Lawrence Chamberlain, born in Brewer, Maine in 1828, was an outstanding soldier, educator, statesman and author during his long and distinguished career; and

Whereas, Joshua Lawrence Chamberlain was the living embodiment of Maine character, grit and courage; and

Whereas, Joshua Lawrence Chamberlain, as Colonel of the 20th Maine Volunteer Infantry Regiment, contributed greatly to Union victory at Gettysburg by his heroic defense of Little Round Top on July 2, 1863; and

Whereas, Joshua Lawrence Chamberlain, as Major General of the Third Brigade, Fifth Corps, Army of the Potomac, was selected by Lieutenant General Ulysses S. Grant to preside over the formal surrender of the Army of Northern Virginia on April 12, 1865, rendered a salute to the defeated adversary that symbolized hopes for reconciliation of North and South; and

Whereas, Joshua Lawrence Chamberlain was a progressive educator who inaugurated a "new Elizabethan age" of learning as President of Bowdoin College, represented Maine at the 1876 Philadelphia Centennial, speaking on "Maine: Her Place in History," represented the United States at the Paris Exposition on education and wrote the classic *The Passing of the Armies*; and

Whereas, Joshua Lawrence Chamberlain is an historical figure of national significance; Now, therefore, be it

*Resolved:* That We, your Memorialists, the Members of the 118th Legislature, now assembled in this First Special Session, respectfully recommend and urge the United States Postal Service to issue a stamp honoring Joshua Lawrence Chamberlain; and be it further

*Resolved:* That suitable copies of this Memorial, duly authenticated by the Secretary of State, be transmitted to the Honorable William J. Clinton, President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to each member of the Maine Congressional Delegation and to the Postmaster General of the United States Postal Service.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources:

Patrick A. Shea, of Utah, to be Director of the Bureau of Land Management.

Kathleen M. Karpan, of Wyoming, to be Director of the Office of Surface Mining Reclamation and Enforcement.

Robert G. Stanton, of Virginia, to be Director of the National Park Service.

Kneeland C. Youngblood, of Texas, to be a Member of the Board of Directors of the U.S. Enrichment Corporation for a term expiring February 24, 2002.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation:

Jane Garvey, of Massachusetts, to be Administrator of the Federal Aviation Administration for the term of 5 years.

(The above nomination was reported with the recommendation that she be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

By Mr. JEFFORDS, from the Committee on Labor and Human Resources:

Louis Caldera, of California, to be a Managing Director of the Corporation for National and Community Service.

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.

Gina McDonald, of Kansas, to be a Member of the National Council on Disability for a term expiring September 17, 1998.

Bonnie O'Day, of Minnesota, to be a Member of the National Council on Disability for a term expiring September 17, 1998.

Paul Simon, of Illinois, to be a Member of the National Institute for Literacy Advisory Board for a term expiring September 22, 1998.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

Mr. THURMOND. Mr. President, for the Committee on Armed Services, I report favorably 16 nomination lists in the Air Force, Army, Marine Corps, and the Navy which were printed in full in the CONGRESSIONAL RECORDS of June 12, 17, 23, 27, July 8 and 9, 1997, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

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

(The nominations ordered to lie on the Secretary's desk were printed in the RECORDS of June 12, 17, 23, 27, July 8 and 9, 1997, at the end of the Senate proceedings.)

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

##### IN THE AIR FORCE

Beginning James W Adams and ending Michael B Wood, received by Senate and appeared in Congressional Record of June 17, 1997.

Beginning James M Abatti and ending Scott A Zuerlein, received by Senate and appeared in Congressional Record of July 8, 1997.

##### IN THE ARMY

Juliet T. Tanada, received by Senate and appeared in Congressional Record of June 17, 1997.

Beginning Cornelius S. McCarthy and ending \*Todd A. Mercer, received by Senate and appeared in Congressional Record of June 23, 1997.

Beginning Terry L. Belvin and ending James A. Zernicke, received by Senate and appeared in Congressional Record of June 27, 1997.

Beginning Daniel J. Adelstein and ending \*Alan S. Mccoy, received by Senate and appeared in Congressional Record of July 8, 1997.

Maureen K. Leboeuf, received by Senate and appeared in Congressional Record of July 8, 1997.

Beginning James A. Barrineau, Jr., and ending Deborah C. Wheeling, received by Senate and appeared in Congressional Record of July 8, 1997.

##### IN THE MARINE CORPS

Thomas W. Spencer, received by Senate and appeared in Congressional Record of June 23, 1997.

Dennis M. Arinello, received by Senate and appeared in Congressional Record of June 23, 1997.

Carlo A. Montemayor, received by Senate and appeared in Congressional Record of June 23, 1997.

Beginning Demetrice M. Babb and ending John E. Zeger, Jr., received by Senate and appeared in Congressional Record of June 27, 1997.

Anthony J. Zell, received by Senate and appeared in Congressional Record of July 8, 1997.

Mark G. Garcia, received by Senate and appeared in Congressional Record of July 8, 1997.

##### IN THE NAVY

Beginning John A Achenbach and ending Sreten Zivovic, received by Senate and appeared in Congressional Record of June 12, 1997.

Beginning Layne M. K. Araki and ending Charles F. Wrightson, received by Senate and appeared in Congressional Record of July 8, 1997.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. COCHRAN:

S. 1054. A bill to amend title II of the Social Security Act to establish, for purposes of disability determinations under such titles, a uniform minimum level of earnings, for demonstrating ability to engage in substantial gainful activity, at the level currently applicable solely to blind individuals; to the Committee on Finance.

By Mr. DURBIN (for himself, Ms. MOSELEY-BRAUN, and Mr. REID):

S. 1055. A bill to amend title 23, United States Code, to extend the Interstate 4R discretionary program; to the Committee on Environment and Public Works.

By Mr. BURNS (for himself, Mr. COATS, and Mr. LUGAR):

S. 1056. A bill to provide for farm-related exemptions from certain hazardous materials transportation requirements; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself, Mr. BRYAN, Mr. HOLLINGS, and Mr. JOHNSON):

S. 1057. A bill to amend the Federal Election Campaign Act of 1971 to require mandatory spending limits for Senate candidates and limits on independent expenditures, to ban soft money, and for other purposes; to the Committee on Rules and Administration.

By Mr. DURBIN:

S. 1058. A bill to amend the National Forest Management Act of 1976 to prohibit below-cost timber sales in the Shawnee National Forest; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CHAFEE (for himself, Mr. KEMPTHORNE, and Mr. GRAHAM):

S. 1059. A bill to amend the National Wildlife Refuge System Administration Act of 1966 to improve the management of the National Wildlife Refuge System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself, Mr. WYDEN, Mr. DURBIN, and Mr. HARKIN):

S. 1060. A bill to restrict the activities of the United States with respect to foreign laws that regulate the marketing of tobacco products and to subject cigarettes that are exported to the same restrictions on labeling as apply to the sale or distribution of cigarettes in the United States; to the Committee on Commerce, Science, and Transportation.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MURKOWSKI (for himself, Mr. STEVENS, Mr. GORTON, and Mr. HELMS):

S. Res. 109. A resolution condemning the Government of Canada for its failure to accept responsibility for the illegal blockade of a U.S. vessel in Canada, and calling on the President to take appropriate action; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Ms. MOSELEY-BRAUN and Mr. REID):