

Sunday, November 9, 1997

# Daily Digest

## HIGHLIGHTS

Senate passed Omnibus Appropriations, 1998.

The House passed H.J. Res. 105, making further continuing appropriations through Friday, November 14, for fiscal year 1998.

## Senate

### Chamber Action

*Routine Proceedings, pages S12283-S12434*

**Measures Introduced:** Twenty bills and six resolutions were introduced, as follows: S. 1493-1512, S. Res. 150-154, and S. Con. Res. 67. **Pages S12290-91**

**Measures Reported:** Reports were made as follows:

Reported on Saturday, November 8, 1997:

S. 927, to reauthorize the Sea Grant Program. (S. Rept. No. 105-150)

S. 1213, to establish a National Ocean Council, and a Commission on Ocean Policy, with an amendment. (S. Rept. No. 105-151)

S. 1354, to amend the Communications Act of 1934 to provide for the designation of common carriers not subject to the jurisdiction of a State commission as eligible telecommunications carriers.

Reported today:

H.R. 1271, to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 through 2000, with an amendment in the nature of a substitute. (S. Rept. No. 105-152) **Pages S12118, S12290**

**Measures Passed:**

**Omnibus Appropriations:** Senate passed H.R. 2607, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, after agreeing to the following amendment proposed thereto: **Pages S12258-71**

Stevens/Byrd Amendment No. 1621, in the nature of a substitute. (The amendment makes appropriations for the government of the District of Columbia, foreign operations, export financing, and related programs, and the Departments of Commerce, Jus-

tice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998.)

**Pages S12258-71**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair appointed the following conferees: Senators Stevens, Specter, Domenici, McConnell, Shelby, Gregg, Bennett, Campbell, Faircloth, Hutchison, Cochran, Byrd, Inouye, Hollings, Leahy, Bumpers, Lautenberg, Harkin, Mikulski, Murray, and Boxer. **Page S12271**

**D.C. Student Opportunity Scholarship Act:** Senate passed S. 1502, entitled "The District of Columbia Student Opportunity Scholarship Act".

**Pages S12271-77**

**Homeowners Protection Act:** Senate passed S. 318, to require automatic cancellation and notice of cancellation rights with respect to private mortgage insurance which is required as a condition for entering into a residential mortgage transaction, and to abolish the Thrift Depositor Protection Oversight Board, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S12410-14**

Sessions (for D'Amato/Sarbanes) Amendment No. 1623, in the nature of a substitute. **Pages S12413-14**

**Disapproving Cancellations on Military Construction Appropriations:** Senate passed H.R. 2631, disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45, Military Construction Appropriations Act, clearing the measure for the President. **Page S12414**

**Comprehensive One-Call Notification Act:** Senate passed S. 1115, to amend title 49, United States Code, to improve the one-call notification process. **Pages S12414-16**

**Technical Corrections:** Senate passed S. 1505, to make technical and conforming amendments to the Museum and Library Services Act. **Pages S12416-17**

**Dallas, Texas Women's Museum:** Senate agreed to S. Con. Res. 67, expressing the sense of Congress that the museum entitled "The Women's Museum: An Institute for the Future", in Dallas, Texas, be designated a millennium project for the United States. Pages S12313, S12417-18

**Amending Senate Rules:** Senate agreed to S. Res. 151, to amend the Standing Rules of the Senate to require the Committee on Rules and Administration to develop, implement, and update as necessary a strategic planning process for the functional and technical infrastructure support of the Senate. Pages S12314, S12418

**Professional Boxing Safety Act Amendments:** Senate passed S. 1506, to amend the Professional Boxing Safety Act (P.L. 104-272). Page S12419

**Post Office Naming:** Senate passed H.R. 2564, to designate the United States Post Office located at 450 North Centre Street in Pottsville, Pennsylvania, as the "Peter J. McCloskey Postal Facility", clearing the measure for the President. Page S12419

**Post Office Naming:** Senate passed H.R. 282, to designate the United States Post Office building located at 153 East 110th Street, New York, New York, as the "Oscar Garcia Rivera Post Office Building", clearing the measure for the President. Page S12419

**Post Office Naming:** Senate passed H.R. 681, to designate the United States Post Office building located at 313 East Broadway in Glendale, California, as the "Carlos J. Moorhead Post Office Building", clearing the measure for the President. Page S12419

**Post Office Naming:** Senate passed H.R. 2129, to designate the United States Post Office located at 150 North 3rd Street in Steubenville, Ohio, as the "Douglas Applegate Post Office", clearing the measure for the President. Page S12419

**Post Office Naming:** Senate passed H.R. 1057, to designate the building in Indianapolis, Indiana, which houses the operations of the Indianapolis Main Post Office as the "Andrew Jacobs, Jr. Post Office Building", clearing the measure for the President. Page S12419

**Post Office Naming:** Senate passed H.R. 1058, to designate the facility of the United States Postal Service under construction at 150 West Margaret Drive in Terre Haute, Indiana, as the "John T. Myers Post Office Building", clearing the measure for the President. Page S12419

**Indian Development Trust Fund:** Senate passed S. 156, to provide certain benefits of the Pick-Sloan Missouri River Basin program to the Lower Brule

Sioux Tribe, after agreeing to committee amendments. Pages S12420-21

**Federal Judiciary Protection Act:** Senate passed S.1189, to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, after agreeing to the following amendment proposed thereto: Pages S12421-22

Sessions (for Feinstein) Amendment No. 1624, to increase the maximum term of imprisonment for assaulting, resisting, or impeding certain officers or employees. Page S12421

**National American Indian Heritage Month:** Committee on the Judiciary was discharged from further consideration of S. Res. 145, designating the month of November 1997 as "National American Indian Heritage Month", and the resolution was then agreed to. Page S12422

**Senate Legal Counsel Representation:** Senate agreed to S. Res. 152, to direct the Senate Legal Counsel to appear as amicus curiae in the name of the Senate in *City of New York, et al. v. William Clinton, et al.*, and related cases. Pages S12314, S12422-23

**Document Production Authority:** Senate agreed to S. Res. 153, to authorize production of Senate documents and representation by Senate Legal Counsel in the case of *Sherry Yvonne Moore v. Capitol Guide Board*. Page S12314

**Senate Legal Counsel Representation:** Senate agreed to S. Res. 154, to authorize representation by Senate Legal Counsel. Page S12314

**Mammography Quality Standards Reauthorization Act:** Committee on Labor and Human Resources was discharged from further consideration of S. 537, to amend title III of the Public Health Service Act to revise and extend the mammography quality standards program, and the bill was then passed. Pages S12423-24

**U.S. Courthouse Naming:** Committee on Environment and Public Works was discharged from further consideration of H.R. 1479, to designate the Federal building and United States courthouse located at 300 Northeast First Avenue in Miami, Florida, as the "David W. Dyer Federal Courthouse", and the bill was then passed, clearing the measure for the President. Page S12424

**U.S. Courthouse Naming:** Committee on Environment and Public Works was discharged from further consideration of H.R. 1484, to redesignate the Dublin Federal Courthouse building located at 100 Franklin Street in Dublin, Georgia, as the J. Roy

Rowland Federal Courthouse, and the bill was the passed, clearing the measure for the President.

Page S12424

**Technical Corrections/National Defense Authorization:** Senate passed S. 1507, to amend the National Defense Authorization Act for Fiscal Year 1998 to make certain technical corrections.

Page S12424

**Authority Clarification/National Defense Authorization:** Senate passed S. 1511, to amend section 3165 of the National Defense Authorization Act for Fiscal Year 1998 to clarify the authority in the section.

Pages S12424–25

**Eligible Telecommunications Carriers:** Senate passed S. 1354, to amend the Communications Act of 1934 to provide for the designation of common carriers not subject to the jurisdiction of a State commission as eligible telecommunications carriers.

Page S12425

**Indian Judgment Funds:** Senate passed H.R. 1604, to provide for the division, use, and distribution of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18–E, 58, 364, and 18–R before the Indian Claims Commission, after agreeing to the following amendments proposed thereto:

Pages S12425–26

Sessions (for Murkowski) Amendment No. 1625, to limit the number of health care contracts and compacts that the Indian Health Service may execute for the Ketchikan Gateway Borough.

Page S12425

Sessions (for Inouye) Amendment No. 1626, to provide for the treatment of funds in relation to other laws.

Page S12425

Sessions (for Inouye) Amendment No. 1627, to provide for a technical correction to Section 2 concerning the Sault Ste. Marie.

Page S12425

**Telemarketing Fraud Prevention Act:** Senate passed H.R. 1847, to improve the criminal law relating to fraud against consumers, after agreeing to a committee amendment in the nature of a substitute, and the following amendments proposed thereto:

Pages S12426–27

Sessions (for Leahy) Amendment No. 1628, to prohibit false advertising or misuse of a name to indicate the United States Marshals Service.

Pages S12426–27

Sessions (for Harkin) Amendment No. 1629, to combat telemarketing fraud through reasonable disclosure of certain records for telemarketing investigations.

Page S12427

**Commemorative Coin Program:** Senate passed S. 1228, to provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, after agreeing to a committee amend-

ment, and the following amendments proposed thereto:

Pages S12430–34

Sessions (for D'Amato/Sarbanes) Amendment No. 1631, to establish a rule of construction.

Pages S12431–32

Sessions (for Coats) Amendment No. 1632, relating to coinage.

Page S12432

**Continuing Appropriations:** Senate passed H.J. Res. 104, making further continuing appropriations for the fiscal year 1998, clearing the measure for the President.

Page S12428

**FDA Administration Modernization and Accountability Act—Conference Report:** Senate agreed to the conference report on 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 S12241–52

**Senior Citizens Home Equity Protection Act:** Senate concurred in the amendments of the House to S. 562, to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage, with the following amendment proposed thereto:

Pages S12428–30

Sessions (for D'Amato) Amendment No. 1630, in the nature of a substitute.

Pages S12429–30

**Nominations Confirmed:** Senate confirmed the following nominations:

Frank C. Damrell, Jr., of California, to be United States District Judge for the Eastern District of California.

Martin J. Jenkins, of California, to be United States District Judge for the Northern District of California.

A. Richard Caputo, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Dale Cabaniss, of Virginia, to be a Member of the Federal Labor Relations Authority for a term expiring July 29, 2002.

Raymond G. Kammer, of Maryland, to be Director of the National Institute of Standards and Technology.

Robert H. Beatty, Jr., of West Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for the remainder of the term expiring August 30, 1998.

Ernesta Ballard, of Alaska, to be a Governor of the United States Postal Service for a term expiring December 8, 2005.

Arthur Bienenstock, of California, to be an Associate Director of the Office of Science and Technology Policy.

Janice R. Lachance, of Maine, to be Director of the Office of Personnel Management for a term of four years.

Kevin Gover, of New Mexico, to be an Assistant Secretary of the Interior.

William R. Ferris, of Mississippi, to be Chairperson of the National Endowment for the Humanities for a term of four years.

Susanne T. Marshall, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2004.

Pages S12282, S12409–10

Messages From the House:	Page S12290
Measures Referred:	Page S12290
Measures Read First Time:	Page S12290

#### Statements on Introduced Bills:

Pages S12291–S12312

#### Additional Cosponsors:

Pages S12312–13

#### Amendments Submitted:

Pages S12314–99

#### Additional Statements:

Pages S12399–S12409

**Adjournment:** Senate convened at 1 p.m., and adjourned at 8:50 p.m., until 10 a.m., on Monday, November 10, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12281.)

## Committee Meetings

No committee meetings were held.

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# House of Representatives

## Chamber Action

**Bills Introduced:** 46 public bills, H.R. 2977–3023; and 10 resolutions, H.J. Res. 104–105, H. Con. Res. 192–195, and H. Res. 317, 318, 320, 321, were introduced.

Pages H10481–84

**Reports Filed:** Reports were filed as follows:

Conference report on S. 830, Food and Drug Administration Modernization and Accountability Act of 1997 (H. Rept. 105–399); and

H. Res. 319, providing for consideration of S. 738, to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak (H. Rept. 105–400);

Pages H10452–78, H10481

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

Page H10423

**Question of Privilege of the House:** The Chair ruled that H. Res. 318, relating to a question of the privileges of the House, did constitute a question of privilege of the House and was in order. Subsequently, agreed to table the resolution by a yea-and-nay vote of 218 yeas to 194 nays with 1 voting "present", Roll No. 622.

Page H10428

**Radio Free Asia Act:** The House passed H.R. 2232, to provide for increased international broadcasting activities to China by a yea and nay vote of 401 yeas to 21 nays, Roll No. 623.

Pages H10428–35, H10526–27

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee

on International Relations now printed in the bill was considered as adopted.

Pages H10429–30

On November 5, the House agreed to H. Res. 302, the rule that provided for consideration of H.R. 2232 and eight other measures relating to the policy of the United States and China. Subsequently, on November 6, further agreed that the Clerk be authorized to make technical corrections in the engrossment of any measure made in order under the rule, to include corrections in spelling, punctuation, section numbering, and cross-referencing, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

Pages H10054–63

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Morella to act as Speaker pro tempore to sign enrolled bills and joint resolutions for the remainder of the 1st Session of the 105th Congress.

Page H10435

**Transportation and Infrastructure Committee:** Read a letter from the Chairman of the Committee on Transportation and Infrastructure wherein he transmitted resolutions approved by the committee on Wednesday, November 5—referred to the Committee on Appropriations.

Page H10435

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

**Extending Veterans Housing and Other Programs:** S. 714, amended, to extend and improve the Native American Veteran Housing Loan Pilot Program of the Department of Veterans Affairs, to extend certain authorities of the Secretary of Veterans