

I also ask that the convention be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

*To the Senate of the United States:*

I transmit herewith, for Senate advice and consent to ratification, the Convention for the Unification of Certain Rules for International Carriage by Air, done at Montreal May 28, 1999 (the "Convention"). The report of the Department of State, including an article-by-article analysis, is enclosed for the information of the Senate in connection with its consideration of the Convention.

I invite favorable consideration of the recommendation of the Secretary of State, as contained in the report provided herewith, that the Senate's advice and consent to the Convention be subject to a declaration on behalf of the United States, pursuant to Article 57(a) of the Convention, that the convention shall not apply to international carriage by air performed and operated directly by the United States for noncommercial purposes in respect to its functions and duties as a sovereign State. Such a declaration is consistent with the declaration made by the United States under the Convention for the Unification of Certain Rules Relating to International Carriage by Air, done at Warsaw October 12, 1929, as amended (the "Warsaw Convention") and is specifically permitted by the terms of the new Convention.

Upon entry into force for the United States, the Convention, where applicable, would supersede the Warsaw Convention, as amended by the Protocol to Amend the Warsaw Convention, done at Montreal September 25, 1975 ("Montreal Protocol No. 4"), which entered into force for the United States on March 4, 1999. The Convention represents a vast improvement over the liability regime established under the Warsaw Convention and its related instruments, relative to passenger rights in the event of an accident. Among other benefits, the Convention eliminates the cap on carrier liability to accident victims; holds carriers strictly liable for proven damages up to 100,000 Special Drawing Rights (approximately \$135,000) (Special Drawing Rights represent an artificial 'basket' currency developed by the International Monetary Fund for internal accounting purposes to replace gold as a world standard); provides for U.S. jurisdiction for most claims brought on behalf of U.S. passengers; clarifies the duties and obligations of carriers engaged in code-share operations; and, with respect to cargo, preserves all of the significant advances achieved by Montreal Protocol No. 4.

I recommend that the Senate give early and favorable consideration to

this Convention and that the Senate give its advice and consent to ratification, subject to a declaration that the Convention shall not apply to international carriage by U.S. State aircraft, as provided for in the Convention.

WILLIAM J. CLINTON.  
THE WHITE HOUSE, September 6, 2000.

#### ORDER OF PROCEDURE—S. 1608

Mr. BOND. Mr. President, I ask unanimous consent that the vitiation order with respect to the agreement for consideration of S. 1608 be extended until 12 noon on Friday.

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

#### GALVESTON HURRICANE NATIONAL REMEMBRANCE DAY

Mr. BOND. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Con. Res. 134, submitted earlier today by Senators HUTCHISON and GRAMM.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 134) designating September 8, 2000, as Galveston Hurricane National Remembrance Day.

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

Mr. BOND. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to this concurrent resolution be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 134) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. CON. RES. 134

Whereas September 8, 2000 marks the 100th anniversary of the hurricane that struck Galveston, Texas on September 8, 1900, the deadliest natural disaster in United States history;

Whereas an estimated 6,000 people died in a few hours in this thriving port of 37,000, dubbed the "Wall Street of the West" at the dawn of the 20th century;

Whereas vast waves, surging flood waters, and powerful winds of more than 120 miles an hour overtook the town, in an era without radar, satellites, or modern radio, making off-shore hurricanes difficult to track;

Whereas the residents of Galveston island showed much courage and sacrifice during the tempest, exemplified by 10 nuns who lost their lives along with the 90 children they were trying to save at St. Mary's Orphanage on the beach;

Whereas Galveston never lost her resilient spirit, built a sturdy 17-foot sea wall that staved off other fierce hurricanes, pumped in millions of tons of sand from the Gulf of Mexico in order to raise the level of the city and its buildings to a safer height, and be-

came a beautiful and prosperous town yet again;

Whereas the city of Galveston is this year holding a ceremony commemorating the hurricane, launching educational efforts, and celebrating the rebirth of Galveston after the storm; and

Whereas our Nation, which benefits from modern weather technology and the lessons learned from the Galveston tragedy, should never cease to improve hurricane forecasting and make life safer and more secure along our coasts: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That—*

(1) September 8, 2000 is designated as Galveston Hurricane National Remembrance Day; and

(2) the President is authorized and requested to issue a proclamation in memory of the thousands of Galvestonians and other Americans who lost their lives in the devastating hurricane of 1900 and the survivors who rebuilt Galveston.

#### ORDERS FOR THURSDAY, SEPTEMBER 7, 2000

Mr. BOND. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Thursday, September 7. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume debate on the Daschle motion regarding the Missouri River, with 10 minutes equally divided in the usual form prior to a vote on or in relation to the motion.

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

#### PROGRAM

Mr. BOND. When the Senate convenes at 9:30 a.m., there will be 10 minutes remaining for closing remarks with respect to the motion to strike the Missouri River provision contained in the energy and water appropriations bill. Immediately following that vote, a vote will occur on the motion to proceed to the China PNTR legislation. Therefore, two back-to-back votes will occur at approximately 9:40 a.m. Following those two votes, the Senate will consider the China PNTR bill. It is hoped that agreements can be reached on various amendments to the bill and, therefore, votes can be expected to occur throughout the day.

As a reminder, the filing deadline for all first-degree amendments to the energy and water appropriations bill was 6:30 this evening. As a further reminder, the Senate will continue to consider the China trade bill and the energy and water appropriations bill on a dual track for the remainder of the week, with votes expected throughout each day.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BOND. Mr. President, if there is no further business to come before the

Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:23 p.m., adjourned until Thursday, September 7, 2000, at 9:30 a.m.

### NOMINATIONS

Executive nominations received by the Senate September 6, 2000:

#### DEPARTMENT OF STATE

JOSEPH R. BIDEN, JR., OF DELAWARE, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

ROD GRAMS, OF MINNESOTA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE FIFTY-FIFTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

#### 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*

MAJ. GEN. JOHN H. CAMPBELL, 0000

#### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be brigadier general*

COL. BRADFORD C. BRIGHTMAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be major general*

BRIG. GEN. H. DOUGLAS ROBERTSON, 0000

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF NAVAL OPERATIONS, UNITED STATES NAVY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5035:

#### *To be admiral*

VICE ADM. WILLIAM J. FALLON, 0000

#### IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### *To be colonel*

WARREN S. SILBERMAN, 0000

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 624:

#### *To be colonel*

MERRITT M. SMITH, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be colonel*

JAMES M. DAVIS, 0000  
JEFFREY D. DOW, 0000  
DAVID P. ROLANDO, 0000  
LANNEAU H. SIEGLING, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 628:

#### *To be major*

JOHN ESPINOSA, 0000

#### IN THE NAVY

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

#### *To be lieutenant commander*

RANDALL J. BIGELOW, 0000