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Senate

The Senate met at 10 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Loving Heavenly Father, to know You is life's ultimate purpose; to trust You is our only peace; to serve You is our true joy. We praise You for the privilege of friendship with You. We humbly acknowledge that any good we have done, any progress we have made, and any accomplishments we have achieved are all because of Your indefatigable inspiration. There is no limit to the blessings You pour out on those who give You the glory. You have been the source of every creative thought, all crucial legislation, and any con-

structive compromise that has blended the best points of view. You are the source of unity in diversity and mutual trust that triumphs over competitive party spirit. When we are fearful, You give us courage; when we are under pressure, You flood our hearts with peace.

Thank You dear God for continuing to bless America, as You persist in empowering the women and men of this Senate to lead with vision. Through our Lord and Saviour. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you, Mr. President.

SCHEDULE

Mr. LOTT. Mr. President, today, the Senate will be in a period of morning business until 11 a.m. It is hoped that during today's session the Senate will be able to complete its business for the 1st session of the 105th Congress. I just talked to the Democratic leader and we agreed to push to accomplish that today. In fact, I read over the weekend a quote from General Eisenhower. When he was President he said, "There are many problems in Washington, but one of the main reasons is we have too long been away from home." So I'm hoping that we will honor his admonition and go home at the close of business today for the balance of the year to be with our constituents.

NOTICE

Under the Rules for Publication of the Congressional Record, a final issue of the Congressional Record for the first session of the 105th Congress will be published on the 31st day after adjournment in order to permit Members to revise and extend their remarks.

All materials for insertion must be signed by the Member and delivered to the respective offices responsible for the Record in the House or Senate between the hours of 9 a.m. and 5 p.m., Monday through Friday (until the 10th day after adjournment). House Members should deliver statements to the Office of Floor Reporters (Room HT-60 of the Capitol) and Senate Members to the Office of Official Reporters of Debate (S-123 in the Capitol).

The final issue will be dated the 31st day after adjournment and will be delivered on the 33d day after adjournment. None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event, that occurred after the adjournment date.

Along with signed statements, House Members are requested, whenever possible, to submit revised statements or extensions of remarks and other materials related to House Floor debate on diskette in electronic form in ASCII, WordPerfect or MicroSoft Word format. Disks must be labeled with Members' names and the filename on the disk. All disks will be returned to Member offices via inside mail.

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By order of the Joint Committee on Printing.

JOHN WARNER, *Chairman.*

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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As Members are aware, the House passed both the District of Columbia appropriations bill and the foreign operations conference reports last night. It is hoped that the Senate can voice vote those bills during today's session as we await House action on the Commerce, State, Justice appropriations conference report, and I expect them to accomplish that before late in the afternoon. In fact, I expect it to be in the early afternoon.

If a voice vote is not possible, then Members will be notified as to when we might have a rollcall vote or votes. Again, I think it would be in the best interests of the Senate at this time if we could do this with a voice vote. The so-called controversial positions in the District of Columbia bill and the foreign operations conference reports have been removed, and I believe an agreement has been reached with the administration on Commerce, State, and Justice with regard to items in that bill, as well as the provisions with regard to census.

If there are rollcall votes, I emphasize we will try to notify Members with at least a 4-hour advance notice and the time span that that vote might occur in. If we can't complete today with just voice votes then there is a possibility that we would have to go over until tomorrow if there is going to be a rollcall vote because I do think Members are entitled to significant advance notice so they can be sure to be here. Or, if we can't get it done in a reasonable way today or tomorrow, there is always next week, which would really begin to stretch what President Eisenhower had warned us against. In order to avoid that, we are going to need a very good attitude and a lot of cooperation. I think that is possible.

We are still working on the few remaining Executive Calendar items. There are only 15 or so nominations left on the calendar. We are hoping to clear some of those today, and then those that would require some debate or recorded votes would be scheduled early in the session when we come back next year.

Again, we need cooperation of the Senators that are here today, and between the leadership on both sides of the aisle so we can complete action. We accomplished a great deal over the weekend by voice vote and in our wrap-up. We passed a lot of really good bills. We still have a chance to get a conference report from the House on Amtrak, with only one major change, as I understand it—one I think the Senate could live with. That is the makeup of the board of Amtrak.

I remind our colleagues that we did pass and send to the President a fix with regard to the ISTEA transportation bill, that we did pass and send to the President the FDA reform package, as well as the foster care and adoption bill, and earlier had sent the Labor-HHS and education appropriations bill. So we are down, really, to these three final bills. There could be a fourth bill

sent separately that would include the State Department reorganization, U.N. arrearage, IMF funds, as well as some language with regard to the Mexico City population control issue. If that bill could not be brought up or was objected to or filibustered, of course, we would not be able to get to a final vote on that. But the three key bills we need to bring up today are the three appropriations conference reports and we will notify Members when we will act on those and if any recorded votes are necessary.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GORTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS-CONSENT REQUEST

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold an executive business meeting during the session of the Senate on Thursday, November 13, 1997, at 10 a.m. in room 226 of the Senate Dirksen Office Building.

The PRESIDING OFFICER. Is there objection?

Mr. DASCHLE. Mr. President, on behalf of my colleagues on the Judiciary Committee, I object.

The PRESIDING OFFICER. Objection is heard.

UNANIMOUS-CONSENT REQUEST

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate stand in recess until 2 p.m. today.

Mr. DASCHLE. Mr. President, on behalf of my colleagues on the Judiciary Committee, on that, too, I must object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1998

Mr. LOTT. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (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, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendments of the Senate to the bill (H.R. 2607) entitled "An Act 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, and for other purposes.", with the following amendments:

(1) On page 1, line 1, strike all through line 7

(2) On page 1, line 8, strike [The] and insert: *That the*

(3) On page 2, line 2, strike all from "to" through "Act," on line 3

(4) On page 11, line 20, after the word "fund" insert: *described in section 172 of this Act*

(5) On page 12, line 8, strike [all]

(6) On page 34, line 16, after "or" insert: *previously*

(7) On page 44, line 15, before the period, insert:

, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects

(8) On page 46, after line 9, insert:

(c) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—Not later than 20 calendar days after the end of each fiscal quarter starting October 1, 1997, the District of Columbia Financial Responsibility and Management Assistance Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Government Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority for the quarter. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

(9) On page 47, line 21, strike [\$5,000,000] and insert: *\$12,000,000*

(10) On page 59, line 11, strike [(f)] and insert: *(e)*

(11) On page 77, line 17, strike all through page 78, line 2

(12) On page 78, after line 2, insert the following:

SEC. 166. Notwithstanding any other provision of Federal or District of Columbia law applicable to a reemployed annuitant's entitlement to retirement or pension benefits, the Director of the Office of Personnel Management may waive the provisions of section 8344 of title 5 of the United States Code for any reemployed annuitants appointed heretofore or hereafter as a Trustee under section 11202 or 11232 of the National Capital Revitalization and Self-Government Improvement Act of 1997, or, at the request of such a Trustee, for any employee of such Trustee.

SEC. 167. Section 2203(i)(2)(A) of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 3009-504; D.C. Code 31-2853.13(i)(2)(A)) is amended to read as follows:

"(A) IN GENERAL.—

"(i) ANNUAL LIMIT.—Subject to subparagraph (B) and clause (ii), during calendar year 1997, and during each subsequent calendar year, each eligible chartering authority shall not approve more than 10 petitions to establish a public charter school under this subtitle.

"(ii) TIMETABLE.—Any petition approved under clause (i) shall be approved during an application approval period that terminates on April 1 of each year. Such an approval period may commence before or after January 1 of the