

Lest I overwhelm young Augustus with the great weight of such high expectations and such intimations of immortality, I hasten to wish him a happy childhood, complete with much exploring, great adventures, barked shins and skinned knees, of quiet moments of wonder and learning, of great books to be shared with his parents and grandparents, and of countless hugs and kisses. Be a boy, Augustus, with moments good and bad, tender and terrible. Be like the Augustus in these lines by Heinrich Hoffman (1809-1874), who said:

Augustus was a chubby lad;  
Fat ruddy cheeks Augustus had;  
And everybody saw with joy  
The plump and hearty, healthy boy.  
He ate and drank as he was told,  
And never let his soup get cold.  
But one day, one winter's day,  
He screamed out, 'Take the soup away!

O take the nasty soup away!  
I won't have any soup to-day.'

Welcome, young emperor, and carry on, bringing ever your illustrious grandfather under your sway with the dictatorial charms of a much loved child.

I yield the floor.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I am uncharacteristically speechless. I think—to listen to my good friend talk about my latest grandchild—he is absolutely right in one thing; and that is, there is nothing so humbling as to look at a grandchild and realize what that child means. Senator BYRD told me once that to have a grandchild is to touch infinity. And it is a very sobering thing to think about. But it is a joy to have these grandchildren. If one must get old, it helps a lot.

I thank the Senator very much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999

The PRESIDING OFFICER (Mr. THOMAS). Under the previous order, the Senate will resume consideration of S. 2312, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2312) making appropriations for the Treasury Department, the United States Postal Service, and the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

McConnell amendment No. 3379, to provide for appointment and term length for the staff director and general counsel of the Federal Election Commission.

Glenn amendment No. 3380, to provide additional funding for enforcement activities of the Federal Election Commission.

Graham/Mack amendment No. 3381, to provide funding for the Central Florida High Intensity Drug Trafficking Area.

Stevens amendment No. 3385, to provide for an adjustment in the computation of annuities for certain Federal officers and employees relating to average pay determinations.

Campbell (for Grassley) amendment No. 3386, to protect Federal law enforcement officers who intervene in certain situations to protect life or prevent bodily injury.

Harkin amendment No. 3387, to provide additional funding to reduce methamphetamine usage in High Intensity Drug Trafficking Areas.

Kohl (for Kerrey) amendment No. 3389, to express the sense of the Senate regarding payroll tax relief.

Mr. TORRICELLI. Mr. President, yesterday I engaged in a colloquy with Senators KOHL and MOSELEY-BRAUN regarding the intent of report language in S. 2312 concerning tax standards for tax-exempt health clubs. In that colloquy, I stated that my expectation was that the report would "focus on adult fitness provided by tax-exempt organizations that serve only adults." However, both tax-exempt health clubs and for-profit health clubs serve entire families including young adults and children. While I believe the report should focus on adult fitness provided by tax-exempt organizations, tax-exempt organizations also offer non-adult service. The fact that they offer service to non-adults does not qualify an entity for tax-exempt status. Therefore, to eliminate any entity that provides any level of services to non-adults would greatly restrict the usefulness of this report in providing guidance to Congress. Again, I want to emphasize that my intent here is only for the IRS to provide Congress guidance in this area.

Therefore, I want to clarify that it is my expectation that the report will reflect the language in the report accompanying S. 2312 with the input of yesterday's colloquies as well as this clarification. Again, I want to thank Senators CAMPBELL and KOHL for their assistance on this and I look forward to working with them and all other interested Senators and parties on this issue.

#### AMENDMENT NO. 3388

Mr. JOHNSON. Mr. President, I rise today to ask unanimous consent that my name be added as a cosponsor to amendment number #3388 to the FY 1999 Treasury-Postal Appropriations legislation currently under consideration. This amendment is a combination of several amendments aimed at increasing support for the High Intensity Drug Trafficking Areas administered by the Office of National Drug Control Policy. The Midwest HIDTA program has been extremely helpful to cracking down on drug trafficking in my rural state by coordinating federal, state and local law enforcement efforts to combat methamphetamine trafficking. While the Campbell-Kohl amendment addresses HIDTA programs nationwide, the Midwest HIDTA will be increased by \$3.5 million, bringing the total methamphetamine elimination funding to \$13 million for the Mid-

western States of South Dakota, Iowa, Missouri, Nebraska and Kansas. The amendment will also add North Dakota to the Midwest HIDTA program which is crucial to tightening law enforcement's grip on meth traffickers in the area. I appreciate the efforts of my colleagues from Colorado and Wisconsin for recognizing that drug trafficking is not a uniquely coastal or urban problem, and that federal coordination and assistance is necessary for fighting drug use and trafficking nationwide.

#### DENVER COURTHOUSE

Mr. CAMPBELL. Mr. President, I rise to discuss an important funding issue contained in the Treasury and General Government appropriations bill. This appropriations bill provides \$84 million for construction of an annex to the Rogers Courthouse in Denver. The General Services Administration has included this project high on its list of priorities, at the recommendation of the Administrative Offices of the Courts. GSA and the AOC have provided me with detailed information on the costs of this courthouse and assured me repeatedly that these costs are prudent, practical and necessary to meet the future judicial needs of Colorado. I have also been assured that the renovated courthouse will be functional, but not extravagant. I have demanded this of every project on the list and will continue to work to ensure that this standard is applied to all new construction. Members of the Federal bench in Colorado have expressed gratitude that I have included construction money for the Rogers Courthouse. I am of course happy to help meet the needs of our federal legal system, especially in Colorado. In addition to the Rogers Courthouse, this bill contains fourteen other projects totaling almost \$500 million. I believe that if Congress is going to pass laws, we'd better provide sufficient attorneys and judges to enforce those laws and adequate facilities in which those laws may be administered.

I am aware of the growing federal caseload in other parts of Colorado. For example, the City of Grand Junction is experiencing rapid growth, and with that comes a need for more government attorneys and judges. Being from the West Slope, I appreciate the time and expense required to travel to Denver. Traveling 5 or 8 hours to get to a federal court can be a burden to all parties in federal lawsuits.

While I am happy to accommodate the wish of the federal bench in Colorado to provide this money, I will continue to listen to members of the Colorado Federal Bar, the Administrative Office of the Courts, and other areas of the state that experience growing needs for judges and courtroom space to ensure that this appropriations bill accurately provides for the needs of the entire state.

The PRESIDING OFFICER. Under the order, the hour of 2 o'clock having arrived, the Senate is to proceed to a sequence of votes on Amendments to the Treasury-Postal bill.

## AMENDMENT NO. 3385, WITHDRAWN

Mr. STEVENS. Mr. President, I ask unanimous consent to withdraw amendment No. 3385.

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

The amendment (No. 3385) was withdrawn.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

## AMENDMENT NO. 3379

The PRESIDING OFFICER. The first vote is on amendment No. 3379.

Mr. STEVENS. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have been ordered.

This is the McConnell amendment. There are 2 minutes equally divided.

Mr. GLENN. Mr. President, I urged last night to put this on the table. This would really knock the socks off any election law enforcement over at the FEC. We oppose this very much. It would mean there would be a restriction on the FEC that is not on any other agency or department of government as far as their general counsel goes and their staff director.

The efforts to oust him over there, I think, are unconscionable. He has been doing a good job. This just stands starkly opposed to our efforts for campaign finance reform.

At the appropriate time I will move to table this, but I yield the remaining time to Senator LEVIN.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, this amendment is directly aimed at the independence of the Federal Elections Commission. It is aimed at no other commission. Its purpose is obvious—to eliminate a general counsel who has taken an independent position, following the Federal Election Commission's decision relative to soft money and other issues. We should not muzzle them. We should not throttle them. We should not destroy their independence.

Mr. MCCONNELL. Mr. President, the amendment is really quite simple. The Federal Election Commission is like no other commission of the Federal Government. It has three Republicans and three Democrats. The general counsel, under the current system, could serve for a lifetime. All the McConnell amendment does is require that every 4 years the general counsel come up for reappointment and not be reappointed unless he can achieve at least four votes, thereby demonstrating to the full Commission, on a bipartisan basis, enough confidence to continue for another 4-year term.

This guarantees that the general counsel will operate in a bipartisan manner, because a general counsel who, after 4 years, could not achieve votes from both parties, it seems to this Senator, clearly would fail a test of bipartisanship.

This is not about the current occupant of the office. It is about ensuring that the Federal Election Commission continues to operate on a bipartisan basis. I hope the amendment will be approved.

Mr. GLENN. Mr. President, I move to table the amendment.

The PRESIDING OFFICER. The question is on the motion to table the McConnell amendment numbered 3379.

Mr. GLENN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 3379. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote "no."

The PRESIDING OFFICER (Mr. SMITH of Oregon). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 54, as follows:

## [Rollcall Vote No. 246 Leg.]

## YEAS—45

Akaka	Feingold	Leahy
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Inouye	Reed
Byrd	Johnson	Reid
Cleland	Kennedy	Robb
Conrad	Kerrey	Rockefeller
Daschle	Kerry	Sarbanes
Dodd	Kohl	Torricelli
Dorgan	Landrieu	Wellstone
Durbin	Lautenberg	Wyden

## NAYS—54

Abraham	Faircloth	McCain
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Hatch	Shelby
Coats	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Kempthorne	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Enzi	Mack	Warner

## NOT VOTING—1

Helms

The motion to lay on the table the amendment (No. 3379) was rejected.

Mr. LOTT. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## UNANIMOUS CONSENT AGREEMENT

Mr. LOTT. Mr. President, we have had, obviously, extensive consultation

about how to proceed to this point. There is disagreement about this particular amendment and how we can complete the Treasury-Postal Service and other related agencies appropriations bill at this time.

In the interest of Senators to have time to work on the substance, what we have agreed to do is to set this bill aside—I will ask unanimous consent to that effect in a moment—and we would go on to the Department of Defense appropriations amendments and continue to work progressively, with the idea of finishing the Department of Defense appropriations bill as early as possible—hopefully, even tonight—which will allow us time to work on some nominations and allow Senators to attend the funeral tomorrow and adjourn for the recess at a reasonable hour tomorrow, or earlier if there is any way of doing it.

I ask unanimous consent that the pending Treasury-Postal Service appropriations bill be laid aside, not to recur prior to September 1, unless agreement is worked out in the meantime. There is hope that could be done. Maybe we could act on it after the DOD appropriations bill is completed. If not, it would be September 1. And no call for the regular order serves to displace the treasury bill, when it is pending in September, in the status quo.

Mr. DASCHLE. Mr. President, reserving the right to object, just for purposes of clarification, this would lock into place the current situation. The pending amendment would be, of course, the McConnell amendment. Senators wishing to offer amendments in the second degree subject to recognition would be recognized as authors of amendments in the second degree.

It is with that understanding that I do not object. I am sure the majority leader would clarify and would conform with that understanding.

Mr. LOTT. Mr. President, that is correct. Second-degree amendments would be in order. We are freezing everything in place. We would not take it up again before September 1, unless an agreement were worked out. When we do go back to it, we will be right where we are now, and second-degree amendments will be in order.

Mr. GLENN. Mr. President, reserving the right to object, and I don't plan to object, I want to clarify, this would in no way affect the voting order we agreed to last night on other amendments?

Mr. LOTT. Everything would be just like it is at this very moment on this appropriations bill.

Mr. GLENN. Thank you.

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

Mr. LOTT. I yield the floor.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS ACT, 1999

The Senate continued with consideration of the bill.

The PRESIDING OFFICER. The clerk will report the defense bill.