

Monday, September 8, 1997

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8877-S8935

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 1152-1153, and S. Con. Res. 51. **Page S8925**

Measures Reported: Reports were made as follows:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1998". (S. Rept. No. 105-74) **Page S8925**

FDA Modernization and Accountability Act: Senate resumed consideration of the motion to proceed to consideration of S. 830, to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products. **Pages S8878-98**

Senate will begin consideration of the bill on Tuesday, September 9, 1997.

Labor/HHS Appropriations, 1998: Senate resumed consideration of S. 1061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, taking action on amendments proposed thereto, as follows: **Page S8898**

Adopted:

By 84 yeas to 4 nays (Vote No. 221), Reed/Collins Amendment No. 1096, to provide funding for State Student Incentive grants. **Pages S8905-08, S8910**

Reid/Boxer Modified Amendment No. 1094, to provide for the conduct of a study concerning the health and safety effects of perchlorate on human beings. **Pages S8903-05, S8909-10, S8917**

Specter (for Chafee) Amendment No. 1099, to provide additional funding for the Prospective Payment Assessment Commission and the Physician Payment Review Commission. **Pages S8910-14**

Specter (for Coverdell) Amendment No. 1100, to provide training and technical assistance regarding incidents of elementary and secondary school violence, and to provide for pilot student safety toll-free

hotlines for elementary and secondary school students. **Pages S8910-14**

Specter (for Daschle) Amendment No. 1101, to provide a comprehensive program for the prevention of Fetal Alcohol Syndrome. **Pages S8910-14**

Specter (for Faircloth) Amendment No. 1102, to require that the Secretary of Education certify the use of funds appropriated to the Department of Education for students and teachers. **Pages S8910-14**

Specter (for Feingold) Amendment No. 1103, to require the Secretary of Education to conduct a study regarding the costs of the anticipated increase in enrollments of secondary school students during the period 1998 through 2008, and the creation of smaller class sizes for students enrolled in grades 1 through 3. **Pages S8910-14**

Specter (for Hollings) Amendment No. 1104, to increase funding for the National Occupational Information Coordinating Committee. **Pages S8910-14**

Specter (for Inhofe) Amendment No. 1105, to make funds available for conducting a disability return to work demonstration initiative. **Pages S8910-14**

Specter Amendment No. 1106, to provide for additional Supplemental Security Income continuing disability reviews as authorized by cap adjustment legislation. **Pages S8910-14**

Specter (for Warner/Kennedy) Amendment No. 1107, to provide funds for the Millennium 200 project. **Pages S8910-14**

Specter (for Harkin) Amendment No. 1108, to provide authority to use fees collected for provider requested audits to cover the cost of such audits. **Pages S8910-14**

Harkin Amendment No. 1112, to increase funds for education infrastructure. **Pages S8914-15**

Harkin Amendment No. 1113, to expand efforts to combat Medicare waste, fraud and abuse. **Page S8915**

Harkin (for Graham/Kennedy/Abraham) Amendment No. 1114, to authorize appropriations for refugee and entrant assistance for fiscal years 1998 and 1999. **Pages S8915-16**

Pending:

Gregg Amendment No. 1070, to prohibit the use of funds for national testing in reading and mathematics, with certain exceptions. **Page S8898**

Coats/Gregg Amendment No. 1071 (to Amendment No. 1070), to prohibit the development, planning, implementation, or administration of any national testing program in reading or mathematics unless the program is specifically authorized by Federal statute. **Page S8898**

Nickles/Jeffords Amendment No. 1081, to limit the use of taxpayer funds for any future International Brotherhood of Teamsters leadership election. **Page S8898**

Craig/Jeffords Amendment No. 1083 (to Amendment No. 1081), in the nature of a substitute. **Page S8898**

Durbin/Collins Amendment No. 1078, to repeal the tobacco industry settlement credit contained in the Balanced Budget Act of 1997. **Page S8917**

Durbin Amendment No. 1085, to provide for the conduct of a study concerning efforts to improve organ and tissue procurement at hospitals, and require a report to Congress on the study.

Durbin (for Levin) Amendment No. 1086, to express the sense of the Senate that hospitals that have significant donor potential shall take reasonable steps to assure a skilled and sensitive request for organ donation to eligible families.

Mack/Graham Amendment No. 1090, to increase the appropriations for the Mary McLeod Bethune Memorial Fine Arts Center. **Page S8900**

McCain/Gramm Amendment No. 1091, to eliminate Medicare incentive payments under plans for voluntary reduction in the number of residents. **Pages S8901-02**

McCain/Kerry Amendment No. 1092, to ensure that payments to certain persons captured and interned by North Vietnam are not considered income or resources in determining eligibility for, or the amount of benefits under, a program or State plan under title XVI or XIX of the Social Security Act. **Pages S8902-03**

Craig/Bingaman Amendment No. 1093, to amend the Fair Labor Standards Act of 1938 to adjust the maximum hour exemption for agricultural employees. **Page S8903**

Landrieu Amendment No. 1095, to increase funds to promote adoption opportunities. **Pages S8904-05**

Coverdell Amendment No. 1097, to enhance food safety for children through preventative research and medical treatment. **Pages S8908-09**

Coverdell Amendment No. 1098 (to Amendment No. 1097), in the nature of a substitute. **Pages S8908-09**

Specter (for Nickles) Amendment No. 1109, to require that estimates of certain employer contributions be included in an individual's social security account statement. **Pages S8910-14**

Specter Amendment No. 1110, to reduce unemployment insurance service administrative expenses to offset costs of administering a welfare-to-work jobs initiative. **Pages S8910-14**

Specter Amendment No. 1111, to provide start-up funding for the National Bi-partisan Commission on the Future of Medicare. **Pages S8910-14**

Harkin (for Wellstone) Amendment No. 1087, to increase funding for the Head Start Act. **Page S8916**

Harkin (for Wellstone) Amendment No. 1088, to increase funding for Federal Pell Grants. **Page S8916**

Harkin (for Wellstone) Amendment No. 1089, to increase funding for the Education Infrastructure Act of 1994. **Page S8916**

Harkin/Bingaman/Kennedy Amendment No. 1115, to authorize the National Assessment Governing Board to develop policy for voluntary national tests in reading and mathematics. **Pages S8916-17**

Harkin (for Daschle) Amendment No. 1116, to express the sense of the Senate regarding Federal Pell Grants and a child literacy initiative. **Page S8917**

Ford Amendment No. 1117 (to Amendment No. 1078), to express the sense of the Senate on compensation for tobacco growers as part of legislation on the national tobacco settlement. **Pages S8917-18**

Murray/Wellstone Amendment No. 1118, to clarify the family violence option under temporary assistance to needy families program. **Page S8918**

Murray Amendment No. 1119, to provide funding for the National Institute for Literacy. **Page S8918**

Harkin (for Bennett) Amendment No. 1120, to award a grant to a State educational agency to help pay the expenses associated with exchanging State school trust lands within the boundaries of a national monument for Federal lands outside the boundaries of the monument. **Pages S8918-19**

Ford (for Kerrey) Amendment No. 1121, to exempt States that were overpaid mandatory funds for fiscal year 1997 under the general entitlement formula for child care funding from any payment adjustment. **Page S8920**

Domenici (for Gorton) Amendment No. 1122, to provide certain education funding directly to local educational agencies. **Pages S8920-23**

Gorton Modified Amendment No. 1076, to allow States to use funds received under title XXI of the Social Security Act to provide health insurance coverage for children with incomes above the minimum Medicaid eligibility requirements. **Pages S8923-24**

Withdrawn:

Wellstone Amendment No. 1087, to increase funding for the Head Start Act. **Pages S8898-S8900**

Wellstone Amendment No. 1088, to increase funding for Federal Pell Grants. **Pages S8898-S8900**

Wellstone Amendment No. 1089, to increase funding for the Education Infrastructure Act of 1994. **Pages S8898–S8900**

Ford Amendment No. 1058, to prohibit the use of funds to enforce certain Clean Air Act requirements with respect to distilled spirits. **Page S8920**

Senate will continue consideration of the bill on Tuesday, September 9, 1997.

Nominations Received: Senate received the following nominations:

Lynn S. Adelman, of Wisconsin, to be United States District Judge for the Eastern District of Wisconsin.

Jeremy D. Fogel, of California, to be United States District Judge for the Northern District of California.

Thomas M. Foglietta, of Pennsylvania, to be Ambassador to Italy.

Alphonse F. La Porta, of New York, to be Ambassador to Mongolia.

Alexander R. Vershbow, of the District of Columbia, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary. **Page S8935**

Messages From the House: **Page S8925**

Measures Referred: **Page S8925**

Statements on Introduced Bills: **Pages S8925–26**

Additional Cosponsors: **Page S8926**

Amendments Submitted: **Pages S8927–32**

Notices of Hearings: **Page S8932**

Additional Statements: **Pages S8932–35**

Record Votes: One record vote was taken today. (Total—221) **Page S8910**

Adjournment: Senate convened at 11 a.m., and adjourned at 6:48 p.m., until 9:30 a.m., Tuesday, September 9, 1997. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8935.)

Committee Meetings

(Committees not listed did not meet)

DC SCHOOL REFORM

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia concluded hearings on the current condition of the District of Columbia school system, and S. 847, authorizing funds for fiscal years 1998 through 2002 to provide scholarship assistance for certain District of Columbia elementary and secondary school students, after receiving testimony from Representative Armeij; and Julius W. Becton, Jr., Chief Executive Officer-Superintendent, and Bruce K. MacLaury, Chairman, Emergency Transitional Education Board of Trustees, both of the District of Columbia Public Schools, Jeanne Allen, Center for Education Reform, Nina Shokraii, Heritage Foundation, and Kent B. Amos, Urban Family Institute, all of Washington, D.C.

NATIONAL DROUGHT POLICY

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia concluded hearings on S. 222, to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies, after receiving testimony from Tom Hebert, Deputy Under Secretary of Agriculture for Conservation; North Dakota Governor Edward T. Schafer, Bismarck, on behalf of the Western Governors' Association; Jennifer A. Salisbury, New Mexico Energy, Minerals and Natural Resources Department, Santa Fe; John Hofmann, Texas Natural Resource Conservation Commission, and Robert C. Brown, Farm Credit Bank of Texas, on behalf of the Farm Credit Council, both of Austin; and John Van Sweden, New Mexico Farm and Livestock Bureau, Las Cruces, on behalf of the American Farm Bureau Federation.

House of Representatives

Chamber Action

Bills Introduced: 8 public bills, H.R. 2427–2434, and 1 private bill, H.R. 2435, were introduced.

Page H7008

Reports Filed: The following report was filed today: H.R. 2261, to reauthorize and amend the programs of the Small Business Act and the Small Business Investment Act, amended (H. Rept. 105–246).

Page H7007

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Petri to act as Speaker pro tempore for today.

Page H6965

Recess: The House recessed at 12:42 p.m. and reconvened at 2:00 p.m.

Page H6966

Suspensions: The House voted to suspend the rules and pass the following measures:

Mississippi Sioux Indians: H.R. 976, amended, to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians;

Pages H6967–68

Agua Caliente Band of Cahuilla Indians: H.R. 700, amended, to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; and

Pages H6968–69

Need-Based Educational Aid: Agreed to the Senate amendment to H.R. 1866, to continue favorable treatment for need-based educational aid under the antitrust laws—clearing the measure for the President.

Pages H6969–70

Recess: The House recessed at 3:10 p.m. and reconvened at 6:00 p.m.

Page H6977

Labor, HHS, and Education Appropriations Act: The House continued consideration of amendments to H.R. 2264, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998. The House completed general debate and considered amendments to the bill on September 4 and 5.

Pages H6977–99

Rejected:

The Blunt amendment was offered that sought to increase vocational and adult education funding by \$11.2 million and reduce OSHA funding accordingly (rejected by a recorded vote of 160 ayes to 237 noes, Roll No. 369); and

Pages H6977–86

The Norwood amendment was offered that sought to increase the Individuals with Disabilities Edu-

cation Act funding by \$11.2 million and reduce OSHA funding accordingly (rejected by a recorded vote of 157 ayes to 240 noes, Roll No. 370).

Pages H6986–97

Pending:

The Souder amendment that seeks to identify \$68.5 million in funding for Federal compliance assistance.

Pages H6998–99

The bill is being considered pursuant to the order of the House of Thursday, July 31.

Pages H6667–68, H6669

Senate Messages: Message received from the Senate today appears on page H6965.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H7008–09.

Quorum Calls—Votes: Two recorded votes developed during the proceedings of the House today and appear on pages H6985–86 and H6997. There were no quorum calls.

Adjournment: Met at 12:30 p.m. and adjourned at 10:40 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Immigration and Claims approved for full Committee action the following bills: H.R. 2412, to amend the Immigration and Nationality Act to modify the religious worker visa programs and to extend the visa waiver pilot program, and to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the effective date for certain paperwork changes in the employer sanctions program; and H.R. 2413, Immigration Technical Corrections Act of 1997.

The Subcommittee also approved for full Committee action a private claims bill and a private immigration bill.

COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 9, 1997 Senate

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations, business meeting, to mark up an original bill making appropriations for the government of the District of Columbia for the fiscal year ending September 30, 1998, 4 p.m., SD–106.

Committee on Armed Services, to hold hearings on the nomination of Gen. Henry H. Shelton, USA, to be Chairman of the Joint Chiefs of Staff, 10 a.m., SR–253.

Committee on Governmental Affairs, to resume hearings to examine certain matters with regard to the committee's special investigation on campaign financing, 10 a.m., SH-216.

Committee on the Judiciary, Subcommittee on Immigration, to hold hearings to examine the economic and fiscal impact of immigration, focusing on the report of the National Academy of Sciences, 10:30 a.m., SD-226.

Subcommittee on Antitrust, Business Rights, and Competition, to hold hearings to examine the operation of the antitrust division of the Department of Justice, focusing on the Hart-Scott-Rodino process which requires companies to notify the Government of perspective mergers, 2 p.m., SD-226.

NOTICE

For a listing of Senate Committee Meetings scheduled ahead, see pages E1690-91 in today's Record.

House

Committee on Banking and Financial Services, hearing and markup of H.R. 2343, Thrift Depositor Protection Oversight Board Abolishment Act; and to consider pending Committee business, 2 p.m., 2128 Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood and Families, hearing on School Choice legislative proposals, 9 a.m., 2175 Rayburn.

Committee on International Relations, hearing on the Freedom from Religious Persecution Act of 1997, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, to mark up the following: H.R. 1683, Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Registration Improvements Act of 1997; H.R. 424, to provide for increased mandatory minimum sentences for criminals possessing firearms; H.R. 1493, to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States; H.R. 2412, to amend

the Immigration and Nationality Act to modify the religious worker visa programs and to extend the visa waiver pilot programs, and to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the effective date for certain paperwork changes in the employer sanctions program; H.R. 2413, Immigration Technical Corrections Act of 1997; and a private claims bill, 2:30 p.m., 2141 Rayburn.

Committee on National Security, to mark up H.R. 695, Security and Freedom Through Encryption (SAFE) Act, 1 p.m., 2118 Rayburn.

Committee on Resources, Subcommittee on Forests and Forest Health, hearing on the following bills: H.R. 1739, BWCAW Accessibility and Fairness Act of 1997; and H.R. 2149, BWCA Wilderness Legacy Act, 2 p.m., 1334 Longworth.

Subcommittee on National Parks and Public Lands, hearing on H.R. 1849, Oklahoma City National Memorial Act of 1997, 10 a.m., 1324 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on H.R. 991, to amend the Railway Labor Act concerning the applicability of requirements of that Act to U.S. air carriers and flight deck crews engaged in flight operations outside the United States, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Oversight, to continue hearings on the Recommendations of the National Commission on Restructuring the Internal Revenue Service to expand Electronic Filing of Tax Systems Improvements 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on Encryption legislation, 10 a.m., H-405 Capitol.

Joint Meetings

Conferees, on H.R. 2016, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, 2 p.m., H-140, Capitol.

Next Meeting of the SENATE

9:30 a.m., Tuesday, September 9

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, September 9

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 1061, Labor/HHS Appropriations, 1998, and begin consideration of S. 830, FDA Administration Modernization and Accountability Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for respective party conferences.)

House Chamber

Program for Tuesday: Consideration of H.R. 2264, Labor, HHS, and Education Appropriations Act for FY 1998 (open rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Clyburn, James E., S.C., E1685
Cunningham, Randy "Duke", Calif., E1684
DeLauro, Rosa L., Conn., E1682, E1684, E1686
Duncan, John J., Jr., Tenn., E1685
Engel, Eliot L., N.Y., E1687

Forbes, Michael P., N.Y., E1687
Granger, Kay, Tex., E1688
Kind, Ron, Wisc., E1687
LaFalce, John J., N.Y., E1683
McCarthy, Karen, Mo., E1688
Mink, Patsy T., Hawaii, E1689
Moran, Jerry, Kans., E1687

Packard, Ron, Calif., E1685
Poshard, Glenn, Ill., E1686, E1688
Roemer, Tim, Ind., E1688
Sensenbrenner, F. James, Jr., Wisc., E1686
Sherman, Brad, Calif., E1683
Torres, Esteban Edward, Calif., E1687
Young, Don, Alaska, E1681



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