

but they need our active support: the CDC's National Physical Activity Initiative, the President's Council on Physical Fitness and Sports, C. Everett Koop's "Shape Up America" campaign, the YMCA's Healthy Kids Day, and most recently, the National Sporting Good Association's "Wannabe Cool, Gottabe Active" campaign.

These programs, and others like them, need our encouragement, our gratitude and our support. That is why I am here today. To submit a resolution declaring the last week in April National Youth Fitness Week. Together we can reverse the trend in physical inactivity and restore our nation to a course of wellness, fitness and productivity. It is our responsibility as the nation's leaders to ensure a healthy America.

AMENDMENTS SUBMITTED

1998 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS, AND FOR OVERSEAS PEACEKEEPING EFFORTS

MCCAIN AMENDMENT NO. 2084

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill (S. 1768) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, for the fiscal year ending September 30, 1998, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. . ELIGIBILITY FOR REFUGEE STATUS.

Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104-208; 110 Stat. 3009-171) is amended—

(1) in subsection (a)—

(A) by striking "For purposes" and inserting "Notwithstanding any other provision of law, for purposes"; and

(B) by striking "fiscal year 1997" and inserting "fiscal year 1998 and 1999"; and

(2) by amending subsection (b) to read as follows:

"(b) ALIENS COVERED.—

"(1) IN GENERAL.—An alien described in this subsection is an alien who—

"(A) is the son or daughter of a qualified national;

"(B) is 21 years of age or older; and

"(C) was unmarried as of the date of acceptance of the alien's parent for resettlement under the Orderly Departure Program.

"(2) QUALIFIED NATIONAL.—For purposes of paragraph (1), the term 'qualified national' means a national of Vietnam who—

"(A)(i) was formerly interned in a reeducation camp in Vietnam by the Government of the Socialist Republic of Vietnam; or

"(ii) is the widow or widower of an individual described in clause (i); and

"(B)(i) qualified for refugee processing under the reeducation camp internees subprogram of the Orderly Departure Program; and

"(ii) on or after April 1, 1995, is accepted—

"(I) for resettlement as a refugee; or

"(II) for admission as an immigrant under the Orderly Departure Program."

STEVENS (AND OTHERS)

AMENDMENT NO. 2085

Mr. STEVENS (for himself, Mr. COCHRAN, Mrs. BOXER, Mr. BUMPERS, Mr. BYRD, Mr. BOND, Mr. LOTT, and Mr. FORD) proposed an amendment to the bill, S. 1768, supra; as follows:

Pg. 15, after line 21 of the bill insert:

"SEC. . Notwithstanding any other provision of law, in the case of a person who is selected for training in a State program conducted under the National Guard Challenge Program and who obtains a general education diploma in connection with such training, the general education diploma shall be treated as equivalent to a high school diploma for purposes of determining the eligibility of the person for enlistment in the armed forces."

HATCH (AND OTHERS)

AMENDMENT NO. 2086

(Ordered to lie on the table.)

Mr. HATCH (for himself, Mr. WARNER, Mr. LAUTENBERG, and Mr. ROBB) submitted an amendment intended to be proposed by them to the bill, S. 1768, supra; as follows:

On page 51, strike lines 5 through 16 and insert in lieu thereof the following:

"SEC. 2001. None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended by the Patent and Trademark Office to plan for the construction or lease of new facilities until 30 days after the submission of a report by the Secretary of Commerce, to be delivered not later than May 1, 1998, to the Committees on Appropriations analyzing whether the project is properly scoped, the procurement properly structured, and whether the project should go forward. Such funds shall only be made available in accordance with section 605 of Public Law 105-119."

GRAMM (AND SANTORUM)

AMENDMENT NO. 2087

(Ordered to lie on the table.)

Mr. GRAMM (for himself and Mr. SANTORUM) submitted an amendment intended to be proposed by them to the bill, S. 1768, supra; as follows:

At the appropriate place, insert the following:

SEC. . Notwithstanding any other provision of this Act or any other provision of law, only that portion of budget authority provided in this Act that is obligated during fiscal year 1998 shall be designated as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. All remaining budget authority provided in this Act shall not be available for obligation until October 1, 1998.

WYDEN AMENDMENT NO. 2088

(Ordered to lie on the table.)

Mr. WYDEN submitted an amendment intended to be proposed by him to the bill, S. 1768, supra; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . ELIMINATION OF SECRECY IN INTERNATIONAL FINANCIAL AND TRADE ORGANIZATIONS.

The President shall instruct the United States Representatives to the World Trade Organization, the International Monetary Fund, the World Bank, and regional development banks in which the United States is a

member to seek the implementation of a system of open meetings and activities in their respective organizations. Open meetings and activities in an organization include, but are not limited to, a policy that—

(1) all meetings sponsored by the organization and involving delegates from member countries are open to the public;

(2) all activities involving voting by member countries are open to the public; and

(3) all records of meetings and activities are made available to the public.

BAUCUS AMENDMENT NOS. 2089-2090

(Ordered to lie on the table.)

Mr. BAUCUS submitted two amendments intended to be proposed by him to the bill, S. 1768, supra; as follows:

AMENDMENT NO. 2089

On page 5, after line 23, add the following: COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

FOOD ANIMAL RESIDUE AVOIDANCE DATABASE

For an additional amount for the Food Animal Residue Avoidance Database, \$150,000.

AMENDMENT NO. 2090

On page 59, between lines 7 and 8, insert the following:

SEC. . CLAIMS REGARDING PROTEIN CONTENT OF WHEAT.

(a) IN GENERAL.—Notwithstanding section 2401 of title 28, United States Code, a claim described in subsection (b) shall be considered to be timely filed if the claim is filed with the Secretary of Agriculture by the date that is 90 days after the date of enactment of this Act.

(b) CLAIMS.—Subsection (a) applies to a claim that is—

(1) filed under section 1346 of title 28, United States Code, by a wheat producer in the United States that sold hard red spring wheat or durum wheat during the period beginning May 2, 1993, and ending January 24, 1994; and

(2) based on the alleged negligence of the Secretary of Agriculture in connection with the determination of the protein content of the wheat.

BAUCUS (AND BURNS) AMENDMENT NO. 2091

(Ordered to lie on the table.)

Mr. BAUCUS (for himself and Mr. BURNS) submitted an amendment intended to be proposed by them to the bill, S. 1768, supra; as follows:

On page 59, between lines 7 and 8, insert the following:

SEC. . EXTENSION OF MARKETING ASSISTANCE LOANS.

Section 133 of the Agricultural Market Transition Act (7 U.S.C. 7233) is amended by striking subsection (c) and inserting the following:

"(c) EXTENSION.—The Secretary may extend the term of a marketing assistance loan made to producers on a farm for any loan commodity for 1 6-month period."

STEVENS AMENDMENT NO. 2092

Mr. STEVENS proposed an amendment to the bill, S. 1768, supra; as follows:

On page 51, line 22, strike Section 2004 and insert in lieu thereof the following:

SEC. 2005. PROVISIONS RELATING TO UNIVERSAL SERVICE SUPPORT FOR PUBLIC INSTITUTIONAL TELECOMMUNICATIONS USERS.

(a) NO INFERENCE REGARDING EXISTING UNIVERSAL SERVICE ADMINISTRATIVE MECHANISM.—Nothing in this section may be considered as expressing the approval of the Congress of the action of the Federal Communications Commission in establishing, or causing to be established, one or more corporations to administer the schools and libraries program and the rural health care provider program under section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)), or the approval of any provision of such programs.

(b) FCC TO REPORT TO THE CONGRESS.—

(1) REPORT DUE DATE.—Pursuant to the findings of the General Accounting Office (B-278820) dated February 10, 1998, the Federal Communications Commission shall, by May 8, 1998, submit a 2-part report to the Congress under this section.

(2) REVISED STRUCTURE.—The report shall propose a revised structure for the administration of the programs established under section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)). The revised structure shall consist of a single entity.

(A) LIMITATION ON ADMINISTRATION OF PROGRAMS.—The entity proposed by the Commission to administer the programs—

(i) is limited to implementation of the FCC rules for applications for discounts and processing the applications necessary to determine eligibility for discounts under section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) as determined by the Commission;

(ii) may not administer the programs in any manner that requires that entity to interpret the intent of the Congress in establishing the programs or interpret any rule promulgated by the Commission in carrying out the programs, without appropriate consultation and guidance from the Commission.

(B) APA REQUIREMENTS WAIVED.—In preparing the report required by this section, the Commission shall find that good cause exists to waive the requirements of section 553 of title 5, United States Code, to the extent necessary to enable the Commission to submit the report to the Congress by May 8, 1998.

(3) REPORT ON FUNDING OF SCHOOLS AND LIBRARIES PROGRAM AND RURAL HEALTH CARE PROGRAM.—The report required by this section shall also provide the following information about the contributions to, and requests for funding from, the schools and libraries subsidy program:

(A) An estimate of the expected reductions in interstate access charges anticipated on July 1, 1998.

(B) An accounting of the total contributions to the universal service fund that are available for use to support the schools and libraries program under section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) for the second quarter of 1998.

(C) An accounting of the amount of the contribution described in subparagraph (B) that the Commission expects to receive from—

- (i) incumbent local exchange carriers;
- (ii) interexchange carriers;
- (iii) information service providers;
- (iv) commercial mobile radio service providers; and
- (v) any other provider.

(D) Based on the applications for funding under section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) received as of April 15, 1998, an estimate of the costs of providing universal service support to schools and libraries under that section

disaggregated by eligible services and facilities as set forth in the eligibility list of the Schools and Libraries Corporation, including—

(i) the amounts requested for costs associated with telecommunications services;

(ii) the amounts requested for costs described in clause (i) plus the costs of internal connections under the program; and

(iii) the amounts requested for the costs described in clause (ii), plus the cost of internet access;

(iv) the amount requested by eligible schools and libraries in each category and discount level listed in the matrix appearing at paragraph 520 of the Commission's May 8, 1997 Order, calculated as dollar figures and as percentages of the total of all requests;

(I) the amount requested by eligible schools and libraries in each such category and discount level to provide telecommunications services;

(II) the amount requested by eligible schools and libraries in each such category and discount level to provide internal connections; and

(III) the amount requested by eligible schools and libraries in each such category and discount level to provide internet access.

(E) A justification for the amount, if any, by which the total requested disbursements from the fund described in subparagraph (D) exceeds the amount of available contributions described in subparagraph (B).

(F) Based on the amount described in subparagraph (D), an estimate of the amount of contributions that will be required for the schools and libraries program in the third and fourth quarters of 1998, and, to the extent these estimated contributions for the third and fourth quarter exceed the current second-quarter contribution, the Commission shall provide an estimate of the amount of support that will be needed for each of the eligible services and facilities as set forth in the eligibility list of the Schools and Libraries Corporation, and disaggregated as specified in subparagraph (D).

(G) An explanation of why restricting the basis of telecommunications carriers' contributions to universal service under 254(a)(3) of the Communications Act of 1934 (47 U.S.C. 254(a)(3)) to interstate revenues, while requiring that contributions to universal service under section 254(h) of that Act (47 U.S.C. 254(h)) be based on both interstate as well as intrastate revenues, is consistent with the provisions of section 254(d) of that Act (47 U.S.C. 254(d)).

(H) An explanation as to whether access charge reductions should be passed through on a dollar-for-dollar basis to each customer class on a proportionate basis.

(I) An explanation of the contribution mechanisms established by the Commission under the Commission's Report and Order (FCC 97-157), May 8, 1997, and whether any direct end-user charges on consumers are appropriate.

(c) IMPOSITION OF CAP ON COMPENSATION OF INDIVIDUALS EMPLOYED TO CARRY OUT THE PROGRAMS.—No officer or employee of the entity to be proposed to be established under subsection (b)(2) of this section may be compensated at an annual rate of pay, including any non-regular, extraordinary, or unexpected payment based on specific determinations of exceptionally meritorious service or otherwise, bonuses, or any other compensation (either monetary or in-kind), which exceeds the rate of basic pay in effect from time to time for level I of the Executive Schedule under section 5312 of title 5, United States Code.

(d) SECOND-HALF 1998 CONTRIBUTIONS.—Before June 1, 1998, the Federal Communications Commission may not—

(1) adjust the contribution factors for telecommunications carriers under section 254;

(2) collect any such contribution due for the third or fourth quarter of calendar year 1998.

BROWNBACK AMENDMENT NO. 2093

(Ordered to lie on the table.)

Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill, S. 1768, supra; as follows:

On page ___, after line ___, insert the following:

SEC. ___. FULL OFFSET OF SPENDING.

Upon enactment of this Act, the Director of the Office of Management and Budget shall reduce the nondefense discretionary spending limits (on a pro rata basis for each category) for budget authority for fiscal year 1999 by the amounts required to offset budget authority provided for fiscal year 1998 in this Act. This section shall apply to any amount designated as emergency spending in this Act.

**ASHCROFT AMENDMENTS NOS.
2094-2095**

(Ordered to lie on the table.)

Mr. ASHCROFT submitted two amendments intended to be proposed by him to the bill, S. 1768, supra; as follows:

AMENDMENT No. 2094

At the appropriate place insert the following:

SEC. ___. ESTABLISHMENT OF, AND LIMITATION ON FUTURE CHANGES TO, PUBLICLY-HELD FEDERAL DEBT CEILING.

(a) ESTABLISHMENT OF PUBLICLY-HELD FEDERAL DEBT CEILING.—Section 3101(b) of title 31, United States Code, is amended—

(1) by striking “(b) The face amount” and inserting “(b)(1) Subject to paragraph (2), the face amount”, and

(2) by adding at the end the following:

“(2) The face amount of the obligations described in paragraph (1) not held by Government accounts may not be more than \$3,774,000,000,000 outstanding at one time.”.

(b) POINT OF ORDER AGAINST CHANGES IN PUBLICLY-HELD FEDERAL DEBT CEILING.—Title IV of the Congressional Budget Act of 1974 is amended by—

(1) redesignating section 407 as section 408; and

(2) inserting after section 406 the following:

“POINT OF ORDER AGAINST CHANGES IN
PUBLICLY-HELD FEDERAL DEBT CEILING

“SEC. 407. (a) IN GENERAL.—Except as otherwise provided in this section and notwithstanding any other provision of law, it shall not be in order in the Senate or House of Representatives to consider any bill, resolution, or resolution of ratification (or amendment, motion, or conference report on that bill or resolution) that would raise the Federal debt limit specified in section 3101(b)(2) of title 31, United States Code, for any fiscal year.

“(b) EXCEPTION FOR DECLARATION OF WAR.—Subsection (a) shall not apply if a declaration of war by the Congress is in effect.

“(c) TIMING OF POINTS OF ORDER IN THE SENATE.—A point of order under subsection (a) may not be raised against a bill, resolution, amendment, motion, or conference report while an amendment or motion, the adoption of which would remedy the violation of subsection (a), is pending before the Senate.

“(d) POINTS OF ORDER IN THE SENATE AGAINST AMENDMENTS BETWEEN THE HOUSES.—The provision of subsection (a)

that establishes a point of order against an amendment also establishes a point of order in the Senate against an amendment between the Houses. If a point of order under subsection (a) is raised in the Senate against an amendment between the Houses and the point of order is sustained, the effect shall be the same as if the Senate had disagreed to the amendment.

“(e) EFFECT OF A POINT OF ORDER IN THE SENATE.—In the Senate, if a point of order under subsection (a) against a bill or resolution is sustained, the Presiding Officer shall then recommit the bill or resolution to the committee of appropriate jurisdiction for further consideration.

“(f) WAIVER.—A point of order under subsection (a) may be waived or suspended in the Senate and the House of Representatives only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.”.

(c) CLERICAL AMENDMENT.—The table of contents of the Congressional Budget and Impoundment Control Act of 1974 is amended in title IV by—

(1) redesignating section 407 as section 408; and

(2) inserting after the item for section 406 the following:

“Sec. 407. Point of order against changes in level of publicly-held Federal debt.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 1998.

AMENDMENT NO. 2095

On page 8, after line 25, insert the following new section and renumber the remaining section accordingly:

SEC. ____ . ADVOCACY OF POLICIES TO ENHANCE THE GENERAL EFFECTIVENESS OF THE INTERNATIONAL MONETARY FUND.

The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund to use aggressively the voice and vote of the United States to vigorously promote policies to—

(1) increase the effectiveness of the International Monetary Fund in promoting market-oriented reform, trade liberalization, economic growth, democratic governance, and social stability; and

(2) encourage the opening of markets for agricultural commodities and products by requiring recipient countries to make efforts to reduce trade barriers.

GORTON AMENDMENTS NOS. 2096–2097

(Ordered to lie on the table.)

Mr. GORTON submitted two amendments intended to be proposed by him to the bill, S. 1768, supra; as follows:

AMENDMENT NO. 2096

At the appropriate place, insert the following:

SEC. ____ . LIMITATIONS ON INTERNATIONAL MONETARY FUND LOANS TO INDONESIA.

The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the United States to prevent the extension by the International Monetary Fund of loans or credits that would—

(1) personally benefit the President of Indonesia or any member of the President's family, or

(2) benefit any financial institution or commercial enterprise in which the President of Indonesia or any member of the President's family has a financial interest.

AMENDMENT NO. 2097

On page ____, line ____ of the amendment, strike “House of Representatives.” and insert the following:

House of Representatives.

SEC. ____ . LIMITATIONS ON INTERNATIONAL MONETARY FUND LOANS TO INDONESIA.

The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the United States to prevent the extension by the International Monetary Fund of loans or credits that would—

(1) personally benefit the President of Indonesia or any member of the President's family, or

(2) benefit any financial institution or commercial enterprise in which the President of Indonesia or any member of the President's family has a financial interest.

LEAHY (AND OTHERS)

AMENDMENT NO. 2098

Mr. LEAHY (for himself, Mr. ABRAHAM, Mr. LEVIN, Mr. DEWINE, Mr. GLENN, Mr. KOHL, Mr. GORTON, Mr. MOYNIHAN, Mr. SANTORUM, and Mr. FEINGOLD) proposed an amendment to the bill, S. 1768, supra; as follows:

At the appropriate place, add the following:

SEC. . Section 203 of the National Sea Grant College Program Act (33 U.S.C. 1122) is amended by—

(1) striking paragraph (5) and redesignating paragraphs (6) through (17) as paragraphs (5) through (16);

(2) redesignating subparagraphs (C) through (F) of paragraph (7), as redesignated, as subparagraphs (D) through (G); and

(3) inserting after subparagraph (B) of paragraph (7), as redesignated, the following:

“(C) Lake Champlain (to the extent that such resources have hydrological, biological, physical, or geological characteristics and problems similar or related to those of the Great Lakes);”

CHAFEE AMENDMENT NO. 2099

(Ordered to lie on the table.)

Mr. CHAFEE submitted an amendment intended to be proposed by him to the bill, S. 1768, supra; as follows:

On page 17, beginning on line 10, strike “to be conducted at full Federal expense”.

MCCONNELL (AND OTHERS)

AMENDMENT NO. 2100

Mr. MCCONNELL (for himself, Mr. HAGEL, Mr. GRAMM, and Mr. STEVENS) proposed an amendment to the bill, S. 1768, supra; as follows:

At the appropriate place, insert the following new title:

TITLE —INTERNATIONAL MONETARY FUND

That the following sums are appropriated, out of any money in the Treasury and otherwise appropriated, for the International Monetary Fund for the fiscal year ending September 30, 1998, and for other purposes, namely:

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

LOANS TO INTERNATIONAL MONETARY FUND

NEW ARRANGEMENTS TO BORROW

For loans to the International Monetary Fund (Fund) under the New Arrangements to

Borrow, the dollar equivalent of 2,462,000,000 Special Drawing Rights, to remain available until expended; in addition, up to the dollar equivalent of 4,250,000,000 Special Drawing Rights previously appropriated by the Act of November 30, 1983 (Public Law 98–181), and the Act of October 23, 1962 (Public Law 87–872), for the General Arrangements to Borrow, may also be used for the New Arrangements to Borrow.

UNITED STATES QUOTA

For an increase in the United States quota in the International Monetary Fund, the dollar equivalent of 10,622,500,000 Special Drawing Rights, to remain available until expended.

GENERAL PROVISIONS

SECTION . CONDITIONS FOR THE USE OF QUOTA RESOURCES.—(a) None of the funds appropriated in this Act under the heading “United States Quota, International Monetary Fund” may be obligated, transferred or made available to the International Monetary Fund until 30 days after the Secretary of the Treasury certifies that the major shareholders of the International Monetary Fund, including the United States, Japan, the Federal Republic of Germany, France, Italy, the United Kingdom, and Canada have publicly agreed to, and will seek to implement in the Fund, policies that provide conditions in stand-by agreements or other arrangements regarding the use of Fund resources, requirements that the recipient country—

(1) liberalize restrictions on trade in goods and services and on investment, at a minimum consistent with the terms of all international trade obligations and agreements; and

(2) to eliminate the practice or policy of government directed lending on non-commercial terms or provision of market distorting subsidies to favored industries, enterprises, parties, or institutions.

(b) Subsequent to the certification provided in subsection (a), in conjunction with the annual submission of the President's budget, the Secretary of the Treasury shall report to the appropriate committees on the implementation and enforcement of the provisions in subsection (a).

(c) The United States shall exert its influence with the Fund and its members to encourage the Fund to include as part of its conditions of stand-by agreements or other uses of the Fund's resources that the recipient country take action to remove discriminatory treatment between foreign and domestic creditors in its debt resolution proceedings. The Secretary of the Treasury shall report back to the Congress six months after the enactment of this Act, and annually thereafter, on the progress in achieving this requirement.

(d) Nothing in this section shall be construed to create any private right of action with respect to the enforcement of its terms.

SEC. . TRANSPARENCY AND OVERSIGHT.—(a) Not later than 30 days after enactment of this Act, the Secretary of the Treasury shall certify to the appropriate committees that the Board of Executive Directors of the International Monetary Fund has agreed to provide timely access by the Comptroller General to information and documents relating to the Fund's operations, program and policy reviews and decisions regarding stand-by agreements and other uses of the Fund's resources.

(b) The Secretary of the Treasury shall direct, and the U.S. Executive Director to the International Monetary Fund shall agree to—

(1) provide any documents or information available to the Director that are requested by the Comptroller General;

(2) request from the Fund any documents or material requested by the Comptroller General; and

(3) use all necessary means to ensure all possible access by the Comptroller General to the staff and operations of the Fund for the purposes of conducting financial and program audits.

(c) The Secretary of the Treasury, in consultation with the Comptroller General and the U.S. Executive Director of the Fund, shall develop and implement a plan to obtain timely public access to information and documents relating to the Fund's operations, programs and policy reviews and decisions regarding stand-by agreements and other uses of the Fund's resources.

(d) No later than July 1, 1998 and, not later than March 1 of each year thereafter, the Secretary of the Treasury shall submit a report to the appropriate committees on the status of timely publication of Letters of Intent and Article IV consultation documents and the availability of information referred to in (c).

SEC. . ADVISORY COMMISSION.—(a) The President shall establish an International Financial Institution Advisory Commission (hereafter "Commission").

(b) The Commission shall include at least five former United States Secretaries of the Treasury.

(c) Within 180 days, the Commission shall report to the appropriate committees on the future role and responsibilities, if any, of the International Monetary Fund and the merit, costs and related implications of consolidation of the organization, management, and activities of the International Monetary Fund, the International Bank for Reconstruction and Development and the World Trade Organization.

SEC. . BRETTON WOODS CONFERENCE.—Not later than 180 days after the Commission reports to the appropriate committees, the President shall call for a conference of representatives of the governments of the member countries of the International Monetary Fund, the International Bank for Reconstruction and Development and the World Trade Organization to consider the structure, management and activities of the institutions, their possible merger and their capacity to contribute to exchange rate stability and economic growth and to respond effectively to financial crises.

SEC. . REPORTS.—(a) Following the extension of a stand-by agreement or other uses of the resources by the International Monetary Fund, the Secretary of the Treasury, in consultation with the U.S. Executive Director of the Fund, shall submit a report to the appropriate committees providing the following information—

(1) the borrower's rules and regulations dealing with capitalization ratios, reserves, deposit insurance system and initiatives to improve transparency of information on the financial institutions and banks which may benefit from the use of the Fund's resources;

(2) the burden shared by private sector investors and creditors, including commercial banks in the Group of Seven Nations, in the losses which have prompted the use of the Fund's resources;

(3) the Fund's strategy, plan and timetable for completing the borrower's pay back of the Fund's resources including a date by which he borrower will be free from all international institutional debt obligation; and

(4) the status of efforts to upgrade the borrower's national standards to meet the Basle Committee's Core Principles for Effective Banking Supervision.

(b) Following the extension of a stand-by agreement or other use of the Fund's resources, the Secretary of the Treasury shall report to the appropriate committees in con-

junction with the annual submission of the President's budget, an account of the direct and indirect institutional recipients of such resources: *Provided*, That this account shall include the institutions or banks indirectly supported by the Fund through resources made available by the borrower's Central Bank.

(c) Not later than 30 days after the enactment of this Act, the Secretary shall submit a report to the appropriate committees of Congress providing the information requested in paragraphs (a) and (b) for the countries of South Korea, Indonesia, Thailand and the Philippines.

SEC. . CERTIFICATIONS.—(a) The Secretary of the Treasury shall certify to the appropriate committees that the following conditions have been met—

(1) No International Monetary Fund resources have resulted in direct support to the semiconductor, steel, automobile, or textile and apparel industries in any form;

(2) The Fund has not guaranteed nor underwritten the private loans of semiconductor, steel, automobile, or textile and apparel manufacturers; and

(3) Officials from the Fund and the Department of the Treasury have monitored the implementation of the provisions contained in stabilization programs in effect after July 1, 1997, and all of the conditions have either been met, or the recipient government has committed itself to fulfill all of these conditions according to an explicit timetable for completion; which timetable has been provided to and approved by the Fund and the Department of the Treasury.

(b) Such certifications shall be made 14 days prior to the disbursement of any Fund resources to the borrower.

(c) The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the Executive Director to oppose disbursement of further funds if such certification is not given.

(d) Such certifications shall continue to be made on an annual basis as long as Fund contributions continue to be outstanding to the borrower country.

SEC. . DEFINITIONS.—For the purposes of this Act, "appropriate committees" includes the Appropriations Committee, the Committee on Foreign Relations, Committee on Finance and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Appropriations and the Committee on Banking and Financial Services in the House of Representatives.

This title may be cited as the "1998 Supplemental Appropriations Act for the International Monetary Fund".

FRIST (AND BYRD) AMENDMENT NO. 2101

Mr. STEVENS (for Mr. FRIST, for himself and Mr. BYRD) proposed an amendment to the bill, S. 1768, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . EXEMPTION AUTHORITY FOR AIR SERVICE TO SLOT-CONTROLLED AIRPORTS.

(a) IN GENERAL.—Section 41714(i) of title 49, United States Code, is amended by—

(1) striking "CERTAIN" in the caption;

(2) striking "120" and inserting "90"; and

(3) striking "(a)(2) to improve air service between a nonhub airport (as defined in section 41731(a)(4)) and a high density airport subject to the exemption authority under subsection (a)," and inserting "(a) or (c)."

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) apply to applications for slot

exemptions pending at the Department of Transportation under section 41714 of title 49, United States Code, on the date of enactment of this Act or filed thereafter.

(2) APPLICATION TO PENDING REQUESTS.—For the purpose of applying the amendments made by subsection (a) to applications pending on the date of enactment of this Act, the Secretary of Transportation shall take into account the number of days the application was pending before the date of enactment of this Act. If such an application was pending for 80 or more days before the date of enactment of this Act, the Secretary shall grant or deny the exemption to which the application relates within 20 calendar days after that date.

GORTON (AND GREGG) AMENDMENT NO. 2102

Mr. GORTON (for himself and Mr. GREGG) proposed an amendment to the bill, S. 1768, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . LIMITATIONS ON INTERNATIONAL MONETARY FUND LOANS TO INDONESIA.

The Secretary of the Treasury shall instruct the United States Executive Director of the International Monetary Fund to use the voice and vote of the United States to prevent the extension by the International Monetary Fund of loans or credits that would—

(1) personally benefit the President of Indonesia or any member of the President's family, or

(2) benefit any financial institution or commercial enterprise in which the President of Indonesia or any member of the President's family has a financial interest.

FAIRCLOTH AMENDMENT NO. 2103

Mr. FAIRCLOTH proposed an amendment to the bill, S. 1768, *supra*; as follows:

At the appropriate place, add the following:

SEC. . EDUCATION STABILIZATION LOANS AND FUND.

(a) LOANS.—

(1) IN GENERAL.—The Secretary of Education (referred to in this subsection as the "Secretary") shall make loans to States for the purpose of constructing and modernizing elementary schools and secondary schools.

(2) TERMS.—The Secretary shall make low interest, long-term loans, as determined by the Secretary, under paragraph (1). The Secretary shall determine the eligibility requirements for, and the terms of, any loan made under paragraph (1).

(3) ALLOCATION OF FUNDS.—The Secretary shall determine a formula for allocating the funds made available under subsection (b)(4) to States for loans under paragraph (1). The Secretary shall ensure that the formula provides for the allocation of funds for such loans to each eligible State. In determining the formula, the Secretary shall take into consideration the need for financial assistance of States with significant increases in populations of elementary school and secondary school students.

(4) DEFINITIONS.—In this subsection, the terms "elementary school" and "secondary school" have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(b) FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund, to be known as the "Education Stabilization Fund", consisting of the amounts

transferred to or deposited in the Trust Fund under paragraph (2) and any interest earned on investment of the amounts in the Trust Fund under paragraph (3).

(2) TRANSFERS AND DEPOSITS.—

(A) TRANSFER.—The Secretary of the Treasury shall transfer to the Trust Fund an amount equal to \$5,000,000,000 from the stabilization fund described in section 5302 of title 31, United States Code.

(B) DEPOSITS.—There shall be deposited in the Trust Fund all amounts received by the Secretary of Education incident to loan operations under subsection (a), including all collections of principal and interest.

(3) INVESTMENT OF TRUST FUND.—

(A) IN GENERAL.—The Secretary of the Treasury shall invest the portion of the Trust Fund that is not, in the Secretary's judgment, required to meet current withdrawals.

(B) OBLIGATIONS.—Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired—

- (i) on original issue at the issue price; or
- (ii) by purchase of outstanding obligations at the market price.

(C) PURPOSES FOR OBLIGATIONS OF THE UNITED STATES.—The purposes for which obligations of the United States may be issued under chapter 31 of title 31, United States Code, are extended to authorize the issuance at par of special obligations exclusively to the Trust Fund.

(D) INTEREST.—Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the Public Debt, except that where such average rate is not a multiple of $\frac{1}{8}$ of 1 percent, the rate of interest of such special obligations shall be the multiple of $\frac{1}{8}$ of 1 percent next lower than such average rate.

(E) DETERMINATION.—Such special obligations shall be issued only if the Secretary of the Treasury determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

(F) SALE OF OBLIGATION.—Any obligation acquired by the Trust Fund (except special obligations issued exclusively to the Trust Fund) may be sold by the Secretary of the Treasury at the market price, and such special obligations may be redeemed at par plus accrued interest.

(G) CREDITS TO TRUST FUND.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

GRAMM (AND SANTORUM)
AMENDMENT NO. 2104

Mr. GRAMM (for himself and Mr. SANTORUM) proposed an amendment to the bill, S. 1768, *supra*; as follows:

At the appropriate place, insert the following:

SEC. .Notwithstanding any other provision of this Act or any other provision of law, only that portion of budget authority provided in this Act that is obligated during fiscal year 1998 shall be designated as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. All remaining budget authority provided in this

Act shall not be available for obligation until October 1, 1998.

THE EDUCATION SAVINGS ACT
FOR PUBLIC AND PRIVATE
SCHOOLS

FAIRCLOTH AMENDMENT NO. 2105

(Ordered to lie on the table.)

Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to amendment No. 2029 submitted by Mr. KERREY to the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; as follows:

Beginning with page 5, line 8, and ending with page 30, line 13, strike all, and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Internal Revenue Service Private Citizen Oversight Board Act of 1998".

(c) TABLE OF CONTENTS.—

- Sec. 1. Short title; amendment of 1986 Code; table of contents.
- Sec. 2. Internal Revenue Service Oversight Board.
- Sec. 3. Commissioner of Internal Revenue; other officials.
- Sec. 4. Other personnel.
- Sec. 5. Prohibition on executive branch influence over taxpayer audits and other investigations.

SEC. 2. INTERNAL REVENUE SERVICE OVERSIGHT BOARD.

(a) IN GENERAL.—Section 7802 (relating to the Commissioner of Internal Revenue) is amended to read as follows:

"SEC. 7802. INTERNAL REVENUE SERVICE OVERSIGHT BOARD.

"(a) ESTABLISHMENT.—There is established within the Department of the Treasury the Internal Revenue Service Oversight Board (hereafter in this subchapter referred to as the 'Oversight Board').

"(b) MEMBERSHIP.—

"(1) COMPOSITION.—The Oversight Board shall be composed of 9 members who are not Federal officers or employees and who are appointed by the President, by and with the advice and consent of the Senate.

"(2) QUALIFICATIONS AND TERMS.—

"(A) QUALIFICATIONS.—Members of the Oversight Board shall be appointed solely on the basis of their professional experience and expertise in 1 or more of the following areas:

- "(i) Management of large service organizations.
- "(ii) Customer service.
- "(iii) Federal tax laws, including tax administration and compliance.
- "(iv) Information technology.
- "(v) Organization development.
- "(vi) The needs and concerns of taxpayers.
- "(vii) Management or ownership of a small business.

In the aggregate, the members of the Oversight Board should collectively bring to bear expertise in all of the areas described in the preceding sentence.

"(B) TERMS.—Each member shall be appointed for a term of 5 years, except that of the members first appointed under paragraph (1)—

- "(i) 1 member shall be appointed for a term of 1 year,

"(ii) 1 member shall be appointed for a term of 2 years,

"(iii) 2 members shall be appointed for a term of 3 years, and

"(iv) 2 members shall be appointed for a term of 4 years.

Such terms shall begin on the date of appointment.

"(C) REAPPOINTMENT.—An individual may be appointed to no more than two 5-year terms on the Oversight Board.

"(D) VACANCY.—Any vacancy on the Oversight Board shall be filled in the same manner as the original appointment. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed for the remainder of that term.

"(E) SPECIAL GOVERNMENT EMPLOYEES.—During the entire period that an individual is a member of the Oversight Board, such individual shall be treated as—

"(i) serving as a special government employee (as defined in section 202 of title 18, United States Code) and as described in section 207(c)(2) of such title, 18, and

"(ii) serving as an officer or employee referred to in section 101(f) of the Ethics in Government Act of 1978 for purposes of title I of such Act.

"(3) QUORUM.—6 members of the Oversight Board shall constitute a quorum. A majority of members present and voting shall be required for the Oversight Board to take action.

"(4) REMOVAL.—Any member of the Oversight Board may be removed at the will of the President.

"(5) CLAIMS.—

"(A) IN GENERAL.—Members of the Oversight Board shall have no personal liability under Federal law with respect to any claim arising out of or resulting from an act or omission by such member within the scope of service as a member. The preceding sentence shall not be construed to limit personal liability for criminal acts or omissions, willful or malicious conduct, acts or omissions for private gain, or any other act or omission outside the scope of the service of such member on the Oversight Board."

"(B) EFFECT ON OTHER LAW.—This paragraph shall not be construed—

"(i) to affect any other immunities and protections that may be available to such member under applicable law with respect to such transactions,

"(ii) to affect any other right or remedy against the United States under applicable law, or

"(iii) to limit or alter in any way the immunities that are available under applicable law for Federal officers and employees.

"(C) GENERAL RESPONSIBILITIES.—

"(1) IN GENERAL.—The Oversight Board shall oversee the Internal Revenue Service in its administration, management, conduct, direction, and supervision of the execution and application of the internal revenue laws or related statutes and tax conventions to which the United States is a party.

"(2) REQUIREMENT FOR DISCLOSURE OF RETURN INFORMATION TO OVERSIGHT BOARD MEMBERS.—Notwithstanding any other provision of law, any return, return information, or taxpayer return information (as defined in section 6103(b)) shall, without written request, be open to inspection by or disclosure to the members and staff of the Internal Revenue Service Oversight Board.

"(d) SPECIFIC RESPONSIBILITIES.—The Oversight Board shall have the following specific responsibilities:

"(1) STRATEGIC PLANS.—To review and approve strategic plans of the Internal Revenue Service, including the establishment of—

"(A) mission and objectives, and standards of performance relative to either, and