

[Mr. HUTCHINSON] was withdrawn as a cosponsor of Senate Resolution 16, a resolution expressing the sense of the Senate that the income tax should be eliminated and replaced with a national sales tax.

#### SENATE RESOLUTION 63

At the request of Mr. DOMENICI, the names of the Senator from Michigan [Mr. ABRAHAM], the Senator from Texas [Mrs. HUTCHISON], the Senator from Georgia [Mr. COVERDELL], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Nevada [Mr. REID], the Senator from Idaho [Mr. CRAIG], the Senator from Delaware [Mr. BIDEN], the Senator from Louisiana [Mr. BREAUX], the Senator from Florida [Mr. MACK], the Senator from Wyoming [Mr. ENZI], the Senator from Ohio [Mr. DEWINE] were added as cosponsors of Senate Resolution Act 63, a resolution proclaiming the week of October 19 through October 25, 1997, as "National Character Counts Week."

#### SENATE RESOLUTION 85

At the request of Mr. GREGG, the names of the Senator from New Jersey, [Mr. TORRICELLI] and the Senator from Pennsylvania [Mr. SANTORUM] were added as cosponsors of Senate Resolution 85, a resolution expressing the sense of the Senate that individuals affected by breast cancer should not be alone in their fight against the disease.

### AMENDMENTS SUBMITTED

#### THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AMENDMENTS OF 1997

##### JEFFORDS AMENDMENT NO. 242

Mr. JEFFORDS proposed an amendment to the bill (S. 717) to amend the Individuals With Disabilities Education Act, to reauthorize and make improvements to that act, and for other purposes; as follows:

On page 3, strike the item relating to section 641 of the Individuals with Disabilities Education Act and insert the following:

"Sec. 641. State Interagency Coordinating Council."

On page 3, strike the item relating to section 644 of the Individuals with Disabilities Education Act and insert the following:

"Sec. 644. Federal Interagency Coordinating Council."

On page 19, line 19, strike "Alaskan" and insert "Alaska".

On page 26, line 4, strike "are" and insert "is".

On page 26, line 12, strike "are" and insert "is".

On page 26, line 15, strike "include" and insert "includes".

On page 35, line 5, strike "identify" and insert "the identity of".

On page 55, line 17, strike "ages" and insert "aged".

On page 55, line 19, insert "the" before "Bureau".

On page 94, line 24, strike "Federal or State Supreme court" and insert "Federal court or a State's highest court".

On page 102, strike line 3 and insert the following: "(i) Notwithstanding clauses (ii) and".

On page 140, line 15, strike "team" and insert "Team".

On page 140, line 22, strike "team" and insert "Team".

On page 177, line 8, strike "661" and insert "661".

On page 196, line 18, strike "allocations" and insert "allotments".

On page 201, line 22, strike "with disabilities" after "toddlers".

On page 203, line 23, strike " , consistent with State law," after "(a)(9)".

On page 208, line 22, strike "636(a)(10)" and insert "635(a)(10)".

On page 216, line 6, strike "the child" and insert "the infant or toddler".

On page 216, line 7, strike "the child" and insert "the infant or toddler".

On page 221, line 5, strike "A" and insert "At least one".

On page 221, line 8, strike "A" and insert "At least one".

On page 226, line 4, strike "paragraph" and insert "subsection".

On page 226, line 7, strike "allocated" and insert "distributed".

On page 229, line 20, strike "allocations" and insert "allotments".

On page 229, line 24 and 25, strike "allocations" and insert "allotments".

On page 231, strike line 17, and insert the following "ferred to as the "Council") and the chairperson of".

On page 260, line 4, strike "who" and insert "that".

On page 267, line 15, strike "paragraph" before "(I)".

On page 326, between lines 11 and 12, insert the following:

"(D) SECTIONS 611 AND 619.—Sections 611 and 619, as amended by Title I, shall take effect beginning with funds appropriated for fiscal year 1998."

#### GORTON (AND SMITH OF NEW HAMPSHIRE) AMENDMENT NO. 243

Mr. GORTON (for himself and Mr. SMITH of New Hampshire) proposed an amendment to the bill, S. 717, *supra*; as follows:

On page 169, between lines 11 and 12, insert the following:

"(10) UNIFORM DISCIPLINARY POLICIES.—Notwithstanding any other provision of this Act, each State educational agency or local educational agency may establish and implement uniform policies with respect to discipline and order applicable to all children within its jurisdiction to ensure the safety and appropriate educational atmosphere in its schools."

On page 169, line 12, strike "(10)" and insert "(11)".

#### THE FAMILY FRIENDLY WORKPLACE ACT OF 1997

##### MURRAY AMENDMENT NO. 244

(Ordered to lie on the table.)

Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill (S. 4) to amend the Fair Labor Standards Act of 1938 to provide to private sector employees the same opportunities for time-and-a-half compensatory time off, biweekly work programs, and flexible credit hour programs as Federal employees currently enjoy to help balance the demands and

needs of work and family, to clarify the provisions relating to exemptions of certain professionals from the minimum wage and overtime requirements of the Fair Labor Standards Act of 1938, and for other purposes; as follows:

At the end, add the following:

#### TITLE II—SCHOOL INVOLVEMENT LEAVE

##### SEC. 201. SHORT TITLE.

This title may be cited as the "Time for Schools Act of 1997".

##### SEC. 202. GENERAL REQUIREMENTS FOR LEAVE.

(a) ENTITLEMENT TO LEAVE.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

"(3) ENTITLEMENT TO SCHOOL INVOLVEMENT LEAVE.—

"(A) IN GENERAL.—Subject to section 103(f), an eligible employee shall be entitled to a total of 24 hours of leave during any 12-month period to participate in an activity of a school of a son or daughter of the employee, such as a parent-teacher conference or an interview for a school, or to participate in literacy training under a family literacy program.

"(B) DEFINITIONS.—In this paragraph:

"(i) FAMILY LITERACY PROGRAM.—The term 'family literacy program' means a program of services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family and that integrate all of the following activities:

"(I) Interactive literacy activities between parents and their sons and daughters.

"(II) Training for parents on how to be the primary teacher for their sons and daughters and full partners in the education of their sons and daughters.

"(III) Parent literacy training.

"(IV) An age-appropriate education program for sons and daughters.

"(ii) LITERACY.—The term 'literacy', used with respect to an individual, means the ability of the individual to speak, read, and write English, and compute and solve problems, at levels of proficiency necessary—

"(I) to function on the job, in the family of the individual, and in society;

"(II) to achieve the goals of the individual; and

"(III) to develop the knowledge potential of the individual.

"(iii) SCHOOL.—The term 'school' means an elementary school or secondary school (as such terms are defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility operated by a provider who meets the applicable State or local government licensing, certification, approval, or registration requirements, if any.

"(4) LIMITATION.—No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period."

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: "Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule."

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by inserting before the period the following: " , or for leave provided under subsection (a)(3) for any part of the 24-hour period of such leave under such subsection".

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

"(3) NOTICE FOR SCHOOL INVOLVEMENT LEAVE.—In any case in which the necessity

for leave under subsection (a)(3) is foreseeable, the employee shall provide the employer with not less than 7 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subsection. If the necessity for the leave is not foreseeable, the employee shall provide such notice as is practicable."

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

"(f) CERTIFICATION FOR SCHOOL INVOLVEMENT LEAVE.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe."

#### SEC. 203. SCHOOL INVOLVEMENT LEAVE FOR CIVIL SERVICE EMPLOYEES.

(a) ENTITLEMENT TO LEAVE.—Section 6382(a) of title 5, United States Code, is amended by adding at the end the following:

"(3)(A) Subject to section 6383(f), an employee shall be entitled to a total of 24 hours of leave during any 12-month period to participate in an activity of a school of a son or daughter of the employee, such as a parent-teacher conference or an interview for a school, or to participate in literacy training under a family literacy program.

"(B) In this paragraph:

"(i) The term 'family literacy program' means a program of services that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family and that integrate all of the following activities:

"(I) Interactive literacy activities between parents and their sons and daughters.

"(II) Training for parents on how to be the primary teacher for their sons and daughters and full partners in the education of their sons and daughters.

"(III) Parent literacy training.

"(IV) An age-appropriate education program for sons and daughters.

"(ii) The term 'literacy', used with respect to an individual, means the ability of the individual to speak, read, and write English, and compute and solve problems, at levels of proficiency necessary—

"(I) to function on the job, in the family of the individual, and in society;

"(II) to achieve the goals of the individual; and

"(III) to develop the knowledge potential of the individual.

"(iii) The term 'school' means an elementary school or secondary school (as such terms are defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), a Head Start program assisted under the Head Start Act (42 U.S.C. 9831 et seq.), and a child care facility operated by a provider who meets the applicable State or local government licensing, certification, approval, or registration requirements, if any.

"(4) No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period."

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: "Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule."

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by inserting before ", except" the following: ", or for leave provided under subsection (a)(3) any of the employee's accrued or accumulated annual leave under subchapter I for any part of the 24-hour period of such leave under such subsection".

(d) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

"(3) In any case in which the necessity for leave under subsection (a)(3) is foreseeable,

the employee shall provide the employing agency with not less than 7 days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subsection. If the necessity for the leave is not foreseeable, the employee shall provide such notice as is practicable."

(e) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

"(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe."

#### SEC. 204. EFFECTIVE DATE.

This title takes effect 120 days after the date of enactment of this Act.

### THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AMENDMENTS OF 1997

#### SMITH OF NEW HAMPSHIRE (AND GORTON) AMENDMENT NO. 245

Mr. SMITH of New Hampshire (and Mr. GORTON) proposed an amendment to the bill, S. 717, supra; as follows:

On page 156, between lines 8 and 9, insert the following:

"(I) LIMITATION ON AWARDS.—Notwithstanding any other provision of this Act (except as provided in subparagraph (C)), a court in issuing an order in any action filed pursuant to this Act that includes an award shall take into consideration the impact the award would have on the provision of education to all children who are students served by the State educational agency or local educational agency affected by the order."

### THE FAMILY FRIENDLY WORKPLACE ACT OF 1997

#### MCCAIN AMENDMENTS NOS. 246–252

(Ordered to lie on the table.)

Mr. MCCAIN submitted seven amendments intended to be proposed by him to the bill, S. 4, supra; as follows:

#### AMENDMENT NO. 246

On page 10, strike lines 4 through 7 and insert the following:

"(10) In this subsection—

"(A) the terms 'monetary overtime compensation' and 'compensatory time off' shall have the meanings given the terms 'overtime compensation' and 'compensatory time', respectively, by subsection (o)(7); and

"(B) the term 'unduly disrupt the operations of the employer', used with respect to the use of compensatory time off by an employee of the employer, means create a situation in which the absence of the employee during the time requested would likely impose a burden on the business of the employer that would prevent the employer from providing an acceptable quality or quantity of goods or services during the time requested without the services of the employee."

On page 23, strike line 23 and insert the following: has the meaning given the term in section 7(e).

"(10) UNDULY DISRUPT THE OPERATIONS OF THE EMPLOYER.—The term 'unduly disrupt the operations of the employer', used with respect to the use of flexible credit hours by an employee of the employer, means create a

situation in which the absence of the employee during the time requested would likely impose a burden on the business of the employer that would prevent the employer from providing an acceptable quality or quantity of goods or services during the time requested without the services of the employee."

#### AMENDMENT NO. 247

On page 10, strike lines 4 through 7 and insert the following:

"(10) In this subsection—

"(A) the terms 'monetary overtime compensation' and 'compensatory time off' shall have the meanings given the terms 'overtime compensation' and 'compensatory time', respectively, by subsection (o)(7); and

"(B) the term 'unduly disrupt the operations of the employer', used with respect to the use of compensatory time off by an employee of the employer, means create a situation (as determined by the employer, acting in good faith) in which the absence of the employee during the time requested would likely impose a burden on the business of the employer that would prevent the employer from providing an acceptable quality or quantity of goods or services during the time requested without the services of the employee."

#### AMENDMENT NO. 248

On page 23, strike line 23 and insert the following: has the meaning given the term in section 7(e).

"(10) UNDULY DISRUPT THE OPERATIONS OF THE EMPLOYER.—The term 'unduly disrupt the operations of the employer', used with respect to the use of flexible credit hours by an employee of the employer, means create a situation (as determined by the employer, acting in good faith) in which the absence of the employee during the time requested would likely impose a burden on the business of the employer that would prevent the employer from providing an acceptable quality or quantity of goods or services during the time requested without the services of the employee."

#### AMENDMENT NO. 249

In lieu of the matter proposed to be inserted, insert the following:

"(10) In this subsection—

"(A) the terms 'monetary overtime compensation' and 'compensatory time off' shall have the meanings given the terms 'overtime compensation' and 'compensatory time', respectively, by subsection (o)(7); and

"(B) the term 'unduly disrupt the operations of the employer', used with respect to the use of compensatory time off by an employee of the employer, means create a situation in which the absence of the employee during the time requested would likely impose a burden on the business of the employer that would prevent the employer from providing an acceptable quality or quantity of goods or services during the time requested without the services of the employee."

#### AMENDMENT NO. 250

In lieu of the matter proposed to be inserted, insert the following:

has the measuring given the term in section 7(e).

"(10) UNDULY DISRUPT THE OPERATIONS OF THE EMPLOYER.—The term 'unduly disrupt the operations of the employer', used with respect to the use of flexible credit hours by an employee of the employer, means create a situation in which the absence of the employee during the time requested would likely impose a burden on the business of the