

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

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

Mr. DOMENICI. Mr. President, I rise today to speak about one of the provisions contained in H.R. 914 which is necessary for the 315,000 public school children of New Mexico. The specific provision involves the New Mexico Department of Education's intent to take credit for \$30 million of Federal impact aid funds.

New Mexico is one of three States in the country which uses an equalization formula to distribute educational moneys among its school districts. Presently, 40 out of New Mexico's 89 school districts qualify for 30 million dollars' worth of impact aid. The New Mexico Department of Education relies on impact aid in calculating the amount of State funds which will be used to equalize educational funding among all 89 school districts.

Without this legislation, the New Mexico Department of Education would not be permitted to consider \$30 million of impact aid in its formula for distributing State education moneys among its school districts. The inability to consider Federal funds would create an imbalance in the distribution of educational funds between non-impact aid school districts and impact aid school districts.

This legislation allows the U.S. Department of Education to recognize as timely New Mexico's written notice of intent to consider impact aid payments in providing State aid to school districts for the 1997-98 school year.

AMENDMENT NO. 46

(Purpose: To make amendments relating to a date extension and to make changes in the program under title VIII of the Elementary and Secondary Education Act of 1965)

Mr. FRIST. Mr. President, I understand Senator JEFFORDS has an amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Tennessee [Mr. FRIST], for Mr. JEFFORDS, proposes an amendment numbered 46.

Mr. FRIST. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end, add the following:

SEC. 2. DATE EXTENSION.

Section 1501(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491(a)(4)) is amended by striking "January 1, 1998" and inserting "January 1, 1999".

SEC. 3. TIMELY FILING OF NOTICE.

Notwithstanding any other provision of law, the Secretary of Education shall deem Kansas and New Mexico to have timely submitted under section 8009(c)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7709(c)(1)) the States' written notices of intent to consider payments described in section 8009(b)(1) of the Act (20 U.S.C. 7709(b)(1)) in providing State aid to local educational agencies for school year 1997-1998, except that the Secretary may require the States to submit such additional information as the Secretary may require, which information shall be considered part of the notices.

SEC. 4. HOLD HARMLESS PAYMENTS.

Section 8002(h)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)(1)) is amended—

(1) in subparagraph (A), by striking "or" after the semicolon;

(2) in subparagraph (B), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(C) for fiscal year 1997 and each succeeding fiscal year through fiscal year 2000 shall not be less than 85 percent of the amount such agency received for fiscal year 1996 under subsection (b).".

SEC. 5. DATA.

(a) IN GENERAL.—Section 8003(f)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)(4)) is amended—

(1) in subparagraph (A)—

(A) by inserting "expenditure," after "revenue."; and

(B) by striking the semicolon and inserting a period;

(2) by striking "the Secretary" and all that follows through "shall use" and inserting "the Secretary shall use"; and

(3) by striking subparagraph (B).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to fiscal years after fiscal year 1997.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment be agreed to.

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

The amendment (No. 46) was agreed to.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

The bill (H.R. 914), as amended, was deemed read the third time and passed.

ORDERS FOR THURSDAY, APRIL 17, 1997

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of

10 a.m. on Thursday, April 17. I further ask unanimous consent that on Thursday, immediately following the prayer, the routine requests through the morning hour be granted, and that there then be a period for the transaction of morning business until the hour of 2 p.m., with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator BENNETT, 1 hour; Senator CONRAD, 10 minutes; Senator DASCHLE, or his designee, 1 hour; Senator COVERDELL, or his designee, in control of the time from 1 to 2 o'clock.

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

PROGRAM

Mr. FRIST. Mr. President, for the information of all Senators, tomorrow, following the period of morning business, it is hoped that the Senate will be able to begin consideration of S. 495. That bill, which will be discharged from the Judiciary Committee, is regarding the unlawful use or transfer of chemical weapons. It is hoped that we will be able to reach an agreement on that bill which would allow the Senate to complete action of S. 495 following a couple of hours of debate. All Senators can therefore expect rollcall votes on Thursday, possibly mid to late afternoon.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment until the previous order.

There being no objection, the Senate, at 5:21 p.m., adjourned until Thursday, April 17, 1997, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 16, 1997:

DEPARTMENT OF STATE

BRIAN DEAN CURRAN, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOZAMBIQUE.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OLIVIA A. GOLDEN, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR FAMILY SUPPORT, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE MARY JO BANE, RESIGNED.

NATIONAL COUNCIL ON DISABILITY

GINA McDONALD, OF KANSAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1998, VICE LARRY BROWN, JR., TERM EXPIRED.

BONNIE O'DAY, OF MINNESOTA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 1998. (REAPPOINTMENT)