

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

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. 251

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.”.

#### AMENDMENT NO. 252

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.”.

#### GRASSLEY AMENDMENT NO. 253

(Ordered to lie on the table.)

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill, S. 4, *supra*; as follows:

On page 28, after line 16, insert the following:

(d) PROTECTIONS FOR CLAIMS RELATING TO COMPENSATORY TIME OFF AND FLEXIBLE CREDIT HOURS IN BANKRUPTCY PROCEEDINGS.—Section 507(a)(3) of title 11, United States Code, is amended—

(1) by striking “\$4,000” and inserting “\$6,000”;

(2) by striking “for—” and inserting the following: “provided that all accrued compensatory time (as defined in section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) or all accrued flexible credit hours (as defined in section 13(A) of the Fair Labor Standards Act of 1938) shall be deemed to have been earned within 90 days before the date of the filing of the petition or the date of the cessation of the debtor’s business, whichever occurs first, for—”; and

(3) in subparagraph (A), by inserting before the semicolon the following: “or the value of unused, accrued compensatory time (as defined in section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207)) or the value of unused, accrued flexible credit hours (as defined in section 13A of the Fair Labor Standards Act of 1938)”.

#### NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES—SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. THOMAS. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on National Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, May 21, 1997, at 2 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony on Senate Resolution 57, to support the commemoration of the bicentennial of the Lewis and Clark Expedition; S. 231, the National Cave and Karst Research Institute Act of 1997; S. 312, to revise the boundary of the Abraham Lincoln Birthplace National Historic Site in Larue County, KY; S. 423, to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason; S. 669, to provide for the acquisition of Plains Railroad Depot at the Jimmy Carter National Historic Site; and S. 731, to extend the legislative authority for construction of the National Peace Garden Memorial.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on National Parks, Historic Preservation, and Recreation, Committee on Energy and Natural Resources, U.S. Senate, 304 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Jim O’Toole of the subcommittee staff at (202) 224-5161.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the public that an oversight field hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will take place Saturday, June 21, 1997 at 9:30 a.m. in the Saddle Mountain Intermediate School Gymnasium, 500 Riverview Drive, Mattawa, WA. The purpose of this hearing is to review issues and management options associated with the Hanford Reach of the Columbia River and to receive testimony on S. 200, a bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river.

The committee will invite witnesses representing a cross-section of views and organizations to testify at the hearing. Others wishing to testify may, as time permits, make a brief statement of no more than 2 minutes. Those wishing to testify should contact Senator GORTON’s office in Kennewick at (509) 783-0640 or Senator MURRAY’s office in Spokane at (509) 624-9515. The

deadline for signing up to testify is Friday, June 13, 1997. Every attempt will be made to accommodate as many witnesses as possible, while ensuring that all views are represented.

Witnesses invited to testify are requested to bring 10 copies of their testimony with them to the hearing, it is not necessary to submit any testimony in advance. Statements may be also be submitted for inclusion in the hearing record. Those wishing to submit written testimony should send two copies of their testimony to the attention of Jim O’Toole, Committee on Energy and Nature Resources, U.S. Senate, 354 Dirksen Senate Office Building, Washington, DC 20510.

For further information, please contact Jim O’Toole of the committee staff at (202) 224-5161.

#### AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Tuesday, May 13, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to receive testimony on S. 417, reauthorizing EPCA through 2002; S. 416, administration bill reauthorizing EPCA through 1998; S. 186, providing priority for purchases of SPR oil for Hawaii; S. 698, the Strategic Petroleum Reserve Replenishment Act, and the energy security of the United States.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 13, 1997, at 10 a.m. to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Tuesday, May 13, 1997, at 1 p.m. for a hearing on the President’s plan for the District of Columbia.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate Committee on Indian Affairs be authorized to meet during the session of the Senate on Tuesday, May 13, 1997, at 10:30 a.m. in room 485 of the Russell Senate Building to conduct an oversight hearing on Public Law 102-477, the Indian Employment, Training and Related Services Demonstration Act of 1992.

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