

emerged, and the government research response on this issue. This information is presented in Chapter 3, "Evaluations of War-time Exposures, Gulf War Veteran Health Concerns, and Related Research, and Unanswered Questions." Chapter 4, "Possible Long Term Health Consequences of Gulf War Exposures: An Independent Evaluation," contains the brief reports of scientists the SIU contracted with for independent reviews. These prominent scientists reviewed scientific literature on a variety of exposures including pesticides, PB, chemicals, stress, and other wartime and environmental hazards, and the health consequences that follow such exposures.

Both health chapters conclude that there is no single "Gulf War Syndrome" characterized by a single disease entity or diagnostic label. Instead, there is a significant proportion of Gulf War veterans who returned home with a number of chronic, poorly understood symptoms such as headaches, joint pains, rashes, fatigue, gastrointestinal difficulties, and other symptoms that are potentially disabling in some cases. In studies that have compared the rate of these symptoms among Gulf War veterans to the rate of symptoms in veterans of the same era who were not deployed to the Gulf, significantly more symptoms are reported by the Gulf War veterans. It is clear that many veterans are ill, and it is also clear that we may never know why.

There are many reasons why the question of "why are Gulf War veterans ill?" cannot be answered.

First, DoD deployed many reservists and active military personnel to the Gulf without adequate pre-deployment medical evaluations; as a result, we do not know what preexisting illnesses or health conditions they may have had. In any health investigation, such information would serve as an important baseline from which to assess the pattern of emerging illnesses.

Second, DoD's medical recordkeeping for the Gulf War was grossly inadequate. There are no clear records of even basic information, such as the vaccine records of the men and women who served in the Gulf. It is unclear whether such records were ever kept or whether they were destroyed because they were not felt to be a high enough priority to warrant space on the military cargo planes returning to the United States after the war. Many of the medical records from the war are also missing, hindering any efforts to review information on the numbers of troops who were hospitalized or received medical care in the Gulf. Finally, there was no DoD recordkeeping on the range and extent of exposures present in the Gulf. All these factors seriously hinder any research efforts to establish a cause and effect for the health problems that followed the Gulf War.

Also, in addition to the broad range of possible exposures—heat, pesticides, PB, smoke from oil well fires, petroleum products, ultra-fine sand particles, stress, and others—and their individual health effects, there is also the issue of the potential effects of an almost infinite number of possible combinations of such agents. Health research today is often not designed or conducted in ways that allow us to fully understand the interactive effects of such agents and their subsequent health consequences. All these issues complicate, and in fact hamper, current examinations of the events of the Gulf War while trying to answer the question of "why are Gulf War veterans ill?"

Some of the scientific experts the SIU contracted with were able to provide very sound criticism of some of the hypotheses about Gulf War illnesses, such as discounting the role of a possible infectious agent, such as mycoplasma. They were also able to clarify issues such as the possible health effects of

PB or pesticides, as well as the links between stressful exposures, such as combat, and long-term physical health. These experts also made a number of important recommendations regarding future research directions and better prevention of unnecessary health risks which were integrated into the report.

A number of the report's recommendations will be used to develop additional legislation. Many of the major legislative issues have been covered already in S. 2358, the legislation that was introduced by Senators ROCKEFELLER, BYRD, and SPECTER. Specifically, S. 2358, the Persian Gulf War Veterans' Act of 1998:

Calls for the Secretary of VA to contract with the National Academy of Sciences (NAS) to provide a scientific basis for determining the association between illnesses and exposures to environmental or wartime hazards as a result of service in the Gulf War;

Authorizes VA to presume that illnesses that have a positive association with exposures to hazards during the war were related to service even if there was no evidence of illness during service;

Extends VA's authority to provide health care to Gulf War veterans through 2001;

Requires the Secretary to task NAS with the identification of additional research issues that the government should conduct to better understand the adverse health effects of exposures to environmental or wartime hazards associated with Gulf War service;

Tasks NAS with assessing potential treatment models for chronic, undiagnosed illnesses that have affected Gulf War veterans;

Establishes a system to monitor the health status and health care utilization of Gulf War veterans with chronic, undiagnosed illnesses within VA and DoD health care systems;

Requires that VA, in consultation with HHS and DoD, carry out an ongoing outreach program to provide information to Gulf War veterans;

Extends and improves upon VA's Persian Gulf Spouse and Children Evaluation Program, and;

Requires the Secretary of VA to enter into an agreement with NAS to study the feasibility of establishing, as an independent entity, a National Center for the Study of Military Health. Such a center would evaluate and monitor interagency efforts and coordination on issues related to post-deployment and would look at issues of how to better prevent and treat post-conflict illnesses.

In addition to these important issues addressed by S. 2358, the report highlights further a number of shortcomings within VA's and DoD's current policies. They include:

The need for DoD to place a higher priority on training and preparedness for the threat of offensive use of chemical and biological weapons (CBW) in today's warfare scenarios, including better CBW detection systems, adequate supplies of protective masks and suits, adequate numbers of vaccines for protection, and medical isolation units for treatment of such casualties;

The need for greater prevention of unnecessary health risks in the battlefield (and on domestic military bases), such as unnecessary exposures to inappropriate use of and inadequate monitoring of environmental agents such as pesticides, solvents, depleted uranium, and other identified health hazards, to include coordination and consultation with EPA and CDC on identifying and managing such risks;

The need for DoD to participate in the proposed national, state-based birth defects registry in order to better assess the relative risks of birth defects in military populations;

Given VA's history with environmental health issues such as Agent Orange, atomic veterans, and Gulf War veterans' health concerns, the need for VA to create the position of an Assistant Secretary of Veterans Affairs for Deployment-Related Health Matters, with responsibilities to include oversight of issues such as battlefield illnesses;

The need for DoD and VA to improve monitoring of health care to Gulf War veterans, to include identification of any barriers to care currently in the system and the need to develop methods for early detection of illnesses with delayed onset, such as cancer;

The need to ensure comprehensive pre- and post-deployment medical examinations of Reservists who are placed on active duty for deployment for military operations; and

The need for the Secretaries of the Departments of Defense and Veterans Affairs to implement doctrine that reflects and builds upon the lessons learned from the Gulf War in order to avoid repeating many of these same mistakes with future military deployments and veteran populations.●

TRANSPORTATION AND TRAVEL REFORM ACT OF 1998

Ms. SNOWE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 533, H.R. 930.

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

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 930) to require Federal employees to use Federal travel charge cards for all payments of expenses of official Government travel, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H.R. 930) to require Federal employees to use Federal travel charge cards for all payments of expenses of official Government travel, to amend title 31, United States Code, to establish requirements for prepayment audits of Federal agency transportation expenses, to authorize reimbursement of Federal agency employees for taxes incurred on travel or transportation reimbursements, and to authorize test programs for the payment of Federal employee travel expenses and relocation expenses, which had been reported from the Committee on Governmental Affairs, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

SECTION 1. SHORT TITLE.

This Act may be cited as the "Travel and Transportation Reform Act of [1997] 1998".

SEC. 2. REQUIRING USE OF THE TRAVEL CHARGE CARD.

(a) IN GENERAL.—Under regulations issued by the Administrator of General Services after consultation with the Secretary of the Treasury, the Administrator shall require that Federal employees use the travel charge card established pursuant to the United States Travel and Transportation Payment and Expense Control System, or any Federal contractor-issued travel charge card, for all payments of expenses of official Government travel. The Administrator shall exempt any

payment, person, type or class of payments, or type or class of personnel from any requirement established under the preceding sentence in any case in which—

(1) it is in the best interest of the United States to do so;

(2) payment through a travel charge card is impractical or imposes unreasonable burdens or costs on Federal employees or Federal agencies; or

(3) the Secretary of Defense or the Secretary of Transportation (with respect to the Coast Guard) requests an exemption with respect to the members of the uniformed services.

(b) *AGENCY EXEMPTION.*—The head of a Federal agency or the designee of such head may exempt any payment, person, type or class of payments, or type or class of agency personnel from subsection (a) if the agency head or the designee determines the exemption to be necessary in the interest of the agency. Not later than 30 days after granting such an exemption, the head of such agency or the designee shall notify the Administrator of General Services in writing of such exemption stating the reasons for the exemption.

[(b)] (c) *LIMITATION ON RESTRICTION ON DISCLOSURE.*—

(1) *IN GENERAL.*—Section 1113 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3413) is amended by adding at the end the following new subsection:

“(q) Nothing in this title shall apply to the disclosure of any financial record or information to a Government authority in conjunction with a Federal contractor-issued travel charge card issued for official Government travel.”

(2) *EFFECTIVE DATE.*—The amendment made by paragraph (1) is effective as of October 1, 1983, and applies to any records created pursuant to the United States Travel and Transportation Payment and Expense Control System or any Federal contractor-issued travel charge card issued for official Government travel.

[(c)] (d) *COLLECTION OF AMOUNTS OWED.*—

(1) *IN GENERAL.*—Under regulations issued by the Administrator of General Services and upon written request of a Federal contractor, the head of any Federal agency or a disbursing official of the United States may, on behalf of the contractor, collect by deduction from the amount of pay owed to an employee of the agency any amount of funds the employee owes to the contractor as a result of delinquencies not disputed by the employee on a travel charge card issued for payment of expenses incurred in connection with official Government travel. The amount deducted from the pay owed to an employee with respect to a pay period may not exceed 15 percent of the disposable pay of the employee for that pay period, except that a greater percentage may be deducted upon the written consent of the employee.

(2) *DUE PROCESS PROTECTIONS.*—Collection under this subsection shall be carried out in accordance with procedures substantially equivalent to the procedures required under section 3716(a) of title 31, United States Code.

(3) *DEFINITIONS.*—For the purpose of this subsection:

(A) *AGENCY.*—The term “agency” has the meaning that term has under section 101 of title 31, United States Code.

(B) *EMPLOYEE.*—The term “employee” means an individual employed in or under an agency, including a member of any of the uniformed services. For purposes of this subsection, a member of one of the uniformed services is an employee of that uniformed service.

(C) *MEMBER; UNIFORMED SERVICE.*—Each of the terms “member” and “uniformed serv-

ice” has the meaning that term has in section 101 of title 37, United States Code.

[(d)] (e) *REGULATIONS.*—Within 270 days after the date of enactment of this Act, the Administrator of General Services shall promulgate regulations implementing this section, that—

(1) make the use of the travel charge card established pursuant to the United States Travel and Transportation System and Expense Control System, or any Federal contractor-issued travel charge card, mandatory for all payments of expenses of official Government travel pursuant to this section;

(2) specify the procedures for effecting under subsection [(c)] (d) a deduction from pay owed to an employee, and ensure that the due process protections provided to employees under such procedures are no less than the protections provided to employees pursuant to section 3716 of title 31, United States Code;

(3) provide that any deduction under subsection [(c)] (d) from pay owed to an employee may occur only after reimbursement of the employee for the expenses of Government travel with respect to which the deduction is made; and

(4) require agencies to promptly reimburse employees for expenses charged on a travel charge card pursuant to this section, and by no later than 30 days after the submission of a claim for reimbursement.

[(e)] (f) *REPORTS.*—

(1) *IN GENERAL.*—The Administrator of General Services shall submit 2 reports to the Congress on agency compliance with this section and regulations that have been issued under this section.

(2) *TIMING.*—The first report under this subsection shall be submitted before the end of the 180-day period beginning on the date of enactment of this Act, and the second report shall be submitted after that period and before the end of the 540-day period beginning on that date of enactment.

(3) *PREPARATION.*—Each report shall be based on a sampling survey of agencies that expended more than \$5,000,000 during the previous fiscal year on travel and transportation payments, including payments for employee relocation. The head of an agency shall provide to the Administrator the necessary information in a format prescribed by the Administrator and approved by the Director of the Office of Management and Budget.

(g) *REIMBURSEMENT OF TRAVEL EXPENSES.*—In accordance with regulations prescribed by the Administrator of General Services, the head of an agency shall ensure that the agency reimburses an employee who submits a proper voucher for allowable travel expenses in accordance with applicable travel regulations within 30 days after submission of the voucher. If an agency fails to reimburse an employee who has submitted a proper voucher within 30 days after submission of the voucher, the agency shall pay the employee a late payment fee as prescribed by the Administrator.

SEC. 3. PREPAYMENT AUDITS OF TRANSPORTATION EXPENSES.

(a) *IN GENERAL.*—(1) Section 3322 of title 31, United States Code, is amended in subsection (c) by inserting after “classifications” the following: “if the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government”.

(2) Section 3528 of title 31, United States Code, is amended—

(A) in subsection (a) by striking “and” after the semicolon at the end of paragraph (3), by striking the period at the end of subsection (a)(4)(C) and inserting “; and”, and

by adding at the end the following new paragraph:

“(5) verifying transportation rates, freight classifications, and other information provided on a Government bill of lading or transportation request, unless the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government.”;

(B) in subsection (c)(1), by inserting after “deductions” the following: “and the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government”;

(C) in subsection (c)(2), by inserting after “agreement” the following: “and the Administrator of General Services has determined that verification by a prepayment audit conducted pursuant to section 3726(a) of this title for a particular mode or modes of transportation, or for an agency or subagency, will not adequately protect the interests of the Government”.

(3) Section 3726 of title 31, United States Code, is amended—

(A) by amending subsection (a) to read as follows:

“(a)(1) Each agency that receives a bill from a carrier or freight forwarder for transporting an individual or property for the United States Government shall verify its correctness (to include transportation rates, freight classifications, or proper combinations thereof), using prepayment audit, prior to payment in accordance with the requirements of this section and regulations prescribed by the Administrator of General Services.

“(2) The Administrator of General Services may exempt bills, a particular mode or modes of transportation, or an agency or subagency from a prepayment audit and verification and in lieu thereof require a postpayment audit, based on cost effectiveness, public interest, or other factors the Administrator considers appropriate.

“(3) Expenses for prepayment audits shall be funded by the agency’s appropriations used for the transportation services.

“(4) The audit authority provided to agencies by this section is subject to oversight by the Administrator.”;

(B) by redesignating subsections (b), (c), (d), (e), (f), and (g) in order as subsections (d), (e), (f), (g), (h), and (i), respectively;

(C) by inserting after subsection (a) the following new subsections:

“(b) The Administrator may conduct pre- or postpayment audits of transportation bills of any Federal agency. The number and types of bills audited shall be based on the Administrator’s judgment.

“(c)(1) The Administrator shall adjudicate transportation claims which cannot be resolved by the agency procuring the transportation services, or the carrier or freight-forwarder presenting the bill.

“(2) A claim under this section shall be allowed only if it is received by the Administrator not later than 3 years (excluding time of war) after the later of the following dates:

“(A) The date of accrual of the claim.

“(B) The date payment for the transportation is made.

“(C) The date a refund for an overpayment for the transportation is made.

“(D) The date a deduction under subsection (d) of this section is made.”;

(D) in subsection (f), as so redesignated, by striking “subsection (c)” and inserting “subsection (e)”, and by adding at the end the

following new sentence: "This reporting requirement expires December 31, 1998.";

(E) in subsection (i)(1), as so redesignated, by striking "subsection (a)" and inserting "subsection (c)"; and

(F) by adding after subsection (i), as so redesignated, the following new subsection:

"(j) The Administrator of General Services may provide transportation audit and related technical assistance services, on a reimbursable basis, to any other agency. Such reimbursements may be credited to the appropriate revolving fund or appropriation from which the expenses were incurred."

(b) **EFFECTIVE DATE.**—The amendments made by this section shall become effective 18 months after the date of enactment of this Act.

SEC. 4. REIMBURSEMENT FOR TAXES ON MONEY RECEIVED FOR TRAVEL EXPENSES.

(a) **IN GENERAL.**—Title 5, United States Code, is amended by inserting after section 5706b the following new section:

"§5706c. Reimbursement for taxes incurred on money received for travel expenses"

"(a) Under regulations prescribed pursuant to section 5707 of this title, the head of an agency or department, or his or her designee, may use appropriations or other funds available to the agency for administrative expenses, for the reimbursement of Federal, State, and local income taxes incurred by an employee of the agency or by an employee and such employee's spouse (if filing jointly), for any travel or transportation reimbursement made to an employee for which reimbursement or an allowance is provided.

"(b) Reimbursements under this section shall include an amount equal to all income taxes for which the employee and spouse, as the case may be, would be liable due to the reimbursement for the taxes referred to in subsection (a). In addition, reimbursements under this section shall include penalties and interest, for the tax years 1993 and 1994 only, as a result of agencies failing to withhold the appropriate amounts for tax liabilities of employees affected by the change in the deductibility of travel expenses made by Public Law 102-486."

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5706b the following new item:

"5706c. Reimbursement for taxes incurred on money received for travel expenses."

(c) **EFFECTIVE DATE.**—This section shall be effective as of January 1, 1993.

SEC. 5. AUTHORITY FOR TEST PROGRAMS.

(a) **TRAVEL EXPENSES TEST PROGRAMS.**—Subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following new section:

"§5710. Authority for travel expenses test programs"

"(a)(1) Notwithstanding any other provision of this subchapter, under a test program which the Administrator of General Services determines to be in the interest of the Government and approves, an agency may pay through the proper disbursing official for a period not to exceed 24 months any necessary travel expenses in lieu of any payment otherwise authorized or required under this subchapter. An agency shall include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the program.

"(2) Any test program conducted under this section shall be designed to enhance cost savings or other efficiencies that accrue to the Government.

"(3) Nothing in this section is intended to limit the authority of any agency to conduct test programs.

"(b) The Administrator shall transmit a copy of any test program approved by the Administrator under this section to the appropriate committees of the Congress at least 30 days before the effective date of the program.

"(c) An agency authorized to conduct a test program under subsection (a) shall provide to the Administrator and the appropriate committees of the Congress a report on the results of the program no later than 3 months after completion of the program.

"(d) No more than 10 test programs under this section may be conducted simultaneously.

"(e) The authority to conduct test programs under this section shall expire 7 years after the date of enactment of the Travel and Transportation Reform Act of [1997] 1998."

(b) **RELOCATION EXPENSES TEST PROGRAMS.**—Subchapter II of chapter 57 of title 5, United States Code, is further amended by adding at the end the following new section:

"§5739. Authority for relocation expenses test programs"

"(a)(1) Notwithstanding any other provision of this subchapter, under a test program which the Administrator of General Services determines to be in the interest of the Government and approves, an agency may pay through the proper disbursing official for a period not to exceed 24 months any necessary relocation expenses in lieu of any payment otherwise authorized or required under this subchapter. An agency shall include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the program.

"(2) Any test program conducted under this section shall be designed to enhance cost savings or other efficiencies that accrue to the Government.

"(3) Nothing in this section is intended to limit the authority of any agency to conduct test programs.

"(b) The Administrator shall transmit a copy of any test program approved by the Administrator under this section to the appropriate committees of the Congress at least 30 days before the effective date of the program.

"(c) An agency authorized to conduct a test program under subsection (a) shall provide to the Administrator and the appropriate committees of the Congress a report on the results of the program no later than 3 months after completion of the program.

"(d) No more than 10 test programs under this section may be conducted simultaneously.

"(e) The authority to conduct test programs under this section shall expire 7 years after the date of enactment of the Travel and Transportation Reform Act of [1997] 1998."

(c) **CLERICAL AMENDMENTS.**—The table of sections for chapter 57 of title 5, United States Code, is further amended by—

(1) inserting after the item relating to section 5709 the following new item:

"5710. Authority for travel expenses test programs."

and

(2) inserting after the item relating to section 5738 the following new item:

"5739. Authority for relocation expenses test programs."

SEC. 6. DEFINITION OF UNITED STATES.

Chapter 57 of title 5, United States Code, is amended—

(1) in section 5721—

(A) in paragraph (4), by striking "and" following the semicolon at the end;

(B) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

"(6) 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the territories and possessions of the United States, and the areas and installations in the Republic of Panama that are made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements (as described in section 3(a) of the Panama Canal Act of 1979); and

"(7) 'Foreign Service of the United States' means the Foreign Service as constituted under the Foreign Service Act of 1980."

(2) in section 5722—

(A) in subsection (a)(2), by striking "outside the United States" and inserting "outside the continental United States"; and

(B) in subsection (b), by striking "United States" each place it appears and inserting "Government";

(3) in section 5723(b), by striking "United States" each place it appears and inserting "Government";

(4) in section 5724—

(A) in subsection (a)(3), by striking "its territories or possessions" and all that follows through "1979"; and

(B) in subsection (i), by striking "United States" each place it appears in the last sentence and inserting "Government";

(5) in section 5724a, by striking subsection (j);

(6) in section 5725(a), by striking "United States" and inserting "Government";

(7) in section 5727(d), by striking "United States" and inserting "continental United States";

(8) in section 5728(b), by striking "an employee of the United States" and inserting "an employee of the Government";

(9) in section 5729, by striking "or its territories or possessions" each place it appears;

(10) in section 5731(b), by striking "United States" and inserting "Government"; and

(11) in section 5732, by striking "United States" and inserting "Government".

SEC. 7. TECHNICAL CORRECTIONS TO THE FEDERAL EMPLOYEE TRAVEL REFORM ACT OF 1996.

Section 5724a of title 5, United States Code, is amended—

(1) in subsections (a) and (d)(1) and (2), by striking "An agency shall pay" each place it appears and inserting "Under regulations prescribed under section 5738, an agency shall pay";

(2) in subsections (b)(1), (c)(1), (d)(8), and (e), by striking "An agency may pay" each place it appears and inserting "Under regulations prescribed under section 5738, an agency may pay";

(3) by amending subsection (b)(1)(B)(ii) to read as follows:

"(ii) an amount for subsistence expenses, that may not exceed a maximum amount determined by the Administrator of General Services."

(4) in subsection (c)(1)(B), by striking "an amount for subsistence expenses" and inserting "an amount for subsistence expenses, that may not exceed a maximum amount determined by the Administrator of General Services,";

(5) in subsection (d)(2)(A), by striking "for the sale" and inserting "of the sale";

(6) in subsection (d)(2)(B), by striking "for the purchase" and inserting "of the purchase";

(7) in subsection (d)(8), by striking "paragraph (2) or (3)" and inserting "paragraph (1) or (2)";

(8) in subsection (f)(1), by striking "Subject to paragraph (2)," and inserting "Under

regulations prescribed under section 5738 and subject to paragraph (2),"; and
(9) by striking subsection (i).

Ms. SNOWE. Mr. President, I ask unanimous consent that the committee amendments be agreed to, the bill be considered read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at this point in the RECORD.

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

The bill (H.R. 930) was passed.

AUTHORIZATION FOR REPRESENTATION BY SENATE LEGAL COUNSEL

Ms. SNOWE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 269 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. 269) to authorize production of Senate documents and representation by Senate Legal Counsel in the case of *Rose Larker, et al. v. Kevin A. Carias-Herrera, et al.*

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

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

Mr. LOTT. Mr. President, the case of *Rose Larker, et al. v. Kevin A. Carias-Herrera, et al.*, pending in the Superior Court for the District of Columbia, involves claims of personal injury by the named plaintiff, a former employee of the Sergeant at Arms who worked in Environmental Services. The defendant in this case has issued a subpoena for documents to the Senate Sergeant at Arms. The enclosed resolution would authorize the Sergeant at Arms to produce such documents. It would also authorize the Senate Legal Counsel to represent the Sergeant at Arms in connection with the production of such documents.

Ms. SNOWE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 269) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 269

Whereas, in the case of *Rose Larker, et al. v. Kevin A. Carias-Herrera, et al.*, Civil No. 97CA06257, pending in the Superior Court for the District of Columbia, a subpoena has been issued for the production of documents of the Sergeant-at-Arms and Doorkeeper of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members, officers, and employees of the Senate with respect to any subpoena, order, or request for testimony or document production relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That the Sergeant-at-Arms and Doorkeeper of the Senate is authorized to produce documents relevant to the case of *Rose Larker, et al. v. Kevin A. Carias-Herrera, et al.*

SEC. 2. That the Senate Legal Counsel is authorized to represent the Sergeant-at-Arms and Doorkeeper of the Senate in connection with the production of documents in this case.

MEASURE INDEFINITELY POSTPONED—S. 2160

Ms. SNOWE. Mr. President, I ask unanimous consent that S. 2160 be indefinitely postponed.

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

ORDERS FOR WEDNESDAY, SEPTEMBER 2, 1998

Ms. SNOWE. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until 9:15 a.m. on

Wednesday, September 2. I further ask that when the Senate reconvenes on Wednesday, immediately following the prayer, Senator BENNETT be recognized to speak for up to 15 minutes in morning business.

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

Ms. SNOWE. Mr. President, I further ask consent that following the statement by Senator BENNETT the Senate resume consideration of the Texas Compact conference report and there be 40 minutes of debate equally divided between Senators WELLSTONE and SNOWE. Further, that upon the conclusion or yielding back of time, the Senate proceed to a vote on adoption of the conference report without any intervening action or debate.

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

PROGRAM

Ms. SNOWE. Mr. President, for the information of all Senators, when the Senate reconvenes on Wednesday at 9:15 a.m., Senator BENNETT will be recognized for 15 minutes of morning business. Following the Senator's statement, the Senate will resume consideration of the Texas Compact conference report with 40 minutes of debate remaining. At the conclusion of that debate, the Senate will proceed to a vote on adoption of the conference report. Following that vote, the Senate will resume consideration of the foreign operations appropriations bill. Rollcall votes are expected throughout Wednesday's session as the Senate attempts to complete action on the Texas Compact, the foreign operations appropriations bill, and any other legislative or executive items cleared for action.

RECESS UNTIL 9:15 A.M. TOMORROW

Ms. SNOWE. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 8:20 p.m., recessed until Wednesday, September 2, 1998, at 9:15 a.m.