

Thursday, October 23, 1997

# Daily Digest

## HIGHLIGHTS

Senate passed Further Continuing Appropriations, 1998.

The House passed H.R. 2646, Education Savings Act for Public and Private Schools.

## Senate

### Chamber Action

*Routine Proceedings, pages S11001–S11171*

**Measures Introduced:** Three bills and two resolutions were introduced, as follows: S. 1310–1312 and S. Res. 138 and 139. **Page S11034**

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

S. Res. 96, proclaiming the week of March 15 through March 21, 1998, as “National Safe Place Week”.

S. 474, to amend sections 1081 and 1084 of title 18, United States Code, with an amendment in the nature of a substitute.

S. 813, to amend chapter 91 of title 18, United States Code, to provide criminal penalties for theft and willful vandalism at national cemeteries, with an amendment in the nature of a substitute.

S. 1292, disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105–45, with an amendment. **Page S11033**

### Measures Passed:

**Continuing Appropriations:** By a unanimous vote of 100 yeas (Vote No. 276) Senate passed H.J. Res. 97, making further continuing appropriations for the fiscal year 1998, clearing the measure for the President. **Page S11015**

**Committee Expenditures:** Senate agreed to S. Res. 138, authorizing expenditures for consultants by the Committee on Rules and Administration. **Page S11168**

**Extradition Treaties Interpretation Act:** Senate passed S. 1266, to interpret the term “kidnapping” in extradition treaties to which the United States is a party, after agreeing to the following amendment proposed thereto: **Pages S11168–69**

Lott (for Helms/Biden) Amendment No. 1523, in the nature of a substitute. **Pages S11168–69**

**ISTEA Authorization:** Senate resumed consideration of S. 1173, to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, with a modified committee amendment (the modification being a substitute for the text of the bill), taking action on amendments proposed thereto, as follows: **Pages S11014–15, S11018–19, S11169–71**

### Pending:

Chafee/Warner Amendment No. 1312, to provide for a continuing designation of a metropolitan planning organization. **Page S11169**

Chafee/Warner Amendment No. 1313 (to language proposed to be stricken by the committee amendment, as modified), of a perfecting nature. **Page S11169**

Chafee/Warner Amendment No. 1314 (to Amendment No. 1313), of a perfecting nature. **Page S11169**

Motion to recommit the bill to the Committee on Environment and Public Works, with instructions. **Page S11169**

Lott Amendment No. 1317 (to instructions of the motion to recommit), to authorize funds for construction of highways, for highway safety programs, and for mass transit programs. **Page S11169**

Lott Amendment No. 1318 (to Amendment No. 1317), to strike the limitation on obligations for administrative expenses. **Page S11170**

During consideration of this measure today, Senate also took the following action:

By 48 yeas to 52 nays (Vote No. 275), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to close further debate on the modified committee amendment. **Pages S11014–15**

By 48 yeas to 50 nays (Vote No. 277), three-fifths of those Senators duly chosen and sworn not having

voted in the affirmative, Senate failed to agree to close further debate on the modified committee amendment. **Pages S11018–19**

Senate will continue consideration of the bill on Friday, October 24, 1997, with a cloture vote on the modified committee amendment to occur thereon.

**FDA Modernization and Accountability Act—Conferees:** Senate disagreed to the amendments of the House to 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, agreed to the request of the House for a conference thereon, and the Chair appointed the following conferees: Senators Jeffords, Coats, Gregg, Frist, DeWine, Kennedy, Dodd, Harkin, and Mikulski. **Page S11018**

**Treaties Approved:** The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present and having voted in the affirmative, the resolutions of ratification were agreed to:

Agreement With Hong Kong for the Surrender of Fugitive Offenders, subject to two understandings, two declarations, and one proviso. (Treaty Doc. 105–3)

International Telecommunication Union Constitution and Convention, with two understandings, two declarations, and one proviso. (Treaty Doc. 104–34)

U.S.-Mexico Treaty on Maritime Boundaries, with one declaration and one proviso. (Ex.F, 96–1)

Migratory Bird Protocol with Canada, with one understanding, one declaration, and one proviso. (Treaty Doc. No. 104–28)

Migratory Bird Protocol with Mexico, with one declaration, one understanding, and one proviso. (Treaty Doc. No. 105–26) **Pages S11165–68**

**Nomination—Agreement:** A unanimous-consent agreement was reached providing for the consideration of Algenon L. Marbley, to be United States District Judge for the Southern District of Ohio on Monday, October 27, 1997, with a vote to occur thereon at 5 p.m. **Pages S11164–65**

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

Kevin L. Thurm, of New York, to be Deputy Secretary of Health and Human Services.

Ellen Seidman, of the District of Columbia, to be Director of the Office of Thrift Supervision for a term of five years.

Peter L. Scher, of the District of Columbia, for the rank of Ambassador during his tenure of service as Special Trade Negotiator.

Edward E. Shumaker III, of New Hampshire, to be Ambassador to the Republic of Trinidad and Tobago. **Pages S11165, S11171**

**Nominations Received:** Senate received the following nominations:

Paul J. Hooper, of California, to be an Assistant Secretary of the Army.

Linda Key Breathitt, of Kentucky, to be a Member of the Federal Energy Regulatory Commission.

Curt Herbert, Jr., of Mississippi, to be a Member of the Federal Energy Regulatory Commission.

Frank D. Yturria, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation. **Page S11171**

**Messages From the House:** **Page S11033**

**Executive Reports of Committees:** **Page S11034**

**Statements on Introduced Bills:** **Pages S11034–42**

**Additional Cosponsors:** **Pages S11042–43**

**Amendments Submitted:** **Pages S11044–S11162**

**Notices of Hearings:** **Page S11162**

**Authority for Committees:** **Pages S11162–63**

**Additional Statements:** **Pages S11163–64**

**Record Votes:** Three record votes were taken today. (Total—277) **Pages S11014–15, S11018–19**

**Adjournment:** Senate convened at 9 a.m., and adjourned at 6:43 p.m., until 9:45 a.m., on Friday, October 24, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11171.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATIONS

*Committee on Agriculture, Nutrition, and Forestry:* Committee ordered favorably reported the nominations of Sally Thompson, of Kansas, to be Chief Financial Officer, Department of Agriculture, and Joseph B. Dial, of Texas, to be a Commissioner of the Commodity Futures Trading Commission.

### MILITARY CONSTRUCTION APPROPRIATION VETO

*Committee on Appropriations:* Committee ordered favorably reported S. 1292, to disapprove the cancellations transmitted by the President on October 6, 1997 regarding the Fiscal Year 1998 Military Construction Appropriations (Public Law 105–45), with an amendment.