

(1) the ability and experience of the applicant;

(2) the potential for the applicant to acquire and develop the necessary ability; and

(3) the potential for growth in the health care needs of the covered borough.

INOUE AMENDMENTS NOS. 1626-1627

Mr. SESSIONS (for Mr. INOUE) proposed two amendments to the bill, H.R. 1604, *supra*; as follows:

AMENDMENT NO. 1626

In section 11, strike the section heading and all that follows through "The eligibility" and insert the following:

"SEC. 11. TREATMENT OF FUNDS IN RELATION TO OTHER LAWS.

"(a) APPLICABILITY OF PUBLIC LAW 93-134.—All funds distributed under this Act or any plan approved in accordance with this Act, including interest and investment income that accrues on those funds before or while those funds are held in trust, shall be subject to section 7 of Public Law 93-134 (87 Stat. 468).

"(b) TREATMENT OF FUNDS WITH RESPECT TO CERTAIN FEDERAL ASSISTANCE.—The eligibility".

AMENDMENT NO. 1627

On page 2, line 7, of Section 2, delete the word "Tribe" and insert the word "Band".

LAND AND WATER CONSERVATION FUND LEGISLATION

LEAHY AMENDMENT NO. 1628

Mr. SESSIONS (for Mr. LEAHY) proposed an amendment to the bill (H.R. 1487) to provide off-budget treatment for one-half of the receipts and disbursements of the land and water conservation fund, and to provide that the amount appropriated from the fund for a fiscal year for Federal purposes may not exceed the amount appropriated for that fiscal year for financial assistance to the States for State purposes; as follows:

At the appropriate place, insert the following new section:

SEC. . FALSE ADVERTISING OR MISUSE OF NAME TO INDICATE UNITED STATES MARSHALS SERVICE.

Section 709 of title 18, United States Code, is amended by inserting after the thirteenth undesignated paragraph the following:

"Whoever, except with the written permission of the Director of the United States Marshals Service, knowingly uses the words 'United States Marshals Service', 'U.S. Marshals Service', 'United States Marshal', 'U.S. Marshal', 'U.S.M.S.', or any colorable imitation of any such words, or the likeness of a United States Marshals Service badge, logo, or insignia on any item of apparel, in connection with any advertisement, circular, book, pamphlet, software, or other publication, or any play, motion picture, broadcast, telecast, or other production, in a manner that is reasonably calculated to convey the impression that the wearer of the item of apparel is acting pursuant to the legal authority of the United States Marshals Service, or to convey the impression that such advertisement, circular, book, pamphlet, software, or other publication, or such play, motion picture, broadcast, telecast, or other production, is approved, endorsed, or authorized by the United States Marshals Service;"

THE TELEMARKETING FRAUD PREVENTION ACT OF 1997

HARKIN AMENDMENT NO. 1629

Mr. SESSIONS (for Mr. HARKIN) proposed an amendment to the bill (H.R. 1847) to improve the criminal law relating to fraud against consumers; as follows:

At the appropriate place, add the following:

SEC. . DISCLOSURE OF CERTAIN RECORDS FOR INVESTIGATIONS OF TELEMARKETING FRAUD.

Section 2703(c)(1)(B) of title 18, United States Code, is amended—

(1) by striking out "or" at the end of clause (ii);

(2) by striking out the period at the end of clause (iii) and inserting in lieu thereof "; or"; and

(3) by adding at the end the following:

"(iv) submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the name, address, and place of business of a subscriber or customer of such provider, which subscriber or customer is engaged in telemarketing (as such term is in section 2325 of this title)."

THE SENIOR CITIZEN HOME EQUITY PROTECTION ACT HOUSING PROGRAMS EXTENSION ACT OF 1997

D'AMATO AMENDMENT NO. 1630

Mr. SESSIONS (for Mr. D'AMATO) proposed an amendment to the bill (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; as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Senior Citizen Home Equity Protection Act".

TITLE I—SENIOR CITIZEN HOME EQUITY PROTECTION

SEC. 101. DISCLOSURE REQUIREMENTS; PROHIBITION OF FUNDING OF UNNECESSARY OR EXCESSIVE COSTS.

Section 255(d) of the National Housing Act (12 U.S.C. 1715z-20(d)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking "and" at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

"(C) has received full disclosure of all costs to the mortgagor for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services; and";

(2) in paragraph (9)(F), by striking "and";

(3) in paragraph (10), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following:

"(11) have been made with such restrictions as the Secretary determines to be appropriate to ensure that the mortgagor does not fund any unnecessary or excessive costs for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services."

SEC. 102. IMPLEMENTATION.

(a) NOTICE.—The Secretary of Housing and Urban Development shall, by interim notice,

implement the amendments made by section 101 in an expeditious manner, as determined by the Secretary. Such notice shall not be effective after the date of the effectiveness of the final regulations issued under subsection (b).

(b) REGULATIONS.—The Secretary shall, not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, issue final regulations to implement the amendments made by section 101. Such regulations shall be issued only after notice and opportunity for public comment pursuant to the provisions of section 553 of title 5, United States Code (notwithstanding subsections (a)(2) and (b)(3)(B) of such section).

TITLE II—TEMPORARY EXTENSION OF PUBLIC HOUSING AND SECTION 8 RENTAL ASSISTANCE PROVISIONS

SEC. 201. PUBLIC HOUSING CEILING RENTS AND INCOME ADJUSTMENTS AND PREFERENCES FOR ASSISTED HOUSING.

Section 402(f) of The Balanced Budget Downpayment Act, I (42 U.S.C. 1437aa note) is amended by striking "and 1997" and inserting ", 1997, and 1998".

SEC. 202. PUBLIC HOUSING DEMOLITION AND DISPOSITION.

Section 1002(d) of the Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 (42 U.S.C. 1437c note) is amended by striking "September 30, 1997" and inserting "September 30, 1998".

SEC. 203. PUBLIC HOUSING FUNDING FLEXIBILITY AND MIXED-FINANCE DEVELOPMENTS.

(a) EXTENSION OF AUTHORITY.—Section 201(a)(2) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (42 U.S.C. 1437f note) is amended to read as follows:

"(2) APPLICABILITY.—Section 14(q) of the United States Housing Act of 1937 shall be effective only with respect to assistance provided from funds made available for fiscal year 1998 or any preceding fiscal year, except that the authority in the first sentence of section 14(q)(1) of that Act to use up to 10 percent of the allocation of certain funds for any operating subsidy purpose shall not apply to amounts made available for fiscal year 1998."

(b) MIXED FINANCE.—Section 14(q)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(q)(1)) is amended by inserting after the first sentence the following: "Such assistance may involve the drawdown of funds on a schedule commensurate with construction draws for deposit into an interest earning escrow account to serve as collateral or credit enhancement for bonds issued by a public agency for the construction or rehabilitation of the development."

SEC. 204. MINIMUM RENTS.

Section 402(a) of The Balanced Budget Downpayment Act, I (Public Law 104-99; 110 Stat. 40) is amended in the matter preceding paragraph (1) by striking "fiscal year 1997" and inserting "fiscal years 1997 and 1998".

SEC. 205. PROVISIONS RELATING TO SECTION 8 RENTAL ASSISTANCE PROGRAM.

Section 203(d) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134)) (42 U.S.C. 1437f note) is amended by striking "and 1997" and inserting ", 1997, and 1998".