

his many extraordinary efforts on behalf of his community.●

# AUTHORIZING REPRESENTATION OF MEMBERS AND OFFICERS OF THE SENATE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate resolution 78 submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 78) to authorize representation of Members and officers of the Senate in the case of *Jim Russell v. Albert Gore, et al.*

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a civil action commenced by a pro se plaintiff in Yakima County Superior Court, Yakima County, Washington, against Vice President ALBERT GORE, as President of the Senate, and Senators GORTON and MURRAY. The complaint attacks the validity of federal tax laws essentially by challenging the validity of all legislation enacted subsequent to the Seventeenth Amendment, on the basis that the Constitution prohibits the direct election of Senators provided for by the amendment.

This action is subject to removal from state court to the United States District Court for the Eastern District of Washington. This resolution authorizes the Senate Legal Counsel to represent the Senate defendants in this suit to move for its removal to federal court, and then to seek its dismissal for failure to state a claim for relief.

Mr. COVERDELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 78) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 78

Whereas, in the case of *Jim Russell v. Albert Gore, et al.*, Case No. 99-2-00749-1, pending in Yakima County Superior Court, Yakima County, Washington, the plaintiff has named as defendants Vice President Albert Gore, Senator Slade Gorton, and Senator Patty Murray;

Whereas, pursuant to section 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and officers of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

*Resolved*, That the Senate Legal Counsel is directed to represent Vice President Gore, Senator Gorton, and Senator Murray in the case of *Jim Russell v. Albert Gore, et al.*

# DESIGNATING THE CHAIRMAN OF THE JOINT ECONOMIC COMMITTEE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate resolution 79, submitted earlier today by Senator LOTT. The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 79) designating the Chairman of the Joint Economic Committee for the 106th Congress.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COVERDELL. I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 79) was agreed to, as follows:

## S. RES. 79

*Resolved*, That the following Senator is designated as the Chairman of the following committee for the 106th Congress, or until his successor is chosen:

Joint Economic Committee: Mr. Mack, Chairman.

# CONGRATULATING BOYD CLINES, LARRY ROGERS, AND MATT MOSELEY FOR THEIR BRAVERY AND COURAGE

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate resolution 80 submitted earlier today by myself and Senator CLELAND.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 80) congratulating Boyd Clines, Larry Rogers, and Matt Moseley for their bravery and courage in the April 12, 1999, rescue mission of Mr. Ivers Sims.

There being no objection, the Senate proceeded to consider the resolution.

Mr. COVERDELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this resolution be printed at the appropriate place in the RECORD.

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

The resolution (S. Res. 80) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 80

Whereas on April 12, 1999, a treacherous fire erupted in a historic cotton mill in Atlanta, Georgia, and Mr. Ivers Sims, a construction worker, found himself suspended 180 feet in the air trapped by raging flames surrounding him;

Whereas Boyd Clines, a Georgia Department of Natural Resources pilot, and his navigator, Larry Rogers, arrived on the

scene and negotiated a helicopter through the menacing wind, smoke, and fire which emanated from the cotton mill, while an Atlanta firefighter, Matt Moseley, dangled from a rope near the flames, all in an attempt to save Mr. Sims;

Whereas Boyd Clines, Larry Rogers, and Matt Moseley, in the true spirit of heroism, demonstrated amazing courage and valor in risking their lives in order to save the life of Mr. Sims;

Whereas the teamwork, dedication, and bravery that Boyd Clines, Larry Rogers, and Matt Moseley displayed during the rescue mission enabled the mission to be successful;

Whereas Atlanta firefighters, police officers, Sheriffs deputies, and residents diligently worked together in order to fight the massive fire that engulfed the historic cotton mill;

Whereas Atlanta residents at home during the fire helped during the crisis by rescuing pets and using garden hoses to extinguish the flames emanating from burning debris;

Whereas the Atlanta firefighters, facing shortages of equipment and personnel, heroically contained a fire that could have spread beyond the cotton mill and enveloped a historic neighborhood now being revitalized;

Whereas the fire crisis of April 12, 1999, shall be remembered not for the tragic loss of the historic cotton mill, but instead for the heroism and bravery displayed by Boyd Clines, Larry Rogers, and Matt Moseley; and

Whereas it should be recognized that Boyd Clines, Larry Rogers, and Matt Moseley have brought pride and honor to the State of Georgia: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Boyd Clines, Larry Rogers, and Matt Moseley for the bravery and heroism that they displayed during the April 12, 1999, rescue mission of Mr. Ivers Sims; and

(2) commends Atlanta firefighters, police officers, Sheriffs deputies, and residents for the outstanding teamwork that they displayed in fighting the fire of the cotton mill.

Mr. COVERDELL. Mr. President, to digress for just a moment, this is a resolution acknowledging the heroism of Boyd Clines, Larry Rogers, and Matt Moseley. I doubt that there is hardly an American alive who did not watch that stunning and chilling event when these three men exemplified all the virtues of American heroism. It is a stark reminder of what Americans, who work for our fire departments, our rescue units, our law enforcement agencies all across the country, are capable of doing, and their total dedication where they will often set all their own personal safety aside in the name of helping another citizen.

It was all embodied in this enormous event that occurred in Atlanta, GA several days ago. It was an incredible sight and witness of American heroism. I am particularly pleased to be able to join with my colleague, Senator CLELAND, in the authorship of that resolution which has just been approved.

## REFERRAL OF MEASURE—S. 754

Mr. COVERDELL. Mr. President, I ask unanimous consent that calendar No. 86, S. 754 be referred to the Environment and Public Works Committee.

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

TERRY SANFORD FEDERAL  
BUILDING

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 911 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 911) to designate the Federal building located at 310 New Bern Avenue in Raleigh, North Carolina, as the "Terry Sanford Federal Building".

There being no objection, the Senate proceeded to consider the bill.

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

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

The bill (H.R. 911) was read a third time and passed.

## REREFERRAL OF S. 302

Mr. COVERDELL. Mr. President, I ask unanimous consent that S. 302 be discharged from the Committee on Health, Education, Labor, and Pensions and be referred to the Committee on the Judiciary.

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

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. COVERDELL. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on the executive calendar: Nos. 23 and 24. I finally 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 at the appropriate place in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

## THE JUDICIARY

William J. Hibbler, of Illinois, to be United States District Judge for the Northern District of Illinois.

Matthew F. Kennelly, of Illinois, to be United States District Judge for the Northern District of Illinois.

## LEGISLATIVE SESSION

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

APPOINTMENTS BY THE  
PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 100-418, appoints the following individuals to serve as Congressional advisers on trade policy and negotiations to International conferences, meetings and negotiation sessions relating to trade agreements:

WILLIAM V. ROTH, Jr. of Delaware, JOHN H. CHAFEE of Rhode Island, CHARLES E. GRASSLEY of Iowa, DANIEL PATRICK MOYNIHAN of New York, and MAX BAUCUS of Montana.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 103-419, appoints the following individual to the United States Commission on Civil Rights: Elsie M. Meeks of South Dakota.

ORDERS FOR MONDAY, APRIL 19,  
1999

Mr. COVERDELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 noon on Monday, April 19. I further ask that on Monday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved, and the Senate then begin a period of morning business until 2 p.m. with Senators permitted to speak for up to 10 minutes each, with the following exceptions: Senator MURKOWSKI, 20 minutes; Senator BOND, 10 minutes.

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

## PROGRAM

Mr. COVERDELL. For the information of all Senators, the Senate will reconvene on Monday at 12 noon and begin a period of morning business until 2:00 p.m. Following morning business, the Senate may begin consideration of any legislative or executive items cleared for action with at least one rollcall vote expected at approximately 5:30 p.m. All Senators will be notified of the particular item to be considered on Monday as well as the exact voting schedule when that information becomes available.

The majority leader would again like to remind all Senators that there will be no session of the Senate tomorrow and next Friday, April 23. I better repeat that. The majority leader would like to remind all Senators that there will be no session of the Senate tomorrow and next Friday, April 23.

ADJOURNMENT UNTIL MONDAY,  
APRIL 19, 1999

Mr. COVERDELL. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:50 p.m., adjourned until Monday, April 19, 1999, at 12 noon.

## NOMINATIONS

Executive nominations received by the Senate April 15, 1999:

## STATE JUSTICE INSTITUTE

JOSEPH FRANCIS BACA, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2001. (REAPPOINTMENT)

ROBERT NELSON BALDWIN, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2001. (REAPPOINTMENT)

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. RONALD T. KADISH, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. PAUL V. HESTER, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

GEN. RALPH E. EBERHART, 0000.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF STAFF, UNITED STATES AIR FORCE, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8034:

*To be general*

LT. GEN. LESTER L. LYLES, 0000.

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS ASSISTANT SURGEON GENERAL AND CHIEF OF THE DENTAL CORPS, UNITED STATES ARMY, AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3039:

*To be major general*

BRIG. GEN. PATRICK D. SCULLEY, 0000.

## IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICER FOR APPOINTMENT TO THE TEMPORARY GRADE INDICATED IN THE UNITED STATES MARINE CORPS IN ACCORDANCE WITH SECTION 6222 OF TITLE 10, U.S.C.:

*To be colonel*

TIMOTHY W. FOLEY, 0000

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. THOMAS R. WILSON, 0000.

## IN THE NAVY

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

*To be rear admiral (lower half)*

DAVID J. ANTANITUS, 0000  
DALE E. BAUGH, 0000  
RICHARD E. BROOKS, 0000  
EVAN M. CHANIK, JR., 0000  
BARRY M. COSTELLO, 0000  
DAVID M. CROCKER, 0000  
KIRKLAND H. DONALD, 0000  
DENNIS M. DWYER, 0000  
MARK J. EDWARDS, 0000  
BRUCE B. ENGELHARDT, 0000  
TOM S. FELLIN, 0000  
JAMES B. GODWIN III, 0000  
CHARLES H. JOHNSTON, JR., 0000  
JOHN M. KELLY, 0000  
STEVEN A. KUNKLE, 0000  
WILLIE C. MARSH, 0000  
GEORGE E. MAYER, 0000  
JOHN G. MORGAN, JR., 0000  
DENNIS G. MORRAL, 0000