HOUSE OF REPRESENTATIVES—*Friday, November 7, 1997*

The House met at 9 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

As we sense the conditions of our days and the time when we can achieve our ambitions and goals, make us acutely aware, O God, of the limitations that are so much a part of our lives. May we always sense Your presence giving us purpose and meaning for our existence and allowing us a spiritual objective and a devout awareness of the opportunities before us. Make us conscious of the limits of time so that we use our days in ways that honor You, O God, and may we be good stewards of the riches and the heritage of the land. Bless our work and bless our lives, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MCNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MCNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. TRAFICANT] come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize five 1-minutes on each side.

AMERICANS WANT THE TRUTH

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, recent news reports have all Americans asking, did the Secretary of the Interior, Bruce Babbitt, enact government policy in return for a political contribution? When first pressed for the answer, Secretary Babbitt denied that any political pressure was applied to influence his decisionmaking. Now, however, after some "vision in the night," he sings a different tune and freely admits that the DNC chairman, Harold Ickes, demanded an immediate decision regarding an Indian casino application, and that a political contribution would be made to the DNC for this decision.

Well, what is it going to be, Mr. Secretary? Did you or did you not make government policy in exchange for a $286,000 donation to the DNC? You cannot have it both ways.

These are just some of the serious questions to which the American people deserve answers. Notwithstanding any other mitigating factors, an independent counsel and investigation into this scandal is clearly justified.

On behalf of all Americans, I demand the truth.

FREE LORETTA SANCHEZ

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, the Republican leadership this morning will bring up a resolution that allows the House to adjourn this weekend and not return until the end of January, and the purpose of that basically is to avoid addressing the issue of LORETTA SANCHEZ' election and the ongoing investigation.

This House should not adjourn until it ends this witch-hunt of Congresswoman LORETTA SANCHEZ' election. The Republican leadership has not been able to prove that there was any illegality involved in this election. Congresswoman SANCHEZ won her California election fair and square. The Republicans are simply wasting a lot of money, over $500,000 in taxpayer dollars, to try to prove a case that they have not been able to prove.

It is all because Republicans are trying to harass and intimidate Hispanic voters because they voted in overwhelming numbers for Democratic candidates in the last congressional election. Let us free LORETTA SANCHEZ and put an end to this witch-hunt. It is not proper for this House to adjourn until this investigation is concluded and stopped.

NO DELAY FOR IRS REFORM

(Mr. TIAHRT asked and was given permission to address the House for 1 minute.)

Mr. TIAHRT. Mr. Speaker, Americans are fond of saying that we live in the freest country in the world, and most of us believe it. That is why Congress should not delay one moment in reforming the IRS. I do not mean cosmetic changes that leave the IRS free to continue their bullying tactics, free from accountability and checks and balances that are required by the U.S. Constitution; I mean changing the way the IRS does business. That means a change in attitude, a change in their ability to turn someone's life completely upside down before he has even had his day in court, and a total change in the IRS' ability to initiate politically motivated audits.

When the IRS has too much power, our freedom is threatened. If America is to remain the freest country on the Earth, the power of the IRS must be brought under control. Our freedom is at stake.

SAY "NO" TO FAST TRACK

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, the President and the Vice President are saying, if only they could get a secret vote on fast track it would pass by a 3-to-1 margin. It is only the power of big labor that is holding Democrats back.

Nothing could be further from the truth.

Fast track is still in play only because of the extraordinary pressure from the President and the Vice President, the promises of projects, fundraisers and fantasies, the arm-twisting of the Republican leaders and the lobby of the dozens of corporate CEO's who jetted into town this week in their private jets with their pockets stuffed with cash. A vote on fast track is a referendum on a failed U.S. trade policy, a policy that exports our jobs, drives down wages and destroys the environment.

The President says it is about a bridge to the 21st century. I have seen

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that bridge from the colonias in Mexico at the American border, a bridge across sewage and toxic waste canals, from pallet shacks to state-of-the-art, U.S.-owned manufacturing plants where people are paid 80 cents an hour. That is a bridge the American worker should not be forced to cross. Say "no" to fast track.

KEEP CUTTING TAXES

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, earlier this week, President Clinton told voters that if they supported a tax cut, they were selfish. He really said that. Here it is, in black and white. The President really said this.

Unfortunately, this is a common view among liberals, so while this view may sound shocking, the only thing that is really surprising is that the President would actually come out and say out loud what liberals and many folks who believe like he believes actually think. It is their attitude that they are actually doing us a favor by letting us keep more of our own money.

I find the idea that people should be scolded for thinking that they are the best judge of how to spend their own money is the perfect example of the arrogance that is so characteristic of very many elitist liberals. But at least we now know what the President really thinks. Let us continue to cut taxes and let hard-working Americans keep more of what they earn.

A SCHOOL WITHOUT PRAYER IS A SCHOOL WITHOUT GOD

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, students in Alabama are skipping school protesting the fact that they are not allowed to pray. Think about it. Even though America has guns, rape, drugs, even heroin and murder in our schools, students are not allowed to pray. Unbelievable. A school without prayer is a school without God and a nation that denies prayer is a nation that denies God; and a nation that denies God is a nation that just may welcome the devil.

Members of Congress, the Constitution may separate church and State, but the Founders never intended to separate God and the American people.

I yield back any common sense and logic we have left.

BLURTING OUT THE TRUTH TELLS ALL

(Mr. PAPPAS asked and was given permission to address the House for 1 minute.)

Mr. PAPPAS. Mr. Speaker, every once in a while a politician will commit a major blunder by doing something that is known as blurting out the truth. This occurs when the politician accidentally tells us how he really feels about an issue, and it can become very controversial if that is how people suspected all along that he really thinks. We had a wonderful example of that earlier this week.

President Clinton was campaigning in Alexandria, VA on behalf of a fellow Democrat and he told a crowd of Democrat supporters what he really thinks about those who want to keep more of what they earn. We heard that right. They are selfish. We heard that the President of the United States thinks that it is selfish to think that government takes too much of our money.

Yes, here is the vision of the liberal elite. It is morally wrong to think that people are a better judge of how to spend their own money than are the politicians. The liberal elite want to spend our money, and how dare us to think that we should be able to spend our money the way we wish.

Mr. President, thank you for blurting out the truth.

END BUSINESS AS USUAL ON DAIRY PRICES

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBEY. Mr. Speaker, if we can cut through the partisan bloviating we have just heard for a few minutes, I would like to note something else.

I have voted against every farm bill that has been in front of this House for the last 10 years because those bills guaranteed that the dairy farmers from the upper Midwest would receive significantly lower prices than farmers in other regions of the country. This week a Federal court struck down those milk marketing orders as being arbitrary and capricious. That court is right. They ordered the USDA to no longer enforce those milk marketing orders.

Mr. Speaker, it is time to end business as usual on this issue. Congress and the USDA and major dairy organizations need to recognize that major changes must be made in the milk marketing order system. Until those changes are made, the responsible thing to do is to vote against any other farm legislation that comes to this floor.

SCHOOL CHOICE

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Speaker, Jonathan Rauch writes on school choice in the November 10 edition of the New Republic. He says he has always found it odd that liberals have handed the issue to Republicans rather than grabbing it for themselves.

He says, and I quote:

> It is hard to get excited about improving rich suburban schools. However, for poor children trapped, the case is moral rather than merely educational. These kids attend schools which cannot protect them, much less teach them. To require poor people to go to dangerous, dysfunctional schools that better-off people fled and would never tolerate for their own children, all the while intoning pieties about "saving" public education, is worse than unsound public policy. It is repugnant public policy.

Mr. Rauch, we agree.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND AND REVISE REMARKS IN CONGRESSIONAL RECORD UNTIL LAST EDITION IS PUBLISHED

Mr. GOSS. Mr. Speaker, I ask unanimous consent that Members may have until publication of the last edition of the CONGRESSIONAL RECORD authorized for the first session by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the first session sine die.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Florida?

There was no objection.

□ 0915

MOTION TO ADJOURN

Mr. PALLONE. Mr. Speaker, I have a privileged motion at the desk.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the motion.

The Clerk read as follows:

> Mr. PALLONE moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from New Jersey [Mr. PALLONE].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. PALLONE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 38, nays 308, not voting 87, as follows:

[Roll No. 606]

YEAS—38

Andrews
Blumenauer
Bonilla
Bonior
Boucher
Clyburn
Conyers
Coyne
Delahunt
Deutsch
Doggett
Etheridge
Evans
Fazio
Filner
Frank (MA)
Gejdenson
Gephardt
Hastings (FL)
Jefferson
Johnson, E. B.
Kennelly
Lewis (GA)
Markey
McDermott
McNulty
Mink
Pallone
Pelosi
Peterson (MN)
Sabo
Smith, Adam
Thurman
Torres
Towns
Velázquez
Wise
Woolsey

NAYS—308

Abercrombie
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Borski
Boswell
Boyd
Brady
Brown (CA)
Brown (OH)
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Cannon
Cardin
Castle
Chabot
Chambliss
Christensen
Clay
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Cramer
Cummings
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fattah
Fawell
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Green
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson (WI)
Jones
Kanjorski
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kucinich
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
Meehan
Menendez
Metcalf
Mica
Miller (FL)
Minge
Moakley
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Oxley
Packard
Pappas
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Portman
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (PA)
Weygand
White
Whitfield
Wolf
Wynn

NOT VOTING—87

Ackerman
Becerra
Bono
Brown (FL)
Burton
Canady
Carson
Chenoweth
Clayton
Cooksey
Cox
Crane
Crapo
Cubin
Davis (FL)
DeLauro
Dellums
Dingell
Dixon
Doolittle
Ehrlich
Engel
Farr
Flake
Foglietta
Foley
Forbes
Gilman
Gonzalez
Graham
Granger
Greenwood
Hall (OH)
Harman
Hefner
Jackson-Lee (TX)
Johnson, Sam
Kaptur
Kasich
Kleczka
Kolbe
LaFalce
Largent
Leach
Livingston
Manton
Manzullo
McCrery
McDade
McIntosh
McKinney
Meek
Millender-McDonald
Miller (CA)
Mollohan
Neal
Oberstar
Olver
Owens
Parker
Payne
Pombo
Porter
Pryce (OH)
Radanovich
Rangel
Riggs
Riley
Rush
Sanders
Scarborough
Schiff
Serrano
Shaw
Skeen
Spratt
Stark
Tauzin
Taylor (NC)
Waxman
Weldon (FL)
Weller
Wexler
Wicker
Yates
Young (AK)
Young (FL)

□ 0940

Messrs. EHLERS, NETHERCUTT, HILL, and Mrs. JOHNSON of Connecticut changed their vote from "yea" to "nay."

Ms. PELOSI changed her vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ENGEL. Mr. Speaker, I was necessarily absent during rollcall votes 575 and 606. If present, I would have voted "aye" on rollcall 575 and "no" on rollcall 606.

PERSONAL EXPLANATION

Ms. CARSON. Mr. Speaker, on Thursday, November 6, 1997, I was necessarily absent conducting official business in my Congressional District and was unable to cast the following rollcall votes. Had I been present, I would have voted as follows and request that this explanation appear at the appropriate place in the RECORD:

"Yea" on rollcall votes 592, 595, 598, and 605; "nay" on rollcall votes 585, 586, 587, 588, 589, 590, 591, 593, 594, 596, 597, 599, 600, 601, 602, 603, and 604.

As a result of air traffic problems this morning, my return to Washington was delayed causing me to miss the first vote of the day. Had I been present, I would have voted "nay" on rollcall vote 606.

CONFERENCE REPORT ON S. 858, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. GOSS. Mr. Speaker, pursuant to the unanimous consent agreement of October 30, 1997 I call up the conference report on the Senate bill (S. 858) to authorize appropriations for fiscal year 1998 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to the order of the House of October 30, 1997 the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, October 28, 1997, at page 23532)

The SPEAKER pro tempore. The gentleman from Florida [Mr. GOSS] and the gentleman from Washington [Mr. DICKS] each will control 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the conference report to accompany the bill (S. 858) that authorizes funds for intelligence and intelligence-related activities, and for other purposes, for fiscal year 1998.

All such conference reports are, Mr. Speaker, as this one is, a compromise that, unfortunately, represents a significant reduction in funding for intelligence activities from our authorization passed by this body in June. But these reductions, when combined with some of the actions we have taken in appropriations, will mean the intelligence community will do without some much needed resources in several areas.

That said, however, this conference report does set the stage for some work we will be doing over the next several years to ensure that this Nation has the intelligence capability it needs. Therefore, I strongly support the passage of this report.

I would like to thank the members of the committee who worked hard to craft this bill, particularly the gentleman from Washington [Mr. DICKS], the ranking member. I appreciate, as well, the fine efforts of our subcommittee chairman and the ranking

member, the gentleman from California [Mr. LEWIS], and the gentleman from Florida [Mr. MCCOLLUM]. In fact, I thank all the members of the committee who played constructive roles throughout this process; and, indeed, that was every member of the committee.

Also, Mr. Speaker, special acknowledgment goes to the members of the Senate Select Committee on Intelligence for their cooperation as we came together to make tough decisions on how best to invest in the future of our intelligence community for the benefit of our country.

□ 0945

Of course, there is no way we could be here today without the dedication, professionalism and perseverance of the staffs on both sides of the aisle and on both committees. I say that because we have a good working relationship, it is bipartisan, and bicameral, and it shows.

Finally, some applause most go to the Members and the staffs of the House Committees on National Security and Appropriations for their sustaining cooperation throughout this authorization's legislative journey. It has been a good working relationship and a good product as a result.

Mr. Speaker, this bill could not be more timely. Over the last few days, much time has been spent by Members deliberating very serious issues relating to the future relationship that the United States should have with Russia and with China. Indeed, we will be debating more on China today. Significant questions have been raised regarding these countries' roles in the proliferation of weapons of mass destruction, proliferation that could result in placing our Nation at serious risk, thus comprising a direct threat to our national security.

I do not intend to get into the policy side of this debate here today. Whether we decide that sanctions should be imposed or continued on these countries is secondary, but there is a fact here that simply cannot be ignored. As a Nation, we will not be able to gauge the success or failure of our policies or know the threat without an effective intelligence community. We simply have to have the eyes and ears to let us know what is going on.

We are told that there are no Russian missiles aimed at American children as they go to bed at night. Mr. Speaker, how do we know that for sure? How can we make that statement with certainty? How long will it take to retarget such weapons? How can we know how tenuous is the chain of command in the Russian strategic rocket forces? And how are we to catch profiteers trying to steal and sell suitcase nukes, if indeed they exist? And how are we to uncover and disrupt the secret nuclear weapons programs underway in hostile rogue states we read about virtually every day in the paper and see on television every night? The answer to all of these questions is one word, "intelligence."

And then there is China, Mr. Speaker. We will soon begin the debate again on the certification of China. Hanging in the balance could be United States access to the Chinese nuclear reactor market, reportedly a $50 billion trade opportunity. Or is it an opportunity? To do this, though, we must have confidence that the Chinese have stopped proliferating weapons of mass destruction components, systems and technologies, something that the Chinese President has promised to do. How good is that promise? But how will we know? How will we know that the technology we provide has been secretly diverted to military programs or to rogue regimes? Again the answer is simple, intelligence. Intelligence is what we count on to answer these questions, and we want these questions answered.

Mr. Speaker, weapons proliferation is a sufficiently grave problem for me to argue the need for dynamic intelligence community capabilities. But there are other problems also at play. Terrorism, narcotics, and racketeering are some of the transnational issues we talk about that are endangering our Nation's well-being and for which we must have strong intelligence capability.

Also included in the need for intelligence is its crucial role supporting our military forces, our war fighters, mission one, whether they are deployed for war or for other less well-defined humanitarian or peacekeeping missions where we are doing force protection. Intelligence requirements have grown tremendously and intelligence-related technologies have revolutionized our defense and warfare doctrines.

As we know, it is intelligence that puts the smart in the smart weapons. But it goes well beyond that. Intelligence is the centerpiece of the doctrine of Dominant Battlefield Awareness, which has been endorsed by the chairman of the Joint Chiefs of Staff and by our Armed Services.

But, the Defense Department needs to make the hard decision to invest more for intelligence if it truly desires to achieve the capabilities it says it needs to support our forces. I encourage them to take that message during the next year. Indeed, I find it somewhat puzzling that if this is the direction that DOD wants to go, why are there continued efforts to, "tax" defense intelligence agencies and programs even more? Why has the Defense Reform Task Force apparently been talking about significant cuts to defense intelligence, up to 25 percent? That is a big cut. Why are those in the Joint Chiefs' office asking our commands to consider a 10-percent reduction in staffing of joint intelligence billets in the field? These types of actions do not indicate a sense of seriousness on behalf of the DOD that backs up their commitment to intelligence. Giving our war fighters the best possible informational edge is not debatable.

We also need a real commitment from Congress. As we review our intelligence capabilities over the coming year and as we look at next year's budget submission, we must keep in mind that intelligence is a vital part of our Nation's defense, not a cash cow bill-payer for it.

That brings us up to this conference report, Mr. Speaker. Let me be blunt. I do not believe that the intelligence community is sufficiently prepared to meet the demands that are being placed upon it now, much less in the future. In other words, the community simply cannot deliver all that is expected or all that is desired of it today. I think that is a shame. The fact that many forget is that we cannot turn intelligence on and off like a light switch. We cannot treat this like we are cramming for a test on a final exam. It just does not work that way. It takes time to build and maintain the proper capabilities. But that is something we have got to do.

Regardless of how this Nation responds to an issue, whether it is through diplomacy or whether it is law enforcement or whether it is military action, intelligence is the key to success and we simply must have it. Good intelligence, I think as we all know, is better than insurance. It saves lives. It prevents calamities. It heads off those nasty surprises. But like insurance, you have got to have it before the crisis happens. So now we must invest for our future.

In this conference report, we are doing that. We are doing the right thing and making the right choices, though coverage in some areas is admittedly light and I think dangerously light. I encourage my fellow Members to support this conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. DICKS. Mr. Speaker, I yield myself such time as I may consume. First of all, I want to commend the gentleman from Florida [Mr. GOSS], the chairman of the committee, for the statement that he just gave. I think he hit the nail right on the head. We are not spending enough money today on intelligence. A lot of people in this House think we are spending too much money on intelligence. But I think the gentleman is absolutely right. The cuts that were made unfortunately in the Appropriations Committee, and I am a member of it and take some responsibility for it, I think are too deep and are cuts that we are going to regret because of the consequences within the intelligence community. I commend the gentleman for his statement.

Mr. Speaker, I rise in support of the conference report on the intelligence authorization bill. I want to commend again the gentleman from Florida [Mr. GOSS] on his leadership in achieving in conference an agreement that addresses many of the reservations I and other Members had with the bill the House considered in July. As I noted then, I believe that changes in the direction of complex activities should be undertaken with a clear understanding of their likely consequences. The conference report takes a more measured approach toward change, particularly in the programs of the National Reconnaissance Office, than did the House bill, and represents in that respect a better product. I want to point out that when you have these very major programs that are crucial to the ability of this country to gather intelligence, our national technical means, stability is required. One thing that we in the Congress have to be very careful about is not causing instability within the NRO. They have got a daunting challenge to modernize our national technical means. I hope that we as a Congress do not make that job more difficult.

I want those who are concerned with the amount of money spent on intelligence programs and activities to be aware that while the measure passed by the House contains slight increases to the amounts requested by the President, and authorized in fiscal year 1997, the size of those increases were reduced in conference. The legislation now before the House is 1.4 percent above last year's authorized level and 0.3 percent above the President's request. I do not consider these increases to be excessive and want to assure my colleagues that the amounts authorized by the conference report are responsive to the legitimate needs of our intelligence agencies to maintain their capabilities to collect, analyze, process and disseminate intelligence.

The bill as reported by the Permanent Select Committee on Intelligence contained a provision which would have terminated the Defense Airborne Reconnaissance Office [DARO]. Since the version of the defense authorization bill reported by the House Committee on National Security had a similar provision and that reported by the Senate Committee on Armed Services did not, the matter was reserved for resolution by the defense authorization conference.

As a conferee on that measure, I want to emphasize that the defense authorization conference report does not include the DARO termination recommended by the House. The conference agreement compels no change in DARO nor will it require that DARO cease the exercise of its critical responsibilities for strong oversight of airborne reconnaissance. The conference report does clarify that DARO's role does not include program management or budget execution. It should be understood clearly that this provision does not alter DARO's current role or responsibilities since, Department of Defense officials have stressed, DARO has not, does not and will not manage programs. Instead, all airborne reconnaissance programs are executed by the military services or by the Defense Advance Research Projects Agency [DARPA].

The conference report provides for a review of DARO by the ongoing Defense Reform Task Force, which I support. This task force could well make a recommendation and the Secretary of Defense could decide to place the airborne reconnaissance oversight function in another organizational structure or to alter the manner in which the office reports to senior DOD officials. I have every expectation, however, that the task force and the Secretary will strongly support continuation of a centralized and powerful oversight function at a senior level within the Department.

I would add that I believe that the pursuit of UAVs and airborne reconnaissance are two things that we must continue to work on and strongly support. I believe, having talked to a number of intelligence officers, that UAVs, like Predator, have tremendous potential and that we as a Congress need to do everything we can to support the agencies that are working with these unmanned aerial vehicles. I believe that they have tremendous promise and that we should not back away from them. I know that my colleagues on the other side are as interested in that as we are, but we have got to have stability there as well. If we did away with DARO and if we did away with moving forward with UAVs, what would happen is that we would fall back to the old technologies and not make the breakthroughs that I think are required for the future.

During a colloquy when the House considered the conference report on the Defense Appropriations Act, the gentleman from Florida [Mr. YOUNG] assured me that the reduction to DARO's operating budget reflected in the act was made without prejudice and that the committee would consider a reprogramming request from the Secretary to restore all or part of the funding requested for supporting the airborne reconnaissance oversight function for fiscal year 1998. The defense authorization conference report followed the budgetary allocations of the appropriations conference in this as in most other matters. I hope that the leadership of the other committees which would have to consider a reprogramming for DARO will likewise defer to the judgment of the Secretary of Defense on funding for this activity in fiscal year 1998.

In closing, I want to note an omission from this legislation about which I have great concern and disappointment. One of our primary responsibilities as members of the Permanent Select Committee on Intelligence is to ensure as best we can that the intelligence agencies have the means by which to conduct their important activities, not just in the short term but for decades into the future as well. I believe the record of the Congress in providing the resources necessary to modernize intelligence capabilities has been excellent, and there are a number of examples of that in this conference report. There is, however, one important area in which a critical investment should have been made, in my judgment, in the bill. Both intelligence committees were willing to provide the required authorization of funds, but the administration, taking a view of the future with which I disagree, refused to commit the necessary resources. I believe we will look back at this missed opportunity with great regret and that those responsible for this decision will have many occasions to wish that they had taken a more farsighted view of the intelligence needs of the next century.

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Mr. Speaker, the reservation I just stated is not the fault of the conference committee and does not lessen my support for what is contained in this conference report. The conference agreement merits the support of the House, and I urge that it be adopted.

I want to join with the chairman complimenting the excellent staff that we have both on the Democratic and Republican side. We try to function in a bipartisan way; that is the goal that the chairman and I both share. We do have outstanding people who work every day for the House on the Permanent Select Committee on Intelligence staff, many with long tenure. I just want the House to know that we are well served by the professionalism and the ability of these people who keep confidential some of the most important information in this Government.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the distinguished gentleman from Washington [Mr. DICKS] for his very compelling remarks, and I think we can all see what an extraordinary job he does on this committee and what incredible leadership he gives us, what participation, and what championship of projects that he knows about and cares about deeply, and we share the same views, perhaps not the same energy level on some of them.

I think as regard to DARO, the issue is not about the capability, the issue is how we make it work best, and I know that the gentleman knows that I am committed to that.

Mr. DICKS. Mr. Speaker, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Washington briefly.

Mr. DICKS. Mr. Speaker, I think that is the point we want to make. There have been some problems. I know we are all frustrated about the UAV's, trying to bring them on more rapidly, but I do think in this particular case that the Department of Defense deserves, and after all we said to them, pull all these programs together, create an entity, get management oversight of this, we want this to be handled.

Now we got the agency created, they are starting to do the job. The problem is, like in a lot of areas of advanced technology there are problems, and not every one of these programs works perfectly the first time in many areas because they used to be classified, people did not know about it, and finally we get it right, but we would not kill the program.

Now we put it out there in the open, and people see the failures, but that is what R&D is really all about. There will be failures, but ultimately we are going to get this job done, and it is going to give us a revolutionary new capability in the reconnaissance area along with our aircraft. And I just think we have got to stay the course and support this, support DARO, and make sure they get the job done with good oversight which the chairman has provided.

Mr. GOSS. Reclaiming my time, Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. LEWIS], the chairman of our subcommittee.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate my chairman yielding this time to me, and I want to take just a moment to express my personal deep appreciation for the work of both our chairman and the ranking member, the gentleman from Washington [Mr. DICKS].

I would further like to say that within this committee the atmosphere of growing almost nonpartisanship is a very refreshing development in the Congress, indeed an area that is so critical to the United States, our intelligence programming, to have people working together in a fashion that recognizes that the importance and strength of the country is what we are about is very, very encouraging to me. I would like to compliment our staff on both sides of the aisle for their very fine work they have done throughout developing this measure.

Stepping aside for a moment and reacting to the discussions regarding the DARO and airborne reconnaissance programs, I must say I believe this committee has done a fabulous job over some time at highlighting the importance of these reconnaissance programs, and the work of the DARO is the result of the efforts of this committee, and indeed a great deal of progress we have made in this area is a direct result of the efforts of the committee. And so I am very encouraged by the interest on both sides of the aisle and expect that there is little doubt that we have gotten the attention, the clear attention, of those in DOD that we should have in order to make further progress as we go forward.

In the area of keeping us on the cutting edge of technical capabilities which is so important to our intelligence success, I would like to mention just a few things, the first being that investment in satellite systems that utilize cutting-edge technology that are smaller and operationally more flexible, and they can be acquired within greatly reduced time lines, eventually will reduce the overall cost to these programs, and yet they are very, very important programs to us. If we do this correctly, that is by following the pattern of faster, better, cheaper, we certainly will have dividends that in turn can be applied to other areas of significance to our work.

I would mention that reinvesting some of those dividends and items that relate to downstream activities, like the processing and exploitation, analysis, as well as dissemination of our products, is a critical part of effective use of intelligence assets. I must say it is one thing to spend a good deal of money developing information; it is another thing to be able to use it in a way that means something to our interests, and those sorts of investments are very important as we go forward with developing more effective intelligence systems as well as programs.

Another area is investment in research and development to keep us on that cutting edge. There is not any question in my mind's eye that there is not another area of American Government's work that is more critical than making sure that we are technologically capable and on the edge than in the field of intelligence.

America, without any doubt, in this changing world remains the strongest country in the world, indeed the leader and the hope for democratic and free opportunities in the future. No small part of that is because of the work of the intelligence community. We always and often most hear about problems that we may have in our intelligence work because that is when ofttimes those activities and that work becomes public. Very few know about the real successes that have made a difference for freedom throughout the world, and that is the responsibility in no small part of this committee as we carry out our oversight functions, and it is my privilege to participate in the work, the very fine work, of the committee and the leadership of our chairman and our ranking member.

Mr. DICKS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Missouri [Mr. SKELTON], who is a senior member of the Committee on Armed Services and a new member of the Permanent Select Committee on Intelligence, but one of our very, very best.

Mr. SKELTON. Mr. Speaker, I appreciate the ranking member giving me some time this morning.

The conference report before us does more for military intelligence programs and activities than the President requested. While these increases are small, I believe they reflect the fact that as the size of the Armed Forces decreases, the need for timely and reliable intelligence becomes more critical. Our military commanders cannot do their jobs, both in terms of the achievement of their objectives and the safeguarding of the lives of our service men and women without intelligence of the highest quality. We simply cannot manage safely the planned drawdown of the Defense Department without the kind of investments made by this bill.

I want to congratulate the chairman and congratulate the ranking Democrat for the work they have done to make sure that our military personnel have the support that they need in this important area. I intend to continue to do what I can to make sure that we do not slight the future investments that will need to be made to ensure that our battlefield commanders have the information necessary to achieve rapid dominance so that any armed conflict results in a decisive victory for our forces.

I believe we have taken important steps toward that end in this conference report. Much more, Mr. Speaker, needs to be done, particularly in the areas of information warfare and aerial reconnaissance. These are among the areas to which I hope the committee will devote particular attention in the next year.

It is a pleasure to serve on this committee. I salute both the chairman, the gentleman from Florida [Mr. GOSS], and the ranking Democrat, the gentleman from Washington [Mr. DICKS] for their dedicated and bipartisan work. I also want to give particular thanks to all of the staff who have devoted untold hours to producing this conference report.

Mr. GOSS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New York [Mr. BOEHLERT].

Mr. BOEHLERT. Mr. Speaker, I rise in support of this conference report. I am sure my colleagues have all heard that information technology is vital to our future both for economic competitiveness and for national security. Information warfare, information operations, information dominance, information assurance and dominant battlefield awareness, they are all familiar phrases often invoked when defense budget priorities are discussed. Upon

closer examination, however, we sometimes find that this is more rhetoric than reality. Since Rome Laboratory is in my congressional district, it is the Air Force center of excellence for information technology development, I have had the occasion to examine the rhetoric and the reality.

In a broader sense, the entire intelligence budget is geared to provide a U.S. worldwide information advantage upon which policymakers and military forces will rely heavily, yet partly because of the rise in military operations costs and the dearth of military procurement money, in recent years the intelligence budget has received only modest congressional plus-ups provided to the defense budget. This year, for instance, money appropriated for intelligence will be under, under the administration request.

Further, I understand that in the developing budget for fiscal year 1999, the Air Force initially recommended large cuts to science and technology in the magnitude of $250 million, which could fall heavily on information technology. Quite frankly, that is totally unacceptable. I have made known my strong rejection of that approach to the appropriate people, and fortunately I am finding a receptive audience in both DOD, the Department of Defense, and the White House.

One of the reasons I sought this much coveted position on this committee is to be able to deal directly with its very important subject, and I am pleased to report that our committee this year took steps to upgrade the information infrastructure budget of several agencies to improve their processing, storage and exploitation of intelligence data. For the future we are also requiring a more coherent interagency strategy and budget for information assurance, or information protection. In this regard the President's Commission on Critical Infrastructure recently publicized its conclusions that not only the defense infrastructure, but also key parts of the civilian economy are highly vulnerable to computer attack. The Commission called for greater focus and progressively increased spending to improve our protection.

Thus far, Mr. Speaker, I do not yet see the level of commitment to information technology that will maintain the country's technological advantage into the future. In fact, although the rhetoric is there, the reality seems to be somewhat questionable.

I urge my colleagues to follow the lead of this committee and the chairman and the ranking member and support this conference report and deal with this very important subject in a responsible manner.

Mr. DICKS. Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada [Mr. GIBBONS], who is a value added member of our committee, believe me. As a decorated serviceman, the information he has given us has been extraordinary, and we welcome him in his first year.

Mr. GIBBONS. Mr. Speaker, I thank the distinguished gentleman from Florida [Mr. GOSS] for yielding this time to me, and, Mr. Speaker, I rise in very strong support of the conference report accompanying Senate Bill 858.

The gentleman from Florida [Mr. GOSS] and the ranking minority member, the gentleman from Washington [Mr. DICKS], along with their counterparts in the other body deserve a great deal of credit for an intelligence authorization bill that this Nation can be proud of and that all Members of this body should strongly support. Not only does this bill authorize the proper amount of authorization for the operation of our national intelligence activities, it also specifically authorizes funds for those tactical intelligence functions that provide direct indications and morning support to our military personnel deployed around the world. It is absolutely critical that we, the elected officials in this country, fully support those men and women we have sent into harm's way with useful intelligence.

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This bill provides the best effort possible to do just that.

Mr. Speaker, I think that it is also important to note that in terms of tactical intelligence functions, in this bill there was tremendous and close coordination between the House Permanent Select Committee on Intelligence and the House Committee on National Security. I have firsthand knowledge of this as I proudly serve on both committees.

This cooperation was so effective, in fact, that the tactical intelligence provisions addressed were actually contained in the defense authorization bill that was recently voted on by Congress.

As a former military veteran and fighter pilot, I must say that several of these provisions address issues that are very important to me personally, issues such as unmanned aerial vehicles, or UAV's. These unmanned aircraft offer a great potential for reducing the threat and danger of enemy activities and threats to our airborne reconnaissance aircrews.

However, in many Members' eyes, the Department of Defense's management of these vehicles has not proven to be overly successful. The defense and intelligence authorization bills take some bold steps in this direction, both in terms of legislation and funding actions, to improve the Department's UAV management, thus ensuring that these air vehicles have the greatest chance for success.

Although controversial to some, I believe the very responsible positions hammered out during the conference and the conference process are all fair, logical, and, most importantly, a step in the right direction, to minimize the overhead costs while maximizing the Services' responsibilities for equipping their troops. These responsible actions are reflective of the entire intelligence authorization bill.

Again, I would like to thank the chairman and the Members on the other side of the aisle for their conscious and dedicated effort in this regard. I urge all my colleagues to support this conference report.

Mr. DICKS. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT] who has been largely responsible for the "buy America" provisions that have been contained in this bill over the last several years. He has been very concerned about this.

Mr. TRAFICANT. Mr. Speaker, I thank the ranking member for yielding me time, and I want to commend the chairman and ranking member for the bill.

As you know, I have questioned some of the intelligence-gathering capability of our programming here that we fund. Some of it evidently is made to the advertisement level, where I questioned why we did not learn from the CIA that Saddam Hussein had invaded Kuwait but we learned that from CNN.

I am not going to oppose this bill, because I have confidence in the people who have drafted the bill, and I understand that without adequate intelligence gathering, our national security is really threatened.

But I want to caution the Congress. When General Schwarzkopf said that he relied on intelligence as much from the media and CNN as he did from CIA and other sources, that should be cause for alarm. I honestly believe that we are spending billions of dollars in this hidden intelligence network system, and we are not getting the type of intelligence that we need to keep our great Nation free.

I believe there is a fault. I am hoping that in the next bill we will address that, we will address the reasons why a general in the Persian Gulf war relied as much on the media as he did on intelligence sources and why, in God's name, our media knows more at times about significant national and international events that affect our freedom as does our intelligence-gathering network.

So I believe you are on the right track. I appreciate the fact that even though it is a hidden budget, we can have a hidden "buy American" provision, and hopefully maybe we will at least buy a few American items that will help keep America free. I am going to support the bill.

Mr. DICKS. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I just want to say to my friend from Ohio, Mr. TRAFICANT, that

General Schwarzkopf is a very close friend of mine. In fact, he was commanding officer of I Corps at Fort Lewis, and I went over there several times. He did come to the Permanent Select Committee on Intelligence after the war. He said that this was the best intelligence that any commanding officer had ever received.

Now, did he say, yes, there were some things we should be working on like broad area search, the dissemination of imagery, being able to find targets which could be relocated, like Scud launchers, more rapidly? Yes. But I want the gentleman to know that we are working on each one of those issues.

Last year, this Congress created NIMA. I strongly supported that. That was an initiative of the administration. We put mapping together with imagery. Today, we are able to get imagery out into the field more rapidly than we could during the gulf war.

I will also say to the gentleman that other areas of intelligence gathering provide greater insights into Iraqi plans in the gulf war. We knew exactly what was going on.

So the general had some critiques, but, overall, he said intelligence was very, very good. I think if you talked to him about it, he would say that. We are, I believe, trying to address the areas where there are problems.

I would also note that the first thing that George Bush, the President during the gulf war said at the time was that there had not been an intelligence failure with respect to the invasion of Kuwait. The intelligence community gave the President notice that it was likely there would be an invasion. The administration did not act on that warning.

It was hard to act, because our allies were giving us different information. Our allies in the region were saying that Saddam will not do it, while the intelligence community said that, it looks like he is going to do it. A decision was made to rely on the people in the region, and that proved to be wrong. But it was not an intelligence failure.

I like the fact that when you go all over the world you have CNN, and it is a good supplement to our intelligence. Having the news available all over the world is important. But it does not make up for having in place the national technical means, the tactical intelligence, the human intelligence that has to be out there in the field. I am worried, frankly, that we are downsizing to such a level that we are going to be spread so thin, especially in the human intelligence area, that we could have problems in the future. That is something we have to address. But that is going to require more effort and more resources, not less.

We thank the gentleman for his help and participation and for his support of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GOSS. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New Hampshire [Mr. BASS].

Mr. BASS. Mr. Speaker, I thank the distinguished chairman for yielding time to me.

Mr. Speaker, I would only follow on to my distinguished colleague's response to the gentleman from Ohio [Mr. TRAFICANT] by saying, what the media did in the gulf war was to report what was happening and what had happened. What is key to intelligence and its effective service is to analyze all sources and to try to predict and provide the best possible advice to our policymakers.

I think we have learned a lot from the gulf war, and I think the quality of the intelligence services that we are provided today are, indeed, far superior. But the fact is, it is always easy to criticize an event after the fact. It is far more difficult to deal with the complexities of the world as they exist today and to provide leaders with predictions about what is going to happen. That is the key.

But I really appreciate, Mr. Speaker, the opportunity to speak today in support of the conference report to accompany the Senate bill that authorizes funds for intelligence and intelligence-related activities. As a member of the Subcommittee on Human Intelligence, Analysis and Counterintelligence, I am particularly pleased with the bipartisan and bicameral work that we have been able to do to augment the breadth and depth of all-source analysis, as I mentioned a minute ago, in the intelligence process.

Mr. Speaker, let me describe the future role of the all-source analyst by describing the past. Last month, the Central Intelligence Agency celebrated the 50th anniversary of its creation, leading us all to reflect for a moment on the grand struggles and great victories of the OSS in World War II and the CIA in the cold war.

Our chairman, the gentleman from Florida [Mr. GOSS], has spoken publicly and eloquently about the work and sacrifices made by U.S. intelligence officers from occupied France to the Soviet Union in securing these victories, in many instances submitting themselves to grave, grave danger.

Those struggles, Mr. Speaker, are now history, and it is really a grand history. In their place has emerged a far more complicated, multipolar world with issues and threats that emanate not just from Berlin or Moscow, but from places like Kinshasa, Monrovia, and Chiang Mai.

To inform and educate our policymakers in this new world, we require an intelligence community with diverse and global foci. To make that happen, we require an analytic core that can follow everything from the T-72 tank in the sub-Sahara to the price of poppies in the Golden Triangle. We also need those analysts to identify and direct intelligence collection that is both cost effective and useful to our needs.

Mr. Speaker, I support strongly Senate bill 858, and I urge my colleagues to support us in passing this conference committee report today.

I thank the gentleman from Florida [Mr. GOSS] for his help and guidance as the chairman of this committee.

Mr. DICKS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am going to yield back, too. Before I do, I want to just point out one other thing. Sometimes we overlook the fact that we have men and women, dedicated men and women in the intelligence community in the United States of America, who are working literally 7 days a week, night and day, to make sure our national security remains nationally secure. I think that is something that sometimes gets overlooked and sometimes gets misinterpreted in our sensationalized and instantanealized media.

I think every American should be proud of the folks in the intelligence community and the work they do, and should be thankful for them, as we are.

Mr. Speaker, having said that, I urge support of the conference report.

Ms. HARMAN. Mr. Speaker, I rise in support of the fiscal year 1998 Intelligence Authorization Conference Report.

As a member of the committee, I would like to commend the chairman, the ranking Democrat, and all of the staff for their exceptional work on this important bill.

This report achieves small gains in intelligence spending, at a time when other categories of Federal spending are decreasing. Why? Because intelligence spending is intelligent spending.

The post-cold war world is characterized by uncertainty. This makes it even more critical that we have a robust intelligence program.

One source of uncertainty is proliferation. Nations like Russia and China are selling high technology weapons and know-how to rogue nations—we wouldn't be aware of this without the resources and the efforts of our intelligence agencies.

The Congress had an opportunity to address this issue yesterday, and now the administration has an opportunity to take the steps necessary to stop it. To monitor our success in the future we need continued vigilance and continued efforts to prevent and respond to proliferation to rogue states.

Mr. Speaker, as a member of the Subcommittee on Technical and Tactical Intelligence, I want to note that too often when we think of intelligence gathering, we only think of the spies and information sources behind enemy lines. These people and sources are critically important to be sure, but we cannot forget our technical collection capabilities—the

satellites and aircraft equipped with high technology sensors to observe and to listen.

Taken together, these systems comprise an architecture—a system of systems—that collects intelligence and distributes it to decision-makers and military planners.

Because of these sentinels, our enemies know that their actions do not go unnoticed. They know we are watching.

I am proud to say that many of these technical systems are designed and manufactured in my district, and I salute the men and women who develop them. They are truly making the highest contribution to our national security.

Mr. Speaker, today we are undergoing a revolution in military affairs. Our Armed Forces rely increasingly on information so they can understand the battlefield and attack with precision and effectiveness.

It is our technical intelligence architecture—our satellites and aircraft with their sensors and processors—which collects the critical information that gives our forces an overwhelming advantage over their opponents.

Mr. Speaker, I enthusiastically support this Intelligence Authorization Conference Report, and I urge our colleagues to do so.

Mr. MCCOLLUM. Mr. Speaker, I appreciate the opportunity to speak in support of the conference report to accompany Senate bill 858 that authorizes funds for intelligence and intelligence-related activities for fiscal year 1998. As chairman of the Subcommittee on Human Intelligence, Analysis and Counterintelligence, I am pleased that this report identifies and corrects some fundamental shortfalls in the investments we must make to ensure that our Nation's intelligence community can provide on the ground intelligence about the narcotics traffickers, terrorists, weapons proliferators, and rogue states that imperil our national security.

HUMAN INTELLIGENCE

Mr. Speaker, the collectors of on the ground human intelligence, or HUMINT, are working hard and working well against the plans and intentions of terrorists, traffickers, proliferators, and rogue states. In the budget request, however, our committees found a significant shortfall in the technical and other support that these collectors will need in future years to continue their fine efforts to gather HUMINT on these threats; we cannot expect these collectors to overcome the high technology employed by traffickers, for example, without technology of their own. This committee also found a lack of long-term planning in the focus and funding of collection operations; we cannot expect HUMINT collectors to perform well when funding plans are made on an ad hoc, year-to-year basis.

As the result of bipartisan and bicameral work and coordination, Mr. Speaker, our conference report does indeed begin the process of providing adequate support for the eyes and ears of the intelligence community against these new and difficult threats. On those same bases, Mr. Speaker, our report now directs the intelligence community to develop a system for projecting the long-term funding needs of these vital collection efforts so that we may continue to provide these efforts with adequate support.

ANALYSIS

Mr. Speaker, the all-source analyst stands in the center of the planning of this committee and of the intelligence community for the needs of policymakers in the 21st century. We will look to the all-source analyst to anticipate future needs for intelligence and to provide support to the policymakers and to the military. Where will the next Congo be? What are the terrorist threats in a specific country? What success is a rogue regime having in developing chemical or biological weapons? We will also look to that analyst for direction in what information about these crises we may obtain through open sources and what we must obtain through human or technical clandestine collection.

In that light, Mr. Speaker, I am particularly pleased to report that the conference report directs and begins to fund the restoration of an analyst cadre pared too lean over past years to cover the projected needs of policymakers as we pass into the next century. As our report makes clear, our committees will remain engaged in that restoration and will look to the all-source analyst to guide the intelligence community in future years.

COUNTERINTELLIGENCE

Finally, Mr. Speaker, I regret to say that the reality of the counterintelligence threat to our national security continues to play on the front pages of our newspapers: Ames, Pitts, Nicholson, Kim, and now the recent three arrests. The success of investigations and prosecutions in these cases continues to depend upon counterintelligence officers within the community who are able to think the unthinkable—that is, that Americans could engage in such treachery—and to pursue investigations carefully and successfully. Mr. Speaker, our conference report reflects bipartisan and bicameral recognition of the efforts of these counterintelligence officers and supports the means by which their vigilance may be continued.

CONCLUSION

In sum, Mr. Speaker, our conference report acknowledges and supports the focused efforts of the HUMINT collector, the crucial role of the analyst, and the difficult, but necessary, role of the counterintelligence officer. We have made surgical cuts and strategic adds necessary to the focus and the effectiveness of the intelligence community against the threats that imperil our Nation.

I once again thank Chairman GOSS for the direction and guidance he has given to both his subcommittees during the course of conference.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise to express my support for S. 858, the intelligence authorization for fiscal year 1998. However, I remain deeply concerned about allegations that have been raised regarding CIA involvement in drug trafficking in south central Los Angeles and elsewhere. A year ago next week, then Director of Central Intelligence John Deutch made an unprecedented visit to Alain Locke High School in my district to directly address the concerns raised by my constituents and me generated by these allegations. His visit illustrated a new openness to wrestling with the issues raised by press reports. Those reports, some of which have been retracted, suggested that the crack cocaine trade that has devastated whole communities was promulgated by official government activities under the aegis of the Central Intelligence Agency.

Consequently, I and my constituents eagerly await the release of the inspectors general of Justice and CIA. I understand the release of the Justice Department's inspector general is imminent. I hope that the select committee will give their content, methodologies and findings the scrutiny they deserve and in a similar spirit of openness, make themselves available to my constituents to respond to any questions these report generate. I believe such openness is critical to restoration of the credibility and public trust necessary to allow intelligence gathering activities, which by their nature are secretive, to coexist with democracy.

Mr. BISHOP. Mr. Speaker, I rise in support of the conference agreement for the Intelligence Authorization Act for fiscal year 1998. Last July, when this body considered the House version of the intelligence bill, I stood in this well and commended Chairman GOSS and the ranking Democrat, Mr. DICKS, for their efforts in producing a bipartisan measure that enhanced our Nation's intelligence collection, analytical and dissemination capabilities. Mr. Speaker, I echo those remarks today and extend them to the leadership of the Senate Intelligence Committee, Chairman SHELBY and Vice-Chairman KERREY, for their efforts in working with us to produce a conference agreement fully supportive of the men and women who comprise our intelligence community.

In the unstable world that we live in today, our Nation's military is called upon to perform more difficult tasks at an ever-increasing tempo of operations. Let us not forget that the Department of Defense has regrettably drawn down more than any other Federal agency and the reductions in personnel and dollars continue today. Intelligence acts as a force multiplier, and if we are to continue on a downward path in funding our Nation's armed services, then we need to take every step to ensure that our intelligence capabilities are sufficient to provide policymakers with the information they need to make key decisions affecting national security. The conference report before us today provides the necessary resources to ensure that our intelligence capabilities are sufficient to meet tomorrow's contingencies.

Mr. Speaker, debate over the appropriate levels of funding for intelligence activities does not always emphasize the important role of intelligence in achieving a full accounting of members of the armed services who are lost in battle. I want to ensure my colleagues, veterans and the families of the military personnel whose fate remains undetermined that this conference agreement provides the necessary resources to permit the intelligence community to continue to assist in efforts to determine the fate of those listed as missing in action. I have not forgotten you, the Congress has not forgotten you and this legislation will assist in helping to bring you home.

Mr. Speaker, let me again thank the leadership of the House and Senate intelligence committees for their work in fashioning a bill that provides critical support to all facets of our intelligence community. The military and

civilian components of our intelligence apparatus are sufficiently provided for in this agreement so that they may continue to assist in providing force protection intelligence to our troops called upon to conduct noncombatant evacuations when the lives of Americans are threatened overseas. Additionally, resources are authorized that permit the intelligence community to sustain its efforts to assist in the collection and analysis of critical intelligence bearing on such difficult and challenging issues as counterterrorism, counternarcotics and counterproliferation.

I urge my colleagues to support this measure and in doing so support the men and women of the U.S. intelligence community.

Mr. GOSS. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GOSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 385, nays 36, not voting 12, as follows:

[Roll No. 607]

YEAS—385

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Flake
Foglietta
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—36

Becerra
Bonior
Camp
Chenoweth
Conyers
Davis (IL)
DeFazio
Dellums
Duncan
Filner
Frank (MA)
Furse
Gutierrez
Hinchey
Jackson (IL)
Lofgren
McDermott
McGovern
McKinney
Miller (CA)
Minge
Oberstar
Olver
Owens
Paul
Payne
Rush
Sanders
Serrano
Tierney
Torres
Velázquez
Vento
Waters
Watt (NC)
Woolsey

NOT VOTING—12

Cooksey
Cubin
Gonzalez
Johnson, Sam
Markey
McDade
Neal
Riley
Schiff
Stark
Stokes
Yates

□ 1050

Messrs. DEFAZIO, OBERSTAR, VENTO, and RUSH changed their vote from "yea" to "nay."

Mr. BARR of Georgia and Mr. STUPAK changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report on S. 858 just agreed to.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Florida?

There was no objection.

ANNOUNCEMENT REGARDING SUSPENSIONS TO BE CONSIDERED TODAY

Mr. GOSS. Mr. Speaker, pursuant to House Resolution 305, I rise to announce the following suspensions to be considered today: H.R. 2534, H. Res. 122, H.R. 2614, S. 813, S. 1139, S. 714, H.R. 2513, S. 1377, and H.R. 2813.

CHARTER SCHOOLS AMENDMENTS ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 288 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2616.

□ 1053

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2616) to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools, with Mr. SNOWBARGER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, November 4, 1997, the amendment printed in the House Report 105–357 offered by the gentleman from California

[Mr. RIGGS], as modified, had been disposed of.

Are there further amendments to the bill?

Mr. RIGGS. Mr. Chairman, I move to strike the last word.

Mr. Chairman I am very pleased that we can be returning to work in the House on bipartisan legislation that I have coauthored and cosponsored with my good friend and colleague, the gentleman from Indiana [Mr. ROEMER].

Before we begin the amendment process, I would like to remind my colleagues that this legislation, the community-designed Charter Schools Amendments Act, is designed to, first of all, carefully direct new money, any increase in Federal taxpayer spending for the startup and creation of more charter schools, to those States that provide flexibility in three key areas.

We might describe these States as those States that have strong laws on the books embracing the idea of public school choice and putting resources into expanding charter schools in order to give parents and guardians, the ultimate consumers of education, more choices in selecting the education that is appropriate for their child.

Federal taxpayer funding for charter schools is increasing dramatically. In fact, in this bill the gentleman from Indiana [Mr. ROEMER] and I propose authorization of the President's budget request to double taxpayer funding from $51 million in the last fiscal year to $100 million in this fiscal year for the startup and creation of more charter schools, helping us to move toward the goal of 3,000 charter schools nationally, as the President has espoused on several occasions.

Mr. Chairman, I am sure all these ongoing discussions on the floor are related to the charter schools legislation.

Mr. Chairman, as I was about to say, we direct the new money to those States that, first of all, provide a high degree of fiscal autonomy to charter schools, States that allow for increase in the number of charter schools from year to year over the life of this legislation, and lastly, States that provide for strong, high academic accountability in the contract between the charter school and the chartering authority.

This is a program, Mr. Chairman, that has grown from $6 million of Federal taxpayer funding in 1995 to $51 million in the fiscal year just completed to, we hope, approximately $100 million in this current fiscal year just begun. There are currently over 700 charter schools operating in the 29 States, plus the District of Columbia and the Commonwealth of Puerto Rico, that have charter school laws on the books.

This legislation also assures that 95 percent of the Federal taxpayer funding for charter schools will go to the State and local level, and only 5 percent will be kept behind here in Washington for ongoing research and evaluation as to the efficacy of charter schools, and for other national activities conducted by the Department of Education.

Lastly, the legislation directs the Secretary to work with the States to ensure that charter schools receive their fair share of proportionate, that is to say, per pupil, Federal categorical aid for education, such as title I and special education funding.

Some local educational agencies have been rather lukewarm toward the idea of charter schools, and in some cases we learned through our committee hearing process, and in the testimony on our legislation, the charter schools in those communities have not been receiving their fair share of Federal education dollars.

Mr. Chairman, I am happy to bring this legislation back to the floor.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Indiana, my coauthor and cosponsor on the bill.

Mr. ROEMER. Mr. Chairman, I just want to take this time to remind my colleagues that this is bipartisan legislation. It has been a pleasure working with my good friend, the gentleman from California [Mr. RIGGS] on this very important legislation.

We have spent the last couple of days talking about foreign policy, talking about United States-China relations. It is important that we discuss how we boldly reform public education in America today.

This legislation is strongly supported by the President. President Clinton has been a strong advocate of charter schools. This came out of our committee, the Committee on Education and the Work Force, with 10 Democrats voting for it, 8 opposed to it.

This legislation is about public school choice, so our parents can send their children to good public schools, charter schools, alternative schools, magnet schools, and give them more choices and create more competition in the public school system. It is about schools that function with less bureaucracy and with less strings attached. It is about schools that try bold ideas with respect to curriculum and school days and partnerships with businesses and apprenticeship programs.

□ 1100

This is a very, very good bill. It is not the panacea, Mr. Chairman. It is not the silver bullet to solve all educational problems in America today. But it is certainly an arrow in the quiver. It is certainly one of the options to help us move forward and, in a bipartisan way, solve education problems.

So with that, I again thank the gentleman from California [Mr. RIGGS] and look forward to the debate today.

The CHAIRMAN (Mr. SNOWBARGER). Are there further amendments?

AMENDMENT OFFERED BY MR. MARTINEZ

Mr. MARTINEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTINEZ:

Page 10, line 6, strike the semicolon and insert "and to participate in State assessments;".

Page 18, line 7, strike "(2)" and insert "(3)".

Page 19, strike lines 3 through 5 and insert the following:

"(3) To provide for the completion of the 4-year national study (which began in 1995) of charter schools and any related present or future evaluations or studies which shall include the evaluation of the impact of charter schools on student achievement and equity, including information regarding—

"(A) the number of students who applied for admission to charter schools and the number of such students who enrolled in charter schools, disaggregated on the basis of race, age, family income, disability, gender, limited English proficiency, and previous enrollment in a public school;

"(B) student achievement;

"(C) qualifications of school employees at the charter school, including the number of teachers within a charter school that have been certified or licensed by the State and the turnover of the teaching force; and

"(D) a description of the relationship between a developer (or administrator, if applicable) and any for-profit entity that is involved in the development or administration of any school.".

Mr. MARTINEZ (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MARTINEZ. Mr. Chairman, this amendment would redirect the Secretary's priority in the National Activities section toward evaluation rather than private capital generation for charter schools. The amendment would also expand upon the evaluation requirements in the bill to ensure that the important aspects of charter schools and their effectiveness on students be studied. And, also, this amendment would ensure that the present or future evaluations must look at those things that ensure that students and parents are not being denied on biased premises.

The amendment would also ensure that charter schools will enable students to meet the challenging State performance standards and participate in State assessments. We still do not have a comprehensive evaluation of charter schools because they have not been in existence that long, especially on important concerns like the kinds of services students receive, which students get enrolled and which get rejected, what the level of student achievement is in a given charter school. Nothing in current law requires that kind of detailed research information. And we need to make sure we get

that information to make informed policy decisions regarding charter schools.

This amendment at least ensures some accountability for the schools and for us when we authorize this program next Congress. Strong evaluation requirements are an accountability tool. We want to give the charter schools flexibility, but we do not want to give them a lack of responsibility. In many cases, flexibility to some people means no responsibility.

Since we do not have any real requirements for evaluation under current law so we can get that broad, sweeping information, that does not give us a true and clear picture by district and by charter school on what is really going on there, good, bad or indifferent, especially with charter school student achievement, which is the claim to their big success.

We have little or no reliable data today on questions concerning equity and student achievement with charter schools. What little data we have makes it really difficult to be able to tell what is really happening in these schools or the influence that charter schools are having on our respective districts. The current law gives no direction to the Department of Education for its studies. The most recent report has no desegregated data, so it is almost meaningless.

We are not asking these charter schools anything that we would not ask of other public schools, accountability. This bill would require the Secretary, as his No. 1 priority in the completion of the bill's national activities, to enter into contracts to ensure private capital generation for charter schools. I would think that we should be supporting further evaluation of charter schools to gauge their effectiveness in educating our children, rather than forcing the Secretary to act like a Wall Street broker.

We have debated on this floor that the GAO says that there is a $112 billion need to repair to good condition, not excellent condition but just good condition, public schools in our Nation, which are attended by 90 percent of America's children. The schools are crumbling. They are too old to be wired for the 21st century technologies. They are overcrowded. It would be a slap in the face, in my estimation, for every student in the noncharter school to say that the Federal Government will help other schools but not theirs get access to that private capital by making sure that the No. 1 priority of the Secretary is to generate funds for charter schools.

The oldest charter school, as I said earlier, is only about 6 years old. And there is really much to learn about what makes a successful charter school and how effective charter schools are in increasing the academic results that we all are looking for charter schools accepting all students of all races.

We have had testimony that in certain areas that certainly is true. But is it universal? Are charter schools using certified teachers? In some cases they are not. What impact does that have on turnover of teaching forces in a charter school? What effect does a for-profit entity which is involved in the development of a charter school have on the ways the school operates for the success of its student?

All of these questions are important questions that I think must be answered. And the only method that we have to answer them is to make sure that the Secretary of Education has the mandate to go in and study these things. The current language in the bill only allows for the completion of existing 4-year charter school studies presently being completed by the Department of Education and any related subjects. This amendment would give us the information, I believe, that we truly need to gauge how charter schools are operating.

Mr. RIGGS. Mr. Chairman, I move to strike the last word, and I rise in opposition to the Martinez amendment.

Mr. Chairman, let me point out at the outset that there are aspects of the amendment of the gentleman from California [Mr. MARTINEZ] that I think have merit. He is a good friend. He is the ranking member of the subcommittee. He has made many contributions to the very positive and bipartisan work that we have done over the last year during the first session of this Congress.

I would like to, if at all possible, continue to work with the gentleman from California [Mr. MARTINEZ] on his amendment between now and the time that we might go to conference with the other body. I understand that the thrust of the amendment of the gentleman from California [Mr. MARTINEZ] is to sort of reorder the priorities under the National Activities section of the bill, and the gentleman would suggest, and I think he does this very, very sincerely, that the Secretary and the Department should give higher priority to the ongoing evaluations and studies of charter schools than assisting charter schools in accessing private capital.

However, I hasten to add that we heard anecdotal testimony during our hearings, including our field hearings in different communities around the country, that many charter schools, like a startup business, have difficulty accessing capital, sufficient capital to meet their cash-flow needs, sufficient capital to remain in business as a charter school and continue to educate the young people.

In fact, as I pointed out, one of the reasons that we have in our proposed legislation extended the life of the initial Federal taxpayer grant for charter schools from 3 years to 5 years is because many charter schools, while producing impressive academic results, showing demonstrated improvement in pupil performance at the 3-year mark, are still struggling to make ends meet financially.

That all said, I would like to submit to the gentleman that perhaps we ought to say that both these areas are high priorities for the Department. I have to also tell my colleague that the very last item in his amendment, at least the version I have, which is paragraph (D) on page 2, requiring the ongoing evaluation to include a description of the relationship between a charter school developer and any for-profit entity that is involved in the development or administration of any school, is unacceptable, for the simple reason that we on several occasions, and I think the gentleman from Indiana [Mr. ROEMER] will confirm this, we on several occasions considered, discussed, or debated the possibility of making references to for-profit entities in the legislation but at the end of the day decided to eliminate any references to for-profit entities in the name of bipartisanship.

So I would like to submit to the gentleman from California [Mr. MARTINEZ] that this should come out, because I would be happy to defend the role of for-profit entities, such as, for example, the Edison Project, the great work that they are doing.

I mentioned the other day on the floor that this, and I happen to have it with me, this Parade magazine article, where a Parade reporter, who happens to have an active teaching credential, went to different elementary schools around the country, fifth grade elementary classrooms around the country in Pullman, WA; Boston, MA; Chicago, IL; Salt Lake City, UT; and she concluded that the most impressive school she visited was the Boston Renaissance Charter School, obviously in Boston, MA. That happens to be run under a contract by the Edison Project, which, in my understanding, is a for-profit corporation.

Mr. Chairman, this lady, by the name of Bernice Kanner, goes on to say, "Reading is king at the Boston Renaissance Charter School, and of all the places I visited, this one worked best. The students, most of whom are black and come from low-income homes, pay nothing and are selected by lottery," pursuant to Massachusetts and Federal law regarding charter schools. "Parents are required to be involved in their child's education, a computer is lent to every student, and they have a longer school day and year. Students spend 1½ hours daily reading and improving their writing skills. Lessons followed a strict formula. The students read silently." She is a teacher and was substituting in this classroom and at this school. "Then I read to them and reviewed vocabulary. They answered questions in their journals from a book

they had read as homework. In science, they copied terms, along with their definitions, into their journals."

Just a brief description of the kind of instruction and learning that is taking place at the Boston Renaissance Charter School run by a for-profit entity.

So I want to submit to the gentleman from California [Mr. MARTINEZ] that we can work on this amendment, but we would like to remove that reference under paragraph (D).

Mr. MARTINEZ. Mr. Chairman, could I ask the Chair to recapture part of my time so I might respond to the gentleman from California [Mr. RIGGS]?

The CHAIRMAN. The gentleman from California [Mr. MARTINEZ] cannot yield balances of time during debate under the 5-minute rule.

Mr. RIGGS. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RIGGS. Mr. Chairman, I yield to my good friend, the gentleman from California [Mr. MARTINEZ].

Mr. MARTINEZ. Mr. Chairman, I agree with the gentleman from California [Mr. RIGGS] that there are a lot of places and instances where we can find reports of charter schools that are doing excellent things, private for-profit charter schools, as well as public charter schools. And my argument is not with that; my argument is with accountability.

I agree with the gentleman from California [Mr. RIGGS] that (D) to this amendment is not that important, that I would strike that amendment if the gentleman from California [Mr. RIGGS] would accept the rest of the language. And I agree also that the priorities of the Secretary could work hand in hand on the accountability aspects of it in generating revenues for charter schools.

The problem is that I do not think it should be exclusively the responsibility or primarily the responsibility of the Secretary of State to generate those funds, to spend all of that time just generating funds, when he could actually be spending some of that time doing the evaluation of these schools so we would have a better knowledge when we go to reauthorize this legislation.

So I would strike that if the gentleman from California [Mr. RIGGS] is willing to accept the rest of the language, strike paragraph (D).

Mr. ROEMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to say to our ranking member on the Democratic side that his amendment, on IDEA, is a very helpful amendment. I think the gentleman from California [Mr. RIGGS] and myself continue to work out language to make sure that charter schools, as we say very, very strongly in our bill, that charter schools will reflect the same student body that other public schools reflect and that individuals with disabilities and special-need students will have that access to charter schools.

I think that is a very helpful amendment. I think, with this amendment, there are parts of the amendment of the gentleman from California [Mr. MARTINEZ] that actually are already included in our bill. We actually say that the Department of Education's role in evaluation should be vital and should be important.

□ 1115

We go on to say in the bill that it directs the Secretary to complete the Department's 4-year study of charter schools, which addresses many of the same things that the gentleman from California outlines in his amendment. So we do have very, very strict accountability in the bill.

Also, I think one of the key points that I would like to make is just this week I addressed, in Washington, a conference of charter school people from across the country; 800 or 900 people attended this conference. They said very specifically to me at the talk and at the conference and after my remarks that one of the biggest obstacles they face is the lack of start-up funds and the difficulty in accessing private capital for facility improvements. We want to make sure in our bill that they can overcome these kinds of obstacles.

When the Hudson Institute did their study of what charter school difficulties there are in the first year or two, they also confirmed that start-up costs and facility improvements are the single biggest hurdles to fledgling charter schools. We want to make sure that these schools have access and this amendment would strike that ability, would eliminate that ability.

Mr. Chairman, I would encourage my friend from California, we want to get his support for final passage of this bill. We want to work with the gentleman from California on his IDEA language. We want to find some ways to make sure that he understands that we have accountability in the bill and that there are areas of repetition with his amendment.

Mr. MARTINEZ. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from California.

Mr. MARTINEZ. Mr. Chairman, I do not disagree with anything the gentleman has said except that in the bill, as it is listed now, it is a very generic reference to that. What I am saying in this amendment is that we should be more specific. That is the only difference.

MODIFICATION TO AMENDMENT OFFERED BY MR. MARTINEZ

Mr. MARTINEZ. Mr. Chairman, I ask unanimous consent to modify my amendment, and I think the modification is at the desk.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. MARTINEZ:

On line 14 of the amendment insert "and" at the end, and at the end of page 2, line 2, strike "and."

The CHAIRMAN. Is there objection to the modification?

Mr. RIGGS. Mr. Chairman, reserving the right to object, I would just explain to my good friend and colleague that the one thing that we do not want to do here is impose even more reporting requirements or regulatory compliance on charter schools. That obviously goes against the whole idea of decentralizing and deregulating public schools. But the one concern we still have on this side is requiring charter schools to provide to the Department or their contractor or whoever is conducting the ongoing study. Obviously, I think we should mention to our colleagues that the Department did the first-year study in-house. That said, our concern is requiring charter schools to gather disaggregated data on family income. That is the concern.

Mr. MARTINEZ. Mr. Chairman, I agree, and I am willing to strike those two words.

PARLIAMENTARY INQUIRY

Mr. SCOTT. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. SCOTT. Could the Clerk rereport the amendment, please?

The CHAIRMAN. Without objection, the Clerk will rereport the modification.

There was no objection.

The Clerk read as follows:

Modification to amendment offered by Mr. MARTINEZ:

At the end of subsection (B) insert the word "and"; at the end of subsection (C) delete the word "and" and insert a period; and delete subsection (D).

The text of the amendment, as modified, is as follows:

Page 18, line 7 strike "(2)" and insert "(3)".

Page 19, strike lines 3 through 5 and insert the following:

"(3) To provide for the completion of the 4-year national study (which began in 1995) of charter schools and any related present or future evaluations or studies which shall include the evaluation of the impact of charter schools on student achievement and equity, including information regarding—

"(A) the number of students who applied for admission to charter schools and the number of such students who enrolled in charter schools, disaggregated on the basis of race, age, family income, disability, gender, limited English proficiency, and previous enrollment in a public school;

"(B) student achievement; and

"(C) qualifications of school employees at the charter school, including the number of teachers within a charter school that have been certified or licensed by the State and the turnover of the teaching force.

Mr. MARTINEZ. Mr. Chairman, I think there is a further modification to that amendment, and that would be deleting the words "family income" on the 11th line on page 1.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mr. Martinez:

In subsection (A) after the word "age", delete "family income"; at the end of subsection (B) insert the word "and"; at the end of subsection (C) delete "semicolon and" and insert a period; and delete subsection (D).

The CHAIRMAN. Is there objection to modifying the amendment?

Mr. RIGGS. Mr. Chairman, reserving the right to object, I would just ask the gentleman from California [Mr. MARTINEZ] to clarify the meaning and definition of the word "equity" on line 6.

Mr. MARTINEZ. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from California.

Mr. MARTINEZ. The gentleman is referring to the word "equity"?

Mr. RIGGS. In the entire context.

Mr. MARTINEZ. If the word "equity" gives the gentleman a problem, fairness. Because that is what it means. That is the definition of it to mean.

Mr. RIGGS. Mr. Chairman, I apologize for going back and forth like this, but I am going to have to suggest to the gentleman that perhaps we take out those 2 words so that lines 4 through 6 would then read "studies which shall include the evaluation of the impact of charter schools on student achievement, including information regarding".

Mr. MARTINEZ. Fine.

Mr. RIGGS. Mr. Chairman, I ask unanimous consent that we can make that further modification, deleting the words "and equity" at the beginning of line 6.

Mr. MARTINEZ. Would this be the last modification?

Mr. RIGGS. Yes.

The CHAIRMAN. The Chair will entertain one unanimous-consent request on all of the modifications made thus far as opposed to a unanimous-consent request on each separate portion.

Is there objection to the unanimous-consent request to modify the amendment as has been reported?

There was no objection.

The CHAIRMAN. The amendment is modified.

The text of the amendment, as modified, is as follows:

Page 18, line 7, strike "(2)" and insert "(3)".

Page 19, strike lines 3 through 5 and insert the following:

"(3) To provide for the completion of the 4-year national study (which began in 1995) of charter schools and any related present or future evaluations or studies which shall include the evaluation of the impact of charter schools on student achievement, including information regarding—

"(A) the number of students who applied for admission to charter schools and the number of such students who enrolled in charter schools, disaggregated on the basis of race, age, disability, gender, limited English proficiency, and previous enrollment in a public school;

"(B) student achievement; and

"(C) qualifications of school employees at the charter school, including the number of teachers within a charter school that have been certified or licensed by the State and the turnover of the teaching force.

Ms. WOOLSEY. Mr. Chairman, several months ago I visited a charter school in Santa Rosa CA. I spend the morning with students in their small classes, saw the individual attention they got from their teachers, and met many of their parents. And when I left that school, I wept.

I wept, Mr. Chairman, because I want every child to go to a school where the classes are small; where each student has an individual learning plan; where parents participate almost daily. You and I know how few students have these privileges.

That is why I rise in strong support of Mr. MARTINEZ' amendment to the Charter Schools Amendment Act.

Mr. Chairman, during the hearing on charter schools in the Education Committee, we heard testimony that students with disabilities are consistently denied admission to charter schools, or, denied services once they are admitted.

This is unacceptable. Charter schools are public schools, and they are required to comply with the Individuals With Disabilities Education Act.

I know that many charter schools are started by parents and teachers who aren't familiar with IDEA and have never thought about educating a youngster with disabilities. That's why Mr. MARTINEZ' amendment is so very important.

This amendment says that when a charter school applied for Federal funds, the application must include a description of how the school will comply with the Individuals With Disabilities Education Act.

This amendment gives people who want to start a charter school a clear heads up that they have to comply with the act. It gets them to think about compliance, which, I am convinced, will give more kids the opportunity to go to a charter school.

Mr. Chairman, I voted for the Charter Schools Act in committee and I will vote for it again today.

Charter schools offer a good chance for improving public education. Classes are small in charter schools, parents are more involved in their children's education and teachers have a stronger voice in what they teach.

I want all public schools to be so lucky. But, until they are, we need to make sure that charter schools are ready and able to educate all students. Traditional public schools accept and educate all students—we must ask for nothing less from charter schools. We must pass the Martinez amendment.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from California [Mr. MARTINEZ].

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF OREGON

Mr. SMITH of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Oregon:

Page 6, line 2, before the period, insert ", notwithstanding that such a State does not meet the requirements of section 10309(1)(A)".

page 6, line 20, before the period, insert ", notwithstanding that such an eligible applicant does not meet the requirements of section 10309(1)(A)".

Mr. SMITH of Oregon. Mr. Chairman, I would like to especially thank the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the committee, and, of course, the gentleman from Indiana [Mr. ROEMER], the ranking member, and the gentleman from California [Mr. RIGGS], the subcommittee chairman, for allowing me to bring this slight amendment to this very important bill today. I especially want to thank the gentlewoman from Oregon [Ms. HOOLEY], who brought this to my attention and who will assist valiantly in the support of this amendment, I know, simply because we in Oregon do believe in charter schools.

This amendment, Mr. Chairman, simply allows Oregon to meet in their legislative process in 1999 and still continue to qualify for charter schools. We meet every 2 years in Oregon. We do support charter schools. Unfortunately, we are operating under enabling legislation in Oregon which does not conform specifically to the words of this bill. With the simple amendment, which applies only to the State of Oregon, Mr. Chairman, I would ask that you give us an extension of 2 years to continue to support charter schools in our State.

Ms. HOOLEY of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to thank the gentleman from Pennsylvania [Mr. GOODLING], the gentleman from California [Mr. RIGGS], and the gentleman from Indiana [Mr. ROEMER] for their excellent work in bringing this legislation before us today. As many Members know, I had some concerns about this legislation, so I have had the opportunity to work closely with, again, the gentleman from Oregon [Mr. SMITH], the chairman of the Committee on Agriculture. We share the same concerns about Oregon and he has worked very hard on this issue. I want to thank the gentleman for all he has done. I am pleased that this resolution has been reached, and I appreciate the fine work of the gentleman from California [Mr. RIGGS], and to the extent that he has worked in good faith with us on this concern, I thank the gentleman very much.

I support charter schools as a means of providing expanded educational choice for parents, and I support the intentions of this legislation. This will allow us in Oregon to continue to offer

parents and teachers that have previously benefited from this program an opportunity to continue benefiting. I strongly support this amendment, and I urge my colleagues to do the same.

Mr. ROEMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this compromise amendment. I want to commend the gentlewoman from Oregon [Ms. HOOLEY] for her hard work. She has been tenacious and diligent in working with me and with the gentleman from California [Mr. RIGGS]. I want to compliment the gentleman from Oregon [Mr. SMITH] as well, too.

The purpose of this legislation that has been crafted in a delicate and bipartisan way is to make sure that we maintain the integrity of the language and not hurt existing charter schools. I think this compromise amendment makes sure that those existing schools are not hurt while some legislative bodies may not be meeting for a year or two in order to address some of the problems that they may have in their State. I strongly support this amendment and again want to commend the gentlewoman from Oregon [Ms. HOOLEY] and the gentleman from Oregon [Mr. SMITH] for their hard work.

Mr. RIGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I too support the amendment of the gentleman from Oregon [Mr. SMITH] and the gentlewoman from Oregon [Ms. HOOLEY]. Their amendment is very, very straightforward. It simply states that any State that has received a charter school grant prior to October 1, 1997, shall be eligible for an extension grant, as we increase the life of an initial start-up or seed money grant to States for charter schools from 3 years to 5 years. I do also want to mention that with regard to the new money, the increase in Federal taxpayer funding for charter schools in the bill over the past fiscal year level of $51 million in Federal taxpayer support for charter schools, the priority criterion in the bill is for States that have specific, and we hope, strong charter school laws on the books. I very much encourage both the gentleman from Oregon [Mr. SMITH] and the gentlewoman from Oregon [Ms. HOOLEY] to work with their constituents and certainly work with the State legislature in their home State to see if it is not possible for that State to adopt a similar law.

PREFERENTIAL MOTION OFFERED BY MR. MENENDEZ

Mr. MENENDEZ. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from New Jersey [Mr. MENENDEZ].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MENENDEZ. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

PARLIAMENTARY INQUIRY

Mr. SMITH of Oregon. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Oregon. Mr. Chairman, prior to this motion, there was business on the floor of the House that has not been completed. I would ask the gentleman prior to the time he makes his motion that we complete that business simply by accepting this amendment, and then the gentleman, of course, would offer his motion. He caught us in the middle of a vote.

□ 1130

Mr. Chairman, the gentleman from New Jersey caught us in the middle of offering an amendment, and the Chair did not have a chance to place the amendment.

Mr. MENENDEZ. Mr. Chairman, I withdraw my request at this time.

The CHAIRMAN. Without objection, the motion to rise is withdrawn.

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. SMITH].

The amendment was agreed to.

PREFERENTIAL MOTION OFFERED BY MR. MENENDEZ

Mr. MENENDEZ. Mr. Speaker, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from New Jersey [Mr. MENENDEZ].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. MENENDEZ. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 71, noes 348, not voting 14, as follows:

[Roll No. 608]

AYES—71

Ackerman
Becerra
Blumenauer
Bonior
Brown (FL)
Brown (OH)
Carson
Conyers
Coyne
DeLauro
Dellums
Deutsch
Dingell
Doggett
Evans
Farr
Fazio
Filner
Frank (MA)
Furse
Gejdenson
Gephardt
Hastings (FL)
Hinchey
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Kennedy (RI)
Kennelly
LaFalce
Lewis (GA)
Lofgren
Maloney (NY)
McCarthy (NY)
McDermott
McKinney
McNulty
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Mollohan
Murtha
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Payne
Pelosi
Peterson (MN)
Pomeroy
Rangel
Reyes
Rodriguez
Roybal-Allard
Sanchez
Sanders
Scott
Skaggs
Stark
Strickland
Stupak
Torres
Towns
Velázquez
Wise
Woolsey

NOES—348

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Everett
Ewing
Fattah
Fawell
Flake
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meehan
Metcalf
Mica
Miller (FL)
Minge
Moakley
Moran (KS)
Moran (VA)
Morella
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan

Schaffer, Bob	Souder	Turner
Schumer	Spence	Upton
Sensenbrenner	Spratt	Vento
Serrano	Stabenow	Visclosky
Sessions	Stearns	Walsh
Shadegg	Stenholm	Wamp
Shaw	Stokes	Waters
Shays	Stump	Watkins
Sherman	Sununu	Watt (NC)
Shimkus	Tanner	Watts (OK)
Shuster	Tauscher	Waxman
Skeen	Tauzin	Weldon (FL)
Skelton	Taylor (MS)	Weldon (PA)
Smith (MI)	Taylor (NC)	Weller
Smith (NJ)	Thomas	Weygand
Smith (OR)	Thompson	White
Smith (TX)	Thornberry	Whitfield
Smith, Adam	Thune	Wicker
Smith, Linda	Thurman	Wolf
Snowbarger	Tiahrt	Wynn
Snyder	Tierney	Young (AK)
Solomon	Traficant	Young (FL)

NOT VOTING—14

Bono	Johnson, E.B.	Slaughter
Cubin	Kaptur	Talent
DeFazio	Riley	Wexler
Foglietta	Schiff	Yates
Gonzalez	Sisisky	

□ 1153

Messrs. SAM JOHNSON of Texas, HASTERT, GALLEGLY, HOBSON, and BOB SCHAFFER of Colorado and Ms. DEGETTE changed their vote from "aye" to "no."

Mr. SKAGGS changed his vote from "no" to "aye."

So the motion was rejected.

The result of the vote was announced as above recorded.

AMENDMENTS OFFERED BY MR. PASTOR

Mr. PASTOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PASTOR:

Page 18, after line 2, insert the following.

"(g) TRIBALLY CONTROLLED SCHOOLS.—Each State that receives a grant under this part and designates a tribally controlled school as a charter school shall not consider payments to a school under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2507) in determining—

"(1) the eligibility of the school to receive any other Federal, State, or local aid; or

"(2) the amount of such aid.".

Mr. PASTOR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. PASTOR. Mr. Chairman, I rise to offer an amendment to H.R. 2616, the Charter Schools Amendments Act.

As we know, the Bureau of Indian Affairs, BIA, distributes funds to tribal schools through the Indian Student Equalization Program, or ISEP. The State of Arizona passed an amendment to its charter schools law allowing the State to deduct Federal ISEP payments from the State payment to tribal charter schools. My amendment would simply prevent the States from using this practice.

Mr. Chairman, it is my understanding the chairman has accepted my amendment.

As many of you know, the Bureau of Indian Affairs distributes funds to tribal schools through the Indian Student Equalization Program, or ISEP. The State of Arizona passed an amendment to its charter schools law allowing the State to deduct Federal ISEP payments from the State payment to tribal charter schools. My amendment would simply prevent States from using this practice. Native American schools, often among the poorest schools in the country, should not be penalized for qualifying for federal assistance. Impact Aid has a similar provision, and I simply wish to ensure that tribal charter schools are treated in the same manner.

I represent a number of tribes in Arizona, and I have seen firsthand the poverty and illiteracy that plague these reservations. These schools are among the poorest in the country, and every additional dollar is vital to the future of these children. These schools are desperate for additional resources, and I am proud to offer this amendment today.

It is my understanding that Chairman GOODLING, as well as Congressman RIGGS, have agreed to this amendment. I appreciate the assistance of both Mr. RIGGS and Mr. KILDEE, and I am pleased they have agreed to this amendment.

Mr. RIGGS. Mr. Chairman, will the gentleman yield?

Mr. PASTOR. I yield to the gentleman from California.

Mr. RIGGS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, at this point I would like to suggest to my colleagues how we on this side would like and intend to proceed through the remainder of the consideration of the charter school bill and how we propose to dispose of the pending amendments.

It is our intent on this side to accept the Pastor amendment, and we are prepared to do so at this time. We are also prepared to accept the Kingston amendment renaming the bill from the Charter Schools Amendments Act of 1997 to the Community Designed Charter Schools Act of 1997.

Mr. Chairman, we are also prepared to accept at this time the Traficant Buy America labeling provisions amendment which is also pending before the House.

It is my understanding, after talking to the gentleman from Rhode Island [Mr. WEYGAND] that he will offer and withdraw his amendment pending our engaging in a colloquy, and I hope that the distinguished ranking member of the subcommittee will join us in that colloquy.

Finally, Mr. Chairman, we are still trying to work out an understanding with the gentleman from California [Mr. MARTINEZ] as to his two amendments. We hope we can accommodate his amendment with respect to applying the IDEA, Individuals with Disabilities Education Act, to a certain category of charter schools, and in exchange for doing that he might withdraw his amendment reducing the charter school grant period from 5 years to 3 years.

Mr. Chairman, that would leave us only the Clyburn and Tierney amendments to deal with.

Mr. Chairman, at this point in time I would ask unanimous consent that the Committee accept and approve the Pastor amendment, the Kingston amendment, and the Traficant amendment.

□ 1200

FURTHER AMENDMENTS OFFERED BY MR. RIGGS

Mr. RIGGS. Mr. Chairman, I would like to offer the other two amendments that are part of my unanimous consent request.

The CHAIRMAN. Is the gentleman asking to offer those amendments at this point in time as his own amendments en bloc with the Pastor amendment?

Mr. RIGGS. I am, Mr. Chairman. The Kingston amendment and the Traficant amendment.

Mr. MARTINEZ. Mr. Chairman, reserving the right to object, I was just going to ask the chairman what the Kingston amendment was. I was just told what it was. It is not anything of consequence, so we will accept it.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The Clerk will report the additional amendments.

The Clerk read as follows:

Amendments offered by Mr. RIGGS:

Page 2, beginning on line 2, strike "Charter Schools" and all that follows through line 3, and insert the following: "Community-Designed Charter Schools Act".

Page 23, after line 16, insert the following:

"SEC. 10311. PROHIBITION OF CONTRACTS.

"If it has been finally determined by a court or Federal agency that any person intentionally affixed a fraudulent label bearing a 'Made in America' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that was not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this part, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.".

Mr. RIGGS (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. Is there objection to the amendments being considered en bloc?

Mr. MARTINEZ. Mr. Chairman, reserving the right to object, it is very difficult to hear with all of the noise in here. I do not really mean to object, but I would like the chairman to present it to us one more time with a little more order in the Chamber so that we might hear.

The CHAIRMAN. Unanimous consent is pending on the consideration of several amendments.

The gentleman from California [Mr. MARTINEZ] has reserved the right to object, and the gentleman is recognized under that reservation of objection.

Mr. MARTINEZ. Mr. Chairman, reserving the right to object, I would ask the gentleman from California [Mr. RIGGS], if he would just go through that order again of the amendments with an explanation of what the amendments are.

Mr. RIGGS. Mr. Chairman, will the gentleman yield?

Mr. MARTINEZ. I yield to the gentleman from California.

Mr. RIGGS. Mr. Chairman, I would just like to point out, and my good friend the gentleman from Indiana [Mr. ROEMER] is also seeking recognition, but my unanimous-consent request that is now pending before the House.

Mr. Chairman, I have a unanimous-consent request pending in the Committee of the Whole pursuant to our accepting the following three amendments on this side. The unanimous-consent request is obviously that the Committee of the Whole adopt and approve the following amendments:

First, the Pastor amendment, which prohibits States that receive a charter school grant from considering payments to a school under the Tribally Controlled Schools Act in determining the eligibility of the school to receive any other Federal, State, or local aid, or the amount of such aid.

The second amendment pending is the Kingston amendment, which effectively changes the name of the bill from the Charter School Amendments Act of 1997 to the Community Design Charter Schools Act of 1997.

The third amendment is the Traficant Buy America labeling provisions amendment. I am proposing again under my unanimous-consent request that the Committee of the Whole adopt and approve those three amendments.

Mr. MARTINEZ. Mr. Chairman, under my reservation of objection, I reclaim my time and I yield to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, I thank the gentleman from California for yielding.

I would like to try to get order, Mr. Chairman, because this is a very important bill; we are dealing with education and public school choice.

Mr. Chairman, I want to explain to my colleagues, particularly the Democrats, that most of these amendments are our amendments, and we are accommodating the Democrats with accepting the amendments, and we want to move on to accepting these amendments, working out a colloquy, working through this very important bill, and then passing it. I think we are only about 15 or 20 minutes away from passing this important legislation, and if we will get the cooperation of the body for just that amount of time, I think we are very, very close to finishing up this bipartisan legislation.

Mr. MARTINEZ. Mr. Chairman, I thank the gentleman from Indiana [Mr. ROEMER] for that statement and I totally agree with it. We are close to passing this bill. The Chairman has been totally agreeable in accepting these amendments.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to considering the amendments en bloc with the Pastor amendment?

There was no objection.

The CHAIRMAN. Is there further debate on the three amendments?

The question is on the amendments offered by the gentlemen from Arizona [Mr. PASTOR] and California [Mr. RIGGS].

The amendments were agreed to.

PREFERENTIAL MOTION OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentlewoman from New York [Ms. VELÁZQUEZ].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 75, noes 334, not voting 24, as follows:

[Roll No. 609]

AYES—75

Baldacci
Barrett (WI)
Becerra
Blagojevich
Blumenauer
Bonior
Brown (FL)
Brown (OH)
Conyers
Coyne
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Frank (MA)
Furse
Gejdenson
Gephardt
Hastings (FL)
Hefner
Hilleary
Hinchey
Hinojosa
Jackson (IL)
Jefferson
Kennedy (RI)
LaFalce
Lewis (GA)
Lofgren
Maloney (NY)
Markey
McDermott
McKinney
McNulty
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Nadler
Oberstar
Olver
Owens
Pallone
Payne
Pelosi
Peterson (MN)
Pomeroy
Rangel
Rodriguez
Roybal-Allard
Sanchez
Scott
Skaggs
Smith, Adam
Spratt
Stark
Strickland
Stupak
Torres
Towns
Velázquez
Watt (NC)
Wise
Woolsey

NOES—334

Abercrombie
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Borski
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
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Franks (NJ)
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Hall (OH)
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Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
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Lewis (CA)
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Maloney (CT)
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McDade
McGovern
McHale
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Miller (FL)
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Pascrell
Pastor
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Peterson (PA)
Petri
Pickering
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Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—24

Ackerman	Gonzalez	McCrery
Armey	Hastert	Oxley
Berman	Hastings (WA)	Riley
Bono	Hyde	Schiff
Brown (CA)	Johnson, Sam	Stokes
Cubin	Leach	Talent
Dickey	Linder	Tiahrt
Foglietta	Livingston	Yates

□ 1225

So the motion was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. WEYGAND

Mr. WEYGAND. Mr. Chairman, I offer amendment No. 4.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. WEYGAND:

Page 15, line 17, strike ", to the extent possible.".

Page 15, line 20, insert "to" before "each".

Page 15, line 20, insert "which has applied for a grant in accordance with the requirements of subsections (a) and (b) of section 10363" after "State".

Mr. WEYGAND. Mr. Chairman, I rise simply to provide a measure of fairness to the distribution of funds under the public charter schools program. Mr. Chairman, let me begin by saying I vigorously support the concept of charter schools, which further public education opportunity for students in the entire country.

As Lieutenant Governor of Rhode Island, I supported and advocated for the passage of Rhode Island's charter school law, a responsible approach to chartering public schools which has spawned in our small State two very successful schools thus far.

One such school is the Textron Chamber of Commerce Charter School in the city of Providence, RI. It just received a charter this summer from the Rhode Island Board of Regents.

□ 1230

The Textron Chamber of Commerce Academy targets at-risk students and offers these students access to the surrounding professional work community in Providence in after-school jobs. The employees of businesses in which the students are placed serve as professional mentors for these students. These students also receive benefits by attending the charter school.

In exchange for agreeing to achieve a 95-percent attendance record, to maintain a minimum average of C in every course of study and behave in a work-appropriate manner in school, the student receives many benefits from the school, including placement in a job with a mentor in preparation for college.

The charter also gives the governing board the responsibility to control the budget and purchasing of the school, to evaluate teachers and other professional staff, to establish graduation requirements, and to set forth educational priorities, and to exercise oversight over their bylaws.

In order to fulfill graduation requirements, the student takes traditional courses in English, history, mathematics, and science, and other important subjects, performs work internships, performs community service, and does independent study.

So what distinguishes this school from other wonderful charter schools operating throughout the United States? This school has not received one dime, not one penny, from the public charter school program. Not one Federal dollar goes to this school. Yet, it epitomizes what charter schools are supposed to be about and what this legislation was established to do.

Neither do the schools in Arkansas, Mississippi, Nevada, New Hampshire, Ohio, or Wyoming receive any such support. Yet, they have such charter schools. Schools in these States need this grant money just as much as schools in other States to assist in start-up costs. They deserve to reap the benefits of the public charter schools program.

My amendment, Mr. Chairman, would simply require that the Secretary of Education provide a portion of the funds available under this program to all States which have laws allowing the establishment of charter schools and conform to the requirements of section 10303 of this bill. The State chartering agency would still be required to complete the extensive application process to comply with all applicable requirements of the law.

Under my amendment, as reported in the bill, there is no minimum or maximum grant. The grant amounts would still be at the discretion of the Secretary of Education. The Secretary will still have the appropriate flexibility to decide which amount would be most appropriate to benefit the charter schools and the students in every State.

I applaud the Department of Education's efforts to spur further development of innovative charter schools, and I strongly support what the gentleman from California [Mr. RIGGS] has done. I think what we are trying to do here is really make those charter schools that are operating in the country the very best.

But we must recognize that we cannot simply award the money to the cream of the crop. There are charter schools that are out there that need assistance maybe in the way they have their autonomy, or their purchasing power, or their review of teachers, or their review of other professionals, or their mentoring program. That should not push them to the bottom of the barrel.

Simply because a State, like Rhode Island or Massachusetts or other States, happens to put a cap on the number of charter schools, it was done just so that we could have oversight and not to discourage charter schools. We should not be discriminated against just because we want to be sure our charter schools are the best that they can be. Unfortunately, though, Mr. Chairman, they are.

I would, though, like at this time, after conferencing with the gentleman from California [Mr. RIGGS] and our ranking member on the committee, I would like to withdraw the amendment because we have an understanding.

I would like to enter into a colloquy with both the ranking member and the chairman at this time if it is appropriate, Mr. Chairman.

Mr. Chairman, I understand, after my discussion with the gentleman from California [Mr. RIGGS], that he indeed agreed with the concept that these charter schools that operate in this fashion are de facto.

The CHAIRMAN. The time of the gentleman from Rhode Island [Mr. WEYGAND] has expired.

Mr. RIGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Rhode Island [Mr. WEYGAND].

Mr. WEYGAND. Mr. Chairman, I understand that the gentleman from California [Mr. RIGGS] and I both agree that charter schools that we have described here today are the essence of what is intended by this legislation, that in fact we both agree and feel that the Department of Education and the Secretary, under the discretionary fund amount of money that he has, should in fact encourage and assist financially and otherwise charter schools like this, and that my colleague and I, with our ranking member, will enter into a letter to the Secretary of Education suggesting and promoting that these charter schools, as well as in other States, like Ohio and other States, that really do meet the essence and do need some assistance, whether they are the top or bottom of the barrel, should receive funding to help them bring them and raise them to the top of the barrel, and that what we would like to see is that the Secretary of Education take a second look at the way they fund these charter schools and, indeed, to help these charter schools and to remove the stigma that is attached to maybe the overriding legislation, as in Rhode Island and Massachusetts, where they do put caps, they do in fact meet the letter of what we want to have as charter schools.

Mr. RIGGS. Mr. Chairman, reclaiming my time, the gentleman from Rhode Island [Mr. WEYGAND] is essentially correct. I do want to join with him, Mr. Chairman, in encouraging but not requiring the Department to provide funding for the start-up of charter schools in the State of Rhode Island and other States that have charter

school laws on the books today but have not yet been deemed eligible and have not yet received any taxpayer funding through the Department of Education.

Mr. WEYGAND. Further, if I could add that, indeed, we should not be discriminating against States that happen to have a legislative cap in their State laws, but in fact do in all other elements encourage and promote charter schools. That should not be a discriminating kind of factor.

Mr. RIGGS. Reclaiming my time, there is no, of course, intent to discriminate against those States. There is an intent in the new legislation as to the new money, all money over and above the past fiscal year level of $51 million, to drive more money to States that have no caps or that reconsider their legislation to remove any caps that might presently exist.

I do want to point out to the gentleman from Rhode Island [Mr. WEYGAND] that I am informed by staff that Rhode Island has twice applied to the Department for funding under the Federal Charter Schools Act and it has been turned down, obviously.

Hence the concern of the gentleman from Rhode Island [Mr. WEYGAND], which I share, because of the great work of at least one charter school that the gentleman mentioned to me, and that the Department apparently has offered the State of Rhode Island technical assistance in qualifying for Federal taxpayer charter school funding.

So I do hope we can encourage the Department to work with the State to provide Rhode Island and the other States with funding. I would point out that we are not trying to create a catch-22 here under the legislation where those States that have charter school laws on the books and are not yet receiving any funding do not receive any of the new money contemplated in the bill.

Indeed, I want to say to the Secretary and to the Department, given the fact that we have retained your sole discretion over the $51 million, and given the fact in this legislation we contemplate doubling Federal taxpayer support for charter schools across the country, I would hope that they would redouble their efforts to work with Rhode Island and the other States that have charter school laws on the books but have not yet received Federal taxpayer support for charter schools to make sure that they do receive some support from the $51 million that the Secretary will continue to control at his sole discretion over the life of the legislation. This is so-called old money.

Mr. MARTINEZ. Mr. Chairman, I move to strike the requisite number of words.

It is obvious that the whole purpose of the charter school was to improve and reform education. There are those of us in the Chamber who feel we ought to be reforming and improving education for every child in the United States. But if in this legislation or in the way the plan is structured now we have inadvertently made it harder for one State to get funds over other States because of the criteria we set in place, I think the discretionary money that the Secretary has could be used to look at those kinds of situations and remedy those.

I would certainly agree to join with my chairman, the gentleman from California [Mr. RIGGS], in sending a letter or notifying in any way the Secretary of State that he ought to really look at those kinds of situations and try to do everything he could to benefit those places.

Mr. ENSIGN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from California [Mr. RIGGS], who is offering this bill.

First of all, my State, the State of Nevada, has a legislature that meets every 2 years. We have just completed that legislative session in July this year. Our State legislature passed a charter schools bill. It was not everything that I would have liked to have seen in the charter schools bill, but it did at least start us down that process.

We do have the caps. We do have some of the other things in our State where we do not quite give as much local flexibility as I would like to see. But our State did, in fact, start it down the process.

I would like to work with the chairman on this particular piece of legislation as it moves forward to try to get States like Nevada, that only meet every 2 years, that because we cannot do anything for another year and a half in our State legislature, to try to at least encourage them through this legislation to model so that there is more local control, so there are not the caps, so that our State would not be penalized under this legislation.

Mr. RIGGS. Mr. Chairman, will the gentleman yield?

Mr. ENSIGN. I yield to the gentleman from California.

Mr. RIGGS. Mr. Chairman, I would be very, very happy and, in fact, eager to work with the gentleman from Nevada [Mr. ENSIGN] and Nevada State government officials to see if, in fact, again, we cannot encourage the Department of Education to look favorably upon their funding request as to the so-called old money, the $51 million, in this bill. Again, it is only the amount over and above $51 million that will go out pursuant to the priority factors, the so-called incentives.

Furthermore, I just want to say so my colleagues understand this, because I know the gentleman from California [Mr. MARTINEZ] and the gentleman from Indiana [Mr. ROEMER] know this, I obviously come from a State that does have a very strict limit on the number of charter schools that can be created. I believe the number is 100 or 110 in the State of California today.

So, again, as to the new money in this bill, the difference between the $51 million current funding level and the $100 million authorized annually in this legislation, I am putting my own State at a competitive disadvantage. But we are doing that, again, to try to reward States that have strong charter school laws on the books that have truly embraced the charter school movement.

I am happy to work with the gentleman from Nevada [Mr. ENSIGN] for his concerns, as well as the gentleman from Rhode Island [Mr. WEYGAND] as we move forward with this legislation.

The CHAIRMAN. Does the gentleman from Rhode Island wish to withdraw his amendment?

Mr. WEYGAND. Yes, Mr. Chairman. After our colloquy with the chairman and the understanding that we will move forward in that direction, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MR. TIERNEY

Mr. TIERNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TIERNEY:

Beginning on page 7, strike line 1 and all that follows through page 8, line 21.

Mr. TIERNEY. Mr. Chairman, I want to commend the committee for its work being done in focusing on public schools.

We have had debates in this Chamber recently that have been addressing some aspects or concepts that we thought have been a draining of resources from the public schools that serve this country's 90 percent of children that cannot afford and cannot go to private schools.

The public charter school bill has the potential to do what many of us have been advocating; and this is, address the needs of public schools, encourage experimentation within the public schools to help those that need improvement more than others might.

There are many successful public schools throughout this country, in particular in my district, and there are some that need some help to get the obvious improvements. They need to have engaged employees. They need to have an entrepreneurial spirit amongst their administrators. They need to have the involvement of communities, the colleges, and the businesses, parental involvement. They have to diminish the class size to make it more manageable. They have to have teacher training and retraining. And, obviously, we

want to have a period of evaluation, of measurement, as to how these schools are going as they try to meet their defined mission.

We have some concerns that some of these charter schools step outside the bounds and do not concentrate enough on the public school aspect. But in the Commonwealth of Massachusetts, I think we have done some very wise things. We have set up more than one kind of charter school. In fact, we had the prudence to establish different kinds so that they can get more involved and for more people and more support for this experimental measure.

We have Horace Mann chartered schools, and we have commonwealth charter schools. Some would argue that the Horace Mann school may not be as autonomous as the commonwealth schools. But, nonetheless, the Commonwealth of Massachusetts has made that recent decision to experiment to see which is the one that they prefer to proceed with after a period of time has gone by so that they can measure performance.

In Massachusetts, we also have a cap on the number of charter schools, because that State has decided to be prudent to examine at some point in time how the progress has gone, whether or not one type or another has been better, whether or not there is some combination of the features of these schools that should be made to improve them before they move forward.

But at any expense, the State and Commonwealth of Massachusetts has made these decisions. And usually we hear the argument on the other side of the aisle how they want local governments to have some control over the direction of their educational system in the public schools.

□ 1245

That is what we have done in Massachusetts. We have experimented, we have set up alternate types. As to the money that is now granted under the charter school law, the $51 million, Massachusetts would qualify. As to the additional $49 million that this bill purports to establish, it may not, because by this legislation if the priority section remains in, we set new bars, new levels to be met. That seems to me, Mr. Chairman, a bit of a contradiction. On the one hand, in committee and here we hear that the reason we need more money is that startup charter schools do not have enough funds to start up properly. Yet we are not going to give those States that have charter schools any more money if they do not meet these new bars. If in their prudence, in their judgment, they have put a cap on the number of schools so that at the time the cap is met they can measure the performance and make any adjustments, they are not going to qualify for the additional money. If they have decided to have a variety of types of charter schools so they can get more involvement for more members of the community in some and they want to measure the performance as opposed one to the other, then they may get penalized because they may not meet another priority of what is a large or huge amount of autonomy.

Mr. Chairman, all I am saying is that Massachusetts ought to be able to qualify to the old and the new money. We ought not to be raising new bars that have the potential to disqualify them. If we are truly serious about having an experiment within the public school system, then let the Commonwealth of Massachusetts and other similarly situated States engage in that experiment, let them decide how they are doing with what types of school they put forth before they proceed further and allow them to have some portion of this additional money so that the schools they have started have those additional funds to move forward and start up in a way that will make this a productive experiment. Mr. Chairman, that is all we seek. If we eliminate the priority section of this particular proposed bill, we put all States on an even footing, we do not discriminate or penalize any and the public charter school process moves forward.

Mr. RIGGS. Mr. Chairman, I rise in opposition to the amendment. As I have said repeatedly now over the 2 days that this bill has been before the House, this bill directs the new money, the new Federal taxpayer spending above the past fiscal year level of $51 million for charter school startup, it directs this new money, $51 million, to those States that provide a high degree of fiscal autonomy to charter schools, those States that allow for increases in the number of charter schools from year to year, and incidentally I am told that the Commonwealth of Massachusetts has not reached its cap on the number of charter schools that can be created within the Commonwealth, and States that provide for strong academic accountability and improved pupil results from year to year, continuous improvement. The Tierney amendment would delete the priority section as to the new money.

I want to just make sure, because I was able, I believe, to convince the gentleman from Rhode Island [Mr. WEYGAND] and the gentleman from Nevada [Mr. ENSIGN] that the priority factors are attached only to new money. In other words, the $51 million will continue to go out from year to year to charter schools across the country the old way; that is to say, at the complete discretion of the Secretary of Education in the Department of Education. I think we could all agree that even if we are talking about $51 million or $100 million, this is a limited amount of money and therefore it needs to be targeted in some fashion.

Given what we have learned in our field hearings, and in our hearings back here in Washington about what makes a successful charter school, it is important to, in my view as the principal author of the legislation with the gentleman from Indiana [Mr. ROEMER], direct the Secretary to send money to the strongest charter schools in those States, as I have said over and over again, that have a strong charter school statute on the books.

We recognize that only a few States presently meet all three priority criteria. However, several States meet two of the three and all States meet at least one of the three criteria. Therefore, it is unlikely any State, the Commonwealth of Massachusetts, my home State of California, it is unlikely that any State will receive a complete windfall from prioritizing the new money nor will any State lose most of its charter school funding. Rather, the priorities again simply redirect the new money to those States with strong charter school laws.

This is discretionary money. The last thing we want to do, I think, is create a new Federal education entitlement. Again, if we turn this into an entitlement, even at $51 million, and therefore give a little bit of money to all who would qualify under this program as an entitlement, I think we will defeat the purpose of this bill and we will not, I think, be using the money effectively on behalf of taxpayers to start up charter schools in those States that have truly embraced the charter school movement and truly have endorsed the concept of more parental choice in public education.

Again, the current law requires the Secretary take into consideration the criteria. However, as the law is currently drafted, the Secretary will continue to have broad discretion in weighing the criteria and in determining how much to send to each State. The priority section again is simply intended to put teeth into the existing criteria and provide some guidance to the Secretary on how new money should be allocated to the States.

The Tierney amendment, well-intentioned, and to his credit he was kind enough to come by my office and visit, but his amendment I think again would defeat the purpose of our legislation. It would effectively gut the priority section in the bill. It would maintain, I think, a status quo that is being promoted by the education establishment, who fears any competition, any threat to their monopoly of financial control, and it would create a new Federal education entitlement. Therefore, I am strongly opposed to the Tierney amendment and I urge its defeat.

Mr. WEYGAND. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I recognize first of all the great work that the gentleman

from California [Mr. RIGGS] has done on this. I know he is very sincere about this issue. But I know equally the gentleman from Massachusetts [Mr. TIERNEY] is, and I would like to yield to the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, I also appreciate the comments that have been made. I think we are having a healthy debate here, but I want to make a note that I sense that what is being said here is there may be more than one purpose of this proposed bill. I think that there are apparently two purposes being put forward on this. One is apparently some desire to have this Congress impose upon States a necessity that they charge forward with a judgment that charter schools are already a raging success before they have had the opportunity to assess and measure the performance of their own experimental schools that have been started. I am not sure that that is a healthy aspect. I thought experimenting was about setting on a path, taking a very conscious and prudent evaluation and proceeding only after those types of measurements have been made.

The other purpose, as I understand it in this particular statute, is to make sure that startup schools that currently say they do not have sufficient funding to start up can share in some additional funding, and that is why there is more money being put into the pie. But the maybe unintended consequence of this act will be that it will now preclude them because the Secretary may come in and decide that they do not have enough autonomy in one or more types of experimental school that has been established and they do not meet the priority because they have a cap on that and when they meet that cap, although they may not be there now, they will then be precluded from getting any of those additional funds.

I note that earlier the gentleman from Georgia [Mr. KINGSTON] put forth an amendment that called this the Community Designed Charter School Act. I think that at least with respect to one of those priorities, we move against communities designing the type of charter school they will have where we attempt to impose how this Congress wants to design individual charter schools.

In Massachusetts, as I have said before, we have come together as communities and designed several different kinds of charter schools with varying degrees of autonomy, with varying degrees of numbers that they can reach before they get evaluated. That to me seems the way to go. It has more people engaged in this process, and some that were not in favor of charter schools before are now coming on board, willing to exercise that experimental nature.

I urge that we do away with the priorities and simply take the initial funding and let all States qualify so that we have better public schools, with the involvement of the entire community, and that we do not try to preclude anybody's participation.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. WEYGAND. I yield to the gentleman from California.

Mr. MILLER of California. I thank the gentleman for yielding.

Mr. Chairman, I think I concur in the remarks of the gentleman from Massachusetts, and maybe the subcommittee chairman can help me, but I do not understand what it is about the current system that is not working or not allowing for the number of charter schools that we want or the progression of charter schools that we want. My State, the State of the gentleman from California [Mr. RIGGS], has a limit of 100. I think they have looked the other way and breached that already and there are maybe over 110 schools, but the statute is still 100. But I do not understand why we are insisting on some level of growth in charter schools if the States make in their determination that they want to stage it in another fashion.

I can appreciate that a concern might be that there are those who do not like charter schools who would get a limitation put on the number of charter schools or the growth rate of charter schools at the State level, and I think that would be wrong. But I do not know that we should be telling the State how fast to grow charter schools. If they can handle 100 or handle 50 or handle 500, it would seem to me that is a legislative determination with their State departments of education about how they want to proceed in this fashion.

I think there are two big dangers here. We find something we like and we overreplicate it and we lose the integrity of what we are trying to hold on to. In many States, this is a new program but we are looking for integrity. We are looking for the opposite of what people think they find sometimes in the local schools, in terms of curriculum, accountability, and the kind of people who can teach and so forth. That is why they went to a charter school. But it seems to me if you grow like top seed, what happens around here most times is that these programs start to lose their integrity, they start to look like that which they were there to maybe replace or to renew, and all of a sudden we are back to spending people's money and now we have got GAO reports and IG reports. I do not know why we would not leave it to the States to make this determination and not get into this business of old money and new money when it comes to charter schools, because it sounds to me like most States are now seeing that this is the future.

Mr. WEYGAND. Reclaiming my time if I could, Mr. Chairman, I think what the gentleman from California has pointed out is exactly the essence of the argument of the gentleman from Massachusetts [Mr. TIERNEY]. States should have the control, which the Republican side has always said. We are trying to determine where they should be, the destiny of their school systems, and what he is proposing is just that.

Mr. OWENS. Mr. Chairman, I move to strike the requisite number of words. I rise in strong support of the Tierney amendment.

Mr. Chairman, I would like to appeal to the gentleman from California, the chairman of the subcommittee, to look at the priorities that he set as recommendations in this bill and understand that, and I am a strong supporter of this bill and I will vote for it, but I am supporting it and will vote for it because I think it is a good way to move the agenda forward, to escalate the charter school support, but I assume we are going to have to revisit this issue next year and we are going to take a closer look at charter schools and what we can do at the Federal level to make certain that this is an idea whose time has come and is not destroyed and distorted because it is handled in the wrong way.

I am in favor of maximizing the experiment now. Let us maximize it. Let us give the freedom to the States to experiment. Experiment does not mean that they can wildly go galloping off, because I do not think any State legislature is going to let that happen. I think probably Arizona has one of the freest and most permissive charter school laws, and they are beginning to rein that in. We understand there will be people who will not adhere to standards. There must be accountability. We understand that money is involved here, and there is a need to deal with restrictions on the way money is handled and the way the financing is done. There are a lot of problems that are going to have to be ironed out. But let us see it as a research and development operation at this point. We are experimenting. These are projects that can teach us a whole lot. In the future I think we need to back away from any notion that this is an idea that is going to perpetuate itself automatically by itself. We need to not romanticize the idea of charter schools and believe that nothing can go wrong. A lot of things can go wrong. Money is involved here. We are going to have to have, not a whole set of regulations but more guidance at the Federal level is going to be necessary. Just in the area of civil rights abuses. We do not want charter schools to be used to perpetuate segregation and racism. There are a number of areas that we are going to have to deal with.

I look forward to next year having a more detailed bill to look at charter schools and help promote them. But right now, why not have maximum experimentation? Why not have OERI be

given notice that we want them to closely monitor charter schools? There are less than 800 charter schools now in existence out of more than 86,000 public schools. Given the fact that they are less than 1 percent, they are not going to run away out of control and take over the public school system any time soon, but they can offer invaluable lessons to the public school systems in terms of the kinds of things we can learn from them. We should be looking to learn those things from them.

□ 1300

We should not allow certain kinds of things to happen. I think we have a problem even with definitions of charter schools by some States. If charter schools are not going to be fully funded where the school gets the same amount per pupil as other public schools get, I do not think they are real charter schools. That is a problem that has developed already. We are going to go back and take a look at that.

There are a number of problems that next year we are going to have to take a close look at, but right now why not go forward and leave the community design idea there, the State design idea there, and let it at this point be fully open for experimentation; Massachusetts and any other State. New York does not even have a law yet; we are trying hard to get one.

We should be in a position to do at the bottom in the chain the things that have to be done to study them across the board, and, if we have 50 different sets of examples of State laws and for all the 16,000 school boards in the country, different variations of that, so let it be. Let us study it, let us get the best out of all of them and be able to go forward with a maximum, well-developed approach to charter schools in the future. Next year, year after and ongoing years we will be perfecting and refining this instrument, and right now I do not think we have to be so careful and so cautious that we cannot let States fully experiment.

I fully support the Tierney amendment and hope that the chairman will reconsider and let his priorities be recommendations at this point.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

First I yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding to me so simply I can point out that, as my colleagues know, when we draft legislation, we can always take the carrot approach or the stick approach, and what we took here was the carrot approach. We said that we wanted to direct the new money to those States that have laws on the books that allow for an increase in the number of charter schools from year to year. We did not take the stick approach and say the new money cannot go to those States that have a cap. So there is a very fundamental difference.

And the other point I wanted to make is this is all about where my colleagues think control and authority ought to be in education. We said we respect and preserve the Secretary's discretion to control $51 million, but we do not want him to control the entire $100 million authorized under the bill. We want the new money to be directed to the States, and that is all we are trying to do here is give some firm guidance to the Secretary on how that new money should be allocated to States.

Mr. PETERSON of Pennsylvania. Mr. Chairman, this has been a very interesting debate and a very important debate, but to look at the total perspective of charter schools and the establishment of them and the growth of them, we must remember that the educational establishment was not for charter schools. They have been very reluctantly agreeing to support charter schools because they have been a very successful experiment.

It is vital that we keep the priorities that this gentleman has put in this bill there because it is like fertilizing the garden. He is trying to allow charter schools to grow and not inhibit them. In my view the Tierney language will give all the control back to the establishment, to the Department, who are very reluctant to let charter schools grow naturally. Let us look at them.

State periodically reviews academic performance of charter schools. How could we not want that to be there, that we look at their performance, because do my colleagues know what is going to happen? The performance has been good, and when the performance is good, the whole concept will grow. So we must slow that down.

That is what the Tierney amendment does. State gives charters fiscal autonomy. Local control, local power, local decisions; no educational establishment wants that, and they will not give that reluctantly, they will give it very reluctantly.

Let us keep that priority in there, allow for an increase in the number of charter schools from year to year. What is wrong with that? No State is going to increase the number unless it is working in that State, unless their program is proving good. These are appropriate priorities upon the new moneys going out there as a fertilizer, as the carrot approach there.

Mr. Chairman, the Tierney amendment puts the power back in the establishment who will slow charter school growth down, who will keep it at a minimum. Do not let this thing get away from us, do not let local control takeover; that is what this argument is all about.

It is very simple. This is a very thoughtful approach of a very little bit of money. Those are appropriate priorities. Let's go over them one more time: Academic performance, and then tell the world how well they are working; fiscal autonomy, local control, very important; allow for an increase in the number of charter schools, and that will only happen if it is working well.

Let us let the bill as it is and defeat the Tierney amendment.

Mr. MARTINEZ. Mr. Chairman, I move to strike the requisite number of words.

I do not know that the last gentleman was completely accurate. I do not think this is about the establishment being against charter schools. I think this is about, this amendment is about the gentleman from Massachusetts [Mr. TIERNEY] trying to protect the State. And Mr. TIERNEY is looking down the road to 3 years, well, the year 2001, when the criteria that is established in this bill will then be for all funding under this if we by that time find out that these are excess and we go to reauthorization of it with additional funding.

Sure, and the gentleman from California [Mr. RIGGS] is right, and I understand his logic in saying there is a carrot and stick approach. We provide a direction for the charter school legislation the States will pass by putting the three characteristics in there that the State will allow the autonomy of the charter school, that the growth number of charter schools is allowed, and that they will not ensure the academic success of the students. Those are all worthwhile targets. I mean, we often do in legislation targets, but that is not the point here.

The point here is that in doing that, even though there is $51 million still remaining, discretionary money of the Secretary of State in which the gentleman's State could be funded for those charter programs that they have, he is concerned down the road in 3 years where then all will be controlled by that.

Now, the other thing is the gentleman from Pennsylvania [Mr. PETERSON] says that local control is important. Well, if local control is important, the way the charter schools bill was initially passed was to allow States to pass their own charter determining what their priorities would be. In this we are establishing the priorities for them. That is not local control, that is control from that Washington bureaucracy again that we are so alarmed with.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. TIERNEY].

Mr. TIERNEY. Mr. Chairman, I do not know the gentleman from Pennsylvania, I do not think we have had any lengthy conversations, so I am a bit surprised to find out that he is taking what up to this point in time has been

a fairly, I think, good level discussion about charter schools and how to best move forward in an inclusive manner and somehow inject it in an establishment type of argument.

Let me tell my colleagues that Massachusetts under Democratic legislation has charter schools. As I said before, we have a variety of charter schools. So the issue is not whether it is establishment or antiestablishment, the issue is how do we become more inclusive so that even those people that were mentioned that might have been resisting now get brought into the fold and move forward and put these schools on the experiment basis that work, and that is the real issue.

Nobody has raised, until the gentleman did, the issue of accountability; we did not say that we did not want accountability. In fact, to qualify as a charter school under the base legislation, there has to be an appropriate level of accountability.

Saying it again as one of these three priorities probably was not necessary; it is the other two criteria that stand the potential of having my State pay a penalty of not being eligible for those additional funds initially and for any money eventually that brings us into this discussion, and there are other States similarly situated.

So the fact of the matter is, if we want to be inclusive and we want to bring in even those folks that might have been hesitant to experiment and to get them because they have a lot to offer, and if we want to bring them in, and Massachusetts, for instance, wants to say we will have several kinds of charter schools, and we are going to get some people to participate in that we can move forward and experiment on, and if we want to have different degrees of autonomy, and we do not want to have Congress tell us what is the appropriate amount of autonomy, we want to experiment and find for ourselves what works in this State as the proper degree of autonomy, then I frankly think that that is a step forward, a step in the right direction.

I think that now we are moving to these experiments and having the public schools have the opportunity to become energized, and to do new things, and to bring everybody into the fold and to work together, and I have said it a million times here, and it bears repeating, that when we do that, when we get the parents, and the employees, and the administration, and local colleges and businesses all working together, that we experiment, we will find the model that lets those schools that might be struggling succeed if we put the resources to allow them to succeed. And that is the measure that we want to go forward.

And I do want to say for the record, and just to bring up the point of the gentleman from California [Mr. RIGGS], that I think might have misled some of us when he was speaking, this statute specifically says that in 1998, 1999, and 2000 fiscal years, the additional money will be what is distributed under these new priorities, but it also goes on to say that in succeeding fiscal years all the money will be distributed under this particular priority formula.

So there is an exposure there to States that may reach the cap at some later date, and I think that is even a stronger argument for why we do not let States proceed as they want to and make an evaluation. When it hits 50 in Massachusetts, they ought to be able to look and see what has worked and what has not worked, and then, after they have taken the requisite amount of time to do that, decide how they want to proceed and if they want to proceed.

This is not a program where anybody has the evidence or the materials that can say now the charter schools of any nature are a raging success. It is an experiment, it needs to be assessed.

Mr. ROEMER. Mr. Chairman I move to strike the requisite number of words.

Mr. Chairman, I, first of all, want to compliment the gentleman from Massachusetts [Mr. TIERNEY] for what I think is helpful contributions to a bold and brand new idea, which is charter schools. I think the gentleman from Massachusetts, first of all, is looking out for his State, which we are all sent here to do. I think the gentleman is also trying to help the committee and the body of Congress understand the impact of caps set at the State level and how those caps may serve on the one hand as a way to provide for accountability and not let charter schools grow so fast as to not have the proper amount of accountability at the local and the State level.

But on the other hand, and here is where the gentleman from California [Mr. RIGGS] and I get into this delicate balance, on the other hand we do not want to have States set an arbitrary cap that somehow will discourage the growth of these charter schools around the country. We now have about 700 charter schools in the United States. We have a goal of reaching somewhere in the vicinity of 3,000 charter schools in the United States. That is not Mr. RIGGS' goal, that is not my goal, that is President Clinton's goal of 3,000, and we certainly do not want too many States saying they are going to limit their growth to 15 and 17 and then 20.

Mr. Chairman, we want to see these charter schools grow in accountable fashions where they have autonomy over their budgets, where they have bold new ideas on curriculum and they provide public choice to parents and students. So there is a very delicate balance, and I think the gentleman from Massachusetts [Mr. TIERNEY] has helped us try to argue through in a very bipartisan and a very intelligent fashion how to try to provide a Federal incentive to have this balance, and I will yield to the gentleman in 1 second.

The other thing I would say is President Clinton, in his radio address on October 18 where he endorsed this Riggs-Roemer legislation, said this:

> I endorse bipartisan efforts in the House and Senate to help communities open 3,000 more charter schools in the coming years, and here is the key, by giving States incentives to issue more charters, more flexibility to try reforms and strengthen accountability.

Now I want to come back to that, giving States incentives to issue more charters. We are using that carrot approach here, and again the gentleman from Massachusetts [Mr. TIERNEY] says, well, there is a tension, and there is, there is a tension in this, and we are trying to find the right balance in not trying to have an unfair, arbitrary, stultifying cap that discourages more charter schools when they are growing in a State like Arizona or California, but on the same hand in a State like Massachusetts that has different tiers of these charter schools, we want to make sure that they can rise up to their cap, and hopefully the State legislature, when they get the reports of accountability and progress and success, then decide to raise that cap.

So I want to salute the gentleman for his helpful ideas to contribute to the better understanding of this new idea.

□ 1315

Last, I just want to say this, and this is my concern with the legislation. The amendment of the gentleman from Massachusetts [Mr. TIERNEY] says, "Beginning on page 7, strike line 1 and all that follows through line 21 on page 8."

When we reach page 8, we see some fairly important aspects of accountability and adding more charters that President Clinton has talked about in his radio address when he endorsed this.

On page 8 it says, "The State law regarding charter schools ensures that each charter school has a high degree of autonomy over its budget and expenditures."

We certainly think one of the exemplary features of charter schools is its flexibility, is its autonomy and putting its own budget together, is its ability not to be unfairly regulated.

Now, regulated with civil rights, absolutely; regulated with IDEA, Individuals with Educational Disabilities, absolutely; but not some of the other burdensome Federal regulations coming from Washington that think they know best.

Last, on page 8, something that would be taken out with the amendment, "The State law regarding charter schools provides for periodic review and evaluation by the authorized public chartering agency of each charter school to determine whether the school

is meeting or exceeding the academic performance requirements and goals for charter schools set forth under State law or the school's charter."

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROEMER] has expired.

(By unanimous consent, Mr. ROEMER was allowed to proceed for 5 additional minutes.)

Mr. ROEMER. So I would say that the debate we have had on the cap is a very helpful one, and I applaud the gentleman's efforts in committee, and I applaud what he has tried to do with this amendment.

I think that the gentleman from California [Mr. RIGGS] and I have tried to reach a bipartisan agreement on incentives and on a balance in this tension between not slamming down the number of charter schools that may naturally grow in a State, but also providing accountability language.

The second point is, I really think on page 8 there are some helpful contributions to this legislation, and we would not want those taken out by this amendment.

Since my friend from California did ask about 3 minutes ago for time, I yield to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I am going to be very brief because I, too, had intended to quote the President from his Saturday, October 18, radio address.

Again, I just want to stress to my colleagues, without compounding or exacerbating any disagreements that may exist within the ranks of House Democrats, but I just want to refer them again to the President's comments. "I endorse bipartisan efforts in the House to help communities open 3,000 more charter schools in the coming years by giving States incentives to issue more charters."

The amendment of the gentleman from Massachusetts [Mr. TIERNEY] would not only remove that provision from the bill but obviously run contrary to the President's endorsement of that particular provision in the legislation.

The other thing I wanted to stress very quickly is, the gentleman from Massachusetts [Mr. TIERNEY] is right when he says what we want to do is, in these so-called out-years, the subsequent years of this legislation, after we have had a transition period, direct the money to the States through the priority factors, the priority considerations.

But the gentleman from Massachusetts [Mr. TIERNEY] does not mention that we have had selection criteria for State education agencies in the Federal statute since the very beginning of this program. I do not know if the gentleman from Massachusetts [Mr. TIERNEY] objects to any of those selection criteria for State education agencies.

Furthermore, we have selection criteria for eligible applicants. That means local charter schools. Does the gentleman object to any of those selection criteria for eligible applicants, such as it says the Secretary shall take into consideration such factors as the quality of the proposed curriculum and instructional practices, the degree of flexibility afforded by the State education agency and, if applicable, the local education agency to the charter school, the extent of community support for the application, the ambitiousness of the objectives of the charter school, the quality of the strategy for assessing achievement of those objectives, and, last, the likelihood that the charter school will meet those objectives and improve educational results for students?

We have always had criteria; it has always been part of the Federal law. We are building on or adding to those selection criteria, and we are giving, again, the Secretary and the Department some direct congressional guidance as to how the new money over the $51 million will be distributed to the States.

Mr. TIERNEY. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Massachusetts.

Mr. TIERNEY. I was going to ask for the same 1 minute the gentleman from California [Mr. RIGGS] got. I liked that one.

Mr. Chairman, let me just say that I understand what the gentleman from Indiana [Mr. ROEMER] says when he talks about the C paragraph, the third priority. But I think, as Mr. Riggs stated, the base statute already has a number of criteria that we require be met. Amongst them are a number of accountability situations.

So I would not object if you wanted to amend my language to leave that language in there, but I think you have a sufficient amount of language on accountability.

But that is not the issue. I think we are willing, I guess, from what I hear, we do not want to regulate any other aspect, we want to regulate the pace at which States decide how fast they want to go into this limited venture.

I think that is where the mistake comes in. Yes, we want to give incentives within a reasonable degree, but the only way to give incentives is not exclusive to adding these priorities. The fact we are giving $49 million extra in funds is certainly an incentive for States to participate. They can see something going on here, and they can hear that this is something they want to get involved with.

The part I object to is, your intention to give the incentive may have the effect of disqualifying some people. I want to say there are other ways to do the incentives. I offered as part of this, grandfather in those States that have these provisions, that have charter schools, so that we do not get subject to those disqualifications, and we will all proceed along.

I understand that States do not have a statute yet, and you want to encourage them to get one, and you want to encourage them to put more schools on the books. Let us do it. If this is the way to do it, fine. But do not penalize those of us, a number of us, that already have schools that have decided we want to put a cap so we can measure. That is prudence. We should reward prudence, not penalize it. I do not think any of us want to go forward without having a moment to reflect and assess.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this legislation and also in support of the amendment offered by the gentleman from Massachusetts [Mr. TIERNEY].

First let me address the legislation. I wanted to commend the gentleman from California and the gentleman from Indiana for all of their work on this legislation. I think that charter schools hold out and in fact are holding out an exciting prospect for American public education, and I think they give us an opportunity, as has already been said here a number of times this afternoon, to experiment with a number of ideas that we think will improve the education of our children. I think it allows for in many instances a much greater investment by teachers in the running of that school.

It allows us in many instances to bring people from outside and throughout the community to participate in that education, and I think it puts a lot of the decisionmaking about the utilization of resources where it belongs, at the school site, as those who are working at that site on a day-to-day basis can decide what it is that children who attend that school need and would benefit the most from.

So I would hope that this is legislation that would get strong support from the House of Representatives, and, again, I thank the two gentlemen for bringing it to the floor.

I would say, however, on this amendment that I still continue to have a problem with the cap, because I think it is an area where we are tweaking the State decisionmaking authority, where we do not need to.

Given the hunger in this country for an educational program that works, I think charter schools are going to become magnets for education policy makers at the States as they try to replicate them and reinforce the model and expand them throughout the individual States.

But I also think it is very important that the States, as we do tread this, because simply saying you want charter

schools or support charter schools doesn't mean we will have successful charter schools. I think we ought to do those things that will ensure that these models are in fact successful, hopefully that they can be replicated across the State and across the country, but we ought to let the State departments of education have some say in the determination of that.

I guess they could have some say with the language in the bill, because if they needed to have more charter schools each year than they had the year before, they could say 10, 11, 12, and 13, and they would qualify for this money. If we are going to have 3,000, California has a little over 10 percent of the population, I guess we would have 300 in the next 3 years.

I do not know if our State can really ensure the integrity of this system. Tragically, we have seen in a couple of instances, and I do not think this should deter anybody from charter schools, but we have seen a couple of bad ones, and I think the States ought to have a right and the legislatures ought to have a right to stay at that pace.

I do not think the educational establishment, if people are going to use that in a pejorative sense, can stand in front of this idea and be successful. I do not think it can happen. I think it is going to grow because these schools are going to grow. I just think that the cap just does not make sense. We ought to respect the rights of the States to make that determination. Some will be too conservative, and some will be too liberal.

I will say, however, if the cap is going to be the criterion for money, then States will just decide to put whatever numbers they want in so they can have more charter schools 1 year than after the other. It will have nothing to do with the quality or credibility that you seek in the amendment.

So I think it is unnecessary, but I also think it is an improper place for us in terms of determining how the States will manage the growth of charter schools.

Mr. WEYGAND. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Rhode Island.

Mr. WEYGAND. Mr. Chairman, I would just like to point out one thing that I know my ranking member talked about, and that is when we are talking flexibility and making sure that charter schools, as the gentleman from California said, giving States that flexibility. Right now, we have a $51 million-$41 million split. But in the year 2001 that is not going to exist. We are going to crank down more so on the requirements to State charter school programs.

I think that is inherently bad, because what we are doing is further restricting. It is almost like a Federal mandate with regard to requirements, restricting these charter schools in a way that in most cases the Republican side has said no.

Mr. DAVIS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to make two points to help us close on the debate here. The gentleman from Massachusetts [Mr. TIERNEY] has done an excellent job of stating the purpose of his amendment, and there are two matters over which I must take issue. The first is his attempt to strike the reference in the bill to rewarding those charter schools that exercise a high degree of autonomy as opposed to some degree of flexibility in the current law.

The whole idea of charter schools is to encourage new schools to take chances by changing the way that they go about educating children. Let me offer a specific example.

In Florida, it is very pleasing to see the number of charter schools that have found a way to reduce the cost of administration of an elementary school and take those savings and put them into a smaller class size, which is currently ranging at about 17 children per teacher, and already getting above average performance from students who were clearly performing below average in the traditional school setting.

That is the kind of innovation we want to encourage. This is not an entitlement, this is a grant program. We want to reward quality. We want to challenge schools. We want to err on the side of innovation here. So I think it is terribly important, as this argument moves into the Senate, that we jealously protect that provision of the bill that encourages a high degree of autonomy among charter schools.

Mr. TIERNEY. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Florida. I yield to the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, I just want to ask one question of you, and then I will yield back for the answer in a second.

But this priority schedule that is laid out there talks about a high degree of autonomy. In the base legislation, it already establishes a charter school would have to have some degree of autonomy. Is the gentleman prepared to tell Massachusetts which level of autonomy it must decide is best for its charter schools? Because it has a couple of levels now, and it may decide to have more. When it goes to getting to that cap, women are going to stand in there and tell them if they do not pick the right one, they do not qualify.

Mr. RIGGS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Florida. I yield to the gentleman from California.

Mr. RIGGS. I thank the gentleman for yielding, and just for the opportunity to respond to the gentleman from Massachusetts [Mr. TIERNEY], because I think he raises a legitimate question.

The problem is in the underlying bill, the current statute that we are seeking to amend with this legislation. It just uses that generic phrase, "high degree of autonomy." We have gone to the next step to try to define "high degree of autonomy" as being those States that recognize a charter school as its own independent school district, its own LEA, and so that is what we are attempting to do in the legislation.

□ 1330

Mr. TIERNEY. Mr. Chairman, if the gentleman would continue to yield, basically, we have taken that determination away from the States, and they do not get a chance to try to have as much participation as possible if they cannot get it through the gentleman's formula, and that is my point.

Mr. DAVIS of Florida. Mr. Chairman, two responses. One is we should hold up a high standard of innovation, and second, we should expect, as we have in the past, common sense to be exercised by the Secretary of the Department of Education to assure that Massachusetts and other States understand what a high degree of autonomy means and it is used in a way that allows these schools to continue.

The second point I would like to make to conclude pertains to the cap. I think that there are valid concerns about how the Federal Government is affecting the ability of States to control quality with charter schools, because we know there are going to be mistakes, and we want to preserve the ability of States to move in a guarded fashion in terms of the growth of charter schools. But I think it is important to point out that the intent behind the bill is not in any way to discriminate against those States who have already embarked upon a charter school program.

So I believe there is some doubt that exists here today as to whether those States who no longer choose to grow because they are up against a cap are somehow disadvantaged by the fact that the money is set aside for those States without caps. But keep in mind the basic point that if a State is stopping to grow because of a cap, the chances it will need any additional money for start-up costs are going to be very, very limited.

So I am hopeful that as we more closely study this particular aspect of the debate we can reach some compromise in the Senate, some compromise in the conference committee to address the very valid concerns raised by the gentleman from Massachusetts [Mr. TIERNEY].

The CHAIRMAN. Is there further debate on the amendment?

The question is on the amendment offered by the gentleman from Massachusetts [Mr. TIERNEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TIERNEY. Mr. Chairman, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 288, further proceedings on the amendment offered by the gentleman from Massachusetts [Mr. TIERNEY] will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments?

AMENDMENT OFFERED BY MR. MARTINEZ

Mr. MARTINEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTINEZ:

Page 12, after line 11, insert the following:

(L)(i) an assurance that the charter school that is a local educational agency or the local educational agency in which the charter school is located, as the case may be, will comply with the requirements of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) with respect to the provision of special education and related services to children with disabilities in charter schools; and

(ii) a description of how the charter school that is a local educational agency or the local educational agency in which the charter school is located, as the case may be, will ensure, consistent with such requirements, the receipt of special education and related services by children with disabilities in charter schools; and

Page 12, line 12, strike "(L)" and insert "(M)".

Mr. MARTINEZ (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MARTINEZ. Mr. Chairman, back in 1975, Congress passed the bill IDEA. It was differently named then, but it encompasses the same bill that was recently just passed earlier, that guarantees a free and appropriate education for children with disabilities. That bill was a bicameral and bipartisan bill and passed overwhelmingly in both Houses and was signed by the President with great celebration.

If the premise is and was of that bill that children with disabilities should receive a free and appropriate public education, and in that case, I am concerned that we should be concerned in every education program that we have out there, or any kind of public school that we have out there, and charter schools are public schools, I think we need to ensure that concept in those charter schools.

This amendment is doing two things. One, it is ensuring that; and the other is that it is providing an advanced warning to charter schools and people who would start charter schools that there is an extra cost involved in teaching children with disabilities. Initially, that is the reason why children with disabilities were being denied free and appropriate education, because schools did not want to undertake the various difficulties in providing that free and appropriate education for these children with disabilities.

So I offer this amendment, and as I understand, the language has been worked out with the chairman of the committee, and the chairman of the committee is willing to accept the amendment with the language that we have worked out.

Mr. RIGGS. Mr. Chairman, will the gentleman yield?

Mr. MARTINEZ. I yield to the gentleman from California.

Mr. RIGGS. Mr. Chairman, at this point we have had numerous, sort of an ongoing discussion here. I think what the gentleman has prepared is very thoughtful and I think we have reached a good bipartisan compromise, and we are prepared to accept his amendment.

Mr. MARTINEZ. Mr. Chairman, reclaiming my time, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MARTINEZ].

The amendment was agreed to.

Mr. MARTINEZ. Mr. Chairman, I move to strike the last word to enter into a colloquy with the Chairman. Since the gentleman from California [Mr. RIGGS] is the prime sponsor of this legislation, I would like to engage in a colloquy for the purposes of establishing a legislative history on the matter which I speak.

My concern deals with language amending section 10306 regarding the Federal formula allocations to charter schools. I would ask the gentleman from California [Mr. RIGGS] if he could please clarify the intent behind the section.

Mr. RIGGS. Mr. Chairman, will the gentleman yield?

Mr. MARTINEZ. I yield to the gentleman from California.

Mr. RIGGS. Mr. Chairman, I am happy to clarify the intent behind section 10306 in the bill.

Let me say that it is not our intent to create a disparity in funding or eligibility as to Federal categorical education funds, Federal taxpayer aid for public education between traditional public schools and charter schools within a local education agency.

Furthermore, it is not our intent to create a new formula-driven funding stream or program to charter schools, other than what they are currently eligible to receive under title I, part A of the Elementary and Secondary Education Act, and I hope this addresses the gentleman's concerns.

Mr. MARTINEZ. Mr. Chairman, I thank the gentleman for his clarifications.

AMENDMENT OFFERED BY MR. TIERNEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts [Mr. TIERNEY], on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 164, noes 260, not voting 9, as follows:

[Roll No. 610]

AYES—164

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Boswell
Boucher
Brown (CA)
Brown (OH)
Campbell
Cardin
Clay
Clayton
Clement
Conyers
Costello
Coyne
Cramer
Cummings
Danner
DeFazio
DeGette
Delahunt
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fazio
Filner
Flake
Ford
Frank (MA)
Frost
Furse
Green
Gutierrez
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Tierney
Torres
Towns
Turner
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Wise
Woolsey
Wynn

NOES—260

Aderholt
Archer
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boyd
Brady
Brown (FL)
Bryant
Bunning

Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Crapo
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fattah
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, E. B.
Jones
Kanjorski
Kasich
Kelly
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Maloney (CT)
Manzullo
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek
Metcalf
Mica
Miller (FL)
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Oxley
Packard
Pappas
Parker
Pastor
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

Armey
Cubin
Foglietta
Gonzalez
Johnson, Sam
Riley
Scarborough
Schiff
Yates

□ 1400

Mrs. MEEK of Florida, Mrs. CHENOWETH, and Messrs. MURTHA, MASCARA, and HOLDEN changed their vote from "aye" to "no."

Ms. McCARTHY of Missouri, Mrs. TAUSCHER, Mrs. KENNELLY of Connectiut, and Messrs. FLAKE, ROTHMAN, MINGE, SHAYS, CLAY, CONYERS, LoBIONDO, and LUTHER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. KILPATRICK. Mr. Chairman, I rise today in opposition to H.R. 2616, the Charter Schools Act of 1997. This program, begun as a Federal grant to provide seed funds for public charter schools just 3 years ago, is a waste of taxpayer funds, does nothing for the 90 percent of school children who are in public schools, and is a further drain upon the scant resources that our public schools now have. As a former public school teacher, I believe in our public schools because our public schools work. What is truly needed is comprehensive, holistic school reform, not piecemeal, politically expedient solutions.

We all agree that our public schools need to be reformed. But we must first consider any and all changes to our charter schools as part of a comprehensive, complete review of all of our public school education programs. This review must take into consideration the fact that many of our Nation's public schools are in need of significant repair. The changes that this legislation proposes does little to improve upon the quality of not just public schools, but charter schools. There is woefully little strengthening of the oversight and accountability of our charter schools in H.R. 2616.

In the House Committee on Education and the Workforce report on H.R. 2616, "it was recently reported by the Michigan Department of Education that charter schools in its State posted substantially lower scores than other public schools on State assessment tests." If charter schools in Michigan are not working better than the regular public schools, where is the investment in education of our taxpayer's dollars? It is ironic that while Congress has not approved legislation that will address our overcrowded and dilapidated schools, we want to expand charter schools.

In summary, I support the complete and comprehensive overhaul of our Nation's public schools. I cannot support initiatives designed to further siphon off the scarce resources for our Nation's public schools, and that is why I am voting against this bill on final passage.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. GIBBONS] having assumed the chair, Mr. SNOWBARGER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2616) to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools, pursuant to House Resolution 288, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. RIGGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 367, noes 57, not voting 9, as follows:

[Roll No. 611]

AYES—367

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly

Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Riggs
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schumer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Towns
Traficant
Turner
Upton
Velázquez
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—57

Abercrombie
Becerra
Blumenauer
Bonior
Boswell
Brown (OH)
Cannon
Carson
Chenoweth
Clay
Coyne
Davis (IL)
DeFazio
Delahunt
Deutsch
Dingell
Frank (MA)
Goode
Hefley
Hinchey
Hinojosa
Hostettler
Hyde
Kennedy (MA)
Kilpatrick
Klink
Kucinich
Manzullo
Markey
Martinez
McDermott
McGovern
Meehan
Meek
Mink
Moakley
Neal
Olver
Paul
Payne
Rahall
Reyes
Rivers
Roybal-Allard
Rush
Schaffer, Bob
Scott
Slaughter
Stabenow
Stokes
Stupak
Tierney
Torres
Vento
Waters
Watt (NC)
Wexler

NOT VOTING—9

Cubin
Foley
Gonzalez
Hilliard
Owens
Riley
Schiff
Thompson
Yates

□ 1422

Mr. STOKES changed his vote from "aye" to "no."

Mr. NADLER and Mr. LoBIONDO changed their vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. OWENS. Mr. Speaker, on rollcall vote 611, I was unavoidably detained and did not vote. Had I been present, I would have voted "aye."

MOTION TO RECONSIDER THE VOTE OFFERED BY MR. DOGGETT

Mr. DOGGETT. Madam Speaker, I move to reconsider the vote.

MOTION TO TABLE OFFERED BY MR. RIGGS

Mr. RIGGS. Madam Speaker, I move to lay on the table the motion to reconsider.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion to table the motion to reconsider offered by the gentleman from California [Mr. RIGGS].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DOGGETT. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 256, noes 163, not voting 14, as follows:

[Roll No. 612]

AYES—256

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cunningham
Davis (FL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
Kind (WI)
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Manzullo
Martinez
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Strickland
Stump
Sununu
Talent
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOES—163

bercrombie
Ackerman
Allen
Andrews
Baldacci
Ballenger
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Brown (CA)
Brown (FL)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cummings
Danner
Davis (IL)
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Matsui
McCarthy (MO)
McDermott
McGovern
McNulty
Meehan
Meek
Miller (CA)
Mink
Moakley
Mollohan
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Stupak
Tanner
Thompson
Thurman
Tierney
Torres
Towns
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Wexler
Weygand
Woolsey
Wynn

NOT VOTING—14

Collins	Greenwood	Riley
Cubin	Klink	Royce
Ehlers	Ney	Schiff
Foglietta	Pascrell	Yates
Gonzalez	Radanovich	

□ 1442

Ms. DUNN changed her vote from "no" to "aye."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FOLEY. Madam Speaker, on rollcall No. 612, I was inadvertently detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. EHLERS. Madam Speaker, on rollcall No. 612, I was detained in an important meeting and could not reach the floor in time to vote. Had I been present, I would have voted "aye."

GENERAL LEAVE

Mr. RIGGS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2616, the bill just passed.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from California?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2616, CHARTER SCHOOLS AMENDMENTS ACT OF 1997

Mr. RIGGS. Madam Speaker, I ask unanimous consent that in the engrossment of the bill H.R. 2616 the Clerk be authorized to make such technical and conforming changes to the bill as will be necessary to correct such things as spelling, punctuation, cross-referencing and section numbering.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

OUR FOND FAREWELL TO THE GENTLEMAN FROM NEW YORK (MR. FLOYD FLAKE)

(Mr. QUINN asked and was given permission to address the House for 1 minute.)

Mr. QUINN. Madam Speaker, as we continue to deliberate this weekend, I ask my colleagues' indulgence to take a few moments of our time this afternoon to bid farewell to a Member of the body, a fellow New Yorker, and a dear friend to all of us here in the House. It seems this past week we welcomed the new Member from New York 13, and next week, after all of our work is finished and everything else has winded itself down, we will say goodbye, and the gentleman from New York [Mr. FLOYD FLAKE] will leave the Chamber to become a full-time pastor of the Allen A.M.E. Church in Queens, N.Y.

□ 1445

I thought it was fitting, and all of you I am sure will agree, that this afternoon we take a break to thank someone on behalf of all of us here and his constituents for almost 10½ or 11 years of service here in the U.S. Congress, who has worked on numerous different projects that have benefited everybody, not only in his district but all of our districts and people all across this Nation and beyond.

For the 9,000 members of the Allen A.M.E. Church in Queens, NY, while FLOYD FLAKE is our loss, he is their gain. I hope you will join me in bidding farewell to Congressman FLOYD FLAKE this afternoon.

Madam Speaker, it gives me a great deal of pleasure to yield to the dean of the New York delegation, the gentleman from New York, [Mr. GILMAN].

Mr. GILMAN. Madam Speaker, I wanted to thank Mr. QUINN for arranging this time for us to pay tribute to an outstanding legislator, Rev. FLOYD FLAKE. We hope one day we will be calling him Bishop FLOYD FLAKE.

Mr. Speaker, it is with a great deal of regret that I know that many of us are here to bid good-bye to FLOYD, but also we are happy to pay tribute to a colleague who is going to be sorely missed, not only by this body, but by his New York constituents, by the congressional delegation of New York, by the American people.

FLOYD FLAKE has decided to leave us to devote full-time to his first vocation, service to God, but in many ways he has served his congregation superbly throughout his 11 years in the Congress by being a constant reminder of decency, of tolerance, and of the American way. He has been a great role model for many in his community.

FLOYD brought to this Chamber a diverse background which reminded us all of the diversity of our Nation. He was a college administrator to two well-known, respected institutions, Lincoln University and Boston College. He enjoyed a successful career as a corporate marketer.

But his role as pastor of the Allen African Methodist Episcopal Church is perhaps the largest influence on FLOYD'S life, and he reflected this influence every day of his tenure here.

Incidentally, that is no small congregation. It numbers in the thousands. FLOYD was going back and forth on the shuttle each and every day, each and every night when he finished his work here, to be able to service his congregation. Not only was he doing that, he worked during his career here in the Congress to achieve his Ph.D., and he did that at night as well. An outstanding demonstration of what one can do with his dedication and his motivation to even perfect his life to a greater extent.

We in our New York delegation at first were uncertain what to expect upon the first election of FLOYD FLAKE in the special election of 1986. At that time, he was replacing one of the most revered and loved members of our New York delegation, Joe Addabbo, who passed away while in office. Joe's shoes were going to be difficult ones to fill, but FLOYD certainly managed to follow on that path blazed by Joe and did not hesitate to blaze some trails of his own. Today, FLOYD FLAKE leaves us as one of our most respected and beloved colleagues.

He served on the Banking and Financial Services Committee as well as the Small Business Committee, and in those capacities, FLOYD served his constituency and the American people in an outstanding manner. His urban district depended in many ways on the financial institutions and the mom-and-pop enterprises which make up his historic constituency.

We all join together in wishing FLOYD the best of success, health, happiness, in all of his new endeavors, and we know that the Allen African Methodist Episcopal Church will be under his sterling leadership in the future, and we hope that FLOYD will find occasion to invite us all to join him during one of his Sunday services.

We extend our sincerest best wishes to his wife, Elaine, and to FLOYD's four children.

And, FLOYD, you will always be welcome back in this Chamber. God bless.

Mr. QUINN. Madam Speaker, I yield to the other leader from New York, Mr. CHARLIE RANGEL.

Mr. RANGEL. Madam Speaker, I appreciate this. We all have to agree that it is very unique for someone who has gained such a wonderful reputation in this House to find higher reasons and better causes in order to leave.

In addition to going home every night in order to take care of his parishioners, we talk about family values; but FLOYD FLAKE has really lived it, because he has four children and a wife that he shared his life with while he was here working in the Congress to improve the quality of life for other Americans.

We find it so easy to talk about improving the life of the poor, but he was on the Committee on Banking and Financial Services, and he did what he thought was the best thing he could do for poor folks. He did not just talk about poverty but, rather, thought the best thing he could do would be to remove people from poverty. And, being a part of the Committee on Banking and

Financial Services, he was able to bring community banks to allow people that lacked the sophistication to have access to the resources so they would not just be getting loans, but they would be able to go into business and provide opportunity for others.

We hear all the debate about education, whether we should support the public schools or whether we should have vouchers. He not only talked about the concept but went out and built the schools so that, indeed, people would get an education.

When you talk about the jobless and the hopeless and the homeless, he has built the schools, he has built the homes, he has provided the opportunity and, at the same time, has given them spiritual and political leadership.

There were times that some of us would doubt the wisdom of his votes, when somehow his hands made a mistake and he got on this side of the aisle when he was voting with you. But there is not anybody in this House that would ever challenge the integrity of Congressman FLOYD FLAKE. For any vote that he has ever taken in this House, you would know, in his opinion, he was doing the right thing for his constituents.

This is the greatest country that man has ever conceived, and many of us know that she can and will become better as the years go by. But the fact that we can enjoy in this body someone that came from his background, rose to gain the respect of his colleagues, can go out and be entertained as members of private corporate boards and at the same time lead thousands in prayer for a better community and a better country, it just means that those of us who have been lucky enough to get here should appreciate the fact that only in America can we rub shoulders with a person like FLOYD FLAKE and still do our duty as politicians and know that somehow, through him, we were doing God's work.

It has been a pleasure having you here, and we know we will be hearing from Pastor-Bishop-Former-Congressman FLOYD FLAKE.

Mr. QUINN. Madam Speaker, I yield to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Madam Speaker, I thank the gentleman for yielding.

Ladies and gentlemen and colleagues, you have seen a cross-section of the delegation rise in respect for this great man FLOYD FLAKE.

You know, we are 31 Members from New York State. We represent 18 million people. It is a real cross-section of America. But do you know something? In spite of our philosophical differences, our political differences, I am so proud that our delegation has never had a real confrontation.

We have stuck together, sometimes even when we did not agree with each other, for our State, and we did that because of what FLOYD FLAKE epitomizes. That man has never, ever, once tried to mislead anyone in this Chamber. He has stood up and told it like it is.

FLOYD, you are one of the greatest Americans that I have ever known. We are going to miss you dearly. You are a great, great man.

Thank you.

Mr. QUINN. Madam Speaker, I yield to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Madam Speaker, I thank the gentleman and just join with my colleagues in extending our good wishes, our sadness that he is leaving us, but our glory that we know he will be not only on the scene in southeast Queens at his Church, but on the public scene as well in years to come.

Ladies and gentlemen, you know, I came to this body 18 years ago from a little corner of the world, New York, and I did not know most of America. Serving in this body makes you a patriot. You see people from all across the country, from all different walks of life, people who come right up from the grassroots. And they are remarkable people, Democrats, Republicans, people from the Northeast, people from the Southwest, and you say to yourself, what a great people the American people are.

In my mind, there are a number of people I think of when I have that thought, and one of them is my colleague, my friend, FLOYD FLAKE. He is a unique individual. He is somebody who has broken the mold for the better so many different times, whether it be working hard for his community. My colleague CHARLIE RANGEL calls his church, which is the Allen A.M.E. Church, and I have been there and learned to wave my arms and say "Hallelujah" through Pastor FLAKE, Amen. But CHARLIE calls the Allen A.M.E. Church "the City of Allen," because FLOYD has done so much there.

Look at what he has done in this Congress. I served with FLOYD FLAKE on the Committee on Banking and Financial Services. Again, time after time after time, he was able to take idealism and mold it into a practical solution so that it was not just a speech of words in the air but practical solution that was concrete, mortar and bricks and roofs over people's heads, and better banking, so that communities would benefit from the loans that they had put into the banks, and they would come back to the community.

Now he has truly become a national leader. Some of us agree and some of us disagree with the exact prescription that FLOYD FLAKE has prescribed for our schools and for our communities, but I think there is a great deal of wisdom in what he has done.

The bottom line, though, is once again there is not a soul in this place who does not know that he has done it with intelligence and integrity and the motivation to make his community, our city, our country, a better place.

So I would say in conclusion, this is a man, a deeply spiritual man, but also a deeply practical man, and he has combined the best of spirituality and practicality to leave a real mark, a mark for the better, on this body and on the United States of America.

FLOYD, I know I speak for everybody when I say we will miss you, but we know we will be hearing from you many, many times in the future, and we will listen keenly, because what you say and what you do is a valuable model for all of us.

□ 1500

Mr. QUINN. FLOYD, we have had requests from almost everybody here to speak, and we will never get to fast track if we let everybody here speak this afternoon.

Madam Speaker, I yield to the gentleman from California [Mr. LEWIS], the delegation leader from the State of California.

Mr. LEWIS of California. Madam Speaker, I very much appreciate my colleague yielding, and I must say that as FLOYD is recognized in a special way by the 31 Members from New York, those of us who make up the 52 Members of California want you all to know that we have not just the greatest respect for the work of FLOYD FLAKE, but most importantly, we feel in our hearts the warmth that goes out to FLOYD as he continues his work, for his gentle nature has been felt across the Halls of this House from the day he arrived here. FLOYD is one of those very, very special people who cares about people most.

FLOYD, I want you to know that as you leave this House and take with you our friendship as well as our respect, you also take with you our prayers for your continued good work. I would ask as you go forward in New York that you continue to pray for those of us in this House, for we need the help of you as well as your parishioners. You are a fantastic representative of the best of this country, and God bless you for all that you have done with your life.

Mr. QUINN. Madam Speaker, I yield to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Madam Speaker, it gives me great pride to stand before this House this afternoon and say a few special words about my friend, FLOYD FLAKE. I am not pleased that he is leaving. As a matter of fact, when he first told me I was standing back near the door, and I literally slid down the wall, because I understood immediately, this House cannot afford to have this man of substance part from us at this time. We in the Congressional Black Caucus love him, need him, respect him, and we have worked

with him in some very special ways. But beyond that, the Democratic Caucus will miss him, because of what he has been able to add to the debate and the discussions and the direction of this House. Well, you saw on the other side of the aisle who took this time out on the floor, so this man is not only important to the Democratic Party, but also to the Republican Party.

We are going to miss him because he became one of our fine experts on the Committee on Banking and Financial Services. If the financial institutions of America are ever going to invest in inner cities, comply with CRA, and do what we want them to do, it will be because of the work of Floyd Flake. He has shown that there is not just one way to do things, he has gotten them to do more than all of us who have beaten up on them time and time again. He has caused the development and proliferation of housing for poor people in this country, having developed capacity through nonprofits and their ability to use the resources that we have put forth so that they could take care of the poor in this Nation.

I am going to miss him, but I will see him even though he is not here. I am going up to Allen Church. He has invited me before, and I certainly expect him to invite me again. I am going up to Allen Church to be with his church family and to look at that community that he has developed up there, all around the church. You will see commercial development all around the church. You will see housing. You will literally see a community that has benefited from the knowledge, the expertise and the caring of this man.

We are going to miss you. We really do hate to see you go, but this place is a much better place because you have been here. Thank you very much.

Mr. QUINN. Madam Speaker, I yield to the minority leader, the gentleman from Missouri [Mr. GEPHARDT].

Mr. GEPHARDT. I thank the gentleman from New York for calling this special event, and I am proud to rise with all of my colleagues on both sides of the aisle to honor the service and the meaning of the career of FLOYD FLAKE.

I have had a chance that many of you have not had. About a year ago I got to go to Allen Church and to FLOYD's district with FLOYD and spent about a day. We went in the old church. He now has a new structure that he showed me being built. I got to meet a lot of the families in the church, and I got to see the development that has gone on around the community through the work of the SBA and other organizations and the church that has gone on in the community.

What I would like to do in my minute today is describe for you what it is like to walk into this church with FLOYD FLAKE. All of the families feel that FLOYD FLAKE is part of their family. All of the children that we met, and on this day that we were there, they were honoring school children who had had great achievement in school. All of their families were there. And as FLOYD walked around with me, he knew the name of every child. And obviously, every child and every family knew and looked up to him as the leader of the flock.

When you see the energy among the families, when you see the achievement, when you see the cohesion of his church members, you understand why this is an extended family in this community.

Then he took me to the foundation of the new church and we walked through the mud under the foundation and saw the expanse of this building that he is building with his members. And then we drove around the community and saw all of the buildings that had been refurbished, all of the businesses that had been started, and we walked into an SBA center that he got in the community where people are coming in to find out how they can set up their little new fledgling businesses on their own in the community.

The truth is, FLOYD is leaving this great opportunity that we all have in public service, but FLOYD, let me be very honest with you and say, I not only understand what you are doing and why you are doing it, I think it is the right thing to do. Because the truth is that you in your career in your community are doing more than any of us could ever dream of doing. I just hope and pray that my service could be one fraction as important to the people that I serve as your service is right now to the people of your community. I am in awe of what you have done, and I think what you have done is extremely important, not only for your community, but for all of us to see as a model of what one human being can do as a force for good for people. We are going to miss you, we love you, and we wish you well and we will work with you in the days ahead. Thank you.

GENERAL LEAVE

Mr. QUINN. Madam Speaker, just before we yield to one last speaker and hear from FLOYD FLAKE, I would like to get rid of a technicality. I ask unanimous consent that all Members be granted 5 legislative days within which to extend their remarks on the subject of this 1-minute.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. QUINN. Madam Speaker, I yield to the gentleman from Georgia, the Speaker of the House [Mr. GINGRICH].

Mr. GINGRICH. Mr. Speaker, let me say that 11 years ago when a vacancy was filled in a special election, I do not think any of us could have predicted the kind of mark that that new Representative would make. Those of you who might have had the good luck a few weeks ago to see the cover of the New York Times Sunday magazine saw a remarkably dapper Member of Congress right there on the cover. And he honored all of us. And as you read the article, if you did, as I did, you came to realize that this gentleman that we have been working with, as my good friend, the gentleman from Missouri [Mr. GEPHARDT] pointed out, is a remarkable figure in his own community, a man who leads by eloquence, by energy, by intelligence, by courage, by a quiet civility that would be worth all of us studying on occasion.

I have worked with him on a number of projects. I know of no one in this House who has been more openminded in his willingness to consider anything which would help the children of his community and which would improve the chance that they would lead a better life. I know of no one who has shown more determined calm and pleasant courage in standing for what he believes in. He has honored this institution by serving it. He has strengthened his country by his public service. I have no doubt that he will take on to his chosen true field of bringing people together with God an even greater dedication, and that our country will be even stronger and those children will have an even better future because of what he does, and I just want you to know, FLOYD, that as a friend, all of us are going to miss you and we wish you well and Godspeed in your new opportunities.

Mr. QUINN. Madam Speaker, I yield to the gentleman from New York, District 6, the Honorable FLOYD FLAKE.

Mr. FLAKE. Thank you very much to the Speaker of the House, to the minority leader [Mr. GEPHARDT], who did come to the district and visit with me at the school and with our people, to all of the leadership here and all of the Members of this body.

Eleven years ago when I ran for Congress I said to the people of the Sixth District that I intend to go and stay from 10 to 12 years. When we conclude business in the next few days, it will be the end of the 11th year for me. I do not think you can come any closer to fulfilling a promise than that.

I come as the product of a family who gave birth to 13 children, grew up in Houston, TX, in SHEILA JACKSON-LEE's district, grew up in a family where my father was a janitor all of his life. My mother was a housekeeper. My father would not allow her to work, but worked two jobs, three jobs, made us work from the time we were about 6 and 7 years old.

By the time I was 6 I had my own paper route, and by the time I was 8, my mother had taught us how to cook and wash and iron and sew, so I had my own homes that I cleaned up every Saturday. By the time I was 13 I was busing tables at restaurants and waiting

tables, and when I got ready to go to college, because of the size of the family, my family could not afford to give me a dime, but I told them I wanted to go, I could have gone to one of the Texas schools and run track, but chose to go away to a school where I could prepare for the ministry, having accepted the call at the age of 15.

I went to that school every morning at 5 o'clock, I was up, cooking breakfast for my fellow students. Lunch time, back serving tables. Dinner time, serving again, but also getting keys to the cafeteria so that I could clean it up at night. For 4 years in college, 3 years in seminary, that is what I did, and that is how I got through.

One of the things I realized as I was growing up was that there was no substitute for hard work. I could never have envisioned, sitting in civics classes, that a day would come when I would not be reading about Presidents, but meeting them, reading about a House that legislated for the needs of our people and the world, but being a part of this great board of directors of America and board of directors of the world. God knows I have come much further than I could have ever imagined. In 1986 when I was asked by my community to run for this office, having served in no political office before, my initial inclination was to be overwhelmed by the thought and to give an overwhelming no, but then ultimately was prevailed upon to run for the office and got elected.

I came here with two basic intentions. One of them was to treat this institution as an extension of my ministry, and those of you who have stood today, I thank you for standing, because I have tried to treat every individual here as if you were a member of my parish, not just Members of this body, but I think if you go out and speak to every guard, every security person, every dishwasher, people even in the kitchen, I could be walking down the hall and go into the kitchen just to speak to people there, because I consider this a part of my ministry.

□ 1515

That is the way I have tried to work in this Congress. I do not think I have had cross words with many of the Members. If I did, please forgive me. But it is not my nature to do that.

I have tried to cooperate in ways across both sides of the aisle, because beyond Republican and Democrat, I see human beings. When I see human beings, my concern is about how you minister to the needs of people in general. I am fortunate to have in my background marketing analyst from Xerox, serving as dean of students at Boston University, associate dean at Lincoln University before that, and the combination of all of that came together both in my Allen experiences and in my experiences here as a part of this body.

I have sought to bring those business administrative skills to this body, to bring back to my community those resources which are necessary to demonstrate their ability, with a great deal of their own initiative and motivation, to be able to do things for themselves, in addition to the relationship of government and corporate community; how we bring that partnership of resources in a synergy that allows people to know that they can indeed invest not only in themselves, but can build their communities. That is what I have tried to do.

Allen Church was very receptive. We built our own school, which has 480 students. We have built homes. We have sold 110 homes that we built to first-time homebuyers. We have built a senior citizens complex with over 300 units it. We have bought up every vacant, boarded-up store in our community. You will not find any drug dealers around our location, because we own the property, we lease it, or we put programs in it. We have just finished a $23 million building.

I leave Members today because my church is growing so rapidly, with a membership of over 9,000 now. Just in the last month of October, we had 317 new members, in September 170, and in August 155. It is growing so fast that I must be there to minister. I have 825 full-time employees in the church. Many of them would otherwise be persons on the welfare rolls. These are people in home care, teachers, people who work in various categories of professions, a full-time chief financial officer who is my former chief of staff, a Harvard MBA who runs the program there, with a full-time staff of eight directors who run the various programs.

I thank God for a wife who not only has shown her love and commitment, but by virtue of her own training as an educator. We both earned doctorates while I was here. I have worked on my doctorate degree when I went home at night, at 10 o'clock. I would try to go to bed at midnight, up right at 5 in the morning, catch the 6:30 shuttle, or 7:30; come back, and bought all the books, because I did not have library time; wrote the dissertation on the dinner table in longhand, because I am 52 and did not learn to type. So I have not learned to use the computer yet, but I am working on that.

But I go back to the community, and knowing that I have been here. In that community, Southeast Queens, we will build two regional Federal buildings, a Federal FDA building and Federal FAA building, and the rail link, projects that bring into that community about 1,200 jobs, 500 million dollars' worth of construction.

I have tried to bring back to that community those things which change the aesthetics of the community, give people a sense of pride in living there, drive crime down, raise the economic level, and participate in the process of changing and restructuring education.

I have not come necessarily to be agreed upon on everything, but I will tell the Members one thing, I talk to the Master. I talk to God daily, two, three, four, five, six times a day, and I honestly believe that God has called me to do some things, to try to move beyond status quo.

I cannot, as an African-American coming from the background that I came from, believe that we cannot have a stake in American society, a stake brought about not just by programs. I am a firm believer in affirmative action, of course, but I also believe that we have to invest in ourselves.

So I leave the Members to go into the greater community of America. I speak at seminaries. I have been asked to come to Harvard for 2 weeks next summer. I speak to these young men and women who will be coming to pastor in those communities. I am trying to use the model that we have to demonstrate that within the communities that look so deteriorated and devastated, there are fertile fields of opportunity.

I believe that I can move, as I have done in many of the Members' districts already, and many of the districts I will be coming to, they are already on my schedule. I have even been to some of my fellow Members' districts on this side, of the dear gentleman from New York [Mr. RICK LAZIO], a prayer breakfast, and the banquets of the other dear gentleman [Mr. JACK QUINN]; and I have been to various districts, because I think it is important that if we are going to solve the problems of America, we cannot do it balkanized in our own little areas, but we have to learn how to reach out and touch each other, work with each other.

When that is done, I think we will have not only the kind of America that our foreparents intended for it to be, but we will have the kind of world that God would have us live in.

I go, believing that the Lord has called me to a greater ministry and to a greater work. I seek your prayers, and I ask that you might, as you lift your prayers, just ask the Lord to give me strength to do what I feel called to do.

I hate leaving this body, I will confess it. But I will not miss having to take that shuttle in the morning and in the evening. I have tried to go home every night. I never set up a residence here. At 52 years of age, looking relatively good, I want to maintain my health and continue to do the things that I think the Lord has called me to do.

I thank the gentleman from New York [Mr. JACK QUINN] for calling for this special time. I appreciate it.

MOTION TO ADJOURN

Mr. BECERRA. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. BECERRA].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BECERRA. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 61, noes 348, not voting 24, as follows:

[Roll No. 613]

AYES—61

Andrews
Barrett (WI)
Becerra
Berry
Bonior
Brown (FL)
Clayton
Clyburn
Conyers
Coyne
DeFazio
DeLauro
Deutsch
Dingell
Evans
Farr
Fazio
Filner
Frank (MA)
Gejdenson
Gephardt
Hastings (FL)
Hefner
Hinchey
Jefferson
Kennedy (RI)
Kennelly
LaFalce
Lantos
Lewis (GA)
McDermott
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Obey
Olver
Owens
Pallone
Payne
Pelosi
Peterson (MN)
Rangel
Roybal-Allard
Sanchez
Serrano
Smith, Adam
Spratt
Stark
Stupak
Thurman
Torres
Towns
Velázquez
Waters
Watt (NC)
Wise
Woolsey

NOES—348

Abercrombie
Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boyd
Brady
Brown (CA)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Everett
Ewing
Fattah
Fawell
Flake
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
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Hastings (WA)
Hayworth
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Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
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Maloney (CT)
Maloney (NY)
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Manzullo
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McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
Metcalf
Mica
Miller (FL)
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Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
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Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
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Parker
Pascrell
Pastor
Paul
Paxon
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Pickett
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Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Regula
Reyes
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Rivers
Rodriguez
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Rogers
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Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—24

Ballenger
Barton
Boucher
Callahan
Cubin
Dellums
Doggett
Foglietta
Gonzalez
Hoekstra
Jones
Klink
Linder
Markey
McCollum
McIntyre
Morella
Redmond
Riley
Sanders
Schiff
Slaughter
Stokes
Yates

□ 1545

Mr. PORTMAN and Mr. HILLIARD changed their vote from "aye" to "no."

Ms. MILLENDER-McDONALD and Mr. PALLONE changed their vote from "no" to "aye."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

ENSURING THAT COMMERCIAL ACTIVITIES OF PEOPLE'S LIBERATION ARMY OF CHINA ARE MONITORED

Mrs. FOWLER. Madam Speaker, as the designee of the chairman of the Committee on International Relations, pursuant to House Resolution 302, I call up the bill (H.R. 2647) to ensure that commercial activities of the People's Liberation Army of China or any Communist Chinese military company in the United States are monitored and are subject to the authorities under the International Emergency Economic Powers Act.

The Clerk read the title of the bill.

The text of H.R. 2647 is as follows:

H.R. 2647

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL FINDINGS.

The Congress makes the following findings:

(1) The People's Liberation Army is the principal instrument of repression within the People's Republic of China, responsible for occupying Tibet since 1950, massacring hundreds of students and demonstrators for democracy in Tiananmen Square on June 4, 1989, and running the Laogai ("reform through labor") slave labor camps.

(2) The People's Liberation Army is engaged in a massive military buildup, which has involved a doubling since 1992 of announced official figures for military spending by the People's Republic of China.

(3) The People's Liberation Army is engaging in a major ballistic missile modernization program which could undermine peace and stability in East Asia, including 2 new intercontinental missile programs, 1 submarine-launched missile program, a new class of compact but long-range cruise missiles, and an upgrading of medium-and short-range ballistic missiles.

(4) The People's Liberation Army is working to coproduce the SU–27 fighter with Russia, and is in the process of purchasing several substantial weapons systems from Russia, including the 633 model of the Kilo-class submarine and the SS–N–22 Sunburn missile system specifically designed to incapacitate United States aircraft carriers and Aegis cruisers.

(5) The People's Liberation Army has carried out acts of aggression in the South China Sea, including the February 1995 seizure of the Mischief Reef in the Spratley Islands, which is claimed by the Philippines.

(6) On July 1995 and in March 1996, the People's Liberation Army conducted missile tests to intimidate Taiwan when Taiwan held historic free elections, and those tests effectively blockaded Taiwan's 2 principal ports of Keelung and Kaohsiung.

(7) The People's Liberation Army has contributed to the proliferation of technologies relevant to the refinement of weapons-grade nuclear material, including transferring ring magnets to Pakistan.

(8) The People's Liberation Army and associated defense companies have provided ballistic missile components, cruise missiles, and chemical weapons ingredients to Iran, a country that the executive branch has repeatedly reported to Congress is the greatest sponsor of terrorism in the world.

(9) In May 1996, United States authorities caught the People's Liberation Army enterprise Poly Technologies and the civilian defense industrial company Norinco attempting to smuggle 2,000 AK–47s into Oakland,

California, and offering to sell urban gangs shoulder-held missile launchers capable of "taking out a 747" (which the affidavit of the United States Customs Service of May 21, 1996, indicated that the representative of Poly Technologies and Norinco claimed), and Communist Chinese authorities punished only 4 low-level arms merchants by sentencing them on May 17, 1997, to brief prison terms.

(10) The People's Liberation Army contributes to the People's Republic of China's failure to meet the standards the 1995 Memorandum of Understanding with the United States on intellectual property rights by running factories which pirate videos, compact discs, and computer software that are products of the United States.

(11) The People's Liberation Army contributes to the People's Republic of China's failing to meet the standards of the February 1997 Memorandum of Understanding with the United States on textiles by operating enterprises engaged in the transshipment of textile products to the United States through third countries.

(12) The estimated $2 billion to $3 billion in annual earnings of People's Liberation Army enterprises subsidize the expansion and activities of the People's Liberation Army described in this subsection.

(13) The commercial activities of the People's Liberation Army are frequently conducted on noncommercial terms, or for noncommercial purposes such as military or foreign policy considerations.

SEC. 2. APPLICATION OF AUTHORITIES UNDER THE INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT TO CHINESE MILITARY COMPANIES.

(a) DETERMINATION OF COMMUNIST CHINESE MILITARY COMPANIES.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Attorney General, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation, shall compile a list of persons who are Communist Chinese military companies and who are operating directly or indirectly the United States or any of its territories and possessions, and shall publish the list of such persons in the Federal Register. On an ongoing basis, the Secretary of Defense, in consultation with the Attorney General, the Director of Central Intelligence, and the Director of the Federal Bureau of Investigation, shall make additions or deletions to the list based on the latest information available.

(2) COMMUNIST CHINESE MILITARY COMPANY.—For purposes of making the determination required by paragraph (1), the term "Communist Chinese military company"—

(A) means a person that is—

(i) engaged in providing commercial services, manufacturing, producing, or exporting, and

(ii) owned or controlled by the People's Liberation Army, and

(B) includes, but is not limited to, any person identified in the United States Defense Intelligence Agency publication numbered VP-1920-271-90, dated September 1990, or PC-1921-57-95, dated October 1995, and any update of such reports for the purposes of this Act.

(b) PRESIDENTIAL AUTHORITY.—

(1) AUTHORITY.—The President may exercise the authorities set forth in section 203(a) of the International Emergency Economic Powers Act (50 U.S.C. 1702(a)) with respect to any commercial activity in the United States by a Communist Chinese military company (except with respect to authorities relating to importation), without regard to section 202 of that Act.

(2) PENALTIES.—The penalties set forth in section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to violations of any license, order, or regulation issued under paragraph (1).

SEC. 3. DEFINITION.

For purposes of this Act, the term "People's Liberation Army" means the land, naval, and air military services, the police, and the intelligence services of the Communist Government of the People's Republic of China, and any member of any such service or of such police.

The SPEAKER pro tempore. Pursuant to House Resolution 302, the gentlewoman from Florida [Mrs. FOWLER] and the gentleman from Indiana [Mr. HAMILTON] each will control 30 minutes.

The Chair recognizes the gentlewoman from Florida [Mrs. FOWLER].

GENERAL LEAVE

Mrs. FOWLER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Mrs. FOWLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today the House is considering H.R. 2647, legislation I have introduced to call attention to U.S. commercial activities of the People's Liberation Army, better known as the PLA, of China and give the President expanded authority to take action against PLA-owned enterprises doing business in the United States.

It has been well-documented that China's military-owned enterprises have been directly involved in the international proliferation of nuclear and chemical weapons technologies and of missiles and missile technologies. Recent revelations include information about the sale of ring magnets and specialized high temperature industrial furnaces, used in constructing nuclear weapons, to Pakistan; technical support for Iran's nuclear program; and missile technology sales to Iran, Syria, and Pakistan. The profits from these sales are piled back into the modernization of the PLA and fund such aggressive activities as the missile tests conducted off Taiwan in advance of the 1996 elections there and the PLA's seizure of contested islands in the South China Sea.

What many Americans do not know is that the Chinese military also operates many enterprises that deal in nonmilitary commodities, and that they profit handsomely from their activities in the United States. A report released earlier this year indicated that vast quantities of goods as varied as rattan products, toys, ski gloves, garlic, iron weight sets, men's pants, car radiators, glassware, pollock fillets, swimsuits, and much more are being sold to U.S. consumers by PLA-owned firms.

This chart that I have here will give Members an example. All those that are in the peach color are companies that have been documented by our Defense Intelligence Agency as being directly owned by the People's Liberation Army. Those in the peach color are the ones that would be affected by this legislation. The ones to the other side, in the other color, are their defense industrial base. Some of them have indirect connections also, but any Members who are interested today might want to come up and look at this chart. They would be amazed at the companies listed here.

H.R. 2647 would do two things. First, it would require the Secretary of Defense, in consultation with the Attorney General, the Director of Central Intelligence, and the Director of the FBI, to maintain a current list of Chinese military firms operating directly or indirectly in the United States. This list, consisting strictly of PLA-owned companies, would be updated regularly in the Federal register.

Second, it would give the President enhanced authority under the International Emergency Economic Powers Act, better known as IEEPA, to take action against Chinese military-owned firms if circumstances warrant, including freezing their assets or otherwise regulating these firms' activities.

Thus, if a PLA-owned firm is found to be shipping missile guidance components to a rogue state like Iran, the President would have the authority to take immediate action against a United States subsidiary of that firm which might, for example, be selling sporting goods here in the United States.

I should note that this bill would not require the President to take action under IEEPA; it would only enhance his ability to do so.

I believe that American consumers ought to know whether the products they are buying, including things like toys, sweaters, and porcelain they might purchase for the upcoming holidays, are supporting the People's Liberation Army and the kind of activities I have identified.

This legislation will help do that. It is needed both to shed light on the PLA's activities in the United States and to ensure that the President has the latitude he needs to take appropriate actions when evidence of wrongdoing arises. I hope my colleagues will support this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. HAMILTON. Madam Speaker, I yield myself such time as I may consume. I rise in opposition to the bill.

Madam Speaker, the purpose of the bill is to increase, I think, the likelihood that United States sanctions

against companies owned by the Chinese military will be applied. The bill's findings make a number of assertions about objectionable conduct by the People's Liberation Army. I think there is broad agreement with regard to the accuracy of those assertions.

The findings also describe a number of Chinese military commercial activities that are contrary to United States interests, or at least said to be contrary to United States interests, or in violation of Chinese Government commitments. The bill requires the Secretary of Defense to maintain a list of Chinese military companies operating in the United States, and it authorizes but it does not require the President to impose the sanctions provided for under the International Emergency Economic Powers Act, the act we generally refer to by the name IEEPA, even if that statute's threat standard has not been met.

I really oppose the bill for two reasons. First of all, the bill hands the President of the United States an extraordinary amount of authority. Currently the International Emergency Economic Powers Act, or IEEPA, authorizes the President to impose a wide array of sanctions in response to a foreign threat to the United States national security, foreign policy or economic interests. Presidents have used that authority frequently in the past. Under this bill, the President would be free to impose IEEPA sanctions on a Chinese military company without declaring a national emergency, or even determining that the company in question posed any threat to United States public safety or national security.

In other words, the bill provides no clear standards for invoking IEEPA sanctions. The bill establishes no threat standard for triggering the sanctions. The bill offers no congressional guidance to the President concerning the conduct that would justify sanctions. So far as I am aware, no existing sanctions law, and we have a number of them on the books today, offers the President anywhere near this kind of open-ended authority to impose sanctions. And so the bill has important implications beyond United States-China relations. It sets a precedent, and some view perhaps an alarming precedent, with respect to the separation of powers; it represents an extraordinary giveaway by the Congress of congressional authority to the executive to set the parameters of U.S. foreign and trade policy. I am aware, of course, that my colleagues will not be much persuaded by this argument, but I do find myself increasingly concerned about this propensity on the part of Members of the Congress and this institution to transfer authority to the President of the United States, and in this case not to give him any guidelines, not to give him any guidance, not to put any restraint or restrictions on the manner in which he uses that power. I can almost assure that sometime in the future, we in this body will be objecting very strongly to the manner in which some President, a future President, will have exercised authority under this bill, and we will complain that he has abused authority when in fact he will not have abused authority because there are not any guidelines here. That is one objection that I have to the bill.

A second objection is that I think the bill involves the danger that it poses to sensitive intelligence information. The requirement to publish a list of Chinese military companies operating directly or indirectly in the United States I am told can easily jeopardize sensitive sources. This requirement of disclosure could release classified information that should be protected, and that information could relate to sources and methods in the intelligence community. I do not think it is wise for us to take action that will only make it more difficult to collect vital intelligence on Chinese commercial interests in this country. I understand that the Chinese do a lot of things that we do not like, and I agree with much of what has been said with regard to their conduct, but I do not think we have looked at this legislation carefully enough, we have not explained why the President needs any new authority to protect public safety or national security from the Chinese military. He already has very extensive authority to do that. I do not think the sponsors of the bill have adequately explained why we should take a step that has fairly serious implications for the balance of constitutional powers, and I do not believe the sponsors of the bill have told us how they would reconcile the need to protect sensitive intelligence sources with the requirement for publishing a list of companies associated with the Chinese military.

Madam Speaker, I do not see any overriding reason to pass this bill, although I certainly understand the concerns that the sponsors of the bill have about Chinese military enterprises operating in this country and in other areas of the world.

□ 1600

But because of the two reasons that I have stated, I do urge Members to oppose the bill. I might say that the administration likewise opposes the bill.

Madam Speaker, I reserve the balance of my time.

Mrs. FOWLER. Madam Speaker, I yield myself such time as I may consume.

I just want to stress again that this bill does not require the President to do anything, it just gives him the flexibility to do so.

Madam Speaker, I yield 4 minutes to the gentleman from New York [Mr. GILMAN], the distinguished chairman of the Committee on International Relations.

Mr. GILMAN. Madam Speaker, I thank the gentlewoman from Florida for yielding this time to me.

Madam Speaker, I am pleased to rise in strong support of this measure, a bill introduced by the gentlewoman from Florida [Mrs. FOWLER] that would deny normal commercial status to the Chinese People's Liberation Army, whose enterprises subsidize China's military spending, and who promote arms proliferation activities from Iran to the streets of San Francisco.

This critically important legislation is needed to monitor and restrict the long arm of those commercial enterprises in Asia and in the United States whose activities have been directly implicated in the proliferation of weapons of mass destruction, in arms smuggling, economic espionage, use of forced labor, piracy of intellectual property and misappropriation of military-sensitive technology.

Its provisions would require the U.S. Secretary of Defense, the Attorney General and our Directors of the Central Intelligence Agency and the Federal Bureau of Investigation to publish a list of Chinese military companies that are operating in the United States, and would authorize the President to monitor, to restrict, and seize the assets of those companies.

As an original cosponsor of this measure, along with a number of my colleagues, including the distinguished chairman of the Committee on National Security, the gentleman from South Carolina [Mr. SPENCE], I would remind my colleagues that the Chinese People's Liberation Army is the main instrument of repression within China responsible for occupying Tibet since 1950, massacring hundreds of student demonstrators in Tiananmen Square in June of 1989, and running the Laogai slave labor camps.

The PLA, assisted by its money-making commercial enterprises, is engaged in a massive military buildup with most of the increase in off-budget items. Our arms control agency has estimated that its actual military spending in 1994 was more than nine times its announced budget.

We can and must ensure that the commercial enterprises supporting this massive military buildup be subjected to close scrutiny by our intelligence and law enforcement agencies, and we urge the President to use his existing authorities to restrict or ban their activities in the United States to the extent they represent a national security threat to our interests.

This measure provides the authority for the President to seize the assets of Chinese companies listed in section 2(a) of this bill. It does not mandate, does not require any such Presidential action, but it does serve to put teeth in this measure denying commercial status to these Chinese companies. If the

President were to abuse his authorities under the IEEPA, we can always restrict or eliminate the authorities provided in section 2(b) of this act.

We know that we have a problem with the Chinese military as a whole, but perhaps for foreign policy reasons the President will not want to declare an emergency. This measure will allow the President to act accordingly. If this is any giveaway of authority, it is strictly limited though to PLA companies.

Accordingly, I urge our colleagues to support this measure.

Mr. HAMILTON. Madam Speaker, I yield myself an additional minute.

I just wanted to point out the process involved in this bill. I think there were no hearings in the committee with respect to it. I am not aware that there was any consultation between the committee and the administration and no effort to talk with the administration about how they viewed this bill or to adapt the language of the bill so that it would be satisfactory to the administration.

I am not aware that the bill had any consideration in the committee, the House Committee on International Relations. This bill was not reported out by the committee, I do not believe. I think the bill came out under a waiver, if I am not mistaken.

Now, I understand that there are times when steps have to be taken in a committee to bypass normal procedures, but I must say I do not understand why that had to occur here. This is an important matter. The administration does have something to say on it, but I am not aware of any process that involved them to any degree.

Madam Speaker, I reserve the balance of my time.

Mrs. FOWLER. Madam Speaker, I yield 4 minutes to the gentleman from South Carolina [Mr. SPENCE], the chairman of the Committee on National Security.

Mr. SPENCE. Madam Speaker, I thank the gentlewoman from Florida for sponsoring this initiative.

Madam Speaker, the Communist Chinese People's Liberation Army directly controls a vast empire of commercial enterprises throughout the world. In addition, there is a parallel network of state-run defense industries under the supervision of the Commission of Science, Technology and Industry for National Defense. Such enterprises have been involved in the proliferation of weapons of mass destruction, arms smuggling, economic espionage, use of forced labor, piracy of intellectual property and misappropriation of military-sensitive technology.

As state-owned enterprises, PLA enterprises frequently operate on noncommercial terms, conducting their affairs for such nonmarket reasons as military and prestige considerations and for advancing foreign policy concerns, and even when operating for commercial motives, PLA profits subsidize the military establishment with off-budget financing. According to Karl Schoenberger, writing in Fortune magazine, off-budget military spending in 1997, including both profits from PLA enterprises and PLA arms sales, is conservatively estimated at $2 to $3 billion. Based on purchasing power parity, the Arms Control and Disarmament Agency, not known for exaggerating threats, estimated that 1994 Chinese military spending was nine times its announced budget.

To Chinese military spending is added the problems of weapons acquisition; for instance, fire sales from cash-strapped Russia. The Chinese arms proliferation problem involves what China buys as well as what it sells; is captured by its efforts to acquire the *Sovremenny*-class destroyers from Russia, which are equipped with SS-N-22 supersonic antiship missiles. These Sunburn missiles were designed to evade defenses by hugging the surface of the ocean and then popping up to come straight down on the surface of ships. They are designed for destroying American aircraft carriers and *Aegis* cruisers, especially disturbing given our Navy's presence in the Taiwan Strait.

Instead of representing a stabilizing force in a generational leadership transition in China, as some allege, that military establishment is China's chief enemy of freedom at home and abroad. The PLA is responsible for internal repression from Tibet's occupation to the Tiananmen Square massacre. It is responsible for external aggression from the seizure of Mischief Reef in the Spratley Islands to the firing of missiles to intimidate Taiwan.

The Communist Chinese military does not deserve to be treated like the world's private companies. I urge my colleagues to support this very fine piece of legislation.

Mr. HAMILTON. Madam Speaker, I reserve the balance of my time.

Mrs. FOWLER. Madam Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Madam Speaker, I thank the gentlewoman from Florida for yielding this time to me, and first I want to commend her for her sponsorship of this very, very important legislation and her contribution on all of this legislation that has been before us for the last 2 days.

Madam Speaker, again we have a bill before us that brings to light a very serious problem with Communist China that has often been lost in our previous debates on China. It is especially lost when listening to the rhetoric of those who argue for the status quo called engagement with China. As my colleagues know, that word, "engagement," always gets this country of ours in trouble and always ends up with American soldiers in combat somewhere.

The problem is that we do not have true engagement or free trade with this Communist government. There is a barrier between us and them, and the barrier is the massive omnipresent Communist Chinese Government's apparatus dominated by the People's Liberation Army.

This is no ordinary army, Madam Speaker. No, it is also a vast commercial empire raking in profits of well over $2 billion a year, mostly financed by either low-interest or no-interest U.S. taxpayer dollars, 35 years in length, and sometimes with a 10-year waiver, a 10-year grace period, that may never even get paid back, and yet they keep doing this, Madam Speaker. They have got their fingers in everything, let me assure my colleagues.

Madam Speaker, half of the things people are wearing around here are probably made by firms either owned by or affiliated with the People's Liberation Army. See this shirt I am wearing here? Used to be made up in Troy, NY. Do my colleagues know where it is made now? It is made by the People's Liberation Army in China, and all the people that I represent are now out of work. We used to have several thousand seamstresses and workers up in the Hudson Valley. Today we are lucky if we have 300 left.

And what does the PLA do with these huge profits? Well, for starters it dutifully carries out the totalitarian repression of the Chinese people as ordered by the Communist Party. The PLA is the instrument of terror in China. It was the PLA that rolled the tanks in Tiananmen Square, killing a thousand people. It is the PLA that occupies Tibet.

What else does it do, Madam Speaker? Well, for starters, they fired some missiles at Taiwan last year, and they are using their annual double-digit budget increases in their military to gobble up weapons at a breathtaking pace, SU-27 fighter jets, Kilo submarines like this destroyer right here purchased from the Russian Government, armed with a deadly anti-American SS-N-22 missile that is pictured here, that is someday going to be used against U.S. soldiers and sailors stationed over in the Taiwan Straits. Just name it, the PLA is buying it.

And lastly, it is, of course, the PLA that is proliferating the endless list of deadly weapons and technology.

I urge all of my colleagues to support this legislation. I commend the gentlewoman from Florida. It is a great piece of legislation.

Mr. HAMILTON. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Madam Speaker, there is an excellent new

book on the market. It is called Dereliction of Duty, and it talks about what went on in the Lyndon Johnson administration, starting about January of 1964 when he was telling the people of America that he was not going to get our Nation involved in any war in Vietnam, and yet behind the scenes was taking every step to do so.

□ 1615

That is what happens when you mislead the American people. That is what happens when you tell the American people you are doing one thing and yet another is going on.

That is what these six bills are about. I voted for them. They sound good; they feel good; they do absolutely nothing. This bill, I would say to the gentlewoman from Florida [Mrs. FOWLER], and you are my friend, does absolutely nothing.

We have had two opportunities now on this floor to do something. My friend, and I still call him my friend, although we quarrel on occasion, Mr. SOLOMON, points out that the People's Army got $2 billion in profits from goods they sold in America last year. The people of China, the nation of China, got $40 billion because of their incredible trade surplus with our Nation. On two occasions, I have tried to address that. On two occasions, you people chose not to.

It is a dereliction of duty of this Congress to mislead the American people that we are somehow getting tough with the Chinese Communists when we are not. There is a dereliction of duty of this Congress to pass six bills, put out press releases, go up there, talk to the television, go out on the quad and talk to the reporters, say we are finally getting tough with the Communists, when we are not.

The only way we are ever going to get the Chinese Communists' attention, to get them to quit forcing abortions, to get them to quit selling missiles to our enemies, to get them to quit putting American businesses out of business with slave-labor-made goods, is when we hit them in the pocketbook, and we will never hit them in the pocketbook as long as we give them most-favored-nation status, when they get 2 percent tariffs on their products coming into America and yet we allow them to charge us anything they want when we sell our products there. And those tariffs can be from 30 to 40 percent, and those tariffs are the main reason why our Nation is at a $40 billion annual trade disadvantage with the Chinese.

I say to the gentlewoman from Florida [Mrs. FOWLER], I am going to vote for her bill. It sounds nice. But if you are really serious, if the gentleman from New York [Mr. SOLOMON] is really serious about this, then let us address the trade inequity. Let us forget about the silly rules of the House. Let us forget about jurisdictions. For once, let us do what is right for America.

Mrs. FOWLER. Madam Speaker, I yield 3 minutes to the gentleman from California [Mr. ROHRABACHER].

[Mr. ROHRABACHER. Madam Speaker, I find it unfortunate that my friend, the gentleman from Mississippi [Mr. TAYLOR], would speak to us in such a condescending manner.

And I will just say this right off the bat. There have been people that have put a lot of time and effort into this issue of human rights and China. This Member in particular has spent years engaged in the issue of human rights in China. And for you to stand up here and act condescending to people who have worked so hard, like the gentlewoman from Florida [Mrs. FOWLER] and the gentleman from California [Mr. COX], who have worked and sweated and done their homework for months and even years to try to get legislation to this floor, when you, as a Member yourself, have not gone through the procedures necessary to work a piece of legislation, is a little bit too much.

I would like to commend the gentlewoman from Florida [Mrs. FOWLER] and commend the gentleman from California [Mr. COX] in particular for the hard work they have put into this legislation. And it is not just a 1-day thing with these people, it is not a 1-day thing with this Congressman. We have worked for years trying to come to grips with a challenge to the United States of America, and that challenge is something that the public has not been able to recognize because there are American businessmen over making profit of Communist dictatorship, a dictatorship run by a group of thugs that threatens our national security and threatens the well-being of the people of this country.

We have got a package of bills before us today, and we have had to work to get them to the floor and work to perfect them, that will make a difference.

For example, we are not just talking about the People's Liberation Army, we are insisting that all companies that are associated with the People's Liberation Army, that are fronts for the People's Liberation Army, that a list be made and that it be made public, and that the President be given the discretion, which, of course, our distinguished ranking member on the Committee on International Relations opposes, that the President be given the discretion to act against these companies.

I am not afraid that the civil rights of these People's Liberation Army companies might get stepped upon. We are talking about the biggest abusers of human rights in the world, people who torture Christians, who put believers in God in prison, put them in forced labor camps, use them as slave labor to produce goods that will be sold, some of those goods, sold right here in the United States of America.

We are trying to come to grips with this problem, we are trying to alert the American people to it, and I, for one, deeply appreciate the gentlewoman from Florida [Mrs. FOWLER] and especially the gentleman from California ([Mr. COX] and all the other people who put time and effort into this package.

The People's Liberation Army is providing billions of dollars, billions of dollars, of revenue, by selling products to us, to do what? As the gentleman from New York [Mr. SOLOMON] stated, to build up their armed forces in a way by selling products to us.

What will they do with these weapons? This massive buildup that we see of the Chinese military, what will they do? Some day they may use those weapons to kill Americans.

Well, we are taking steps today to see that we come to grips with this incredible challenge. I, for one, am proud of the gentleman from New York [Mr. SOLOMON], I am proud of the people involved in the effort.

One last thing about this particular bill, H.R. 2647. No, it does not do everything, but it takes a long step forward. It will alert the American people to what companies are nothing more than fronts for the military arm of the Chinese Communist regime, and it gives the President authority to act if we find them stealing our technology or acting in a way that is totally inconsistent with the security needs of our country.

So I rise in strong support of this legislation and commend my fellow colleagues who put so much time and effort into trying to do something about it. Lyndon Johnson certainly didn't do anything about it.

[Mr. HAMILTON. Madam Speaker, I yield 7 minutes to the distinguished gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Madam Speaker, I thank the distinguished ranking member for yielding me this time, and I commend the gentlewoman from Florida [Mrs. FOWLER] for her leadership on this important issue.

I just want to return to the dialog where the gentleman from California [Mr. ROHRABACHER] started his remarks. I wanted to commend the gentleman from Mississippi [Mr. TAYLOR] though, too, for his comments, because it is true, we should be doing more. But this is the very least we should do, where we can come together and hopefully get some action on the Senate side and put these bills on the President's desk. This gives us a chance to demonstrate the need for this legislation and to make a statement of our national values and concerns in our relationship with China.

As I have said over and over, I believe we will have a brilliant relationship with China, economically, diplomatically, culturally, politically, and every way, but that can only happen when

the Chinese Government respects its own people, stops proliferating weapons of mass destruction to rogue states, and plays by the rule in our trade relationship.

I believe we should have engagement with China, but it must be effective engagement, that makes the trade fairer, the world safer, and people freer, and not the destructive engagement that we have now that not only coddles dictators but extends unwarranted hospitality to them.

For example, when President Clinton toasted President Jiang Zemin, he was toasting the leader of the Chinese military that at that very moment was brutally occupying Tibet, continuing its proliferation of weapons of mass destruction to rogue and unsafeguarded states, repressing dissent in China, and a military that had in the past year and a half threatened with missiles the election in Taiwan, a military that had exported illegally AK–47 type rifles into the United States, selling them at a very cheap price on the streets here, making them the weapons of choice for gangs, all of this in violation of our law, but we again looked the other way or pulled the plug on the investigation too soon.

I want to call to my colleagues' attention a photograph that we have not had on the floor in a long time, because, frankly, I think it is too sacred to bring before this body, which has over and over again rejected our appeals for a change in U.S.-China policy because of repression in China and Tibet.

But, Mr. TAYLOR, respecting and admiring your dissatisfaction with what is going on here too, because, frankly, I am dissatisfied too, it is a cluster of fig leafs that we are dealing with, but they have more to them than that. As one who has been critical of fig leaf approaches here, I do commend our colleagues for the thoughtful attention they have paid and the reasonable solutions they have come up with so they can get almost unanimous support in this body for these initiatives.

But the gentleman is right. I had the bill on this floor that would limit MFN, revoke MFN for products made by the People's Liberation Army. That is what we should be doing here today. We do not have the votes for it, the President will not sign it, it would not pass in the Senate probably, and that, I think, is the least we can do.

But I bring this photograph back today in hope that the gentleman from California [Mr. COX] and the gentlewoman from Florida [Mrs. FOWLER] and the gentleman from New York [Mr. SOLOMON] and so many others who have worked on this package, that we can be serious about what we are doing and this is not perfunctory.

This is the photograph of the lone man before the tank. We all identified with him and admired him, and we immediately forgot the cause that he was standing there for. But I bring it here today in discussion of the People's Liberation Army, because this is the People's Liberation Army. They rolled out the tanks against their own people in the streets of Beijing on June 3 and 4 of 1989.

Fast forwarding to the present, this is the same People's Liberation Army that, according to the Office of Naval Intelligence in a March 1997 report, an unclassified report, stated that discoveries after the Gulf War clearly indicate that Iraq maintained an aggressive weapons of mass destruction procurement program. A similar situation exists today in Iran with a steady flow of materials and technologies from China to Iran. This exchange is one of the most active weapons of mass destruction programs in the Third World and is taking place in a region of great strategic interest to the United States. It is in our strategic interest to stop the proliferation by the Chinese military, the People's Liberation Army, of these weapons of mass destruction to Iran.

Between June of 1989, and we can go back further than that, but just taking from then to the present, and now, the Chinese military has been engaged in the activities that many of us have described relating to Taiwan, Tibet, China itself, proliferation, et cetera.

They are the guardians of China's repressive dictatorial regime. They and the People's Armed Police, which are part of the military, stand guard atop the watch towers of the laogai, the Chinese gulag, and are executioners of prisoners, some of them for harvest of their organs for profit.

The People's Liberation Army acts with swift brutality, as evidenced in Tiananmen Square as we see here, to crush any attempt to introduce democracy or promote basic human rights in China.

Indeed, when President Jiang, the leader of that military, who got a 21-gun salute from our administration by the military of this repressive regime, when he was here, he rejected the notion of economic reform leading to political reform and stated that political conformity and economic reform are complementary to each other. I was trying to get his exact words. He rejected the notion of people's evolution, and yet this administration and many in this body continue to say that that is what is happening in China.

Recently, huge worker demonstrations in Sichuan Province were brutally repressed by the People's Armed Police. Workers, believers, intellectuals, and students are rounded up and confined to reeducation camps in a continuing attempt by the Chinese authorities to break their spirit and prevent the establishment of independent organizations.

But this is why the legislation of the gentlewoman from Florida [Mrs. FOWLER] is so necessary. Chinese military-owned companies are selling huge amounts of goods in the United States, including toys, exercise weights, camping tents, and fish for fast food restaurants. Among American companies that buy products from wholesalers or distributors who get goods from them, I will invite my colleagues to read the People's Liberation Army, where to find PLA companies in the United States, what products they sell, and who are the PLA's customers.

I think my colleagues would find this very informational and a compelling reason to support the legislation of the gentlewoman from Florida [Mrs. FOWLER]. I thank the gentlewoman for presenting it.

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Mrs. FOWLER. Madam Speaker, I thank the gentlewoman from California [Ms. PELOSI] for her support and her diligent work in this effort.

I yield 5 minutes to the gentleman from California [Mr. COX], the chairman of the Republican Policy Committee.

Mr. COX of California. Madam Speaker, I thank the author of this bill, the gentlewoman from Florida [Mrs. FOWLER], for her courage in bringing it to the floor, and for her hard work and making sure that 90 days from its passage, the Department of Defense, the CIA, the FBI and the Department of Justice will combine their resources to produce a list of People's Liberation Army fronts doing business in the United States.

The reason we are here is because we love the peoples of China, and we know the difference between the Communist government in Beijing and the people. We know that the people are not the regime. We also know that free enterprise is not communism and communism is not free enterprise, and we know that the People's Liberation Army, the largest standing military on Earth, is not a commercial enterprise. And those of us who are for free trade understand that free trade must take place between commercial actors, market forces, driven by a profit motive, and competition is what makes markets work.

The People's Liberation Army is not interested in that. The People's Liberation Army has very different aims, and we understand what armies are all about.

The money that is generated from the subsidized industries in which the People's Liberation Army is engaged as so-called profits provide off-budget financing for the People's Liberation Army to expand even more than it already has. In nominal terms, that is what they report, the People's Liberation Army has doubled its spending since the collapse of the Soviet empire. They have literally moved to fill the void created by the collapse of the Soviet Union militarily. But the Arms

Control and Disarmament Agency tells us that that is understated by a factor of probably 8 times. The People's Liberation Army is enormous, but it is also growing, and it is growing because of these rather unique and creative financial arrangements.

A good example of these financial arrangements is Poly Technologies, about which we have heard some in the course of this debate. Poly Technologies, Inc., which is engaged in everything from the sale of small arms to the latest weapons of mass destruction in the People's Liberation Army arsenal has as its chairman a PLA officer. Bao Ping is none other than Deng Xiaoping's son-in-law.

This People's Liberation Army organization, using, for example, $2.5 billion that it earned in a single Middle East arms transaction, those were its net profits in that one deal, occupies almost one full city block near Beijing's Forbidden City. Poly Plaza comprises two large gleaming white marble towers connected by a 4-story high exhibition hall and theater. Across the face of the building in gold letters in English and Chinese characters, it says, Poly Plaza. They own property all over the People's Republic of China. Luxury villas in Beijing and a large piece of the Shanghai Securities Exchange building.

They also have commercial interests in California, where they were arrested for trying to smuggle into our country 300,000 machine guns for sale to street gangs. This is the indictment. They happen to be caught because there was an FBI sting operation, and in fact, a PLA agent offered to sell the FBI officers engaged in the sting operation Red Parakeet missiles, like Stinger missiles, the Chinese call theirs Red Parakeets, which he boasted, and it is written out here in the indictment, could take a 747 out of the sky. That is the kind of enterprise that the People's Liberation Army conducts.

Fortune Magazine, as has been alluded to earlier in the debate, reports that profits from People's Liberation Army's so-called commercial enterprise, the PLA fronts, yield about $2 billion to $3 billion in hard currency off-budget financing for the People's Liberation Army. The People's Liberation Army, more than anything, is the instrument of internal repression in the People's Republic of China. We ought not to pretend that when they are using their commercial fronts to do business in the United States that it looks anything like free trade. It is not.

What this bill does is very modest. It will produce a list and it will produce it in relatively short order so that we can then know who we are dealing with. That kind of information the American people need; that kind of information this bill will provide, and I congratulate the gentlewoman from Florida.

Mrs. FOWLER. Madam Speaker, I yield 30 seconds to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Madam Speaker, I thank the gentlewoman for yielding once again and commend her for her leadership.

I wanted to join the gentleman from California [Mr. COX], and I did not have enough time to finish when I was enumerating all the kinds of products that the Chinese People's Liberation Army sells in the United States.

The point is that the point that the gentleman from California [Mr. COX] made, and that is that this subsidizes the Chinese military apparatus, the same one that brutally occupies Tibet, sells weapons of mass destruction into the Third World. The toys you buy in the United States from Poly Technologies and the rest subsidize the Chinese military.

Mr. HAMILTON. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Madam Speaker, let me begin by agreeing with everything the gentleman from California [Mr. COX] just said. All of those things really did happen. The company that shipped that container-load of AK-47's into our country is the Chinese Ocean Shipping Co. We on the Committee on National Security this year passed an amendment which would ban that company, or any state-owned shipping company, from leasing or operating an American port that used to be a military installation that has reverted back to a local community. Unfortunately, the Senators chose not to do so, and it was dropped out of the conference committee report.

I want to go back to some things that were said earlier, that this bill is great because we authorize the President to do some things. One of the things we are as Members of Congress expected to do is read the Constitution of the United States, and any Member who reads the Constitution of the United States knows that in section 1 it talks about the powers of the Members of Congress. One of those powers will be debated twice today, because it involves Article I, section 8, clause 3 of the Constitution, which clearly gives Congress, and I am quoting, "the power to regulate commerce with foreign nations."

What the gentlewoman from Florida [Mrs. FOWLER] is trying to do here is to regulate commerce with foreign nations, and I have no problem with that because she is trying to slap the Chinese for their wrongful deeds. The problem with it is we should be doing it and we should not be delegating our constitutionally mandated authority to the President.

We know they have done bad things. We know that they have tried to smuggle a container, a 40-foot container load of AK-47's into this country to sell to street gangs in this country and cause harm in this country. Let us not pretend that that is not going on. And let us not pretend that these measures that have absolutely no force at all are going to do anything about it.

I am going to say for the last time, if this Congress is serious about getting the Chinese' attention for their wrongful deeds, we have to hit them in the pocketbook. They have unlimited access to the American market in most favored nation status which a majority of Members in this body, but not me, voted for, which allows them to have market access for 2 percent. They charge American goods anywhere up to 40 percent.

We have had two separate options, two separate opportunities to level the playing field. The sponsor of this bill did not vote to do so. I hope this Congress in the next session will address that. Because if we really think that the Chinese are doing wrong things and we really want to address it, there is a means to do so. It is called trade fairness. It is called basic fairness for the American working people.

I hope just once the Committee on Ways and Means will allow the Members of this body to vote on something that will call for fairness in trade between ourselves and the People's Republic of China.

CONFERENCE REPORT ON H.R. 2264, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. LIVINGSTON submitted the following conference report and statement on the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes:

CONFERENCE REPORT (H. REPT. 105-390)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2264) "making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Job Training Partnership Act, as amended, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Job Training Partnership Act; the Stewart B. McKinney Homeless Assistance Act; the Women in Apprenticeship and Nontraditional Occupations Act; the National Skill Standards Act of 1994; and the School-to-Work Opportunities Act; $4,988,226,000 plus reimbursements, of which $3,794,735,000 is available for obligation for the period July 1, 1998 through June 30, 1999; of which $118,491,000 is available for the period July 1, 1998 through June 30, 2001 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers; and of which $200,000,000 shall be available from July 1, 1998 through September 30, 1999, for carrying out activities of the School-to-Work Opportunities Act: Provided, That $53,815,000 shall be for carrying out section 401 of the Job Training Partnership Act, $71,017,000 shall be for carrying out section 402 of such Act, $7,300,000 shall be for carrying out section 441 of such Act, $9,000,000 shall be for all activities conducted by and through the National Occupational Information Coordinating Committee under such Act, $955,000,000 shall be for carrying out title II, part A of such Act, and $129,965,000 shall be for carrying out title II, part C of such Act: Provided further, That the National Occupational Information Coordinating Committee is authorized, effective upon enactment, to charge fees for publications, training and technical assistance developed by the National Occupational Information Coordinating Committee: Provided further, That revenues received from publications and delivery of technical assistance and training, notwithstanding 31 U.S.C. 3302, shall be credited to the National Occupational Information Coordinating Committee program account and shall be available to the National Occupational Information Coordinating Committee without further appropriations, so long as such revenues are used for authorized activities of the National Occupational Information Coordinating Committee: Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers; Provided further, That funds provided for title III of the Job Training Partnership Act shall not be subject to the limitation contained in subsection (b) of section 315 of such Act; that the waiver described in section 315(a)(2) may be granted if a substate grantee demonstrates to the Governor that such waiver is appropriate due to the availability of low-cost retraining services, is necessary to facilitate the provision of needs-related payments to accompany long-term training, or is necessary to facilitate the provision of appropriate basic readjustment services, and that funds provided for discretionary grants under part B of such title III may be used to provide needs-related payments to participants who, in lieu of meeting the enrollment requirements under section 314(e) of such Act, are enrolled in training by the end of the sixth week after grant funds have been awarded: Provided further, That funds provided to carry out section 324 of such Act may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That service delivery areas may transfer funding provided herein under authority of title II, parts B and C of the Job Training Partnership Act between the programs authorized by those titles of the Act, if the transfer is approved by the Governor: Provided further, That service delivery areas and substate areas may transfer up to 20 percent of the funding provided herein under authority of title II, part A and title III of the Job Training Partnership Act between the programs authorized by those titles of the Act, if such transfer is approved by the Governor: Provided further, That notwithstanding any other provision of law, any proceeds from the sale of Job Corps center facilities shall be retained by the Secretary of Labor to carry out the Job Corps program: Provided further, That notwithstanding any other provision of law, the Secretary of Labor may waive any of the statutory or regulatory requirements of titles I–III of the Job Training Partnership Act (except for requirements relating to wage and labor standards, workers rights, participation and protection, grievance procedures and judicial review, nondiscrimination, allocation of funds to local areas, eligibility, review and approval of plans, the establishment and functions of service delivery areas and private industry councils, and the basic purposes of the Act), and any of the statutory or regulatory requirements of sections 8–10 of the Wagner-Peyser Act (except for requirements relating to the provision of services to unemployment insurance claimants and veterans, and to universal access to basic labor exchange services without cost to job seekers), only for funds available for expenditure in program year 1998, pursuant to a request submitted by a State which identifies the statutory or regulatory requirements that are requested to be waived and the goals which the State or local service delivery areas intend to achieve, describes the actions that the State or local service delivery areas have undertaken to remove State or local statutory or regulatory barriers, describes the goals of the waiver and the expected programmatic outcomes if the request is granted, describes the individuals impacted by the waiver, and describes the process used to monitor the progress in implementing waivers, and for which notice and an opportunity to comment on such request has been provided to the organizations identified in section 105(a)(1) of the Job Training Partnership Act, if and only to the extent that the Secretary determines that such requirements impeded the ability of the State to implement a plan to improve the workforce development system and the State has executed a Memorandum of Understanding with the Secretary requiring such State to meet agreed upon outcomes and implement other appropriate measures to ensure accountability: Provided further, That the Secretary of Labor shall establish a workforce flexibility (work-flex) partnership demonstration program under which the Secretary shall authorize not more than six States, of which at least three States shall each have populations not in excess of 3,500,000, with a preference given to those States that have been designated Ed-Flex Partnership States under section 311(e) of Public Law 103–227, to waive any statutory or regulatory requirement applicable to service delivery areas or substate areas within the State under titles I–III of the Job Training Partnership Act (except for requirements relating to wage and labor standards, grievance procedures and judicial review, nondiscrimination, allotment of funds, and eligibility), and any of the statutory or regulatory requirements of sections 8–10 of the Wagner-Peyser Act (except for requirements relating to the provision of services to unemployment insurance claimants and veterans, and to universal access to basic labor exchange services without cost to job seekers), for a duration not to exceed the waiver period authorized under section 311(e) of Public Law 103–227, pursuant to a plan submitted by such States and approved by the Secretary for the provision of workforce employment and training activities in the States, which includes a description of the process by which service delivery areas and substate areas may apply for and have waivers approved by the State, the requirements of the Wagner-Peyser Act to be waived, the outcomes to be achieved and other measures to be taken to ensure appropriate accountability for Federal funds.

For necessary expenses of Opportunity Areas of Out-of-School Youth, in addition to amounts otherwise provided herein, $250,000,000, to be available for obligation for the period October 1, 1998 through September 30, 1999, if job training reform legislation authorizing this or similar at-risk youth projects is enacted by July 1, 1998.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

(TRANSFER OF FUNDS)

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, $343,356,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, $96,844,000.

The funds appropriated under this heading shall be transferred to and merged with the Department of Health and Human Services, "Aging Services Programs", for the same purposes and the same period as the account to which transferred, following the enactment of legislation authorizing the administration of the program by that Department.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I; and for training, allowances for job search and relocation, and related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, $349,000,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $173,452,000, together with not to exceed $3,322,476,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980, and including not to exceed $2,000,000 which may be obligated in contracts with non-State entities for activities such as occupational and test research activities which benefit the Federal-State Employment Service System), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund including the cost of administering section 1201 of the Small Business Job Protection Act of 1996, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 1998, except that funds used for automation acquisitions shall be available for obligation by States through September 30, 2000; and of which $40,000,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period October 1, 1998 through September 30, 1999, for the purpose

of assisting States to convert their automated State employment security agency systems to be year 2000 compliant; and of which $173,452,000, together with not to exceed $738,283,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 1998 through June 30, 1999, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose, and of which $200,000,000 shall be available solely for the purpose of assisting States to convert their automated State employment security agency systems to be year 2000 complaint, and of which $196,333,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: Provided, that to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 1998 is projected by the Department of Labor to exceed 2,789,000 an additional $28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center network may be obligated in contracts, grants or agreements with non-State entities: Provided further, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, section 104(d) of Public Law 102–164, and section 5 of Public Law 103–6, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 1999, $392,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 1998, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $90,308,000, including $6,000,000 to support up to 75 full-time equivalent staff, the majority of which will be term Federal appointments lasting no more than three years, to administer welfare-to-work grants, together with not to exceed $41,285,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Pension and Welfare Benefits Administration, $82,000,000, of which $3,000,000 shall remain available through September 30, 1999 for expenses of completing the revision of the processing of employee benefit plan returns.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 1998, for such Corporation: Provided, That not to exceed $10,433,000 shall be available for administrative expenses of the Corporation: Provided further, That expenses of such Corporation in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $299,660,000, together with $993,000 which may be expended from the Special Fund in accordance with sections 39(c) and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That $500,000 shall be for the development of an alternative system for the electronic submission of reports as required to be filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: Provided further, That the Secretary of labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): Provided further, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. 1801 et seq.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the head "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; and sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 per centum of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $201,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 1997, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the cost of administration, such sums as the Secretary of Labor determines to be the cost of administration for employees of such fair share entities through September 30, 1998: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration, $7,269,000 shall be made available to the Secretary of Labor for expenditures relating to capital improvements in support of Federal Employees' Compensation Act administration, and the balance of such funds shall be paid into the Treasury as miscellaneous receipts: Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, $1,007,000,000, of which $960,650,000 shall be available until September 30, 1999, for payment of all benefits as authorized by section 8501(d)(1) (2), (4), and (7) of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which $26,147,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, $19,551,000 for transfer to Departmental Management, Salaries and Expenses, $296,000 for transfer to Departmental Management, Office of Inspector General, and $356,000 for payment into miscellaneous receipts for the expenses of the Department of Treasury, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5) of that Act: Provided, That, in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to August 15 of the current year.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $336,480,000, including not to exceed $77,941,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than fifty percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That, notwithstanding 31 U.S.C. 3302, the Secretary of

Labor is authorized, during the fiscal year ending September 30, 1998, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of ten or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act: Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs ten or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $203,334,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the Department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster: Provided, That none of the funds appropriated under this paragraph shall be obligated or expended to carry out section 115 of the Federal Mine Safety and Health Act of 1977 or to carry out that portion of section 104(g)(1) of such Act relating to the enforcement of any training requirements, with respect to shell dredging, or with respect to any sand, gravel, surface stone, surface clay, colloidal phosphate, or surface limestone mine.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $327,609,000, of which $15,430,000 shall be for expenses of revising the Consumer Price Index and shall remain available until September 30, 1999, together with not to exceed $52,848,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including up to $4,421,000 for the President's Committee on Employment of People With Disabilities, $152,253,000; together with not to exceed $282,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding, 115 S. Ct. 1278 (1995): Provided Further, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: Provided further, That any such decision pending a review by the Benefits Review Board for more than one year shall be considered affirmed by the Benefits Review Board on that date, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: Provided Further, That these provisions shall not be applicable to the review of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.)

WORKING CAPITAL FUND

The paragraph under this heading in Public Law 85–67 (29 U.S.C. 563) is amended by striking the last period and inserting after "appropriation action" the following: ": Provided further, That the Secretary of Labor may transfer annually an amount not to exceed $3,000,000 from unobligated balances in the Department's salaries and expenses accounts, to the unobligated balance of the Working Capital Fund, to be merged with such Fund and used for the acquisition of capital equipment and the improvement of financial management, information technology and other support systems, and to remain available until expended: Provided further, That the unobligated balance of the Fund shall not exceed $20,000,000.".

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed $181,955,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100–4110A and 4321–4327, and Public Law 103–353, and which shall be available for obligation by the States through December 31, 1998.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $42,605,000, together with not to exceed $3,645,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of $125,000.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations committees of both Houses of Congress are notified at least fifteen days in advance of any transfer.

SEC. 103. Funds shall be available for carrying out title IV–B of the Job Training Partnership Act, notwithstanding section 427(c) of that Act, if a Job Corps center fails to meet national performance standards established by the Secretary.

SEC. 104. None of the funds made available in this Act may be used by the Occupational Safety and Health Administration to promulgate or issue any proposed or final standard regarding ergonomic protection before September 30, 1998: Provided, That nothing in this section shall be construed to limit the Occupational Safety and Health Administration from issuing voluntary guidelines on ergonomic protection or from developing a proposed standard regarding ergonomic protection: Provided further, That no funds made available in this Act may be used by the Occupational Safety and Health Administration to enforce voluntary ergonomics guidelines through section 5 (the general duty clause) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654).

SEC. 105. Section 13(b)(12) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(b)(12)) is amended by striking "water for agricultural purposes" and inserting in lieu thereof "water, at least 90 percent of which was ultimately delivered for agricultural purposes during the preceding calendar year".

This title may be cited as the "Department of Labor Appropriations Act, 1998".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, and the Native Hawaiian Health Care Act of 1988, as amended, $3,618,137,000, of which $225,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act and of which $28,000,000 shall be available for the construction and renovation of health care and other facilities: Provided, That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals: Provided further, That of the funds made available under this heading, $2,500,000

shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, That no more than $5,000,000 is available for carrying out the provisions of Public Law 104–73: Provided further, That of the funds made available under this heading, $203,452,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That $285,500,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That notwithstanding any other provision of law, funds made available under this heading may be used to continue operating the Council on Graduate Medical Education established by section 301 of Public Law 102–408: Provided further, That, of the funds made available under this heading, not more than $6,000,000 shall be made available and shall remain available until expended for loan guarantees for loans funded under part A of title XVI of the Public Health Service Act as amended, made by non-Federal lenders for the construction, renovation, and modernization of medical facilities that are owned and operated by health centers, and for loans made to health centers under section 330(d) of the Public Health Service Act as amended by Public Law 104–299, and that such funds be available to subsidize guarantees of total loan principal in an amount not to exceed $80,000,000: Provided further, That notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $103,863,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND

FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, $6,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the total loan principal any part of which is to be guaranteed at not to exceed $85,000,000: Provided further, That the Secretary may use up to $1,000,000 derived by transfer from insurance premiums collected from guaranteed loans made under title VII of the Public Health Service Act for the purpose of carrying out section 709 of that Act. In addition, for administrative expenses to carry out the guaranteed loan program, $2,688,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, and XIX of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, and sections 20, 21 and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, $2,327,552,000, of which $21,504,000 shall remain available until expended for equipment and construction and renovation of facilities, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: Provided, That in addition to amounts provided herein, up to $59,232,000 shall be available from amounts available under section 241 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control: Provided further, That the Director may redirect the total amount made available under authority of Public Law 101–502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer.

In addition, $51,000,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40151 and 40261 of Public Law 103–322.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $2,547,314,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $1,531,061,000.

NATIONAL INSTITUTE OF DENTAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, $209,415,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, $873,860,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $780,713,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $1,351,655,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, $1,065,947,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, $674,766.000

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, $355,691,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, $330,108,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $519,279,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, $274,760,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, $200,695,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, $63,597,000.

NATIONAL INSTITUTE OF ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, $227,175,000.

NATIONAL INSTITUTE OF DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, $527,175,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, $750,241,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $217,704,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $453,883,000: Provided, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants: Provided further, That $20,000,000 shall be for extramural facilities construction grants.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, $28,289,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $161,185,000, of which $4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 1998,

the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, $296,373,000, of which $40,536,000 shall be for the Office of AIDS Research: Provided, That funding shall be available for the purchase of not to exceed five passenger motor vehicles for replacement only: Provided further, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: Provided further, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: Provided further, That NIH is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act: Provided further, That, notwithstanding section 499(k)(10) of the Public Health Service Act, funds from the National Foundation for Biomedical Research may be transferred to the National Institutes of Health: Provided further, That $20,000,000 shall be available to carry out section 404E of the Public Health Service Act: Provided further, That of the funds available to carry out section 404E of the Public Health Service Act, not less than $7,000,000 shall be for peer reviewed complementary and alternative medicine research grants and contracts that respond to program announcements and requests for proposals issued by the Office of Alternative Medicine.

BUILDINGS AND FACILITIES

For the study of, construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $206,957,000, to remain available until expended, of which $90,000,000 shall be for the clinical research center and $16,957,000 for the Vaccine Facility: Provided, That notwithstanding any other provision of law, a single contract or related contracts for the development and construction of the clinical research center may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232–18: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for the development and construction of the Vaccine Facility may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found in 48 CFR 52.232–18.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, $2,146,743,000, of which $10,000,000 shall be for grants to rural and Native American projects: Provided, That notwithstanding any other provision of law, each State's allotment for fiscal year 1998 for each of the programs under subparts I and II of part B of title XIX of the Public Health Service Act shall be equal to such State's allotment for such programs for fiscal year 1997.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, and for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan and for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, $90,229,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed $56,206,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, $71,602,429,000, to remain available until expended.

For making, after May 31, 1998, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 1998 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States under title XIX of the Social Security Act for the first quarter of fiscal year 1999, $27,800,689,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $60,904,000,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $1,743,066,000 to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, and together with administrative fees collected relative to Medicare overpayment recovery activities, which shall remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That $900,000 shall be for carrying out section 4021 of Public Law 105–33: Provided further, That in carrying out its legislative mandate, the National Bipartisan Commission on the Future of Medicare shall examine the impact of increased investments in health research on future Medicare costs, and the potential for coordinating Medicare with cost-effective long-term care services: Provided further, That $40,000,000 appropriated under this heading for the transition to a single Part A and Part B processing system shall remain available until expended: Provided further, That funds appropriated under this heading may be obligated to increase Medicare provider audits and implement the Department's corrective action plan to the Chief Financial Officer's audit of the Health Care Financing Administration's oversight of Medicare: Provided further, That the Secretary of Health and Human Services is directed to collect, in aggregate, $95,000,000 in fees in fiscal year 1998 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 1998, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance to Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act: Provided further, That, notwithstanding section 418(a) of the Social Security Act, for fiscal year 1997 only, the amount of payment under section 418(a)(1) to which each State is entitled shall equal the amount specified as mandatory funds with respect to such State for such fiscal year in the table transmitted by the Administration for Children and Families to State Child Care and Development Block Grant Lead Agencies on August 27, 1996, and the amount of State expenditures in fiscal year 1994 or 1995 (whichever is greater) that equals the non-Federal share for the programs described in section 418(a)(1)(A) shall be deemed to equal the amount specified as maintenance of effort with respect to such State for fiscal year 1997 in such table.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last three months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the first quarter of fiscal year 1999, $660,000,000, to remain available until expended.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,100,000,000, to be available for obligation in the period October 1, 1998 through September 30, 1999.

For making payments under title XXVI of such Act, $300,000,000: Provided, That these funds are hereby designated by Congress to be emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That these funds shall be made available only after submission to Congress of a formal budget request by the President that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), $415,000,000: Provided, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 104–134 for fiscal year 1996 shall be available for the costs of assistance provided and other activities conducted in such year and in fiscal years 1997 and 1998.

CHILD CARE AND DEVELOPMENT BLOCK GRANT

(INCLUDING TRANSFER OF FUNDS)

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), in addition to amounts already appropriated for fiscal year 1998, $65,672,000; and to become available on October 1, 1998 and remain available through September 30, 1999, $1,000,000,000: Provided, That of funds appropriated for each of fiscal years 1998 and 1999, $19,120,000 shall be available for child care resource and referral and schoolaged child care activities, of which for fiscal year 1998 $3,000,000 shall be derived from an amount that shall be transferred from the amount appropriated under section 452(j) of the Social Security Act (42 U.S.C. 652(j)) for fiscal year 1997 and remaining available for expenditure: Provided further, That of the funds provided for fiscal year 1998, $50,000,000 shall be reserved by the States for activities authorized under section 658G of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), such funds to be in addition to the amounts required to be reserved by States under such section 658G.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $2,299,000,000: Provided, That notwithstanding section 2003(c) of such Act, as amended, the amount specified for allocation under such section for fiscal year 1998 shall be $2,299,000,000.

CHILDREN AND FAMILIES SERVICES PROGRAMS

(INCLUDING RESCISSIONS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, (including section 105(a)(2) of the Child Abuse Prevention and Treatment Act), the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Abandoned Infants Assistance Act of 1988, part B(1) of title IV and sections 413, 429A and 1110 of the Social Security Act; for making payments under the Community Services Block Grant Act; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 126 and titles IV and V of Public Law 100–485, $5,682,916,000, of which $542,165,000 shall be for making payments under the Community Services Block Grant Act, and of which $4,355,000,000 shall be for making payments under the Head Start Act: Provided, That of the funds made available for the Head Start Act, $279,250,000 shall be set aside for the Head Start Program for Families with Infants and Toddlers (Early Head Start): Provided further, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes.

In addition, $93,000,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40155, 40211 and 40241 of Public Law 103–322.

Funds appropriated for fiscal year 1998 under section 429A(e), part B of title IV of the Social Security Act shall be reduced by $6,000,000.

Funds appropriated for fiscal year 1998 under section 413(h)(1) of the Social Security Act shall be reduced by $15,000,000.

FAMILY PRESERVATION AND SUPPORT

For carrying out section 430 of the Social Security Act, $255,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities, under title IV–E of the Social Security Act, $3,200,000,000.

For making payments to States or other non-Federal entities, under title IV–E of the Social Security Act, for the first quarter of fiscal year 1999, $1,157,500,000.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, $865,050,000: Provided, That notwithstanding section 308(b)(1) of such Act, the amounts available to each State for administration of the State plan under title III of such Act shall be reduced not more than 5 percent below the amount that was available to such State for such purpose for fiscal year 1995: Provided further, That of the funds appropriated to carry out section 303(a)(1) of such Act, $4,449,000 shall be available for carrying out section 702(a) of such Act and $4,732,000 shall be available for carrying out section 702(b) of such Act: Provided further, That in considering grant applications for nutrition services for elder Indian recipients, the Assistant Secretary shall provide maximum flexibility to applicants who seek to take into account subsistence, local customs, and other characteristics that are appropriate to the unique cultural, regional, and geographic needs of the American Indian, Alaskan and Hawaiian native communities to be served.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, $171,631,000, of which $500,000 shall remain available until expended, together with $5,851,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: Provided, That of the funds made available under this heading for carrying out title XVII of the Public Health Service Act, $1,500,000 shall be available until expended for extramural construction.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,921,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $16,345,000, together with not to exceed $3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, $14,000,000.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $37,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of $125,000 per year.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 206. None of the funds appropriated in this Act may be obligated or expended for the Federal Council on Aging under the Older Americans Act or the Advisory Board on Child Abuse and Neglect under the Child Abuse Prevention and Treatment Act.

(TRANSFER OF FUNDS)

SEC. 207. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 208. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Congress is promptly notified of the transfer.

(TRANSFER OF FUNDS)

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such accounts amounts necessary to carry out section 2535(d)(3) of the Public Health Service Act.

SEC. 210. Funds appropriated in this Act for the National Institutes of Health may be used to provide transit subsidies in amounts consistent with the transportation subsidy programs authorized under section 629 of Public Law 101–509 to non-FTE bearing positions including trainees, visiting fellows and volunteers.

SEC. 211. (a) The Secretary of Health and Human Services may in accordance with this section provide for the relocation of the Federal facility known as the Gillis W. Long Hansen's Disease Center (located in the vicinity of Carville, in the State of Louisiana), including the relocation of the patients of the Center.

(b)(1) Subject to paragraph (2), in relocating the Center the Secretary may on behalf of the United States transfer to the State of Louisiana, without charge, title to the real property and improvements that as of the date of the enactment of this Act constitute the Center. Such real property is a parcel consisting of approximately 330 acres. The exact acreage and legal description used for purposes of the transfer shall be in accordance with a survey satisfactory to the Secretary.

(2) Any conveyance under paragraph (1) is not effective unless the deed or other instrument of conveyance contains the conditions specified in subsection (d); the instrument specifies that the United States and the State of Louisiana agree to such conditions; and the instrument specifies that, if the State engages in a material breach of the conditions, title to the real property and improvements involved reverts to the United States at the election of the Secretary.

(c)(1) With respect to Federal equipment and other items of Federal personal property that are in use at the Center as of the date of the enactment of this Act, the Secretary may, subject to paragraph (2), transfer to the State such items as the Secretary determines to be appropriate, if the Secretary makes the transfer under subsection (b).

(2) A transfer of equipment or other items may be made under paragraph (1) only if the State agrees that, during the 30-year period beginning on the date on which the transfer under subsection (b) is made, the items will be used exclusively for purposes that promote the health or education of the public, except that the Secretary may authorize such exceptions as the Secretary determines to be appropriate.

(d) For purposes of subsection (b)(2), the conditions specified in this subsection with respect to a transfer of title are the following:

(1) During the 30-year period beginning on the date on which the transfer is made, the real property and improvements referred to in subsection (b)(1) (referred to in this subsection as the "transferred property") will be used exclusively for purposes that promote the health or education of the public, with such incidental exceptions as the Secretary may approve.

(2) For purposes of monitoring the extent to which the transferred property is being used in accordance with paragraph (1), the Secretary will have access to such documents as the Secretary determines to be necessary, and the Secretary may require the advance approval of the Secretary or such contracts, conveyances of real or personal property, or other transactions as the Secretary determines to be necessary.

(3) The relocation of patients from the transferred property will be completed not later than 3 years after the date on which the transfer is made, except to the extent the Secretary determines that relocating particular patients is not feasible. During the period of relocation, the Secretary will have unrestricted access to the transferred property, and after such period will have such access as may be necessary with respect to the patients who pursuant to the preceding sentence are not relocated.

(4)(A) With respect to projects to make repairs and energy-related improvements at the transferred property, the Secretary will provide for the completion of all such projects for which contracts have been awarded and appropriations have been made as of the date of which the transfer is made.

(B) If upon completion of the projects referred to in subparagraph (A) there are any unobligated balances of amounts appropriated for the projects, and the sum of such balances is in excess of $100,000—

(i) the Secretary will transfer the amount of such excess to the State; and

(ii) the State will expend such amount for the purposes referred to in paragraph (1), which may include the renovation of facilities at the transferred property.

(5)(A) The State will maintain the cemetery located on the transferred property, will permit individuals who were long-term-care patients of the Center to be buried at the cemetery, and will permit members of the public to visit the cemetery.

(B) The State will permit the Center to maintain a museum on the transferred property and will permit members of the public to visit the museum.

(C) In the case of any waste products stored at the transferred property as of the date of the transfer, the Federal Government will after the transfer retain title to and responsibility for the products, and the State will not require that the Federal Government remove the products from the transferred property.

(6) In the case of each individual who as of the date of the enactment of this Act is a Federal employee at the transferred property with facilities management or dietary duties:

(A) The State will offer the individual an employment position with the State, the position with the State will have duties similar to the duties the individual performed in his or her most recent position at the transferred property, and the position with the State will provide compensation and benefits that are similar to the compensation and benefits provided for such most recent position, subject to the concurrence of the Governor of the State.

(B) If the individual becomes an employee of the State pursuant to subparagraph (A), the State will make payments in accordance with subsection (e)(2)(B) (relating to disability), as applicable with respect to the individual.

(7) The Federal Government may, consistent with the intended uses by the State of the transferred property, carry out at such property activities regarding at-risk youth.

(8) Such additional conditions as the Secretary determines to be necessary to protect the interests of the United States.

(e)(1) This subsection applies if the transfer under subsection (b) is made.

(2) In the case of each individual who as of the date of the enactment of this Act is a Federal employee at the Center with facilities management or dietary duties, and who becomes an employee of the State pursuant to subsection (d)(6)(A):

(A) The provisions of subchapter III of chapter 83 of title 5, United States Code, or of chapter 84 of such title, whichever are applicable, that relate to disability shall be considered to remain in effect with respect to the individual (subject to subparagraph (C)) until the earlier of—

(i) the expiration of the 2-year period beginning on the date on which the transfer under subsection (b) is made; or

(ii) the date on which the individual first meets all conditions for coverage under a State program for payments during retirement by reason of disability.

(B) The payments to be made by the State pursuant to subsection (d)(6)(B) with respect to the individual are payments to the Civil Service Retirement and Disability Fund, if the individual is receiving Federal disability coverage pursuant to subparagraph (A). Such payments are to be made in a total amount equal to that portion of the normal-cost percentage (determined through the use of dynamic assumptions) of the basic pay of the individual that is allocable to such coverage and is paid for service performed during the period for which such coverage is in effect. Such amount is to be determined in accordance with chapter 84 of such title 5, is to be paid at such time and in such manner as mutually agreed by the State and the Office of Personnel Management, and is in lieu of individual or agency contributions otherwise required.

(C) In the determination pursuant to subparagraph (A) of whether the individual is eligible for Federal disability coverage (during the applicable period of time under such subparagraph), service as an employee of the State after the date of the transfer under subsection (b) shall be counted toward the service requirement specified in the first sentence of section 8337(a) or 8451(a)(1)(A) of such title 5 (whichever is applicable).

(3) In the case of each individual who as of the date of the enactment of this Act is a Federal employee with a position at the Center and is, for duty at the Center, receiving the pay differential under section 208(e) of the Public Health Service Act or under section 5545(d) of title 5, United States Code:

(A) If as of the date of the transfer under subsection (b) the individual is eligible for an annuity under section 8336 or 8412 of title 5, United States Code, then once the individual separates from the service and thereby becomes entitled to receive the annuity, the pay differential shall be included in the computation of the annuity if the individual separated from the service not later than the expiration of the 90-day period beginning on the date of the transfer.

(B) If the individual is not eligible for such an annuity as of the date of the transfer under subsection (b) but subsequently does become eligible, then once the individual separates from the service and thereby becomes entitled to receive the annuity, the pay differential shall be included in the computation of the annuity if the individual separated from the service not later than the expiration of the 90-day period beginning on the date on which the individual first became eligible for the annuity.

(C) For purposes of this paragraph, the individual is eligible for the annuity if the individual meets all conditions under such section 8336 or 8412 to be entitled to the annuity, except the condition that the individual be separated from the service.

(4) With respect to individuals who as of the date of the enactment of this Act are Federal employees with positions at the Center and are

not, for duty at the center, receiving the pay differential under section 208(e) of the Public Health Service Act or under section 5545(d) of title 5, United States Code:

(A) During the calendar years 1997 and 1998, the Secretary may in accordance with this paragraph provide to any such individual a voluntary separation incentive payment. The purpose of such payments is to avoid or minimize the need for involuntary separations under a reduction in force with respect to the Center.

(B) During calendar year 1997, any payment under subparagraph (A) shall be made under section 663 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (as contained in section 101(f) of division A of Public Law 104-208), except that, for purposes of this subparagraph, subsection (b) of such section 663 does not apply.

(C) During calendar year 1998, such section 663 applies with respect to payments under subparagraph (A) to the same extent and in the same manner as such section applied with respect to the payments during fiscal year 1997, and for purposes of this subparagraph, the reference in subsection (c)(2)(D) of such section 663 to December 31, 1997, is deemed to be a reference to December 31, 1998.

(f) The following provisions apply if under subsection (a) the Secretary makes the decision to relocate the Center:

(1) The site to which the Center is relocated shall be in the vicinity of Baton Rouge, in the State of Louisiana.

(2) The facility involved shall continue to be designated as the Gillis W. Long Hansen's Disease Center.

(3) The Secretary shall make reasonable efforts to inform the patients of the Center with respect to the planning and carrying out of the relocation.

(4) In the case of each individual who as of October 1, 1996, was a patient of the Center and is considered by the Director of the Center to be a long-term-care patient (referred to in this subsection as an "eligible patient"), the Secretary shall continue to provide for the long-term care of the eligible patient, without charge, for the remainder of the life of the patient.

(5)(A) For purposes of paragraph (4), an eligible patient who is legally competent has the following options with respect to support and maintenance and other nonmedical expenses:

(i) For the remainder of his or her life, the patient may reside at the Center.

(ii) For the remainder of his or her life, the patient may receive payments each year at an annual rate of $33,000 (adjusted in accordance with subparagraphs (C) and (D)), and may not reside at the Center. Payments under this clause are in complete discharge of the obligation of the Federal Government under paragraph (4) for support and maintenance and other nonmedical expenses of the patient.

(B) The choice by an eligible patient of the option under clause (i) of subparagraph (A) may at any time be revoked by the patient, and the patient may instead choose the option under clause (ii) of such subparagraph. The choice by an eligible patient of the option under such clause (ii) is irrevocable.

(C) Payments under subparagraph (A)(ii) shall be made on a monthly basis, and shall be pro rated as applicable. In 1999 and each subsequent year, the monthly amount of such payments shall be increased by a percentage equal to any percentage increase taking effect under section 215(i) of the Social Security Act (relating to a cost-of-living increase) for benefits under title II of such Act (relating to Federal old-age, survivors, and disability insurance benefits). Any such percentage increase in monthly payments under subparagraph (A)(ii) shall take effect in the same month as the percentage increase under such section 215(i) takes effect.

(D) With respect to the provision of outpatient and inpatient medical care for Hansen's disease and related complications to an eligible patient:

(i) The choice the patient makes under subparagraph (A) does not affect the responsibility of the Secretary for providing to the patient such care at or through the Center.

(ii) If the patient chooses the option under subparagraph (A)(ii) and receives inpatient care at or through the Center, the Secretary may reduce the amount of payments under such subparagraph, except to the extent that reimbursement for the expenses of such care is available to the provider of the care through the program under title XVIII of the Social Security Act or the program under title XIX of such Act. Any such reduction shall be made on the basis of the number of days for which the patient received the inpatient care.

(6) The Secretary shall provide to each eligible patient such information and time as may be necessary for the patient to make an informed decision regarding the options under paragraph (5)(A).

(7) After the date of the enactment of this Act, the Center may not provide long-term care for any individual who as of such date was not receiving such care as a patient of the Center.

(8) If upon completion of the projects referred to in subsection (d)(4)(A) there are unobligated balances of amounts appropriated for the projects, such balances are available to the Secretary for expenses relating to the relocation of the Center, except that, if the sum of such balances is in excess of $100,000, such excess is available to the State in accordance with subsection (d)(4)(B). The amounts available to the Secretary pursuant to the preceding sentence are available until expended.

(g) For purposes of this section:

(1) The term "Center" means the Gillis W. Long Hansen's Disease Center.

(2) The term "Secretary" means the Secretary of Health and Human Services.

(3) The term "State" means the State of Louisiana.

(h) Section 320 of the Public Health Service Act (42 U.S.C. 247e) is amended by striking the section designation and all that follows and inserting the following:

"SEC. 320. (a)(1) At or through the Gillis W. Long Hansen's Disease Center (located in the State of Louisiana), the Secretary shall without charge provide short-term care and treatment, including outpatient care, for Hansen's disease and related complications to any person determined by the Secretary to be in need of such care and treatment. The Secretary may not at or through such Center provide long-term care for any such disease or complication.

"(2) The Center referred to in paragraph (1) shall conduct training in the diagnosis and management of Hansen's disease and related complications, and shall conduct and promote the coordination of research (including clinical research), investigations, demonstrations, and studies relating to the causes, diagnosis, treatment, control, and prevention of Hansen's disease and other mycobacterial diseases and complications related to such diseases.

"(3) Paragraph (1) is subject to section 211 of the Department of Health and Human Services Appropriations Act, 1998.

"(b) In addition to the Center referred to in subsection (a), the Secretary may establish sites regarding persons with Hansen's disease. Each such site shall provide for the outpatient care and treatment for Hansen's disease and related complications to any person determined by the Secretary to be in need of such care and treatment.

"(c) The Secretary shall carry out subsections (a) and (b) acting through an agency of the Service. For purposes of the preceding sentence, the agency designated by the Secretary shall carry out both activities relating to the provision of health services and activities relating to the conduct of research.

"(d) The Secretary shall make payments to the Board of Health of the State of Hawaii for the care and treatment (including outpatient care) in its facilities of persons suffering from Hansen's disease at a rate determined by the Secretary. The rate shall be approximately equal to the operating cost per patient of such facilities, except that the rate may not exceed the comparable costs per patient with Hansen's disease for care and treatment provided by the Center referred to in subsection (a). Payments under this subsection are subject to the availability of appropriations for such purposes.".

SEC. 212. None of the funds appropriated in the Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

COMPREHENSIVE INDEPENDENT STUDY OF NIH RESEARCH PRIORITY SETTING

SEC. 213. (a) STUDY BY THE INSTITUTE OF MEDICINE.—Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall enter into a contract with the Institute of Medicine to conduct a comprehensive study of the policies and process used by the National Institutes of Health to determine funding allocations for biomedical research.

(b) MATTERS TO BE ASSESSED.—The study under subsection (a) shall assess—

(1) the factors or criteria used by the National Institutes of Health to determine funding allocations for disease research;

(2) the process by which research funding decisions are made;

(3) the mechanisms for public input into the priority setting process; and

(4) the impact of statutory directives on research funding decisions.

(c) REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date on which the Secretary of Health and Human Services enters into the contract under subsection (a), the Institute of Medicine shall submit a report concerning the study to the Committee on Labor and Human Resources and the Committee on Appropriations of the Senate, and the Committee on Commerce and the Committee on Appropriations of the House of Representatives.

(2) REQUIREMENT.—The report under paragraph (1) shall set forth the findings, conclusions, and recommendations of the Institute of Medicine for improvements in the National Institutes of Health research funding policies and processes and for any necessary congressional action.

This title may be cited as the "Department of Health and Human Services Appropriations Act, 1998".

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

For carrying out activities authorized by titles III and IV of the Goals 2000: Educate America Act, the School-to-Work Opportunities Act, and sections 3132, 3136, and 3141 and parts B, C, and D of title III of the Elementary and Secondary Education Act of 1965, $1,275,035,000, of which $464,500,000 for the Goals 2000: Educate America Act and $200,000,000 for the School-to-Work Opportunities Act shall become available on July 1, 1998, and remain available through September 30, 1999: Provided, That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of

the Goals 2000: Educate America Act, except that no more than $1,500,000 may be used to carry out activities under section 314(a)(2) of that Act: Provided further, That section 315(a)(2) of the Goals 2000 Act shall not apply: Provided further, That up to one-half of one percent of the amount available under section 3132 shall be set aside for the outlying areas, to be distributed on the basis of their relative need as determined by the Secretary in accordance with the purposes of the program: Provided further, That if any State educational agency does not apply for a grant under section 3132, that State's allotment under section 3131 shall be reserved by the Secretary for grants to local educational agencies in that State that apply directly to the Secretary according to the terms and conditions published by the Secretary in the Federal Register: Provided further, That of the funds made available under section 3136, $5,000,000 shall be provided to the Hospitals, Universities, Businesses, and Schools program to develop a regional information infrastructure in the mid-Atlantic region, $7,300,000 shall be for the "I Can Learn" project to integrate technology into eighth grade algebra classrooms and $800,000 shall be provided for a distance education network involving a consortium of nine school districts and Nicolet Area Technical College: Provided further, That of the amount available for title III, part B of the Elementary and Secondary Education Act of 1965, as amended, $8,000,000 shall be awarded to continue and expand the Iowa Communication Network statewide fiber optic demonstration project.

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, and section 418A of the Higher Education Act, $8,021,827,000, of which $6,553,249,000 shall become available on July 1, 1998, and shall remain available through September 30, 1999, and of which $1,448,386,000 shall become available on October 1, 1998 and shall remain available through September 30, 1999, for academic year 1998–1999: Provided further, That $6,273,212,000 shall be available for basic grants under section 1124: Provided further, That up to $3,500,000 of these funds shall be available to the Secretary on October 1, 1997, to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: Provided further, That $1,102,020,000 shall be available for concentration grants under section 1124A, $6,977,000 shall be available for evaluations under section 1501 and not more than $7,500,000 shall be reserved for section 1308, of which not more than $3,000,000 shall be reserved for section 1308(d): Provided further, That grant awards under section 1124 and 1124A of title I of the Elementary and Secondary Education Act shall be made to each State or local educational agency at no less than 100 percent of the amount such State or local educational agency received under this authority for fiscal year 1997 under Public Laws 104–208 and 105–18: Provided further, That in determining State allocations under any other program administered by the Secretary, amounts provided under Public Law 105–18, or equivalent amounts provided for in this Act, will not be taken into account in determining State allocations: Provided further, That $120,000,000 shall be available under section 1002(g)(2) to demonstrate effective approaches to comprehensive school reform to be allocated and expended in accordance with the instructions relating to this proviso in the statement of the managers on the conference report accompanying this Act: Provided further, That in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children served by title I to meet challenging State content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement: Provided further, That such funds shall not be available for section 1503.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $808,000,000, of which $662,000,000 shall be for basic support payments under section 8003(b), $50,000,000 shall be for payments for children with disabilities under section 8003(d), $62,000,000, to remain available until expended, shall be for payments under section 8003(f), $7,000,000 shall be for construction under section 8007, and $24,000,000 shall be for Federal property payments under section 8002 of which such sums as may be necessary shall be for section 8002(j) and $3,000,000, to remain available until expended, shall be for facilities maintenance under section 8008: Provided, That section 8003(f)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7709(f)(2)) is amended in clause (ii) in subclause (I) by striking "35 percent" and all that follows through the semicolon, and inserting the following: "25 percent of the total student enrollment of such agency. For purposes of this subclause, all students described in section 8003(a)(1) are used to determine eligibility, regardless of whether or not a local educational agency receives funds for these children from section 8003(b) of the Act;".

The amendment made by this proviso shall apply with respect to fiscal years beginning with fiscal year 1996: Provided further, That the Secretary of Education shall treat as timely filed, and shall process for payment, an application for a fiscal year 1998 payment from the local educational agency for Boston, Massachusetts, under section 8003 of the Elementary and Secondary Education Act of 1965 if the Secretary has received that application not later than 30 days after the enactment of this Act: Provided further, That the Secretary of Education shall forgive any overpayments established for fiscal year 1994 under section 3(d)(2)(B) of the Act of September 30, 1950 (Public Law 874—81st Congress), for any local educational agency in the State of Texas receiving funds appropriated for fiscal year 1994 under the authority of this section: Provided further, That section 8002 of the Elementary and Education Act of 1965 (20 U.S.C. 7702) is amended by adding the following new subsection:

"(j) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION.—

"(1) RESERVATION.—From amounts appropriated under section 8014(g) for a fiscal year, the Secretary shall provide additional assistance to meet special circumstances relating to the provision of education in local educational agencies eligible to receive assistance under this section.

"(2) ELIGIBILITY.—(A) A local educational agency is eligible to receive additional assistance under this subsection only if such agency—

"(i) received a payment under both this section and section 8003(b) for fiscal year 1996 and is eligible to receive payments under those sections for the year of application;

"(ii) provided a free public education to children described under sections 8003(a)(1)(A), (B), or (D);

"(iii) had a military installation located within the geographic boundaries of the local educational agency that was closed as a result of base closure or realignment;

"(iv) remains responsible for the free public education of children residing in housing located on federal property within the boundaries of the closed military installation but whose parents are on active duty in the uniformed services and assigned to a military activity located within the boundaries of an adjoining local educational agency; and

"(v) demonstrates to the satisfaction of the Secretary that such agency's per-pupil revenue derived from local sources for current expenditures is not less than that revenue for the preceding fiscal year.

"(3) MAXIMUM AMOUNT.—(A) The maximum amount that a local educational agency is eligible to receive under this subsection for any fiscal year, when combined with its payment under subsection (b), shall not be more than 50 percent of the maximum amount determined under subsection (b);

"(B) If funds appropriated under section 8014(g) are insufficient to pay the amount determined under subparagraph (A), the Secretary shall ratably reduce the payment to each local education agency eligible under this subsection;

"(C) If funds appropriated under section 8014(g) are in excess of the amount determined under subparagraph (A) the Secretary shall ratably distribute any excess funds to all local educational agencies eligible for payment under subsection (b) of this section,":

Provided further, That section 8014 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714) is amended by adding the following new subsection:

"(g) ADDITIONAL ASSISTANCE FOR CERTAIN FEDERAL PROPERTY LOCAL EDUCATIONAL AGENCIES.—For the purpose of carrying out section 8002(j) there are authorized to be appropriated such sums as are necessary beginning in fiscal year 1998 and for each succeeding fiscal year.":

Provided further, That of the funds available for section 8007, the Secretary shall, under such terms and conditions he determines appropriate, first provide $1,500,000 to applicant number 11–2815 and $1,500,000 to applicant number 36–4403 for the construction of public elementary or secondary schools where the current structures are unsafe and pose serious health threats to the students, if requests for funding and construction project descriptions are submitted to the Secretary within 30 days of enactment of this Act: Provided further, That notwithstanding any deadline established by the Secretary of Education under subsection (c) of section 8005 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705), and without regard to paragraphs (1)(A), (2), and (3) of subsection (d) of that section, the Secretary shall accept, as if timely received, an application from the Maconaquah School Corporation, Bunker Hill, Indiana, under section 8003 of that Act for fiscal year 1996 if the Secretary has received that application not later than 30 days after the enactment of this Act: Provided further, That notwithstanding any other provision of law, the Secretary of Defense shall treat any data included in an application described in the preceding proviso, and that is approved by the Secretary of Education, as data to be used in determining the eligibility of the Maconaquah School Corporation, Bunker Hill, Indiana, for, and the amount of, a payment for any of the fiscal years 1998 through 2000 under section 386 of the National Defense Authorization Act for Fiscal Year 1993: Provided further, That section 8 of Public Law 104–195 is amended by striking the period after "year" and adding the following: "or, for fiscal year 1995 or fiscal year 1996, the amount of any payment under section 8003(f) of the Elementary and Secondary Education Act of 1965": Provided further, That the Secretary of Education shall deem the local educational agency serving the Clinton County School District in Albany, Kentucky, to meet the eligibility requirements of section 8002(a)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(a)(1)(C)).

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV–A–1 and 2, V–A and B, VI, IX, X, and XIII of the Elementary and Secondary Education Act of 1965; the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964; $1,538,188,000, of which $1,246,300,000 shall become available on July 1, 1998, and remain available through September 30, 1999: Provided, That of the amount appropriated, $335,000,000 shall be for Eisenhower professional development State grants under title II–B of the Elementary and Secondary Education Act of which $25,000,000 shall be for professional development in reading, $350,000,000 shall be for innovative education program strategies State grants under title VI–A of said Act and $750,000 shall be for an evaluation of comprehensive regional assistance centers under title XIII of said Act: Provided further, That of the amount made available for Title IV–A–2, $350,000 shall be for the Yonkers Public Schools for innovative anti-drug and anti-violence activities.

CHILD LITERACY INITIATIVE

(INCLUDING TRANSFER OF FUNDS)

For carrying out a literacy initiative, $210,000,000, which shall become available on October 1, 1998 and shall remain available through September 30, 1999 only if specifically authorized by subsequent legislation enacted by July 1, 1998: Provided, That, if the initiative is not authorized by such date, the funds shall be transferred to "Special Education" to be merged with that account and to be available for the same purposes for which that account is available: Provided further, That the transferred funds shall become available for obligation on July 1, 1999, and shall remain available through September 30, 2000 for academic year 1999–2000.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, and section 215 of the Department of Education Organization Act, $62,600,000.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language and immigrant education activities authorized by parts A and C and section 7203 of title VII of the Elementary and Secondary Education Act, without regard to section 7103(b), $354,000,000: Provided, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies: Provided further, That the Department of Education should only support instructional programs which ensure that students completely master English in a timely fashion (a period of three to five years) while meeting rigorous achievement standards in the academic content areas.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, $4,810,646,000, of which $4,565,185,000 shall become available for obligation on July 1, 1998, and shall remain available through September 30, 1999: Provided, That $1,500,000 of the funds provided shall be for section 687(b)(2)(G), and shall remain available until expended.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Technology-Related Assistance for Individuals with Disabilities Act, and the Helen Keller National Center Act, as amended, $2,591,195,000.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $8,186,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $44,141,000: Provided, That from the amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Galludet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $81,000,000: Provided, That from the amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, the Adult Education Act, and the National Literacy Act of 1991, $1,507,698,000, of which $1,504,598,000 shall become available on July 1, 1998 and shall remain available through September 30, 1999; and of which $5,491,000 from amounts available under the Adult Education Act shall be for the National Institute for Literacy under section 384(c): Provided, That, of the amounts made available for title II of the Carl D. Perkins Vocational and Applied Technology Education Act, $13,497,000 shall be used by the Secretary for national programs under title IV, without regard to section 451: Provided further, That the Secretary may reserve up to $4,998,000 under section 313(d) of the Adult Education Act for activities carried out under section 383 of that Act: Provided further, That no funds shall be awarded to a State Council under section 112(f) of the Carl D. Perkins Vocational and Applied Technology Education Act, and no State shall be required to operate such a Council.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, $8,978,934,000, which shall remain available through September 30, 1999.

The maximum Pell Grant for which a student shall be eligible during award year 1998–1999 shall be $3,000: Provided, That notwithstanding section 401(g) of the Act, if the Secretary determines, prior to publication of the payment schedule for such award year, that the amount included within this appropriation for Pell Grant awards in such award year, and any funds available from the fiscal year 1997 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose: Provided further, That if the Secretary determines that the funds available to fund Pell Grants for award year 1998–99 exceed the amount needed to fund Pell Grants at a maximum award of $3,000 for that award year, the Secretary may increase the income protection allowances in sections 475(g)(2)(D), and 476(b)(1)(A)(iv)(I), (II), and (III) up to the amounts at which Pell Grant awards calculated using the increased income protection allowances equal the funds available to make Pell Grants in award year 1998–99 with a $3,000 maximum award, except that the income protection allowance in section 475(g)(2)(D) may not exceed $2,200, the income protection allowance in sections 476(b)(1)(A)(iv)(I) and (II) may not exceed $4,250, and the income protection allowance in section 476(b)(1)(A)(iv)(III) may not exceed $7,250.

FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act, as amended, $46,482,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, parts A and B of title III, without regard to section 360(a)(1)(B)(ii), titles IV, V, VI, VII, and IX, and part A, subpart 1 of part B, and part E of title X and title XI of the Higher Education Act of 1965, as amended, part G of title XV of Public Law 102–325, the Mutual Educational and Cultural Exchange Act of 1961, and Public Law 102–423; $946,738,000, of which $13,700,000 for interest subsidies under title VII of the Higher Education Act shall remain available until expended: Provided, That funds available for part D of title IX of the Higher Education Act shall be available to fund new and noncompeting continuation awards for academic year 1998–1999 for fellowships awarded under part C of title IX of said Act, under the terms and conditions of part C: Provided further, That from the funds made available under Part A of title X of the Higher Education Act, $1,000,000 shall be awarded to the Advanced Technical Center at Mexico, Missouri for the delivery of technical education in cooperation with community colleges and State technical schools and $3,000,000 shall be for the delivery of technical education and distance learning at Empire State College in New York.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $210,000,000: Provided, That from the amount available, the University may at its discretion use funds for the endowment program as authorized under the Howard University Endowment Act (Public Law 98–480).

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to facility loans entered into under title VII, part C and section 702 of the Higher Education Act, as amended, $698,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING, PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 724 of title VII, part B of the Higher Education Act shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title VII, part B of the Higher Education Act, as amended, $104,000.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act of 1994, including part E; the National Education Statistics Act of 1994; section 2102 of title II, and parts A, B, I, and K and section 10601 of title X, and part C of title XIII of the Elementary and Secondary Education Act of 1965, as amended, and title VI of Public Law 103–227, $431,438,000: Provided, That of the amount provided for section 10101 of part A of title X of the Elementary and Secondary Education Act, $1,000,000 shall be awarded to the National Museum of Women in the Arts; $500,000 shall be for enhanced teacher

training in reading in the District of Columbia; $5,000,000 shall be for innovative learning opportunities for at-risk children at children's museums in Philadelphia, Baltimore, Boston and museums in Chicago; $8,000,000 shall be for a demonstration of public school facilities repair and construction to the Iowa Department of Education; $350,000 shall be awarded to the White Plains City School District to expand an after school program; $100,000 shall be for the Montgomery County, Pennsylvania library network; $55,000 shall be awarded to the St. Stephen Life Center in Louisville, Kentucky; and $25,000,000 shall be available to demonstrate effective approaches to comprehensive school reform to be allocated and expended in accordance with the instructions relating to this proviso in the statement of managers on the conference report accompanying this Act: Provided further, That the funds made available for comprehensive school reform shall become available on July 1, 1998, and remain available through September 30, 1999, and in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children to meet challenging State content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement: Provided further, That—

(1) of the amount appropriated under this heading and notwithstanding any other provision of law, the Secretary of Education may award $1,000,000 to a State educational agency (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)) to pay for appraisals, resource studies, and other expenses associated with the exchange of State school trust lands within the boundaries of a national monument for Federal lands outside the boundaries of the monument; and

(2) the State educational agency is eligible to receive a grant under paragraph (1) only if the agency serves a State that—

(A) has a national monument declared within the State under the authority of the Act entitled "An Act for the preservation of American antiquities", approved June 8, 1906 (16 U.S.C. 431 et seq.) (commonly known as the Antiquities Act of 1906) that incorporates more than 100,000 acres of State school trust lands within the boundaries of the national monument; and

(B) ranks in the lowest 25 percent of all States when comparing the average per pupil expenditure (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)) in the State to the average per pupil expenditure for each State in the United States.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

For carrying out subtitle B of the Museum and Library Services Act, $146,340,000.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, $341,064,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $61,500,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General, as authorized by section 212 of the Department of Education Organization Act, $30,242,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the transportation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least fifteen days in advance of any transfer.

SEC. 305. (a) Notwithstanding any other provision of Federal law, no funds provided to the Department of Education or to an applicable program (as defined in section 400(c)(10) of the General Education Provisions Act (20 U.S.C. 1221(c)(1))), in this Act or in any other Act in fiscal year 1998, may be used to field test, pilot test, implement, administer or distribute in any way, any national tests.

(b) EXCEPTION.—Subsection (a) shall not apply to the Third International Math and Science Study or the National Assessment of Educational Progress.

SEC. 306. (a) STUDY.—The National Academy of Sciences, in consultation with the National Governors Association, the National Conference of State Legislatures, the White House, the National Assessment Governing Board, and the Congress, shall conduct a feasibility study to determine if an equivalency scale can be developed that would allow test scores from commercially available standardized tests and State assessments to be compared with each other and the National Assessment of Educational Progress.

(b) REPORT OF FINDINGS TO CONGRESS.—(1) The National Academy of Sciences shall submit a written report to the White House, the Committee on Education and the Workforce in the House of Representatives, the Committee on Labor and Human Resources in the Senate, and the Committees on Appropriations of the House of Representatives and the Senate not later than September 1, 1998.

(2) The National Academy of Sciences shall submit an interim report no later than June 15, 1998.

SEC. 307(a). NATIONAL ASSESSMENT GOVERNING BOARD. Notwithstanding any other provision of law, the exclusive authority over all policies, direction, and guidelines for developing voluntary national tests pursuant to contract RJ97153001 previously entered into between the United States Department of Education and the American Institutes for Research and executed on August 15, 1997, shall be vested in the National Assessment Governing Board established under section 412 of the National Education Statistics Act of 1994 (20 U.S.C. 9011); Provided, That within 90 days after the date of enactment of this Act, the Board shall review the national test development contract in effect on the date of enactment of this Act, and modify the contract as the Board determines necessary and not inconsistent with this Act or applicable laws: Provided further, That if the contract cannot be modified to the extent determined necessary by the Board, the contract shall be terminated and the Board shall negotiate a new contract, under the Board's exclusive control, for the tests, not inconsistent with this Act or applicable laws.

(b) In carrying out its exclusive authority for developing voluntary national tests pursuant to contract RJ97153001, any subsequent contract related thereto, or any contract modification pursuant to subsection (a), the National Assessment Governing Board shall determine—

(1) the extent to which test items selected for use on the tests are free from racial, cultural or gender bias;

(2) whether the test development process and test items adequately assess student reading and mathematics comprehension in the form most likely to yield accurate information regarding student achievement in reading and mathematics;

(3) whether the test development process and test items take into account the needs of disadvantaged, limited English proficient and disabled students; and

(4) whether the test development process takes into account how parents, guardians, and students will appropriately be informed about testing content, purpose and uses.

SEC. 308. STUDY.—The National Academy of Sciences shall, not later than September 1, 1998, submit a written report to the Committee on Education and the Workforce in the House of Representatives, the Committee on Labor and Human Resources in the Senate, and the Committees on Appropriations in the House and Senate that evaluates all test items developed or funded by the Department of Education or any other agency of the Federal government pursuant to contract RJ97153001, any subsequent contract related thereto, or any contract modification by the National Assessment Governing Board pursuant to section 307 of this Act, for—

(A) the technical quality of any test items for 4th grade reading and 8th grade mathematics;

(B) the validity, reliability, and adequacy of developed test items;

(C) the validity of any developed design which links test results to student performance;

(D) the degree to which any developed test items provide valid and useful information to the public;

(E) whether the test items are free from racial, cultural, or gender bias;

(F) whether the test items address the needs of disadvantaged, limited English proficient and disabled students; and,

(G) whether the test items can be used for tracking, graduation or promotion of students.

SEC. 309. (a) STUDY—The National Academy of Sciences shall conduct a study and make written recommendations on appropriate methods, practices, and safeguards to ensure that—

(1) existing and new tests that are used to assess student performance are not used in a discriminatory manner or inappropriately for student promotion, tracking or graduation; and

(2) existing and new tests adequately assess student reading and mathematics comprehension in the form most likely to yield accurate information regarding student achievement of reading and mathematics skills.

(b) REPORT TO CONGRESS.—The National Academy of Sciences shall submit a written report to the White House, the National Assessment Governing Board, the Committee on Education and the Workforce in the House of Representatives, the Committee on Labor and Human Resources in the Senate, and the Committees on Appropriations in the House and Senate not later than September 1, 1998.

SEC. 310. (a) The Federal Government shall not require any State or local educational agency or school to administer or implement any pilot or field test in any subject or grade, nor shall the Federal government require any student to take any national test in any subject or grade.

(b) Nothing in section 309(a) shall be construed as affecting the National Assessment of Educational Progress or the Third International Math and Science Study.

SEC. 311. No Federal, State or local educational agency may require any private or parochial school student, or home-schooled individual, to take any pilot or field test developed under this Act, contract RJ97153001, or any contract related thereto, without the written consent of the parents or legal guardians of the student or individual.

SEC. 312. Notwithstanding any other provision of law, any institution of higher education which receives funds under title III of the Higher Education Act, except for grants made under section 326, may use up to 20 percent of its award under part A or part B of the Act for endowment building purposes authorized under section 331. Any institution seeking to use part A or part B funds for endowment building purposes shall indicate such intention in its application to the Secretary and shall abide by departmental regulations governing the endowment challenge grant program.

(TRANSFER OF FUNDS)

SEC. 313. Notwithstanding any other provision of the Higher Education Act, $280,000,000 of the balances of returned reserves, formerly held by the Higher Education Assistance Foundation, that are currently held in Higher Education Assistance Claims Reserves, Treasury account number 91X6192, shall be transferred to Miscellaneous Receipts of the Treasury, within 60 days of enactment of this Act.

IMPACT AID

SEC. 314. (a) IN GENERAL.—From funds made available to carry out section 3(d)(2)(B) of the Act of September 30, 1950 (Public Law 874, 81st Congress) for fiscal year 1994 that remain after making 100 percent of the payments local educational agencies are eligible to receive under such section for such fiscal year, the Secretary of Education shall make payments to applications for fiscal year 1996 pursuant to subsection (b).

(b) AWARD BASIS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Education shall make a payment to each applicant in an amount that bears the same relation to the total amount of remaining funds described in subsection (a) as the number of children who were in average daily attendance in the schools served by the applicant for fiscal year 1996 bears to the total number of all such children in the schools served by all applicants for such year.

(2) SPECIAL RULE.—Any applicant that had less than 200 children in average daily attendance in the schools served by the applicant for fiscal year 1996 shall receive a payment under this section for fiscal year 1996 in an amount equal to not less than $175,000.

(3) DATA.—For purposes of computing payments under this section, the Secretary of Education shall use data that—

(A) was included in each applicant's application for assistance under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) for fiscal year 1996; and

(B) is verified by the Secretary.

(c) DEFINITION OF APPLICANT.—For purposes of this section, the term "applicant" means an applicant for assistance under section 8003 of the Elementary and Secondary Education Act of 1965 for fiscal year 1996 having 1 of the following applicant numbers for such year:

(1) 51-0904.
(2) 51-4203.
(3) 51-1903.
(4) 51-0010.
(5) 51-0811.
(6) 51-2101.

SEC. 315. Section 10304 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end the following:

"(g) TRIBALLY CONTROLLED SCHOOLS.—Each State that receives a grant under this part and designates a tribally controlled school as a charter school shall not consider payments to a school under the Tribally Controlled Schools Act of 1986 (25 U.S.C. 2507) in determining—

"(1) the eligibility of the school to receive any other Federal, State, or local aid; or

"(2) the amount of such aid."

This title may be cited as the "Department of Education Appropriations Act, 1998".

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $68,669,000, of which $13,217,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: Provided, That, notwithstanding any other provision of law, a single contract or related contracts for the development and construction at the United States Soldiers' and Airmen's Home, to include renovation of the Sheridan building, may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232-18 and 252.232-7007 Limitation of Government Obligation.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $256,604,000.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2000, $300,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; and for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. chapter 71), $33,481,000, including $1,500,000, to remain available through September 30, 1999, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $6,060,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended by Public Law 102-95), $1,000,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, $1,793,000.

NATIONAL EDUCATION GOALS PANEL

For expenses necessary for the National Education Goals Panel, as authorized by title II, part A of the Goals 2000: Educate America Act, $2,000,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, $174,661,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 per centum of the water stored or supplied thereby is used for farming purposes: Provided further, That none of the funds made available by this Act shall be used in any way to promulgate a final rule (altering 29 CFR part 103) regarding single location bargaining units in representation cases.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45

U.S.C. 151–188), including emergency boards appointed by the President, $8,600,000: Provided, That unobligated balances at the end of fiscal year 1998 not needed for emergency boards shall remain available for other statutory purposes through September 30, 1999.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), $7,900,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $7,015,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $205,500,000, which shall include amounts becoming available in fiscal year 1998 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds $205,500,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, $50,000, to remain available through September 30, 1999, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $87,228,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $5,794,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office: Provided further, That none of the funds made available in this paragraph may be used for any audit, investigation, or review of the Medicare Program.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $20,308,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, $426,090,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act 1977 for the first quarter of fiscal year 1999, $160,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security act, $16,160,000,000, to remain available until expended: *Provided*, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the treasury.

From funds provided under the previous paragraph, not less than $100,000,000 shall be available for payment to the Social Security trust funds for administrative expenses for conducting continuing disability reviews.

In addition, $175,000,000, to remain available until September 30, 1999, for payment to the Social Security trust funds for administrative expenses for continuing disability reviews as authorized by section 103 of Public Law 104–121 and Supplemental Security Income administrative work as authorized by Public Law 104–193. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended, and reviews and redeterminations authorized under section 211 of Public Law 104–193.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 1999, $8,680,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed $10,000 for official reception and representation expenses, not more than $5,894,040,000 may be expended, as authorized by section 201(a)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That not less than $1,600,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances at the end of fiscal year 1998 not needed for fiscal year 1998 shall remain available until expended for a state-of-the-art computing network, including related equipment and non-payroll administrative expenses associated solely with this network: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

From funds provided under the previous paragraph, notwithstanding the provision under this heading in Public Law 104–208 regarding unobligated balances at the end of fiscal year 1997 not needed for such fiscal year, an amount not to exceed $50,000,000 from such unobligated balances shall, in addition to funding already available under this heading for fiscal year 1998, be available for necessary expenses.

From funds provided under the first paragraph, not less than $200,000,000 shall be available for conducting continuing disability reviews.

In addition to funding already available under this heading, and subject to the same terms and conditions, $290,000,000, to remain available until September 30, 1999, for continuing disability reviews as authorized by section 103 of Public Law 104–121, section 10203 of Public Law 105–33 and Supplemental Security Income administrative work as authorized by Public Law 104–193. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act as amended, and reviews and redeterminations authorized under section 211 of Public Law 104–193.

In addition to funding already available under this heading, and subject to the same terms and conditions, $190,000,000, which shall remain available until expended, to invest in a state-of-art computing network, including related equipment and non-payroll administrative expenses associated solely with this network, for the Social Security Administration and the State Disability Determination Services, may be expended from any or all of the trust funds as authorized by section 201(g)(1) of the Social Security Act.

In addition, $35,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1611(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 1998 exceed $35,000,000, the amounts shall be available in fiscal year 1999 only to the extent provided in advance in appropriations Acts.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $10,164,000, together with not to exceed $38,260,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administration Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committee on Appropriations of the House and Senate.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $11,160,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred balance are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are each authorized to make available not to exceed $15,000 from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $2,500 from funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. Section 505 is subject to the condition that after March 31, 1998, a program for exchanging such needles and syringes for used hypodermic needles and syringes (referred to in this section as an "exchange project") may be carried out in a community if—

(1) the Secretary of Health and Human Services determines that exchange projects are effective in preventing the spread of HIV and do not encourage the use of illegal drugs; and

(2) the project is operated in accordance with criteria established by such Secretary for preventing the spread of HIV and for ensuring that the project does not encourage the use of illegal drugs.

SEC. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 508. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state (1) the percentage of the total costs of the program or project which will be financed with Federal money, (2) the dollar amount of Federal funds for the project or program, and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental sources.

SEC. 509. (a) None of the funds appropriated under this Act shall be expended for any abortion.

(b) None of the funds appropriated under this Act shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 510. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 511. Notwithstanding any other provision of law—

(1) no amount may be transferred from an appropriation account for the Departments of Labor, Health and Human Services, and Education except as authorized in this or any subsequent appropriation Act, or in the Act establishing the program or activity for which funds are contained in this Act;

(2) no department, agency, or other entity, other than the one responsible for administering the program or activity for which an appropriation is made in this Act, may exercise authority for the timing of the obligation and expenditure of such appropriation, or for the purpose for which it is obligated and expended, except to the extent and in the manner otherwise provided in sections 1512 and 1513 of title 31, United States Code; and

(3) no funds provided under this Act shall be available for the salary (or any part thereof) of an employee who is reassigned on a temporary detail basis to another position in the employing agency or department or in any other agency or department, unless the detail is independently approved by the head of the employing department or agency.

SEC. 512. None of the funds made available in this Act may be used to enforce the requirements of section 428(b)(1)(U)(iii) of the Higher Education Act of 1965 with respect to any lender when it is made known to the Federal official having authority to obligate or expend such funds that the lender has a loan portfolio under part B of title IV of such Act that is equal to or less than $5,000,000.

SEC. 513. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" include any organisms, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 514. (a) LIMITATION ON USE OF FUNDS FOR PROMOTION OF LEGALIZATION OF CONTROLLED SUBSTANCES.—None of the funds made available in this Act may be used for any activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply when it is made known to the Federal official having authority to obligate or expend such funds that there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that Federally-sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 515. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 516. (a) FEES FOR FEDERAL ADMINISTRATION OF STATE SUPPLEMENTARY SSI PAYMENTS.—

(1) OPTIONAL STATE SUPPLEMENTARY PAYMENTS.—

(A) IN GENERAL.—Section 1616(d)(2)(B) of the Social Security Act (42 U.S.C. 1382e(d)(2)(B) is amended—

(i) by striking "and" at the end of clause (iii); and

(ii) by striking clause (iv) and inserting the following:

"(iv) for fiscal year 1997, $5.00;

"(v) for fiscal year 1998, $6.20;

"(vi) for fiscal year 1999, $7.60;

"(vii) for fiscal year 2000, $7.80;

"(viii) for fiscal year 2001, $8.10;

"(ix) for fiscal year 2002, $8.50; and

"(x) for fiscal year 2003 and each succeeding fiscal year—

"(I) the applicable rate in the preceding fiscal year, increased by the percentage, if any, by which the Consumer Price Index for the month of June of the calendar year of the increase exceeds the Consumer Price Index for the month of June of the calendar year preceding the calendar year of the increase, and rounded to the nearest whole cent; or

"(II) such different rate as the Commissioner determines is appropriate for the State.".

(B) CONFORMING AMENDMENT.—Section 1616(d)(2)(C) of such Act (42 U.S.C. 1382e(d)(2)(C) is amended by striking "(B)(iv)" and insert "(B)(x)(II)".

(2) MANDATORY STATE SUPPLEMENTARY PAYMENTS.—

(A) IN GENERAL.—Section 212(b)(3)(B)(ii) of Public Law 93-66 (42 U.S.C. 1382 note) is amended—

(i) by striking "and" at the end of subclause (III); and

(ii) by striking subclause (IV) and inserting the following:

"(IV) for fiscal year 1997, $5.00;

"(V) for fiscal year 1998, $6.20;

"(VI) for fiscal year 1999, $7.60;

"(VII) for fiscal year 2000, $7.80;

"(VIII) for fiscal year 2001, $8.10;

"(IX) for fiscal year 2002, $8.50; and

"(X) for fiscal year 2003 and each succeeding fiscal year—

"(aa) the applicable rate in the preceding fiscal year, increased by the percentage, if any, by which the Consumer Price Index for the month of June of the calendar year of the increase exceeds the Consumer Price Index for the month of June of the calendar year preceding the calendar year of the increase, and rounded to the nearest whole cent; or

"(bb) such different rate as the Commissioner determines is appropriate for the State.".

(B) CONFORMING AMENDMENT.—Section 212(b)(3)(B)(iii) of such Act (42 U.S.C. 1382 note) is amended by striking "(ii)(IV)" and insert "(ii)(X)(bb)".

(b) USE OF NEW FEES TO DEFRAY THE SOCIAL SECURITY ADMINISTRATION'S ADMINISTRATIVE EXPENSES.—

(1) CREDIT TO SPECIAL FUND FOR FISCAL YEAR 1998 AND SUBSEQUENT YEARS.—

(A) OPTIONAL STATE SUPPLEMENTARY PAYMENT FEES.—Section 1616(d)(4) of the Social Security Act (42 U.S.C. 1382e(d)(4)) is amended to read as follows:

"(4)(A) The first $5 of each administration fee assessed pursuant to paragraph (2), upon collection, shall be deposited in the general fund of the Treasury of the United States as miscellaneous receipts.

"(B) That portion of each administration fee in excess of $5, and 100 percent of each additional services fee charged pursuant to paragraph (3), upon collection for fiscal year 1998 and each subsequent fiscal year, shall be credited to a special fund established in the Treasury of the United States for State supplementary payment fees. The amount so credited, to the extent and in the amounts provided in advance in appropriations Acts, shall be available to defray expenses incurred in carrying out this title and related laws.".

(B) MANDATORY STATE SUPPLEMENTARY PAYMENT FEES.—Section 212(b)(3)(D) of Public Law 93-66 (42 U.S.C. 1382 note) is amended to read as follows:

"(D)(i) The first $5 of each administration fee assessed pursuant to subparagraph (B), upon collection, shall be deposited in the general fund of the Treasury of the United States as miscellaneous receipts.

"(ii) The portion of each administration fee in excess of $5, and 100 percent of each additional services fee charged pursuant to subparagraph (C), upon collection for fiscal year 1998 and each subsequent fiscal year, shall be credited to a special fund established in the Treasury of the United States for State supplementary payment fees. The amounts so credited, to the extent and in the amounts provided in advance in appropriations Acts, shall be available to defray expenses incurred in carrying out this section and title XVI of the Social Security Act and related laws.".

(2) LIMITATION SO AUTHORIZATION OF APPROPRIATIONS.—From amounts credited pursuant to section 1616(d)(4)(B) of the Social Security Act and section 212(b)(3)(D)(ii) of Public Law 93-66 to the special fund established in the Treasury of the United States for State supplementary payment fees, there is authorized to be appropriated an amount not to exceed $35,000,000 for fiscal year 1998, and such sums as may be necessary for each fiscal year thereafter, for administrative expenses in carrying out the supplemental security income program under title XVI of the Social Security Act and related laws.

SEC. 517. Section 520(c)(2)(D) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1997, is amended by striking "September 30, 1997" and inserting in lieu thereof "December 31, 1997".

SEC. 518. None of the funds made available in this Act may be used to pay the expenses of an election officer appointed by a court to oversee an election of any officer or trustee for the International Brotherhood of Teamsters.

SEC. 519. Subsection (k) of section 9302 of the Balanced Budget Act of 1997, as added by section 1604(f)(3) of the Taxpayer Relief of Act of 1997, is repealed.

TITLE VI—OTHER PROVISIONS

SEC. 601. The amount of the DSH allotment for the State of Minnesota for fiscal year 1998, specified in the table under section 1923(f)(2) of the Social Security Act (as amended by section 4721(a)(1) of Public Law 105-33) is deemed to be $33,000,000.

SEC. 602. Notwithstanding section 1923(f)(2) of the Social Security Act (42 U.S.C. 1396r-4(f)(2)) (as amended by section 4721(a)(1) of the Balanced Budget Act of 1997 (Public Law 105-33; 111 Stat. 511)), the amount of the DSH allotment for Wyoming for fiscal year 1998 is deemed to be $67,000.

PARKINSON'S DISEASE RESEARCH

SEC. 603. (a) SHORT TITLE.—This section may be cited as the "Morris K. Udall Parkinson's Research Act of 1997".

(b) FINDING AND PURPOSE.—

(1) FINDING.—Congress finds that to take full advantage of the tremendous potential for finding a cure or effective treatment, the Federal investment in Parkinson's must be expanded, as well as the coordination strengthened among the National Institutes of Health research institutes.

(2) PURPOSE.—It is the purpose of this section to provide for the expansion and coordination of research regarding Parkinson's, and to improve care and assistance for afflicted individuals and their family caregivers.

(c) PARKINSON'S RESEARCH.—Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

"PARKINSON'S DISEASE

"SEC. 409B. (a) IN GENERAL.—The Director of NIH shall establish a program for the conduct and support of research and training with respect to Parkinson's disease (subject to the extent of amounts appropriated under subsection (e)).

"(b) INTER-INSTITUTE COORDINATION.—

"(1) IN GENERAL.—The Director of NIH shall provide for the coordination of the program established under subsection (a) among all of the national research institutes conducting Parkinson's research.

"(2) CONFERENCE.—Coordination under paragraph (1) shall include the convening of a research planning conference not less frequently than once every 2 years. Each such conference shall prepare and submit to the Committee on Appropriations and the Committee on Labor and Human Resources of the Senate and the Committee on Appropriations and the Committee on Commerce of the House of Representatives a report concerning the conference.

"(c) MORRIS K. UDALL RESEARCH CENTERS.—

"(1) IN GENERAL.—The Director of NIH is authorized to award Core Center Grants to encourage the development of innovative multidisciplinary research and provide training concerning Parkinson's. The Director is authorized to award not more than 10 Core Center Grants and designate each center funded under such grants as a Morris K. Udall Center for Research on Parkinson's Disease.

"(2) REQUIREMENTS.—

"(A) IN GENERAL.—With respect to Parkinson's, each center assisted under this subsection shall—

"(i) use the facilities of a single institution or a consortium of cooperating institutions, and meet such qualifications as may be prescribed by the Director of the NIH; and

"(ii) conduct basic and clinical research.

"(B) DISCRETIONARY REQUIREMENTS.—With respect to Parkinson's, each center assisted under this subsection may—

"(i) conduct training programs for scientists and health professionals;

"(ii) conduct programs to provide information and continuing education to health professionals;

"(iii) conduct programs for the dissemination of information to the public;

"(iv) separately or in collaboration with other centers, establish a nationwide data system derived from patient populations with Parkinson's, and where possible, comparing relevant data involving general populations;

"(v) separately or in collaboration with other centers, establish a Parkinson's Disease Information Clearinghouse to facilitate and enhance knowledge and understanding of Parkinson's disease; and

"(vi) separately or in collaboration with other centers, establish a national education program that fosters a national focus on Parkinson's and the care of those with Parkinson's.

(3) STIPENDS REGARDING TRAINING PROGRAMS.—A center may use funds provided under paragraph (1) to provide stipends for scientists and health professionals enrolled in training programs under paragraph (2)(B).

(4) DURATION OF SUPPORT.—Support of a center under this subsection may be for a period not exceeding five years. Such period may be extended by the Director of NIH for one or more additional periods of not more than five years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period should be extended.

"(d) MORRIS K. UDALL AWARDS FOR EXCELLENCE IN PARKINSON'S DISEASE RESEARCH.—The Director of NIH is authorized to establish a grant program to support investigators with a proven record of excellence and innovation in Parkinson's research and who demonstrate potential for significant future breakthroughs in the understanding of the pathogensis, diagnosis, and treatment of Parkinson's. Grants under this subsection shall be available for a period of not to exceed 5 years.

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section and

section 301 and title IV of the Public Health Service Act with respect to research focused on Parkinson's disease, there are authorized to be appropriated up to $100,000,000 for fiscal year 1998, and such sums as may be necessary for each of the fiscal years 1999 and 2000.".

SEC. 604. (a) Section 414(a) of the Immigration and Nationality Act (8 U.S.C. 1524(a)) is amended by striking "fiscal year 1995, fiscal year 1996, and fiscal year 1997" and inserting "each of fiscal years 1998 and 1999".

(b) The amendment made by subsection (a) shall take effect October 1, 1997.

SEC. 605. Subparagraphs (B) and (C) of section 1143(a)(2) of the Social Security Act (42 U.S.C. 1320b–13(a)(2)(B), (C)) are each amended by striking "employee" and inserting "employer, employee,".

SEC. 606. (a) Notwithstanding any other provision of law, the payments described in subsection (b) shall not be considered income or resources in determining eligible for, or the amount of benefits under, a program or State plan under title XVI or XIX of the Social Security Act.

(b) The payments described in this subsection are payments made by the Secretary of Defense pursuant to section 657 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2584).

SEC. 607. In addition to amounts otherwise made available for payment of obligations in carrying out 49 U.S.C. 5338(a), $50,000,000 shall remain available until expended and to be derived from the Highway Trust Fund: Provided, That $50,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants accounts: Provided further, That subsection (c) of section 337 of the Department of Transportation and Related Agencies Appropriations Act, 1998 is amended by inserting after "House and Senate Committees on Appropriations", the following: "and the Senate Committee on Commerce, Science, and Transportation".

SEC. 608. Clauses (i)(I) and (ii)(II) of section 403(a)(5)(A) of the Social Security Act are amended by striking "during the fiscal year" in each place it appears and inserting "during the period permitted under subparagraph (C)(vii) of this paragraph for the expenditure of funds under the grant".

EMERGENCY STUDENT LOAN CONSOLIDATION

SEC. 609. SHORT TITLE.—This section may be cited as the "Emergency Student Loan Consolidation Act of 1997".

(a) REFERENCES.—Except as otherwise expressly provided, whenever in this section an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(b) DEFINITION OF LOANS ELIGIBLE FOR CONSOLIDATION.—Section 428C(a)(4) (20 U.S.C. 1078–3(a)(4)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) made under part D of this title, except that loans made under such part shall be eligible student loans only for consolidation loans for which the application is received by an eligible lender during the period beginning on the date of enactment of the Emergency Student Loan Consolidation Act of 1997 and ending on October 1, 1998;".

TERMS OF CONSOLIDATION LOANS.—Section 428C(b)(4)(C)(ii) is amended—

(1) in subclause (I), by inserting after "consolidation loan" the following: "for which the application is received by an eligible lender before the date of enactment of the Emergency Student Loan Consolidation Act of 1997, or on or after October 1, 1998,";

(2) by striking "or" at the end of subclause (I);

(3) by inserting "or (II)" before the semicolon at the end of subclause (II);

(4) by redesignating subclause (II) as subclause (III), and

(5) by inserting after subclause (I) the following new subclause:

"(II) by the Secretary, in the case of a consolidation loan for which the application is received by an eligible lender on or after the date of enactment of the Emergency Student Loan Consolidation Act of 1997 and before October 1, 1998, except that the Secretary shall pay such interest only on that portion of the loan that repays Federal Stafford Loans for which the student borrower received an interest subsidy under section 428 or Federal Direct Stafford Loans for which the borrower received an interest subsidy under section 455; or".

(d) NONDISCRIMINATION IN LOAN CONSOLIDATION.—Section 428C(b) is amended by adding at the end the following new paragraph:

"(6) NONDISCRIMINATION IN LOAN CONSOLIDATION.—An eligible lender that makes consolidation loans under this section shall not discriminate against any borrower seeking such a loan—

"(A) based on the number or type of eligible student loans the borrower seeks to consolidate;

"(B) based on the type or category of institution of higher education that the borrower attended;

"(C) based on the interest rate to be charged to the borrower with respect to the consolidation loan; or

"(D) with respect to the types of repayment schedules offered to such borrower.".

(e) INTEREST RATE.—Section 428C(c)(1) is amended—

(1) in the first sentence of subparagraph (A), by striking "(B) or (C)" and inserting "(B), (C), or (D)"; and

(2) by adding at the end the following new subparagraph:

"(D) A consolidation loan for which the application is received by an eligible lender on or after the date of enactment of the Emergency Student Loan Consolidation Act of 1997 and before October 1, 1998, shall bear interest at an annual rate on the unpaid principal balance of the loan that is equal to the rate specified in section 427A(f), except that the eligible lender may continue to calculate interest on such a loan at the rate previously in effect and defer, until not later than April 1, 1998, the recalculation of the interest on such a loan at the rate required by this subparagraph if the recalculation is applied retroactively to the date on which the loan is made.".

(f) AMENDMENTS EFFECTIVE FOR PENDING APPLICANTS.—The consolidation loans authorized by the amendments made by this section shall be available notwithstanding any pending application by a student for a consolidation loan under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.), upon withdrawal of such application by the student at any time prior to receipt of such a consolidation loan.

(g) FAMILY CONTRIBUTION FOR DEPENDENT STUDENTS.—

(1) PARENTS' AVAILABLE INCOME.—Section 475(c)(1) (20 U.S.C. 1087oo(c)(1)) is amended—

(A) by striking "and" at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting "; and"; and

(C) by adding at the end of the following new subparagraph:

"(F) the amount of any tax credit taken by the parents under section 25A of the Internal Revenue Code of 1986.".

(2) STUDENT CONTRIBUTION FROM AVAILABLE INCOME.—Section 475(g)(2) is amended—

(A) by striking "and" at the end of subparagraph (C);

(B) by striking the period at the end of subparagraph (D) and inserting ";and"; and

(C) by inserting after subparagraph (D) the following new subparagraph:

"(E) the amount of any tax credit taken by the student under section 25A of the Internal Revenue Code of 1986.".

(h) FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS WITHOUT DEPENDENTS OTHER THAN A SPOUSE.—Section 476(b)(1)(A) (20 U.S.C. 1087pp(b)(1)(A)) is amended—

(1) by striking "and" at the end of clause (iv); and

(2) by inserting after clause (v) the following new clause:

"(vi) the amount of any tax credit taken under section 25A of the Internal Revenue Code of 1986; and".

(i) FAMILY CONTRIBUTION FOR INDEPENDENT STUDENTS WITH DEPENDENTS OTHER THAN A SPOUSE.—Section 477(b)(1) (20 U.S.C. 1087qq(b)(1)) is amended—

(1) by striking "and" at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting ";and"; and

(3) by adding at the end the following new subparagraph:

"(F) the amount of any tax credit taken under section 25A of the Internal Revenue Code of 1986.".

(j) TOTAL INCOME.—Section 480(a)(2) (20 U.S.C. 1087vv(a)(2)) is amended

(1) by striking "individual, and" and inserting "individual,"; and

(2) by inserting "and no portion of any tax credit taken under section 25A of the Internal Revenue Code of 1986," before "shall be included".

(k) OTHER FINANCIAL ASSISTANCE.—Section 480(j) is amended by adding at the end the following new paragraph:

"(4) Notwithstanding paragraph (1), a tax credit taken under section 25A of the Internal Revenue Code of 1986 shall not be treated as estimated financial assistance for purposes of section 471(3).".

(l) IN GENERAL.—Section 458(a)(1) (20 U.S.C. 1087(a)(1)) is amended by striking "$532,000,000" and inserting "$507,000,000".

(m) CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to prohibit the Secretary of Education from using funds that are returned or otherwise recovered by the Secretary under section 422(g) of the Higher Education Act of 1965 (20 U.S.C. 1072(g)) including the balances of returned reserve funds, formerly held by the Higher Education Assistance Foundation, that are currently held in Higher Education Assistance Foundation Claims Reserves, Treasury account number 91X6192, for expenditure for expenses pursuant to section 458 of such Act (20 U.S.C. 1087h).

TITLE VII—NATIONAL HEALTH MUSEUM

SEC. 701. SHORT TITLE.

This title may be cited as the "National Health Museum Development Act".

SEC. 702. AMENDMENTS TO THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1995.

Section 1067 of the National Defense Authorization Act for Fiscal Year 1995 (10 U.S.C. 176 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by adding "and" at the end;

(B) in paragraph (2), by striking "; and" and inserting a period; and

(C) by striking paragraph (3);

(2) in subsection (b)—

(A) in the subsection heading, by striking "AND SITE OF FACILITY";

(B) in paragraph (1), by striking "; and" and inserting a period;

(C) by striking paragraph (2); and

(D) by striking "Pathology—" and all that follows through "shall" in paragraph (1) and inserting "Pathology shall"; and

(3) by striking subsections (c) through (e).

SEC. 703. NATIONAL HEALTH MUSEUM SITE.

(a) SITE.—The facility known as the National Health Museum shall be located on or near the Mall on land owned by the Federal Government or the District of Columbia (or both) in the District of Columbia.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the authority or responsibilities of the National Capital Planning Commission or the Commission of Fine Arts.

(c) DEFINITION.—In this section, the term "the Mall" means—

(1) the land designated as "Union Square", United States Reservation 6A; and

(2) the land designated as the "Mall", United States Reservations 3, 4, 5, and 6.

SEC. 704. NATIONAL HEALTH MUSEUM COMMISSION.

(a) ESTABLISHMENT OF COMMISSION.—There is established a commission to be known as the National Health Museum Commission (hereafter referred to in this title as the "Commission") that shall be comprised of 8 members.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The members of the Commission shall be appointed for the life of the Commission as follows:

(A) 2 members shall be appointed by the President.

(B) 2 members shall be appointed by the Speaker of the House of Representatives.

(C) 1 member shall be appointed by the Minority Leader of the House of Representatives.

(D) 2 members shall be appointed by the Majority Leader of the Senate.

(E) 1 member shall be appointed by the Minority Leader of the Senate.

(2) PERSONS ELIGIBLE.—The members of the Commission shall be individuals who have knowledge or expertise in matters to be studied by the Commission.

(3) CHAIRPERSON.—The President shall designate 1 member as the Chairperson of the Commission.

SEC. 705. DUTIES OF THE COMMISSION.

(a) STUDY.—It shall be the duty of the Commission to conduct a comprehensive study of the appropriate Federal role in the planning and operation of the National Health Museum, as well as any other issues deemed appropriate to the development of the National Health Museum.

(b) REPORT.—Not later than 1 year after the date on which the Commission first meets, the Commission shall submit to the President and Congress a comprehensive report of the Commission's findings and conclusions, together with any recommendations of the Commission.

SEC. 706. COMMISSION ADMINISTRATION MATTERS.

(a) APPLICATION OF FACA.—The National Health Museum, Inc. shall be responsible for administering all Commission activities in accordance with the Federal Advisory Committee Act (5 U.S.C. App.)

(b) COMPENSATION OF MEMBERS.—Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for Level IV of the executive schedule under section 5315 of title 5, United States Code.

SEC. 707. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this section, $500,000 for fiscal year 1998, to remain available until expended.

SEC. 708. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the Commission submits the report required under section 705(b).

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1998".

[And the Senate agree to the same.]

JOHN EDWARD PORTER,
BILL YOUNG,
HENRY BONILLA,
DAN MILLER,
JAY DICKEY,
ROGER F. WICKER,
ANNE M. NORTHUP,
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LOUIS STOKES,
STENY H. HOYER,
NANCY PELOSI,
NITA M. LOWEY,
ROSA L. DELAURO,
Managers on the Part of the House.

ARLEN SPECTER,
THAD COCHRAN,
SLADE GORTON,
KIT BOND,
JUDD GREGG,
LARRY E. CRAIG,
LAUCH FAIRCLOTH,
KAY BAILEY HUTCHISON,
TED STEVENS,
FRITZ HOLLINGS,
TOM HARKIN,
DANIEL K. INOUYE,
DALE BUMPERS,
HARRY REID,
HERB KOHL,
PATTY MURRAY,
ROBERT C. BYRD,
Managers on the Part of the Senate.

Joint Explanatory Statement of the Committee of Conference

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2264) making appropriations for the Department of Labor, Health and Human Services, and Education and Related Agencies, and for other purposes, submit the following joint statement of the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

In implementing this agreement, the Departments and agencies should comply with the language and instructions set forth in House Report 105–205 and Senate Report 105–58.

In the case where the language and instructions specifically address the allocation of funds, the Departments and agencies are to follow the funding levels specified in the Congressional budget justifications accompanying the fiscal year 1998 budget or the underlying authorizing statute and should give careful consideration to the items allocating specific funding included in the House and Senate reports. With respect to the provisions in the House and Senate reports that specifically allocate funds the conferees have reviewed each and have included those in which they concur in this joint statement.

The conferees specifically endorse the provisions of the House Report (105–205) directing "* * * the Departments of Labor, Health and Human Services, and Education and the Social Security Administration and the Railroad Retirement Board to submit operating plans with respect to discretionary appropriations to the House and Senate Committees on Appropriations. These plans, which are to be submitted within 30 days of the enactment of the Act must be signed by the respective Departmental Secretaries, the Social Security Commissioner and the Chairman of the Railroad Retirement Board."

The conferees expect the Departments and agencies covered by this directive to meet with the House and Senate Committees as soon as possible after enactment of the bill to develop a methodology to assure adequate and timely information on the allocation of funds within accounts within this conference report while minimizing the need for unnecessary and duplicative submissions.

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The conference agreement appropriates $5,238,226,000, instead of $5,141,601,000 as proposed by the House and $5,260,053,000 as proposed by the Senate.

The conference agreement provides that $250,000,000 for Opportunity Areas for Out-of-School Youth is appropriated as an advance appropriation for fiscal year 1999 if job training reform legislation specifically authorizing this type of at-risk youth initiative is enacted by July 1, 1998. If such legislation is not enacted by that date, the funds will not become available. This is substantially similar to the Senate bill except that the Senate specified that the legislation must be enacted by April 1, 1998. The House bill appropriated $100,000,000 as an advance appropriation to be available for the period July 1, 1999 through June 30, 2000 if specifically authorized by subsequent legislation. The conference agreement also includes $25,000,000 for this activity for fiscal year 1998 under pilots and demonstrations.

The agreement includes language authorizing the use of demonstration funds under title III of the Job Training Partnership Act (dislocated workers) for projects that provide assistance to new entrants in the workforce and incumbent workers as proposed by the Senate. The House had no similar language. In conjunction with this, the conferees concur in the Senate Report language with respect to a manufacturing technology training demonstration project.

The agreement includes $9,000,000 for the National Occupational Information Coordinating Committee, instead of $5,000,000 as proposed by the House and $10,000,000 as proposed by the Senate. In addition, the agreement includes language proposed by the Senate that authorizes the National Occupational Information Coordinating Committee to charge fees for publications, training and technical assistance and provides that the fees collected shall be credited to the Committee and available without further appropriation for authorized activities of the Committee. The House had no similar language.

The conference agreement includes $3,000,000 under national activities to assist States in meeting the costs of joining an existing labor market exchange network for providing job seekers with access to America's Job Bank by telephone. The agreement includes $12,500,000 under pilots and demonstrations for concentrated programs serving youth who are or have been under criminal justice system supervision and $2,000,000 to support training, education, employment,

and entrepreneurial opportunities to improve the economic and social health and welfare of adults on the neighbor islands of Hawaii, and in Alaska. The conferees concur in the Senate Report language concerning the Samoan/Asian Pacific Island job training program in Hawaii. The conferees urge the Department to continue funding the Vietnam Veterans Leadership program which provides training and employment services to veterans in southwestern Pennsylvania. And the conferees urge the Department to give careful consideration to a proposal from a foundation to establish a community employment alliance to create public-private partnerships to promote job opportunities for individuals making the transition from welfare to work. The conferees further encourage the Secretary to utilize the discretionary authority available to provide assistance for programs that will support the training needs of incumbent and dislocated workers in the shipbuilding industry (in southeastern Pennsylvania) where base closures have had a significant negative impact on the workforce.

The Department of Labor should continue to examine options for serving more at-risk youth through Job Corps. In addition to considering the establishment of new Job Corps centers, the Department should also consider lower-cost options such as expanding slots at existing high performing centers and constructing satellite centers in proximity to existing high-performing centers. In planning any expansion of Job Corps capacity, the Department should give priority to States that are now without a Job Corps campus and should also give priority to suitable facilities that can be provided to Job Corps at little or no cost, including facilities made available through military base closings. The conference agreement includes $4,000,000 for these purposes. The Department should include funds in its FY 1999 budget request to compete the facility expansion.

The conferees are aware that employment-related skills development is an essential component of sustained recovery from addiction. From within the funds provided for pilots and demonstrations, the conferees urge the Secretary to collaborate with treatment providers who have successfully infused employment-related skills services into their recovery programs to design a curriculum which will successfully prepare addicts to make the transition from addiction to employment.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

The conference agreement appropriates $440,200,000 as proposed by the House instead of $453,000,000 as proposed by the Senate.

STATEMENT UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The conference agreement appropriates $3,495,928,000, instead of $3,478,928,000 as proposed by the House and $3,461,928,000 as proposed by the Senate. Included in the total is $200,000,000 for Year 2000 computer conversion costs, of which $40,000,000 is provided as an advance appropriation for fiscal year 1999. The Administration has informed the conferees that providing the funds in this manner is an appropriate way to finance these costs. The House bill included $183,000,000 for this and the Senate bill included $150,000,000; neither bill included an advance appropriation for fiscal year 1999. For unemployment insurance contingency costs, the agreement includes $196,333,000 as proposed by the House instead of $212,333,000 as proposed by the Senate.

PROGRAM ADMINISTRATION

The conference agreement appropriates $131,593,000, instead of $125,593,000 as proposed by the House and $129,593,000 as proposed by the Senate. Included in the total is $6,000,000 for administration of the new welfare-to-work program. The agreement also includes language providing that a majority of the new staff hired for this program will be limited term appointments.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates $300,653,000 as proposed by the Senate, instead of $299,000,000 as proposed by the House. The agreement includes language proposed by the House modified to set aside $500,000 in the Office of Labor-Management Standards to begin the development of a system for the electronic filing of reports required to be filed under the Labor-Management Reporting and Disclosure Act of 1959 and for a computer database of the information for each submission by whatever means that is indexed and easily searchable by the public through the Internet. The Senate had no similar provision.

The conferees are concerned about the difficulty the public has obtaining full and complete information on these reports. Further, the conferees expect the Department to continue pursuing this project by including funding for it in future budget requests. As part of the FY 1999 hearing process, the Department should be prepared to present its multi-year implementation plan for this initiative to the Committees.

The General Accounting Office is expected to review the Department's implementation plan and other activities to determine whether these efforts will achieve the goal of improving the timeliness, accuracy and availability of the information contained in the reports filed under the Labor-Management Reporting and Disclosure Act. The General Accounting Office shall report its findings to the Appropriations Committees after it has made its review.

The conferees urge the Department to resolve by the end of the year all outstanding child labor issues relating to the Amish community. The Department needs to take into account the special needs of this community.

The conferees are agreed that the Inspectors General of both the Department of Labor and the Social Security Administration shall prepare a joint report to the House and Senate Appropriations Committees relative to the Memorandum of Understanding between the agencies providing for DOL administrative services with respect to Part B of the Black Lung program. This report shall include narrative and statistical information concerning the number of beneficiaries served, benefits disbursed, quality of services provided, and an assessment of whether the objectives of the MOU to provide enhanced services at reduced costs are being achieved. the first report shall include activity from the date the MOU was signed to the end of fiscal year 1998 and shall be due to the Committees by April 30, 1999. Subsequent reports shall be due on April 30 of each year.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates $336,480,000, instead of $336,205,000 as proposed by the House and the Senate.

The House and Senate Reports included directives to OSHA field officers to facilitate compliance with the new methylene chloride standard. As a matter of clarification, the conferees note that the covered facilities are engaged primarily in furniture stripping, urethane form manufacturing and urethane foam fabrication. Thus, the conferees intend the compliance assistance efforts by OSHA to extend to facilities with fewer than 150 employees in these industries.

Public Law 105-62, the fiscal year 1998 Energy and Water Development Appropriations Act, transferred responsibility for administering the Formerly Utilized Sites Remedial Action Program (FUSRAP) from the Department of Energy to the U.S. Army Corps of Engineers. The conferees are aware that the Occupational Safety and Health Administration is concerned that the transfer of FUSRAP may have resource and programmatic implications for the agency. As outlined in House Report 105-271, the conference report to accompany Public Law 105-62, fiscal year 1998 will be a year of transition as the program continues and DOE would maintain jurisdiction for safety and health within the existing contractual framework established by the Department of Energy. Any issues pertaining to the regulatory framework of the program will be identified during this transition period and will be addressed during the fiscal year 1999 budget deliberations.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates $203,334,000, instead of $199,159,000 as proposed by the House and $205,804,000 as proposed by the Senate.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The conference agreement appropriates $380,457,000 as proposed by the House instead of $372,671,000 as proposed by the Senate.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement appropriates $152,535,000, instead of $152,481,000 as proposed by the House and $152,413,000 as proposed by the Senate. The conferees concur with the Senate Report language concerning Women's Bureau support for technical assistance and training on displaced homemaker programming.

The conferees recognize the extreme shortage of available skilled labor in the maritime-related industries of south Louisiana. The conferees further recognize the billions of dollars that this industry contributes to this nation's economy. In an effort to protect the integrity of this important domestic market, the conferees strongly encourage the United States Department of Labor in conjunction with the Louisiana Department of Labor to work to devise an immediate solution to this problem.

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

The conference agreement includes $181,955,000 as proposed by both the House and Senate. The agreement includes $2,000,000 for the National Veterans Training Institute within the Federal administration activity as proposed by the House.

OFFICE OF INSPECTOR GENERAL

The conference agreement appropriates $46,250,000, instead of $45,750,000 as proposed by the House and $46,750,000 as proposed by the Senate.

GENERAL PROVISIONS

JOB CORPS SALARY LIMITATION

The conference agreement includes a general provision (section 101) limiting the use

of Job Corps funds to pay the compensation of an individual at a rate not in excess of $125,000 as proposed by the Senate, instead of $100,000 as proposed by the House.

ERGONOMICS-TECHNICAL

The conference agreement includes a general provision (section 104) as proposed by the House that restricts the use of funds for OSHA ergonomics standards and guidelines. The Senate bill contained essentially the same provision with only minor technical changes.

FAIR LABOR STANDARDS ACT

The conference agreement includes a general provision (section 105) proposed by the Senate modified to amend the Fair Labor Standards Act to ensure that nonprofit organizations that deliver water for agricultural purposes are exempt from the maximum hour requirements of the Act if at least 90 percent of the water delivered by these organizations during the preceding calendar year was for agricultural purposes. The House bill contained no similar provision.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes $3,618,137,000 instead of $3,607,068,000 as proposed by the House and $3,449,071,000 as proposed by the Senate.

The conference agreement does not include the legal citation for title XVI of the Public Health Service Act as proposed by the Senate. The House bill did not include the citation. The conferees have instead included bill language creating a broader authority to fund health care and other facilities construction and renovation projects.

The conference agreement includes the legal citation for the Native Hawaiian Health Care program as proposed by the Senate. The House bill did not include the citation. The conferees believe that the health care activities funded under the Native Hawaiian Health Care program can be supported at the fiscal year 1997 level under the broader consolidated health centers line if the agency feels it is appropriate.

The conferences agreement includes $2,500,000 for facilities renovations at the Gillis W. Long Hansen's Disease Center as proposed by the House. The Senate bill did not include funding for this activity. Funds are necessary to complete renovations prior to the facility's transfer to the State of Louisiana.

The conference agreement includes bill language identifying $203,452,000 for the family planning program instead of $208,452,000 as proposed by the Senate and $194,452,000 as proposed by the House.

The conference agreement earmarks in bill language $285,500,000 for the Ryan White Title II State AIDS drug assistance programs rather than $217,000,000 as proposed by the Senate and $299,000,000 as proposed by the House. Total funding for the Ryan White program has been increased by $153,948,000 from the fiscal year 1997 level to a total of $1,150,200,000.

The conferees commend the Department on the recent release of draft guidelines for the use of antiretroviral agents in treating HIV-infected individuals. These recommendations reflect the significant advances in treatment options for individuals with HIV disease that have resulted from the substantial investment in AIDS research. The conferees are concerned that policies adopted by some State AIDS Drug Assistance Programs (ADAP) are inconsistent with these new recommended standards of care. In particular, restricting access to recommended therapy options until late stage disease or until failure on suboptimal therapy, may actually predispose patients to failure once appropriate therapy is initiated. Therefore, the conferees direct the Secretary to work closely with State programs to ensure that ADAP policies within States are consistent with recognized standards of care.

The conferees are concerned about the wide variation in State ADAP's and Medicaid polices regarding eligibility, benefits, and formularies. The conferees are also concerned about the wide variation in State contributions to funding of ADAPs and urge that States receiving more than $1,000,000 under the targeted formula match no less than twenty percent of the Federal contribution. The conferees direct the program to use all means necessary to reduce the purchase price of AIDS drugs and encourage HRSA to accelerate the award of 1998 program grants to help address the increased program needs that have been identified in the current program year.

The conferees reiterate that Department of Veterans Affairs facilities are eligible to receive Ryan White Title I funding through local Title I health services planning councils. The conferees are concerned about recent attempts by agency contracting officials to deny funding for important HIV services provided at these facilities.

The conference agreement includes language proposed by the Senate allocating up to $6,000,000 of the funds provided for consolidated health centers for loan guarantees totaling $80,000,000 for the construction and renovation of community and migrant health centers and for the costs of developing managed care networks. The House bill provided that $4,600,000 could be used for loan guarantees totaling $53,300,000 only for the costs of developing managed care networks.

The conference agreement includes bill language designating $103,863,000 of the funds provided for the Maternal and Child Health block grant for special projects of regional and national significance (SPRANS). This designation provides $3,000,000 more for SPRANS activities than would otherwise be the case under the statutory formula. The House and Senate bills had similar provisions. The conferees intend that this amount be used for the continuation of the traumatic brain injury State demonstration projects supported last year under this authority. The conferees also expect the agency to allocate $500,000 of the SPRANS set-aside to continue the fluoridation program begun last year in States with fluoridation levels below 25 percent.

The conferees urge the agency to use SPRANS funding to initiate a one-year planning and development grant prior to a multi-year study examining research integration for children with special medical needs.

The conferees are concerned about children with special health care needs and the ability of their families to obtain sufficient and appropriate health care for them in the current rapidly changing health care environment. The Secretary is urged to develop ongoing mechanisms for providing information and services to these families. Such mechanisms should enhance family efforts to make well-informed decisions and obtain appropriate health care for their children.

The conferees concur with the Senate report language encouraging the use of block grant funds for screening infants for hearing loss.

The conferees believe there are sufficient amounts within the SPRANS set-aside to support a multi-State demonstration project on ocular screening services for young children.

Within the increase provided to the consolidated health centers line, the conferees expect the agency to allocate a sufficient amount of this increase to expand the Healthy Schools, Healthy Communities initiative. The conferees expect the agency to report to the Committees on the funding and status of the Healthy Schools, Healthy Communities initiative and other similar health centers no later than March, 1998.

The conferees encourage the agency to strengthen its primary care partnerships with metropolitan public housing authorities and public health care provider organizations.

The conferees encourage the agency to carefully examine existing models for 24-hour, bilingual community-based pediatric health clinics for high-risk, minority children which are linked with full-service pediatric hospitals which have formed public and private partnerships with foundations and local organizations to expand access to uninsured and Medicaid eligible children. The conferees further encourage the agency to work collaboratively with pediatric hospitals with extensive experience in administering community-based clinics to expand these models to areas designated by the Public Health Service as medically underserved and to improve existing models in urban areas which provide clinical and supportive services to adolescents at risk for STDs, HIV infection, and early pregnancy, provide access to low-cost preventive and pediatric treatment services for chronic illness and provide outcomes research, parenting education and child abuse and neglect prevention and education.

The conferees intend that the agency may use up to $3,000,000 of the funding provided for the National Health Service Corps (NHSC) for State offices of rural health.

The conferees are concerned about the lack of geriatric medicine and geriatric psychiatry participation in the NHSC scholarship and repayment programs. The conferees encourage the NHSC to address this problem by providing recruitment, retention, and loan repayment incentives to those entering training programs in geriatric medicine and geriatric psychiatry.

The conferees concur with language in the House report indicating that the Administration's budget request to transfer Hansen's disease research funding to the National Institutes of Health appropriation has not been approved.

The conferees are aware that the Department is continuing to consider final rulemaking for the Organ Procurement and Transplantation Network (OPTN), which is operated under contract by the United Network for Organ Sharing (UNOS). As expressed in the fiscal year 1997 conference report, the conferees appreciate the complex nature of establishing equitable organ allocation policies and expect UNOS and the Department to continue to take into consideration a number of important factors, including, but not limited to, regional success in increasing organ donation, the need to increase the supply of organs available for transplantation, the need to provide a fair system to allocate organs, the impact on access to transplants for low and middle income individuals, patient waiting times and

the severity of illness of patients awaiting a transplant. The conferees expect the Department to consult with and inform the Committees on Appropriations and the Congress prior to the promulgation of any OPTN or Departmental rulemaking on organ allocation policies.

The conferees intend that funds provided for rural outreach grants be allocated for the two projects identified in the Senate report, as well as for a $750,000 telemedicine communication network linking the Melvin R. Laird Center to geographically remote sites; a $1,000,000 grant to a community health center in Franklin County, MA to establish a rural school-based health center network; and $1,500,000 to establish a technology-based ambulatory outreach demonstration that will improve the coordination and dissemination of health information to rural health sites through the use of a software package that provides on-line, real-time medical records access, education, scheduling and infrastructure linkages to a health network that includes multiple hospital and primary care sites.

The conferees intend that funding provided for rural health research be allocated for the three projects identified in the Senate report.

The conference agreement includes bill language designating a total of $28,000,000 for the construction and renovation of health care and other facilities. These funds are to be used for the facilities described in the Senate report, as well as for facilities for the Pulaski County, Kentucky health department; the Clearwater Free Clinic in Florida; the Tuskegee University Bioethics Center in Alabama; the National Center for Nanofabrication and Molecular Self-Assembly at Northwestern University, Evanston, Illinois; the Greater Houston Community Health Network in Houston, Texas; the Barbara Bush Children's Hospital of the Maine Medical Center; and construction and renovation associated with transition grants for small, rural hospitals in Iowa. The Senate bill provided $10,000,000 for facility construction; the House bill did not provide funding.

The conferees concur with language contained in the House report indicating that total administrative costs for the agency as defined in the budget justification increase by no more than one percent from 1997 to 1998.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes $2,378,552,000 instead of $2,395,737,000 as proposed by the House and $2,368,113,000 as proposed by the Senate.

The conference agreement includes bill language designating $21,504,000 for Centers for Disease Control and Prevention (CDC) buildings and facilities instead of $23,007,000 as proposed by the Senate and $20,000,000 as proposed by the House.

The conference agreement includes bill language designating $59,232,000 to be available to the National Center for Health Statistics under the Public Health Service one percent evaluation set-aside instead of $48,400,000 as proposed by the House and $70,063,000 as proposed by the Senate.

The conference agreement includes bill language designating $51,000,000 for violence against women programs financed from the Violent Crime Reduction Trust Fund as proposed by the Senate instead of $45,000,000 as proposed by the House. The conference agreement includes the legal citation for the community demonstration programs as proposed by the Senate. The House bill contained the citation only for the State block grant program.

The conferees are aware that States carried over $109,000,000 in immunization infrastructure funds from 1996 to 1997 and that $60,000,000 to $65,000,000 is estimated to be carried over at the end of calendar year 1997. The conferees urge CDC to work with the States to reduce these carryover amounts so that the resources provided by Congress can be used as intended for important immunization activities.

The conferees concur in language contained in the Senate report regarding promising research on plant-delivered oral vaccines being undertaken at the Thomas Jefferson University Center for Biomedical Research. The conferees note other promising research being conducted at the Center involving the treatment and diagnosis of hepatitis B and C viruses and glycoprocessing inhibitors. The conferees encourage the Director to give consideration to supporting these important areas of research.

The conferees concur with Senate report language indicating that funds are included within the AIDS program line to maintain and strengthen hemophilia and other hematologic program activities.

The conference agreement includes $113,671,000 for the sexually transmitted diseases program, a $7,468,000 increase over fiscal year 1997, to provide increases for both the chlamydia prevention program and the syphilis in the South initiative.

The conference agreement includes $34,097,000 over the Administration request for the following chronic and environmental disease prevention program priorities: pfiesteria; the diabetes prevention and control priorities mentioned in the House and Senate reports; cancer registries; birth defects; cardiovascular disease; limb loss; the health effects of radioactive fallout; the health effects of inadequate provision of safe drinking water in remote arctic communities; oral health activities; and prevention of iron overload diseases. The conferees urge CDC to give consideration to integrating multiple cancer registries within a single State. The conference agreement supports increases above the 1997 level for tobacco control programs.

The conferees are aware of current conditions in eastern seaboard waterways that have triggered the microorganism pfiesteria or pfiesteria-like organisms to convert into at least 24 different forms, some of which are toxic. Several of these forms have led to fish kills of over a billion in North Carolina and in the tens of thousands in Maryland. The human effects may include skin lesions, respiratory problems, memory loss, and immune system suppression. The CDC is in a unique position to lead the public health response to the emerging threat of human exposure to this newly identified estuarine toxin. The conferees have provided an increase within the chronic and environmental disease program to support the development of a multi-State plan to address the public health impact of pfiesteria and pfiesteria-like conditions in the seven most impacted States, presently Maryland, Delaware, Virginia, North Carolina, South Carolina, Georgia, and Florida. The conferees expect that the funding will be used to develop and implement a multi-State disease surveillance system that will identify and monitor health effects in people who may have been exposed to estuarine waters likely to contain pfiesteria or pfiesteria-like organisms, to initiate case-control studies when new incidents of illness purported to be due to exposure to the toxin are identified, and to develop a biological test of human exposure so that when the structure of this toxin is identified, a rapid response can be assembled between the CDC and State health departments. In distributing these funds, the conferees expect the CDC to give priority to those State health departments which have documented human health cases related to pfiesteria or pfiesteria-like conditions.

The conferees concur with the House report language regarding the need for a comprehensive cardiovascular program, with particular emphasis on risk factors and the promotion of healthy behaviors. The conferees are aware of the capabilities of a number of foundations in the areas of ischemic injury and preventive measures to reduce cardiovascular disease, and encourage CDC to include these groups in the development of its cardiovascular program.

The conferees support the recent effort by CDC to develop a national plan for addressing the large and growing public health problem of arthritis. The conferees encourage CDC to continue to expand the arthritis knowledge base necessary to better identify an appropriate public health response for the nation's leading cause of disability.

The conference agreement provides increases above the 1997 level within the infectious disease program for Lyme disease, food safety, and emerging and reemerging infectious diseases. The conferees expect the 1997 funding level for the H. pylori public education program to be maintained in 1998 to complete the project.

The conferees encouraged the CDC as part of the food safety initiative outlined in the budget request to consider supporting applied research to improve the reliability and effectiveness of electronic pasteurization to reduce food borne diseases. The conferees are particularly concerned about recent reports of *E. coli* and encourage the CDC to enhance its focus on improving public health strategies to better educate the public and improve the prevention of foodborne diseases such as *E. coli*.

The conferees concur with the Senate report language concerning the need to recognize thalassemia patients in the implementation of improved blood safety plans.

The conference agreement provides increases above the 1997 level for the following activities within the injury control program: fire injury prevention; community-based strategies against youth violence and suicide; domestic violence prevention; traumatic brain injury; suicide prevention among the elderly; and prevention of accidental injury among older Americans.

The conference agreement provides increases above the 1997 level for occupational safety and health for the following activities: intramural research at the Morgantown, West Virginia facility; the fire fighter safety initiative; and the national occupational research agenda.

The conferees are pleased with the progress made in the national health nutrition examination survey (NHANES). Within the funds made available to the National Center for Health Statistics, sufficient funds are included to fully fund this important survey at the requested level.

The conferees encourage the CDC to develop a plan of action to ascertain whether children of mothers exposed to environmental contaminants may be experiencing adverse health effects, including childhood cancers, birth defects, and neurobehavioral disorders. The conferees encourage the CDC

to build upon relevant ongoing studies when formulating this plan of action.

The conferees concur with House report language indicating that CDC administrative costs as defined in the budget justification should not increase by more than one percent from 1997 to 1998.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

The conference agreement includes $2,547,314,000 instead of $2,513,020,000 as proposed by the House and $2,558,377,000 as proposed by the Senate.

The conferees are aware of the extraordinary research opportunities that exist in cancer genetics, preclinical models of cancer, detection technologies, developmental diagnostics and investigator-initiated research. Millions of Americans are alive today as a result of progress in cancer research. These advances have allowed Congress to address the critical role of early detection for breast and cervical cancer, colorectal cancer and prostate cancer in Medicare. While working within difficult budget constraints, the conferees have sought to respond to the cancer research challenge. Twenty-five years have passed since the passage of the National Cancer Act, and it is now time to take full advantage of the unparalleled scientific opportunities in cancer prevention, detection, and treatment.

The conferees are aware of the unique research resources available within the network of bone marrow transplantation centers that are associated with the National Bone Marrow Donor Registry. Advances in medical technology provide new opportunities to utilize these resources to clinically evaluate innovative therapies that have the potential to decrease the toxicity and side effects experienced by bone marrow donor recipients. Accordingly the conferees request the Institute to provide a report to the Committee prior to the consideration of next's year's request on a proposal to collaborate with the National Bone Marrow Donor Program and its network of transplant centers for this purpose.

The conferees encourage the Institute to participate in the hepatitis C research initiative recommended by the March 1997 consensus conference.

NATIONAL HEART, LUNG AND BLOOD INSTITUTE

The conference agreement includes $1,531.061,000 instead of $1,513,004,000 as proposed by the House and $1,539,989,000 as proposed by the Senate.

The conferees concur with the Senate report language concerning the possible development of a network of collaborative clinical centers to study the effectiveness of new clinical interventions for Cooley's anemia.

The conferees encourage the Institute to participate in the hepatitis C research initiative recommended by the March 1997 consensus conference.

NATIONAL INSTITUTE OF DENTAL RESEARCH

The conference agreement includes $209,415,000 instead of $209,403,000 as proposed by the House and $211,611,000 as proposed by the Senate.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

The conference agreement includes $873,860,000 instead of $874,337,000 as proposed by the House and $883,321,000 as proposed by the Senate.

The conferees concur with the Senate report language concerning the need for iron measurement and chelation research related to Cooley's anemia.

The conferees are concerned about treatments for the consequences of *E. coli* infections and request that the Institute prepare and submit a report by January 15, 1998 outlining the present scientific consensus on medical treatments for *E. coli* and other foodborne infections and setting forth additional research that should be pursued in this area.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

The conference agreement includes $780,713,000 instead of $763,325,000 as proposed by the House and $781,351,000 as proposed by the Senate.

The conferees understand from NIH that sufficient funds are available within the amounts provided for the Institute to expand research on Parkinson's disease.

Approximately 2,500,000 people suffer from epilepsy, a chronic brain disorder characterized by spontaneous, recurrent seizures which, in a substantial number of cases, cannot be controlled. The conferees encourage the Institute to enhance its research in the field of epilepsy to take advantage of new scientific opportunities in genetics, brain imaging and surgery, and clinical trials.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

The conference agreement includes $1,351,655,000 instead of $1,339,459,000 as proposed by the House and $1,359,688,000 as proposed by the Senate.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The conference agreement includes $1,065,947,000 instead of $1,047,963,000 as proposed by the House and $1,058,969,000 as proposed by the Senate.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The conference agreement includes $674,766,000 instead of $666,682,000 as proposed by the House and $676,870,000 as proposed by the Senate.

The conferees concur with the Senate report language indicating that the Director of the Institute should be take the lead in convening the national panel to assess the status of research-based knowledge on the effectiveness of various approaches of teaching children to read.

The conferees encourage the Institute to support research in the area of brain development, mechanisms that underlie learning and memory, the acquisition and storage of information in the nervous system, and the neural processes underlying emotional memories as they relate to intellectual development and cognitive growth.

The conferees encourage the Institute to carry out research on the prevalence, causes and treatment of vulvodynia.

NATIONAL EYE INSTITUTE

The conference agreement includes $355,691,000 instead of $354,032,000 as proposed by the House and $357,695,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement includes $330,108,000 instead of $328,583,000 as proposed by the House and $331,969,000 as proposed by the Senate.

The conferees encourage the Institute to conduct research into the physiologic and pathologic effects of exposure to the pfiesteria organism.

The conferees concur in the language in the House and Senate reports regarding the Institute's involvement in World Expo '98.

NATIONAL INSTITUTE ON AGING

The conference agreement includes $519,279,000 instead of $509,811,000 as proposed by the House and $520,705,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

The conference agreement includes $274,760,000 instead of $269,807,000 as proposed by the House and $272,631,000 as proposed by the Senate.

The conferees understand that the Institute has recently reduced the number of Specialized Centers of Research (SCORs) in Osteoporosis from three to one and that these centers play an important role in the translation of research findings to patient care. The conferees urge the Institute to review the impact this decision may have on osteoporosis research specifically and on the rapid transfer of research to treatment and to consider taking steps that ensure adequate support of translational research, including the restoration of funding for the full SCOR program. In addition, the conferees understand that important strides have been made with the establishment of an osteoporosis and related bone disease national clearinghouse center. The conferees encourage the Institute to continue this initiative and to give consideration to strengthening its support for the center's activities in order to allow broader information services.

NATIONAL INSTITUTE OF DEAFNESS AND OTHER COMMUNICATION DISORDERS

The conference agreement includes $200,695,000 instead of $198,373,000 as proposed by the House and $200,428,000 as proposed by the Senate.

NATIONAL INSTITUTE ON NURSING RESEARCH

The conference agreement includes $63,597,000 instead of $62,451,000 as proposed by the House and $64,016,000 as proposed by the Senate.

NATIONAL INSTITUTE OF ALCOHOL ABUSE AND ALCOHOLISM

The conference agreement includes $227,175,000 instead of $226,205,000 as proposed by the House and $228,585,000 as proposed by the Senate.

NATIONAL INSTITUTE ON DRUG ABUSE

The conference agreement includes $527,175,000 instead of $525,641,000 as proposed by the House and $531,751,000 as proposed by the Senate.

The conferees encourage the Institute to participate in the hepatitis C research initiative recommended by the March 1997 consensus conference.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conference agreement includes $750,241,000 instead of $744,235,000 as proposed by the House and $753,334,000 as proposed by the Senate.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

The conference agreement includes $217,704,000 instead of $211,772,000 as proposed by the House and $218,851,000 as proposed by the Senate.

NATIONAL CENTER FOR RESEARCH RESOURCES

The conference agreement includes $453,883,000 instead of $436,961,000 as proposed by the House and $455,805,000 as proposed by the Senate.

The conferees are aware of concerns regarding shortages in the available supply of human cell cultures used in disease and drug therapy research in Federal and private sector laboratories. The conferees understand

that the Coriell Institute for Medical Research is in the process of expanding its cell culture storage capacity and urge the Center to give full and fair consideration to an application from the Institute.

JOHN E. FOGARTY INTERNATIONAL CENTER

The conference agreement includes $28,289,000 instead of $27,620,000 as proposed by the House and $28,468,000 as proposed by the Senate.

NATIONAL LIBRARY OF MEDICINE

The conference agreement includes $161,185,000 instead of $161,171,000 as proposed by the House and $162,825,000 as proposed by the Senate.

The conferees understand from the NIH that they intend to provide a $7,000,000 increase for high performance computing and communications within the total provided for the Library.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $296,373,000 instead of $298,339,000 as proposed by the House and $292,196,000 as proposed by the Senate.

The conference agreement includes a designation in bill language of $40,536,000 for the operations of the Office of AIDS Research. The Senate bill designated $40,266,000 for the Office; the House bill had no similar provision. The conferees understand that within the total funding for NIH provided in the conference agreement, NIH would intend to spend $1,595,453,000 on AIDS research. The conferees understand that this total may be modified depending on changing scientific opportunities and the recommendations of various advisory bodies.

The conference agreement includes a designation in bill language of $20,000,000 for the Office of Alternative Medicine. The Senate bill designated $13,000,000 for this activity. The House bill contained no similar provision. The conference agreement also includes language not included in either the House or Senate bill providing that not less than $7,000,000 of the $20,000,000 made available for the Office of Alternative Medicine shall be for peer reviewed complementary and alternative medicine research grants and contracts that respond to program announcements and requests for proposals issued by the Office. The conferees encourage the Office to use these mechanisms to solicit and support high quality clinical trials that will validate promising alternative and complementary medicine therapies. The conferees understand that the Office has existing authority to issue program announcements and requests for proposals.

The conference agreement includes bill language permitting the National Foundation for Biomedical Research to transfer funds to the National Institutes of Health. The House and Senate bills had no similar provision.

The conferees understand from the NIH that within the total funding provided for the various Institutes, centers and divisions the NIH estimates it will support $38,500,000 in funding for the pediatric research initiative. These funds are made available directly to the Institutes through the NIH Areas of Special Emphasis, which target those areas of research opportunity most likely to yield greater returns on the Federal investment in biomedical research. The conferees expect the Director to provide overall leadership for and coordination of these research activities.

The conferees understand from the NIH that within the total funding provided for the various Institutes, centers and divisions the NIH estimates it will support $22,000,000 in funding for the neurodegenerative disease initiative. These funds are allocated directly to the Institutes through the NIH Areas of Special Emphasis. The Director will provide overall leadership for and coordination of these research activities. The conferees note that the research focused on the biology of brain disorders in highlighted in the NIH Areas of Special emphasis to denote areas of high priority research that will yield a greater return on the Federal investment in biomedical research. The conferees believe that in addition to brain disorders, research in neurodegenerative disorders should receive special attention. The recent discovery of a genetic abnormality that causes some cases of Parkinson's disease demonstrates the promise of intensified research on neurodegenerative disorders.

The conferees are concerned about treatments for the consequences of E. coli and other foodborne infections and request the Director to consider using available funds for high priority research in this area.

The conferees are concerned by the delays in initiating the study on the status and funding of research on cancer among minorities and the medically underserved. The conferees expect all components of the NIH to give higher priority and full cooperation to this study as well as timely access to requested data to enable the Institute of Medicine to complete the study in an expeditious fashion. The conferees continue to place high priority on this effort and request that the Director be prepared to report on the study's progress during the hearings on the fiscal year 1999 budget request.

The conferees believe that minority programs at NIH should be supported at a level commensurate with the increases provided for NIH as a whole.

The conferees concur with House report language regarding the definition of administrative costs and the limitation of fiscal year 1998 administrative costs to no more than one percent above the fiscal year 1997 level.

BUILDINGS AND FACILITIES

The conference agreement includes $206,957,000 instead of $223,100,000 as proposed by the House and $203,500,000 as proposed by the Senate.

The conference agreement includes language not contained in either the House or Senate bills extending the proviso allowing a contract for the full scope of the NIH clinical research center to the construction of the vaccine research facility on campus.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

The conference agreement provides a program level of $2,196,743,000 instead of $2,201,943,000 as proposed by the House and $2,176,643,000 as proposed by the Senate. These figures include $50,000,000 in permanent appropriations for fiscal year 1998 provided in P.L. 104-121.

The conference agreement includes a provision proposed by the Senate designating $10 million for grants to rural and Native American projects. The House bill contained no similar provision.

The conference agreement includes a provision proposed by the Senate which requires that each State receive the same allotments under the mental health and substance abuse block grant programs in fiscal year 1998 as it did in fiscal year 1997. The conferees do not intend to consider future increases for the substance abuse or mental health block grants until the authorizing committees of jurisdiction, SAMHSA, and the substance abuse and mental health services communities have implemented a consensus policy regarding block grant formulas whether through legislation or existing administrative authority.

The conference agreement provides $28,000,000 for the data initiative requested by the Administration. Of this amount, $18,000,000 is provided through new appropriations, and $10,000,000 is available through the 5 percent set-aside within the substance abuse block grant for administrative activities. The conferees understand that the annual out-year costs of this proposal may exceed the $28,000,000 currently proposed and intend that all future funding for the initiative will be provided through the 5 percent administrative set-aside within the substance abuse block grant.

The conferees provide funding for this new initiative with the understanding that it must be used by the agency to improve the provision of treatment and prevention services in States with high incidence of substance abuse. Accordingly, the conferees direct SAMHSA to report to the Appropriations Committees no later than January 15, 1998 regarding its plans to require changes in service delivery to improve treatment and prevention services in such States through the State Improvement Grant and substance abuse block grant application processes. In addition, the conferees direct that the results of the data initiative be distributed to each State and that all States shall analyze their relative performance in preventing substance abuse as a component of the substance abuse block grant application. The conferees direct SAMHSA to require States with rates of substance abuse above the median for all States to provide a plan to improve their performance in preventing substance abuse as part of the block grant application.

The conferees intend that SAMHSA comply fully with the House report directive regarding monitoring of youth access to tobacco and enforcement of the Synar amendment.

The conferees concur with the Senate report directive regarding allocation of funds set aside for rural and Native American grants.

The conferees have included funds to continue and expand the supplemental demonstration and evaluation of enhanced children's services as part of the Residential Women and Children and Pregnant and Postpartum Women programs.

The conferees intend that SAMHSA comply with the Senate report directive regarding the State Incentive Grant program.

The conferees direct SAMHSA to comply with House report instructions regarding St. Elizabeth's Hospital.

The conferees have included sufficient funds for planning, implementation, and evaluation of a model initiative in San Francisco for comprehensive and community-based treatment on demand and substance abuse prevention, which has significant implications for other urban areas.

The conference agreement includes funding for the budget request to expand the Marijuana Treatment Initiative for Adolescents.

The conferees are aware of a successful public service crime prevention advertising campaign sponsored by the National Crime Prevention Council and encourage SAMHSA to give full consideration to this organization's experience during implementation of

the agency's public service advertising campaign regarding youth substance abuse.

The conferees concur that SAMHSA should give priority consideration to successful community schools grantees that have been effective in providing substance abuse prevention services to at-risk youth. The agency shall provide the Committees with ninety days notice prior to terminating any Community Schools grantee funded in fiscal year 1997.

The conferees intend that SAMHSA comply with the Senate report directive regarding the submission of operational and allocation plans for fiscal year 1998.

The conference report provides $6,000,000 for high risk youth grants instead of $10,000,000 proposed by the Senate. The House bill contained no similar provision.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

The conference agreement includes $90,229,000 instead of $101,588,000 as proposed by the House and $77,587,000 as proposed by the Senate.

The conference agreement designates $56,206,000 to be available to the Agency for Health Care Policy and Research under the Public Health Service one percent evaluation set-aside instead of $47,412,000 as proposed by the House and $65,000,000 as proposed by the Senate.

The conferees concur with language in the House report indicating that the agency's administrative costs as defined in the budget justification should not increase by more than one percent from 1997 to 1998.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

The conference agreement provides $71,602,429,000 for current year funding as proposed by the Senate instead of $71,530,429,000 as proposed by the House. This funding level reflects the current law estimate of the cost of the Medicaid program.

PAYMENTS TO THE HEALTH CARE TRUST FUNDS

The conference agreement provides $60,904,000,000 instead of $63,581,000,000 as proposed by both the House and the Senate. This funding level reflects the most recent estimates of the cost of this entitlement program.

PROGRAM MANAGEMENT

The conference agreement makes available $1,743,066,000 instead of $1,679,435,000 as proposed by the House and $1,719,241,000 as proposed by the Senate. An additional appropriation of $500,000,000 has been provided for this activity in the Health Insurance Portability and Accountability Act of 1996.

The conference agreement includes bill language proposed by the Senate making available to the Health Care Financing Administration (HCFA) administrative fees collected related to Medicare overpayment recovery activities. The House bill had no similar provision.

The conference agreement includes with slight modification bill language proposed by the Senate identifying $900,000 of the funds provided for the costs of the National Bipartisan Commission on the Future of Medicare. The language also directs the Commission to examine the impact health research has on Medicare costs as well as the potential for coordinating Medicare with cost-effective long-term care services. The House bill had no similar provision.

The conference agreement includes bill language identifying $40,000,000 for the transition to a single Part A and Part B processing system and makes that funding available until expended. The Senate bill contained similar language providing $54,100,000 for the Medicare Transaction System. The House bill did not provide funding for this activity. The conferees expect HCFA to refrain from obligating any additional funding for the Medicare Transaction System aside from the $40,000,000 and contract closeout activities until they have notified the Committees on Appropriations of their plan to redesign the system.

The conference agreement adds language not contained in either the House or Senate bill establishing the authority for HCFA to collect $95,000,000 in user fees for the costs of beneficiary enrollment and dissemination of information for the managed care activities now permitted under the Medicare program. This provision fulfills the intent of the Balanced Budget Act of 1997. The conferees understand that there are several activities specified in the statute and believe that HCFA's first priority for these funds should be to publish a comparative booklet to be mailed to beneficiaries describing Medicare+Choice options and comparing these options to fee-for-service Medicare and Medigap policies. The agency should determine whether it is more cost-effective to mail the booklet to each individual Medicare beneficiary or to identify shard dwellings and mail one to each household. The conferees believe that HCFA's second priority should be to contract for a toll-free number and to implement and maintain an internet site for inquiries regarding Medicare+Choice options. As a third priority, the conferees encourage the agency to operate Medicare+Choice health information fairs and to fund the future dissemination of information regarding Medicare+Choice options through local beneficiary information centers and other forms of public relations.

While the agreement provides authority to collect $95,000,000 in user fees for the Medicare+Choice Program, the conferees direct the Secretary to utilize these resources on a pro-rata basis, with the understanding that the amount may be reduced after the Appropriations Committees have the opportunity to conduct hearings to review the need for resources to implement this program.

The conference agreement does not include language contained in the Senate bill earmarking $2,000,000 of research funding for demonstration projects of Medicaid coverage of community-based attendant care services for people with disabilities which ensures maximum control by consumers to select and manage their attendant care services. The conferees are agreed, however, that $2,000,000 is included for this purpose within funds provided.

The conference agreement does not include language contained in the Senate bill directing that $50,000,000 of 1997 appropriated funds be obligated in 1997 to increase Medicare provider audits and to implement the corrective action plan to the HCFA Chief Financial Officer's audit. The House bill contained no similar provision. The Senate language could not be implemented because 1997 funds had been obligated by the time of the 1998 conference agreement. The conferees have instead included bill language allowing HCFA to use Program Management funds to increase Medicare provider audits and to implement the Department's corrective action plan to the Chief Financial Officer's audit.

The conferees are concerned about the findings of the 1996 Chief Financial Officer's audit, most specifically the reported payment error rate. In response to this concern, it is the conferees' understanding that HCFA will reallocate funds within the Peer Review Organization funding for medical and utilization review activities. Peer review organizations determine whether medical services and items provided under the Medicare program are reasonable and medically necessary and meet professionally-recognized standards of care.

The conferees concur in the language contained in the Senate report relating to continuing the telemedicine pilot sites.

The conferees strongly urge HCFA to extend the chronic ventilator-dependent unit demonstration projects that are currently operating and which have consistently produced superior clinical outcomes according to independent evaluation.

The conferees concur with Senate report language indicating that sufficient funds are included to demonstrate and evaluate model programs developed by nonprofit community and family services organizations which help vulnerable populations understand how to use managed care.

The conference agreement includes $1,000,000 within research to conduct a demonstration of residential treatment facilities at the AIDS Healthcare Foundation in Los Angeles.

The conferees concur with House report language indicating that funds have been included above the Administration's request for research and demonstrations to support the costs of studies and demonstration projects that are mandated in the Balanced Budget Act of 1997.

The conferees recognize that the forthcoming study by the Secretary of Health and Human Services regarding coverage of medical nutrition therapy by registered dietitians in the part B portion of Medicare needs to be comprehensive in documenting the value of this service for all applicable diseases or medical conditions. Separate cost estimates should be prepared for conditions for which the Secretary expects significant utilization of such services, and these costs should be prepared separately for therapy in individual as well as group settings. The conferees recommended that the Secretary take care not to exclude medical conditions such as malnutrition and obesity from the study, recognizing that obesity is the second leading preventable cause of death in the United States.

The conferees note that coronary artery disease is a leading cause of morbidity and mortality among the Medicare population and urges the agency to initiate cost-effectiveness evaluations of advanced noninvasive imaging technologies, such as coronary artery scanning by ultrafast computerized tomography, and their potential impact on lowering Medicare expenditures.

The conferees encourage HCFA to provide grants to those rural health hospitals or equivalent consortia which to date have received only first or second year grants under the rural health transition grant program.

The conferees concur with Senate report language indicating that the agreement includes $824,200,000 for Medicare contractors in 1998 as requested by the Administration. Any modification of this funding level is subject to normal reprogramming procedures.

The conferees encourage HCFA to utilize commercially available software to detect and stop Medicare billing abuse.

The conferees encourage HCFA to issue a directive to Medicare contractors regarding the extension of claims considered timely filed stating that Medicare will consider

claims timely filed if received within one year from the date of the contractor's response to the request for status change to Medicare as primary payer or completion of enrollment in Part B by the Social Security Administration.

The conferees are concerned that HCFA's new Medicare payment policy for erythropoietin may negatively impact the quality of care received by patients with end-stage renal disease (ESRD), and may increase overall health care costs. The conferees urge the Secretary to carefully expedite review of the policy to ensure continued quality care for ESRD patients.

The conference agreement includes increases in Federal administration for the costs of converting computer systems to accommodate the millennium date change and the administrative burdens associated with the new agency activities mandated by the Balanced Budget Act of 1997.

ADMINISTRATION FOR CHILDREN AND FAMILIES

FAMILY SUPPORT PAYMENTS TO STATES

The conference agreement includes a provision as proposed by the Senate and not included in the House bill to correct an error in the allocation of certain child care funds in fiscal year 1997.

LOW INCOME HOME ENERGY ASSISTANCE

The conference agreement includes $1,100,000,000 in advance funding for the Low Income Home Energy Assistance Program (LIHEAP) for fiscal year 1999 instead of $1,000,000,000 as proposed by the House and $1,200,000,000 as proposed by the Senate. The conferees agree that up to 27,500,000 may be used for the leveraging incentive program.

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement provides $415,000,000 for Refugee and Entrant Assistance programs as proposed by the House instead of $392,332,000 as proposed by the Senate. The conferees intend that ORR comply with the directives in the House report regarding communities with large concentrations of refugees whose cultural differences make assimilation especially difficult, refugees and communities impacted by recent changes in Federal assistance programs relating to welfare reform, and Cuban and Haitian entrants and refugees. The conferees intend that ORR comply with the directive in the Senate report regarding the Voluntary Agency Grant program.

CHILD CARE AND DEVELOPMENT BLOCK GRANT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $65,672,000 as a supplement to the fiscal year 1998 appropriation that was enacted last year, instead of $26,120,000 as proposed by the Senate and no additional funding as proposed by the House. In addition, the agreement appropriates $1,000,000,000 as an advance appropriation for fiscal year 1999 as proposed in both the House and Senate bills. The agreement further provides that of the $19,120,000 that became available on October 1, 1997 for child care resource and referral and school-aged child care activities, $3,000,000 shall be derived by transfer from funds appropriated in the welfare reform act, instead of $6,120,000 as proposed by the Senate. The House had no similar transfer provision. Lastly, the conferees are concerned about the inadequate supply of quality child care for infants. Therefore, the agreement includes language that was not in either bill that requires the States to utilize $50,000,000 above the amount required by the basic law for activities that improve the quality of child care. These new funds should supplement, not supplant, current and planned activities to increase the supply of quality child care for infants and toddlers.

The basic law requires that not less than four percent of the appropriation be used for such activities.

SOCIAL SERVICES BLOCK GRANT

The conference agreement includes $2,299,000,000 for the Social Services Block Grant program instead of $2,245,000,000 provided in the House and Senate bills. The conference agreement also includes a provision setting the amount specified for allocation under section 2003(c) of the Social Security Act at $2,299,000,000 instead of $2,245,000,000 as proposed by the Senate. The House bill included no similar provision. The conferees intended that ACF comply with the reporting directive in the House report.

CHILDREN AND FAMILIES SERVICES PROGRAMS

(INCLUDING RESCISSIONS)

The conference agreement appropriates $5,682,916,000, instead of $5,598,052,000 as proposed by the House and $5,611,094,000 as proposed by the Senate. In addition, the agreement rescinds $21,000,000 from permanent appropriations as proposed by the House and Senate.

The agreement includes a parenthetical legal citation to section 105(a)(2) of the Child Abuse Prevention and Treatment Act as proposed by the Senate. The conferees agree that within the amount provided for child abuse discretionary activities, $1,000,000 is available for carrying out activities authorized by that section.

The agreement includes an earmark of $279,250,000 for the Early Head Start program for children under the age of three, instead of Senate bill language that would have required that 10 percent of any additional Head Start funds over the fiscal year 1997 amount be used for this purpose. The House bill had no separate provision.

The agreement appropriates $93,000,000 from the Violent Crime Reduction Trust Fund as proposed by the Senate instead of $99,000,000 as proposed by the House.

The conferees concur in the Senate Report language concerning the job creation demonstration authorized under section 505 of the Family Support Act of 1988 and the language concerning the Alaska Federation of Natives, the donations of surplus property and the prekindergarten initiative for start-up costs and renovation. The conferees support continuing efforts to address the needs of families in public housing, such as American Samoans, who are in danger of becoming homeless.

The conferees strongly recommend that the Department provide sufficient resources to allow for implementation and oversight of the tribal Temporary Assistance for Needy Families (TANF) and Native Employment Works (NEW) programs.

Within the amount provided for Runaway and Homeless Youth, the conference agreement includes the fiscal year 1997 funding level for Center County Youth Services of State College and Three Rivers Youth of Pittsburgh.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement appropriates $865,050,000, instead of $815,270,000 as proposed by the House and $894,074,000 as proposed by the Senate. The agreement includes statutory earmarks of $4,449,000 for the State ombudsman program and $4,732,000 for prevention of elder abuse proposed by the Senate; the House bill included no earmarks. The agreement includes a legislative provision as proposed by the Senate that requires the Assistant Secretary for Aging when considering grant applications for nutrition services for elder Indian recipients to provide maximum flexibility to applicants who seek to take into account certain factors that are appropriate to the unique cultural, regional and geographic needs of the American Indian, Alaskan and Hawaiian native communities to be served. The House had no similar provision.

The conferees concur in Senate Report language concerning aging research and training activities; however, the conference agreement includes $2,000,000 for social research into Alzheimer's disease, as described in the Senate Report.

The conferees expect the Administration on Aging to ensure that States that have previously received or are currently grant funding for senior legal hotlines are not disqualified from competing for future grant funding.

The conferees recognize the Council of Senior Centers and Services of New York City, Inc. for its grassroots model program to detect and report inaccurate Medicare billings and strongly urge the Department to continue to work with CSCS on this effort.

In view of the regional office consideration, the conferees expect the Administration on Aging to ensure that States will experience no decline in policy and procedural direction or technical assistance and support so that the needs of the elderly continue to be met in a timely and comprehensive fashion.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement appropriates $177,482,000, instead of $165,487,000 as proposed by the House and $180,439,000 as proposed by the Senate. The agreement includes a legal citation proposed by the Senate for the United States-Mexico Border Health Commission but does not include a legal citation proposed by the Senate for research studies under section 1110 of the Social Security Act.

The conferees concur with the Senate Report language concerning the human services transportation technical assistance program.

The conference agreement contains an increase of $3,712,000 over the President's budget request for traditional departmental management activities. These funds are not intended to be used for any other activity. Should the Secretary decide to use any part of these funds for a different purpose, she must first submit a reprogramming request to the Appropriations Committees.

The conference agreement includes $800,000 to conduct research into the possible links between chemical and biological exposures and the illnesses suffered by tens of thousands of Persians Gulf War veterans. The conferees concur in the House Report language with respect to the conduct of this research.

The conference agreement includes $800,000 to support the activities of the United States-Mexico Border Health Commission as authorized by Public Law 103-400. The Commission will assist in assessing and resolving current and potential health problems that affect the general population of the United States-Mexico border area. The conferees understand that the Secretary may utilize funds provided to the agencies of the Public Health Service to support the activities of the Commission. The conferees strongly urge the Commission to focus upon the identification, evaluation, and potential resolution of current and possible health problems affecting the population of the area. The conferees

expect the Department to expend funds appropriated for this purpose for needed health assessments, research and studies conducted along and across the United States-Mexico border. The Commission should use a multidisciplinary approach in identifying and assessing health problems in the area so that a variety of viewpoints, including those from the scientific, social, consumer and patient communities, may be included. The conferees emphasize the importance of cultural sensitivity in the conduct of the Commission's activities.

The conference agreement includes $500,000 for the costs of the National Health Museum Commission. This commission is authorized in title VII of this Act.

The conference agreement includes $1,500,000 in the Office of Minority Health for an extramural construction grant for the University of Arkansas at Pine Bluff, an historically black institution, for the purpose of upgrading health-related facilities and equipment. In addition, funds are included in the Office of Minority Health for the Cook County/Rush Health Center (CORE Center) in Chicago and the north Philadelphia Cancer Awareness and Prevention Program. The funds for the CORE Center will be used for the implementation of an information technology infrastructure. The conferees instruct the Department to maintain the current level of support for Meharry Medical College to continue a cooperative agreement to support the development of an integrated health delivery system in a historically underserved community. The conferees expect the Office of Minority Health to provide no more than $1,000,000 of the total amount provided by the Department to Meharry.

The conferees intend that the minority male initiative described in the House Report be funded as a cooperative agreement and not as a consortium.

The conferees are aware of the work being carried out by the President's Advisory Commission on Consumer Protection and Quality. The conferees are concerned that the various proposals developed by the Commission may not include sufficient analysis of the potential impact of each proposal. Consequently, the conferees strongly urge the Commission to include in its report a thorough cost analysis of the Commission's recommendations.

The conferees concur with the Senate Report language concerning the need for a national public education campaign on osteoporosis.

The conferees encourage the Secretary to consider a transagency initiative that might incorporate promising telecommunications and computing technologies into a national health information infrastructure serving not only providers, payors, researchers and policymakers, but also patients, consumers and caregivers.

The conferees request that the following information regarding the Commissioned Corps of the U.S. Public Health Service be provided to the Committee on Appropriations in the Congressional budget justification on an annual basis: aggregate staffing levels by grade, rank and agency of assignment; the number of officers on detail outside the Department by their agency of assignment, including those detailed to international organizations; and total salaries paid to corps officers, including special or incentive pays.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement appropriates $31,921,000 as proposed by the Senate instead of $30,921,000 as proposed by the House.

POLICY RESEARCH

The conference agreement appropriates $14,000,000 as proposed by the House instead of $9,500,000 as proposed by the Senate.

The conference agreement includes $5,000,000 for a study on the outcomes of welfare reform. The conferees recommend that this study involve state-specific surveys and data sets, survey data on the impacts of state waiver programs, and administrative data such as Food Stamp, Social Security and Internal Revenue Service records. The study should measure outcomes in both low and high economic growth areas of the country. The conferees strongly urge the Department to submit its research plan to the National Academy of Sciences to provide guidance on research design and recommend further research. The conferees further expect an interim report to be submitted to the Appropriations Committees within six months.

In addition, the agreement includes $500,000 for carrying out the HELP DESK initiative described in the Senate Report.

GENERAL PROVISIONS

TRANSFER OF HANSEN'S DISEASE FACILITY

The conference agreement includes a provision in the House bill transferring the Gillis W. Long Hansen's disease facility in Carville, Louisiana to the State of Louisiana. The Senate bill had no similar provision.

PARENTAL PARTICIPATION IN FAMILY PLANNING SERVICES

The conference agreement includes a provision in the House bill prohibiting the funding of family planning grantees unless the grantee certifies that it encourages family participation in the decision of a minor to seek family planning services and that it provides counseling to minors on resisting attempts to coerce them into engaging in sexual activities. The Senate bill had no similar provision.

INSTITUTE OF MEDICINE STUDY OF NIH PRIORITY SETTING

The conference agreement includes in modified form language contained in the Senate bill directing the Secretary of Health and Human Services to contract with the Institute of Medicine to conduct a comprehensive study of the policies and processes used by the National Institutes of Health to determine funding allocations for biomedical research. The conference agreement drops the $300,000 earmark for the study contained in the Senate language. The House bill contained no similar provision.

PARKINSON'S DISEASE RESEARCH REAUTHORIZATION ACT

The conference agreement includes in modified form (section 603) language contained in the Senate bill authorizing funding for Parkinson's disease research at the National Institutes of Health (NIH). The agreement drops Senate language directing NIH to support particular research mechanisms and authorizes up to $100,000,000 in fiscal year 1998 and such sums thereafter for these research activities. The House bill contained no similar provision. The conferees acknowledge the importance of Parkinson's disease research, but are concerned that inclusion of this language may set an unfortunate precedent for using the appropriations bill as a vehicle whenever the authorizing committees fail to act.

While currently there is no cure for Parkinson's disease, the conferees are encouraged by recent scientific advances. Scientists have for the first time identified a gene abnormality that causes some cases of Parkinson's disease and which suggests an important new link between Parkinson's and Alzheimer's. This may ultimately help prevent or delay the cell death that is responsible for degenerative brain disease. Due to these promising research discoveries and the threat of more individuals being diagnosed with Parkinson's disease in future years, the conferees urge NIH to place stronger emphasis on research in this area.

FETAL ALCOHOL SYNDROME AUTHORIZATION

The conference agreement does not include a provision in the Senate bill authorizing a program of research, public awareness, and education to help prevent fetal alcohol syndrome. The House bill contained no similar provision. This matter is one that is more appropriately considered by the authorizing committees; those committees have objected to the inclusion of the provision in the conference agreement.

REFUGEE PROGRAM EXTENSION

The conference agreement includes a provision (section 604) proposed by the Senate extending the authorization for the Refugee and Entrant Assistance programs for two years, through fiscal year 1999. The House bill contained no similar provision.

PERCHLORATE STUDY

The conferees have deleted without prejudice a provision in the Senate bill requiring the Secretary of Health and Human Services to conduct a study of the health effects of perchlorate on humans and to report the findings within nine months after enactment of the appropriations bill. The House bill contained no similar provision. The conferees believe that this is an important health issue and urge the Department to conduct such a study.

PEBES EMPLOYER STUDY

The conference agreement includes a provision (section 605) proposed by the Senate to require the Social Security Administration to provide information regarding employer contributions on all Personal Earnings and Benefit Estimates Statements (PEBESs). The conferees note that the SSA is currently redesigning the PEBES and direct the agency to expeditiously revise the PEBES to add information regarding employer contributions. This initiative should be fully implemented prior to the first mailing to all workers age 25 and over scheduled for fiscal year 2000. The House bill contained no similar provision.

MEDICAID AND SSI ELIGIBILITY FOR VIET NAMESE COMMANDOS

The conference agreement includes (section 606) language contained in the Senate bill clarifying that payments made by the United States to Viet Namese commandos imprisoned by North Viet Nam are not considered income or resources for the Supplemental Security Income and Medicaid programs for those commandos now in the United States. The House bill contained no similar provision.

ORGAN DONATION STUDY

The conference agreement deletes without prejudice the provision included in the Senate bill directing the Secretary of Health and Human Services, in consultation with the General Accounting Office, to conduct a comprehensive study of efforts underway at hospitals to improve organ and tissue procurement. The House bill contained no similar provision. The conferees encourage the Secretary to conduct such a study and to report to the Committees on best practices for identifying donors and communicating with relatives of potential donors.

SENSE OF THE SENATE ON ORGAN PROCUREMENT

The conference agreement does not include language contained in the Senate bill expressing the sense of the Senate urging hospitals through education, establishment of protocols, and assignment of staff teams to ensure that a skilled and sensitive request for organ donation is provided to eligible families. The House bill contained no similar provision. The conferees concur in the sentiment expressed by this sense of the Senate resolution.

FAMILY VIOLENCE WAIVER UNDER WELFARE REFORM

The conference agreement deletes without prejudice a provision included in the Senate bill amending the Social Security Act to clarify that the welfare reform statute does not limit the provision of waivers to victims of domestic violence. The House bill contained no similar provision.

E. COLI RESEARCH AND PUBLIC EDUCATION

The conference agreement has deleted without prejudice language included in the Senate bill earmarking $5,000,000 for research, public education and evaluation relating to the E. coli health threat. The House bill had no similar provision. The conferees have included in the statement of the managers for the National Institutes of Health and the Centers for Disease Control and Prevention language expressing their concern about the E. coli health threat and urging these agencies to strengthen their research and surveillance in this area.

MEDICAID DISPROPORTIONATE SHARE PAYMENTS

The conference agreement includes (sections 601 and 602) bill language not contained in either the House or Senate bill correcting an error in the Balanced Budget Act of 1997 which displayed incorrect information about the level of Medicaid disproportionate share hospital payments for the States of Minnesota and Wyoming. The bill corrects these errors only for fiscal year 1998. The conferees expect the authorizing committees to enact the correction on a permanent basis.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

The conference agreement includes $1,275,035,000 for Education Reform, instead of the $1,107,165,000 proposed by the House and $1,310,035,000 as proposed by the Senate. For Goals 2000, the conference provides $491,000,000 instead of the $530,000,000 provided by the Senate and $387,165,000 provided by the House.

The conference agreement also provides $25,000,000 for parental assistance instead of $15,000,000 as proposed by the House and $30,000,000 as proposed by the Senate. The conferees agree that the increase provided will permit expansion of voluntary parent centers to additional States bringing the total number of States and Territories participating in the program to at least 52. It has been brought to the conferees' attention that many of the grantees currently receiving funding under the parental assistance program are making only minimal efforts to implement Parents as Teachers (PAT) or Home Instruction for Preschool Youngsters (HIPY) programs. The conferees urge the Department to provide at least 50 percent of each grant award for PAT or HIPY and to report to the House and Senate Appropriations Committees by April 1, 1998, on steps being taken to assure that the dollars are being spent in accordance with PAT and HIPY program requirements.

For education technology, the agreement provides $584,035,000 instead of $520,000,000 as proposed by the House and $580,035,000 as proposed by the Senate.

The President's fiscal year 1998 budget requested funding for the Technology Literacy Challenge Fund in the Education Reform account and, as in previous years, proposed to fund all other educational technology programs within the Office of Education Research and Improvement (OERI). The House bill followed this structure. The Senate bill included both the Technology Literacy Challenge Fund and the Technology Innovation Challenge Grants within the Education Reform Account with other programs being funded within OERI. The conference agreement includes all educational technology funds within the Education Reform Account including the Challenge Fund and Challenge Grants, Star Schools, Ready to Learn TV and the Telecommunications Demonstration Project for Mathematics. In funding these programs within the Education Reform account, the conferees make no determination as to the offices within the Department best suited to administer these programs, believing that this decision is best left to the Secretary.

Under the Star Schools program, the conferees have included $8,000,000 to continue and expand the Iowa Communications Network state-wide fiber optics demonstration project.

The conferees continue to be concerned by the rapid increase in funding for technology programs and the ability of LEAs to absorb these funds and spend them wisely. The conferees therefore instruct the Department of Education to continue to provide the reports relating to educational technology outlined in the Conference Report on the fiscal year 1997 Departments of Labor, Health and Human Services and Education and Related Agencies Appropriations Act.

For Technology Innovation Challenge Grants, the conference agreement includes $116,000,000, instead of $85,000,000 as proposed by the House. Included within the funds provided is $30,000,000, as proposed by the Senate, for a new competitive grants program to consortia that have developed exemplary programs to train new and current teachers, administrators and other educators to use advanced technology and to integrate education technology into teaching methods that improve instruction. The House bill contained no similar provision.

The conference agreement includes $5,000,000 for a demonstration project for hospitals, universities, businesses and schools for the Delaware Valley Region of Pennsylvania. Funds would be used for a demonstration project to develop a supercomputer infrastructure with broad-based networking applications for elementary and secondary schools, colleges, and universities with access to science and medical technology.

The conference agreement also includes $7,300,000 to allow the Secretary of Education to fund an effort to integrate technology into eighth grade algebra classrooms. The conferees believe that this level of funding will support three years of funding for the "I Can Learn" project.

The conference agreement includes $800,000 to allow the Secretary of Education to fund an initiative to provide technology training to teachers through a distance education network involving nine school districts and Nicolet Area Technical College. This level of funding will support three years of funding to support a three-tiered training program in the use of technology for all teachers in grades K through eight in the nine participating school districts.

EDUCATION FOR THE DISADVANTAGED

The conference agreement includes $8,021,827,000 for Education for the Disadvantaged, instead of the $8,204,217,000 included in the House and $7,807,349,000 as proposed by the Senate. Of the funds made available for basic grants, $1,448,396,000 becomes available on October 1, 1998 for the academic year 1998–99.

The agreement includes $6,273,212,000 for basic state grants and $1,102,020,000 for concentration grants.

The conferees have provided no funding for the targeted grants program. The House bill provided $400,000,000 for this purpose. The Senate bill contained no similar provision.

The conferees have included a provision proposed by the Senate which provides that in allocating the fiscal year 1998 appropriation for basic and concentration grants under title I, part A of the Elementary and Secondary Education Act of 1965 as amended, the Secretary shall apply a 100 percent hold harmless based on total 1997 grants, including supplemental appropriations provided under Public Law 105–18. The conferees concur with the language outlined in the Senate report regarding this issue. The House bill contained no similar provision.

The conference agreement provides $150,000,000 for comprehensive school reform, including $120,000,000 under the title I program, $26,000,000 under the fund for the improvement of education, and $4,000,000 under the regional educational laboratories. The House bill included $205,000,000 for comprehensive school reform, including $150,000,000 under the title I program, $50,000,000 under the fund for the improvement of education, and $5,000,000 under the regional educational laboratories. The Senate bill included no comparable provisions.

The conferees agree that the purpose of this initiative is to provide financial incentives for schools to develop comprehensive school reforms, based on reliable research and effective practices and including an emphasis on basic academics and parental involvement, so that all children can meet challenging state content and performance goals. The conference agreement establishes a floor of 83% of the total funds provided for local educational agencies (LEAs) eligible for title I basic grants; all LEAs may compete for the remaining funds provide under the fund for the improvement of education. The conferees believe that focusing the bulk of the incentive funding on schools eligible for title I funds will leverage systemic improvements in student achievement throughout the $8 billion title I program.

The conferees are impressed by gains in student performance in a number of schools across the country that are using new comprehensive models for school-wide change covering virtually all aspects of school operations, rather than a piecemeal, fragmented approach to reform. Examples of such comprehensive school reform models including Accelerated Schools, ATLAS Communities, Audrey Cohen College, Coalition of Essential Schools, Community for Learning, Co-NECT, Direct Instruction, Expeditionary Learning Outward Bound, High Schools That Work, Modern Red Schoolhouse, National Alliance for Restructuring Education, Paideia, Roots and Wings, School Development Program, Success for All, Talent Development High School and Urban Learning Center.

While no single school improvement plan can be best for every school, the conferees believe that more schools should be encouraged to examine successful, externally developed comprehensive school reform approaches that can be adapted in their own

communities. the conference agreement includes funding under the fund for the improvement of education to enable the Department, in consultation with outside experts, to identify and disseminate information to schools about such approaches. Such approaches must be based on rigorous research and effective practices. However, schools are not restricted to using only those approaches identified by the Department are free to develop their own school-wide reform programs that are based on rigorous research and meet the criteria listed below. Further, the conferees direct that funds made available to schools under this initiative shall be used only for comprehensive school reform programs that:

(a) employ innovative strategies and proven methods for student learning, teaching, and school management that are based on reliable research and effective practices, and have been replicated successfully in schools with diverse characteristics,

(b) have a comprehensive design for effective school functioning, including instruction, assessment, classroom management, professional development, parental involvement, and school management, that aligns the school's curriculum, technology, professional development into a school-wide reform plan designed to enable all students to meet challenging state content and performance standards and addresses needs identified through a school needs assessment,

(c) provide high-quality and continuous teacher and staff professional development and training,

(d) have measureable goals for student performance and benchmarks for meeting those goals,

(e) are supported by school faculty, administrators and staff,

(f) provide for the meaningful involvement of parents and the local community in planning and implementing school improvement activities,

(g) utilize high-quality external technical support and assistance from a comprehensive school reform entity (which may be a university) with experience or expertise in school-wide reform and improvement,

(h) include a plan for the evaluation of the implementation of school reforms and the student results achieved, and

(i) identify how other resources (federal/state/local/private) available to the school will be utilized to coordinate services to support and sustain the school reform effort.

The conferees direct that the Secretary of Education allocate title I comprehensive school reform funds based on each state's relative share of prior-year title I grants under section 1124 to state educational agencies (SEAs), upon application to the Secretary. In cases where a SEA declines to apply for its formula-based allocation, the Secretary shall reallocate the funds to other states that have a need for additional funds to implement comprehensive school reform programs. The Secretary may reserve up to one percent of the funds for grants to schools supported by the Bureau of Indian Affairs and in the territories, and up to one percent of the funds to conduct national evaluation activities to assess results achieved by the implementation of comprehensive school reform in title I schools. The conferees anticipate that initial evaluation activities will include development of a plan for a third-year national evaluation, collection of baseline data, and assessment of the first-year implementation activities. The plan for a national evaluation should focus on the results achieved by schools undertaking comprehensive school reform and assess the effectiveness of various school reform initiatives in schools with diverse characteristics (urban/rural, title I/non-title I, elementary/middle school/high school, etc.). Prior to the completion of the third-year national evaluation, the Secretary shall submit an interim report to the House and Senate appropriations and authorizing committees.

The conferees direct that each SEA receiving funds under this initiative use such funds to award grants, on a competitive basis, to enable LEAs within the state to implement comprehensive school reform programs. Each SEA application to the Secretary shall describe (1) the process and selection criteria by which the SEA, using expert review, will make competitive grants to eligible LEAs, (2) how the SEA will ensure that only high quality, well-defined, and well-documented comprehensive school reform programs meeting the criteria listed above are funded, (3) how the SEA will disseminate materials developed by the Department identifying research-based comprehensive school reform models and provide technical assistance to assist LEAs and schools in evaluating, selecting, developing and implementing comprehensive school reforms, (4) how the SEA will evaluate the implementation of comprehensive school reforms and measure the results achieved in improving student academic performance, and (5) such other criteria as the Secretary may reasonably require. The conferees direct that each SEA provide assurances that the financial assistance provided shall supplement, not supplant, federal, state and local funds the LEAs and schools would otherwise receive. The conferees further direct that SEAs provide such information as the Secretary may require, including the names of the LEAs and the individual schools receiving allocations and the amount allocated to each school.

In awarding competitive grants to LEAs using title I funds, the conferees direct SEAs to make awards that are of sufficient size and scope to support the initial start-up costs for particular comprehensive reform plan selected or designed by the schools identified in the LEA application, but that are not less than $50,000 per school and renewable for two additional year after the initial award. In allocating comprehensive school reform funds under this account, the conferees encourage SEAs to award grants to LEAs that will use these funds in schools in need of improvement under section 1116(c) of part 1 of Title I of ESEA. The conferees also encourage SEAs to award grants to LEAs in different parts of the state, including rural urban and rural communities, to LEAs proposing to serve schools at different grade levels (elementary/middle/high school), and to LEAs that demonstrate a commitment to assisting schools with budget reallocation strategies necessary to ensure that comprehensive school reforms are properly implemented and sustained in the future. SEAs may reserve up to five percent of these funds for administrative, evaluation and technical assistance expenses, including expenses necessary to inform LEAs and schools about research-based comprehensive school reform approaches.

The conferees direct that each LEA application to the SEA for comprehensive school reform funds (1) identify which schools eligible for title I funds within the LEA will implement a comprehensive school reform program and the level of funding requested, (2) describe the research-based comprehensive school reform programs that such schools will implement, (3) describe how the LEA will provide technical assistance and support for the effective implementation of the comprehensive school reform programs selected by such schools, and (4) describe how the LEA will evaluate the implementation of comprehensive school reforms in such schools and measure the results achieved in improving student academic performance.

IMPACT AID

The conference agreement provides $808,000,000 for the Impact Aid programs instead of $796,000,000 as proposed by the House and $794,500,000 as proposed by the Senate. The conference agreement includes legislative provisions regarding eligibility for assistance for heavily impacted districts, the distribution of funds for Federal Property, timely filing of applications, overpayments, and construction.

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement provides $1,538,188,000 for School Improvement Programs, instead of $1,507,388,000 as proposed by the House and $1,542,293,000 as proposed by the Senate. For the Eisenhower professional development activities, the agreement provides $335,000,000 instead of the $310,000,000 provided in both the House and Senate bills. The conferees have included an additional $25,000,000 to improve professional development activities relating to literacy and expect that these funds be used for teacher training which is based on reliable, replicable research to improve student performance in reading. Within the overall amount for School Improvement, the conference agreement provides $556,000,000 for Safe and Drug Free Schools, and Communities, as proposed by the House. The Senate provided $555,978,000 for this purpose.

The conferees have provided sufficient funds within the safe and drug free schools and communities, national programs to permit the Secretary of Education to establish a program to protect student victims and witnesses of violence in school. The program would provide training and technical assistance to State and local educational agencies to assist them in establishing, and implementing programs designed to protect victim of, and witnesses to, violence in elementary and secondary schools.

The conferees have also set aside $450,000 for student safety toll-free hotlines. The funds are to be provided for pilot programs to provide students in elementary and secondary schools with confidential assistance regarding school crime, violence, drug dealing, and threats to personal safety.

Also within the Safe and Drug Free Schools National Programs, the conferees have set aside $350,000 for the Yonkers School System to allow the expansion of school safety and drug prevention activities in those schools with especially severe drug and violence problems. Funds will help to expand model programs providing peer mediation at the elementary and secondary school level, the training of school personnel and parents to prevent drug use and violent behavior and other activities.

The conferees also encourage the Secretary of Education, working with the Department of Justice, to give consideration to funding comprehensive action plans that pool community, law enforcement and educational resources and stress rehabilitated role models, sustained self-sufficiency and reciprocal restitution to reduce juvenile delinquency.

The conferees agree that of the $10,500,000 provided for Arts in Education, $1,000,000 has been included to support the International Very Special Arts Festival.

The conference agreement includes $80,000,000 for Charter Schools, instead of $100,000,000 as proposed by the House and $50,987,000 as proposed by the Senate. The conferees agree that the Secretary should take appropriate steps, including issuing guidance to relevant State authorities, to enable charter schools to receive other federal funds in their first year operation. These funds include Title I and all other federal educational assistance monies, that they would otherwise receive notwithstanding the fact that the identity and characteristics of the students enrolling in the school will not be fully and completely determined until it actually opens. The conferees direct the Secretary to report to the Congress within six months on the steps taken to implement this directive. The report should also address the timing problem that accompanies the expansion of enrollment in a school's subsequent years of operation.

The conference agreement deletes language proposed by the Senate earmarking $3,000,000 for continuation costs for innovative programs for magnet schools. The conferees understand that it is the Department's intent to provide continuation costs for this purpose.

For training and advisory services the agreement provides $7,334,000, the same as the House and Senate bills. The funds are provided to continue the 10 regional desegregation centers. No funds are included for civil rights units in State education agencies.

CHILD LITERACY INITIATIVE

(INCLUDING TRANSFER OF FUNDS)

For fiscal year 1998, the conference agreement includes $85,000,000 for child literacy initiatives allocated under existing statutory authorities: Even Start Program, Eisenhower Professional Development, Fund for the Improvement of Education, and The Corporation for National and Community Service. The conferees agree that funds are to be used for child literacy initiatives consistent with applicable statutory authorities, and the goals and concepts of a child literacy initiative described in House Report 105–116. Where funds are used for training teachers how to teach reading, the conferees expect such activities to be based on reliable, replicable research.

The conference agreement includes a fiscal year 1999 advance appropriation of $210,000,000 for a child literacy initiative, instead of $260,000,000 proposed by the House and the Senate. The House proposed that if an authorization for child literacy is not enacted by April 1, 1998, funds are to be made available for Special Education for the 1999–2000 school year. The Senate bill provided funds only if specifically authorized by April 1, 1998. The conference agreement provides that if an authorization for child literacy is not enacted by July 1, 1998, funds are to be made available for Special Education State grant program for the 1999–2000 school year.

SPECIAL EDUCATION

The conference agreement includes $4,810,646,000 for Special Education, instead of the $4,428,647,000 proposed by the House and $4,958,073,000 as proposed by the Senate. Included in these funds is $3,801,000,000 for Grants to the States, instead of $3,425,911,000 proposed by the House bill and $3,941,837,000 proposed by the Senate.

The conferees are aware that the Department of Education supports an effective program of clearinghouses to collect and disseminate information for students with disabilities about education from preschool through college and graduate school. These clearinghouses, which provide valuable information to assist students with disabilities in planning successful education outcomes, reach millions of children, youth and adults with disabilities and their families and the professionals who work with them. The conferees encourage the Department to continue to support these activities.

The conferees note that both the House and Senate reports identify funding for the Easter Seal Society's Early Childhood Development Project for the Mississippi River Delta Region. The conferees endorse this project and have set aside funds as outlined in the Senate report. Within the Research and Innovation to Improve Services account, the conferees agree that sufficient funds are included for a comprehensive study of the disproportionate number of students from minority backgrounds in special education programs. The conferees direct that the Department of Education contract with the National Academy of Sciences no later than 90 days after the enactment of this Act to conduct this study. The conferees further direct that the study be completed no later than 24 months after the date on which the contract is finalized. As part of this study, the National Academy of Sciences will convene a study panel including appropriate minority representatives. The National Academy of Sciences shall be directed, as part of the contract, to consult with the House and Senate Committees on Appropriations regarding appointments to the study panel.

Included in the conference agreement is $32,523,000 for technology and media services, as proposed by the House, instead of the $32,023,000 as proposed by the Senate bill. The conferees have included within the amounts provided for this activity, $500,000 for a project to develop, refine, and disseminate information on adaptive technologies. Funds would be used to conduct research, develop state-of-the-art personnel preparation programs and for a pilot project using technology to link parents and their children with disabilities to public school districts and community service providers.

The conference agreement includes $6,000,000 for Recordings for the Blind and Dyslexic as described in the House and Senate Reports. The increase provided will finance services to an increasing number of visually impaired students and will allow the use of other funds to support the conversion of its analog tape system to a digital format.

The conference agreement also provides $1,500,000 for the Readline Program as proposed by the Senate, and endorses the language included in the Senate report.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes $2,591,195,000 for Rehabilitation Services and Disability Research, instead of $2,589,176,000 as proposed by the House and $2,591,286,000 proposed by the Senate.

For the National Institute for Disability and Rehabilitation Research (NIDR) the conference agreement includes $76,800,000 the same level as proposed by the House, instead of the $71,000,000 as proposed by the Senate.

The conference agreement includes $5,000,000, as proposed by the House, within the funds provided for the National Institute for Disability and Rehabilitation Research to permit the establishment of 15 model systems and a national data center for traumatic brain injury. The Senate bill provided $2,500,000 for this purpose.

The conferees also note that similar language was included in both the House and Senate reports concerning the establishment of a rehabilitation engineering research center focusing on the unique needs of landmine survivors. The conferees have included $850,000 within the amounts for the National Institute for Disability and Rehabilitation Research for this purpose.

The conferees specifically endorse the provisions of the Senate report urging the Secretary to set aside $1,000,000 to support new assisted living programs that develop state-of-the-art electronic technology.

Also included are sufficient funds within the National Institute for Disability and Rehabilitation Research for a demonstration designed to provide summer recreational and residential programs for orthopedically impaired, multiple handicapped and medically frail children and adults. Funds would be used to operate programs with progressive educational and therapeutic techniques that would maximize each individual's mobility and potential for independent living. The conferees note that the Hebrew Academy for Special Education in New York City would be especially suited for such a demonstration.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

The conference agreement provides $8,186,000 for the American Printing House for the Blind as proposed by the House instead of $7,906,000 as proposed by the Senate.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The conference agreement provides $44,141,000 for the National Technical Institute for the Deaf as proposed by the Senate instead of $43,841,000 as proposed by the House.

GALLAUDET UNIVERSITY

The conference agreement provides $81,000,000 for Gallaudet University as proposed by the Senate instead of $80,682,000 as proposed by the House.

VOCATIONAL AND ADULT EDUCATION

The conference agreement includes $1,507,698,000 for Vocational and Adult Education instead of the $1,506,975,000 as proposed by the House and $1,487,698,000 as proposed by the Senate. Included in the agreement for Vocational Education basic state grants, is $1,027,550,000, instead of the $1,035,550,000 as proposed by the House and $1,015,550,000 proposed by the Senate and for Adult Education the agreement provides $345,339,000, instead of the $340,339,000 provided in both the House and Senate bills.

The conferees also endorse language contained in the Senate report under the national programs account regarding a demonstration project to develop work force skills for this nation's expanding audio-visual communications industry.

STUDENT FINANCIAL ASSISTANCE

The conference agreement provides $8,978,934,000 for Student Financial Assistance instead of $9,046,407,000 as proposed by the House and $8,591,641,000 as proposed by the Senate. The conference agreement sets the maximum Pell Grant at $3,000 and provides a program level of $7,154,000,000 for current law Pell Grants which includes $7,058,000,000 in new appropriations and $96,000,000 in carryover funds from the previous year as authorized by law. The agreement provides an additional $286,000,000 which may be used, if not needed to fund the maximum $3,000 Pell Grant according to the latest available estimates at the time the Pell Grant schedules are published, to increase the income protection allowances

(IPAs) for independent and dependent students in the need analysis formula used for all need-based student financial assistance programs.

To the extent that Pell Grant funds are available in excess of the amount needed to fund a $3,000 maximum award at the time the Pell Grant payment schedule is issued, the Secretary may increase the IPAs above the statutory amounts previously in effect, up to the amounts established in this conference agreement. The conferees expect the Secretary to provide a full $3,000 maximum Pell Grant. However, in the event that future estimates indicate that the amounts available are not sufficient to fully fund a $3,000 maximum Pell Grant at the IPA levels in effect prior to enactment of this Act, the conference agreement requires the Secretary to reduce Pell Grant awards in accord with the award reduction provisions in this Act. These provisions have been included in each appropriations Act beginning with fiscal year 1994. The conferees wish to emphasize that if Pell Grant funds are projected to be insufficient to support the higher IPA levels permitted by this Act at the time the Pell Grant payment schedules are published, the Secretary must first reduce the IPA levels, and then, if funds are estimated to be insufficient to support a maximum $3,000 Pell Grant at the IPA levels in effect prior to enactment of this Act, reduce Pell Grant award levels below $3,000.

The conferees expect that the Secretary will use the most recent data available to update program and funding estimates and will not artificially alter such estimates for any purpose including masking a potential funding shortfall. While the conferees understand the difficulty of projecting Pell Grant costs several years in the future, they direct the Secretary to determine IPA adjustments based on the best program and funding estimates available, without regard to margins of error associated with statistical estimates. The conferees further direct the Secretary to notify the Appropriations Committees of the Pell Grant program and funding estimates, the related IPA levels to be established for award year 1998–1999, and the methodologies for calculating the above at least 15 days prior to issuing the Pell Grant payment schedule.

The legislative changes described above are included in the conference report with the full concurrence of the authorizing committees of jurisdiction. The IPA changes authorized in this conference agreement are temporary, and the conferees expect the authorizing committees of jurisdiction to establish permanent IPAs in a reauthorization of the Higher Education Act.

The conference agreement deletes two provisions proposed by the Senate and not included in the House bill making available funding for the State Student Incentive Grant program and the Education Infrastructure program from unobligated balances previously appropriated for Pell Grants. The State Student Incentive Grant program is separately funded in the conference agreement through new appropriations. The conferees have provided $135,000,000 for new capital contributions under the Perkins Loan program, the amount necessary to maintain the same new loan volume in fiscal year 1998 as was provided for fiscal year 1997.

FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT

The conference agreement provides $46,482,000 for the Federal Family Education Loan Program Account as proposed by the Senate instead of $47,688,000 as proposed by the House.

HIGHER EDUCATION

The conference agreement provides $946,738,000 for Higher Education instead of $909,893,000 as proposed by the House and $929,752,000 as proposed by the Senate. The conference agreement deletes a provision in the House bill and not included in the Senate bill which requires Byrd Scholarships to be prorated in order to fund the same number of new scholarships in fiscal year 1998 as was funded in fiscal year 1997. The conference agreement includes a provision as proposed by the Senate to permit the Department to award new and continuing Javits Fellowships. The House bill permitted the award of continuing but not new scholarships. The conference agreement includes a provision not included in either the House or Senate bills providing $3,000,000 for an education technology and distance learning center at Empire State College in New York.

The conferees have included $1,000,000 for the Advanced Technical Center at Mexico, Missouri, for the coordinated delivery of technical education in cooperation with community colleges and secondary education systems including State technical schools. Funds will be used to provide participants with high-capacity voice, video and data line connections to couple the facilities to each other and to satellite up-links. Funds will also be used for training of vocational school instructors, and community college faculty.

The conferees encourage the Department to provide the amounts suggested and to provide full and fair consideration to the potential applicants designated in the Senate report under the heading "Funding for the Improvement of Postsecondary Education".

Regarding International Education and Foreign Language Studies domestic programs, the conferees are aware of the success of the American Overseas Research Center Program and commend the Department for its support of the Centers. However, the conferees are concerned that qualified applicants were denied awards due to the overall funding limits. To support more overseas centers, the conferees urge the Secretary to allocate $100,000 for grants to additional centers to be awarded on a competitive basis.

It has been brought to the conferees attention that a problem exists in the distribution of funds to Historically Black Graduate Institutions by the Department of Education. The conferees question the wisdom of removing funds from one institution to transfer them to another institution unless a particular institution is unable to meet the prior year matching requirement. The inequities in the distribution of these funds should be addressed in the reauthorization of the Higher Education Act.

HOWARD UNIVERSITY

The conference agreement provides $210,000,000 for Howard University as proposed by the House instead of $198,000,000 as proposed by the Senate. The agreement includes a provision proposed by the House to permit Howard University to allocate funds for the endowment as authorized by law. The Senate bill designated for the endowment and made available until expended not less than $3,530,000. The conferees intend that Howard University and the Department comply with the House report directive regarding the endowment.

EDUCATION RESEARCH, STATISTICS AND IMPROVEMENT

The conference agreement includes $431,438,000 for Education Research, Statistics and Improvement, instead of the $423,252,000 as proposed by the House and $323,190,000 as proposed in the Senate. As noted in the section of this Statement on Education Reform, all of the separate technology activities formerly funded in this account are now funded as part of Education Reform.

The conferees note that section 931 of P.L. 103–227 gives the Office of Research, Statistics and Improvement the authority to renew research center grants for five additional years after the first competitive award, based on recommendations of a 1992 National Academy of Sciences review of OERI. The conferees encourage OERI to consider renewal for centers performing high quality research as indicated by the third-year external review.

For regional education laboratories, the conferees provide $56,000,000, instead of the $57,000,000 as proposed in the House bill, and $53,500,000 as proposed by the Senate. The conferees agree that $4,000,000 of this amount shall be used in accordance with the direction in House Report 105–205 regarding comprehensive school reform. Further, the conferees intend that the regional laboratory governing boards set the research and development priorities to guide the work funded and that the funds be obligated and distributed in accordance with the fiscal year 1997 allocations by December 1, 1997. The conferees further agree that $1,000,000, as proposed by House, shall be for the third year evaluation of the laboratories instead of the $42,500,000 as proposed by the Senate.

For the fund for the improvement of education (FIE), the conferees provide $108,100,000 instead of the $80,000,000 as proposed by the House and $50,000,000 as proposed by the Senate. Except as modified below, the conferees have reviewed and concur in the items identified in the House and Senate reports.

Within the funds provided, the conferees encourage the Department to conduct a competition for a project to document the educational readiness of at-risk children from birth to age six which could identify at-risk pregnant mothers who would be especially suited to document how different types of support systems promote the development and learning of young children.

Also within FIE, the conferees have included a provision which provides up to $1,000,000 to a State education agency to pay the cost of appraisals, resource studies and other expenses associated with the exchange of state trust land which lies within the boundaries of the Grand Staircase-Escalante National Monument for other lands outside of the monument. This provision would reimburse the state of Utah for certain costs associated with the exchange of this land.

Within FIE, the conferees specifically endorse the language contained in the House report (105–205) relating to the Jump Start program and the Model Youth program and have provided $225,000 for the National Student and Parent Mock Elections.

The conferees have included within the funding available for the fund for the improvement of education, $55,000 for community based projects to assist with the education and mentoring of children who are at-risk. The After School program of the St. Stephen Life Center in Louisville, Kentucky provides assistance to at-risk students with homework, tutoring, computer literacy, humanities instruction and personal finance skills, while stressing self-sufficiency, innovation, respect and quality of life for students.

The conferees have also provided $350,000 for the White Plains City School District to expand the after-school program housed in the schools and run by the City's Youth Bureau. The current program provides child care and recreational activities to low-income families. These funds will be used to add an academic component to the program including computer instructions, literacy and parenting education to parents and expansion of the program to the summer months.

The agreement includes $500,000 for a demonstration project to support public broadcasting of student performed classical music. The Young Performance series, which affords six to eighteen-year-old musicians the opportunity to air their talents, would be especially suited to carry out such a demonstration.

The conferees have included $1,000,000,000 for the National Museum of Women in the Arts for activities associated with the archiving of works by women artists. The conferees have also included $5,000,000 for programs to provide at-risk children with innovative learning opportunities in safe learning environments. Monies have been provided to the Children's Museums in Philadelphia, Baltimore, Boston and Children's museums in Chicago and the Museum of Science and Industry in Chicago to operate these programs which will include multidisciplinary cultural programming that integrates the arts and humanities with mathematics and science.

Within the funds provided for FIE, the conferees have included $8,000,000 for a demonstration of public school facilities repair and construction to be awarded to the Iowa Department of Education. Also included within the funds provided for FIE is $100,000 for a project in Montgomery County Pennsylvania to develop and install computer networking and telecommunications.

The conferees have included $500,000 for enhanced teacher training for longitudinal project "Early Interventions for Children and Reading Problems" involving nine public elementary schools in the District of Columbia. Such a project will focus upon research-based components critical to success in learning to read and spell (phonemic awareness, alphabetic and orthographic knowledge, and comprehension strategy instruction) all within a literature-rich environment. The Teacher training component will involve five activities; general coordination/training, generic teacher training, comprehension training, teacher processes and curriculum-based assessments.

The conference agreement includes $26,000,000 for comprehensive school reform, instead of $50,000,000 proposed by the House and no funding proposed by the Senate. The agreement also provides for extended availability of $25,000,000.

The conferees direct that the $25,000,000 be awarded by the Secretary of Education to SEAs for grants to LEAs, to be used in conjunction with $120,000,000 provided under title I. These funds shall be allocated based on each state's relative share of the school-age (ages 5–17) population to SEAs, upon application to the Secretary, except that the Secretary may utilize other reasonable criteria to determine state allocations. In cases where a SEA declines to apply for its formula-0based allocation, the Secretary shall reallocate the funds to other states that have a need for additional funds to implement comprehensive school reform programs. The Secretary may reserve up to one percent of the funds for grants to Indian schools and the territories, and up to one percent of the funds, that combined with the title I evaluation set-aside, shall be used for national evaluation activities.

The conferees intend that schools receiving financial assistance under this account select or develop comprehensive school reform approaches that meet the criteria outlined under title I—demonstration of innovative practices, and that requirements for state and LEA applications outlined under title I—demonstration of innovative practices also apply, except that any school within an LEA may be included in the LEA's application for financial assistance provided under this account. The conferees further agree that the Secretary shall administer the comprehensive school reform initiative as a unified program, and that each SEA and LEA may develop a consolidated application for funds provided under both this and the title I account.

In awarding competitive grants to LEAs using FIE funds, the conferees direct SEAs to make awards that are of sufficient size and scope to support the initial start-up costs for the particular comprehensive reform plan selected or designed by the schools identified in the LEA application, but that are not less than $50,000 per school and renewable for two additional years after the initial award. The conferees encourage SEAs to award grants to LEAs in different parts of the state, including urban and rural communities, and to LEAs proposing to serve schools at different grade levels (elementary/middle/high school), and to LEAs that demonstrate a commitment to assisting schools with budget reallocation strategies necessary to ensure that comprehensive school reforms are properly implemented and sustained in the future. SEAs may reserve up to five percent of these funds for administrative, evaluation and technical assistance expenses, including expenses necessary to inform LEAs and schools about research-based comprehensive school reform approaches.

The conference agreement also includes $1,000,000 that the department shall use to identify research-based approaches to comprehensive school reforms that show the most promise of meeting the objectives of this initiative, and disseminate that information to SEAs, LEAs, and schools so that they can make informed choices about what strategies will work best in their communities. In identifying such approaches, the Department shall consult with outside experts in disciplines relevant to school-wide transformation, which may include effective teaching and learning methods, child development, assessment, school finance, school organization and management, and evaluation, on whether such approaches are based on reliable research and effective practices. The Department shall report to the appropriations and authorizing committees on the process and criteria used to determine whether such approaches are based on rigorous, reliable research and effective practices.

The conference agreement includes $40,000,000 for 21st Century Community Learning Centers, instead of $50,000,000 as proposed by the House and $1,000,000 as proposed by the Senate. The conferees agree that the 21st Century Community Learning Centers program presents an excellent opportunity to engage at-risk young people in productive and constructive activities during their non-school hours. The conferees urge the Department of Education and the Corporation for National and Community Service to seek ways to use volunteers to help in the process of identifying and developing a cadre of local community volunteers to maximize and leverage community resources to the fullest extent.

For Eisenhower professional development national activities, the conferees provide $23,300,000 instead of the $21,000,000 as proposed by the House and the $25,000,000 proposed by the Senate. Included within this amount is $18,500,000 for the Board of Professional Teaching Standards, of which $16,000,000 shall be for assessment development and $2,500,000 shall be for teacher subsidies.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

The conference agreement provides $146,340,000 for the Institute of Museum and Library Services instead of $142,000,000 as proposed by the House and $146,369,000 as proposed by the Senate. The agreement provides funding under the heading "Institute of Museum and Library Services" as proposed by the Senate instead of "Libraries" as proposed by the House. The conference agreement deletes a provision of the Senate bill not included in the House bill designating $15,455,000 for national leadership grants. The conferees concur in the provisions of the Senate report regarding a project to digitize a card catalog, a project regarding an historic medical library collection, a one-of-a-kind historical library in Pennsylvania, and a demonstration of interactive Internet connections.

DEPARTMENTAL MANAGEMENT

The conference agreement includes $432,806,000 for Departmental Management, instead of the $415,270,000 as proposed by the House and $429,586,000 in the Senate.

The conferees recognize that Public Service Recognition Week has educated America as to the value of the career workforce which carries out the day-to-day operations of government. This program, which has existed for over ten years, plays an important role in educating our nation's youth and providing them with timely information about their government. The conferees urge the Secretary to support the elementary and secondary education projects of Public Service Recognition Week.

The conferees have deleted without prejudice a provision included in the Senate which provided $1,100,000 for the Millennium 2000 project.

The conferees endorse the language outlined in the Senate report regarding research programs on reading development and disability, and also concur in the directive to the Secretary of Education to consult with the Director of the National Institute of Child Health and Human Development to convene a panel to assess the current status of research and effective approaches to teaching children to read.

The conferees agree that sufficient funds are included to enable the Department to expand its Internet website in order to provide enhanced information to students on public and private student financial assistance programs pursuant to section 409(A)(1) of the Higher Education Act.

GENERAL PROVISIONS

SPACE AND TECHNOLOGY ADVISORY BOARD

The agreement does not include a provision in the House bill prohibiting the use of funds for the National Academy of Sciences, Space and Technology Advisory Board.

STRENGTHENING INSTITUTIONS ENDOWMENTS

The conference agreement includes a provision proposed by the House and not included in the Senate bill to permit grantees

under Title III A and B of the Higher Education Act to use funds for the purposes of endowment as authorized under Part C of the Act.

DEFINITION OF ELIGIBLE LENDERS

The conference agreement deletes two provisions proposed by the House and not included in the Senate bill to clarify the definition of "eligible lender" for the purposes of the Federal Family Education Loan program.

STUDENT LOAN GUARANTY AGENCY RESERVE RECAPTURE

The conference agreement provides for the recapture of $282,000,000 in student loan guaranty agency reserves previously held by the Higher Education Assistance Foundation.

SCHOOL VIOLENCE

The conferees have deleted Section 305 of the Senate bill without prejudice. The conferees have indicated in this Statement that funds for elementary and secondary school witnesses and victims of violence is included in Safe and Drug Free Schools and Communities National Programs.

SCHOOL VIOLENCE HOTLINES

The agreement deletes Section 306 of the Senate bill without prejudice. The conferees have included funding for school violence hotlines in Safe and Drug Free Schools and Communities National Programs.

95% OF FUNDS TO LOCAL SCHOOLS

The conference agreement deletes section 307 as proposed by the Senate regarding certification from the Department of Education that 95 percent of the funds provided be used directly for teachers and students. The House bill contained no similar provision.

The conferees direct the Secretary of Education to provide to the Committee on Labor and Human Resources, the Committee on Education and the Workforce, and the House and Senate Committees on Appropriations by April 1, 1998, a certification that not less than 95 percent of the amount appropriated to the Department of Education is being used directly for teachers and students. If the Secretary determines that less than 95 percent of such amount is being used directly for teachers and students, the Secretary shall certify the percentage of such amount that is being used for this purpose.

SMALLER CLASS SIZE

The conference agreement deletes section 308 as proposed by the Senate requiring the Secretary of Education to conduct a study regarding enrollments. The House bill contained no similar provision.

The conferees direct the Secretary to conduct a study examining the economic, educational and societal costs of the increase in enrollment of secondary school students during the period 1998–2008; the creation of smaller class sizes for students enrolled in grades 1 through 3; and the increase in enrollments in relation to the creation of smaller class sizes. The study should also include the cost to state and local school districts. The conferees further direct the Secretary to report to the Congress within 9 months of enactment of this Act. This report should include recommendations regarding what local school districts, States and the Federal Government can do to address the issue of increased enrollments of secondary school students and the need for smaller class sizes in grades 1 through 3.

PELL GRANTS

The conference agreement deletes a provision proposed by the Senate and not included in the House bill expressing the sense of the Senate regarding Pell Grants.

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

The conference agreement provides $68,669,000 for the Armed Forces Retirement Home instead of $70,277,000 as proposed by the House and $65,452,000 as proposed by the Senate. The conference agreement includes a provision not contained in the House or Senate bills which permits the Armed Forces Retirement Home to contract for planned renovation activities specified in the budget request. Due to budgetary constraints, the conferees have not included the full amount requested for capital projects but have provided legislative authority to allow the Home to contract for the completion of the requested capital activities pending future appropriations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The conference agreement provides $256,604,000 for the Domestic Volunteer Service programs instead of $227,547,000 as proposed by the House and $232,604,000 as proposed by the Senate.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

The conference agreement includes the citation for the Federal Mediation and Conciliation Service proposed by the House.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

The conference agreement includes $8,600,000 as proposed by the Senate instead of $8,400,000 as proposed by the House.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $7,900,000 for the Occupational Safety and Health Review Commission as proposed by the House instead of $7,800,000 as proposed by the Senate.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $7,015,000 for the consolidated Medicare Payment Advisory Commission. The House bill provided $3,258,000 for the Physician Payment Review Commission and $3,257,000 for the Prospective Payment Assessment Commission. The Senate bill provided $3,508,000 for the Physician Payment Review Commission and $3,507,000 for the Prospective Payment Assessment Commission. The Prospective Payment Assessment Commission and the Physician Review Commission were consolidated into the Medicare Payment Advisory Commission pursuant to section 1805 of P.L. 105–33, the Budget Reconciliation Act for 1997.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

The conference agreement provides $193,500,000 for dual benefits payments as proposed by the Senate instead of $194,000,000 as proposed by the House.

LIMITATION ON ADMINISTRATION

The conference agreement includes a limitation on transfers from the railroad trust funds of $87,228,000 for administrative expenses instead of $85,728,000 as proposed by the House and $87,728,000 as proposed by the Senate.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

The conference agreement includes a limitation on transfers from the railroad trust funds of $5,794,000 for the Office of Inspector General instead of $5,000,000 as proposed by the House and $5,394,000 as proposed by the Senate. The conference agreement includes a provision by the House prohibiting the use of funds other than those provided under this heading for the Office of Inspector General. The conference agreement includes a provision proposed by the House prohibiting the use of funds for any audit, investigation or review of the Medicare program.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

The conference agreement includes $16,370,000,000 for the Supplemental Security Income Program instead of $16,380,000,000 as proposed by the House and $16,417,525,000 as proposed by the Senate. The agreement deletes without prejudice a provision proposed by the Senate and not included in the House bill designating $2,225,000 for a limb loss disability return to work demonstration project.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation of $6,409,040,000 on transfers from the Social Security and Medicare trust funds and Supplemental Security Income program for administrative activities instead of $6,418,040,000 as proposed by the House and $6,462,708,000 as proposed by the Senate. The conference agreement includes the citation for section 10203 of Public Law 105–33 as proposed by the Senate. The conference agreement includes a provision not proposed in either the House or Senate bills allowing the Social Security Administration to use unexpended fiscal year 1997 funds for fiscal year 1998 activities.

The conference agreement includes a provision proposed by the House and not included in the Senate bill requiring the Secretary of the Treasury to reimburse the trust funds from general revenues for expenditures related to union activities performed on official time. The conferees request that Social Security coordinate with the government-wide reporting effort which will be undertaken by the Office of Personnel Management in consultation with the Office of Management and Budget as required by Public Law 105–61.

The conferees support the Social Security Administration's unique, cooperative training program for Administrative Law Judges which is recognized by State Bar Associations for continuing legal education credits. The conferees encourage the Office of Hearings and Appeals to continue this training program and to expand financial support to enable greater ALJ participation.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $48,424,000 for the Office of Inspector General through a combination of general revenues and limitations on trust fund transfers instead of $52,424,000 as proposed by the House and $37,354,000 as proposed by the Senate.

TITLE V—GENERAL PROVISIONS

DISTRIBUTION OF STERILE NEEDLES

Both the House and Senate bills contained restrictions on the use of federal funds for the distribution of sterile needles for the injection of any illegal drug (section 505). The Senate bill repeated language from previous appropriations bills allowing the Secretary to waive the prohibition if she determined that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs. The House bill removed the Secretary's authority over this issue.

The conference agreement includes the House language prohibiting the use of federal funds for carrying out any program for the distribution of sterile needles or syringes for the injection of any illegal drug. This provision is consistent with the goal of discouraging illegal drug use and not increasing the number of needles and syringes in communities.

The conference agreement also includes bill language limiting the use of federal funds for sterile needle and syringe exchange projects until March 31, 1998. After that date such projects may proceed if (1) the Secretary of Health and Human Services determines that exchange projects are effective in preventing the spread of HIV and do not encourage the use of illegal drugs; and (2) the project is operated in accordance with criteria established by the Secretary for preventing the spread of HIV and for ensuring that the project does not encourage the use of illegal drugs. This provision is consistent with the goal of allowing the Secretary maximum authority to protect public health while not increasing the overall number of needles and syringes in communities.

With respect to the first criteria, the conferees expect the Secretary to make a determination based on a review of the relevant science. If the Secretary makes the necessary determination, then the conferees expect the Secretary to require the chief public health officer of the State or political subdivision proposing to use federal funds for exchange projects to notify the Secretary that, at a minimum, all of the following conditions are met: (1) a program for preventing HIV transmission is operating in the community; (2) the State or local health officer has determined that an exchange project is likely to be an effective component of such a prevention program; (3) the exchange project provides referrals for treatment of drug abuse and for other appropriate health and social services; (4) such project provides information on reducing the risk of transmission of HIV; (5) the project complies with established standards for the disposal of hazardous medical waste; and (6) the State or local health officer agrees that, as needs are identified by the Secretary, the officer will collaborate with federally supported programs of research and evaluation that relate to exchange projects.

It is hoped that the delay in implementation of the provision with regard to exchange projects will allow the authorizing committees sufficient time to conduct a complete review and evaluation of the scientific evidence, as well as any conditions proposed by the Secretary, and consider the need for legislation with regard to these programs. It is the intent of the conferees that the Appropriations Committees refrain from further restrictions on the Secretary's authority over exchange after March 31, 1998.

TECHNICAL

The conference agreement inserts the word "the" before the word "Departments" in section 516 as proposed by the House.

SALARIES AND EXPENSES REDUCTION

The conference agreement deletes section 517 of the Senate bill that would have reduced salaries and expenses appropriations for all agencies in the bill by a total of $75,500,000 to be allocated by the Office of Management and Budget. The House had no similar provision.

TEAMSTERS ELECTION

The conference agreement includes a general provision (section 518) proposed by the House that prohibits the use of funds in this Act for the election of officers of the International Brotherhood of Teamsters. The conference agreement deletes section 106 of the Senate bill which included a related provision. The conferees are aware that the U.S. District Court is currently supervising the election of IBT officers pursuant to a consent decree between the IBT and the Department of Justice. This consent decree provided, in part, a Federal government option to order supervision of the 1996 election at government expense. While the Department of Labor contributed a portion of the funding to assist the Department of Justice in financing the 1996 election supervision expenses, it is the understanding of the conferees that the cost to rerun this election is expected to be significantly less than the original election and will be partially borne by the union. No Department of Labor contribution is provided in this bill.

TOBACCO PROVISIONS

The conferees have deleted four provisions included by the Senate relating to a national tobacco settlement. The conferees concur that these matters should be debated and resolved during consideration of tobacco settlement implementing legislation. The conferees believe, however, that any national tobacco settlement should include a provision requiring public disclosure of all private attorneys' fees paid by all parties in connection with an action maintained by a State against one or more tobacco companies to recover tobacco-related costs affected by any federal tobacco settlement. Furthermore, the conferees agree that the authorizing committees with jurisdiction over the implementing legislation should consider whether the legislation should limit the rate and/or total or private attorneys' fees paid on behalf of attorneys or the plaintiffs or defendants in connection with any action maintained by a State against one or more tobacco companies to recover tobacco-related expenses. Finally, the conferees believe that tobacco growers and tobacco growing communities should be fairly compensated as part of any settlement legislation.

EDUCATION BLOCK GRANTS

The agreement deletes Section 523 of the Senate bill regarding education block grants. The House bill contained no similar provision. The conferees remain concerned by the paperwork and inefficiency associated with the need to apply for the many different federal education programs. The House and Senate Committees on Appropriations want to work with the Department of Education and the General Accounting Office to determine the true paperwork and dollar cost to localities associated with application and record keeping of these various programs.

PROHIBITION ON VOLUNTARY NATIONAL TESTING

The House bill contained a prohibition on the use of federal funds for the development, planning or administration of any national program for testing in reading or mathematics. The provision exempts the National Assessment of Educational Progress and the Third International Math and Science Study.

The House bill also contained a provision prohibiting the administration of any national tests in 4th grade and reading and 8th grade mathematics until the submission of a final report by the National Academy of Sciences.

The Senate bill contained several provisions. The first required the Office of Educational Research and Improvement to submit to the Senate Appropriations Committee a spending plan for activities under the Education Research, Statistics, and Improvement account prior to obligation.

The second gives the National Assessment Governing Board exclusive authority over the policies direction and guidelines for implementing voluntary national tests for 4th grade reading and 8th grade mathematics. The provision also required that any such tests be voluntary and that within 90 days of enactment the Board shall review the contact for the national tests and, if necessary modify or terminate and renegotiate any contracts. The provision lists the specific authorities of the board.

The third provision also expressly prohibited any State or local educational agency from requiring any private, parochial school student or home-schooled student to take any national test without the written consent of the student.

The fourth provision of the Senate bill changed the composition of the National Assessment Governing Board to add one governor, two mayors, and two business representatives and make ethnical changes to the make-up and process for appointment to the Board.

The conferees and the Administration agree that it is important to have high, voluntary standards in the basic skills of reading and math, to measure whether students are meeting these standards, and to provide that information to students, parents and teachers. The Administration has proposed voluntary national tests in order measure student achievement related to national standards. However, every state already administers a number of tests and many are concerned that an additional, national, test would be an unnecessary burden.

To address this concern, the conference agreement (sec. 305–311) states that the National Academy of Sciences will be commissioned to conduct a study of the feasibility of equating existing state and commercially available tests with other and with the National Assessment of Educational Progress. The purpose of this study is to determine whether it will be possible to use existing tests administered by states and local school districts to compare individual student performance with existing, challenging national content and performance standards. The purpose is also to determine if the same tests can be sued to compare the performance of students in different states and communities, on different tests, to each other. The NAS shall submit a report on this study to the Congress no later than June 15, 1998, and a final report no later than September 1, 1998.

The NAS will conduct this study in consultation with the National Governors' Association (NGA), the National Conference of State Legislatures (NCSL), NAGB, the Congress and the White House. While the NAS study is being conducted, NAGB will have exclusive authority over contract RJ97153001, as stated in this Act, which will be based on the same content and performance standards as are used for NAEP, and which are linked to NAEP to the maximum extent possible.

The conference agreement further provides that the National Academy of Sciences shall submit a written report by September 1, 1998 to the Committee on Education and Workforce in the House of Representatives, the Committee on Labor and Human Resources in the Senate, and the House and Senate Appropriations Committees that evaluates the technical quality, validity and reliability of developed test items on national 4th grade reading and 8th grade mathematics tests; evaluates whether test items are free from racial, cultural or gender bias; evaluates whether the test items address the needs of

disadvantaged, limited English proficient and disabled students; and evaluates whether the test items can be used for tracking, graduation or promotion of students.

The conferees intend that the National Assessment Governing Board shall hold public hearings on these test development activities and on the recommendations submitted by the National Academy of Sciences. The National Assessment Governing Board shall ensure that such hearings are widely publicized, and that activities conducted to publicize such hearings communicate effectively with the broad and diverse populations that may be affected by such tests.

The Administration and the authorizing Committees of the U.S. Congress will work together to incorporate the findings from the NAS study into the reauthorization of NAEP and NAGB. The conferees understand that the Administration agrees that, where it is feasible and practical to validly and reliably equate test scores and link performance levels on State assessments and commercially available standardized tests with the National Assessment of Education Progress, then these tests may serve the same purpose as the proposed national test. To the extent that NAS study demonstrates ways in which existing tests can be equated with each other and with NAEP, or ways in which existing tests can be modified in order to facilitate such equating, the Administration and the House Committee on Education and Workforce intend to work together to implement these recommendations through the reauthorization of NAEP.

In order to inform future deliberations on the appropriate uses of tests measuring student academic performance and to prevent the misuse of such tests, particularly for minority and limited English proficient students, the conference agreement provides for a third study to be conducted by the National Academy of Sciences that makes recommendations on appropriate methods, practices, and safeguards to ensure that existing and new tests that may be used to measure student performance are not used in a discriminatory manner or inappropriately for tracking or other "high stakes" purposes. The NAS is also directed to report on ways to ensure that such tests adequately assess student reading and mathematics comprehension in the form most likely to yield accurate information regarding student achievement in reading and mathematics. The conference agreement provides that this NAS report shall be submitted to the White House, National Assessment Governing Board, the Committee on Education and the Workforce in the House of Representatives and the Committee on Labor and Human Services in the Senate, and the Committees on Appropriations in the House of Representatives and Senate not later than September 1, 1998.

The conferees encourage the National Assessment Governing Board and the National Academy of Sciences, in convening any advisory committees or expert panels needed to carry out the requirements of this Act, to take into account racial, ethnic and gender diversity and balance.

The conference agreement further provides that the federal government shall not require any state, local educational agency or school district to administer or implement any pilot or field test in any subject or grade, or require any student to take any national test in any subject or grade. In addition, no federal, state or local educational agency may require any private or parochial school student, or home-schooled student, to take any pilot or field test developed under this Act without the written consent of the parents or legal guardians.

The Conferees understand that the Administration will submit legislation for a revised school facilities initiative.

LIMITATION ON PENALTIES UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

The agreement deletes section 521 of the House bill limiting the penalties the Secretary of Education may impose on states not providing special education services to individuals 18 years or older who are incarcerated in adult state prisons.

ABORTION FUNDING RESTRICTION

Both the House and Senate bills contain a revised version of the Hyde amendment. This updated version clarifies the intent of that amendment, approved annually since 1976 by Congress. Since 1993 the Hyde amendment has prohibited federal funding of abortions in Medicaid and other programs governed by the Departments of Labor, Health and Human Services, and Education and Related Agencies appropriations bill, except when the relevant federal agency is notified that the pregnancy is due to rape or incest or that the mother's life would be endangered if the fetus were carried to term.

A technical clarification is deemed necessary because many states are now arranging for delivery of health benefits through managed care, using federal funds to help pay for premiums for health benefits packages instead of suing them to reimburse for specific procedures after the fact. The words "managed care" in subsections 509(c) and 510(c) are intended to cover any arrangement that involves contracting for a package of health benefits, as opposed to providing reimbursement for specific procedures.

The intent of section 509 is to ensure that no federal funds are used to pay for abortions, or to contract with a provider or insurer for a package of health benefits that includes abortions, beyond those abortions specified in subsection 510(a). The amendment does not affect or apply to the use of separate state, local, or private funds, other than Medicaid matching funds, to pay for abortions or to contract for abortion coverage, so long as such coverage is contracted for separately from the federally subsidized contract. It does not bar a state or locality from contracting separately with a managed care provider or insuring organization for abortions or abortion coverage for patients who use a federal program, so long as the State's or locality's contribution of Medicaid matching funds is not used for this purpose. Federal agencies or entities of the federal government may not separately provide or contract for such abortions or abortion coverage, because they are barred from funding abortions or including abortion coverage (beyond those abortions specified in subsection 510(a)) in health benefits packages paid for in whole or in part with funds appropriated under this Act. (The conferees note that Congress has also prohibited the use of federal funds to subsidize contracts including abortion coverage, while allowing states to contract separately for abortion coverage if they choose to do so, under the State Children's Health Insurance Program P.L. 105–33).

This amendment also clarifies the intent of the Hyde amendment's "life of the mother" exception, restricting it to cases "where a woman suffers from a physical disorder, physical injury, or physical illness" that a physician has certified would "place the woman in danger of death unless an abortion is performed." Similar language has been approved repeatedly by Congress as part of a proposed ban on partial-birth abortion. The life-endangering physical condition may be one that is "caused by or arising from the pregnancy itself"—that is, it may be a life-threatening physical illness that did not preexist the woman's pregnancy.

This language is intended to prevent expansive interpretations of the "life of the mother" exception. The exception applies only if the individual woman herself suffers from "a physical disorder, physical injury, or physical illness" that would, "as certified by a physician, place the woman in danger of death unless an abortion is performed."

TITLE VI—OTHER PROVISIONS

The conference agreement includes a number of legislative provisions which the conferees have consolidated into a separate title of the bill. These provisions concern the following subjects: Parkinson's disease research, Minnesota and Wyoming Medicaid disproportionate share hospitals, refugee program authorization, Social Security personal earnings and benefit estimates, a technical correction to the Department of Transportation and Related Agencies Appropriations Act, a technical correction to the Balanced Budget Act of 1997 related to the welfare-to-work program, and Medicaid eligibility for Vietnamese commandos imprisoned by North Vietnam. Most of them are discussed in this joint statement at the places where they originally appeared in the bill.

H.R. 2169, THE DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT TECHNICAL AMENDMENT

The conference agreement includes a provision (section 607) that makes available an additional $50,000,000 in liquidating cash in fiscal year 1998 for trust fund share of expenses. This provision is necessary to provide sufficient liquidating cash in fiscal year 1998 to cover the contract authority made available for transit formula grants in the H.R. 2169, the Department of Transportation and Related Agencies Appropriations Act. This appropriation corrects an error in the fiscal year 1998 Department of Transportation and Related Agencies Appropriations Act and is scored as a mandatory appropriation in the annual budget process.

WELFARE TO WORK TECHNICAL AMENDMENT

The conference agreement includes a technical correction to the Balanced Budget Act of 1997 with respect to the welfare-to-work program. The provision corrects a drafting error with respect to the State matching requirement. This provision was not contained in either the House or the Senate bill.

STUDENT LOAN CONSOLIDATION

The conference agreement includes a new provision (section 609) of the bill which was not included in either the House or Senate bills. This provision amends the Higher Education Act to permit the consolidation of certain student loans and to clarify the treatment of education tax credits in determining the amount of Federal student financial assistance available to individual students.

TITLE VII—NATIONAL HEALTH MUSEUM

The conference agreement includes a new title VII of the bill that inserts the National Health Museum Development Act. This Act specifies that the National Health Museum shall be located on or near the Mall on land owned by the Federal government or the District of Columbia in the District of Columbia. It also establishes a commission to conduct a study of the appropriate Federal role

in the planning and operation of the National Health Museum. The Commission will submit the study within one year of its first meeting and then terminate. The Museum would be the nation's central public resource for education in the health sciences. This provision was not in either the House or Senate bills.

CONFERENCE AGREEMENT

The following table displays the amounts agreed to for each program, project or activity with appropriate comparisons:

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
TITLE I - DEPARTMENT OF LABOR									
EMPLOYMENT AND TRAINING ADMINISTRATION									
TRAINING AND EMPLOYMENT SERVICES (1)									
Grants to States:									
Adult Training	895,000	1,063,990	1,042,990	955,000	955,000	+60,000	-87,990	---	D
Youth Training	126,672	129,965	129,965	129,965	129,965	+3,293	---	---	D
Summer Youth Program (2)	871,000	871,000	871,000	871,000	871,000	---	---	---	D
Dislocated Worker Assistance	1,286,200	1,350,510	1,350,510	1,350,510	1,350,510	+64,310	---	---	D
Federally administered programs:									
Native Americans	52,502	52,502	52,502	55,127	53,815	+1,313	+1,313	-1,312	D
Migrant and Seasonal Farmworkers	69,285	69,285	69,285	72,749	71,017	+1,732	+1,732	-1,732	D
Job Corps:									
Operations	1,064,824	1,127,726	1,127,726	1,127,726	1,127,726	+62,902	---	---	D
Construction and Renovation (3)	88,685	118,491	118,491	118,491	118,491	+29,806	---	---	D
Subtotal, Job Corps	1,153,509	1,246,217	1,246,217	1,246,217	1,246,217	+92,708	---	---	
Veterans' employment	7,300	7,300	7,300	7,300	7,300	---	---	---	D

(1) Forward funded except where noted.

(2) Current funded.

(3) 3 year availability.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
National activities:									
Pilots and Demonstrations	27,140	23,717	42,500	83,000	65,717	+38,577	+23,217	-17,283	D
Research, Demos, evaluation	6,196	10,196	8,196	8,196	8,196	+2,000	---	---	D
Opportunity Areas for Youth	---	250,000	---	---	---	---	---	---	D
Opportunity Areas for Youth -- Advance, FY99	---	---	100,000	250,000	250,000	+250,000	+150,000	---	D
Other	13,489	10,489	13,489	16,489	17,489	+4,000	+4,000	+1,000	D
Subtotal, National activities	46,825	294,402	164,185	357,685	341,402	+294,577	+177,217	-16,283	
Current Year: FY97/98	(46,825)	(294,402)	(64,185)	(107,685)	(91,402)	(+44,577)	(+27,217)	(-16,283)	
FY98/99	---	---	(100,000)	(250,000)	(250,000)	(+250,000)	(+150,000)	---	
Subtotal, Federal activities	1,329,421	1,669,706	1,539,489	1,739,078	1,719,751	+390,330	+180,262	-19,327	
Current Year: FY97/98	(1,329,421)	(1,669,706)	(1,439,489)	(1,489,078)	(1,469,751)	(+140,330)	(+30,262)	(-19,327)	
FY98/99	---	---	(100,000)	(250,000)	(250,000)	(+250,000)	(+150,000)	---	
Total, Job Training Partnership Act	4,508,293	5,085,171	4,933,954	5,045,553	5,026,226	+517,933	+92,272	-19,327	
Current Year: FY97/98	(4,508,293)	(5,085,171)	(4,833,954)	(4,795,553)	(4,776,226)	(+267,933)	(-57,728)	(-19,327)	
FY98/99	---	---	(100,000)	(250,000)	(250,000)	(+250,000)	(+150,000)	---	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Women in Apprenticeship (1)	610	647	647	3,000	1,000	+390	+353	-2,000	D
Skills Standards	7,000	7,000	7,000	9,000	8,000	+1,000	+1,000	-1,000	D
Subtotal, National activities, TES	(54,435)	(302,049)	(171,832)	(369,685)	(350,402)	(+295,967)	(+178,570)	(-19,283)	
School-to-Work (2)	200,000	200,000	200,000	200,000	200,000	---	---	---	D
Homeless Veterans (1)	---	2,500	---	2,500	3,000	+3,000	+3,000	+500	D
Total, Training and Employment Services	4,715,903	5,295,318	5,141,601	5,260,053	5,238,226	+522,323	+96,625	-21,827	
Current Year: FY97/98	(4,715,903)	(5,295,318)	(5,041,601)	(5,010,053)	(4,988,226)	(+272,323)	(-53,375)	(-21,827)	
FY98/99	---	---	(100,000)	(250,000)	(250,000)	(+250,000)	(+150,000)	---	
Subtotal, forward funded	(3,844,293)	(4,421,171)	(4,169,954)	(4,133,553)	(4,113,226)	(+268,933)	(-56,728)	(-20,327)	
Community Serv. Employment Older Americans (3)	463,000	440,200	440,200	453,000	440,200	-22,800	---	-12,800	D
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES									
Trade Adjustment	276,100	304,700	304,700	304,700	304,700	+28,600	---	---	M
NAFTA Activities	48,400	44,300	44,300	44,300	44,300	-4,100	---	---	M
Total	324,500	349,000	349,000	349,000	349,000	+24,500	---	---	

(1) Current funded.

(2) 15-month forward funded availability.

(3) The budget request proposed transfer of this funding to the Administration on Aging.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS									
Unemployment Compensation (Trust Funds):									
State Operations	(2,115,125)	(2,204,125)	(2,115,125)	(2,115,125)	(2,115,125)	---	---	---	TF*
National Activities	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	---	---	---	TF*
Year 2000 Computer conversion	---	(200,000)	(183,000)	(150,000)	(160,000)	(+160,000)	(-23,000)	(+10,000)	TF*
Advance for FY99	---	---	---	---	(40,000)	(+40,000)	(+40,000)	(+40,000)	TF*
Contingency	(216,333)	(216,333)	(196,333)	(212,333)	(196,333)	(-20,000)	---	(-16,000)	TF*
Subtotal, Unemployment Comp (trust funds)	(2,341,458)	(2,630,458)	(2,504,458)	(2,487,458)	(2,521,458)	(+180,000)	(+17,000)	(+34,000)	
Current year	(2,341,458)	(2,630,458)	(2,504,458)	(2,487,458)	(2,481,458)	(+140,000)	(-23,000)	(-6,000)	
FY99	---	---	---	---	(40,000)	(+40,000)	(+40,000)	(+40,000)	
Employment Service:									
Allotments to States:									
Federal Funds	23,452	23,452	23,452	23,452	23,452	---	---	---	D
Trust Funds	(738,283)	(738,283)	(738,283)	(738,283)	(738,283)	---	---	---	TF*
Subtotal	761,735	761,735	761,735	761,735	761,735	---	---	---	
National Activities:									
Trust Funds (1)	(62,735)	(62,735)	(62,735)	(62,735)	(62,735)	---	---	---	TF*
Subtotal, Employment Service	824,470	824,470	824,470	824,470	824,470	---	---	---	
Federal funds	23,452	23,452	23,452	23,452	23,452	---	---	---	
Trust funds	(801,018)	(801,018)	(801,018)	(801,018)	(801,018)	---	---	---	

(1) Includes $20 million related to the Work Opportunity Tax Credit which is unauthorized for FY98.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
One Stop Career Centers	150,000	150,000	150,000	150,000	150,000	---	---	---	D
Total, State Unemployment	3,315,928	3,604,928	3,478,928	3,461,928	3,495,928	+180,000	+17,000	+34,000	
Federal Funds	173,452	173,452	173,452	173,452	173,452	---	---	---	
Trust Funds	(3,142,476)	(3,431,476)	(3,305,476)	(3,288,476)	(3,322,476)	(+180,000)	(+17,000)	(+34,000)	
Current year	(3,142,476)	(3,431,476)	(3,305,476)	(3,288,476)	(3,282,476)	(+140,000)	(-23,000)	(-6,000)	
FY99	---	---	---	---	(40,000)	(+40,000)	(+40,000)	(+40,000)	
Advances to the UI and Other Trust Funds (1)	373,000	392,000	392,000	392,000	392,000	+19,000	---	---	M

(1) Two year availability.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
PROGRAM ADMINISTRATION									
Adult Employment and Training	25,842	26,486	26,100	26,100	26,100	+258	---	---	D
Trust Funds	(2,237)	(2,331)	(2,259)	(2,259)	(2,259)	(+22)	---	---	TF*
Youth Employment and Training	29,607	31,871	29,903	29,903	29,903	+296	---	---	D
Employment Security	6,081	4,601	6,142	6,142	6,142	+61	---	---	D
Trust Funds	(37,324)	(39,807)	(37,697)	(37,697)	(37,697)	(+373)	---	---	TF*
Apprenticeship Services	16,271	17,367	16,434	16,434	16,434	+163	---	---	D
Executive Direction	5,672	5,889	5,729	5,729	5,729	+57	---	---	D
Trust Funds	(1,316)	(1,291)	(1,329)	(1,329)	(1,329)	(+13)	---	---	TF*
Welfare to Work	---	6,200	---	4,000	6,000	+6,000	+6,000	+2,000	D
Subtotal, Program Administration	124,350	135,843	125,593	129,593	131,593	+7,243	+6,000	+2,000	
Federal funds	83,473	92,414	84,308	88,308	90,308	+6,835	+6,000	+2,000	
Trust funds	(40,877)	(43,429)	(41,285)	(41,285)	(41,285)	(+408)	---	---	
Subtotal, Employment & Training Administration	9,316,681	10,217,289	9,927,322	10,045,574	10,046,947	+730,266	+119,625	+1,373	
Federal funds	6,133,328	6,742,384	6,580,561	6,715,813	6,683,186	+549,858	+102,625	-32,627	
Current Year: FY97/98	(6,133,328)	(6,742,384)	(6,480,561)	(6,465,813)	(6,433,186)	(+299,858)	(-47,375)	(-32,627)	
FY98/99	---	---	(100,000)	(250,000)	(250,000)	(+250,000)	(+150,000)	---	
Trust funds	(3,183,353)	(3,474,905)	(3,346,761)	(3,329,761)	(3,363,761)	(+180,408)	(+17,000)	(+34,000)	
Current Year: FY97/98	(3,183,353)	(3,474,905)	(3,346,761)	(3,329,761)	(3,323,761)	(+140,408)	(-23,000)	(-6,000)	
FY98/99	---	---	---	---	(40,000)	(+40,000)	(+40,000)	(+40,000)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
PENSION AND WELFARE BENEFITS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement and Compliance	61,476	67,463	66,100	66,100	66,100	+4,624	---	---	D
Policy, Regulation and Public Service	11,781	13,158	12,281	12,281	12,281	+500	---	---	D
Program Oversight	3,583	3,686	3,619	3,619	3,619	+36	---	---	D
Subtotal, PWBA	76,840	84,307	82,000	82,000	82,000	+5,160	---	---	
PENSION BENEFIT GUARANTY CORPORATION									
Program Administration subject to limitation (TF) (1).	(10,330)	(10,625)	(10,433)	(10,433)	(10,433)	(+103)	---	---	TF
Termination services not subject to limitation (NA)	(125,338)	(137,376)	(137,376)	(137,376)	(137,376)	(+12,038)	---	---	NA
Subtotal, PBGC new BA	(10,330)	(10,625)	(10,433)	(10,433)	(10,433)	(+103)	---	---	
Subtotal, PBGC (Program level)	(135,668)	(148,001)	(147,809)	(147,809)	(147,809)	(+12,141)	---	---	

(1) This limitation is scored as BA in FY98; see scorekeeping summary.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
EMPLOYMENT STANDARDS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement of Wage and Hour Standards	117,904	124,505	121,213	121,213	121,213	+3,309	---	---	D
Office of Labor-Management Standards	25,489	26,382	26,709	26,709	26,709	+1,220	---	---	D
Federal Contractor EEO Standards Enforcement	58,972	68,728	60,618	62,271	62,271	+3,299	+1,653	---	D
Federal Programs for Workers' Compensation	75,670	81,199	77,783	77,783	77,783	+2,113	---	---	D
Trust Funds (1)	(983)	(1,760)	(993)	(993)	(993)	(+10)	---	---	TF
Program Direction and Support	11,366	11,629	11,684	11,684	11,684	+318	---	---	D
Subtotal, ESA salaries and expenses	290,384	314,203	299,000	300,653	300,653	+10,269	+1,653	---	
Federal funds	289,401	312,443	298,007	299,660	299,660	+10,259	+1,653	---	
Trust funds	(983)	(1,760)	(993)	(993)	(993)	(+10)	---	---	
SPECIAL BENEFITS									
Federal employees compensation benefits	209,000	197,000	197,000	197,000	197,000	-12,000	---	---	M
Longshore and harbor workers' benefits	4,000	4,000	4,000	4,000	4,000	---	---	---	M
Subtotal, Special Benefits	213,000	201,000	201,000	201,000	201,000	-12,000	---	---	

(1) This limitation is scored as BA in FY98; see scorekeeping summary.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
BLACK LUNG DISABILITY TRUST FUND									
Benefit payments and interest on advances	961,665	960,650	960,650	960,650	960,650	-1,015	---	---	M
Employment Standards Adm. S&E	26,053	26,147	26,147	26,147	26,147	+94	---	---	M
Departmental Management S&E	19,621	19,551	19,551	19,551	19,551	-70	---	---	M
Departmental Management, Inspector General	287	296	296	296	296	+9	---	---	M
Subtotal, Black Lung Disablty. Trust Fund, apprn	1,007,626	1,006,644	1,006,644	1,006,644	1,006,644	-982	---	---	
Treasury Adm. Costs (Indefinite)	356	356	356	356	356	---	---	---	M
Total, Black Lung Disability Trust Fund	1,007,982	1,007,000	1,007,000	1,007,000	1,007,000	-982	---	---	
Total, Employment Standards Administration	1,511,366	1,522,203	1,507,000	1,508,653	1,508,653	-2,713	+1,653	---	
Federal funds	1,510,383	1,520,443	1,506,007	1,507,660	1,507,660	-2,723	+1,653	---	
Trust funds	(983)	(1,760)	(993)	(993)	(993)	(+10)	---	---	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Safety and Health Standards	11,971	12,566	12,091	12,091	12,091	+120	---	---	D
Federal Enforcement	125,907	135,689	127,166	130,606	128,886	+2,979	+1,720	-1,720	D
State Enforcement Programs	77,169	79,175	77,941	77,941	77,941	+772	---	---	D
Technical Support	17,417	17,617	17,591	17,591	17,591	+174	---	---	D
Compliance Assistance: Federal Assistance	37,351	46,285	45,725	41,734	43,729	+6,378	-1,996	+1,995	D
State Consultation Grants	34,477	35,373	34,822	35,373	35,373	+896	+551	---	D
Safety and Health Statistics	14,142	14,460	14,283	14,283	14,283	+141	---	---	D
Executive Direction and Administration	6,521	6,640	6,586	6,586	6,586	+65	---	---	D
Total, OSHA	324,955	347,805	336,205	336,205	336,480	+11,525	+275	+275	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
MINE SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Coal Enforcement	106,993	107,419	108,063	107,419	107,419	+426	-644	---	D
Metal/Non-Metal Enforcement	41,994	44,315	42,414	44,315	43,681	+1,687	+1,267	-634	D
Standards Development	1,008	1,426	1,018	1,426	1,290	+282	+272	-136	D
Assessments	3,497	3,578	3,532	3,578	3,555	+58	+23	-23	D
Educational Policy and Development	14,782	14,834	14,930	14,834	14,834	+52	-96	---	D
Technical Support	21,268	24,870	21,481	24,870	23,740	+2,472	+2,259	-1,130	D
Program Administration	7,645	9,362	7,721	9,362	8,815	+1,170	+1,094	-547	D
Total, Mine Safety and Health Administration	197,187	205,804	199,159	205,804	203,334	+6,147	+4,175	-2,470	
BUREAU OF LABOR STATISTICS									
SALARIES AND EXPENSES									
Employment and Unemployment Statistics	102,169	109,955	109,955	106,415	110,955	+8,786	+1,000	+4,540	D
Labor Market Information (Trust Funds)	(52,053)	(52,848)	(52,848)	(52,574)	(52,848)	(+795)	---	(+274)	TF*
Prices and Cost of Living	100,134	107,028	108,028	107,028	107,028	+6,894	-1,000	---	D
Compensation and Working Conditions	56,834	58,909	58,909	57,402	58,909	+2,075	---	+1,507	D
Productivity and Technology	7,263	7,248	7,248	7,336	7,248	-15	---	-88	D
Economic Growth and Employment Projections	4,640	4,728	4,728	4,686	4,728	+88	---	+42	D
Executive Direction and Staff Services	21,584	23,311	23,311	21,800	23,311	+1,727	---	+1,511	D
Consumer Price Index Revision (1)	16,145	15,430	15,430	15,430	15,430	-715	---	---	D
Total, Bureau of Labor Statistics	360,822	379,457	380,457	372,671	380,457	+19,635	---	+7,786	
Federal Funds	308,769	326,609	327,609	320,097	327,609	+18,840	---	+7,512	
Trust Funds	(52,053)	(52,848)	(52,848)	(52,574)	(52,848)	(+795)	---	(+274)	

(1) Two year availability.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
DEPARTMENTAL MANAGEMENT									
SALARIES AND EXPENSES									
Executive Direction	20,029	19,714	18,209	19,714	18,962	-1,067	+753	-752	D
Legal Services	59,911	64,813	64,813	64,813	64,813	+4,902	---	---	D
Trust Funds	(297)	(282)	(282)	(282)	(282)	(-15)	---	---	TF*
International Labor Affairs	9,465	11,095	13,095	11,095	12,095	+2,630	-1,000	+1,000	D
Administration and Management	13,904	14,259	14,043	14,259	14,151	+247	+108	-108	D
Adjudication	20,483	20,979	20,688	20,688	20,688	+205	---	---	D
Promoting Employment of People with Disabilities	4,358	4,439	4,402	4,439	4,421	+63	+19	-18	D
Women's Bureau	7,743	7,569	7,569	7,743	7,743	---	+174	---	D
Civil Rights Activities	4,535	4,598	4,580	4,580	4,580	+45	---	---	D
Chief Financial Officer	4,394	4,930	4,800	4,800	4,800	+406	---	---	D
Total, Salaries and expenses	145,119	152,678	152,481	152,413	152,535	+7,416	+54	+122	
Federal funds	144,822	152,396	152,199	152,131	152,253	+7,431	+54	+122	
Trust funds	(297)	(282)	(282)	(282)	(282)	(-15)	---	---	
VETERANS EMPLOYMENT AND TRAINING									
State Administration:									
Disabled Veterans Outreach Program	(81,993)	(80,040)	(80,040)	(80,040)	(80,040)	(-1,953)	---	---	TF*
Local Veterans Employment Program	(75,125)	(77,078)	(77,078)	(77,078)	(77,078)	(+1,953)	---	---	TF*
Subtotal, State Administration	(157,118)	(157,118)	(157,118)	(157,118)	(157,118)	---	---	---	
Federal Administration	(22,733)	(22,837)	(24,837)	(22,837)	(24,837)	(+2,104)	---	(+2,000)	TF*
National Veterans Training Institute	(2,000)	(2,000)	---	(2,000)	---	(-2,000)	---	(-2,000)	TF*
Total, Veterans Employment & Training (TF)	(181,851)	(181,955)	(181,955)	(181,955)	(181,955)	(+104)	---	---	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
OFFICE OF THE INSPECTOR GENERAL									
Program Activities	37,480	37,345	36,345	37,345	36,845	-635	+500	-500	D
Trust Funds	(3,543)	(3,645)	(3,645)	(3,645)	(3,645)	(+102)	---	---	TF*
Executive Direction and Management	5,958	5,760	5,760	5,760	5,760	-198	---	---	D
Total, Office of the Inspector General	46,981	46,750	45,750	46,750	46,250	-731	+500	-500	
Federal funds	43,438	43,105	42,105	43,105	42,605	-833	+500	-500	
Trust funds	(3,543)	(3,645)	(3,645)	(3,645)	(3,645)	(+102)	---	---	
Total, Departmental Management	373,951	381,383	380,186	381,118	380,740	+6,789	+554	-378	
Federal funds	188,260	195,501	194,304	195,236	194,858	+6,598	+554	-378	
Trust funds	(185,691)	(185,882)	(185,882)	(185,882)	(185,882)	(+191)	---	---	
Total, Labor Department	12,172,132	13,148,873	12,822,762	12,942,458	12,949,044	+776,912	+126,282	+6,586	
Federal funds	8,739,722	9,422,853	9,225,845	9,362,815	9,335,127	+595,405	+109,282	-27,688	
Current Year: FY97/98	(8,739,722)	(9,422,853)	(9,125,845)	(9,112,815)	(9,085,127)	(+345,405)	(-40,718)	(-27,688)	
FY98/99	---	---	(100,000)	(250,000)	(250,000)	(+250,000)	(+150,000)	---	
Trust funds	(3,432,410)	(3,726,020)	(3,596,917)	(3,579,643)	(3,613,917)	(+181,507)	(+17,000)	(+34,274)	
Current Year: FY97/98	(3,432,410)	(3,726,020)	(3,596,917)	(3,579,643)	(3,573,917)	(+141,507)	(-23,000)	(-5,726)	
FY98/99	---	---	---	---	(40,000)	(+40,000)	(+40,000)	(+40,000)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES									
HEALTH RESOURCES AND SERVICES ADMINISTRATION									
HEALTH RESOURCES AND SERVICES									
Consolidated health centers	802,009	809,868	826,000	826,000	826,000	+23,991	---	---	D
National Health Service Corps:									
Field placements	37,244	37,244	37,244	37,244	37,244	---	---	---	D
Recruitment	78,166	78,166	82,756	78,166	78,166	---	-4,590	---	D
Subtotal, National Health Service Corps	115,410	115,410	120,000	115,410	115,410	---	-4,590	---	
Health Professions									
Grants to Communities for Scholarships	532	---	545	---	534	+2	-11	+534	D
Health Professions data systems	236	---	241	---	237	+1	-4	+237	D
Research on Health Professions Issues	450	---	461	---	452	+2	-9	+452	D
Nurse loan repayment for shortage area service	2,197	---	2,251	---	2,205	+8	-46	+2,205	D
Workforce Development Cluster (proposed)	---	623	---	---	---	---	---	---	D
Centers of excellence	24,714	---	27,300	---	24,798	+84	-2,502	+24,798	D
Health careers opportunity program	26,779	---	30,000	---	26,870	+91	-3,130	+26,870	D
Exceptional financial need scholarships	11,332	---	11,610	---	11,371	+39	-239	+11,371	D
Faculty loan repayment	1,061	---	1,087	---	1,065	+4	-22	+1,065	D
Fin. Assistance for disadvantaged HP students	6,718	---	6,883	---	6,741	+23	-142	+6,741	D
Scholarships for disadvantaged students	18,673	---	21,100	---	18,737	+64	-2,363	+18,737	D
Minority/Disadvantaged Cluster (proposed)	---	89,277	---	---	---	---	---	---	D
Family medicine training/departments	49,256	---	50,464	---	49,424	+168	-1,040	+49,424	D
General internal medicine and pediatrics	17,618	---	18,050	---	17,678	+60	-372	+17,678	D

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Physician assistants	6,376	---	6,532	---	6,398	+22	-134	+6,398	D
Public health and preventive medicine	7,998	---	8,194	---	8,025	+27	-169	+8,025	D
Health administration traineeships/projects	1,095	---	1,122	---	1,099	+4	-23	+1,099	D
Primary Care Medicine & Pub Health Cluster (proposed)	---	7,700	---	---	---	---	---	---	D
Area health education centers	28,490	---	29,189	---	28,587	+97	-602	+28,587	D
Border health training centers	3,752	---	3,844	---	3,765	+13	-79	+3,765	D
General dentistry residencies	3,785	---	3,878	---	3,798	+13	-80	+3,798	D
Allied health special projects	3,832	---	3,926	---	3,845	+13	-81	+3,845	D
Geriatric education centers and training	8,881	---	9,099	---	8,911	+30	-188	+8,911	D
Rural interdisciplinary traineeships	4,153	---	4,255	---	4,167	+14	-88	+4,167	D
Podiatric Medicine	677	---	694	---	679	+2	-15	+679	D
Chiropractic demonstration grants	1,025	---	1,050	---	1,029	+4	-21	+1,029	D
Enhanced Area Health Education Cluster (proposed)	---	24,700	---	---	---	---	---	---	D
Advanced Nurse Education	12,467	---	12,773	---	12,510	+43	-263	+12,510	D
Nurse practitioners/nurse midwives	17,586	---	18,017	---	17,646	+60	-371	+17,646	D
Special projects	10,564	---	10,823	---	10,600	+36	-223	+10,600	D
Nurse disadvantaged assistance	3,865	---	3,960	---	3,878	+13	-82	+3,878	D
Professional nurse traineeships	15,941	---	16,332	---	15,995	+54	-337	+15,995	D
Nurse anesthetists	2,765	---	2,833	---	2,774	+9	-59	+2,774	D
Nurse Education / Practice Init Cluster (proposed)	---	7,700	---	---	---	---	---	---	D
Consolidated Title VII programs	---	---	---	165,000	---	---	---	-165,000	D
Consolidated Title VIII programs	---	---	---	55,000	---	---	---	-55,000	D
Subtotal, Health professions	292,818	130,000	306,513	220,000	293,818	+1,000	-12,695	+73,818	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Other HRSA Programs:									
Hansen's Disease Services Cluster (1)	17,094	16,469	17,094	14,424	17,094	---	---	+2,670	D
Maternal & Child Health Block Grant	681,000	681,000	685,000	681,000	683,000	+2,000	-2,000	+2,000	D
Healthy Start	95,982	95,982	95,982	95,982	95,982	---	---	---	D
Organ Transplantation	2,278	3,891	2,278	2,778	2,778	+500	+500	---	D
Health Teaching Facilities Interest Subsidies	297	225	225	225	225	-72	---	---	D
Bone Marrow Program	15,270	15,270	15,270	15,270	15,270	---	---	---	D
Rural outreach grants	27,796	25,092	27,796	30,092	32,592	+4,796	+4,796	+2,500	D
Emergency medical services for children	12,493	12,000	13,000	13,000	13,000	+507	---	---	D
Black lung clinics	4,000	1,906	5,000	5,000	5,000	+1,000	---	---	D
Alzheimer's demonstration grants (2)	5,999	---	5,999	5,999	5,999	---	---	---	D
Payment to Hawaii, treatment of Hansen's (1)	2,045	---	2,045	2,045	2,045	---	---	---	D
Subtotal, Other HRSA programs	864,254	851,835	869,689	865,815	872,985	+8,731	+3,296	+7,170	

(1) Proposed for consolidation.

(2) Proposed for transfer to AoA.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Ryan White AIDS Programs:									
Emergency Assistance	449,943	454,943	471,663	457,943	464,800	+14,857	-6,863	+6,857	D
Comprehensive Care Programs	416,954	431,954	560,994	469,954	543,000	+126,046	-17,994	+73,046	D
AIDS Drug Assistance Program (ADAP) (NA)	(167,000)	(167,000)	(299,000)	(217,000)	(285,500)	(+118,500)	(-13,500)	(+68,500)	NA
Early Intervention Program	69,568	84,568	72,928	79,568	76,300	+6,732	+3,372	-3,268	D
Pediatric Demonstrations	36,000	40,000	37,720	45,000	41,000	+5,000	+3,280	-4,000	D
AIDS Dental Services	7,500	7,500	7,860	7,500	7,800	+300	-60	+300	D
Education and Training Centers	16,287	17,287	17,087	17,287	17,300	+1,013	+213	+13	D
Subtotal, Ryan White AIDS programs	996,252	1,036,252	1,168,252	1,077,252	1,150,200	+153,948	-18,052	+72,948	
Family Planning	198,452	203,452	194,452	208,452	203,452	+5,000	+9,000	-5,000	D
Rural Health Research	8,713	8,713	8,713	11,713	11,713	+3,000	+3,000	---	D
Health Care and Other Facilities	12,902	---	---	10,000	28,000	+15,098	+28,000	+18,000	D
Buildings and Facilities (1)	828	---	2,500	---	2,500	+1,672	---	+2,500	D
National Practitioner Data Bank	6,000	8,000	8,000	8,000	8,000	+2,000	---	---	D
User Fees	-6,000	-8,000	-8,000	-8,000	-8,000	-2,000	---	---	D
Program Management	112,929	110,949	110,949	114,429	114,059	+1,130	+3,110	-370	D
Total, Health resources and services	3,404,567	3,266,479	3,607,068	3,449,071	3,618,137	+213,570	+11,069	+169,066	

(1) Proposed for consolidation.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
MEDICAL FACILITIES GUARANTEE AND LOAN FUND:									
Interest subsidy program	7,000	6,000	6,000	6,000	6,000	-1,000	---	---	M
HEALTH EDUCATION ASSISTANCE LOANS PROGRAM (HEAL):									
New loan subsidies	477	1,020	1,020	1,020	1,020	+543	---	---	M
Liquidating account (NA)	(37,608)	(29,566)	(29,566)	(29,566)	(29,566)	(-8,042)	---	---	NA
HEAL loan limitation (NA)	(140,000)	(85,000)	(85,000)	(85,000)	(85,000)	(-55,000)	---	---	NA
Program management	2,688	2,688	2,688	2,688	2,688	---	---	---	D
Total, HEAL	3,165	3,708	3,708	3,708	3,708	+543	---	---	
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:									
Post-FY88 claims (TF)	50,476	42,448	42,448	42,448	42,448	-8,028	---	---	M
HRSA administration (TF)	3,000	3,000	3,000	3,000	3,000	---	---	---	M
Subtotal, Vaccine injury compensation trust fund	53,476	45,448	45,448	45,448	45,448	-8,028	---	---	
VACCINE INJURY COMPENSATION:									
Pre-FY89 claims (appropriation)	110,000	---	---	---	---	-110,000	---	---	M
Total, Vaccine injury	163,476	45,448	45,448	45,448	45,448	-118,028	---	---	
Total, Health Resources & Services Admin	3,578,208	3,321,635	3,662,224	3,504,227	3,673,293	+95,085	+11,069	+169,066	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
CENTERS FOR DISEASE CONTROL AND PREVENTION									
DISEASE CONTROL, RESEARCH AND TRAINING									
Preventive Health Services Block Grant	153,994	143,940	155,000	143,940	150,000	-3,994	-5,000	+6,060	D
Prevention Centers	8,099	8,099	8,099	8,099	8,099	---	---	---	D
Childhood immunization (1)	467,583	427,312	440,030	445,545	427,312	-40,271	-12,718	-18,233	D
HCFA vaccine purchase (NA)	372,534	437,104	437,104	437,104	437,104	+64,570	---	---	NA
Subtotal, CDC/HCFA vaccine program level	467,583	427,312	440,030	445,545	427,312	-40,271	-12,718	-18,233	
AIDS	616,790	634,266	621,790	646,790	634,266	+17,476	+12,476	-12,524	D
Tuberculosis	119,294	119,236	119,236	119,236	119,236	-58	---	---	D
Sexually Transmitted Diseases	106,203	111,171	111,171	111,171	113,671	+7,468	+2,500	+2,500	D
Chronic and Environmental Disease Prevention	166,874	191,039	228,039	203,454	217,136	+50,262	-10,903	+13,682	D
Breast and Cervical Cancer Screening	139,659	141,897	145,000	141,897	145,000	+5,341	---	+3,103	D
Infectious Diseases	87,720	112,428	118,000	112,428	115,214	+27,494	-2,786	+2,786	D
Lead Poisoning Prevention	38,181	38,154	38,200	38,200	38,200	+19	---	---	D
Injury Control	43,182	49,033	55,933	45,063	50,507	+7,325	-5,426	+5,444	D
Occupational Safety and Health (NIOSH)	141,340	148,463	148,840	148,463	152,840	+11,500	+4,000	+4,377	D
Mine Safety and Health	31,913	32,000	32,000	40,000	36,000	+4,087	+4,000	-4,000	D
Epidemic Services	69,608	69,322	69,322	69,322	69,322	-286	---	---	D

(1) Request includes bill language exempting from the excise tax vaccine purchased with appropriated funds; savings are estimated at $25 million.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
National Center for Health Statistics:									
Program Operations	37,612	18,963	37,612	18,033	26,780	-10,832	-10,832	+8,747	D
1% evaluation funds (NA)	(48,400)	(70,063)	(48,400)	(70,063)	(59,232)	(+10,832)	(+10,832)	(-10,831)	NA
Subtotal, health statistics	(86,012)	(89,026)	(86,012)	(88,096)	(86,012)	---	---	(-2,084)	
Buildings and Facilities	30,553	23,007	20,000	23,007	21,504	-9,049	+1,504	-1,503	D
Program Management	2,563	2,465	2,465	2,465	2,465	-98	---	---	D
Subtotal, Centers for Disease Control	2,261,168	2,270,795	2,350,737	2,317,113	2,327,552	+66,384	-23,185	+10,439	
Crime Bill Activities:									
Rape Prevention and Education	35,000	45,000	45,000	45,000	45,000	+10,000	---	---	D
Domestic Violence Community Demonstrations	6,000	---	---	6,000	6,000	---	+6,000	---	D
Subtotal, Crime bill activities	41,000	45,000	45,000	51,000	51,000	+10,000	+6,000	---	
Total, Disease Control	2,302,168	2,315,795	2,395,737	2,368,113	2,378,552	+76,384	-17,185	+10,439	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	2,389,065	2,217,482	2,513,020	2,558,377	2,547,314	+158,249	+34,294	-11,063	D
AIDS (NA)	---	(224,256)	---	---	---	---	---	---	NA
Subtotal, NCI	(2,389,065)	(2,441,738)	(2,513,020)	(2,558,377)	(2,547,314)	(+158,249)	(+34,294)	(-11,063)	
National Heart, Lung, and Blood Institute	1,431,830	1,404,770	1,513,004	1,539,898	1,531,061	+99,231	+18,057	-8,837	D
AIDS (NA)	---	(62,419)	---	---	---	---	---	---	NA
Subtotal, NHLBI	(1,431,830)	(1,467,189)	(1,513,004)	(1,539,898)	(1,531,061)	(+99,231)	(+18,057)	(-8,837)	
National Institute of Dental Research	197,063	190,081	209,403	211,611	209,415	+12,352	+12	-2,196	D
AIDS (NA)	---	(12,750)	---	---	---	---	---	---	NA
Subtotal, NIDR	(197,063)	(202,831)	(209,403)	(211,611)	(209,415)	(+12,352)	(+12)	(-2,196)	
National Institute of Diabetes and Digestive and Kidney Diseases	813,149	821,164	874,337	883,321	873,860	+60,711	-477	-9,461	D
AIDS (NA)	---	(12,638)	---	---	---	---	---	---	NA
Subtotal, NIDDK	(813,149)	(833,802)	(874,337)	(883,321)	(873,860)	(+60,711)	(-477)	(-9,461)	
National Institute of Neurological Disorders & Stroke	729,259	722,712	763,325	781,351	780,713	+51,454	+17,388	-638	D
AIDS (NA)	---	(25,116)	---	---	---	---	---	---	NA
Subtotal, NINDS	(729,259)	(747,828)	(763,325)	(781,351)	(780,713)	(+51,454)	(+17,388)	(-638)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
National Institute of Allergy and Infectious Diseases.	1,257,794	634,272	1,339,459	1,359,688	1,351,655	+93,861	+12,196	-8,033	D
AIDS (NA)	---	(678,230)	---	---	---	---	---	---	NA
Subtotal, NIAID	(1,257,794)	(1,312,502)	(1,339,459)	(1,359,688)	(1,351,655)	(+93,861)	(+12,196)	(-8,033)	
National Institute of General Medical Sciences	995,471	992,032	1,047,963	1,058,969	1,065,947	+70,476	+17,984	+6,978	D
AIDS (NA)	---	(28,160)	---	---	---	---	---	---	NA
Subtotal, NIGMS	(995,471)	(1,020,192)	(1,047,963)	(1,058,969)	(1,065,947)	(+70,476)	(+17,984)	(+6,978)	
National Institute of Child Health & Human Development	631,628	582,032	666,682	676,870	674,766	+43,138	+8,084	-2,104	D
AIDS (NA)	---	(65,247)	---	---	---	---	---	---	NA
Subtotal, NICHD	(631,628)	(647,279)	(666,682)	(676,870)	(674,766)	(+43,138)	(+8,084)	(-2,104)	
National Eye Institute	331,606	330,955	354,032	357,695	355,691	+24,085	+1,659	-2,004	D
AIDS (NA)	---	(9,476)	---	---	---	---	---	---	NA
Subtotal, NEI	(331,606)	(340,431)	(354,032)	(357,695)	(355,691)	(+24,085)	(+1,659)	(-2,004)	
National Institute of Environmental Health Sciences	307,562	313,583	328,583	331,969	330,108	+22,546	+1,525	-1,861	D
AIDS (NA)	---	(6,324)	---	---	---	---	---	---	NA
Subtotal, NIEHS	(307,562)	(319,907)	(328,583)	(331,969)	(330,108)	(+22,546)	(+1,525)	(-1,861)	
National Institute on Aging	484,326	495,202	509,811	520,705	519,279	+34,953	+9,468	-1,426	D
AIDS (NA)	---	(1,874)	---	---	---	---	---	---	NA
Subtotal, NIA	(484,326)	(497,076)	(509,811)	(520,705)	(519,279)	(+34,953)	(+9,468)	(-1,426)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
National Institute of Arthritis and Musculoskeletal and Skin Diseases	256,228	258,932	269,807	272,631	274,760	+18,532	+4,953	+2,129	D
AIDS (NA)	---	(4,310)	---	---	---	---	---	---	NA
Subtotal, NIAMS	(256,228)	(263,242)	(269,807)	(272,631)	(274,760)	(+18,532)	(+4,953)	(+2,129)	
National Institute on Deafness and Other Communication Disorders	188,273	192,447	198,373	200,428	200,695	+12,422	+2,322	+267	D
AIDS (NA)	---	(1,774)	---	---	---	---	---	---	NA
Subtotal, NIDCD	(188,273)	(194,221)	(198,373)	(200,428)	(200,695)	(+12,422)	(+2,322)	(+267)	
National Institute of Nursing Research	59,554	55,692	62,451	64,016	63,597	+4,043	+1,146	-419	D
AIDS (NA)	---	(5,360)	---	---	---	---	---	---	NA
Subtotal, NINR	(59,554)	(61,052)	(62,451)	(64,016)	(63,597)	(+4,043)	(+1,146)	(-419)	
National Institute on Alcohol Abuse and Alcoholism	211,254	208,112	226,205	228,585	227,175	+15,921	+970	-1,410	D
AIDS (NA)	---	(11,234)	---	---	---	---	---	---	NA
Subtotal, NIAAA	(211,254)	(219,346)	(226,205)	(228,585)	(227,175)	(+15,921)	(+970)	(-1,410)	
National Institute on Drug Abuse	490,113	358,475	525,641	531,751	527,175	+37,062	+1,534	-4,576	D
AIDS (NA)	---	(163,440)	---	---	---	---	---	---	NA
Subtotal, NIDA	(490,113)	(521,915)	(525,641)	(531,751)	(527,175)	(+37,062)	(+1,534)	(-4,576)	
National Institute of Mental Health	700,701	629,739	744,235	753,334	750,241	+49,540	+6,006	-3,093	D
AIDS (NA)	---	(98,510)	---	---	---	---	---	---	NA
Subtotal, NIMH	(700,701)	(728,249)	(744,235)	(753,334)	(750,241)	(+49,540)	(+6,006)	(-3,093)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
National Human Genome Research Institute	188,957	202,197	211,772	218,851	217,704	+28,747	+5,932	-1,147	D
AIDS (NA)	---	(2,990)	---	---	---	---	---	---	NA
Subtotal, NHGRI	(188,957)	(205,187)	(211,772)	(218,851)	(217,704)	(+28,747)	(+5,932)	(-1,147)	
National Center for Research Resources	414,049	333,868	436,961	455,805	453,883	+39,834	+16,922	-1,922	D
AIDS (NA)	---	(77,053)	---	---	---	---	---	---	NA
Subtotal, NCRR	(414,049)	(410,921)	(436,961)	(455,805)	(453,883)	(+39,834)	(+16,922)	(-1,922)	
John Fogarty International Center	26,504	16,755	27,620	28,468	28,289	+1,785	+669	-179	D
AIDS (NA)	---	(10,413)	---	---	---	---	---	---	NA
Subtotal, FIC	(26,504)	(27,168)	(27,620)	(28,468)	(28,289)	(+1,785)	(+669)	(-179)	
National Library of Medicine	150,376	152,689	161,171	162,825	161,185	+10,809	+14	-1,640	D
AIDS (NA)	---	(3,279)	---	---	---	---	---	---	NA
Subtotal, NLM	(150,376)	(155,968)	(161,171)	(162,825)	(161,185)	(+10,809)	(+14)	(-1,640)	
Office of the Director	286,081	234,247	298,339	292,196	296,373	+10,292	-1,966	+4,177	D
AIDS (NA)	---	(35,912)	---	---	---	---	---	---	NA
Subtotal, OD	(286,081)	(270,159)	(298,339)	(292,196)	(296,373)	(+10,292)	(-1,966)	(+4,177)	
Buildings and Facilities	200,000	190,000	223,100	203,500	206,957	+6,957	-16,143	+3,457	D
Office of AIDS Research	---	1,540,765	---	---	---	---	---	---	D
Total N.I.H.	12,740,843	13,078,203	13,505,294	13,692,844	13,647,843	+907,000	+142,549	-45,001	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION									
Mental Health:									
Knowledge development and application	57,964	58,032	58,032	57,964	57,964	---	-68	---	D
Mental Health Performance Partnership	275,420	275,420	275,420	275,420	275,420	---	---	---	D
Children's Mental Health	69,896	69,927	72,927	69,896	72,927	+3,031	---	+3,031	D
Grants to States for the Homeless (PATH)	20,000	20,000	23,000	20,000	23,000	+3,000	---	+3,000	D
Protection and Advocacy	21,957	21,957	21,957	21,957	21,957	---	---	---	D
Subtotal, mental health	445,237	445,336	451,336	445,237	451,268	+6,031	-68	+6,031	
Substance Abuse Treatment:									
Knowledge Development and Application	155,868	156,000	159,000	155,868	155,868	---	-3,132	---	D
Substance Abuse Performance Partnership -- (BA)	1,310,107	1,320,107	1,320,107	1,310,107	1,310,107	---	-10,000	---	D
P.L. 104-121 funding	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	---	---	---	NA
Subtotal, Substance Abuse Treatment (BA)	1,465,975	1,476,107	1,479,107	1,465,975	1,465,975	---	-13,132	---	
Total, Treatment program level	(1,515,975)	(1,526,107)	(1,529,107)	(1,515,975)	(1,515,975)	---	(-13,132)	---	
Substance Abuse Prevention:									
Knowledge Development and Application	155,869	151,000	151,000	151,000	151,000	-4,869	---	---	D
High Risk Youth Grants	---	---	---	10,000	6,000	+6,000	+6,000	-4,000	D
Subtotal, Substance abuse prevention	155,869	151,000	151,000	161,000	157,000	+1,131	+6,000	-4,000	
Program Management and Buildings and Facilities	54,431	55,500	55,500	54,431	54,500	+69	-1,000	+69	D
Data Collection	---	28,000	15,000	---	18,000	+18,000	+3,000	+18,000	D
1% evaluation funding (NA)	---	---	---	(10,000)	---	---	---	(-10,000)	NA
Total, Substance Abuse and Mental Health (BA)	2,121,512	2,155,943	2,151,943	2,126,643	2,146,743	+25,231	-5,200	+20,100	
Total, Program level	(2,171,512)	(2,205,943)	(2,201,943)	(2,176,643)	(2,196,743)	(+25,231)	(-5,200)	(+20,100)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS									
Retirement payments	139,299	149,217	149,217	149,217	149,217	+9,918	---	---	M
Survivors benefits	10,417	11,643	11,643	11,643	11,643	+1,226	---	---	M
Dependents' medical care	26,363	27,470	27,470	27,470	27,470	+1,107	---	---	M
Military services credits	2,556	2,409	2,409	2,409	2,409	-147	---	---	M
Total, Retirement pay and medical benefits	178,635	190,739	190,739	190,739	190,739	+12,104	---	---	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
AGENCY FOR HEALTH CARE POLICY AND RESEARCH									
Research on Health Care Systems Cost & Access:									
Federal Funds	35,650	17,170	35,573	17,170	25,214	-10,436	-10,359	+8,044	D
1% evaluation funding (NA)	(8,750)	(29,515)	(11,112)	(29,515)	(19,906)	(+11,156)	(+8,794)	(-9,609)	NA
Subtotal	(44,400)	(46,685)	(46,685)	(46,685)	(45,120)	(+720)	(-1,565)	(-1,565)	
Health Insurance & Expenditure Surveys:									
Federal Funds	224	10,000	---	10,000	---	-224	---	-10,000	D
1% evaluation funding (NA)	(38,662)	(26,300)	(36,300)	(26,300)	(36,300)	(-2,362)	---	(+10,000)	NA
Subtotal	(38,886)	(36,300)	(36,300)	(36,300)	(36,300)	(-2,586)	---	---	
Research on Health Care Outcomes & Quality:									
Federal Funds	57,963	57,600	63,785	48,187	62,785	+4,822	-1,000	+14,598	D
1% evaluation funding (NA)	---	(6,185)	---	(9,185)	---	---	---	(-9,185)	NA
Subtotal	(57,963)	(63,785)	(63,785)	(57,372)	(62,785)	(+4,822)	(-1,000)	(+5,413)	
Program Support	2,230	2,230	2,230	2,230	2,230	---	---	---	D
Total, AHCPR	143,479	149,000	149,000	142,587	146,435	+2,956	-2,565	+3,848	
Federal Funds	96,067	87,000	101,588	77,587	90,229	-5,838	-11,359	+12,642	
1% evaluation funding (non-add)	(47,412)	(62,000)	(47,412)	(65,000)	(56,206)	(+8,794)	(+8,794)	(-8,794)	
Total, Public Health Service	21,017,433	21,149,315	22,007,525	21,960,153	22,127,399	+1,109,966	+119,874	+167,246	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
HEALTH CARE FINANCING ADMINISTRATION									
GRANTS TO STATES FOR MEDICAID									
Medicaid current law benefits	98,210,228	99,144,000	99,144,000	99,144,000	99,144,000	+933,772	---	---	M
State and local administration	4,633,884	4,874,546	4,874,546	4,874,546	4,874,546	+240,662	---	---	M
Vaccines for Children	522,904	365,104	365,104	437,104	437,104	-85,800	+72,000	---	M
Subtotal, Medicaid program level, FY 1997 / 1998	103,367,016	104,383,650	104,383,650	104,455,650	104,455,650	+1,088,634	+72,000	---	
Carryover balance	-2,155,048	-4,864,228	-4,864,228	-4,864,228	-4,864,228	-2,709,180	---	---	M
Less funds advanced in prior year	-26,155,350	-27,988,993	-27,988,993	-27,988,993	-27,988,993	-1,833,643	---	---	M
Total, request, FY 1997 / 1998	75,056,618	71,530,429	71,530,429	71,602,429	71,602,429	-3,454,189	+72,000	---	
New advance 1st quarter, FY 98/99	27,988,993	27,800,689	27,800,689	27,800,689	27,800,689	-188,304	---	---	M
PAYMENTS TO HEALTH CARE TRUST FUNDS									
Supplemental medical insurance	59,456,000	63,416,000	63,416,000	63,416,000	60,739,000	+1,283,000	-2,677,000	-2,677,000	M
Hospital insurance for the uninsured	405,000	-52,000	-52,000	-52,000	-52,000	-457,000	---	---	M
Federal uninsured payment	76,000	86,000	86,000	86,000	86,000	+10,000	---	---	M
Program management	142,000	131,000	131,000	131,000	131,000	-11,000	---	---	M
Total, Payments to Trust Funds, current law	60,079,000	63,581,000	63,581,000	63,581,000	60,904,000	+825,000	-2,677,000	-2,677,000	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
PROGRAM MANAGEMENT									
Research, demonstration, and evaluation: Regular Program	(44,000)	(45,000)	(49,000)	(47,000)	(50,000)	(+6,000)	(+1,000)	(+3,000)	TF*
Medicare Contractors	(1,207,200)	(1,223,000)	(1,134,000)	(1,189,000)	(1,174,000)	(-33,200)	(+40,000)	(-15,000)	TF*
H.R. 3103 funding (non-add)	(440,000)	(500,000)	(500,000)	(500,000)	(500,000)	(+60,000)	---	---	NA
Subtotal, Contractors program level	(1,647,200)	(1,723,000)	(1,634,000)	(1,689,000)	(1,674,000)	(+26,800)	(+40,000)	(-15,000)	
State Survey and Certification	(158,000)	(148,000)	(148,000)	(158,000)	(154,000)	(-4,000)	(+6,000)	(-4,000)	TF*
Federal Administration	(327,173)	(360,434)	(350,369)	(327,173)	(367,000)	(+39,827)	(+16,631)	(+39,827)	TF*
User Fees	(-1,932)	(-1,934)	(-1,934)	(-1,932)	(-1,934)	(-2)	---	(-2)	TF*
Subtotal, Federal Administration	(325,241)	(358,500)	(348,435)	(325,241)	(365,066)	(+39,825)	(+16,631)	(+39,825)	
Total, Program management	(1,734,441)	(1,774,500)	(1,679,435)	(1,719,241)	(1,743,066)	(+8,625)	(+63,631)	(+23,825)	
Medicare Trust Fund Activity: Hospital Insurance TF (1)	(-12,800,000)	(-20,100,000)	(-20,100,000)	(-20,100,000)	(-20,100,000)	(-7,300,000)	---	---	NA
Supplemental Medical Insurance TF (2)	(4,000,000)	(500,000)	(500,000)	(500,000)	(500,000)	(-3,500,000)	---	---	NA
Total, Health Care Financing Administration	164,859,052	164,686,618	164,591,553	164,703,359	162,050,184	-2,808,868	-2,541,369	-2,653,175	
Federal funds	163,124,611	162,912,118	162,912,118	162,984,118	160,307,118	-2,817,493	-2,605,000	-2,677,000	
Current year, FY 1997 / 1998	(135,135,618)	(135,111,429)	(135,111,429)	(135,183,429)	(132,506,429)	(-2,629,189)	(-2,605,000)	(-2,677,000)	
New advance, 1st quarter, FY 1998 / 1999	(27,988,993)	(27,800,689)	(27,800,689)	(27,800,689)	(27,800,689)	(-188,304)	---	---	
Trust funds	(1,734,441)	(1,774,500)	(1,679,435)	(1,719,241)	(1,743,066)	(+8,625)	(+63,631)	(+23,825)	

(1) Intermediate estimates: page 40 of the 1997 Annual Report of the Board of Trustees of the Federal Hospital Insurance Trust Fund.

(2) Intermediate estimates: page 29 of the 1997 Annual Report of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
ADMINISTRATION FOR CHILDREN AND FAMILIES									
FAMILY SUPPORT PAYMENTS TO STATES (1)									
Payments to territories	---	---	---	---	---	---	---	---	M
Repatriation	---	---	---	---	---	---	---	---	M
Undistributed	9,600,000	---	---	---	---	-9,600,000	---	---	M
Subtotal, Welfare payments	9,600,000	---	---	---	---	-9,600,000	---	---	
Child Support Enforcement: (2) Net welfare reform child support appropriation	2,158,000	---	---	---	---	-2,158,000	---	---	M
Total, Payments, FY 1997 / 1998 program level	11,758,000	---	---	---	---	-11,758,000	---	---	
Less funds advanced in previous years	-4,800,000	---	---	---	---	+4,800,000	---	---	M
Total, payments, current request, FY97/98	6,958,000	---	---	---	---	-6,958,000	---	---	
New advance, 1st quarter, FY98/99	607,000	660,000	660,000	660,000	660,000	+53,000	---	---	M

(1) Funds for these activities for FY98 are provided through permanent appropriations in the Personal Responsibility & Work Opportunity Reconciliation Act of 1996. The President's budget does not request funding for these programs in FY98; the Congressional justification indicates a budget amendment will be transmitted to Congress to request indefinite appropriations for these programs in FY98.

(2) Carry over funds from FY97 and the first quarter advance appropriation for FY98 are estimated to be sufficient to cover necessary costs of this program for FY98.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Job Opportunities and Basic Skills (JOBS)	300,000	---	---	---	---	-300,000	---	---	M
LOW INCOME HOME ENERGY ASSISTANCE									
Advance from prior year (NA)	---	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(+1,000,000)	---	---	NA
Adjustment	1,000,000	---	---	---	---	-1,000,000	---	---	D
FY 1997 / 1998 program level	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	(1,000,000)	---	---	---	
Emergency Allocation -- Advance from prior year (NA)	(300,000)	---	---	---	---	(-300,000)	---	---	NA
New Emergency Allocation (NA)	---	(300,000)	(300,000)	(300,000)	(300,000)	(+300,000)	---	---	NA
Advance funding (FY98/99)	1,000,000	1,000,000	1,000,000	1,200,000	1,100,000	+100,000	+100,000	-100,000	D
REFUGEE AND ENTRANT ASSISTANCE									
Transitional and Medical Services	246,502	227,138	230,698	227,138	230,698	-15,804	---	+3,560	D
Social Services	110,882	110,882	129,990	110,882	129,990	+19,108	---	+19,108	D
Preventive Health	4,835	4,835	4,835	4,835	4,835	---	---	---	D
Targeted Assistance	49,857	49,477	49,477	49,477	49,477	-380	---	---	D
Total, Refugee and entrant assistance (BA)	412,076	392,332	415,000	392,332	415,000	+2,924	---	+22,668	
CHILD CARE AND DEVELOPMENT BLOCK GRANT: Advance funding FY98/99	937,000	1,000,000	1,000,000	1,000,000	1,000,000	+63,000	---	---	D
Forward funding provided in prior year	(934,642)	---	---	---	---	(-934,642)	---	---	NA
Advance funding from prior year (NA)	---	(937,000)	(937,000)	(937,000)	(937,000)	(+937,000)	---	---	NA
Adjustment (current funding)	19,120	63,000	---	26,120	65,672	+46,552	+65,672	+39,552	D
Current year program level (FY97/98)	(953,762)	(1,000,000)	(937,000)	(963,120)	(1,002,672)	(+48,910)	(+65,672)	(+39,552)	
Social Services Block Grant (Title XX)	2,500,000	2,380,000	2,245,000	2,245,000	2,299,000	-201,000	+54,000	+54,000	M

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
CHILDREN AND FAMILIES SERVICES PROGRAMS									
Programs for Children, Youth, and Families:									
Head Start	3,980,546	4,305,000	4,305,000	4,305,000	4,355,000	+374,454	+50,000	+50,000	D
Consolidated Runaway, Homeless Youth Prog	---	58,602	---	58,602	---	---	---	-58,602	D
Runaway and Homeless Youth	43,653	---	43,653	---	43,653	---	---	+43,653	D
Runaway Youth -- Transitional Living	14,949	---	14,949	---	14,949	---	---	+14,949	D
Subtotal, runaway	58,602	58,602	58,602	58,602	58,602	---	---	---	
Child Abuse State Grants	21,026	21,026	21,026	21,026	21,026	---	---	---	D
Child Abuse Discretionary Activities	14,154	14,154	14,154	14,154	14,154	---	---	---	D
Abandoned Infants Assistance	12,251	12,251	12,251	12,251	12,251	---	---	---	D
Child Welfare Services	291,989	291,989	291,989	291,989	291,989	---	---	---	D
Child Welfare Training	4,000	4,000	4,000	8,000	6,000	+2,000	+2,000	-2,000	D
Adoption Opportunities	13,000	13,000	13,000	18,000	23,000	+10,000	+10,000	+5,000	D
Adoption Initiative	---	21,000	---	---	---	---	---	---	D
Family Violence (1)	62,000	---	---	---	10,000	-52,000	+10,000	+10,000	D
Social Services and Income Maintenance Research	44,000	18,043	21,000	21,000	26,000	-18,000	+5,000	+5,000	D
Community Based Resource Centers	32,835	32,835	32,835	32,835	32,835	---	---	---	D

(1) The request and the bill provide funding for this activity in the Battered Women's Shelter program.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Developmental disabilities program:									
State Councils	64,803	64,803	64,803	65,574	64,803	---	---	-771	D
Protection and Advocacy	26,718	26,718	26,718	27,036	26,718	---	---	-318	D
Developmental Disabilities Special Projects	5,250	5,250	---	5,250	5,250	---	+5,250	---	D
Developmental Disabilities University Affiliated	17,461	17,461	17,461	17,669	17,461	---	---	-208	D
Subtotal, Developmental disabilities	114,232	114,232	108,982	115,529	114,232	---	+5,250	-1,297	
Native American Programs	34,933	34,933	34,933	34,933	34,933	---	---	---	D
Community services:									
Grants to States for Community Services	489,600	414,720	489,600	492,600	490,600	+1,000	+1,000	-2,000	D
Community initiative program:									
Economic Development	27,332	---	30,065	27,332	30,065	+2,733	---	+2,733	D
Rural Community Facilities	3,500	---	3,500	3,500	3,500	---	---	---	D
Subtotal, discretionary funds	30,832	---	33,565	30,832	33,565	+2,733	---	+2,733	
National Youth Sports	12,000	---	14,000	12,000	14,000	+2,000	---	+2,000	D
Community Food and Nutrition	4,000	---	---	4,000	4,000	---	+4,000	---	D
Subtotal, Community services	536,432	414,720	537,165	539,432	542,165	+5,733	+5,000	+2,733	
Program Direction	143,061	143,115	143,115	138,343	140,729	-2,332	-2,386	+2,386	D
Rescission of permanent appropriations	-27,000	---	-21,000	-21,000	-21,000	+6,000	---	---	D
Total, Children & Families Services Programs	5,336,061	5,498,900	5,577,052	5,590,094	5,661,916	+325,855	+84,864	+71,822	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
VIOLENT CRIME REDUCTION PROGRAMS:									
Community Schools	12,800	12,800	---	---	---	-12,800	---	---	D
Runaway Youth Prevention	8,000	15,000	15,000	15,000	15,000	+7,000	---	---	D
Domestic Violence Hotline	1,200	1,200	1,200	1,200	1,200	---	---	---	D
Battered Women's Shelters	10,800	70,000	82,800	76,800	76,800	+66,000	-6,000	---	D
Total, Violent crime reduction programs	32,800	99,000	99,000	93,000	93,000	+60,200	-6,000	---	
Family Support and Preservation	240,000	255,000	255,000	255,000	255,000	+15,000	---	---	M
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE									
Foster Care	3,807,143	3,540,300	3,540,300	3,540,300	3,540,300	-266,843	---	---	M
Adoption Assistance	567,888	700,700	700,700	700,700	700,700	+132,812	---	---	M
Independent Living	70,000	70,000	70,000	70,000	70,000	---	---	---	M
Total, Program level: Payment to States	4,445,031	4,311,000	4,311,000	4,311,000	4,311,000	-134,031	---	---	
Less Advances from Prior Year	---	-1,111,000	-1,111,000	-1,111,000	-1,111,000	-1,111,000	---	---	M
Total, request, FY 1997 / 1998	4,445,031	3,200,000	3,200,000	3,200,000	3,200,000	-1,245,031	---	---	
New Advance, 1st quarter, FY 1998/1999	1,111,000	1,157,500	1,157,500	1,157,500	1,157,500	+46,500	---	---	M
Total, Administration for Children and Families	24,898,088	15,705,732	15,608,552	15,819,046	15,907,088	-8,991,000	+298,536	+88,042	
Current year, FY 1997 / 1998	(21,243,088)	(11,888,232)	(11,791,052)	(11,801,546)	(11,989,588)	(-9,253,500)	(+198,536)	(+188,042)	
FY 1998 / 1999	(3,655,000)	(3,817,500)	(3,817,500)	(4,017,500)	(3,917,500)	(+262,500)	(+100,000)	(-100,000)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
ADMINISTRATION ON AGING									
Grants to States:									
Supportive Services and Centers	300,556	291,375	309,819	317,556	309,500	+8,944	-319	-8,056	D
Preventive Health	15,623	15,623	---	17,623	16,123	+500	+16,123	-1,500	D
Title VII	---	9,181	---	---	---	---	---	---	D
Nutrition:									
Congregate Meals	364,535	359,810	364,535	380,716	374,412	+9,877	+9,877	-6,304	D
Home Delivered Meals	105,339	110,064	110,064	122,064	112,000	+6,661	+1,936	-10,064	D
Frail Elderly In-Home Services	9,263	9,263	---	11,263	9,763	+500	+9,763	-1,500	D
Grants to Indians	16,057	16,057	16,057	20,057	18,457	+2,400	+2,400	-1,600	D
Aging Research, Training and Special Projects	4,000	4,000	---	10,000	10,000	+6,000	+10,000	---	D
Program Administration	14,758	14,795	14,795	14,795	14,795	+37	---	---	D
Alzheimer's Initiative	---	8,000	---	---	---	---	---	---	D
Total, Administration on Aging	830,131	838,168	815,270	894,074	865,050	+34,919	+49,780	-29,024	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
OFFICE OF THE SECRETARY									
GENERAL DEPARTMENTAL MANAGEMENT:									
Federal Funds	96,135	96,517	101,329	98,517	102,329	+6,194	+1,000	+3,812	D
Trust Funds	(5,851)	(5,851)	(5,851)	(5,851)	(5,851)	---	---	---	TF*
1% Evaluation funds (ASPE) (NA)	(20,552)	(20,552)	(20,552)	(20,552)	(20,552)	---	---	---	NA
Subtotal	(122,538)	(122,920)	(127,732)	(124,920)	(128,732)	(+6,194)	(+1,000)	(+3,812)	
Adolescent Family Life (Title XX)	14,206	14,209	14,209	19,209	16,709	+2,503	+2,500	-2,500	D
Physical Fitness and Sports	998	1,000	998	998	998	---	---	---	D
Minority health	34,584	23,100	23,100	23,600	29,100	-5,484	+6,000	+5,500	D
Office of women's health	12,495	12,500	12,500	18,500	12,495	---	-5	-6,005	D
Anti-Terrorism	13,764	10,000	7,500	13,764	10,000	-3,764	+2,500	-3,764	D
Total, General Departmental Management	178,033	163,177	165,487	180,439	177,482	-551	+11,995	-2,957	
Federal funds	172,182	157,326	159,636	174,588	171,631	-551	+11,995	-2,957	
Trust funds	(5,851)	(5,851)	(5,851)	(5,851)	(5,851)	---	---	---	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
OFFICE OF THE INSPECTOR GENERAL:									
Federal Funds	34,790	31,921	30,921	31,921	31,921	-2,869	+1,000	---	D
H.R. 3103 funding (non-add)	(60,000)	(80,500)	(80,500)	(80,500)	(80,500)	(+20,500)	---	---	NA
Total, Office of the Inspector General	34,790	31,921	30,921	31,921	31,921	-2,869	+1,000	---	
OFFICE FOR CIVIL RIGHTS:									
Federal Funds	16,183	17,216	16,345	16,345	16,345	+162	---	---	D
Trust Funds	(3,307)	(3,314)	(3,314)	(3,314)	(3,314)	(+7)	---	---	TF*
Total, Office for Civil Rights	19,490	20,530	19,659	19,659	19,659	+169	---	---	
Federal funds	16,183	17,216	16,345	16,345	16,345	+162	---	---	
Trust funds	(3,307)	(3,314)	(3,314)	(3,314)	(3,314)	(+7)	---	---	
Policy Research	18,486	9,000	14,000	9,500	14,000	-4,486	---	+4,500	D
Total, Office of the Secretary	250,799	224,628	230,067	241,519	243,062	-7,737	+12,995	+1,543	
Federal funds	241,641	215,463	220,902	232,354	233,897	-7,744	+12,995	+1,543	
Trust funds	(9,158)	(9,165)	(9,165)	(9,165)	(9,165)	(+7)	---	---	
Public Health & Social Services Emergency Fund	15,000	---	---	---	---	-15,000	---	---	D
Total, Department of Health and Human Services	211,870,503	202,604,461	203,252,967	203,618,151	201,192,783	-10,677,720	-2,060,184	-2,425,368	
Federal Funds	210,126,904	200,820,796	201,564,367	201,889,745	199,440,552	-10,686,352	-2,123,815	-2,449,193	
Current year, FY 1997 / 1998	(178,482,911)	(169,202,607)	(169,946,178)	(170,071,556)	(167,722,363)	(-10,760,548)	(-2,223,815)	(-2,349,193)	
FY 1998 / 1999	(31,643,993)	(31,618,189)	(31,618,189)	(31,818,189)	(31,718,189)	(+74,196)	(+100,000)	(-100,000)	
Trust funds	(1,743,599)	(1,783,665)	(1,688,600)	(1,728,406)	(1,752,231)	(+8,632)	(+63,631)	(+23,825)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
TITLE III - DEPARTMENT OF EDUCATION									
EDUCATION REFORM (1)									
Goals 2000: Educate America Act:									
State & Local Ed. Systemic Improvement Grants.....	476,000	603,500	370,665	500,000	464,500	-11,500	+93,835	-35,500	D
State & Local Ed. Systemic Improvement Grants (2).	---	1,500	1,500	---	1,500	+1,500	---	+1,500	D
Parental Assistance (2).....	15,000	15,000	15,000	30,000	25,000	+10,000	+10,000	-5,000	D
Subtotal, Goals 2000.....	491,000	620,000	387,165	530,000	491,000	---	+103,835	-39,000	
School-to-work opportunities:									
School-to-Work Opportunities.....	199,973	200,000	200,000	200,000	200,000	+27	---	---	D
Education Technology: (2) (3)									
Technology for Education.....	266,965	510,000	520,000	541,000	541,000	+274,035	+21,000	---	D
Star Schools.....	30,000	26,000	---	30,000	34,000	+4,000	+34,000	+4,000	D
Ready to Learn Television.....	7,000	7,000	---	7,000	7,000	---	+7,000	---	D
Telcom Demo Project for Mathematics.....	1,035	2,035	---	2,035	2,035	+1,000	+2,035	---	D
Subtotal, Education technology.....	305,000	545,035	520,000	580,035	584,035	+279,035	+64,035	+4,000	
Subtotal, Non-Goals 2000 Ed Reform.....	504,973	745,035	720,000	780,035	784,035	+279,062	+64,035	+4,000	
Total.....	995,973	1,365,035	1,107,165	1,310,035	1,275,035	+279,062	+167,870	-35,000	
Subtotal, Forward funded.....	(675,973)	(803,500)	(570,665)	(700,000)	(664,500)	(-11,473)	(+93,835)	(-35,500)	

(1) Forward funded except where noted.

(2) Current funded.

(3) Star Schools, Ready to Learn, Telecommunications Demonstration, and one component of the Technology for Education were funded in the House and Senate bills in the Education Research and Statistics account.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
EDUCATION FOR THE DISADVANTAGED (1)									
Grants to Local Education Agencies (LEAs):									
Basic Grants	6,269,712	6,187,350	6,187,850	6,269,712	6,269,712	---	+81,862	---	D
Basic Grants (2)	3,500	4,000	3,500	4,000	3,500	---	---	-500	D
Subtotal, Basic grants	6,273,212	6,191,350	6,191,350	6,273,712	6,273,212	---	+81,862	-500	
Concentration Grants	1,022,020	999,249	949,249	1,022,020	1,102,020	+80,000	+152,771	+80,000	D
Targeted Grants	---	350,000	400,000	---	---	---	-400,000	---	D
Comprehensive School Reform	---	---	150,000	---	120,000	+120,000	-30,000	+120,000	D
Subtotal, Grants to LEAs	7,295,232	7,540,599	7,690,599	7,295,732	7,495,232	+200,000	-195,367	+199,500	
Capital Expenses for Private School Children	41,119	41,119	41,119	41,119	41,119	---	---	---	D
Even Start	101,992	108,000	108,000	108,000	124,000	+22,008	+16,000	+16,000	D
State agency programs:									
Migrant	305,473	319,500	305,473	305,473	305,473	---	---	---	D
Neglected and Delinquent/High Risk Youth	39,311	40,333	39,311	40,333	39,311	---	---	-1,022	D
State School Improvement	---	8,000	---	---	---	---	---	---	D
Evaluation (2)	6,977	10,000	10,000	6,977	6,977	---	-3,023	---	D
Total, ESEA	7,790,104	8,067,551	8,194,502	7,797,634	8,012,112	+222,008	-182,390	+214,478	

(1) Forward funded except where noted.

(2) Current funded.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Migrant education:									
High School Equivalency Program (1)	7,441	7,634	7,634	7,634	7,634	+193	---	---	D
College Assistance Migrant Program (1)	2,028	2,081	2,081	2,081	2,081	+53	---	---	D
Subtotal, migrant education	9,469	9,715	9,715	9,715	9,715	+246	---	---	
Total, Compensatory education programs	7,799,573	8,077,266	8,204,217	7,807,349	8,021,827	+222,254	-182,390	+214,478	
Subtotal, forward funded	(7,779,627)	(8,053,551)	(8,181,002)	(7,786,657)	(8,001,635)	(+222,008)	(-179,367)	(+214,978)	
IMPACT AID									
Basic Support Payments	615,500	584,000	667,000	623,500	662,000	+46,500	-5,000	+38,500	D
Payments for Children with Disabilities	40,000	40,000	40,000	80,000	50,000	+10,000	+10,000	-30,000	D
Payments for Heavily Impacted Districts (Sec. f)	52,000	20,000	62,000	52,000	62,000	+10,000	---	+10,000	D
Subtotal	707,500	644,000	769,000	755,500	774,000	+66,500	+5,000	+18,500	
Facilities Maintenance (Sec. 8008)	---	10,000	---	10,000	3,000	+3,000	+3,000	-7,000	D
Construction (Sec. 8007)	5,000	4,000	7,000	5,000	7,000	+2,000	---	+2,000	D
Payments for Federal Property (Sec. 8002)	17,500	---	20,000	24,000	24,000	+6,500	+4,000	---	D
Total, Impact aid	730,000	658,000	796,000	794,500	808,000	+78,000	+12,000	+13,500	

(1) Current funded.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
SCHOOL IMPROVEMENT PROGRAMS									
Professional development (1)	310,000	360,000	310,000	310,000	335,000	+25,000	+25,000	+25,000	D
Program innovation (1)	310,000	---	350,000	310,000	350,000	+40,000	---	+40,000	D
Safe and drug-free schools:									
State Grants (1)	530,978	590,000	531,000	555,978	531,000	+22	---	-24,978	D
National Programs	25,000	30,000	25,000	---	25,000	---	---	+25,000	D
Subtotal, Safe and drug-free schools	555,978	620,000	556,000	555,978	556,000	+22	---	+22	
Inexpensive Book Distribution (RIF)	10,265	12,000	12,000	12,000	12,000	+1,735	---	---	D
Arts in Education	9,000	9,500	9,500	10,500	10,500	+1,500	+1,000	---	D
Other school improvement programs:									
Magnet Schools Assistance	95,000	95,000	105,000	95,000	101,000	+6,000	-4,000	+6,000	D
Education for Homeless Children & Youth (1)	25,000	27,000	27,000	28,800	28,800	+3,800	+1,800	---	D
Women's Education Equity	2,000	4,000	2,000	4,000	3,000	+1,000	+1,000	-1,000	D
Training and Advisory Services (Civil Rights)	7,334	14,334	7,334	7,334	7,334	---	---	---	D
Ellender Fellowships/Close Up (1)	1,500	---	1,500	1,500	1,500	---	---	---	D
Education for Native Hawaiians	15,000	15,000	---	20,000	18,000	+3,000	+18,000	-2,000	D
Alaska Native Education Equity	8,000	8,000	---	10,640	8,000	---	+8,000	-2,640	D
Charter Schools	50,987	100,000	100,000	50,987	80,000	+29,013	-20,000	+29,013	D
Education Infrastructure	---	---	---	100,000	---	---	---	-100,000	D
Subtotal, other school improvement programs	204,821	263,334	242,834	318,261	247,634	+42,813	+4,800	-70,627	
Comprehensive Regional Assistance Centers	25,554	34,388	27,054	25,554	27,054	+1,500	---	+1,500	D
Total, School improvement programs	1,425,618	1,299,222	1,507,388	1,542,293	1,538,188	+112,570	+30,800	-4,105	
Subtotal, forward funded	(1,177,478)	(977,000)	(1,219,500)	(1,206,278)	(1,246,300)	(+68,822)	(+26,800)	(+40,022)	

(1) Forward funded.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
LITERACY INITIATIVE									
Current year	---	260,000	---	---	---	---	---	---	D
1999 advance funding	---	---	260,000	260,000	210,000	+210,000	-50,000	-50,000	D
Total, Literacy initiative	---	260,000	260,000	260,000	210,000	+210,000	-50,000	-50,000	
INDIAN EDUCATION (1)									
Grants to Local Educational Agencies	58,050	59,750	59,750	59,750	59,750	+1,700	---	---	D
Office of Indian Education	2,943	2,850	2,850	2,850	2,850	-93	---	---	D
Total, Indian Education	60,993	62,600	62,600	62,600	62,600	+1,607	---	---	
BILINGUAL AND IMMIGRANT EDUCATION									
Bilingual education:									
Instructional Services	141,700	160,000	160,000	160,000	160,000	+18,300	---	---	D
Support Services	10,000	14,000	14,000	14,000	14,000	+4,000	---	---	D
Professional Development	5,000	25,000	25,000	25,000	25,000	+20,000	---	---	D
Immigrant Education	100,000	150,000	150,000	150,000	150,000	+50,000	---	---	D
Foreign Language Assistance	5,000	5,000	5,000	5,000	5,000	---	---	---	D
Total, Bilingual and Immigrant Education	261,700	354,000	354,000	354,000	354,000	+92,300	---	---	

(1) Funding for this account for FY97 was provided in the Interior Appropriations Bill and is shown here for purposes of comparability.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
SPECIAL EDUCATION									
State grants: (1)									
Grants to States Part B	3,107,522	3,240,750	3,425,911	3,941,837	3,801,000	+693,478	+375,089	-140,837	D
Preschool Grants	360,409	374,825	388,985	378,985	373,985	+13,576	-15,000	-5,000	D
Grants for Infants and Families	315,754	323,964	340,790	350,790	350,000	+34,246	+9,210	-790	D
Evaluation	1,873	6,300	6,300	6,300	5,000	+3,127	-1,300	-1,300	D
Evaluation (2)	---	1,700	1,700	1,700	1,700	+1,700	---	---	D
Subtotal, State grants	3,785,558	3,947,539	4,163,686	4,679,612	4,531,685	+746,127	+367,999	-147,927	
IDEA National Programs (P.L. 105-17):									
State Program Improvement Grants (1)	26,988	35,200	35,200	35,200	35,200	+8,212	---	---	D
Research and Innovation to Improve Services	62,803	64,508	64,508	64,508	64,508	+1,705	---	---	D
Technical Assistance and Dissemination	34,337	35,056	35,056	44,556	44,556	+10,219	+9,500	---	D
Personnel Preparation	80,735	82,139	82,139	82,139	82,139	+1,404	---	---	D
Parent Information Centers	15,535	15,535	15,535	18,535	18,535	+3,000	+3,000	---	D
Technology and Media Services	30,023	30,023	32,523	32,023	32,523	+2,500	---	+500	D
Public telecom Info/training Dissemination	---	---	---	1,500	1,500	+1,500	+1,500	---	D
Subtotal, IDEA special programs reauthorization	250,421	262,461	264,961	278,461	278,961	+28,540	+14,000	+500	
Total, Special education	4,035,979	4,210,000	4,428,647	4,958,073	4,810,646	+774,667	+381,999	-147,427	
Subtotal, Forward funded	(3,812,546)	(3,981,039)	(4,197,186)	(4,713,112)	(4,565,185)	(+752,639)	(+367,999)	(-147,927)	

(1) Forward funded except where noted.

(2) Current funded.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
REHABILITATION SERVICES AND DISABILITY RESEARCH									
Vocational Rehabilitation State Grants	2,176,038	2,246,888	2,246,888	2,246,888	2,246,888	+70,850	---	---	M
Client Assistance State grants	10,392	10,714	10,714	10,714	10,714	+322	---	---	M
Training	39,629	39,629	39,629	39,629	39,629	---	---	---	M
Special demonstration programs	18,942	16,942	15,942	20,836	15,942	-3,000	---	-4,894	M
Migratory workers	1,850	2,350	2,350	2,350	2,350	+500	---	---	M
Recreational programs	2,596	2,596	2,596	2,596	2,596	---	---	---	M
Protection and advocacy of individual rights (PAIR)	7,657	7,894	9,894	7,894	9,894	+2,237	---	+2,000	M
Projects with industry	22,071	22,071	22,071	22,071	22,071	---	---	---	M
Supported employment State grants	38,152	38,152	38,152	38,152	38,152	---	---	---	M
Independent living:									
State grants	21,859	21,859	21,859	21,859	21,859	---	---	---	M
Centers	42,876	44,205	44,205	46,205	45,205	+2,329	+1,000	-1,000	M
Services for older blind individuals	9,952	9,952	9,952	11,947	10,950	+998	+998	-997	M
Subtotal, Independent living	74,687	76,016	76,016	80,011	78,014	+3,327	+1,998	-1,997	
Program Improvement	2,391	3,900	2,900	3,900	2,900	+509	---	-1,000	M
Evaluation	1,587	1,587	1,587	1,587	1,587	---	---	---	M
Helen Keller National Center for Deaf-Blind Youths & Adults	7,337	7,528	7,528	7,549	7,549	+212	+21	---	M
National Institute for Disability and Rehabilitation Research (NIDRR)	69,990	71,000	76,800	71,000	76,800	+6,810	---	+5,800	M
Subtotal, mandatory programs	2,473,319	2,547,267	2,553,067	2,555,177	2,555,086	+81,767	+2,019	-91	
Assistive Technology	36,109	36,109	36,109	36,109	36,109	---	---	---	D
Total, Rehabilitation services	2,509,428	2,583,376	2,589,176	2,591,286	2,591,195	+81,767	+2,019	-91	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES									
AMERICAN PRINTING HOUSE FOR THE BLIND.....	6,680	6,680	8,186	7,906	8,186	+1,506	---	+280	D
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.....	43,041	43,041	43,841	44,141	44,141	+1,100	+300	---	D
GALLAUDET UNIVERSITY.....	79,182	79,182	80,682	81,000	81,000	+1,818	+318	---	D
Total, Special Inst for Persons with Disabilities.	128,903	128,903	132,709	133,047	133,327	+4,424	+618	+280	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
VOCATIONAL AND ADULT EDUCATION (1)									
Vocational education:									
Basic State Grants	1,015,550	1,043,550	1,035,550	1,015,550	1,027,550	+12,000	-8,000	+12,000	D
Tech-Prep Education	100,000	105,000	105,000	100,000	103,000	+3,000	-2,000	+3,000	D
Tribally Controlled Postsecondary Vocational Institutions (2)	2,919	2,919	3,100	3,100	3,100	+181	---	---	D
National Progams: Research	13,497	20,497	13,497	13,497	13,497	---	---	---	D
Subtotal, Vocational education	1,131,966	1,171,966	1,157,147	1,132,147	1,147,147	+15,181	-10,000	+15,000	
Adult education:									
State Programs	340,339	382,000	340,339	340,339	345,339	+5,000	+5,000	+5,000	D
National programs:									
Evaluation and Technical Assistance	4,998	6,000	4,998	4,998	4,998	---	---	---	D
National Institute for Literacy	4,491	6,000	4,491	5,491	5,491	+1,000	+1,000	---	D
Subtotal, National programs	9,489	12,000	9,489	10,489	10,489	+1,000	+1,000	---	
Literacy Programs for Prisoners	4,723	---	---	4,723	4,723	---	+4,723	---	D
Subtotal, adult education	354,551	394,000	349,828	355,551	360,551	+6,000	+10,723	+5,000	
Total, Vocational and adult education	1,486,517	1,565,966	1,506,975	1,487,698	1,507,698	+21,181	+723	+20,000	
Subtotal, forward funded	(1,483,598)	(1,563,047)	(1,503,875)	(1,484,598)	(1,504,598)	(+21,000)	(+723)	(+20,000)	

(1) Forward funded except where noted.

(2) Current funded.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
STUDENT FINANCIAL ASSISTANCE									
Pell Grant -- maximum grant (NA)	(2,700)	(3,000)	(3,000)	(3,000)	(3,000)	(+300)	---	---	NA
Pell Grants -- Regular Program	5,919,000	7,635,000	7,438,000	6,910,334	7,344,934	+1,425,934	-93,066	+434,600	D
Federal Supplemental Educational Opportunity Grants	583,407	583,407	583,407	634,407	614,000	+30,593	+30,593	-20,407	D
Federal Work Study	830,000	857,000	860,000	830,000	830,000	---	-30,000	---	D
Federal Perkins loans:									
Capital Contributions	158,000	158,000	135,000	158,000	135,000	-23,000	---	-23,000	D
Loan Cancellations	20,000	30,000	30,000	23,900	30,000	+10,000	---	+6,100	D
Subtotal, Federal Perkins loans	178,000	188,000	165,000	181,900	165,000	-13,000	---	-16,900	
State Student Incentive Grants	50,000	---	---	35,000	25,000	-25,000	+25,000	-10,000	D
Total, Student financial assistance	7,560,407	9,263,407	9,046,407	8,591,641	8,978,934	+1,418,527	-67,473	+387,293	
FEDERAL FAMILY EDUCATION LOANS PROGRAM									
Federal Administration	46,482	47,688	47,688	46,482	46,482	---	-1,206	---	D

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
HIGHER EDUCATION									
Aid for institutional development:									
Strengthening Institutions	55,450	55,450	55,450	55,450	55,450	---	---	---	D
Hispanic Serving Institutions	10,800	12,000	12,000	12,000	12,000	+1,200	---	---	D
Hispanic serving institutions (Agriculture bill)	(2,000)	(2,000)	(2,000)	(2,000)	(2,000)	---	---	---	NA
Subtotal, Hispanic serving institutions	(12,800)	(14,000)	(14,000)	(14,000)	(14,000)	(+1,200)	---	---	
Strengthening Historically Black Colleges (HBCUs)	108,990	113,000	120,000	108,990	118,495	+9,505	-1,505	+9,505	D
Strengthening historically black graduate insts	19,606	19,606	25,000	19,606	25,000	+5,394	---	+5,394	D
Endowment Challenge Grants, HBCU set-aside	---	2,015	---	---	---	---	---	---	D
Subtotal, Institutional development	194,846	202,071	212,450	196,046	210,945	+16,099	-1,505	+14,899	
Program development:									
Fund for the Improvement of Postsec. Ed. (FIPSE)	18,000	18,000	18,000	30,000	25,200	+7,200	+7,200	-4,800	D
Minority Teacher Recruitment	2,212	3,727	2,500	2,212	2,212	---	-288	---	D
Minority Science Improvement	5,255	5,255	5,255	5,255	5,255	---	---	---	D
International educ & foreign language studies:									
Domestic Programs	53,481	53,481	54,481	53,481	53,581	+100	-900	+100	D
Overseas Programs	5,270	5,770	5,770	5,870	5,770	+500	---	-100	D
Institute for International Public Policy	1,000	1,000	---	1,000	1,000	---	+1,000	---	D
Subtotal, International education	59,751	60,251	60,251	60,351	60,351	+600	+100	---	
Urban Community Service	9,200	---	---	4,900	4,900	-4,300	+4,900	---	D
Subtotal, Program development	94,418	87,233	86,006	102,718	97,918	+3,500	+11,912	-4,800	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Interest Subsidy Grants for Prior Year Construction...	15,673	13,700	13,700	13,700	13,700	-1,973	---	---	D
Special grants:									
Mary McLeod Bethune Memorial Fine Arts Center.....	1,400	---	6,620	1,400	6,620	+5,220	---	+5,220	D
Federal TRIO Programs.....	499,994	525,000	532,000	525,000	529,667	+29,673	-2,333	+4,667	D
National Early Intervention Scholarships and Partn	3,600	---	---	3,600	3,600	---	+3,600	---	D
Advanced Placement Fees.....	---	6,000	---	3,000	3,000	+3,000	+3,000	---	D
Scholarships:									
Byrd Honors Scholarships.....	29,117	39,288	29,117	39,288	39,288	+10,171	+10,171	---	D
Presidential Honors Scholarships.....	---	132,000	---	---	---	---	---	---	D
George Bush Fellowships.....	3,000	---	---	---	---	-3,000	---	---	D
Edmund Muskie Foundation.....	3,000	---	---	---	---	-3,000	---	---	D
Pell Institute for International Relations.....	3,000	---	---	---	---	-3,000	---	---	D
Calvin Coolidge Memorial Foundation.....	1,000	---	---	---	---	-1,000	---	---	D
Subtotal, Scholarships.....	39,117	171,288	29,117	39,288	39,288	+171	+10,171	---	
Graduate fellowships:									
Javits Fellowships.....	5,931	---	---	---	---	-5,931	---	---	D
Graduate Assistance in Areas of National Need.....	24,069	30,000	30,000	30,000	30,000	+5,931	---	---	D
Subtotal, Graduate fellowships.....	30,000	30,000	30,000	30,000	30,000	---	---	---	
Youth Offender Grants.....	---	---	---	15,000	12,000	+12,000	+12,000	-3,000	D
Total, Higher education.....	879,048	1,035,292	909,893	929,752	946,738	+67,690	+36,845	+16,986	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
HOWARD UNIVERSITY									
Academic Program	166,511	162,981	180,511	164,981	180,511	+14,000	---	+15,530	D
Endowment Program	---	3,530	---	3,530	---	---	---	-3,530	D
Howard University Hospital	29,489	29,489	29,489	29,489	29,489	---	---	---	D
Total, Howard University	196,000	196,000	210,000	198,000	210,000	+14,000	---	+12,000	
COLLEGE HOUSING & ACADEMIC FACILITIES LOANS PROGRAM:									
Federal Administration	698	1,069	698	698	698	---	---	---	D
HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM									
Federal Administration	104	104	104	104	104	---	---	---	D

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT (1)									
Research and statistics:									
Research	72,567	81,035	81,035	72,567	72,567	---	-8,468	---	D
Regional Education Laboratories	51,000	53,500	57,000	53,500	56,000	+5,000	-1,000	+2,500	D
Statistics	50,000	66,250	66,250	52,000	59,000	+9,000	-7,250	+7,000	D
Assessment:									
National Assessment	29,752	35,502	35,502	29,752	32,000	+2,248	-3,502	+2,248	D
National Assessment Governing Board	2,865	2,871	2,865	2,871	3,471	+606	+606	+600	D
Subtotal, Assessment	32,617	38,373	38,367	32,623	35,471	+2,854	-2,896	+2,848	
Subtotal, Research and statistics	206,184	239,158	242,652	210,690	223,038	+16,854	-19,614	+12,348	
Fund for the Improvement of Education	40,000	40,000	80,000	50,000	108,100	+68,100	+28,100	+58,100	D
International Education Exchange	5,000	5,000	---	5,000	5,000	---	+5,000	---	D
21st Century Community Learning Centers	1,000	---	50,000	1,000	40,000	+39,000	-10,000	+39,000	D
Civics Education	4,500	4,500	5,500	4,500	5,500	+1,000	---	+1,000	D
Eisenhower Professional Dvp. National Activities	13,342	30,000	21,000	25,000	23,300	+9,958	+2,300	-1,700	D
Eisenhower Regional Math & Science Ed. Consortia	15,000	15,000	15,000	15,000	15,000	---	---	---	D
Javits Gifted and Talented Education	5,000	7,000	6,000	7,000	6,500	+1,500	+500	-500	D
National Writing Project	3,100	---	3,100	5,000	5,000	+1,900	+1,900	---	D
After School Learning Centers	---	50,000	---	---	---	---	---	---	D
Total, ERSI	293,126	390,658	423,252	323,190	431,438	+138,312	+8,186	+108,248	

(1) Education Technology funded in Education Reform.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
LIBRARIES (1)									
Public libraries:									
Services	100,636	---	---	---	---	-100,636	---	---	D
Construction	16,369	---	---	---	---	-16,369	---	---	D
Interlibrary Cooperation	11,864	---	---	---	---	-11,864	---	---	D
Library Education and Training	2,500	---	---	---	---	-2,500	---	---	D
Research and Demonstrations	5,000	---	---	---	---	-5,000	---	---	D
Institute of Museum and Library Services	---	136,369	142,000	146,369	146,340	+146,340	+4,340	-29	D
Total, Libraries	136,369	136,369	142,000	146,369	146,340	+9,971	+4,340	-29	
DEPARTMENTAL MANAGEMENT									
PROGRAM ADMINISTRATION	326,217	341,039	329,579	340,064	341,064	+14,847	+11,485	+1,000	D
OFFICE FOR CIVIL RIGHTS	54,900	61,500	55,449	57,522	61,500	+6,600	+6,051	+3,978	D
OFFICE OF THE INSPECTOR GENERAL	29,943	32,000	30,242	32,000	30,242	+299	---	-1,758	D
Total, Departmental management	411,060	434,539	415,270	429,586	432,806	+21,746	+17,536	+3,220	

(1) The library authorizing statue requires appropriations to be made to the Department of Education and then transferred to the Institute of Museum and Library Services.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
STUDENT LOANS									
New Annual Loan Volume (including consolidation):									
Federal Family Education Loans (FFEL).....	(23,038,000)	(22,995,000)	(22,995,000)	(22,995,000)	(22,995,000)	(-43,000)	---	---	NA
Federal Direct Student Loans (FDSL).....	(13,789,000)	(16,930,000)	(16,930,000)	(16,930,000)	(16,930,000)	(+3,141,000)	---	---	NA
Total Outstanding Loan Volume:									
Federal Family Education Loans (FFEL).....	(88,864,000)	(101,148,000)	(101,148,000)	(101,148,000)	(101,148,000)	(+12,284,000)	---	---	NA
Federal Direct Student Loans (FDSL).....	(23,153,000)	(36,829,000)	(36,829,000)	(36,829,000)	(36,829,000)	(+13,676,000)	---	---	NA
Total, Department of Education.....	28,957,978	32,069,494	32,144,189	31,966,703	32,506,056	+3,548,078	+361,867	+539,353	
Current year.....	(28,957,978)	(32,069,494)	(31,884,189)	(31,706,703)	(32,296,056)	(+3,338,078)	(+411,867)	(+589,353)	
1999 advance.....	---	---	(260,000)	(260,000)	(210,000)	(+210,000)	(-50,000)	(-50,000)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
TITLE IV - RELATED AGENCIES									
ARMED FORCES RETIREMENT HOME									
Operations and Maintenance: TF Limitation	55,663	55,452	55,452	55,452	55,452	-211	---	---	D
Capital Program: TF Limitation	432	24,525	14,825	10,000	13,217	+12,785	-1,608	+3,217	D
Total, AFRH	56,095	79,977	70,277	65,452	68,669	+12,574	-1,608	+3,217	
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE									
Domestic Volunteer Service Programs: (1) Volunteers in Service to America (VISTA)	41,235	54,000	41,235	45,235	65,235	+24,000	+24,000	+20,000	D
National Senior Volunteer Corps: Foster Grandparents Program	77,812	85,972	84,106	85,593	87,593	+9,781	+3,487	+2,000	D
Senior Companion Program	31,244	35,449	34,669	34,368	35,368	+4,124	+699	+1,000	D
Retired Senior Volunteer Program	35,708	45,043	39,408	39,279	40,279	+4,571	+871	+1,000	D
Senior Demonstration Program	---	10,000	---	---	---	---	---	---	D
Subtotal, Senior Volunteers	144,764	176,464	158,183	159,240	163,240	+18,476	+5,057	+4,000	
Program Administration	27,850	29,836	28,129	28,129	28,129	+279	---	---	D
Total, Domestic Volunteer Service Programs	213,849	260,300	227,547	232,604	256,604	+42,755	+29,057	+24,000	
Corporation for Public Broadcasting: FY2000 (current request) with FY99 comparable	250,000	325,000	300,000	300,000	300,000	+50,000	---	---	D
FY99 advance with FY98 comparable (NA)	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---	---	---	NA
FY98 advance with FY97 comparable (NA)	(260,000)	(250,000)	(250,000)	(250,000)	(250,000)	(-10,000)	---	---	NA
Federal Mediation and Conciliation Service	32,525	33,481	33,481	33,481	33,481	+956	---	---	D
Federal Mine Safety and Health Review Comm'n	6,049	6,060	6,060	6,060	6,060	+11	---	---	D

(1) The request earmarks $38 million for America Reads. Appropriations for Americorps are included in the VA-HUD bill.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
National Commission on Libraries and Info Science.....	897	1,123	1,000	1,000	1,000	+103	---	---	D
National Council on Disability.....	1,791	1,793	1,793	1,793	1,793	+2	---	---	D
National Education Goals Panel.....	1,495	2,000	2,000	2,000	2,000	+505	---	---	D
National Commission on Cost of Higher Education.....	650	---	---	---	---	-650	---	---	D
National Labor Relations Board.....	174,661	186,434	174,661	174,661	174,661	---	---	---	D
National Mediation Board.....	8,284	8,100	8,400	8,600	8,600	+316	+200	---	D
Occupational Safety and Health Review Comm'n.....	7,738	7,800	7,900	7,800	7,900	+162	---	+100	D
Physician Payment Review Commission (TF) (1).....	(3,258)	(3,578)	(3,258)	(3,508)	(3,508)	(+250)	(+250)	---	TF*
Prospective Payment Assessment Commission (TF) (1)....	(3,257)	(3,579)	(3,257)	(3,507)	(3,507)	(+250)	(+250)	---	TF*
RAILROAD RETIREMENT BOARD									
Dual Benefits Payments Account.....	223,000	206,000	206,000	205,500	205,500	-17,500	-500	---	D
Less Income Tax Receipts on Dual Benefits.....	-9,000	-12,000	-12,000	-12,000	-12,000	-3,000	---	---	D
Subtotal, Dual Benefits.....	214,000	194,000	194,000	193,500	193,500	-20,500	-500	---	
Federal Payment to the RR Retirement Account.....	300	50	50	50	50	-250	---	---	M
Limitation on administration:									
Consolidated Account.....	(87,728)	(88,800)	(85,728)	(87,728)	(87,228)	(-500)	(+1,500)	(-500)	TF*
Inspector General.....	(5,394)	(5,400)	(5,000)	(5,394)	(5,794)	(+400)	(+794)	(+400)	TF*

(1) The conference agreement provides funding for the newly created Medicare Advisory Commission.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
SOCIAL SECURITY ADMINISTRATION									
Payments to Social Security Trust Funds	20,923	20,308	20,308	20,308	20,308	-615	---	---	M
Additional Administrative Expenses (1)	10,000	---	---	---	---	-10,000	---	---	M
SPECIAL BENEFITS FOR DISABLED COAL MINERS									
Benefit payments	625,450	581,470	581,470	581,470	581,470	-43,980	---	---	M
Administration	4,620	4,620	4,620	4,620	4,620	---	---	---	M
Subtotal, Black Lung, FY97/98 program level	630,070	586,090	586,090	586,090	586,090	-43,980	---	---	
Less funds advanced in prior year	-170,000	-160,000	-160,000	-160,000	-160,000	+10,000	---	---	M
Total, Black Lung, current request, FY97/98	460,070	426,090	426,090	426,090	426,090	-33,980	---	---	
New advances, 1st quarter FY98/99	160,000	160,000	160,000	160,000	160,000	---	---	---	M

(1) No-year availability.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
SUPPLEMENTAL SECURITY INCOME									
Federal benefit payments	26,559,100	23,710,300	23,710,300	23,710,300	23,710,300	-2,848,800	---	---	M
Beneficiary services	100,000	46,000	46,000	46,000	46,000	-54,000	---	---	M
Research and demonstration	7,000	16,700	16,700	9,225	16,700	+9,700	---	+7,475	M
Administration	1,946,015	2,037,000	2,037,000	2,037,000	2,027,000	+80,985	-10,000	-10,000	D
Automation investment initiative	19,895	50,000	50,000	50,000	50,000	+30,105	---	---	D
Subtotal, SSI FY97/98 program level	28,632,010	25,860,000	25,860,000	25,852,525	25,850,000	-2,782,010	-10,000	-2,525	
Less funds advanced in prior year	-9,260,000	-9,690,000	-9,690,000	-9,690,000	-9,690,000	-430,000	---	---	M
Subtotal, regular SSI current year, FY 1997 / 1998	19,372,010	16,170,000	16,170,000	16,162,525	16,160,000	-3,212,010	-10,000	-2,525	
Additional CDR funding	25,000	75,000	75,000	120,000	75,000	+50,000	---	-45,000	D
User Fee Activities	---	35,000	35,000	35,000	35,000	+35,000	---	---	D
SSI reforms (welfare)	150,000	100,000	100,000	100,000	100,000	-50,000	---	---	D
Total, SSI, current request, FY 1997 / 1998	19,547,010	16,380,000	16,380,000	16,417,525	16,370,000	-3,177,010	-10,000	-47,525	
New advance, 1st quarter, FY98/99	9,690,000	8,680,000	8,680,000	8,680,000	8,680,000	-1,010,000	---	---	M

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
LIMITATION ON ADMINISTRATIVE EXPENSES (1)									
OASDI Trust Funds	(3,068,300)	(2,992,440)	(2,934,440)	(2,934,440)	(2,900,440)	(-167,860)	(-34,000)	(-34,000)	TF
HI/SMI Trust Funds	(846,099)	(965,000)	(965,000)	(965,000)	(965,000)	(+118,901)	---	---	TF*
Social Security Advisory Board	(1,268)	(1,600)	(1,600)	(1,268)	(1,600)	(+332)	---	(+332)	TF
SSI	(1,946,015)	(2,037,000)	(2,037,000)	(2,037,000)	(2,027,000)	(+80,985)	(-10,000)	(-10,000)	TF
Subtotal, regular LAE	(5,861,682)	(5,996,040)	(5,938,040)	(5,937,708)	(5,894,040)	(+32,358)	(-44,000)	(-43,668)	
User Fee Activities	---	(35,000)	(35,000)	(35,000)	(35,000)	(+35,000)	---	---	TF
OASDI Automation	(215,000)	(150,000)	(150,000)	(150,000)	(140,000)	(-75,000)	(-10,000)	(-10,000)	TF
SSI Automation	(19,895)	(50,000)	(50,000)	(50,000)	(50,000)	(+30,105)	---	---	TF
Subtotal, automation initative	(234,895)	(200,000)	(200,000)	(200,000)	(190,000)	(-44,895)	(-10,000)	(-10,000)	
TOTAL, REGULAR LAE	(6,096,577)	(6,231,040)	(6,173,040)	(6,172,708)	(6,119,040)	(+22,463)	(-54,000)	(-53,668)	
Additional CDR funding (2)	(160,000)	(190,000)	(145,000)	(190,000)	(190,000)	(+30,000)	(+45,000)	---	TF
SSI reforms (welfare)	(150,000)	(100,000)	(100,000)	(100,000)	(100,000)	(-50,000)	---	---	TF
TOTAL, LAE	(6,406,577)	(6,521,040)	(6,418,040)	(6,462,708)	(6,409,040)	(+2,463)	(-9,000)	(-53,668)	

(1) All trust fund limitations will be scored as BA in FY 98. Comparable adjustments for FY 97 and FY 98 displayed as scorekeeping adjustments.

(2) The request is $45 million above the authorized amount. The recommendation is for the full authorized amount.

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
OFFICE OF INSPECTOR GENERAL									
Federal Funds	6,265	10,164	10,164	6,265	10,164	+3,899	---	+3,899	D
Trust Funds	(31,089)	---	---	---	---	(-31,089)	---	---	TF
Portion treated as budget authority	---	(34,260)	(42,260)	(31,089)	(38,260)	(+38,260)	(-4,000)	(+7,171)	TF*
Total, Office of the Inspector General	37,354	44,424	52,424	37,354	48,424	+11,070	-4,000	+11,070	
Federal funds	6,265	10,164	10,164	6,265	10,164	+3,899	---	+3,899	
Trust funds	(31,089)	(34,260)	(42,260)	(31,089)	(38,260)	(+7,171)	(-4,000)	(+7,171)	
Total, Social Security Administration	36,331,934	32,231,862	32,136,862	32,203,985	32,113,862	-4,218,072	-23,000	-90,123	
Federal funds	29,894,268	25,676,562	25,676,562	25,710,188	25,666,562	-4,227,706	-10,000	-43,626	
Current year FY 1997 / 1998	(20,044,268)	(16,836,562)	(16,836,562)	(16,870,188)	(16,826,562)	(-3,217,706)	(-10,000)	(-43,626)	
New advances, 1st quarter FY 1998 / 1999	(9,850,000)	(8,840,000)	(8,840,000)	(8,840,000)	(8,840,000)	(-1,010,000)	---	---	
Trust funds	(6,437,666)	(6,555,300)	(6,460,300)	(6,493,797)	(6,447,300)	(+9,634)	(-13,000)	(-46,497)	
United States Institute of Peace	11,149	11,160	11,160	11,160	11,160	+11	---	---	D
Total, Title IV, Related Agencies	37,411,054	33,450,497	33,272,434	33,342,283	33,279,377	-4,131,677	+6,943	-62,906	
Federal Funds (all years)	30,873,751	26,793,840	26,714,891	26,748,349	26,732,040	-4,141,711	+17,149	-16,309	
Current year, FY 1997 / 1998	(20,773,751)	(17,628,840)	(17,574,891)	(17,608,349)	(17,592,040)	(-3,181,711)	(+17,149)	(-16,309)	
FY 1998 / 1999	(9,850,000)	(8,840,000)	(8,840,000)	(8,840,000)	(8,840,000)	(-1,010,000)	---	---	
FY 1999 / 2000	(250,000)	(325,000)	(300,000)	(300,000)	(300,000)	(+50,000)	---	---	
Trust funds	(6,537,303)	(6,656,657)	(6,557,543)	(6,593,934)	(6,547,337)	(+10,034)	(-10,206)	(-46,597)	
TITLE V									
Undistrubted reductions	---	---	---	-75,500	---	---	---	+75,500	D

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
SUMMARY									
Title I - Department of Labor:									
Federal Funds	8,739,722	9,422,853	9,225,845	9,362,815	9,335,127	+595,405	+109,282	-27,688	
Current year	(8,739,722)	(9,422,853)	(9,125,845)	(9,112,815)	(9,085,127)	(+345,405)	(-40,718)	(-27,688)	
1999 advance	---	---	(100,000)	(250,000)	(250,000)	(+250,000)	(+150,000)	---	
Trust Funds	(3,432,410)	(3,726,020)	(3,596,917)	(3,579,643)	(3,613,917)	(+181,507)	(+17,000)	(+34,274)	
Current year	(3,432,410)	(3,726,020)	(3,596,917)	(3,579,643)	(3,573,917)	(+141,507)	(-23,000)	(-5,726)	
1999 advance	---	---	---	---	(40,000)	(+40,000)	(+40,000)	(+40,000)	
Title II - Department of Health and Human Services:									
Federal Funds	210,126,904	200,820,796	201,564,367	201,889,745	199,440,552	-10,686,352	-2,123,815	-2,449,193	
Current year	(178,482,911)	(169,202,607)	(169,946,178)	(170,071,556)	(167,722,363)	(-10,760,548)	(-2,223,815)	(-2,349,193)	
1999 advance	(31,643,993)	(31,618,189)	(31,618,189)	(31,818,189)	(31,718,189)	(+74,196)	(+100,000)	(-100,000)	
Trust Funds	(1,743,599)	(1,783,665)	(1,688,600)	(1,728,406)	(1,752,231)	(+8,632)	(+63,631)	(+23,825)	
Title III - Department of Education:									
Federal Funds	28,957,978	32,069,494	32,144,189	31,966,703	32,506,056	+3,548,078	+361,867	+539,353	
Current year	(28,957,978)	(32,069,494)	(31,884,189)	(31,706,703)	(32,296,056)	(+3,338,078)	(+411,867)	(+589,353)	
1999 advance	---	---	(260,000)	(260,000)	(210,000)	(+210,000)	(-50,000)	(-50,000)	
Title IV - Related Agencies:									
Federal Funds	30,873,751	26,793,840	26,714,891	26,748,349	26,732,040	-4,141,711	+17,149	-16,309	
Current year	(20,773,751)	(17,628,840)	(17,574,891)	(17,608,349)	(17,592,040)	(-3,181,711)	(+17,149)	(-16,309)	
1999 advance	(9,850,000)	(8,840,000)	(8,840,000)	(8,840,000)	(8,840,000)	(-1,010,000)	---	---	
2000 advance	(250,000)	(325,000)	(300,000)	(300,000)	(300,000)	(+50,000)	---	---	
Trust Funds	(6,537,303)	(6,656,657)	(6,557,543)	(6,593,934)	(6,547,337)	(+10,034)	(-10,206)	(-46,597)	
Title V - Undistributed reductions	---	---	---	-75,500	---	---	---	+75,500	
Total, all titles:									
Federal Funds	278,698,355	269,106,983	269,649,292	269,892,112	268,013,775	-10,684,580	-1,635,517	-1,878,337	
Current year	(236,954,362)	(228,323,794)	(228,531,103)	(228,423,923)	(226,695,586)	(-10,258,776)	(-1,835,517)	(-1,728,337)	
1999 advance	(41,493,993)	(40,458,189)	(40,818,189)	(41,168,189)	(41,018,189)	(-475,804)	(+200,000)	(-150,000)	
2000 advance	(250,000)	(325,000)	(300,000)	(300,000)	(300,000)	(+50,000)	---	---	
Trust Funds	(11,713,312)	(12,166,342)	(11,843,060)	(11,901,983)	(11,913,485)	(+200,173)	(+70,425)	(+11,502)	
Current year	(11,713,312)	(12,166,342)	(11,843,060)	(11,901,983)	(11,873,485)	(+160,173)	(+30,425)	(-28,498)	
1999 advance	---	---	---	---	(40,000)	(+40,000)	(+40,000)	(+40,000)	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
BUDGET ENFORCEMENT ACT RECAP									
Federal Funds (all years)	278,698,355	269,106,983	269,649,292	269,892,112	268,013,775	-10,684,580	-1,635,517	-1,878,337	
Mandatory, total in bill	211,774,424	198,673,540	198,544,340	198,610,975	195,995,359	-15,779,065	-2,548,981	-2,615,616	
Less advances for subsequent years	-39,556,993	-38,458,189	-38,458,189	-38,458,189	-38,458,189	+1,098,804	---	---	
Plus advances provided in prior years	40,385,350	38,949,993	38,949,993	38,949,993	38,949,993	-1,435,357	---	---	
Adjustment for savings related to CDRs	-100,000	---	---	---	---	+100,000	---	---	
Total, mandatory, current year	212,502,781	199,165,344	199,036,144	199,102,779	196,487,163	-16,015,618	-2,548,981	-2,615,616	
Discretionary, total in bill	66,923,931	70,433,443	71,104,952	71,281,137	72,018,416	+5,094,485	+913,464	+737,279	
Less advances for subsequent years	-2,187,000	-2,325,000	-2,660,000	-3,010,000	-2,860,000	-673,000	-200,000	+150,000	
Plus advances provided in prior years	260,000	2,187,000	2,187,000	2,187,000	2,187,000	+1,927,000	---	---	
Scorekeeping adjustments:									
Trust funds considered budget authority	6,110,432	6,597,917	6,378,594	6,392,849	6,458,019	+347,587	+79,425	+65,170	
Childcare welfare reform rescission	-6,120	---	---	-6,120	-3,000	+3,120	-3,000	+3,120	
Title I advance funding, 1997/1998	1,298,239	1,298,386	1,298,239	1,298,386	1,298,386	+147	+147	---	
Title I advance funding, 1998/1999	-1,298,239	-1,298,386	-1,298,239	-1,298,386	-1,448,386	-150,147	-150,147	-150,000	
LIHEAP 1997 Contingency	300,000	---	---	---	---	-300,000	---	---	
Adjustment to balance with 1997 bill	-9,778	---	---	---	---	+9,778	---	---	
Community schools transfer	(12,800)	---	---	---	---	(-12,800)	---	---	
Adjustment for leg cap on Title XX SSBGs	120,000	---	---	-135,000	-81,000	-201,000	-81,000	+54,000	
Emer designations, child care & terrorism	-28,575	---	---	---	---	+28,575	---	---	

	FY 1997 Comparable	FY 1998 Request	House	Senate	Conference	Conference vs FY 1997	Conference vs House	Conference vs Senate	Mand Disc
Reclassification of non-BA trust funds (1)....	3,461,970	3,271,425	3,167,466	3,167,134	3,168,466	-293,504	+1,000	+1,332	
Supplemental Child Care provision.....	1,000	---	---	---	---	-1,000	---	---	
HEAL provision.....	499	---	1,000	1,000	1,000	+501	---	---	
SSA User Fee Collection.....	---	-35,000	-35,000	-35,000	-35,000	-35,000	---	---	
Direct Loan Administration limitation.....	-218,000	---	---	---	10,000	+228,000	+10,000	+10,000	
Pell Grant unobligated balances.....	---	---	---	-96,000	---	---	---	+96,000	
MN & WY Disproportionate Share Hospitals.....	---	---	---	---	8,000	+8,000	+8,000	+8,000	
Trust Fund advances for subsequent years.....	---	---	---	---	-40,000	-40,000	-40,000	-40,000	
NIH Foundation.....	---	---	---	---	1,000	+1,000	+1,000	+1,000	
Guaranty Reserve Recapture.....	---	---	---	---	-280,000	-280,000	-280,000	-280,000	
Total, discretionary, current year.....	74,728,359	80,129,785	80,144,012	79,747,000	80,402,901	+5,674,542	+258,889	+655,901	
Crime trust fund.....	61,000	144,000	144,000	144,000	144,000	+83,000	---	---	
General purposes.....	74,667,359	79,985,785	80,000,012	79,603,000	80,258,901	+5,591,542	+258,889	+655,901	
Grand total, current year.....	287,231,140	279,295,129	279,180,156	278,849,779	276,890,064	-10,341,076	-2,290,092	-1,959,715	
Total amount provided in this bill.....	278,698,355	269,106,983	269,649,292	269,892,112	268,013,775	-10,684,580	-1,635,517	-1,878,337	
Total 602(b) adjustments.....	8,532,785	10,188,146	9,530,864	8,957,667	8,876,289	+343,504	-654,575	-81,378	
Grand total, current year.....	287,231,140	279,295,129	279,180,156	278,849,779	276,890,064	-10,341,076	-2,290,092	-1,959,715	

(1) Reflects adjustments in scoring adopted in FY98. These adjustments are included in the FY97 comparable figures only for the purposes of comparability.

JOHN EDWARD PORTER,
BILL YOUNG,
HENRY BONILLA,
DAN MILLER,
JAY DICKEY,
ROGER F. WICKER,
ANNE M. NORTHUP,
BOB LIVINGSTON,
DAVID OBEY,
LOUIS STOKES,
STENY H. HOYER,
NANCY PELOSI,
NITA M. LOWEY,
ROSA L. DELAURO,
Managers on the Part of the House.
ARLEN SPECTER,
THAD COCHRAN,
SLADE GORTON,
KIT BOND,
JUDD GREGG,
LARRY E. CRAIG,
LAUCH FAIRCLOTH,
KAY BAILEY HUTCHISON,
TED STEVENS,
FRITZ HOLLINGS,
TOM HARKIN,
DANIEL K. INOUYE,
DALE BUMPERS,
HARRY REID,
HERB KOHL,
PATTY MURRAY,
ROBERT C. BYRD,
Managers on the Part of the Senate.

MAKING IN ORDER ON FRIDAY, NOVEMBER 7, 1997, OR ANY TIME THEREAFTER CONSIDERATION OF H.J. RES. 101, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 1998

Mr. LIVINGSTON. Madam Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of H.J. Res. 101 when called up; and that it be in order at any time on Friday, November 7, 1997, or any day thereafter to consider the joint resolution in the House; and that the joint resolution be considered as read for amendment; that the joint resolution be debatable for not to exceed 1 hour, to be equally divided and controlled by myself and the gentleman from Wisconsin [Mr. OBEY]; and that the previous question be considered as ordered on the joint resolution to final passage without intervening motion, except one motion to recommit with or without instructions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

Mr. OBEY. Madam Speaker, I have no objection. Free at last, free at last.

The SPEAKER pro tempore. Without objection, the request is agreed to.

There was no objection.

MAKING IN ORDER ON FRIDAY, NOVEMBER 7, 1997, OR ANY DAY THEREAFTER CONSIDERATION OF CONFERENCE REPORT ON H.R. 2264, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. LIVINGSTON. Madam Speaker, I share the sentiment of the gentleman from Wisconsin [Mr. OBEY].

Madam Speaker, I ask unanimous consent that it be in order at any time on Friday, November 7, 1997 or any day thereafter, to consider a conference report on the bill, H.R. 2264, that all points of order against the conference report and against its consideration be waived, and that the conference report be considered as read when called up.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ENSURING THAT COMMERCIAL ACTIVITIES OF PEOPLE'S LIBERATION ARMY OF CHINA ARE MONITORED

Mr. HAMILTON: Madam Speaker, I yield back the balance of my time.

Mrs. FOWLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, given the litany that we have heard this afternoon of recent PLA-driven misdeeds, the People's Liberation Army clearly should be placed on constant notice that this President have the flexibility to take immediate action against their enterprises and assets that are in this country, and this bill, I just want to remind my colleagues, would give the President the ability to target specific PLA-owned firms doing business in the United States when these kinds of activities occur.

Now, let me stress again, it does not require the President to do anything, it only gives him the flexibility to do so, because in the past it has taken extraordinary emergencies like the Iraqi invasion of Kuwait or the Iranian seizure of American diplomats to trigger the provisions of IEPA. I do not think the President should have to wait until a crisis of that magnitude develops to be able to signal in a clear way that we disapprove of PLA misdeeds in the case of Chinese military-owned firms which would be clearly identified beforehand. Under this legislation, he would have the flexibility to act immediately.

I think it is high time that we put the PLA on notice that their actions will be under close scrutiny by this government and that their enterprises and assets may be subject to increased regulation or seizure if the President so determines.

Madam Speaker, I yield back the balance of my time.

Mr. SNOWBARGER. Mr. Speaker, I rise in strong support of H.R. 2647, to monitor and restrict the commercial activities of the Chinese Peoples Liberation Army, or PLA.

China's Government imposes restrictions and barriers to companies that wish to enter its market—just as other countries do whose markets are beginning to develop. It is a fact of life that American and other foreign firms operating in China must pay for the privilege. We should do what we can to ensure that this payment is not going to the Peoples Liberation Army.

The PLA is heavily engaged in commercial activities. The PLA also maintains a vast industrial empire. These factories do more than make weapons. Up to 80 percent of its operation is engaged in civilian production—particularly for the export market. Each company is diversified as well. Norinco—North China Industries Group—makes both toys and rifles.

The hard currency earned by such enterprises is then used for buying high-technology weapons systems and financing Chinese espionage. PLA commercial enterprises have also been involved in smuggling fully automatic AK–47's into the United States to supply drug gangs.

I believe that free and voluntary commerce is an effective method of opening up a society. Furthermore, I see such commerce as the acts of individual Americans and foreigners, not as the actions of nations. However, the armed forces of a totalitarian regime is not your garden-variety customer or merchant. The American economy should not be a tool in China's efforts to build its military.

Finally, I would like to relay a more personal note regarding the importance of restricting the PLA's commercial activities in the United States. A constituent of mine is the attorney for a Missouri family. The family's son had been given an SKS carbine as an inexpensive, first hunting gun. The gun was so poorly made that it discharged, with the safety on, when the butt struck the ground. The young man was killed. The family obtained a judgment against Norinco for its gross negligence. Unfortunately, it has proven impossible to enforce that judgment against the Chinese military in China. This is not just an issue of guns. It is virtually impossible to enforce liability against a subsidiary of the PLA for any defective product it may produce.

Please join me in supporting this important legislation. The right of people to engage in free and voluntary commerce is very important to me. However, there is a difference between businesses and armies—especially armies that are aiming intercontinental ballistic missiles at our citizens. This measure is vital to our country's national security.

The SPEAKER pro tempore. All time for debate has expired.

The bill is considered read for amendment, and pursuant to House Resolution 302, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mrs. FOWLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were— yeas 408, nays 10, not voting 15, as follows:

[Roll No. 614]

YEAS—408

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Buyer
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fawell
Fazio
Flake
Foglietta
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velázquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—10

Brown (CA)
Dicks
Hamilton
Houghton
Lofgren
Moran (VA)
Nadler
Paul
Pickett
Skaggs

NOT VOTING—15

Blumenauer
Burton
Callahan
Cubin
Fattah
Filner
Gonzalez
Klug
McCollum
McDermott
Quinn
Riley
Schiff
Shadegg
Yates

□ 1706

Ms. WATERS, Mr. ROEMER, and Mr. BERMAN changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FILNER. Mr. Speaker, due to an official meeting, I was unable to be present for the vote on rollcall No. 614. Had I been here, I would have voted "yes."

CONFERENCE REPORT ON H.R. 2264, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. PORTER. Mr. Speaker, pursuant to the previous order of the House, I call up the conference report on the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to the previous order of the House, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] each will control 30 minutes.

The Chair recognizes the gentleman from Illinois [Mr. PORTER].

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to accompany H.R. 2264 and that they may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PORTER. I yield myself such time as I may consume.

Mr. Speaker, I am proud to bring to the floor today the conference report on fiscal year 1998 appropriations bill for the Departments of Labor, Health and Human Services, and Education, and related agencies.

As is normally the case, in the recent past, this bill has been through a long, torturous process from inception to the completion. The bill was on the floor for over 40 hours, and we had an unprecedented number of amendments offered. We have been almost 2 months in conference.

I feel constrained to add, Mr. Speaker, that virtually all of the issues that have delayed the timely consideration of this bill are authorizing in nature and have nothing to do with the funding activities of the departments and agencies covered by this bill. Our work on dollar issues was completed long ago.

My experience over the last several years has given me a new appreciation for the rules of the House that prohibit legislating on appropriation bills, and the delay we faced speaks to the need to enforce it more stringently.

Mr. Speaker, with that said, I want to outline the remarkable policy initiatives we have achieved in this bill.

The bill contains a revision of the Hyde amendment to ensure that no Federal funds are used to purchase health plans that pay for abortions except in the case of rape, incest, or endangerment of the life of the mother.

I am particularly proud that this signal achievement was accomplished by negotiation among the parties rather than the rancorous and divisive debates that have characterized this issue in the past and other issues during consideration of this bill.

I want to commend the gentleman from Illinois [Mr. HYDE], the distinguished chairman of the Committee on the Judiciary, and the gentlewoman from New York [Mrs. LOWEY] for their work on this issue, as well as their staff members Howard Wolfson, Brad Close, and my own staff member, Rob Bradner.

The conference report incorporates a revision of the Goodling amendment negotiated by the chairman, the gentleman from Pennsylvania [Mr. GOODLING]. I believe that he will be speaking on the substance of this agreement, and I will leave the description of it to him.

Goals 2000 State grants are funded at $464 million below last year's level.

The conference report prohibits OSHA from issuing any standards on ergonomics and prohibits the enforcement of any volunteer guideline relating to ergonomics under the general duty. Again, this divisive issue was resolved by negotiation within the committee. I want to commend the gentleman from Texas [Mr. BONILLA] and the ranking member of both the subcommittee and the full committee, the gentleman from Wisconsin [Mr. OBEY], for their work in resolving this issue.

The conference report prohibits the expenditure of any further Federal funds for a new election for the International Brotherhood of Teamsters.

The conference report prohibits the use of Federal funds for needle exchange programs for 6 months and provides conditions for the administration of such programs if the Secretary of Health and Human Services permits them.

I want to thank the gentleman from Mississippi and member of the subcommittee [Mr. WICKER] and the gentlewoman from California [Ms. PELOSI], a member of the subcommittee, and the gentleman from Illinois [Mr. HASTERT] for their work on this issue. While not all who worked on compromises are pleased with the final results, they all deserve our thanks for their hard work.

The conference report freezes funding for the National Labor Relations Board. In real terms, this funding level represents a cut in funding below fiscal year 1997. The gentleman from Arkansas [Mr. DICKEY] has been a particularly strong advocate in this area.

The conference report prohibits implementation of NLRB regulations regarding single site bargaining units. If implemented, this regulation would create a huge number of new organizing drives in small businesses and service sectors.

□ 1715

The conference report continues the shift of funding and emphasis within OSHA away from enforcement and toward compliance assistance. Compliance assistance increases by $6.4 million, or 17 percent, while enforcement increases by $3 million, only 2.3 percent.

Mr. Speaker, the bill provides increases for programs that fund Federal education mandates or Federal responsibilities. Special education is increased by $775 million, an increase of 19 percent. This funding helps offset the mandates Federal law has placed on local school districts. The bill also provides $805 million for Impact Aid to offset the additional costs and lost tax base resulting from Federal installations.

High priority programs are funded. NIH is increased by $907 million, an increase of 7.1 percent. This level will assure that the medical and economic benefits of biomedical research will continue. Within this funding level NIH will be able to increase funding for diabetes, Parkinson's disease, cancer, coronary/heart disease, and others at rates greater than the overall increase for NIH.

Other high priority items such as CDC, infectious disease control, breast and cervical cancer screening, TRIO, programs to prevent violence against women and health professionals training, are all increased.

Pell grants, essentially a Federal voucher for college, are increased to a maximum of $3,000 and the Secretary of Education is given discretion to allow more independent students to qualify for student aid. The conference report increases the income protection allowances for all students receiving Federal financial aid.

The bill includes an absolute prohibition on the use of human embryos in federally funded research, an initiative of the gentleman from Arkansas [Mr. DICKEY] and the gentleman from Mississippi [Mr. WICKER].

In addition, the conference report also includes the Student Loan Consolidation Act. This bill passed the House October 21 as H.R. 2535. The bill would allow the consolidation of both direct and guaranteed loans and it exempts education tax credits from the calculation of student aid.

Mr. Speaker, there are many other provisions in this conference report that commend it to a broad spectrum of Members of the House. Probably the factor that I am most proud of is that from its inception to this very minute, this has been a bipartisan bill. I believe this conference report shows the benefit of this House following the instructions of the voters and putting aside partisan bickering and getting on with the business of governing. Mr. Speaker, I would urge the Members to support this conference report.

Mr. Speaker, I want to add at this point some additional personal comments. The passage of this bill is never easy and the fact that we are now about to complete action on it is testimony to the hard work of many, many people.

As I mentioned during the passage of the bill in the House, this bill has been supported, shaped and its progress furthered by the work of the members of the subcommittee: the gentleman from Wisconsin [Mr. OBEY], my ranking member, and the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the committee. I have only the highest respect and admiration for them and for the work they accomplished in fashioning this bill.

I want to spend a moment expressing my gratitude and that of the committee for one of our very best staffers who is leaving after this session to take another job. I am referring to Sue Quantius who is on the floor with us today.

Sue is leaving the committee to take a position with the Association of American Universities. She has been with the committee since 1989 and has been assigned to the Labor–HHS subcommittee the entire time. Prior to that time she worked for the Senate Appropriations Committee and for the Office of Management and Budget. She has served our country with extreme dedication and distinction for all of this time.

With our subcommittee, her responsibilities have primarily been with various health programs that we fund, including most especially the National Institutes of Health and the Centers for Disease Control and Prevention. As Members know, I have had a particular interest in NIH over the years. Since I have been chairman, Sue has been a great help to me, especially with regard to NIH. Mr. Speaker, she has done absolutely magnificent work. I just do not know how we are going to replace her. We are all going to miss her very, very much. We wish her the very best of everything as she undertakes her new responsibilities. I hope that she will continue to stay in touch with all of us.

Finally, I want to express my thanks to the staff of the gentleman from Wisconsin, including Cheryl Smith, Mark Mioduski and Scott Lilly, his able staff director. As always, we have had the work of the full committee staff, headed by Jim Dyer, that has been invaluable to us.

I want to express my appreciation in addition to Sue Quantius; to my own subcommittee staff, Mike Myers, Bob Knisley, Tony McCann as well as Julie

Debolt and Dr. David Sander of my own staff. Without the assistance of each of these individuals and their support and the support of many more, we would not have been able to achieve this conference report which will, I believe, be passed and signed into law by the President.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 8½ minutes. Before I get into the bill, I would simply like to take a moment to also, from the minority side of the aisle, extend our best wishes to Sue Quantius as she leaves to pursue other opportunities in life. As the subcommittee chairman indicated, Sue has been with our subcommittee for 9 years. She has worked for four full committee chairmen during that time, including myself and the gentleman from Louisiana [Mr. LIVINGSTON]. The gentleman from Illinois kindly left out that Sue had the great misfortune to begin her public service by serving as an intern on the Commission on Administrative Review, which was a reform commission which I chaired. We got half of our package through, the ethics package, but the other half of the package, the administrative changes in the House, were abruptly interrupted by a resounding "no" vote on the rule, and it took about 10 years for most of those recommendations to be adopted on a piecemeal basis. That was an ignominious beginning to a distinguished career. I simply want to say that her work on biomedical research, on health issues in general and other issues has been superb. The public has been greatly served. Sue is another one of those persons about whom the public never hears much but without whom Government simply would not work. I appreciate the work that she has done for all of us.

Mr. Speaker, one of my closest friends in politics is a man from Ireland by the name of John Hume. John Hume has noted on many occasions that politics is supposed to be the settlement of fiercely held differences by peaceful means. As people know, I do not shrink from political fights or arguments, and I do not shrink from fights on substance. But I prefer not to have them. I think that we are all, or we all ought to be, happiest on this House floor when we are pursuing politics not as war but as a method by which we accomplish important things for the people we represent.

This bill more than any other bill that the Congress passes does that. This bill affects more human beings, more families in this country than any other bill that we touch. I think it is worthy of note to compare the atmosphere in which this bill was debated just 2 years ago with the atmosphere in which it is being debated today. Two years ago, this bill attempted to cut key programs for education and health and worker protection by some $6 billion. Those efforts to cut programs such as education and health and worker training were a principal reason that the Government was shut down. Two years ago, education was cut in this bill by $3.5 billion, worker protection by almost 15 percent, job training for unemployed workers by almost 30 percent. Assistance to low-income folks in order to heat their homes in the dead of winter was cut by about a third.

Today, in contrast, we do not have a Government shutdown. We do not have partisan warfare on this bill. The gentleman from Illinois is right. This bill has been pursued in a bipartisan way with a bipartisan coalition producing very positive results. This bill is $5.8 billion above last year for key programs in it. The National Institutes of Health is increased by 7 percent. That means research that we do on all of the diseases that human beings fear, whether it is cancer or heart disease or Alzheimer's or Parkinson's or you name it. We are trying to make steady progress in attacking all of the diseases that plague mankind. Education is up by 12 percent, over $3 billion. Pell grants have a 24-percent increase. Pell grants are the major program outside of student loans that help working-class kids get a decent education beyond high school.

We have provided a $300 increase in the maximum grant for independent students and for dependent students. Special education services for disabled children, up by 18 percent in this bill. We have bilingual education increased by 35 percent in this bill. We have the most important education reform effort since title I, $150 million for comprehensive school reform to give local schools the tools to do the job locally in improving the operation of their schools so that they can raise student performance to meet high standards.

□ 1730

On education testing, we have a slightly different proposition from the original committee proposition. The administration can proceed with development of tests. It prevents field-testing in the first year, which originally would have been allowed by the original committee agreement. It prevents test administration for 1 year, in contrast to the original committee bill that would have had a permanent prohibition on testing without new authorization.

Worker protection, workers' rights to organize, to bargain for decent wages, to work in decent working conditions are all protected in contrast to the very sharp reductions made in those programs in past years, at least the attempts that were made.

We have a needle exchange program in here that may be controversial, but which will save lives, which may proceed after March 31 of next year.

This bill repeals the $50 billion ripoff that was being provided in the tax bill for the tobacco industry.

It provides a $100 million increase for low-income heating assistance program, a 10-percent increase.

Cuts in family planning are fully restored.

Goals 2000, we reached a compromise at last year's freeze level.

So, Mr. Speaker, I would say that this bill is worthy of the tradition left to this House by people like Bill Natcher and Silvio Conte who worked for years to make this a bipartisan product. It is, I think, something that Members can be proud of because the fight in the budget, after all, is not really about how much we spend, it is where we spend it, and at least on this side of the aisle, and I think a good many Members on that side of the aisle, as well, recognized that we need to put more of our funds into education, into health, into jobs, into job training, into worker protection.

That is what this bill does. It is, I think, a progressive effort to meet the Nation's needs, and I make no apology for the funding that we spend in it. It is spent on the people we represent for their most important long-term needs as families, and I would urge Members to support this bill.

Mr. PORTER. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the full committee.

Mr. LIVINGSTON. Mr. Speaker, I believe very strongly that this bill represents the essence of what is good legislation and a great legislative process. The fact is that we looked at this bill a very long time ago, some 6 months ago, and could tell that there was no way on God's Green Earth that this bill was going to pass without bipartisan support. There were Members on both sides who had problems with this bill, and there was a possibility that, if framed in an inappropriate manner, that the bill would never get signed into law, that we could end up in closure of government and repeat all the mistakes that have been made in the past with respect to issues involved in this bill.

Fact is we went through prolonged debate and through the incredible leadership of the chairman, the gentleman from Illinois [Mr. PORTER], and ranking minority member of the full committee and the subcommittee, the gentleman from Wisconsin [Mr. OBEY], we were able to wend through the minefield of all of the obstacles and all of the hurdles that could have imploded this bill and prevented our ability to be here today.

For our Members in the minority, the gentleman from Wisconsin [Mr. OBEY] has listed a number of items of great importance to members of his party and to people throughout this country. In fact, there is lots more

money for medical research and for education preferences.

But for our conservative friends, let me say also that following the allocation of money within the budget agreement, we were able to stop national education testing in its tracks with an agreement negotiated between President Clinton and the gentleman from Pennsylvania [Mr. GOODLING]. We expanded the traditional Hyde language to make sure no Federal funds were used to purchase health plans that would pay for abortions. There are additional prohibitions on the needle distribution exchange program so that the authorizers are able to get involved over the next 6 months and take further action. There is a prohibition on the use of human embryos for federally-funded research. There is a prohibition on the expenditure of Federal funds for a new Teamsters election. There is a prohibition on issuance of new OSHA standards on ergonomics. There is a freeze on funding for the NLRB, the National Labor Relations Board.

My conservative friends have had many objections about this bill, and many of their objections have been answered and have been recognized and codified into law in this bill.

Does it satisfy everybody? Of course not. But this is a bill which spends tens of billions of dollars on important projects still eliminates 7 programs that were unnecessary and concentrates the resources on those areas where we need them. I commend the people that have worked on this bill, and I urge the adoption of the conference report.

Mr. OBEY. Mr. Chairman I yield myself 30 seconds.

Mr. Speaker, I was remiss in not also indicating my profound appreciation for the way that the gentleman from Illinois [Mr. PORTER] has handled this bill as well as the gentleman from Louisiana [Mr. LIVINGSTON]. We have certainly disagreed, sometimes vehemently, many times on many issues, but we have always tried to keep in mind that our obligation was in the end to bridge those differences, and in the case of Mr. PORTER we are dealing with a subcommittee chairman who not only feels his strong sense of obligation, but knows this bill and knows the programs in it, and that was always an invaluable help.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. STOKES].

Mr. STOKES. Mr. Speaker, I rise in support of the conference report on H.R. 2264, and I want to commend our chairman, the gentleman from Illinois [Mr. PORTER], and our ranking member, the gentleman from Wisconsin [Mr. OBEY], for their leadership in producing this conference agreement.

This measure represents the true spirit of bipartisan effort to craft a workable compromise on fiscal year 1998 funding for this bill. For example, the measure funds a youth opportunity areas initiative, which is urgently needed to address the continuing double-digit unemployment among our Nation's most disadvantaged youth. In many instances these young people have given up on themselves. I strongly believe that we must do all that we can to help ensure that all of our Nation's young people are equipped with the knowledge and the skills that they need to compete in and remain in the work force.

For undergraduate historically black colleges and universities, the bill provides $118.5 million. The HBCU is a national resource, and this investment would help to strengthen the infrastructure at these vital institutions of higher education.

For the health professions education and training, the conference measure provides $293 million. The funds are urgently needed to help ensure an adequate supply of health care providers. I know that the portion of the funds that are invested in training minorities and other individuals from disadvantaged backgrounds will help to address the continuing shortage of health care providers in our Nation's inner cities and rural communities, and it would help also to address the continuing disparity in minority health.

Mr. Speaker, the $529.7 million provided for the trio programs and the $7.3 billion in support of the Pell grant program would help to ensure the students will not only enter college, but more importantly, they will have access to support services they need in order to help ensure their retention and graduation.

I am pleased that the conference report is not excessively overburdened with major legislative provisions.

On the issue of national testing, I am encouraged that we have been able to reach an interim position, and I look forward to working closely with the authorizers on this very important matter.

Mr. Speaker, I urge my colleagues to join me in voting yes on the conference report on H.R. 2264.

Mr. PORTER. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. WICKER], a valued member of our subcommittee.

Mr. WICKER. Mr. Speaker, I thank the gentleman from Illinois for yielding the time.

I want to commend the chairman of the subcommittee as well as the ranking member of this subcommittee for the hard work and negotiation and the lengthy time that they put into this very important legislation. I support it. I hope we have strong support from both sides of the aisle for this legislation.

Mr. Speaker, it is not the type of bill that I would have written had I been writing it in a vacuum. It might not be a better bill if I wrote it, but it would be a different bill. But just think about this, Mr. Speaker, this is the first conference report on Labor HHS appropriation that we have had in 3 years, and I think it is better for this House and for the Senate and for the process to work its will rather than to go with continuing resolutions and resolve the issues that way.

I think the leadership is to be commended for pushing this through and for us finally getting to this stage for the first time in 3 years of actually being able to have a conference committee report a bill and for us to vote on it.

I commend the gentleman from Louisiana [Mr. LIVINGSTON], and Mr. Livingston spoke about the things that were achieved for conservatives. I think members of my party should realize that Mr. LIVINGSTON is himself a conservative, and he has worked hard for those issues that are important on our side of the aisle.

It has already been mentioned that this bill before us today contains the Goodling language that stops national testing. It contains an expansion of the Hyde amendment; a moratorium for the first 6 months of this fiscal year on needle exchange programs funded by taxpayer funds, which will allow the Congress to work its will on an authorizing piece of legislation next year; a prohibition on the use of human embryos for federally-funded research, again a very important issue to conservatives around this Nation.

The bill also contains important modifications in the law with regard to OSHA to make sure that we protect American jobs at the same time that we are protecting and looking out for workers' health and safety, and in addition a freeze on funding for the National Labor Relations Board and a host of other issues that are important to conservatives.

This is a contentious bill. Any time we talk about the Department of Labor, the subgroups there, NLRB, OSHA, and then throw in HHS with needle exchanges and the entire issues of Federal education policy, we are going to have a contentious bill. But I commend the leadership for moving us in the right direction. I commend the bill to conservatives, and I hope on my side of the aisle we will have a tremendous vote in favor of the bill.

And then let us not lose sight of the fact that we are doing important things to prevent disease and to protect the health of Americans in this legislation.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from California [Ms. PELOSI], a member of the subcommittee.

Ms. PELOSI. Mr. Speaker, I thank the distinguished ranking member for his leadership on this bill and for yielding me the time.

I rise in support of the Labor-HHS conference report. In particular I commend the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY] for negotiating an excellent bipartisan bill, a bill in which the subcommittee can take considerable pride.

This conference report is a refreshing change from last 2 years when the bill had been the focus of deep ideological disputes and a vehicle for sending objectionable legislative riders to the President. Thankfully, thanks to the leadership also of our chairman of the full committee, the gentleman from Louisiana [Mr. LIVINGSTON], as well as the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY], we have returned to the bipartisan tradition which has historically characterized this bill. As our former chairman Mr. Natcher would say, this is a good bill.

□ 1745

While this is a good bill, it is good because of the excellent work again, as I said, of the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY], who fought very hard to forge this bipartisan legislation. We were given many difficult challenges by the Committee on the Budget, so that many problems that, ironically, it may have forced this responsible bipartisan bill.

I want to thank the gentleman from Wisconsin [Mr. OBEY] in particular for doing such an excellent job in reflecting progressive values in these negotiations.

With regard to labor programs, the bill makes significant investments in job training, Job Corps, Job Youth and adult training. At the same time, the bill adequately funds worker protection programs, and, unlike, the last 2 years, does not include riders designed to weaken the protection of American workers.

I am particularly pleased under an agreement negotiated by the gentleman from Illinois [Chairman PORTER] and the gentleman from Wisconsin [Mr. OBEY], OSHA will be able to continue its important work in developing an ergonomic standard and will be able to assist business in the next year to adopt important changes in work environment designed to prevent repetitive stress injuries.

With regard to health, the bill is a significant improvement over the budget agreement. In addition, the bill provides huge increases in AIDS drug assistance programs, and also will make a difference between life and death for thousands of Americans living with HIV disease.

I am also particularly pleased with the compromise in the legislation about the needle exchange program which the gentleman from Illinois [Mr. PORTER] addressed in his remarks. This compromise, I think, will enable the needle exchange programs which are part of a HIV prevention program and which do not increase the use of drugs to proceed, and it retains for the Secretary the discretion, unless Congress works its will between now and next spring, to lift the prohibition on needle exchange programs, as long as, as I say, they are part of a program to prevent HIV and drug abuse.

With regard to education, I am pleased that so many of the President's important education priorities have been accommodated in this bill. I am particularly pleased with the funding for the bilingual education and the investment and support services and professional development to improve the quality of these programs. I am also pleased with the high priority placed on direct financial assistance to students for higher education.

For all these reasons, this is a great bill, and I urge my colleagues to support it.

Mr. PORTER. Mr. Speaker, I am very pleased to yield 2½ minutes to the gentlewoman from Kentucky [Mrs. NORTHUP], the newest member of our subcommittee team, who has done an absolutely outstanding job, the best of any freshman I have ever seen.

Mrs. NORTHUP. Mr. Speaker, I am pleased to have an opportunity to speak about this bill and to have served on this subcommittee. I want to also thank the subcommittee chair and the ranking member and the other members of the subcommittee that have worked so hard on this bill.

Many of the benefits of this bill, the appropriations that we have made, have been discussed previously, but I would just like to say that one of the reasons this is such a tough bill is because education and health are intrinsically different than anything else we spend our money for.

It is one thing to be dispassionate about road construction or military buildup, but it is impossible to be dispassionate about our children. Moms and dads across this country feel passionately and emotionally about the schools that their children attend and whether or not they learn and how much they learn and whether they are prepared for the future.

This world is changing. The world our children will know will be different than the world that we have known, and they have to be prepared in different ways and for different experiences. The way they will be pioneers in their lives will be different than the way we are pioneers in our lives. So as our schools are grappling with change, it is difficult for their moms and dads and for all of us to pick the best of what we have and make sure we continue that and prepare it in new ways for new worlds.

We are also confused and not certain about what the Federal role is going to be in an educational system that has largely heretofore been a state responsibility and organization. Assuming that will continue and that we will expect schools to succeed locally, we are looking for the way that the best Federal investment can be made in our schools.

So I want to say that education is different. It is different than road construction. The fact that there is an unpatched pothole is not very emotional, but if your child goes to school and does not learn to read, that is very emotional.

I want to in particular thank you, Mr. Chairman, and the subcommittee chairman, for your commitment to the blind community and the deaf community. I have served very closely with the blind community in Louisville. We happen to be the home for the American Printing House for the Blind. My husband and I have been very involved in this community, and we recognized here in this bill the importance of continued access that the blind community needs to those services. So I wanted to thank the gentlemen in particular for that.

Mr. Speaker, I recommend this bill to the rest of the Members.

Mr. OBEY. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the ranking member for yielding me time.

Mr. Speaker, I rise in support of the conference report and to congratulate and thank both the chairman, the gentleman from Illinois [Mr. PORTER], with whom I have served on this committee for, I suppose, all of my career on the committee, which is from 1983 to date, and also to congratulate the gentleman from Wisconsin [Mr. OBEY].

Mr. Speaker, in many ways this is a bill that is not difficult from the standpoint that almost every member of Congress and the overwhelming majority of Americans probably believe it is the most important bill that we consider in this House on an annual basis as it affects themselves, their families, their children, the education of this Nation, as well as their children, the health care of themselves and this Nation.

Our former chairman, Mr. Natcher, used to say that if you take care of the health of your people and provide for the education of your children, you will continue to live in the strongest and best nation on Earth. He was correct. He said this was the People's House and that this was the people's bill. He was also correct in that.

But it is also a very difficult bill, because the priorities within the bill are agreed by all to be principal priorities, and, therefore, the allocation of resources between them is difficult.

Both the gentleman from Illinois (Chairman PORTER) and the ranking

member, the gentleman from Wisconsin [Mr. OBEY], are always under a great deal of pressure, and the supplicants or the lobbyists or the interests that are represented in this bill are all good, and, therefore, it is very difficult to say no.

This bill, I think, represents a good piece of legislation, of which the American public can be proud. It was forged in a bipartisan basis, sometimes contentious, because there are strong differences on many issues. But this bill as it relates to education, unlike, frankly, some previous bills in previous Congresses, reflects a commitment to invest in the future of our country by investing in our children.

Head Start is increased, critically important, to make sure that our disadvantaged children have an opportunity to be competitive, both in education and in the marketplace. It is important that they be partners as America completes in the global marketplace.

Chapter I, that tries to ensure that those same children and others who may have been disadvantaged in life will not be disadvantaged in terms of the focus of this Congress and of the education establishment, in making sure that we make a special effort to give them the capacity to learn, to work and to compete.

So, Mr. Speaker, I am pleased to rise in support of this conference report, which reflects a compromise, testing having been one of the more difficult items, block grants as opposed to categorical expenditures being another. But they were debated, sometimes hotly, strongly held views, but ultimately, through the leadership of the gentleman from Illinois [Mr. PORTER] and the gentleman from Wisconsin [Mr. OBEY], and I might also say the chairman of our committee, the gentleman from Louisiana [Mr. LIVINGSTON], who has done such an outstanding job leading the Committee on Appropriations through this difficult process, we have a bill of which we can all be proud and which we can enthusiastically support.

Mr. PORTER. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Pennsylvania [Mr. GOODLING], the very able chairman of the Committee on Education and the Workforce.

Mr. GOODLING. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I would first like to thank the chairman and the ranking member, the subcommittee chairman, and all the conferees for their hard work on a report that is always very difficult. I am sure I helped make it even more difficult. The national testing issue did not make it any easier for them. However, it was one of the most important policy battles I think we have had to fight. We all want quality education, high academic standards, for all of our children, and we believe parents and local governments can best do that.

I want to thank the 295 Members and particularly the Speaker and the gentleman from South Carolina [Mr. GRAHAM] for all of their help and their support, and particularly the staffs, the staff of the Appropriations Committee, the staff of my committee. If we had to pay all the overtime that they would have earned, we would be out of money for the rest of the year, I suppose.

I also want to talk just a little bit about some of the other good things that are there as far as I am concerned. I want to thank the gentleman from Illinois [Chairman PORTER] and the gentleman from Wisconsin [Mr. OBEY] for keeping their commitment to increase funding for special ed in the conference report. The agreement continues to make great strides toward meeting our obligations to State and local school districts through a near $700 million increase to the Individuals with Disabilities Education Act.

I am pleased the report provides increases to other high-priority programs such as Even Start and Chapter 2 education and block grants to the States.

I want to thank the appropriators for including the Emergency Student Loan Consolidation Act, which will mean an awful lot to parents and students.

Finally, the bill makes important changes to the need analysis formula in the Higher Education Act, which ensures that students and families who qualify for new higher education tax credits will not be penalized in the Federal Government's determination of eligibility and student financial aid.

I thank again all who put this appropriations bill together. It is a very important bill, and I am sure it will receive overwhelming support.

Mr. Speaker, I'd first like to thank the chairman, the ranking member, and other conferees for their hard work on the conference report. The Labor, HHS bill is never an easy task. And the national testing issue did not make it any easier.

I am pleased to announce that, we have finally reached an agreement on testing. I wish to thank the Chairman and Ranking member and many other members of Congress for their input and hard work on this important matter. It was truly a team effort.

Three months ago when members of the House decided to fight the President's plan to give new federal tests to our school children, we started with children in mind. From the beginning, we believed that a new federal test would do nothing to help our children. If more testing were the answer to the problems in our schools, testing would have solved them a long time ago.

Everyone in this body supports high standards and accountability. No question about that. But we all agree new federal tests created by Washington bureaucrats are not the answer.

Most importantly the conference report stops the Department of Education's plans for new national tests for one year. As a result, this House—not the White House—now controls this issue.

This agreement stops the President's plan in its tracks for one year by prohibiting pilot testing, field testing, implementation, administration, and implementation of new national tests.

The White House acknowledges that Congress will now play a very large role in deciding if, how, and when any new national tests will be implemented, if at all.

The Administration recognizes that existing commercial tests now used in the states may very well fit their purposes and provide the kind of information we need to adequately assess our students. We have agreed to have the National Academy of Sciences study this issue and report back to us next fall.

A few other key points of the conference agreement are: The existing test development contract entered into by the Department of Education will be transferred out of the Department to the National Assessment Governing Board; the National Academy of Sciences will study the technical quality of the test items already developed by the Department and recommend safeguards against tests being used in an inappropriate manner; no student is required to take any national test in any subject or grade; the Committee on Education and the Workforce will hold several hearings on the National Assessment Governing Board and the National Assessment of Educational Progress during the first half of 1998. At that time, the President will have an opportunity to have his testing proposal fully debated, and Congress will have the opportunity to work its will.

This is a clear victory. It affirms the 295–125 vote last month prohibiting funds for new federal tests. I thank each of those 295 members who voted for the the Goodling Amendment and stood with us in our negotiations with the White House.

On other matters, I want to thank Chairman PORTER and Mr. OBEY for keeping their commitment to increase funding for special education in this conference report. This agreement continues to make great strides toward meeting our obligations to States and local school districts through a nearly $700 million increase to the Individuals with Disabilities Education Act Grants to States.

Second, I am pleased that the conference report provides increases to other high-priority programs, such as Even Start and Chapter 2 education block grants to States.

Third, I want to thank the appropriators for including the Emergency Student Loan Consolidation Act. This bill passed the House by a voice vote on October 21st, but stalled in the Senate until today. The bill will help thousands of students who have been unable to obtain a consolidation loan due to the Department of Education's shutdown of their direct loan consolidation processing center.

Finally, this bill makes important changes to the need analysis formula in the Higher Education Act which will ensure that students and families who qualify for the new higher education tax credits will not be penalized in the Federal Government's determination of eligibility for student financial aid.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New York [Mrs. LOWEY], also a member of the subcommittee.

Mrs. LOWEY. Mr. Speaker, I am proud of this conference report. The committee, under the strong leadership of the gentleman from Illinois, Chairman PORTER and the ranking member, the gentleman from Wisconsin [Mr. OBEY], along with our Senate colleagues, succeeded in producing a bill which reflects our shared priorities.

We worked very hard on this bill, and this bill truly reflects a real bipartisan effort. Again, I want to thank the chairman and the ranking member for creating the atmosphere and the commitment among all of us to work together.

I also want to thank the staffs on both sides who have been so very helpful and cooperative in reaching our goals.

Mr. Speaker, this conference report recognizes the clear need for an increased investment in our children's education. I am pleased that we were able to provide $3.2 billion more than last year in funds for education. In particular, I am pleased that $40 million in new funds have been provided to keep our schools open after hours in order to provide a safe haven for our youth and to improve reading and other academic skills.

We increased the maximum Pell grant by $300 per student and overall Pell funding by $1.4 billion. The bill also includes language expanding the eligibility of independent and dependent students for Pell grants. In addition, we were able to restore funding to the SSIG student aid program which helps so many young people get that education.

We made a number of significant increases in health programs. We were able to provide the National Institutes of Health with a 7 percent increase over last year. This will allow the National Institutes of Health to increase funding for breast cancer research and other dreaded diseases so that advances in prevention and treatment will continue.

Funding for AIDS drug assistance has been increased by $119 million more than last year. This will help to provide life-sustaining medicine to AIDS patients across the country.

I am also very pleased that we provided $268 million for job training. In part, these funds will help to assist those on welfare so they can better obtain decent-paying jobs.

While I am disappointed that the Hyde amendment restricting access to abortion for low-income women is still in this bill, I am very pleased that we were able to prevent a radical expansion of this prohibitive restriction.

□ 1800

The bill also repeals the $50 billion tuberculosis giveaway.

Of course, there are some programs that I wish we could have expanded even more: Worker protection, title I education, and Centers for Disease Control are among those programs. However, on balance, I believe that this is a very good bill that meets so many of the important needs of our constituents, and I urge my colleagues on both sides of the aisle to support this bill.

Mr. PORTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana [Mr. SOUDER].

Mr. SOUDER. Mr. Speaker, I want to thank the chairman for yielding me this time.

Compromise is probably not my greatest strength, and while there are many good things in this bill, there are many things that I not only dislike, I detest, but that is kind of the rule of how compromise works, and I appreciate working with the gentleman from Illinois [Mr. PORTER], the gentleman from Wisconsin [Mr. OBEY], with the gentleman from Louisiana [Mr. LIVINGSTON] and all of the others on this committee.

When asked at the press conference today, "It's not a disappointment then, in the end?", Mr. McCurry was asked about the national testing, and he said, "Well, I mean in a perfect world we would have gotten our plan as it was designated by the Secretary of Education and the President, but it's not a perfect world when you have a Republican Congress, to say the very least." And that is an accurate statement about how things work.

I appreciate the time we had to debate it and to air our differences. I think we have made progress on some of the issues for the movement conservatives, particularly on testing. We held a number of other issues. I probably will not say this too many times in my career, but I intend to vote for a Labor-HHS appropriations bill, and I appreciate the process we went through. I think it is a reasonable compromise given the differences we have between the House and the Senate and the President, and I thank the leadership for that.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Connecticut [Ms. DELAURO], also a member of the subcommittee.

Ms. DELAURO. Mr. Speaker, I rise in support of this conference report, and I would like to thank Chairman PORTER and Ranking Member OBEY for their hard work and their bipartisan spirit. I am pleased that it contains a substantial increase for health research at the NIH, for disease prevention work at the Centers for Disease Control, and for important educational programs such as Head Start and IDEA.

I am especially proud that the conference report includes a substantial increase in funding for quality care, child care for children under the age of 3. New research has shown that the early years are a critical time of intellectual, emotional, moral, and physical development, which prepare a child to be healthy and productive in later life. We cannot afford to waste these critical learning years.

This conference report includes a $50 million increase in the child care and development block grant for States to improve the quality of care for our youngest children. It also includes $69 million more than the President requested to expand the Early Start, zero to 3 program, within Head Start. These funds will give thousands of additional children an opportunity to have the very best start in life.

I am pleased that the bill includes funding to improve our schools and hold our students to the highest standards, including the $200 million for whole school reform, to assist our least successful students in meeting educational goals. I have the experience of New Haven, CT and the Kolmer model of schools to point to as how whole school reform can work and does work.

Throughout this process, we have at times faced the possibility that the bipartisanship would be undermined by controversial riders regarding abortion, parental consent for contraceptives, needle exchange and other issues. I am glad to say that none of these controversial riders are in this bill.

I am pleased to support this conference report, and I urge my colleagues to join me in voting for its passage.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Speaker, I rise in support of this bill, and I agree, I think it is a very good compromise. When we look at the levels of funding in this bill, it underscores that in a period of balancing budgets and a decline in discretionary spending what some of the priorities of the Government are, and I think this is a victory in many areas.

In particular, I want to commend the chairman of the subcommittee and the ranking member for the increase in the National Institutes of Health funding by 7 percent. It was not too long ago in 1995 when this House passed a budget that would have cut NIH funding by 5 percent in real terms. So this is a step in the right direction.

Given the fact that the House may or may not in the next couple of days take up the issue of trade, it is important that we continue to put funds into biomedical research and what the NIH does, because that is an area where America leads the world.

Second of all, from what I can tell from the bill, it does not make the changes that were proposed in the immunization funding or that would have affected the carryover funds. That is terribly important to my State of Texas and my home city of Houston,

which could have been adversely affected by cutting back on the carryover funding that is used a great deal in the city of Houston which has an expanding immunization program, particularly for the indigent, and I appreciate the fact that the committee was wise enough not to cut those funds back.

I want to commend again the chairman and the ranking member. This is a good bill. I intend to support it, and I hope my colleagues will do so.

Mr. PORTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time.

I see that Sue Quantius is back. As I said, the chairman and I have been on this subcommittee I think just about the same time. I think he has been on maybe a session before me. Sue Quantius, I am not sure how long Sue has been with us, but I know she worked on the Senate side.

I mentioned the health care of our people, and I know it is a particular interest of the chairman, and our expert on the committee is Sue Quantius. She has done an outstanding job; she is one of the most knowledgeable people in Washington on health care issues and particularly on NIH funding and NIH resources, objectives, and responsibilities. I want to rise, as I know the chairman has, and as I know the gentleman from Wisconsin [Mr. OBEY] has, in thanking her for the service that she has given.

The American public and this House ought to be very proud of the staff of the Committee on Appropriations. It is arguably the most bipartisan, nonpartisan staff on Capitol Hill. To the great credit of the gentleman from Louisiana [Mr. LIVINGSTON], our chairman, when he became chairman, most of the staff stayed because we all on both sides of the aisle perceive them as very true professionals who know their subject, who work hard, have great talent and great commitment to the product of this committee and to this country.

Sue, on behalf of myself and all of us on this side of the aisle, and I know the gentleman from Wisconsin [Mr. OBEY] has already done that, and I know our present chairman in office has done that, but I want to join them and say thank you and to wish you Godspeed. Your next endeavor, your next employer is a very fortunate entity indeed. Thank you very much.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Speaker, 2 years ago I met a young Army soldier in my district who had missed the birth of his first child because he was serving our Nation in Desert Storm. He then missed the birth of his second child because he was doing his duty, as his Nation called him to do, in Bosnia.

There is nothing this Congress can do to make up for the sacrifice of that young Army soldier. But what I am deeply grateful for is that through the leadership of Chairman PORTER and Ranking Member OBEY, this Nation has made a commitment through the Impact Aid Program to see that that young soldier when he is serving thousands of miles away from his family, serving his country, he or she can be sure that his or her sons and daughters will receive a firstclass education. It seems to me that that is a moral duty of this Congress. It is also the right thing to do to ensure a strong national defense, because all of the technology in the world, without the best and brightest soldiers and marines and Navy pilots and sailors, will not ensure our Nation's defense.

So I want to thank, not only for the whole effort of this tremendous piece of legislation, but in particular, I want to thank the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Illinois [Mr. PORTER] for their outstanding leadership and not forgetting those young children and military families who may not ever see their parents at graduation because their parents may end up giving the ultimate sacrifice in time of war.

This is a great bill, and particularly on impact aid. I say thank you.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, let me join my friend from Texas in complimenting the gentleman from Illinois [Mr. PORTER] and our ranking member the gentleman from Wisconsin [Mr. OBEY]. I represent a district that has Whiteman Air Force Base and Fort Leonard Wood, both of whom are areas that are heavily impacted by the Federal Government, the Federal reservations, and impact aid is so important for those children. We have to take care of the families of the people in uniform and this is a wonderful way to do it. So I join my friend from Texas [Mr. EDWARDS] in complimenting them and thanking this committee for the effort.

Mr. PORTER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, as we wind up this first session of the 105th Congress, all of us I think are pretty well exhausted. We have had little sleep night after night, especially during the last week. We have been in intense negotiations for hours and hours on end. Nerves are frazzled. We say things we may not mean. We make accusations that are perhaps unfounded. We even raise questions about the processes of democracy so that we can have things come out our way. It is a time when Republicans sometimes are fighting it out with Democrats, the White House is fighting it out with the Congress, the Senate is fighting it out with the House, authorizers are opposite appropriators, committee chairmen are against other committee chairmen, and often things get a bit out of hand.

Several of the bills, there are four that remain, including this one, have been subject to intense negotiations. This conference report has certainly been one of them. But in the end, Mr. Speaker, all of us believe in the processes of democracy that allow us to work with one another and to find the middle, the place where the American people are. Compromise in my judgment is not at all a bad word, it is exactly what our Founders envisioned for us. It was their intent that we had to cooperate with one another, work together as Americans, and find how we can best reflect the values of the American people.

□ 1815

So, Mr. Speaker, I believe that this bill truly does represent, through bipartisan work, through true compromise, through honest negotiation, exactly what the American people expect of us.

I am very proud that this year we have managed to work together and managed to work through a very, very difficult process, and still come out with great respect for one another. I have tremendous respect for my colleague, the gentleman from Wisconsin [Mr. OBEY]. I think we do work well together. That is a very positive thing.

I believe we have fashioned a bill that really does reflect the values of this country, and have done so in a very strong, bipartisan fashion, in the true traditions of the democracy of this great land we all are privileged to live in and to serve.

Mr. Speaker, I would commend this bill to each of the Members. I think we have done the best job that possibly could have been done. I thank everyone for their willingness to work together.

Mr. OBEY. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Wisconsin [Mr. OBEY] is recognized for 3½ minutes.

Mr. OBEY. Mr. Speaker, I simply would like to do two things. First of all, the gentleman from Illinois, Chairman PORTER, was gracious enough to mention the contributions made by all our staffers on both sides on the committee.

I would also like to add, in addition to my staffers who have already been cited by the chairman, I would also like to add Christina Hamilton, from my personal office, who worked very hard on this bill.

I would also like to express our best wishes to a very dedicated staffer who has worked for the gentlewoman from California [Ms. PELOSI] for the past 10

years on this bill. Dr. Steve Morin is moving back to San Francisco. We will miss his expertise on many health and labor programs, most notably, his great work on the issues relating to AIDS, and trying to minimize the terrible damage that that disease causes, and giving researchers the resources they need to search for a cure.

I think this is a very progressive bill, and I would point out once again, if I could have had my way, this bill would have at least $5 billion more in this devoted to education and health and worker protection. But this bill is $900 million above the bill as it left the House. That is not bad, under these circumstances.

I again congratulate each and every member of the subcommittee, and the gentleman from Illinois [Mr. PORTER] and the gentleman from Louisiana [Mr. LIVINGSTON], and all of the Members on my side of the aisle, for working so hard to both define their views and to resolve their differences.

Mr. ENGEL. Mr. Speaker, I am rising today to clarify an amendment offered by Representative CAROLYN MCCARTHY and myself that was included in the Labor-HHS-Education appropriations bill. The amendment added $100,000 to the Department of Education's Program Administration account so that the Department can expand its web site to include information for all public and private scholarship and financial aid programs.

It is my understanding that the committee report includes explicit language stating that the conferees have agreed that the funds are specifically included to enable the Department to expand its web site to provide this information, pursuant to Section 409A(1) of the Higher Education Act. This provision states that the Department of Education shall award a contract to maintain a computerized database of all private and public student financial assistance programs. Our amendment is geared to help the Department fulfill this goal.

I thank the Committee chairmen and staff for working with us on this matter to help ensure that the Department will receive the funding it needs for this important project.

Mr. BEREUTER. Mr. Speaker, this Member is pleased that the fiscal year 1998 Labor, Health and Human Services Appropriations Act conference report contains several provisions regarding important rural health programs which benefit rural communities across the nation, as well as continued funding for the Ellender Fellowships. In addition, this Member would like to commend the distinguished gentleman from Louisiana [Mr. LIVINGSTON], the Chairman of the Committee on Appropriations, the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking member of both the full Committee and the Subcommittee on Labor, Health and Human Services, and Education and the distinguished gentleman from Illinois (Mr. Porter), the Chairman of the Subcommittee, for their work on these important issues.

Regarding rural health funding, this Member would like to specifically mention two programs which this Member strongly supports and has expressed this support together with other members of the House Rural Health Care Coalition to the Subcommittee. These programs are Rural Outreach Grants, and the National Health Service Corps.

This conference report includes $32.6 million for Rural Outreach Grants, which is an increase of $4.8 million above the fiscal year 1997 level and $7.6 million above the amount requested by the President. This important program support projects that provide health services to rural populations not currently receiving them and that enhance access to existing services.

The National Health Service Corps receives $115.4 million in this conference report, which is equivalent to both the fiscal year 1997 level and the amount requested by the President. One of the top health care concerns in rural America is the shortage of physicians and other health professionals due to the difficulties rural areas have in attracting and retaining primary health care professionals. The National Health Service Corps program addresses this need by providing scholarships to, and repays loans of, primary care professionals in exchange for obligated services in a Health Professional Shortage Area.

The program also provides matching grants to states for a loan repayment program. These incentives for health professionals and physicians to serve in rural areas are greatly needed.

This Member is also pleased that this conference report includes $1.5 million for Ellender fellowships. Earlier this year, this Member testified before the subcommittee regarding this important program. This amount is the same as the fiscal year 1997 level, even though the President's budget did not include any funds for the extraordinary valuable citizen education program for American high school students. The Ellender Fellowships are used to enable low-income students to participate in the highly successful Washington Close Up program.

Each year the Close Up foundation awards thousands of Ellender Fellowships, which included 3,942 students during the 1995–1996 school year. Nationally, since 1971 over 480,000 students and teachers have participated in the Washington Close Up Program. Almost 95,000 of those participants received full or partial fellowships.

Again, Mr. Speaker, this Member commends the distinguished gentleman from Louisiana [Mr. LIVINGSTON], the Chairman of the Committee on Appropriations, the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking member of both the full committee and the subcommittee, and the distinguished gentleman from Illinois [Mr. PORTER], for their continued support of these important programs.

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

Mr. PORTER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 352, nays 65, not voting 16, as follows:

[Roll No. 615]

YEAS—352

Abercrombie
Ackerman
Allen
Andrews
Armey
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Carson
Castle
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Combest
Condit
Cook
Cooksey
Costello
Coyne
Cramer
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gilman
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hayworth
Hefner
Herger
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (PA)
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)

Rahall	Shimkus	Thornberry
Ramstad	Shuster	Thune
Rangel	Sisisky	Thurman
Redmond	Skaggs	Tierney
Regula	Skeen	Torres
Reyes	Skelton	Towns
Riggs	Slaughter	Traficant
Rivers	Smith (MI)	Turner
Rodriguez	Smith (NJ)	Upton
Roemer	Smith (OR)	Velázquez
Rogan	Smith (TX)	Vento
Rogers	Smith, Adam	Visclosky
Ros-Lehtinen	Smith, Linda	Walsh
Rothman	Snyder	Waters
Roukema	Solomon	Watkins
Roybal-Allard	Souder	Watt (NC)
Rush	Spence	Watts (OK)
Sabo	Spratt	Waxman
Sanchez	Stabenow	Weldon (PA)
Sanders	Stark	Weller
Sandlin	Stenholm	Wexler
Sawyer	Stokes	Weygand
Saxton	Strickland	White
Schumer	Sununu	Whitfield
Scott	Tanner	Wicker
Serrano	Tauscher	Wise
Shadegg	Tauzin	Wolf
Shaw	Taylor (NC)	Woolsey
Shays	Thomas	Wynn
Sherman	Thompson	Young (AK)

NAYS—65

Aderholt	Goodlatte	Pombo
Archer	Hastings (WA)	Radanovich
Bachus	Hefley	Rohrabacher
Barr	Hill	Royce
Bartlett	Hilleary	Ryun
Barton	Hostettler	Salmon
Blunt	Hutchinson	Sanford
Brady	Inglis	Scarborough
Bryant	Istook	Schaefer, Dan
Cannon	Johnson, Sam	Schaffer, Bob
Chabot	Jones	Sensenbrenner
Chenoweth	Largent	Sessions
Coble	Manzullo	Snowbarger
Coburn	McIntosh	Stearns
Collins	Mica	Stump
Conyers	Moran (KS)	Stupak
Cox	Neumann	Talent
Crane	Norwood	Taylor (MS)
Crapo	Paul	Tiahrt
Doolittle	Paxon	Wamp
Everett	Peterson (MN)	Weldon (FL)
Goode	Petri	

NOT VOTING—16

Blumenauer	Hoekstra	Riley
Cubin	Klug	Schiff
Flake	Leach	Yates
Frank (MA)	McCollum	Young (FL)
Gillmor	McDermott	
Gonzalez	Quinn	

□ 1839

The Clerk announced the following pair:

On this vote:

Mr. Quinn for, with Mr. McCollum against.

Messrs. BRYANT, BARTON of Texas, and EVERETT changed their vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CERTAIN RESOLUTIONS IN PREPARATION FOR ADJOURNMENT OF FIRST SESSION SINE DIE

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 105–391) on the resolution (H. Res. 311) providing for consideration of certain resolutions in preparation for the adjournment of the first session sine die, which was referred to the House Calendar and ordered to be printed.

NOTICE OF INTENTION TO DISCHARGE H.R. 2631, DISAPPROVING CANCELLATIONS TRANSMITTED BY THE PRESIDENT

Mr. PACKARD. Mr. Speaker, pursuant to section 1025(d) of the Congressional Budget Act of 1974, as amended, I hereby give notice of my intention to offer a motion to discharge H.R. 2631.

The form of the motion is as follows:

Mr. PACKARD moves to discharge the Committee on Appropriations from further consideration of the bill, H.R. 2631, disapproving cancellations transmitted by the President on October 6, 1997, regarding Public Law 105–45.

CONFERENCE REPORT S. 1026, EXPORT-IMPORT BANK REAUTHORIZATION ACT OF 1997

Mr. CASTLE submitted the following conference report and statement on the Senate bill (S. 1026) to reauthorize the Export-Import Bank of the United States.

CONFERENCE REPORT (H. REPT. 105–392)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1026), to reauthorize the Export-Import Bank of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Export-Import Bank Reauthorization Act of 1997".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Extension of authority.
Sec. 3. Tied aid credit fund authority.
Sec. 4. Extension of authority to provide financing for the export of nonlethal defense articles or services the primary end use of which will be for civilian purposes.
Sec. 5. Clarification of procedures for denying credit based on the national interest.
Sec. 6. Administrative Counsel.
Sec. 7. Advisory Committee for sub-Saharan Africa.
Sec. 8. Increase in labor representation on the Advisory Committee of the Export-Import Bank.
Sec. 9. Outreach to companies.
Sec. 10. Clarification of the objectives of the Export-Import Bank.
Sec. 11. Including child labor as a criterion for denying credit based on the national interest.
Sec. 12. Prohibition relating to Russian transfers of certain missiles to the People's Republic of China.

SEC. 2. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking "until" and all that follows through the end period and inserting "until the close of business on September 30, 2001.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on September 30, 1997.

SEC. 3. TIED AID CREDIT FUND AUTHORITY.

(a) EXPENDITURES FROM FUND.—Section 10(c)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–3(c)(2)) is amended by striking "through" and all that follows through "1997".

(b) AUTHORIZATION.—Section 10(e) of such Act (12 U.S.C. 635i–3(e)) is amended by striking the first sentence and inserting the following: "There are authorized to be appropriated to the Fund such sums as may be necessary to carry out the purposes of this section.".

SEC. 4. EXTENSION OF AUTHORITY TO PROVIDE FINANCING FOR THE EXPORT OF NONLETHAL DEFENSE ARTICLES OR SERVICES THE PRIMARY END USE OF WHICH WILL BE FOR CIVILIAN PURPOSES.

Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note; 108 Stat. 4376) is amended by striking "1997" and inserting "2001".

SEC. 5. CLARIFICATION OF PROCEDURES FOR DENYING CREDIT BASED ON THE NATIONAL INTEREST.

Section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(B)) is amended—

(1) in the last sentence, by inserting ", after consultation with the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate," after "President"; and

(2) by adding at the end the following: "Each such determination shall be delivered in writing to the President of the Bank, shall state that the determination is made pursuant to this section, and shall specify the applications or categories of applications for credit which should be denied by the Bank in furtherance of the national interest.".

SEC. 6. ADMINISTRATIVE COUNSEL.

Section 3(e) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(e)) is amended—

(1) by inserting "(1)" after "(e)"; and

(2) by adding at the end the following:

"(2) The General Counsel of the Bank shall ensure that the directors, officers, and employees of the Bank have available appropriate legal counsel for advice on, and oversight of, issues relating to personnel matters and other administrative law matters by designating an attorney to serve as Assistant General Counsel for Administration, whose duties, under the supervision of the General Counsel, shall be concerned solely or primarily with such issues.".

SEC. 7. ADVISORY COMMITTEE FOR SUB-SAHARAN AFRICA.

(a) IN GENERAL.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by inserting after paragraph (8) the following:

"(9)(A) The Board of Directors of the Bank shall take prompt measures, consistent with the credit standards otherwise required by law, to promote the expansion of the Bank's financial commitments in sub-Saharan Africa under the loan, guarantee, and insurance programs of the Bank.

"(B)(i) The Board of Directors shall establish and use an advisory committee to advise the Board of Directors on the development and implementation of policies and programs designed to support the expansion described in subparagraph (A).

"(ii) The advisory committee shall make recommendations to the Board of Directors on how

the Bank can facilitate greater support by United States commercial banks for trade with sub-Saharan Africa.

"(iii) The advisory committee shall terminate 4 years after the date of enactment of this subparagraph.".

(b) REPORTS TO CONGRESS.—Within 6 months after the date of enactment of this Act, and annually for each of the 4 years thereafter, the Board of Directors of the Export-Import Bank of the United States shall submit to Congress a report on the steps that the Board has taken to implement section 2(b)(9)(B) of the Export-Import Bank Act of 1945 and any recommendations of the advisory committee established pursuant to such section.

SEC. 8. INCREASE IN LABOR REPRESENTATION ON THE ADVISORY COMMITTEE OF THE EXPORT-IMPORT BANK.

Section 3(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(d)(2)) is amended—

(1) by inserting "(A)" after "(2)"; and

(2) by adding at the end the following:

"(B) Not less than 2 members appointed to the Advisory Committee shall be representative of the labor community, except that no 2 representatives of the labor community shall be selected from the same labor union.".

SEC. 9. OUTREACH TO COMPANIES.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

"(I) The President of the Bank shall undertake efforts to enhance the Bank's capacity to provide information about the Bank's programs to small and rural companies which have not previously participated in the Bank's programs. Not later than 1 year after the date of enactment of this subparagraph, the President of the Bank shall submit to Congress a report on the activities undertaken pursuant to this subparagraph.".

SEC. 10. CLARIFICATION OF THE OBJECTIVES OF THE EXPORT-IMPORT BANK.

Section 2(b)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(A)) is amended in the first sentence by striking "real income" and all that follows to the end period and inserting: "real income, a commitment to reinvestment and job creation, and the increased development of the productive resources of the United States".

SEC. 11. INCLUDING CHILD LABOR AS A CRITERION FOR DENYING CREDIT BASED ON THE NATIONAL INTEREST.

Section 2(b)(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(B)), as amended by section 5, is amended in the next to the last sentence by inserting "(including child labor)" after "human rights".

SEC. 12. PROHIBITION RELATING TO RUSSIAN TRANSFERS OF CERTAIN MISSILES TO THE PEOPLE'S REPUBLIC OF CHINA.

Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

"(12) PROHIBITION RELATING TO RUSSIAN TRANSFERS OF CERTAIN MISSILE SYSTEMS.—If the President of the United States determines that the military or Government of the Russian Federation has transferred or delivered to the People's Republic of China an SS-N-22 missile system and that the transfer or delivery represents a significant and imminent threat to the security of the United States, the President of the United States shall notify the Bank of the transfer or delivery as soon as practicable. Upon receipt of the notice and if so directed by the President of the United States, the Board of Directors of the Bank shall not give approval to guarantee, insure, extend credit, or participate in the extension of credit in connection with the purchase of any good or service by the military or Government of the Russian Federation.".

And the House agree to the same.

JAMES A. LEACH,
MICHAEL N. CASTLE,
DOUGLAS BEREUTER,
JOHN J. LAFALCE,
FLOYD H. FLAKE,
Managers on the Part of the House.

ALFONSE D'AMATO,
ROD GRAMS,
CHUCK HAGEL,
PAUL SARBANES,
CAROL MOSELY-BRAUN,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The Managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1026) to reauthorize the Export-Import Bank of the United States, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

SECTION 1—SHORT TITLE: TABLE OF CONTENTS

Present Law

No provision.

Senate bill

The Senate bill (sec. 1) titles this Act the "Export-Import Bank Reauthorization Act of 1997."

House amendment

No provision.

Conference agreement

The conference agreement is the Senate provision.

SECTION 2—EXTENSION OF AUTHORITY

Present law

The charter of the Export-Import Bank of the United States (Eximbank), which expired on September 30, 1997, was extended by continuing resolution through November 7, 1997.

Senate bill

The Senate bill (sec. 2) extends the charter of Eximbank for four years through September 30, 2001.

House amendment

The House amendment (sec. 1) has an identical provision.

Conference agreement

The conference agreement extends the Eximbank's charter through September 30, 2001.

SECTION 3—TIED AID CREDIT FUND AUTHORITY

Present law

Eximbank's authority to use the Tied Aid Credit Fund pursuant to section 10 of the Export-Import Bank Act of 1945 (Eximbank Act) expired on September 30, 1997.

Senate bill

The Senate bill (sec. 3) extends Eximbank's authority to use the Tied Aid Credit Fund for four years through September 30, 2001.

House amendment

The House amendment (sec. 2) has a similar provision extending Eximbank's authority to use the Tied Aid Credit Fund through September 30, 2001.

Conference agreement

The conference agreement extends Eximbank's authority to use the Tied Aid Credit Fund through September 30, 2001.

SECTION 4—EXTENSION OF AUTHORITY TO PROVIDE FINANCING FOR THE EXPORT OF NONLETHAL DEFENSE ARTICLES OR SERVICES THE PRIMARY END USE OF WHICH WILL BE FOR CIVILIAN PURPOSES

Present law

Eximbank's authority pursuant to section 2(b)(6)(I)(i) of the Eximbank Act to provide finance for dual-use items (i.e nonlethal defense articles or services the primary end use of which will be for civilian purposes) expired on September 30, 1997.

Senate bill

The Senate bill (sec. 4) extends Eximbank's authority to finance the export of dual-use items for four years through September 30, 2001.

House amendment

The House amendment (sec. 3) has an identical provision.

Conference agreement

The conference agreement extends the Eximbank's authority to finance the export of dual-use items through September 30, 2001.

SECTION 5—CLARIFICATION OF PROCEDURES FOR DENYING CREDIT BASED ON THE NATIONAL INTEREST

Present law

Section 2(b)(1)(B) of the Eximbank Act provides that the President of the United States may instruct Eximbank to deny an application for credit for non-financial or non-commercial considerations only in cases where the President determines that such action would clearly and importantly advance United States policy in such areas as international terrorism, nuclear proliferation, environmental protection, and human rights.

Senate bill

No provision.

House amendment

The House bill (sec. 4) amends section 2(b)(1)(B) of the Eximbank Act to provide that (1) the President, when considering whether to deny Eximbank credit based on the national interest, must consult with the Committee on Banking and Financial Services of the House of Representatives and Committee on Banking, Housing and Urban Affairs of the Senate and (2) the determination to deny credit must be delivered to the President of Eximbank in writing, state that the determination is made pursuant to this section, and specify the applications, or categories of applications for credit which should be denied by the Bank in furtherance of the national interest.

Conference agreement

The conference agreement is the House provision.

SECTION 6—ADMINISTRATIVE COUNSEL

Present law

No provision.

Senate bill

No provision.

House amendment

The House amendment (sec. 5) amends section 3(e) of the Eximbank Act to instruct the General Counsel of Eximbank to designate an attorney to serve as Assistant General Counsel for Administration whose sole or primary duty shall consist of providing directors, officers and employees of the Bank with appropriate legal counsel for advice on, and oversight of, issues relating to ethics, conflicts of interest, personnel matters, and other administrative law matters.

Conference agreement

The conference agreement is the House provision with an amendment limiting the

authority of the Assistant General Counsel for Administration to personnel matters and other administrative law matters.

SECTION 7—ADVISORY COMMITTEE FOR SUB-SAHARAN AFRICA

Present law

No provision.

Senate bill

No provision.

House amendment

The House amendment (sec. 6) amends section 2(b) of the Eximbank Act to instruct the Eximbank Board of Directors to (1) take prompt measures, consistent with the credit standards otherwise required by law, to promote the expansion of Eximbank's financial commitments to sub-Saharan Africa, (2) establish and use an advisory committee, to exist for a duration of 4 years, to advise the Board on implementation of this expansion of credit and recommend to the Board on how Eximbank can facilitate greater support by U.S. commercial banks for trade with sub-Saharan Africa, and (3) report to the Congress within 6 months after enactment of this Act, and annually for 4 years thereafter, on steps the Board has taken to implement this provision and any recommendations of the advisory committee.

Conference agreement

The conference agreement is the House provision.

SECTION 8—INCREASE IN LABOR REPRESENTATION ON THE ADVISORY COMMITTEE OF THE EXPORT-IMPORT BANK

Present law

Section 3(d)(2) of the Eximbank Act establishes an Advisory Committee, which is to consist of 15 members broadly representative of production, commerce, finance, agriculture, labor, services, and State government, no fewer than three of which shall be representative of the small business community.

Senate bill

No provision.

House amendment

The House amendment (sec. 7) amends section 3(d)(2) of the Eximbank Act to require that no fewer than two of the members of the Advisory Committee be representative of the labor community.

Conference agreement

The conference agreement is the House amendment, with an amendment requiring that no two representatives of the labor community appointed to the Advisory Committee shall be selected from the same labor union.

SECTION 9—OUTREACH TO COMPANIES

Present law

Section 2(b)(1)(E)(i)(I) of the Eximbank Act instructs Eximbank to encourage the participation of small business in international commerce by developing a program which gives fair consideration to making loans and providing guarantees for the export of goods and services by small business.

Senate bill

The Senate bill (sec. 5) amends section 2(b)(1) of the Eximbank Act to instruct the Chairman of the Bank to enhance Eximbank's capacity to provide information about Eximbank's programs to small and rural companies which have not previously participated in Eximbank's programs, and to report within 1 year on actions taken pursuant to this provision.

House amendment

The House amendment (sec. 8) amends section 2(b)(1) of the Eximbank Act to instruct the Chairman of the Bank to design and implement a program to provide information about Bank programs to companies which have not yet participated in its programs, and to report within 1 year on actions taken pursuant to this provision.

Conference agreement

The conference agreement is the Senate provision.

SECTION 10—CLARIFICATION OF THE OBJECTIVES OF THE EXPORT-IMPORT BANK

Present law

No provision.

Senate bill

No provision.

House amendment

The House amendment (sec. 9) amends section 2(b)(1) of the Eximbank Act to instruct Eximbank and its Board of Directors to prescribe regulations and implement procedures to ensure that, in selecting from among firms to which to provide financial assistance, Eximbank gives preference to any firm that has shown a commitment to reinvestment and job creation in the United States.

Conference agreement

The conference agreement amends section 2(b)(1)(A) of the Eximbank Act to state that it is the policy of the United States to foster the expansion of exports, thereby contributing to a commitment to reinvestment and job creation in the United States.

SECTION 11—INCLUDING CHILD LABOR AS A CRITERION FOR DENYING CREDIT BASED ON THE NATIONAL INTEREST

Present law

No provision.

Senate bill

No provision.

House amendment

The House amendment (sec. 13) amends section 2 of the Eximbank Act to prohibit Eximbank from providing assistance in support of exports to entities that employ children in a manner that would violate United States law regarding child labor if the entity were located in the United States or has not made a binding commitment to not employ children in such manner.

Conference agreement

The conference agreement amends the "Chafee Amendment" in section 2(b)(1)(B) of the Eximbank Act to identify child labor as a human right that could serve as the basis for a Presidential determination to deny applications for credit for non-financial or non-commercial considerations.

SECTION 12—PROHIBITION RELATING TO RUSSIAN TRANSFERS OF CERTAIN MISSILES TO THE PEOPLE'S REPUBLIC OF CHINA

Present law

No provision.

Senate bill

No provision.

House amendment

The House amendment (sec. 12) amends section 2(b) of the Eximbank Act to require the President, if made aware that Russia has transferred or delivered to the People's Republic of China an SS–N–22 or SS–N–26 missile system, to notify Eximbank which, upon receipt of such notification, shall discontinue financing exports to Russia.

Conference agreement

The conference agreement amends section 2(b) of the Eximbank Act to require the President, upon determining that the Russian Government or military has transferred or delivered to the People's Republic of China an SS–N–22 missile system and that the transfer or delivery represents a significant and imminent threat to the security of the United States, to notify Eximbank which, upon receipt of such notification and if so directed by the President, shall discontinue providing finance in connection with the purchase of any good or service by the Russian Government or military.

For purposes of this provision, the definition of "Russian Government or military" shall include state-owned enterprises.

PREFERENCE IN EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO CHINA TO BE PROVIDED TO COMPANIES ADHERING TO CODE OF CONDUCT

Present law

No provision.

Senate bill

No provision.

House amendment

The House amendment (sec. 10) amends section 2 of the Eximbank Act to instruct the Board of Directors, when determining whether to provide financial support for exports to the People's Republic of China, to give preference to entities that the Board determines have established and are adhering to a code of conduct set forth in the provision.

Conference agreement

The conference agreement is no provision.

The Committee urges the Government of the United States, consistent with the primary mission of export finance to protect and expand jobs in the United States by supporting exports that would not otherwise go forward, to promote efforts among recipients to respect internationally recognized human and worker rights. These would include a recipient's good faith effort to provide a safe and healthy workplace; avoid child and forced labor; avoid discrimination based on race, gender, national origin, or religious beliefs; respect freedom of association, the right to organize and bargain collectively; pay not less than a country's minimum wage required by local law, provide all legally mandated benefits; obey all applicable environmental laws; comply with international standards regarding illicit payments; respect free expression; encourage good corporate citizenship and make a positive contribution to the communities in which the entity operates; and encourage similar behavior by partners and suppliers.

Especially regarding China, the Committee expects the Government to carefully consider the business practices of those entities receiving financing. The Committee believes that promoting and recognizing good corporate citizenship will ensure that a "constructive engagement" policy towards China indeed promotes democracy and human rights.

RENAMING OF THE U.S. EXPORT-IMPORT BANK

Present law

The first section of the Eximbank Act names Eximbank the "Export-Import Bank of the United States."

Senate bill

No provision.

House amendment

The House amendment (sec. 11) amends the first section of the Eximbank Act to rename Eximbank to the "United States Export Bank."

Conference agreement

The conference agreement is no provision.

JAMES A. LEACH,
MICHAEL N. CASTLE,
DOUGLAS BEREUTER,
JOHN J. LAFALCE,
FLOYD H. FLAKE,
Managers on the Part of the House.

ALFONSE D'AMATO,
ROD GRAMS,
CHUCK HAGEL,
PAUL SARBANES,
CAROL MOSELEY-BRAUN,
Managers on the Part of the Senate.

LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I ask for this time for the purpose of inquiring of the majority leader, the gentleman from Texas [Mr. ARMEY], as to the schedule for this evening and for the remainder of the weekend.

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Michigan [Mr. BONIOR] for yielding.

Mr. Speaker, I am pleased to announce that we have had our last vote for the evening. We will continue with the bill making continuing appropriations through Sunday. As my friend, the gentleman from Michigan [Mr. BONIOR], has pointed out, we have agreement on both sides that we will be able to do this without another recorded vote. I would like to express my appreciation for that consideration.

The House will meet at noon tomorrow to consider the following suspensions: H.R. 2534, agriculture research bill; House Resolution 122, visually-impaired currency; H.R. 2614, Reading Excellence Act; S. 813, Veterans Cemetery Protection Act; S. 1377, a bill making technical corrections to the American Legion Act; S. 1139, Small Business Administration reauthorization; S. 713, Homeless Veterans Act; H.R. 2513, line item veto fix; H.R. 2813, waive time limitation on awarding Medals of Honor; H.R. 2631, a bill regarding military construction appropriations line item vetoes; H.R. 1129, the Microenterprise Act; and House Concurrent Resolution 22, a resolution regarding religious persecution in Germany.

Of course, other suspensions may be added with the required 1-hour notice from the floor.

I should mention to the Members that we hope to have additional appropriations work before us tomorrow. And while we are here, we would obviously work as late as is necessary for the necessary work to be completed that we have before us tomorrow while we wait for appropriations conference reports.

I cannot tell my colleague with any degree of certainty how late we will be tomorrow night, certainly no later than is necessary to complete the work. We would reconvene at 2 on Sunday, and we would expect on Sunday before we adjourn to have completed our work so that we might adjourn sine die.

Mr. BONIOR. Reclaiming my time, could the distinguished majority leader, the gentleman from Texas [Mr. ARMEY], tell us when he anticipates the fast track legislation to come before this body?

□ 1845

Mr. ARMEY. I would expect that to be sometime on Sunday.

Mr. BONIOR. I also might ask the gentleman if it is indeed possible, as many Members have requested the opportunity to have a chance to speak at special orders this evening, if special orders will be part of the day's proceedings.

Mr. ARMEY. I thank the gentleman for that request. That one has been a difficult one. I have thought on this throughout the day off and on, understanding the gentleman's desire. I also have been concerned and am concerned for the staff of the House. It has been a tough week, it will continue to be, their working on Saturday and Sunday, and it had been my intention to adjourn the House in their interest and that of their families.

Mr. BONIOR. Let me, if I might, ask the gentleman from Texas to reconsider that, because let me make the case that with respect to fast track, a highly controversial, momentous piece of legislation, probably one of the most important bills that we will have faced, certainly in this Congress, the Committee on Rules has only allowed 2 hours of debate on this bill. We have hundreds of Members who want to speak on this issue. We are boxed in a situation which the gentleman knows is a difficult situation. People need to be able to express themselves on this, and so we ask the opportunity on this side of the aisle to engage in special orders this evening for those who want to discuss this or any other issue.

We even ask that the Committee on Rules, which we understand will go back and come out with another rule, expand that debate time. It is not only on our side. The gentleman is going to have tens, if not hundreds of Members on his side of the aisle, certainly 100 members on his side of the aisle, who will not have an opportunity to speak on this. We cannot put together a cogent argument, we cannot put together a rational debate when we are given 30 seconds or a minute. I would ask my friend from Texas to reconsider the time on the bill in general debate, and I would also ask him to allow special orders without going ahead and adjourning this evening.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, as the gentleman from Michigan knows, I am sympathetic to his cause, but let me just cite to the gentleman the traditional rule that has been made in order on other GATT agreements. In 1988 there were 2 hours of debate only. In 1993 there was 1 hour of debate only. With the 1 hour that will be extended on the rule and 2 hours of general debate, it gives 3 hours on the issue. I know that there are some on the gentleman's side that thought that that was not enough. There were also a number, including some Democrats on the Committee on Ways and Means, that thought that that was ample time. But traditionally that is the amount of time.

Keep in mind this is not the agreement. When the agreement comes back, the gentleman and I and others will probably have about 8 hours to debate that agreement and even to amend it, as the gentleman knows.

Mr. BONIOR. The gentleman from New York to whom I will yield in a second, the distinguished ranking member of the Committee on Ways and Means, requested 8 hours. I think the gentleman understands quite well that it is not just Members on our side of the aisle. We are going to have many Members on his side of the aisle who are going to want to speak and who will not be able to speak on this issue.

Mr. ARMEY. If the gentleman will yield further, perhaps I could offer something on this.

I do appreciate the gentleman from Michigan's point about the special orders. I am sure the gentleman from Michigan would understand the natural concern I have had with respect to the members of the floor staff and their families, but I understand the gentleman's point, there are some folks on this side of the aisle who are interested, and I would not preempt their right to have the special order opportunities this evening.

Mr. BONIOR. I thank the gentleman.

Mr. RANGEL. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Speaker, I would like to make a special appeal to my friend, the leader of the New York delegation, a leader in the House, and the chairman of the Committee on Rules. Under the rule, the Democrats that are in opposition to the fast track would have only 30 minutes. I know that the gentleman wants to stick by the tradition in how they have handled these things before, but I cannot begin to tell him the number of Members that are asking just to be heard to express themselves. There is a frustration that exists in the House where I truly believe that people do want to hear the debate. But in addition to this, I think that people want to explain their vote. Whether they vote for it, whether they

vote against it, they want to have an opportunity to explain through whatever way to their constituents why they are voting that way on a subject matter which I truly do not believe is that well known to the American people. I know it is extraordinary action to take a review of the decision that the full committee has made, but in view of the fact that he has said more than once that senior members of the Committee on Ways and Means have said this is appropriate time, I can tell the gentleman that senior members of the Committee on Ways and Means have asked for a half-hour themselves to be able to debate. I hope whomever they are, they will stand up, because we are catching the devil trying to allocate time. The gentleman would do this House a great service if he could be more flexible in tradition of the Committee on Rules.

Mr. PEASE. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Indiana.

Mr. PEASE. I thank the gentleman from Michigan for yielding. As the majority leader and minority leader are aware, the leadership of the freshman Democrats and the freshman Republicans, once the schedule for the weekend was announced, conferred and would like to offer as a service to our colleagues, in light of the fact that most of us return home on weekends and do not have a church home here in Washington, a joint service provided by the freshman Democrats and the freshman Republicans at 1 o'clock Sunday in 1100 Longworth for Members and their families.

Mr. FAZIO of California. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California, the Caucus chair.

Mr. FAZIO of California. I thank the gentleman for yielding. I simply wanted to add my voice to those on this side who have a desire to have more time to debate this issue. There is no question that both caucuses, the caucus and the conference are divided on this but Members feel deeply about it and want to be able to make their case directly to their colleagues and to their constituents. I do not think the rule, as I have heard it described, is an adequate amount of time, and so I want to make that statement, because I support the request that has been made by the whip.

HOUR OF MEETING ON SATURDAY, NOVEMBER 8, 1997

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT FROM SATURDAY, NOVEMBER 8, 1997, TO SUNDAY, NOVEMBER 9, 1997

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Saturday, November 8, 1997, it adjourn to meet at 2 p.m. on Sunday, November 9, 1997.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING SPEAKER TO DESIGNATE TIME FOR RESUMPTION OF PROCEEDINGS ON REMAINING MOTIONS TO SUSPEND RULES CONSIDERED MONDAY, SEPTEMBER 29, 1997

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to designate a time not later than November 9, 1997, for resumption of proceedings on the seven remaining motions to suspend the rules originally debated on September 29, 1997.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 1998

Mr. LIVINGSTON. Mr. Speaker, pursuant to the order of the House of today, I call up the joint resolution (H.J. Res. 101) making further continuing appropriations for the fiscal year 1998, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 101

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106(3) of Public Law 105-46 is further amended by striking "November 7, 1997" and inserting in lieu thereof "November 9, 1997", and each provision amended by sections 122 and 123 of such public law shall be applied as if "November 9, 1997" was substituted for "October 23, 1997".

The SPEAKER pro tempore. Pursuant to the order of the House of today, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 101 and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the second fiscal year 1998 continuing resolution expires tonight. Currently, 7 of the 13 appropriations bills have been enacted into law and two others are pending at the White House. We have just adopted the conference report on the Labor-HHS bill, leaving three appropriations bills left to finish in the House. Because these remaining bills will not be enacted into law by tonight, it is necessary now to proceed with an extension of the current short-term continuing resolution so that the Government can continue to operate.

The joint resolution now before the House merely extends the provisions of the initial continuing resolution until November 9, or for 2 more days, while we wrap up our work. The basic funding rate would continue to be the current rate. We retain the provisions that lower or restrict those current rates that might be at too high a level and would therefore impinge on final funding levels. Also, the traditional restrictions such as no new starts and 1997 terms and conditions are retained. The expiration date of November 9 should give us time to complete our work.

Mr. Speaker, I urge the adoption of the joint resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I frankly have misgivings and mixed feelings about this continuing resolution. People who know me know that I have a black Irish soul and that I often worry about the downside of life, but even I, until 2 days ago, was very optimistic that we would be able to get out of here with all of our work done on the appropriation bills without the need for a continuing resolution. Indeed, up until 2 days ago, I think we were on that track.

□ 1900

But then something happened, because all of a sudden the flexibility which we thought we saw on the part of that side of the aisle and this side of the aisle all of a sudden seemed to disappear, and now we have heard disturbing rumors about the linkage of fast track legislation with the remaining appropriation bills. And I must say that I find it disconcerting to go into a conference on the State-Justice-Commerce appropriation bill today and to discover that the conferees are being told that they must begin the conference without knowing what the language is that we will be asked to vote

on issues such as the census, for instance.

Now, I happen to be in a peculiar position. I have supported the Republican Party position on the issue of sampling on the census, but it is apparent to me that there is a deal or near deal between the Republican leadership and the White House on that language, and yet rank-and-file Members on neither side of the aisle have so far been given access to whatever that language is.

Now, regardless of one's position on the issue, Members have a right to know what it is, and it seems to me that we would not have this CR before us if games were not being played. We were, in fact, told that one Member of the leadership today indicated that the language on the census could not be made public until the vote on fast track because it would, quote, cost votes on fast track.

Now, I do not know which side of the aisle is likely to be sold out on that issue, whether it is our side of the aisle or their side of the aisle, but somebody apparently is, and it seems to me that what is happening is very simple. These other appropriation bills are being stalled out in terms of our getting any full information until fast track votes have been achieved.

Now, that greatly complicates the appropriations process, it greatly adds to the mistrust in this place, and it is, in my view, the only reason why we even have this CR before us tonight. The issues on appropriation bills were easily resolvable before they became linked to the fast track train, and it just seems to me that rank-and-file Members need to know that we are in the position of needing yet another CR not because of any failure of the Committee on Appropriations to do its work, or certainly not because of any failure of the chairman of the Committee on Appropriations, or to see to it that these appropriations bills are done, but simply because people at higher levels are linking things that ought not be linked, and, as a result, this committee once again is prevented from doing its business in a timely fashion.

I find that very much regrettable and very much not in the public interest, and I am tempted to call a roll call on this because of that, but in the interests of accommodating the Members who would finally like to get out of here, and get a decent meal, and get some sleep, I will withhold. But I do not think Members ought to be fooled. There is very clearly linkage that certain parties are trying to establish on these issues, and I think that is unfortunate because it gets in the way of our ability to deal with these bills straight up and on the square.

Mr. LIVINGSTON. Mr. Speaker, is the gentleman from Wisconsin prepared to yield back the balance of his time?

Mr. OBEY. Mr. Speaker, I yield back the balance of my time.

Mr. LIVINGSTON. Mr. Speaker, in the interests of staff throughout the House and my own desire to end this long week and engage in further discussions on additional bills tomorrow, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to the order of the House today, the joint resolution is considered read for amendment.

Pursuant to the order of the House today, the previous question is ordered.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

Pursuant to clause 1, rule I, the Journal stands approved.

DESIGNATION OF HON. STEVEN C. LATOURETTE TO ACT AS SPEAKER PRO TEMPORE ON TODAY

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC.
November 7, 1997.

I hereby designate the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore to sign enrolled bills and joint resolutions on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the designation is agreed to.

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

FAILED TRADE POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, last evening and this morning on television, I heard the President and the Vice President say that if there were a secret vote on the extension of fast track authority, they knew that they would win by a 2- or 3-to-1 margin, because in their hearts the 80 percent of the Democratic caucus which is opposing their misbegotten trade policy would change their minds if they were not being pressured by Big Labor.

I saw the face of Big Labor here today on the Hill, people in their local union jackets with their ball caps, puzzling over maps of the Capitol, looking worried, going office to office, and I stopped to talk to some of them.

That is not what is pressuring or pushing the Democrats on this side of the aisle. We are standing on principle. We have a failed and failing trade policy in this country, a $160 billion trade deficit, a huge and growing trade deficit with Mexico, United States jobs going south of the border to United States-owned firms exporting their capital, exporting their jobs, to access 80-cents-an-hour labor in the maquilladora area; people living in pallet shacks, walking over bridges, I guess the President would call them the bridges to the 21st century, to these beautiful state-of-the-art United States-built manufacturing plants. Eighty cents an hour; is that the future that we want to push American workers toward? I think not. That is a failed trade policy.

In fact, nothing could be further from the truth than what the President and the Vice President said today. If a secret vote were held when the pressure was off from the White House, and all the deals they are cutting, and the arm-twisting from the Republican leaders and the CEOs, the dozens of chief executive officers of the Fortune 500 companies who jetted into town this week in the luxury of their private jets to twist arms and offer their own deals to Members of Congress, we would beat fast track 2 or 3 to 1.

The White House has turned into a virtual trading bazaar. I cannot believe what I am hearing from my colleagues; offers from the White House of guaranteed $150,000 fund-raisers before the end of the year to replace any money you might lose from your friends in labor after you sell out the American working people. You know, deals of bridges, deals of military projects that no one wants and haven't been funded, pork; pork is available.

Every member of the White House Cabinet is calling, burning up the lines. They have got a so-called war room here somewhere on Capitol Hill, I do not know where it is, where the 1 or 2 dozen Democrats supporting this are working the phones with intelligence, things are caught on the floor, two members of the Cabinet and to the White House and the President and the Vice President. They are busing people down to the White House. They are offering them the sun, the moon, the stars, and they can offer it. You know why? Because they offered it to everybody for their vote on NAFTA, and they never delivered it. So they can give it away twice. Is it not beautiful? It is a little bit like Lucy and the football.

How many times are Members of Congress going to hear the siren song of President Clinton, and now Vice President Gore, on these issues; the promises that they will fix it all later, or we will have side agreements that take care of the environment and labor, do not worry.

And then people buy that, and then, oops, did I ever talk to you before? Do I know you? And now they need us again 3 years later, and suddenly we have got these great deals, side agreements on labor and the environment, because the Republicans will not let us have anything to do with labor and environment in this bill, and they need the Republican votes.

Well then they maybe ought to get all their votes on that side of the aisle.

But what really made me angry was to hear the President question the motivation of people on this side of the aisle while he is offering people fundraisers, while he is offering people bridges, while he is offering people other projects.

We have a failed trade policy in this country, and perhaps, just perhaps, this weekend the American people will be well-served by this body. We will begin to question up or down votes on trade policy, no amendments allowed, whatever your concerns or perspectives are, giving up our prerogative as Members of the House of Representatives to perpetuate and continue policies that are piling up huge and growing trade deficits.

You know, someday those bills are going to come due. The U.S. is a trillion dollars in debt overseas, growing at the rate of $160 billion a year. Someday someone is going to say, we are not so sure of the U.S. economy and the U.S. dollar anymore. We want our money back.

What is going to happen to future generations? We are at the point trade with the deficit where we were with the U.S. fiscal deficit about 10 years ago.

□ 1915

People are saying, oh, it does not matter. Is it not nice they want to lend us that money and run a deficit? We are losing jobs, prosperity. We need a new policy, and we have an opportunity to get it this weekend if we defeat fast track.

INDIVIDUAL REINVESTMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

Mr. SAXTON. Mr. Speaker, I listened carefully to my friend from Oregon talk very articulately about the needs of middle-class Americans, and I agree. The middle-class American family has many needs; the need to, of course, provide for current-day living expenses, the need to provide for the futures of their kids and save money for that, the need to provide for safe retirement programs for themselves, the need to provide housing, et cetera.

We did something good for middle-class America this year, because we put in place an Individual Retirement Account Program extension to help them save for those things, because, you see, today, under the Tax Code, the norm is that when we earn money, we are taxed on that income, and then when we put that money away for some future use and we earn income in the form of interest or dividends or capital gains, we are taxed again. So on a lot of America's income, we are not taxed just once, we are taxed twice, once when we earn it and once when it earns some income for us.

So, wisely enough, on a bipartisan basis for middle-class American families, we decided this year to expand the IRA program, and, as far as it went, it was good, and it is good.

This year, the eligibility level or the income total amount that a family can earn is not any longer $40,000; it is twice that, it is $80,000. It used to be, last year, that if a spouse was a homemaker, that spouse could not take the full $2,000 provision in the way of a deduction and put that money away tax-free. Henceforth, he or she will be able to do that.

We also permitted withdrawal without penalty for first-time home buyers, and that was certainly a great expansion. We also put in place a little provision to help save for our children's higher education, and that was good. So we did some pretty neat expansions.

But let me say it seems to me that that only goes partway to where we need to be. The IRA program is good, it has been proven good for middle-class American families, and has been proven to help people save. It has encouraged savings throughout our society, and it seems to me that in all the talk that is going on around here about tax reform, that we ought to look at how we can help even more.

Now, the $2,000 limit we are still living with today was established decades ago, and decades ago $2,000 was a lot of money. It is still a lot of money, but it was multiple times as much money in real terms back when it was established.

Some time ago, I introduced a bill to increase that $2,000 amount by $500 a year for 10 years, so that 10 years from the time my program would be adopted, the amount that we could save, put away each year in our IRA and have as a deduction, would be $7,000. Built on top of the $2,000 that we have now, $500 a year for 10 years, 2 plus 5 is 7. I think that is real progress.

We also proposed that middle-class America, yes, middle-class America fits within $80,000, but when you have got a couple of folks working, say they are both schoolteachers, and say the combined income is $100,000; today they do not even qualify under the expanded program that we put in place this year.

So I suggest we increase that not to $80,000, as we already have, but to $100,000, so hard-working families whose mom and dad go out and make $50,000 apiece working hard can also qualify.

In addition, we might want to consider there are some other worthwhile needs we need to save for and can withdraw from the program without penalty. Retirement is one currently, higher education is one currently, and first-time home buyer is one currently, with different little ramifications along the way.

Unemployment is a need we have traditionally saved for, and we might want to consider adding unemployment as a provision we could withdraw for without penalty.

Adoption is another one, obviously, that folks on both sides of the aisle talk about as being a very worthwhile activity. So we might want to look and talk among ourselves about some other things that we could withdraw from the fund for penalty-free.

So, the individual retirement account bill I think is a very worthwhile bill to consider in terms of expansion. I call the new bill that I introduced the Individual Reinvestment Act, or IRA. The Individual Reinvestment Act.

Let me also say, Mr. Speaker, that as chairman of the Joint Economic Committee, I know that throughout our society not only would individuals who save under this program benefit, but our entire economy and our entire society would also benefit under the program, because one of the things that is absolutely necessary for economic growth across the board is the ability to have access to capital.

When people in small businesses or people in medium-sized businesses or people in large businesses want to expand their business, they have to borrow, and having those funds available in institutions to be borrowed is very important. This bill will help expand the pool of money available to us as well.

So, Mr. Speaker, thank you very much for this time. I urge everybody to give this matter very serious consideration.

OPPOSITION TO FAST TRACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 5 minutes.

Mr. LIPINSKI. Mr. Speaker, I rise tonight in opposition to fast track. There are many, many, many reasons to oppose fast track. Certainly one reason you could oppose it is because of the hypocrisy of President Clinton and Vice President GORE when they spoke about pressure being put on individuals to oppose fast track.

The hypocrisy is that it has been the President, the Vice President, and the Republican leadership that have been putting pressure on individuals in this body to support fast track. That is where the pressure has been coming from, that is where the intimidation has been coming from, and, as I say, that would be one reason to vote against fast track right off the bat, the hypocrisy of the Clinton administration.

You could also vote against fast track because none of our trade policies over the last 15 to 20 years have done anything whatsoever to improve the standard of living or the working conditions of foreign workers. Our trade policy has done nothing to improve the environmental conditions in foreign nations where we have signed trade agreements. Those would be more reasons for voting against fast track.

But to me, the most important reason for voting against fast track is the fact that it will continue the downward slide of the standard of living of all American working people.

Twenty years ago, the standard of living of the American working man and woman was tops in the world. Because of the trade policy that we have followed in these 20 years, there has been an erosion in that standard of living. NAFTA accelerated that erosion considerably.

If we support fast track tomorrow or on Sunday in this House of Representatives, we simply are saying to the American working man and woman that we do not care about your standard of living. We do not care if your standard of living falls down by 25 percent, 50 percent, 75 percent. All we care about is what profits the corporations in this Nation and in other nations of the world can make at the expense of American working men and women.

With the economy that we have in this country, the large economy, the strong economy, the prosperous economy, every nation in the world wants to get into this economy, wants to trade with this economy. Because of that, we should be in a position to negotiate trade agreements that are totally and completely advantageous to the American working man and woman.

That is what we should be doing. That is what we could be doing. And if we can defeat fast track in this body this weekend, then we can start to turn things around and start rebuilding the American dream for the American working man and woman.

ERADICATION OF DISEASE, A NEW NATIONAL GOAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GEKAS] is recognized for 5 minutes.

Mr. GEKAS. Mr. Speaker, today I have introduced legislation that would create a Presidential-congressional type of commission for the investigation of ways and means on the part of the American people, through their elected officials and through their institutions, to commit themselves to a new national goal.

Mr. Speaker, during the 20th century the main goal of the United States was necessarily to throw back the aggressive totalitarian governments that tried to dominate the 20th century and also to defeat communism as a world power or global entity.

In those attempts, the United States was successful, and today we find ourselves, after the Berlin Wall, as the only superpower left and with no really visible goal in front of us.

The bill that I introduced allows our fellow Members, who would serve on a commission, along with others to be appointed by the President and the Senate, to fashion a new national goal, which is to eradicate disease from the face of the Earth.

Now, this may sound lofty and unattainable, and it probably is not within our means to totally eradicate every vestige of disease known to mankind. But if we have that as a national goal, knowing that the United States already leads in biomedical research, in the production of methodologies of health care, of pharmaceuticals, of new ways of producing medical devices, the whole host of things that benefits the human condition, if we make that our goal for the next century, then not only will humankind be better off throughout the world, but the economy of the United States, the enterprise of the United States, the leadership of the United States will continue in wondrous ways for the benefit of our people, because when we talk about an attempt, a bold attempt, to eradicate disease from the face of the Earth, are we not talking about trade between countries on matters that would lead to new products in health care, new medicines, new ways of treating disease? Would we not have our hospitals and our medical colleges and our universities honed in on the great goal that we are going to be articulating?

This is so important to me personally and, I believe, to our country, to focus our energies, our innate initiatives that have served us so well over the years, into this goal of humanitarian capacity in such a way that it benefits every strata of our society; not just the health care community, but everyone in the community who, in one way or another, will have to come into contact with the health care system and with those things that benefit humanity.

I have had discussions about this with individuals at the National Institutes of Health, with people in the medical universities, with newsmen and media people who have more than a passing interest in this kind of issue, and have found a warm reception in every one of those projections.

□ 1930

So I would invite my colleagues to join with me in this bill. We would create this commission, we all would have input as to the ways and means that they would adopt for achieving this national goal, and then when our time is completed in the Congress of the United States, we will have laid the groundwork for a 21st century replete with American accomplishment.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundegran, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 91. Joint resolution granting the consent of Congress to Apalachicola-Chattahoochee-Flint River Basin Compact.

H.J. Res. 92. Joint resolution granting the consent of Congress to Alabama-Coosa-Tallapoosa River Basin Compact.

H.J. Res. 101. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

The message also announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 738. An act to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes.

NAFTA IS NOT GOOD FOR AMERICA

The SPEAKER pro tempore (Mr. BRADY). Under a previous order of the House, the gentleman from Ohio [Mr. KUCINICH] is recognized for 5 minutes.

Mr. KUCINICH. Mr. Speaker, for those who have been following the debate over fast track, I would just like to review a few facts. First of all, fast track is legislation which provides for expedited congressional consideration. It is called fast track because it is a way to force through Congress an up-or-down vote on a major trade package. Those who are interested in the history of this should remember that fast-track authority was first granted by the Congress in 1974. It gave the President the ability to move along trade agreements.

In 1994, fast track expired, after the approval of NAFTA and the Uruguay round of the General Agreement on Tariffs and Trade, also known as GATT.

What is happening now is that the President is asking for renewed fast-track authority and wants to expand NAFTA and the free trade zone to Chile and the other South American countries, and he wants trade agreements with even more countries as well, using the fast-track legislation.

We must keep in mind that fast track does not provide for any amendments, so that this Congress has no ability to change the terms of the fast-track

agreement and, therefore, to have an impact on American trade policy. The reason why so many of us in Congress are concerned about this issue is this: I would like to look at the effect that NAFTA has had, because we are really talking about expanding NAFTA here, at northeastern Ohio.

Now, I am from the State of Ohio, I am in the 10th Congressional District in Ohio, and I represent an area that includes the city of Cleveland and surrounding suburbs. My constituents include auto workers, steel workers, and their families. They are very dependent on the auto industry and the steel industry for jobs. These are people who have fought for this country, who believe in this country, who have given much to this country, who helped to build this country through building the major industries with their labor. Americans secured its freedom through our strategic industrial base of steel, automotive and aerospace, and the people in Cleveland have been an important part of that.

But when a report came out a few months ago on NAFTA, it was learned once and for all how the people of Cleveland and how communities like ours across the United States have been adversely affected by NAFTA. We found out that U.S. exports to Mexico have been inconsequential, a little over $1 billion in the 3 years covered by the study, that Mexico was not the consumer market that everyone said it would be. We were promised that there was going to be expanded trade with Mexico.

Well, the fact of the matter is, workers in Mexico who are making 90 cents an hour cannot buy cars made in the United States that cost $16,000. The truth is that Mexico has become increasingly an export platform for vehicles sold in the United States. U.S. auto imports from Mexico are more than 10 times the value of U.S. exports to Mexico. And most importantly, the U.S. auto trade deficit has grown since NAFTA by about 400 percent to $14.6 billion, from $3.6 billion.

Mr. Speaker, the business of politics is a very complex business, as those of us who have been in politics for a while understand, and even those who have the best of intentions often are not able to get to their goals that they have stated in promises in order to achieve support for their proposals.

There were many promises made to secure support for NAFTA years ago, a few short years ago, and those promises moved votes in this House. Those promises caused people to have hope that somehow NAFTA that we are voting on in the next 2 days, an agreement that would expand NAFTA, that NAFTA would benefit the constituencies which we represent. People were promised that NAFTA would create 200,000 new U.S. jobs. All of us remember that promise.

The fact is, Mr. Speaker, that the United States has lost more than 430,000 jobs due to NAFTA. For example, Kodak will cut 14,000 jobs and shift production to Mexico. The U.S. people were promised that the United States would inspect imported food for pesticides. Well, we know, the truth is that inspections of illegal pesticides on imported food have actually decreased, and we have seen the consequences with the great strawberry scare of a few months ago where school children in a few States were adversely affected by the pesticides which were put on strawberries.

Mr. Speaker, NAFTA has not produced benefits for the American people. It has increased the trade deficit; it puts downward pressure on wages, and I am hopeful that within 4 hours NAFTA will be soundly defeated through us defeating fast track and coming back with a plan to make our trade agreements in this country fairer to the American workers and to their families.

SPECIAL ORDER IN MEMORY OF JOHN STURDIVANT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. POSHARD] is recognized for 5 minutes.

Mr. POSHARD. Mr. Speaker, I rise today to express my sorrow over the passing of John Sturdivant. His death is a great loss not only to the American Federation of Government Employees, but to civil servants across the country. John Sturdivant demonstrated dedication and courage throughout his entire life, as he battled against Government downsizing, excessive privatization, restrictions on political activity by Government employees and, ultimately, leukemia. Through all of these challenges, he remained a devoted champion of workers everywhere, and his efforts will be long remembered and sorely missed.

John Sturdivant leaves behind him a legacy of victories and improvements that will continue to benefit the employees he represented even though he can no longer speak for them. During a period of relentless attacks on Federal workers, through Government downsizing and budget pressures, John fought to preserve jobs and spoke out for the interests of working families everywhere. He struggled against two wasteful Government shutdowns, and tirelessly advocated for improved conditions, pay raises and better retirement benefits for those he represented. John Sturdivant was instrumental in bringing about Hatch Act reforms which enable Federal employees to contribute money, attend fundraisers and volunteer for campaign work. In short, he was a great friend for workers and a great voice for change, and his passing leaves us missing a powerful and passionate ally.

SECRETARY BABBITT'S ABUSE OF POWER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada [Mr. GIBBONS] is recognized for 5 minutes.

Mr. GIBBONS. Mr. Speaker, I stand before you today in disbelief, in fact in total disgust. I stand here before you in an effort to seek the truth in campaign fund-raising allegations involving the Secretary of Interior, Mr. Bruce Babbitt, a serious abuse of power.

I am here to inform my colleagues of the mounting evidence that Secretary Babbitt potentially misused his administrative position to influence the outcome of a 1995 Department of Interior decision regarding an Indian gaming permit to a group of Chippewa Indians in Wisconsin, all that in exchange for political contributions to the Democratic National Committee.

Allow me to set the stage. Three groups of Wisconsin Chippewa Indians recently filed a lawsuit charging that the Clinton administration bowed to improper political pressure when the Interior Department rejected their application for a gaming permit in 1995.

So what was the reason for this otherwise unexplainable denial? Well, other tribes opposing their application donated more than $270,000 to the Democratic National Committee soon after their proposal was rejected. The rival tribes were trying to prevent competition to their lucrative gaming interests located some 20 miles from Minneapolis and St. Paul, MN.

Now, Mr. Paul Eckstein, an attorney and old friend of Mr. Babbitt, recently testified before a Senate Governmental Affairs panel on campaign fund-raising hearings that he met with Secretary Babbitt on July 14, 1995, after being told by another Interior Department official that the casino planned by 3 Wisconsin Chippewa tribes was being disapproved. Eckstein proceeded to tell the Senate Governmental Affairs Committee that Mr. Babbitt's response was that Deputy White House Chief of Staff, Harold Ickes, had directed him to issue the decision that day. In a 1996 letter to Senator JOHN MCCAIN, a Republican of Arizona, the Interior Secretary denied making the comment about Ickes. But last month, Mr. Babbitt again recanted, acknowledging that he did, in fact, make the remarks to Mr. Eckstein simply to get the lawyer out of his office.

Well, the contradiction in Secretary Babbitt's responses troubles me almost as much as the act of trading favors for campaign money. The blatant misuse of administrative power for monetary gain is a serious offense. If no other inconsistencies were uncovered beyond this, this would still warrant the appointment of an independent counsel.

At issue in this case is whether Secretary Babbitt's decision to deny the application was influenced by the promise of political contributions and whether his actions came as a result of an order from higher up in the administrative ladder.

Mr. Speaker, it is not my intent to stand here before the House in an attempt to influence the outcome of this case, nor to comment on any more specific details of the event that precipitated this matter. However, the apparent seriousness of the allegations of this wrongdoing and underlying facts clearly dictate further investigations into this matter.

I have in my office investigative reports, many from major news publications on this subject, that confirm in precise detail the pervasive, serious and potentially unlawful conduct of Secretary Babbitt's 1995 decision.

The likelihood that government policy was made in return for a political donation in this case clearly brings into question whether criminal misconduct occurred in fund-raising efforts for the 1996 Federal election.

Mr. Speaker, I stand before you today to inform you of major malfunctions in the campaign fund-raising machine for the 1996 election, and I am also here to inform my colleagues of my intent to pursue this matter further.

In fact, I would like to report on Friday of last week I sent a letter to the Attorney General, lauding the Justice Department's decision to open a 30-day initial review into how Secretary Babbitt handled the application for an Indian gaming permit back in 1995. But this is not enough. In this same letter I expressed my earnest sense of urgency on behalf of the American people in pushing forth with the appointment of an independent counsel to investigation this scandal.

SHADY DEALS TO JAM FAST TRACK THROUGH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. BROWN] is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I appreciate the opportunity to address the House for a few minutes this evening.

I read earlier today a story on the AP wire about some of the deals that have been made between the White House and Members of Congress on the fast track legislation which we were going to consider today, but has been pushed back until Sunday, frankly because Speaker GINGRICH and the President do not have enough votes with the deals they are making to jam this bill through the Congress of the United States.

What troubled me today, and I would like to share for a moment one of those deals that was mentioned in the AP wire story. I will quote:

> A Member of Congress announced his support for a fast track trade bill Friday after the White House circulated a 7-point memo promising continued support for the tobacco price support program and immunity from health-related lawsuits for tobacco farmers.

The paper also promised reform of import duty rules that farmers say encourages imports of foreign tobacco. Lobbyists said the moves were aimed at garnering the Congressmen's support.

This deal is troubling for a whole bunch of reasons, Mr. Speaker. As the ranking Democrat on the Subcommittee on Health and Environment on the Committee on Commerce, the subcommittee that, under the leadership before of the gentleman from California [Mr. WAXMAN] and other Members of Congress brought forward many of the problems with tobacco, many of the issues with tobacco executives and some of the problems, particularly with teenaged smoking, and I am particularly concerned about this deal that the President has purportedly made, according to the AP wire story, with some Members of Congress in order to get their votes for the fast track legislation.

Immediately, upon reading this story, I called the White House to ask for a copy of this 7-point memo that was about tobacco, about protecting tobacco, that would bring in the support from Members of Congress for the fast track bill.

□ 1945

The White House has still refused to send this memo. For whatever reason, they have not felt obligated to send this memo, even though next week this Subcommittee on Health and Environment and the full Committee on Commerce will be holding a hearing on tobacco.

So what troubles me, and I think what troubles people across this country, is that on a trade issue, an issue that has nothing to do with tobacco, we are seeing a deal cut by a President that has gone around the country and a Vice President that has gone around the country talking about the evils of teenaged smoking, something I agree with.

On the one hand, the President and the Vice President have excoriated the tobacco companies, have talked about how the tobacco companies market to children, and on the other hand, on an unrelated trade deal, the administration seems to have cut a deal on tobacco in order to get the vote of one Member of Congress.

Mr. Speaker, I called the White House and could not get a copy of this memo. So we placed calls to the American Cancer Society, the Coalition for Tobacco-Free Kids, the Heart Association, and several other public health groups to try to get a copy of this memo. Nobody has been able to, except supposedly this Congressman that has made this deal with the President.

I think, Mr. Speaker, that when the American people find out about this, that on a trade deal, on an unrelated trade deal, the President of the United States and the Vice President of the United States, both people who have led the charge against teenage smoking, and I admire them for that, I respect them for that, I applaud them for that, they have turned around and cut a deal in order to get an unrelated fast track trade bill through the Congress, I think that the American people will be outraged when they hear this, when they hear that this kind of deal has been cut simply to get a vote on the floor of Congress on an unrelated trade bill.

Again, Mr. Speaker, the President and the Vice President have led this country admirably, have moved forward in a very positive way in exposing the evils of teenage smoking. They have, through our subcommittee and through other committees in Congress, helped to lead the charge in eradicating smoking among teenagers, and have played a very positive role in helping people stop smoking in this country. Yet, they turn around and do this.

I think, Mr. Speaker, that we will see a torrent of calls to the White House wanting to know more about this deal, wanting to know what exactly has happened. When does this kind of deal-making stop?

IN RECOGNITION OF DAVID E. LARKIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. PORTMAN] is recognized for 5 minutes.

Mr. PORTMAN. Mr. Speaker, I rise today to recognize the remarkable work of David E. Larkin on behalf of Cincinnati's Dan Beard Council of the Boy Scouts of America.

David's achievements in Greater Cincinnati Scouting are both extraordinary and numerous, and I would like to cite just a few examples.

He has provided outstanding leadership, motivation, and direction in the development of the Dan Beard Council's Executive Board, one of the most philanthropic youth service organizations in the Greater Cincinnati and Northern Kentucky area.

More than 1,000 "at risk" young people in the Greater Cincinnati area have had the opportunity to experience the cherished values of Scouting thanks to Challenge Camp, which David created.

David's imagination and creativity brought into being "The Scout Family Jamboree," an event attracting some 45,000 attendees showcasing not only Scouting, but many community activities and events.

Through his exceptional leadership and global vision, David has provided the catalyst for the approval of a comprehensive $14.5 million Camp Re-Development Capital Campaign to construct a 25-acre lake, Cub World, and Boy Scout camp to serve the Dan Beard Council well into the 21st century.

David has provided the leadership, quality standards, the means and methods necessary to expand the scouting program in Southwest

Ohio and Northern Kentucky to annually involve a record 65,000 youth and adults.

David's work in Scouting has also enabled him to be involved in other vital community programs. He has worked to enrich the relationships of scouting with the United Way and Community Chest, which has helped increase awareness and funding for these highly worthwhile service organizations. In addition, David has successfully initiated a positive alliance between the Boy Scouts and the Greater Cincinnati, Northern Kentucky Schools and educational institutions, resulting in expansive growth in "Learning for Life" and Career Explorer programs.

David has been asked to be the new Chief Executive of the Atlanta Boy Scout Council, and will soon be leaving the Cincinnati Dan Beard Council, on which he has so ably served. We in Cincinnati will certainly hate to lose David, but his selfless dedication and tireless work on behalf of Scouting and our community will not be forgotten. We wish him the best.

TRANSFER OF SPECIAL ORDER TIME

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to claim the special order time of the gentleman from Illinois [Mr. POSHARD].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE RECIPROCAL TRADE AGREEMENT AUTHORITIES ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. DAVIS] is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in opposition to fast track. Mr. Speaker, the labor movement has always been the home of the American worker. It has been the safe haven for the American dream. But today we are in a time of conflict. There are contemptuous winds blowing in the direction of the American worker.

I have always believed that democracy vests its rights in the living person: one person, one vote. However, the economic markets recognize only money, not people: one dollar, one vote. These markets give no choice to the workers or their families. When the market seeks solely to make a profit, it is an instrument of oppression. It is an instrument which allows the few to monopolize society's resources, leaving the less fortunate without health care, jobs, and other means of livelihood.

Some say that the opponents of fast track would stop United States participation in the global economy and threaten our Nation's jobs. Supporters say fast track helps our country stay competitive and maintain a strong economy by ending unfair trade barriers imposed by foreign governments.

Throughout my public career I have always been an advocate for equality and fairness, but I recognize the difference between fairness and laissez faire-ness. This trade agreement will only consider corporate interest deals, while efforts to improve the conditions of workers' rights are muffled.

According to a University of Illinois study, the city of Chicago lost 80,000 manufacturing jobs between the years 1980 and 1990. These jobs were jobs that enabled workers to purchase homes, pay college tuition, participate in the American dream. At present, my district has recently lost five industries to other countries, leaving 704 workers unemployed and jobless.

Mr. Speaker, markets are important institutions, and they have an essential place in any democratic society, as long as these markets function within the framework of democratically determined rules and public safeguards.

I am in support of American competitiveness and want a democratically fair playing ground for all of our country's companies. But there is nothing democratic about giving jobs to other countries. There is nothing democratic about reducing American workers' benefits and wages. There is nothing democratic about environmental deregulation, and there is nothing democratic about ignoring the rights of thousands of workers for the approval of a few companies.

A. Phillip Randolph once said:

> At the banquet table of life, there are no reserved seats. You get what you can take, and you keep what you can hold. If you can't take anything, you won't get anything, and if you can't hold anything, you won't keep anything.

A. Phillip Randolph was so right. So today let us take back workers' rights, so that the American workers can hold onto their lives and hold on and make real the American dream.

ON THE USE OF THE DRUG MYOTROPHIN FOR SUFFERERS OF LOU GEHRIG'S DISEASE, AND A CAUTIONARY NOTE ON USE OF THE INTERNET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, sometime in the next couple of weeks, the Food and Drug Administration has told my office that it will make a decision about the drug called myotrophin. This is the only drug currently available that gives some hope to the victims in the advanced stages of the deadly illness we all know as Lou Gehrig's disease.

As almost everyone knows, this is a horrible nerve disorder that slowly robs victims of their ability to walk, talk, move freely, and eventually even to eat, swallow, and breathe on their own. There is no cure. The disease has always been fatal. But now, finally, there is a drug, myotrophin, that gives victims of Lou Gehrig's disease some small sliver of hope.

Unfortunately, this drug has not been approved by the Food and Drug Administration. There is no question that this drug is absolutely safe, but the FDA questions if it actually improves quality of life.

The patients and doctors who have worked in the experimental trials are convinced it does improve and extend the lives of these victims. Demonstrating that improvement to an absolute mathematical statistical certainty is going to be a very long, arduous task. Thousands of people will be robbed of their only hope in the meantime.

An advisory committee of the FDA voted to reject final approval of the drug until more evidence is gathered. Sometime in the next couple of weeks the FDA will make the final decision on whether these sufferers will be allowed to use this drug.

The drug is safe, Mr. Speaker. There is some disagreement about its effectiveness, but many doctors and patients believe in myotrophin and want to use it. They should be allowed to do so. The FDA should not play God. They should not take away the last hope these people have. If this is still a free country, these victims of Lou Gehrig's disease should be allowed to use this drug if they and their doctors feel that they should.

Mr. Speaker, I want to move to an unrelated but also very important subject. Last week, last Friday, on the ABC program "20/20," Barbara Walters helped present what she described as the most important hour ever shown on national television. This was a program attempting to alert parents to the horrible, sick, warped things that millions of children are being exposed to on the Internet. There are all types of pornography which cannot be totally effectively blocked, and, even worse, sexual predators preying on children over the Internet.

I know that for some reason there are some people who worship computers today and are greatly offended if anyone even implies that anyone or anything should restrict their use in even the slightest way. I also know that computers do wonderful and miraculous things and have greatly enhanced our quality of life. But I also know there is a down side to becoming totally, completely dependent on and controlled by computers and the Internet. We started out controlling the computers, and now they seemingly control us.

Mr. Speaker, I simply happen to believe that we should worship God, not Bill Gates. We have allowed far too much power to be concentrated in the hands of one man and one company, so I applaud the Justice Department for

taking on Mr. Gates and Microsoft, although probably the government will lose in the end.

I heard on the national news a few months ago that the Massachusetts Division of Motor Vehicles was going totally online and hoped that they didn't have to see a live customer 10 years from now.

I heard a leading Washington sports columnist on the radio a few days ago say that when people called him to get his e-mail address and found out they were talking to him in person, they frequently, quickly hung up.

The Washington Post this week had a story about how the Internet was drawing some families closer together, because college students would have conversations over their computers that they would never have in person.

I read an article recently by a Harvard professor who said, we are allowing the electronic media to isolate us from each other, and that membership in all sorts of organizations, good organizations, is rapidly declining.

We worried about our children spending too many hours in front of television screens, so now we have placed them in front of computer screens that oftentimes have things on them far worse than what is on television.

With each passing year we seem to be talking less and less with each other. People do not know their next-door neighbors. They tell us that more and more people are working out of their homes. We are spending less and less time with our fellow live human beings, and more and more time in front of television and computer screens.

I sometimes wonder how much human contact there will be 50 or 100 years from now. On the 20/20 program they reported about the 11-year-old boy in New Hampshire who was murdered while selling door to door for his school. He was killed by a 15-year-old boy whose mind was warped and filled with rage after a homosexual relationship with an adult he met over the Internet.

And then we have the year 2000 problem which Newsweek said is going to cost us $1 trillion in litigations and software costs and other expenses simply because these computers cannot realize that we will change from 1999 to the year 2000.

This is crazy. It will cause everything to cost more.

I am not saying that we should do away with computers. I know that frequently, when someone disagrees, they resort to childish sarcasm because that is easier and simpler than arguing on the merits.

I know that some will be sarcastic about what I have said tonight.

Again, Mr. Speaker, I am not saying, throw out our computers, but I am saying, do not get addicted to them, either. Do not go crazy over them. Do not let them get out of control and destroy the lives of innocent children. Be alert that there are dangers, and spend less time in front of screens and more time talking to and helping each other.

TRANSFER OF SPECIAL ORDER TIME

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from California [Mr. FILNER].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

WE MUST LOOK A GIFT HORSE IN THE MOUTH WITH REGARD TO TURKEY'S FUNDING OF CHAIR AT UCLA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. SHERMAN] is recognized for 5 minutes.

Mr. SHERMAN. Mr. Speaker, I rise today to focus on a generous gift to my alma mater, but looking at the history of Troy, I have learned that sometimes one must look a gift horse in the mouth.

The Government of Turkey has offered over $1 million to fund a chair at my alma mater, UCLA, in the study of Ottoman and Turkish history. While the generosity of such an offer should be noted, I note the concern in the academic community and concern among those of us concerned with international relations for the academic integrity and historical accuracy of the academic work that will be done by the occupant of this chair.

Our concern for history is based on history. The Turkish Government has endowed other chairs at other American universities, and the occupants of those chairs have sought not to report and analyze history, but to rewrite it and cover it up.

Mr. Speaker, as a Jewish American, I am very concerned with those who would want to cover up the history of genocide, or claim that the Holocaust against the Jewish people did not occur or did not occur on a massive scale. But as an American and as a citizen of the world, I am equally concerned about attempts to cover up and deny other genocides.

I am certainly concerned that the occupant of this chair at UCLA may feel or may be pushed toward trying to deny the great massacres at Smyrna, or the genocide of the Armenian people that occurred in the first two or three decades of this century.

□ 2000

Those of us concerned with history must remember that those who forget history are doomed to repeat it, and those of us concerned with avoiding genocide must remember, never forget and never again. Indeed, the history of the Ottoman Empire and the Republic of Turkey are two subjects of academic study. But that study should be unbiased and uninfluenced.

I would suggest that UCLA look at a number of academics who have studied the history of Anatolia, the history of the Caucasus, who have established their academic freedom and their academic independence. For example, Marjorie Housepian Dolkin or Speros Vrionis would make excellent occupants of this new chair in Turkish and Ottoman history, and their academic independence would be beyond question. Whoever occupies any chair looking at the modern history of Turkey should look not only at the promise of this nation, but also some of its misdeeds as well.

Last week, I had a chance to talk to Kathyrn Cameron Porter and to talk also with several others who, along with her, are fasting to protest the Turkish Government's imprisonment of Leyla Zana, a duly elected member of the Turkish Parliament who has been arrested for addressing a committee of this House of Representatives.

As an American, I am offended that someone would be imprisoned for giving us their views. And as a graduate of UCLA, I want to make sure that any review of modern Turkish history is complete and full and focuses on some of the human rights abuses, including the imprisonment of Ms. Zana.

I look forward to UCLA expanding upon its reputation as one of America's and one of the world's great universities and look forward to UCLA doing so by looking at all aspects of Turkish history and the history of the Ottoman Empire.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. KASICH] is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, pursuant to section 251(b)(2)(C) of the Deficit Control Act of 1985, as amended by the Balanced Budget Act of 1997 (P.L. 105–33), when an appropriation specifies an amount for "Continuing Disability Reviews" under the "Limitation on Administrative Expenses" account for the Social Security Administration, the allocation to the Committee on Appropriations and the aggregate budget totals shall be adjusted for the additional budget authority and resulting outlays subject to limits set forth in that act.

On July 28, 1997, an additional $245 million in budget authority and $232 million in outlays was provided upon the reporting of the appropriations bill for the Departments of Labor, Health and Human Services, Education and related agencies for fiscal year 1998 (H.R. 105–2264).

The conference report on H.R. 105–2264 has been filed and contain $290 million in budget authority and $273 million in outlays for continuing disability reviews. These amounts are within the limits established for fiscal year 1998. Therefore, the allocation to the Appropriations Committee and the aggregate budget totals for fiscal year 1998 are

being raised by $45 million in budget authority and $41 million in outlays as shown on the attached table.

These adjustments shall apply while the legislation is under consideration and shall take effect upon enactment of the legislation.

Committee on Appropriations
[Dollars in millions]

Discretionary	Current allocation		Change		Revised allocation	
	BA	O	BA	O	BA	O
General Purpose	$520,120	$549,837	+45	+41	$520,165	$549,878
Violent Crime Reduction Trust Fund	5,500	3,592			5,500	3,592
Total	525,620	553,429	+45	+41	525,665	553,470

The aggregate levels for budget authority and outlays for fiscal year 1998 are increased as follows:

[Dollars in millions]

Current aggregates:	
BA	$1,387,183
O	1,372,461
Change:	
BA	+$45
O	+41
Revised aggregates:	
BA	1,387,228
O	1,372,502

BUMBLEBEE BRIGADE FLIES ON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, experts tell us that the bumblebee should not be able to fly. They tell us that the bee's body is too heavy and its wings are too small. Washington experts, with similar assuredness, told us that the budget could not be balanced, entitlements were too large, taxes were too low. Experts can be wrong.

Just a few years ago, the experts said that the Republicans could not take control of Congress. It had not been done, after all, in 40 years. Well, the voters proved them wrong in 1994, when they sent a new majority here to Washington. I was a member of that new class of representatives, that I like to call the Bumblebee Brigade, because we did not know what we could not do.

As we reach the end of this session of Congress, let us see how the hive is doing. In 1995, Republicans swarmed onto Capitol Hill with the promise to reform Congress and vote on 10 historic bills within our first 100 days. We called that promise the Contract with America. The experts told us that we were too ambitious and that it could not be done. Instead of listening to them, we kept our promises, and today almost all of that Contract has been signed into law.

Those same experts told us that we could not reform welfare. Well, once again, they were wrong. We passed the Personal Responsibility and Work Opportunity Act last summer. By converting much of the program into block grants and requiring work, we have nudged more than one million families off welfare rolls and onto payrolls. Today we are saving money. But more importantly, Mr. Speaker, we are saving people.

The critics told us we could not cut taxes while we were balancing the budget. On this issue, too, they were wrong. This summer, we passed the Taxpayer Relief Act, providing American families with their first tax cut in 16 years. We also encouraged investment and savings by slashing capital gains taxes by more than 30 percent.

Despite this, the experts have continued to criticize this Republican Congress. But as John Adams said, "Facts are stubborn things." The truth sometimes stings. The critics say that "business as usual" is still the rule on Capitol Hill and nothing has changed in the last 2½ years. The facts say otherwise. We cut congressional committee staffs by one-third, passed term limits for the Speaker of the House and committee chairmen, opened congressional hearings to the public, forced Congress to get a three-fifths vote before hiking taxes, and made it live by the laws it passes. And that was all done on just the first day of the 104th Congress.

Shortly thereafter, we cut congressional spending by 10 percent, banned lobbyists from giving gifts to Members of Congress, and rescinded more than $9 billion in 1995 spending agreed to under the old majority.

Critics say that Government spending has not changed since 1995. The fact is that in the 7 years before the GOP Congress, Government spending grew by an average of 5.3 percent per year. In the last 2 years, however, spending has grown by an average of only 3.1 percent. In the 20 years before a GOP majority, Congress spent an average of $1.21 for every dollar it took in. Today that number is $1.01.

The critics have been especially rough on our balanced budget agreement, saying that it does too little to entitlement programs and assumes a future of tall clover, balancing the budget with rosy economic forecasts. The fact is that Government spending slows the rate of growth of entitlement spending by over $400 billion over the next 10 years. Rather than relying on pie-in-the-sky economics, the agreement actually assumes that the economy, which has been growing at an average of 2.7 percent in the last 5 years, will actually slow down and grow by only 2.1 percent over the next 5 years.

The critics say that we have gotten off track in our plan to balance the budget. Once again, they were wrong. In our 7-year balanced budget plan, we estimated that we would collect about $1.43 trillion in revenue in 1996 and $1.45 trillion in 1997. Similarly, we projected spending $1.59 trillion in 1996 and $1.62 trillion in 1997. Because of the strong economy, however, we have actually taken in $149 billion more than we expected. And the sweeter news is that in the last 2 years we have actually spent $48 billion less than our projections.

To put it another way, for 2 years Congress has had $149 billion more to spend than it planned. But unlike previous Congresses, we held the line on spending and came in $48 billion under our goals. Does anyone seriously believe that if a Democratic Congress found itself with nearly $150 billion in unexpected revenue it would spend $48 billion less than its budget targets?

Teddy Roosevelt once said, "It is not the critic who counts." Similarly, the bumblebee really does not care what the experts or critics say about how he is flying. He just flies and goes about his business. He simply does not know any better.

Since we buzzed into Washington to begin our work in 1995, the stock market has doubled, interest rates have dropped by 25 percent, and 6.4 million new jobs have been created. Above all, this year the deficit stands at $23 billion, the lowest it has been in more than 20 years.

If the critics can continue to ignore the facts, we will just have to ignore the critics. To paraphrase the old Arab proverb, "Dogs may bark in the night, but the bumblebee brigade flies on."

TRIBUTE TO JOHN N. STURDIVANT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. RUSH] is recognized for 5 minutes.

Mr. RUSH. Mr. Speaker, tonight, I rise to give tribute to the late John N. Sturdivant, President of the American Federation of Government Employees. John died last week, after a heroic battle with leukemia.

Family, friends, and co-workers said farewell to John Sturdivant this week at a memorial service. He will be deeply missed.

John Sturdivant dedicated his life to working people, especially government workers. As leader of AFGE—178,000 members representing one-third of our Federal workforce—

John fought tirelessly to transform the union into a dynamic advocate for the working and middle class Americans who make up the D.C. and Federal workforce.

John led a vigorous national campaign for pay raises, better benefits, and working conditions. He worked hard with legislators at all levels, to encourage "locality pay." This promotes a salary system that makes sure that Federal workers are paid at a comparable level with private sector workers.

John was at the forefront of a struggle that my constituents who are public service and Federal workers face daily: the fight against privatization. He also fought for the use of "official time," and was a champion of the struggle to protect Federal workers' retirement benefits.

We will remember John Sturdivant for many contributions. He championed the right of Federal workers to have a voice in politics. Working in a bipartisan manner, John Sturdivant worked to secure reforms to the Hatch Act. These changes now allow Federal workers to contribute money, attend fundraisers and do volunteer election work such as staffing phone banks.

I have worked closely during my years in public service with AFGE. It will be hard for the union to replace John. But I know that his example, courage, and leadership have made the union and the entire labor movement stronger.

I offer my deepest sympathy to John Sturdivant's companion Peggy Potter, his daughter, Michelle, his mother, Mrs. Ethiel Jessie, and his brothers.

I thank you for this chance to remember an outstanding American, an outstanding African-American labor leader, and an outstanding human being truly committed to social justice for all.

RECOGNIZING 50TH ANNIVERSARY OF FLEMINGTON JEWISH COMMUNITY CENTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PAPPAS] is recognized for 5 minutes.

Mr. PAPPAS. Mr. Speaker, in just a few weeks, congregants of the Flemington Jewish Community Center in Flemington, New Jersey, and many of their friends will gather to celebrate several significant milestones in their faith and in their community. On November 23, the Flemington Jewish Community Center will celebrate its 50th anniversary at a gala dinner dance at the Martinsville Inn in Martinsville, NJ.

Over the past 50 years, the community center has inspired, educated, counseled, and guided countless numbers of the Jewish faithful. While the dinner will recognize the 50 years that center has been located at its present location in Flemington, it is important to note that the group itself was in existence for many years before gathering throughout the community. This year also marks a significant time for the entire Jewish community, as it marks the 50th anniversary of the State of Israel.

The celebration will also recognize another notable occurrence. It was over 10 years ago that Rabbi Evan Jaffe, a native of Denver, was chosen as the spiritual leader of the Flemington Jewish Community Center. During the decade that he has spent in New Jersey, the rabbi has become an instrumental and active leader in the Jewish community throughout the State.

Aside from the spiritual leadership he has demonstrated throughout his years at the synagogue, he has distinguished himself by service to the community by serving the elder members of the faith at the Edison State Nursing Home and the Greenbrook Regional Center. Additionally, he serves as the Jewish chaplain to Jewish inmates in Hunterdon and Somerset Counties. He is also the vice president of the Jewish Family Service of Somerset, Hunterdon, and Warren Counties and serves as chaplain at both the Hunterdon Medical Center and the Hagedorn Geriatric Center.

Beyond the celebration of High Holy Days and weekly services, the center has truly become a center for the faithful of the community to gather for cultural, social, and educational purposes. The tremendous amount of work, planning, and dedication of those who persevered to establish the center so many years ago lives on today. What began with a few families, business people, and farmers has evolved into a comprehensive center which continues to grow each year. Today, this facility serves over 230 families throughout Hunterdon County and the surrounding areas, and each year that number continues to grow.

Throughout the years, the Community Center and Rabbi Jaffe in particular have proved to be a place of comfort for those in times of sorrow and have been an instrumental part of the joy and happiness of many families and individuals. Whether it was the newfound joy of a child or the sorrow experienced while grieving the death of a loved one, the spirit, support, and faith he provides and they provide to congregants is invaluable.

The center is a place where both young and old can learn about the history of the Jewish faith, its traditions and customs. It is a place of learning and enrichment and serves as a focal point for young people to gather the knowledge and maintain the traditions that have been handed down to them.

Not too long ago, I was fortunate enough to have been invited to a special service at the Flemington Jewish Center. It was a moving celebration of the bar and bat mitzvahs of a number of severely disabled community residents. Many of the young people being honored were unable to speak, see, or to stand. Yet, the joy and meaning of the event was clearly understood by each and every one of them, their families, and all who participated that day.

It was the commitment of Rabbi Jaffe who made the effort to visit these individuals weekly, often in institutional settings, to help them to learn the portion of the Torah which they were to share with the congregation. The outpouring of love and pride that day is something I will not soon forget.

Recently, I was fortunate to have the opportunity to travel to Israel. The Jewish federations of the five counties in my district made this possible, including many of the members of the Flemington Jewish Center. While I have always been a staunch supporter of Israel, I came away even clearer about the needs of the region, the tenuous balance the Israeli people are trying to maintain, and the absolute need for a lasting peace.

The United States must remain strong in its resolve to support the efforts of the Israeli people. They have succeeded through determination, resolve, hard work, and know-how to facilitate an independent and flourishing nation and to remain connected to the Jewish people throughout our country and countries around the world.

So, Mr. Speaker, I look forward to joining with the friends, families, and members of the Flemington Jewish Community Center as they celebrate their faith, history, stories, traditions, and values. This upcoming 50th anniversary dinner will allow us the opportunity to fondly recall the past, celebrate all that has been accomplished, and continue to look ahead to the future.

For the last 50 years, the Flemington Jewish Community Center has served the faithful and the community at large very well. If the spirit, dedication, and faith of those who founded and continue to be a part of the center are any indication of what the future holds, this community can only grow stronger. So today, I would like to wish the Flemington Jewish Community Center and Rabbi Jaffe a hearty mazeltov.

□ 2015

NO MORE COMPLACENCY: RELIGIOUS PERSECUTION IS REAL

The SPEAKER pro tempore [Mr. BRADY]. Under a previous order of the House, the gentleman from Kansas [Mr. MORAN] is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, with Thanksgiving around the corner and this session hopefully coming soon to an end, it is probably useful to remind ourselves that unfortunately we often take the freedoms we have been granted and enjoy in this country for granted. In the United States we do not have to worry about being arrested just for going to church. No one tries to stop us from praying in our own homes.

In this country you might get into an argument with your neighbor over the relationship between church and State, but he or she does not kidnap your children, brainwash them and sell them into slavery just to punish you for your faith.

But that is a scenario that is not alien to Christians in the Sudan, where in the course of civil war and a campaign of terror millions of Sudanese Christians have been killed or displaced, and they are not alone. It has been estimated that more Christians have died for their faith in the 20th century than in the previous 19 centuries combined. The Roman emperors at their worst could not have imagined the magnitude of persecution that goes on today. That is not to say that Christians are the only victims of religious persecution in today's world. Far from it. But what I find disturbing is the complacent and even dismissive reaction that many Americans have to the plight of those persecuted because of their Christian faith. It is as if we believe Christianity enjoys a comfortable station over the world, that it is universally embraced by the establishment, but Christianity is a threat to the status quo.

In the Sudan, China, Saudi Arabia, Vietnam and many other countries, the establishment knows that. In those countries, the establishment does not embrace Christianity, it intends to crush it. Whether targeting individual Christians or enforcing sweeping laws banning all forms of Christian expression, these regimes share a common goal and a common crime, the violation of a fundamental, God-given human right.

In Saudi Arabia it is illegal to wear a cross or even to pray privately in homes. Preaching the gospel to Muslims in Iran is punishable by death, and so is the act of conversion. In China, where Protestants and Catholics have been named principal threats to stability, earlier this year 100 church leaders were arrested in just 3 months.

In Cuba, the arrest of a Pentecostal pastor last year led to Castro's government ordering the closing of all of the country's home churches, estimated at as many as 10,000. In Pakistan, Christians can be accused of blasphemy, a capital offense. In Uzbekistan, Christians have been warned that they will forfeit their registration if they evangelize.

In Vietnam, where many restrictions on Christians were lifted earlier this decade, the Communist Party government has slid backward to repressive policies, including arrest, imprisonment and so-called reeducation.

No matter how thankful we may be for our freedoms, we must not be lulled into complacency about the situation faced by so many Christians and others persecuted for their religious practices and convictions. As a Nation that has become powerful in large part because we jealously guard our individual freedoms, we have a responsibility to project the ideals of freedom around the globe. The responsibility belongs to individuals and advocacy groups, to businesses and to churches, but it also belongs to this our Government.

While we have taken steps to recognize all religious persecution as a serious problem and to monitor its prevalence, we need to take the next step and develop clear-cut, specific responses to persecution once it is identified. The solution may not be readily apparent but the crisis demands our full attention.

FAST TRACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HUNTER] is recognized for 5 minutes.

Mr. HUNTER. Mr. Speaker, as we stand on the eve of the debate on fast track that is the giving of a major part of our constitutional power to the President and the Vice President and his negotiating team to negotiate trade arrangements with other nations, I think it is important for us to look at what the Founding Fathers said about the unfettered use of so-called free trade. In short, Mr. Speaker, they were not for it.

I want to start with James Madison. James Madison said it should never be forgotten that the great object of the Convention was to provide by a new Constitution a remedy for the defects of the existing one and that among these defects was out of a power to regulate foreign commerce, that in all nations this regulating power embraced the protection of domestic manufacturers by duties and restrictions on imports. That means that James Madison believed that it was important for a nation, particularly the United States, to have the right to regulate goods coming into the United States and to establish tariffs so that American companies and American workers would not be hurt. Thomas Jefferson, who was a free trader before 1812, after he became a President became a pragmatist, and he said, "The prohibiting duties we lay on all articles of foreign manufacture which prudence requires us to establish at home, with a patriotic determination to use no foreign articles which can be made within ourselves without regard to difference in price, secure us against a relapse into foreign dependency."

Thomas Jefferson realized that we could become dependent on foreign products. And what would he say today to look at this $3 billion balance of trade deficit that we have each week that we have to either borrow or sell capital goods to pay for, this massive foreign debt that we have accumulated as a function of our trade deficit?

Daniel Webster said, "My object is and has been with the protective policy, the true policy of the United States that the labor of the country is properly provided for. I am looking not for such a law as will benefit capitalists, they can take care of themselves, but for a law that will induce capitalists to invest their capital in such a way as to occupy and employ American labor." That meant that Daniel Webster wanted to have tariffs and regulate trade so that American companies would invest in the United States instead of moving to Guadalajara or moving to other places that are offshore and using other workers from other countries to make goods that then would be sold back into the United States.

And our own Abraham Lincoln, the founder of my party, the Republican Party, said in the platform, "We commend that policy of national exchanges which secures to the working man liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor and enterprise and to the Nation commercial prosperity and independence."

And that other great Republican who, with Abraham Lincoln, is on Mount Rushmore, Teddy Roosevelt, said in 1911, "I can put my position on the tariff in a nutshell. I believe in such measure of protection as will equalize the cost of production here and abroad, that is, will equalize the cost of labor here and abroad. I believe in such supervision of the workings of the law as to make it certain that protection is given to the man we are most anxious to protect, the laboring man."

Mr. Speaker, I am a Republican, I am a capitalist, I think I have got a 13 percent AFL-CIO rating, but I understand that it is important for Americans to make good wages. We have driven wages down, and the record of NAFTA, the trade agreement that we allowed President Clinton to make with Mexico and Canada, has been disastrous for us. We had a $3 billion trade surplus over Mexico when we negotiated NAFTA. Today we have got a $19 billion annual loss. Today we have a $20 billion annual loss with Canada. That same bright team that President Clinton has sent forth through the world to negotiate trade treaties has given us this year with China a $52 billion trade loss.

This team is a losing team, Mr. Speaker, and the idea that this Congress is going to give away the constitutional duty that was given to us by the Founding Fathers to a losing team which will negotiate us down the drain to the point where we have American industry having to move offshore to compete with the other industries that are employing people at $2.38 an hour, $1.50 an hour, $1.75 an hour to displace Americans, the Americans

who carry our flag in wartime, the Americans that pay our taxes, the Americans that pay our wages, that idea is not consistent with the classic idea of being a good Republican.

We should defeat this fast track, Mr. Speaker. We should keep that duty, that obligation to regulate trade within this House of Representatives where as Alexander Hamilton said, the people govern.

FAST TRACK AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey [Mr. PALLONE] is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I want to spend some time tonight initially talking about the fast track legislation which we are likely to be voting on either tomorrow or Sunday. I am very much opposed to the fast track legislation for a number of reasons, and I wanted to use part of the hour tonight to outline some of those reasons and begin with a local situation in Monmouth County, which is one of the two counties that I represent in the State of New Jersey, because I think it illustrates the types of problems that I have with fast track by reference to NAFTA. Many of those who are opposed to fast track and who will be voting against fast track legislation, if it comes up over this weekend, are doing so because of the experience with NAFTA.

I want to comment on why Congress really should resist the pressure being put on us to grant the fast track authority, to expand NAFTA and essentially put even more Americans out of work. If I could give an example from central New Jersey, from Monmouth County, my home county, of how these trade agreements can affect the jobs and the lives of highly skilled American workers. On September 9, most of the 240 people who work at the Allied Signal plant in Eatontown, NJ, in Monmouth County were informed of the decision to close what is a defense technology manufacturing plant. They were told that the plant would be phased out in 1998, with a complete shutdown expected by March 1999. The company told the Allied Signal workers in Monmouth County, NJ, that in the short run, the jobs would be going to Tucson, AZ. But I believe, and I know that everyone at the plant believes, that the jobs ultimately will be moved to Mexico. The reason is squarely because of NAFTA.

Allied Signal is one of the many companies with a history of relocating production facilities to Mexico. NAFTA has greatly facilitated the flight of manufacturing jobs south where corporations can take advantages of low wages, substandard labor rights, and weak environmental protection and enforcement. The recent experience with Allied Signal shows everything that is wrong in corporate America today; namely, corporations abruptly turning their backs on the workers and the communities that have made them profitable.

Ironically, the hard-working folks at Allied Signal are involved in the kind of high tech work needed to protect our national security, for the United States to maintain its technological edge over our adversaries and for the protection of our Nation and our allies. Yet the security of the very same defense workers who have helped to make America the world's superpower are now being abandoned in the search for higher profits and lower wages. The workers of Allied Signal and many other such plants have lived up to their end of the bargain but their employers have not.

Mr. Speaker, if I could just talk about this plant a little bit. The plant is productive. Its employees are productive. It has won commendations from other major firms with which it has contracted, such as McDonnell Douglas. The employees of Allied Signal deserve much of the credit for this fine track record and they deserve a much better fate than this betrayal by the company to which they have devoted so much of their time, energy and talent and dedication. The union representing the employees of Allied Signal, Local 417 of the IUE, the Electronics Workers Union, has organized a petition drive and is enlisting the help of their affiliates, and they are also organizing demonstrations, they have over the past couple of months, to publicize the movement of their work to Mexico.

Mr. Speaker, the move of this facility is an example, in my opinion, of the negative effects fast track agreements like NAFTA are having on America's working men and women, an example that hits very close to home for me. The loss of quality manufacturing jobs is felt not only by the workers and their immediate families, their buying power is diminished, meaning that the store, the small businesses, the small business owners throughout the area also feel the pinch. Fast track deals do not include standards to protect workers and consumers. They do not give those of us in Congress who were elected by our constituents back home to do a job to look out for their interest, to fix what is wrong. Since NAFTA was passed, more than 420,000 American workers have lost their jobs. That trend continues and will only get worse if we do not stop these unfair trade deals.

□ 2030

Mr. Speaker, I want to particularly salute the men and women of the IEUE in central New Jersey for refusing to accept the loss of these Allied Signal jobs without a fight, and, although they have an uphill fight, their effort to mobilize solidarity among union ranks and to educate the wider public about the negative effects of these trade deals will go a long way to derailing fast track and putting our trade policy on the right track.

I believe, Mr. Speaker, that it is highly unlikely that the fast track legislation will pass. I hope it will not. I will do whatever I can to stop it. But I want to say that one of the reasons why the opponents of fast track are likely to succeed and should succeed is because of the fact that there have been so many examples around the country like Allied Signal and Eatontown, and many of the workers have joined together and said, look, we have had enough, we cannot have this type of thing continue with the expansion of fast track authority.

And, Mr. Speaker, I wanted to use Allied Signal as an example, but I also wanted to talk in general about fast track and the environment, because one of the major reasons that I oppose the fast track relates not only to labor concerns and worker concerns here in the United States, but also to environmental concerns.

We were, those of us, and I was not, those of us who were asked by the administration to support NAFTA a few years ago, were told that if they did, there would be adequate addressing in NAFTA of their concerns on the environment, and there would be adequate enforcement if environmental problems arose. But the reality is with NAFTA that none of that happened. There has not been any environmental enforcement, there has not been any real impact to try to protect the environment.

And if I can just give an example, most of the commitments that were made by the administration then were put into what is called an environmental side agreement, a side agreement to NAFTA that was supposedly going to protect the environment. What we found out since NAFTA began is that these side agreements are, in effect, unenforceable, and so any suggestion pursuant to the fast track legislation that is likely to come this week that somehow there will be environmental provisions contained therein or their side agreements will be enforcemental on protective environmental concerns, there is no reason to believe that, because it did not happen with NAFTA.

More than 3 years ago, the Commission on Environmental Compliance, the CEC, was established under NAFTA for environmental cooperation. This was the North American Agreement for Environmental Cooperation, the environmental side agreement to NAFTA. The CEC could be considered to be the sort of EPA equivalent under NAFTA. Yet of the 10 enforcement cases submitted

to the CEC, the Commission on Environmental Compliance, under NAFTA, only one has resulted in an investigation.

Enforcement cases submitted to the CEC have included wetland pollution in Alberta, Canada; water pollution from livestock farming in Quebec; untreated sewage discharges into the Magdalena River in Sonora, Mexico; a massive bird die-off in the Silver Reservoir in Mexico; and dynamiting of a coral reef, imagine that, in a protected natural reserve in Cozumel, Mexico, for the construction of a cruise ship pier.

Now, although it was submitted almost 2 years ago, a final decision on this last case, the Cozumel pier case, the one case which the CEC has agreed to investigate, is being delayed pending a vote by the CEC members. Of the remaining nine cases, four have been rejected, one has been withdrawn, two have been objected to by the Canadian Government, and two are still pending review.

So this is all nonsense. There is not going to be any enforcement. Anybody who has brought to the attention of the CEC, this Commission that was set up under NAFTA for environmental concerns, anybody who brought any concerns to them has basically been told go away, or somehow has been swept under the rug.

In fact, the Wall Street Journal recently wrote, and I quote, that both supporters and opponents of NAFTA agree that the side agreements, not only the environmental side agreements, but all the side agreements, the labor side agreement, have had little impact, mainly because the mechanisms that created them have almost no enforcement power. Our experience with NAFTA has proven that environmental side agreements are not enforceable, and that is why environmental groups, even groups that support NAFTA, are solidly united in opposition to fast track.

Last time there were a number of environmental groups who supported NAFTA. This time they are all unanimously opposed to fast track because they realize that these environmental side agreements have been completely ineffective.

Let me talk a little bit more about what the President and the Vice President have told us in terms of, in trying to address the concerns that people like myself and others who have concerns about the environment, in trying to address our concerns in the context of fast track. The President and the Vice President have stated that the negotiating objectives outlined in the administration's fast track legislation would include specific references to the environment.

Let me say that all that is simply window dressing. None of that means a thing.

It is not enough to simply make the environment a negotiating objective. In order for fast track to truly address environmental concerns, it would have to clearly set environmental protection guidelines for all parties involved. It would be critical that fast track require that environmental concerns be directly addressed in negotiated trade agreements rather than allowing environmental protection to be negotiated separately in these unenforceable side agreements, the experience of which we had in NAFTA. They cannot possibly adequately protect the health and safety of American families.

And agreements negotiated under fast track should also be required to include enforcement mechanisms that will serve to hold governments to set environmental protection standards. None of this is being proposed with the fast track legislation that we are going to see possibly this weekend.

Again the inadequacy of the environmental side agreement to NAFTA and its protection of the United States-Mexican border environment serves as a disturbing example of the ineffectiveness of the environmental side agreements that the administration has proposed. The number of factories along the already heavily polluted United States-Mexico border has increased by 20 percent since NAFTA went into place, yet little is being done to insure that these new facilities are complying with environmental standards. The health and safety of American families are being put at risk by the 44 tons of hazardous waste that are illegally dumped by these border facilities every day.

Free trade agreements, I should say, also create pressure on neighboring governments to relax environmental regulations in an effort to lure manufacturers across borders, thereby allowing these companies to profit by polluting and abusing natural resources. We had this underlying problem that, in effect, what NAFTA has done and, in effect, what the free trade agreements will do if there is not adequate protection, which this legislation does not do, is that they basically create a ratcheting down so that environmental laws, environmental protection became less and less because of the competition between the countries and between the companies, each country, in effect, trying to provide less and less environmental protection in order to lure jobs and companies.

Rather than entering into trade agreements that directly undermine U.S. efforts on the environment, these agreements should establish a level playing field among neighboring countries that requires all parties involved to adequately protect the environment, natural resources and human health, but this is not happening, Mr. Speaker. This is not happening with the fast track legislation that we may see tomorrow or Sunday or perhaps at some later time.

It is not just the environment. Another major issue that has come to the forefront, an area that is not being adequately addressed, is that of food. There are tremendous food safety problems that have resulted from the NAFTA experience.

Many of my colleagues have highlighted; I wanted to mention Ms. DELAURO of Connecticut, one of my colleagues who put out a dear colleague just a couple of days ago which she calls fast track stomachache, and she points out that each year overburdened American Customs inspectors allow more than 3 million trucks carrying produce from Mexico to cross the United States-Mexico border without inspection. Less than 1 percent of all trucks crossing the border are stopped and thoroughly inspected. Canadian beef is not properly inspected at the United States border for dangerous chemicals. More than 200 cases of the potentially fatal hepatitis-A have been associated with strawberries imported from Mexico. But NAFTA's regulations have denied us the chance to change the situation.

Under section 7171(a), the gentlewoman from Connecticut [Ms. DELAURO] writes, an increase in inspections of meat, produce and other perishables are considered a restraint on trade. So the continued absence of inspections only encourages importers to continue to cut corners, jeopardizing our food safety to guarantee larger profits for themselves.

Again, whether it is the environment, human health, food safety, labor laws, none of these, none of these are being protected, none of these are being addressed under NAFTA, and there is absolutely no reason to believe that they will be addressed under the fast track agreement that we are being asked to consider either tomorrow or Sunday.

Now, I wanted to get into some of the labor issues as well because in the same way that I am concerned about the impact of fast track on the environment and food safety, I am also concerned about the impact on labor, on wages, on people's ability to retain their jobs, going back to Allied Signal and the example I used again from my home county of Monmouth County, NJ.

Public Citizen, which is a watchdog group, put out a publication just a few days ago where they point out how the labor side agreements, or the labor side agreement under NAFTA, that those have also not been enforceable and have not managed to protect a single worker essentially under NAFTA, and there is no reason to believe that the experience would be any different with fast track.

I wanted to just use a couple examples from the document called Deals for NAFTA, Votes to Bait and Switch, which Public Citizen put out this month. There are many examples of

broken promises in this document, but just to give a few examples here this evening:

One of the promises that were made with those who were concerned about displaced workers pursuant to NAFTA related to assistance for harmed workers. In other words, the idea is if you lost your job because of NAFTA, you were going to be made whole in some fashion. There is absolutely, the whole history of this effort called trade adjustment assistance for harmed workers has been one of failure.

Just to give an example, this program was created, as I said, to hold harmless workers, and it is estimated that more than 400,000 Americans have been laid off due to NAFTA. The NAFTA-implementing legislation created the Transitional Adjustment Assistance Program. To date only one-third of NAFTA job loss victims are being certified as potential recipients of benefits under this program, and as of mid-October 1997, 144,691 workers have been certified as eligible for assistance. So of the 400,000 that we estimate have lost their jobs under NAFTA, only 144,000 have been certified to even receive assistance.

Now, that does not mean that they are even going to get any assistance. Essentially you have to show that you are directly impacted in some way to qualify, and the reality is that many of these workers have had a very difficult time getting any kind of benefits under these workers training programs, under this hold harmless program.

The other thing that was promised pursuant to NAFTA again by the administration was an effort to protect and promote labor rights in Mexico. In other words, some of us were concerned about protecting workers here; others were concerned about what would happen to workers in Mexico. President Clinton promised to use existing trade laws to take action if Mexico's policies denied internationally recognized workers' rights, but not only did the administration not fulfill its promise in this regard, which required issuance of an executive order, but it has since taken steps in its fast track proposal to ensure that neither President Clinton nor any future President has the authority to do so.

So what we have been seeing in Mexico is that not only are labor laws not respected or not enforced, but, in fact, what has been happening is that the actual, the protections and the wages for Mexican workers have actually gotten less, and the amount of money that they are making, the minimum wage, has not only not risen, it has moved in the opposite direction. Between 1993 and the first quarter of 1997, productivity in Mexico manufacturing rose by over 38 percent while real hourly wages for production workers fell 21 percent.

□ 2045

The national average minimum wage fell by 20.43 percent during the first 4 years and 9 months of NAFTA.

So the labor side agreement, the environmental side agreement, it has really been effectively worthless. There is absolutely no reason to believe that anything would be any different with the fast-track legislation that we are considering.

If I could just summarize in a way some of the concerns, it is not that those of us who are opposed to fast track are opposed to free trade. I do not see it as a vote on free trade at all. What we are concerned with, though, is we do not want to negotiate away in one fell swoop, if you will, any ability on our part, on Congress' part, if you will, to protect the American workers, to protect the environment.

We want to reserve the right, if you will, to look at the agreements that would be negotiated individually and to make sure that there are adequate protections of the environment, adequate labor protections, adequate food safety protections, in those agreements.

The problem is that if you simply pass fast track, in effect you are giving the administration a blank check to extend NAFTA without Congress having the opportunity to seriously address the problems that have been raised with NAFTA.

If we look at our trade deficit, if we look at what is happening, the United States trade deficit with Mexico has skyrocketed. In the auto sector alone the deficit has jumped from $3 billion to $15 billion. A number of jobs have already been lost because of NAFTA. Drug trafficking, violent crime in our border regions has increased, and I already talked about the public health, of course.

So what those of us who are opposed to fast track are saying is the experience with NAFTA tells us we cannot simply give the administration the blank check that they are looking for with fast track. We have to have input into the trade agreements that are being negotiated, and, if we do not, we believe that there will be more tragic consequences that result in the same way that the tragic consequences have resulted from what has happened with NAFTA and the experience of NAFTA over the last few years.

TURKISH STUDIES CHAIR AT UCLA

Mr. Speaker, I wanted to just talk briefly about a few other issues. First of all, I should say that my colleague from California [Mr. SHERMAN], touched on two issues that I wanted to mention briefly also this evening. He mentioned that the University of California at Los Angeles, UCLA, is establishing a Turkish Studies Chair, funded I may add, by the Government of Turkey. I wanted to join the gentleman in expressing my serious concern about this unfortunate use of a major prestigious university as a vehicle of indoctrination by another country.

In my home State of New Jersey, we had a similar situation where Princeton University set up a study program that was financed by the Government of Turkey. As a result, the information that was coming out of the study program essentially denied the Armenian genocide. There has been a history with the Ottoman Empire and the Republic of Turkey to basically deny that the Armenian genocide ever occurred.

My concern, and I know that of Mr. SHERMAN as well, is that by establishing these chairs or these Turkish study programs in different parts of the country, in my case at Princeton, in his case at UCLA, the Turkish Government is using these study programs to basically deny history and deny the facts of the Armenian genocide. In fact, it is really a brazen opportunity, if you will, a brazen attempt by a foreign government, to manipulate an American university for the denial of the historically verified genocide of the Armenian Nation.

The Turkish Government is not setting up scholarships. These are propaganda and propaganda alone. It would be like a German Government that had not acknowledged the Holocaust funding a Nazi studies program at an American university. Of course, the difference is that Germany at least accepts responsibility and apologizes for the Holocaust of the Jewish people. The Turkish Government, still defying the historical record, denies that the Armenian genocide ever happened.

I just wanted to join this evening with the Armenian community in the United States in appealing to the officials at UCLA, in the same way that I did at Princeton University about a year ago, and ask the board of regents to stop the effort of filling the heads of young Americans with revisionist propaganda in the name of so-called scholarship.

This is something that we have seen happen more and more where the Turkish Government has been financing these study programs or chairs at various American universities in order to basically deny the Armenian genocide.

PLIGHT OF THE KURDISH PEOPLE

I know Mr. SHERMAN also mentioned earlier this evening, and another of my colleague from California, BOB FILNER, has basically spearheaded this effort, there has been a group of Kurdish Americans who have been fasting on the steps of the Capitol, on the main steps of the Capitol now for a number of days, probably more than a few weeks, in order to highlight, if you will, the ongoing tragedy in the mountains of Kurdistan, where, again, the Turkish Government, which is, of course denying the Armenian genocide and continues to, is also basically trying to essentially obliterate, not only

individually by killing Kurds in Turkey, but also by denying Kurds the ability to speak their language, to learn about their culture, to go to school in Kurdish, and this fast, conducted by supporters of the Turkish people on the Capitol steps, includes the human right activist Cameron Porter, who is the spouse of one of our colleagues, the distinguished gentleman from Illinois [Mr. JOHN PORTER].

I just want to say these fasters deserve tremendous credit for the dedication, courage and perseverance. It has been getting cold lately here in Washington, but that has not deterred them.

Last Friday I joined with a group of my colleagues, members from both sides of the aisle, to visit with the fasters and supporters. I know Congressman SHERMAN and Congressman FILNER were out there with me. Every day as we pass by these people sacrificing for the causes of peace and human rights, the sight of these protestors on the Capitol steps is a reminder to all people of conscious of the plight of the Kurds and the governments that hold them down, most notably the Government of the Republic of Turkey.

In particular, Mr. Speaker, as we come into the Capitol to cast votes on legislation, sent here to do a job by the constituents who elected us, I hope we will remember one of our fellow elected legislators who does not have the opportunity to represent her constituents, Mrs. Leyla Zana, one of the most prominent victims of Turkey's cruel, irrational anti-Kurd cruel policies.

Leyla Zana was elected to a seat in the Turkish Parliament in 1991 representing her hometown. She was elected with 80 percent of the total vote, and she became the first Kurd to break the ban on the Kurdish language in the Turkish Parliament, for which she was later tried and convicted. She had uttered the following words: "I am taking this Constitutional oath for the brotherhood of the Turkish and Kurdish peoples."

On May 17, 1993, she and one of her colleagues addressed the Helsinki Commission of the U.S. Congress. The testimony was used against her in a court of law. On March 2, 1994, her constitutional immunity as a member of Parliament was revoked and she was arrested, taken into custody, tried in a one-sided mockery of justice, convicted, and sentenced to 15 years in prison.

Leyla Zana, who is 35 years old and the mother of two children, is well into the third year of her 15 year sentence at a prison in Ankara, the Turkish capital.

Leyla Zana's pursuit of Democratic change by nonviolent means was honored by the European Parliament, which unanimously awarded her the 1995 Sakharov Peace Prize. She has received major consideration for the Nobel Peace Prize. More than 150 Members of this House, my colleagues, have written to President Clinton on her behalf, and I hope a majority of the Members of this House will join with the European Parliament in defending the human and civil rights of this brave woman, and I might remind my colleagues, a fellow Parliamentarian, a fellow elected official. We owe her our moral support and to urge our ambassador in Ankara to raise Mrs. Zana's case with the Turkish authorities at the highest levels.

Mr. Speaker, I just want to share with the Members of this body and anyone watching this some of the basic goals of Ms. Lasagna, of the fasters outside this building, and of the repressed Kurdish people of Turkey. The Kurdish identity must be recognized. The use of the Kurdish language in conversation and in writing should be legalized. All cultural rights should be conceded. Kurdish political parties must be given full constitutional rights and a general amnesty for all political prisoners must be granted.

Mr. Speaker, we often hear from our own administration and other apologists for Turkey about what a great democracy the Republic of Turkey is. Yet this is how a duly elected representative of that so-called democracy is being treated for the crime of speaking her language and defending the rights of her people.

Mr. Speaker, this cannot go on. For many years we have witnessed a clear pro-Turkish tilt on the part of the State Department. We often hear about strategic importance of Turkey and its pivotal location, and I do not discount those arguments completely. But we have to balance those factors against some other very important considerations.

Turkey continues to spend billions of dollars in obtaining sophisticated weapons systems, not only from the United States, but from France, Russia and elsewhere. Much of this military hardware is then used to repress and terrorize the Kurdish people, citizens of Turkey who should be extended the protection of their country's armed forces and not be victimized by those armed forces.

Meanwhile, Turkey does not have a strong industrial base, and is lacking in infrastructure in many key areas. So why is Turkey, our ally, throwing so much of its limited resources on sophisticated weapons to use against its Kurdish residents, when it could be investing in better schools, health care and other services that could help put Turkey on a par with the western nations it seeks to be associated with?

About half of the worldwide Kurdish community lives within the borders of the Republic of Turkey, where their treatment is an absolute affront to basic fundamentals of human rights.

At least one-quarter of the population of Turkey is Kurdish. Yet in Turkey, the Kurds are subjected to a policy of forced assimilation which is essentially written into the Turkish Constitution. To date, 3,134 Kurdish villages have been destroyed and more than 3 million of their residents have been forced to become refugees, either in Kurdistan or abroad.

Mr. Speaker, I would venture to say that in many ways what we are seeing happen in Kurdistan today is in some ways the prelude to the same type of genocide that occurred by the Turks against the Armenian people 80-some years ago.

While the situation for the Kurdish people in such nations as Iraq, Iran and Syria is also deplorable, I wish to draw particular attention to the situation in Turkey for some basic reasons. Turkey is, after all, a military ally of the United States, a member of NATO. As such, it has received billions of dollars in military and economic assistance, courtesy of the American taxpayers. In addition, Turkey aspires to participate in other major western organizations and institutions, such as the European Union.

Mr. Speaker, I believe most Americans would be frankly appalled to know a country that has received so much in the way of American largesse is guilty of so many breaches of international law and simple human decency. I have joined with many of my colleagues in denouncing Turkey's illegal blockade of Armenia, its failure to acknowledge responsibility for the Armenian genocide of 1915 through 1923, its ongoing illegal occupation of Cyprus and its threatening military maneuvers in the Aegean Sea.

The brutal treatment of the more than 15 million Kurds living within Turkish borders offers a major argument for cutting back on military and economic aid to Turkey, or to at least attach very stringent conditions to provisions of this aid.

If Turkey wants the benefits of inclusion in Western institutions that are supposed to be founded on the defense of democracy and human rights, then that country should start living up to the agreements it has signed.

Again, the situation in Kurdistan is just another example of the type of treatment that Turkey has done historically with the Armenian people and other peoples, and it must stop.

TRIBUTE TO RAVI SHANKAR

Mr. Speaker, I would like to do one more thing tonight, if I could. This is because of a couple of events that are going to occur this weekend, both at the Embassy of India and also at the Kennedy Center with regard to the legendary sitar virtuoso and composer, Ravi Shankar. I just wanted to make a tribute to Ravi Shankar this evening before the House.

On this Sunday, November 9, at the Kennedy Center Concert Hall, Ravi Shankar, the legendary sitar virtuoso

and composer, will perform in concert with his daughter. Ravi Shankar is India's most esteemed musical ambassador and a singular phenomenon in the classical music worlds of both East and West.

His pioneering work in bringing Indian music to the West has helped to cultivate an unprecedented audience, making him an important and respected cultural influence for over 40 years. As a performer, composer, teacher, and writer, he has obtained a level of admiration and respect, both in India and in the West, that is unique in the annals of the history of music.

Mr. Speaker, two quotes from musicians representing widely different points on the musical spectrum, both of whom have been friends and collaborators with Ravi Shankar, show the profound reach of his enigmatic genius.

The great classical violinist Yehudi Menuhin said, "Ravi Shankar has brought me a precious gift and through him I have added a new dimension to my experience of music." To me, his genius and humanity can only be compared to that of Mozart." George Harrison, the former Beatle, said, "Ravi Shankar is the Godfather of World Music."

□ 2100

To honor his 75th birthday, a four CD boxed set, entitled "Ravi in Celebration" has been issued. And Ravi Shankar has not stopped creating spiritually powerful new music. His latest CD, "Chants of India," produced by George Harrison, offers a new approach to the traditional and Vedic and Upanishad hymns.

Pandit Ravi Shankar has been honored throughout the world, by the leaders in the realms of politics and the arts. In India, he has received the Nation's highest civilian awards. He was awarded an honorary doctorate from Harvard University. He has the distinction of being a Commandeur de l'Ordre des Lettres in France, he was presented with the Praemium Imperial Prize of the Japan Art Association by the Japanese Royal Family, among many other distinctions and honors. That list of awards will grow tomorrow, Saturday, November 8, when Ravi Shankar is honored by the U.S. Asia Foundation and the Indian American Forum for Political Education with the Light of Asia Award at a reception by India's Ambassador to the United States, the Honorable Naresh Chandra.

Mr. Speaker, the occasion of India's 50th anniversary of independence and democracy gives us an opportunity to reflect on the great contributions by Indians and people of Indian descent. For decades, in virtually every part of the world, Ravi Shankar's music has held audiences spellbound. Further, his artistic genius is matched with an abiding devotion to building bridges of friendship and understanding across the cultural and political gulfs that have divided people.

Maestro Shankar's concert on Sunday with his daughter Anoushka is being held in tribute to the 50th anniversary of India, a country to which he remains devoted. But, as is always the case when Ravi Shankar performs, Sunday evening's concert will transcend the boundaries of culture and language. Ravi Shankar is a great international artist with the power to move his audience with his unparalleled genius and vision. I am very pleased tonight to be able to take a couple of minutes to pay tribute to this man.

Mr. Speaker, I would like to request to yield the balance of my time to the gentleman from Mississippi [Mr. TAYLOR], and I guess then he could yield to the gentleman from Indiana [Mr. VISCLOSKY].

POWERFUL ARGUMENTS AGAINST FAST TRACK

Mr. TAYLOR of Mississippi. Mr. Speaker, if I may, I would like 5 minutes of that time, and I hope you will tell me when my time is up, because I would like to yield the balance to my other colleague.

I want to begin by thanking the gentleman from New Jersey [Mr. PALLONE] for being so generous with his time. I want to compliment him, a very active member of the Democratic Party, and compliment the previous speaker, the gentleman from California [Mr. HUNTER], also a very active member of the Republican Party, for their very articulate remarks against giving President Clinton fast track authority to negotiate new free trade agreements with other countries.

Mr. Speaker, we have a constitutional crisis in our country. In addition to everything that the gentleman from California [Mr. HUNTER] said, which was on the mark, and everything that the gentleman from New Jersey [Mr. PALLONE] said that was on the mark of why this trade agreement is bad, it is bad because it violates the Constitution of the United States.

Apparently, there are a number of Congressmen who, after working very hard to get here, decided that they do not want to do their job. The first time that Congress gave away their constitutional responsibility was on the War Powers Act. If we look at Article I, Section 8 of the Constitution, it very clearly gives to Congress and Congress alone the power to declare war. Our Founding Fathers did that because they grew up in an era where one king or one queen could decide for everyone that the Nation's youth would go off and die, and they wanted to change that. So they saw to it that the people's representatives and only the people's representatives by a majority vote could make that decision.

When Congress gave the President the War Powers Act, it was the first time they gave away their constitutionally mandated responsibilities.

The second time they did that was just last year when the majority in Congress voted to pass the line-item veto. It was espoused at the time as something to cut the pork out of the budget, but they failed to mention that it was a budget that Congress put together. It was in effect saying that we cannot help ourselves.

I voted against that, and I predicted at the time that all that it would be used to do is cut the defense budget. Thus far, Mr. Speaker, I am 90 percent right, because 90 percent of all of the things that have been vetoed by the President of the United States are defense related, and none of them contained any pork.

Either tomorrow or Sunday, this body will once again have to make a decision as to whether or not we want to keep our constitutionally mandated duties or give them to the President of the United States. I am going to vote to keep those duties that I want the citizens of south Mississippi to have, and I think that more than half of my Democratic colleagues, for a variety of reasons, will vote to do so. So I really want to address my talk tonight to my Republican colleagues and those people who consider themselves to be Republicans.

Mr. Speaker, almost on an hourly basis my Republican colleagues come to the House floor and say that President Clinton cannot be trusted. And they point to some things that would certainly give a great deal of credibility to their arguments. I hope that they are saying what they mean, and that they will mean what they say, because they will be asked either tomorrow or Sunday to give away their constitutionally mandated responsibility as espoused in Article I, Section 8, clause 3 of the Constitution to regulate commerce. They will be giving that, if they vote for fast track, to the man they say cannot be trusted. It is a very powerful argument for every Republican in this Congress to vote against fast track.

Mr. PALLONE is right when he talks about people being hurt. I represent 1/435th of this country. In that 1/435th of this country, 5 factories have been closed. The people who want to give the President fast track authority tout it as being somehow a way to smack the unions about. Not one of those factories was a union factory, not one. What it was was a place that in most instances employed women who had found themselves, either through the death of their husband or the separation from their husband as the sole earners of their family, they had been stuck with the responsibility of raising children and they were the only ones who were making a living. Ninety percent of the people who lost their jobs as a result of NAFTA were the women in those factories, not the union, "union thugs," that were told were opposed to it.

It is even worse than that, because the gentleman from New Jersey [Mr. PALLONE] comes from a very populous State, and maybe in a populous State like New Jersey the retraining that he talks about makes some sense, because maybe there is something else for those people to do. But I can assure my colleagues in Neely, Mississippi, in Wiggins, Mississippi, in Lumberton, Mississippi, and the other small towns of Mississippi that have had their only factory shut down as a result of NAFTA, there is nothing else for those people to do. It is simply not fair, and it is simply naive for Congress to imagine that there is additional opportunities for these people.

The only thing that Congress should know is that in a microcosm, the good people of America have been hurt and in a microcosm our Nation has gone from a trade surplus to a trade deficit with both Mexico and NAFTA as a result of the last Free Trade Agreement.

So, Mr. Speaker, since we will have very, very little opportunity to speak on this in the next couple of days, and since apparently the Speaker of the House has seen to it that this vote will take place on a weekend when most congressional offices will be closed, and therefore, there will be no one at the phones to answer those phones when citizens want to call up and encourage their Congressman to vote against this, I want to take this opportunity to speak on it and have my remarks put in the RECORD.

AMERICA'S LOST VALUE: HARD WORK IS REWARDED

Mr. VISCLOSKY. Mr. Speaker, I appreciate the recognition and I appreciate the gentleman from New Jersey as well as the gentleman from Mississippi yielding time to me, and I would also start out by associating myself with the remarks made by both the gentleman from New Jersey as well as the gentleman from Mississippi on the proposed fast track authority that we in this Chamber will be voting on sometime Sunday.

Mr. Speaker, we live in a global economy and we are engaged in a global competition. I know this and so do the tens of thousands of working Americans that I represent. The people I represent in northwest Indiana are not afraid of competition. They embrace it, because they work hard and do their job better than anyone else in the world. The steel workers and other working men and women I represent are happy to trade their products in the world's markets, but in trading their products, they do not want to trade away a living wage.

For half a century, the people of America, at the cost of thousands of lives and trillions of dollars, have fought and worked to export the unique American value of democracy. As we look back on history and at the world today, we can see we have achieved success in doing so. But as we stand here today, we must think about exporting another important American value, the value that hard work is rewarded. This is a value that I was taught growing up in Gary, Indiana. I was taught that if one studied in school and worked hard in life, one would be rewarded with a living wage that would allow you to get married, buy a house, have children, send them to school, and then enjoy an economically secure retirement.

But in today's debate on fast track, instead of working to export the American value of hard work globally, we are diminishing the value of work for all. The competition that will arise from the trade strategy we are debating today will not result in a race to the top, but in a drop to the bottom. And my fundamental concern is that if we in this House and others in this government do not export the value of labor and reward hard work in America, no one else will.

I find it interesting that prior to the adoption of NAFTA 3 years ago, a local industry told me that they supported the agreement because it would be good for us. Prior to NAFTA, the same industry had a trade surplus with Mexico. Since NAFTA, that industry has a trade deficit with Mexico 20 times as large. But they have never complained. Why? Because their bottom line has not changed, and in fact, it has increased. They invest overseas, paying people less and make more money. Unfortunately, the thousands of employees they have left stranded in places like Gary, Indiana; New Chicago, Indiana, have no recourse. In abrogating their responsibility, the responsibility to fairly reward hard work, these corporate citizens of the United States of America have dashed the American dream of many of the people we represent.

We must not take the world economy as we find it and adapt to it, as so many people have suggested we do. We must make the world economy adapt to our fundamental American economic principle that hard work pays. It pays in the form of a living wage to working people.

It might not happen this year; it might not happen next year, it might not happen in 20 years, but if it happens 50 years from now, our grandchildren will look back and say that we today here in this place did not break our covenant with the next generation of American citizens.

I would ask all of my colleagues to join with me in opposing giving President Clinton his fast track authority.

□ 2115

THE BENEFITS FOR THE UNITED STATES OF SUPPORTING FAST TRACK AUTHORITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Arizona [Mr. KOLBE] is recognized for 60 minutes as the designee of the majority leader.

Mr. KOLBE. Mr. Speaker, tonight I come here to this House, along with my colleague, the gentlewoman from Connecticut, to talk about an issue that we believe is so critical to the future of this country; that is, trade.

In the end, though, trade is not really about statistics. It is not really about numbers. It is not, in a sense, even about jobs. It is about the opportunities for jobs. It is about the opportunities that American consumers have to make choices. It is about getting lower prices for goods and better quality, of having competition. Yes, it is about American leadership. It is about our place in the world. It is whether the United States is going to lead on trade or whether we are going to follow on trade.

The fact of the matter is there are very few countries in the world that benefit as much from trade as the United States of America does. I would just like to begin with this one chart, which shows how American businesses and American workers have benefited by the fact that U.S. exports have increased more than 3,000 percent in the last 35 years.

It is not that far back to 1961, when we look at the value of U.S. exports, they were less than $100 billion, around $50 billion. It did not reach $100 billion until about 1973. Then it has simply taken off since then. The most steep rise is in the last 2 years, the last 4 years, since 1993. Even as Americans continue to worry about trade deficits, we continue to have a very substantial growth in exports.

What does that mean? Does exports mean something to other than just a number on a chart, other than a line on a chart? It means a great deal. It means a lot about the growth. Growth, of course, means something about the jobs that are available to Americans.

This chart demonstrates the difference between jobs in the total civilian employment, which has been rising, this red line down here, which has been rising fairly steadily. But if we look at the export-related jobs as an index, this is on an index basis, we can see that the export-related jobs are growing much more rapidly.

In other words, the great economy that this country is enjoying today, the tremendous benefits that we all enjoy from having a low unemployment rate, from having the ability to have a second car, from rising incomes and wages, the vast majority of that has come from export-related jobs.

These are not jobs that are poor-paying jobs, they are better, much better, on average than the jobs that we have in the United States that are service economy jobs. Export manufacturing and service-related jobs pay, on average, about 16 percent more than a job

that is totally or solely domestic-oriented.

So I would point out to my colleagues who have engaged in this debate about fast track, and whether or not the United States should continue to promote more jobs, that the bottom line really is that there really is not much choice. Our growth, our future, depends on creating these kinds of jobs so that our children and grandchildren will have jobs in the future. That is really what it is all about.

I know tonight we are going to want to talk a little bit, my colleague and I, a little bit about what fast track really means, and what it really means for America. But I think these charts right here demonstrate why trade is so important for America.

We, more than any other country in the world, have benefited from the tremendous increase that we have had in trade. Let me just show one more chart here that I think is very interesting, because we often hear that it is only the Boeings, it is only the Cargills, or Chryslers or General Motors that benefit from trade. But the fact is that small- and medium-size companies account for, in dollar volume, 30 percent of all of our exports. And if we look at it in terms of numbers of companies, 96 percent of the companies that are trading overseas are companies that have less than 500 employees.

So it is the small- and medium-sized businesses. Yes, they do not sell as much as Boeing. No, they do not sell as much as Ford, Chrysler, or IBM. But they, too, benefit from trade. Ninety-six percent of our companies with under 500 employees are the ones that are engaged in trade overseas. So it is not just the large companies, it is small companies as well, and it is in middle America, it is in the towns of Iowa and in the streets of Connecticut, and yes, in my State of Arizona, where people benefit because they have the ability to engage in trade overseas.

Mr. Speaker, I yield to the gentlewoman from Connecticut, Mrs. NANCY JOHNSON, an individual who serves on the Committee on Ways and Means and has been instrumental in helping to carry this argument to the American people, and who I know has some thoughts about this.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I would like to have the gentleman put the chart back up that shows just how much of America's economy depends on exports, that first one. The U.S. exports have increased 3,000 percent in the last 35 years. I do not think most of the people in America are conscious that 30 percent of our economic growth is the result of exports.

We saw in the gentleman's next chart how the number of jobs associated with exports is growing far more rapidly than the number of jobs associated with domestic sales. That is what fast track is all about. It is about whether or not we are going to be at the table to negotiate new markets for our exports.

I was thinking, as my friend and colleague, the gentleman from Mississippi, Mr. GENE TAYLOR, spoke about the jobs lost in his district to international competition, about the jobs lost in my district to international competition, and nothing is more agonizing than to see a factory close or a business fail, because that is not just a business failure, that is people out of work.

But competitiveness has nothing to do with fast track. Those factories closing has nothing to do with fast track. In fact, if we do not negotiate access to new markets, if we cannot get American goods into new markets, far more factories will close because the issue is twofold.

The first issue is competitiveness; the second issue is open markets. We have to be competitive. You go down to your grocery store, you go down to your drugstore, you go down to the hardware, you go down to the department store. Any store in every American community has imports and domestically-made products.

America has to be able to sell the highest-quality, the lowest-cost product right here in their own hardware stores and department stores and grocery stores and pharmacies, and they also have to be able to sell the highest-quality, lowest-cost product in every other nation in the world in order for us to succeed.

Americans, I think, sometimes do not realize that of the 21 top technologies in the world, the most sophisticated technologies, as the Department of Commerce defines them, we are the low cost-high quality producer in 20 of those 21 top technologies. That is why we saw American exports increasing 3,000 percent. That is why we saw the line going up steeply in recent years.

It is because in recent years we have recognized that to be strong, to hire our people, to pay good wages, to have a rising standard of living, we have to be the most competitive Nation in the world. That means we have to have the highest-quality, lowest-cost product both here and abroad.

We are proving we can do it. In my district we are shipping sophisticated machine tools all over the world. We are shipping top quality airplane engines all over the world. But we are also shipping sophisticated lock systems all over the world. We are shipping Lego toys made in my district all over South America. We are number one in many, many, many product lines, and because of that, we are shipping all over the world.

When we see those charts that show that more and more of America's economic well-being depends on her sending goods abroad, and when we see the number of jobs associated with producing those products to sell abroad, it tells us that we have to have markets to sell into. The only way we get markets to sell into is being at the negotiating table to open those markets. That is all fast track negotiating authority is all about. It is just giving our government the authority to be at the table, to make the deal, to open other people's markets to American-made products.

I want American inventions to produce American jobs to make American products to sell in every market in this world. We cannot get there unless America is at the table negotiating to open markets for American inventions made by American workers shipped by American companies into every market. That is what fast track authority is about. It is about negotiating market opportunities for American products.

Remember, 96 percent of the world's consumers are in other countries. Only 4 percent of the world's consumers are here. So if we want to see more goods sold, and we want to see a rising standard of living in America, we have to not only have competitive products to sell into those markets, but we have to have trade agreements that open those markets to American products.

Mr. KOLBE. Reclaiming my time, Mr. Speaker, I think the gentlewoman has made a very good point, and one I think we need to explore a little bit more. The gentlewoman serves, of course, on the Committee on Ways and Means, which has the primary jurisdiction over trade issues.

I have listened to a lot of these discussions that have gone on on the floor here, and I think there has been a lot of misinformation about what fast track really is about. So before we come back to some of these figures on trade, maybe we ought to just talk a little bit about what fast track really means.

Fast track is a process. A lot of people right now are talking about, oh, we do not want to get into another agreement. We may not get into another agreement. That is down the road. But fast track says whether or not we are ever going to be at the table talking about these trade arrangements and trade agreements. Because the fact of the matter is, the world is moving ahead on trade. Whether we are there or not, they are going on and moving ahead.

We have scheduled, and I am sure the gentlewoman knows, we have scheduled in this coming year talks in Geneva, where the World Trade Organization is located, and we are one of the 150-plus members now of the World Trade Organization. Talks are scheduled to go on on intellectual property. We are the leading exporter in the world of intellectual property. We are

talking about computer software, we are talking about all the elements of movies and records and tapes and CDs, all those things in which we are a tremendous exporter of that intellectual property.

Now, the rules governing that and protecting our intellectual property and making sure we can trade that overseas, those are going to be decided. If we are not able to sit in those negotiations, we are going to be out of it.

Mrs. JOHNSON of Connecticut. Mr. Speaker, if the gentleman will yield further, we often talk about America as the entrepreneurial society. We talk about ourselves as inventive, as creative. There is absolutely no question but that we invent more new products in America than any other nation.

We are an inventive Nation. Consequently, we invent a lot of great ideas and great products that other countries say, "Hey, great product. We are not going to put the research and development in it, they already did it. We are going to just counterfeit it, copycat it, produce it, and undercut them in price," because, of course, they did not have to carry the costs of research and development.

We are the most inventive Nation. We create the most new products. We want the whole world trading community to have a high standard of protecting inventions, protecting patents, protecting copyrights, because those are American jobs. If we are not at the table to make sure that that standard is high and that other nations have to come into compliance promptly, then other nations who want the standard low and compliance to take many, many years will win.

And who loses? The inventive Nation that creates the new products, because we are not protected against other countries counterfeiting our products, copy-catting our products, back-engineering our products, and then undercutting us in the market.

□ 2130

So invention means we want to be at that table to drive the American standard of intellectual property rights protection, as we call it, to be the international standard. And that is why we need to be there, we need negotiating authority. We have to drive those decisions to recognize the high standard that invention and creativity and American ingenuity have always created for the market and ought to be protected worldwide.

Mr. KOLBE. Reclaiming my time, I appreciate what the gentlewoman from Connecticut has just said. As she well knows, at the other end of the technology sale, you might say, is agriculture, that we have a very technologically innovative agricultural industry. At the other end is agriculture.

We are, again, the largest exporter of agricultural products in the world. Those talks are scheduled to take place in the year 1999 in Geneva. And the question is, Will the United States be there pounding on the table, hammering at the door, demanding that other countries, Europe in particular, which has very high protective tariffs against our agricultural products, which we can and would love to sell to Europe and the rest of the world, whether we are going to be able to get those tariffs lowered, whether we are going to be able to sell more of our products overseas, more wheat, more soybeans, more of the grains and the rice and all the specialized products?

Mrs. JOHNSON of Connecticut. More dried milk if you are a dairy State.

Mr. KOLBE. And more dried milk if you are a dairy State. That is exactly right.

So whether it is high technology at one end or whether it is agriculture at the other end, those talks are very vital to us.

And then finally, in the year 2000, investment services. The gentlewoman from Connecticut [Mrs. JOHNSON] comes from a State where this is extraordinarily important. Insurance and investment and brokerage services, those are absolutely vital. Financial services are absolutely vital. The United States again is the leader.

And we have gotten the World Trade Organization to agree that these are the three areas that are going to be the next areas for discussion for lowering the barriers to our trade in goods and services with the rest of the world.

And now, if we turn away from fast track, if we deny fast track to the President, and I think we need to explain exactly what that means "fast track," but if we deny that, we are saying to the rest of the world, we are not going to be at the table, we are not going to be discussing this or negotiating on behalf of the United States.

I wonder if the gentlewoman from Connecticut [Mrs. JOHNSON] would just, since people might be wondering, what does she mean when she says "fast track"? If I have somebody out there asking this question, I wonder how the gentlewoman from Connecticut [Mrs. JOHNSON] would answer: So why do we need fast track in order to sit down at the table and negotiate with the world, with the European Union, or with any other country?

Mrs. JOHNSON of Connecticut. This is why we need fast track. Really, it is so very simple. We think of sitting down together as a family and we have a dispute and a problem, and one kid wants one thing, one kid wants another thing, one kid wants another thing, dad wants another thing, mom has another opinion. And we get together and decide, we are going to do this much because Jenny wants it; we are going to do this to consider Don's concerns; we are going to do this to consider the twins' interest, and mom and dad. And we get a package, and we all agree. It is not everything Jennifer wanted. It is not everything Don wanted. It is not everything mom wanted. It is not everything dad wanted. And the twins are kind of miffed because they did not get X, Y, or Z. But they all got something and they all could see that, while they got something, the other member of the family got something; and, so, this agreement was good for everyone. It was not everything anyone wanted, but it was something everybody wanted and would serve everybody's interest.

Now, everyone has to commit to that agreement. If they do not commit to that agreement, it falls apart. Well, when we go to negotiate with 10 other countries or 20 other countries about how agriculture products are going to move in the world market, everyone has to trust that everyone at the table means what they say and is going to deliver on the agreement.

And so, at the end, and this is always the way it is in international agreements, it is the way it is in families, it is the way it is at any level of negotiations, whether it is union or whether it is not union or wherever it is, at the end, there are a lot of things we can agree on, and then there are some things that are hard, and at the end there are a few things that are very, very hard.

And people have to make hard decisions about what is most important to them, what is most important to you, and then you strike the deal that you know is in the end best for everybody and will serve everybody. It is at that point, it is at that point when we put the final nail in the deal, the final seal on the passage, that everyone has to know everyone who is part of that deal will be able to deliver.

If our President does not have fast track authority, then he will not be able to deliver. The other countries that are parliamentary democracies automatically can deliver because their prime minister can just do whatever he has negotiated. Our prime minister, our President, has to bring the package back and we have to pass new law.

Now, can the new fast track bill that came out of the Committee on Ways and Means, on which I serve, recognizing that we do want that negotiator to commit to something that we will not pass? It is true we could defeat it, but we want them to agree to something that will serve our interest and that we can support.

So in the new legislation, we have structured a lot of consultation, a lot of involvement by elected Members of the House and Senate, so that, at the end, that deal will be struck in a way that will not only be in America's interest but broadly supported by America's representatives.

Mr. KOLBE. I think my colleague has given an excellent example of exactly

how fast track works when she is talking about countries and how it relates to the same kind of thing with families.

The bottom line in a government setting is that no one wants to go into a negotiation and put their cards on the table and get the best deal if they do not know at the end that the deal is a done deal.

Now, they recognize that they have to go back to their countries and get approval of it. But they do not expect to take that agreement back to the country and have it picked apart, amended, changed, and added to. And that is exactly what would happen if we did not have fast track authority. It becomes like any other bill that is introduced in Congress; it gets amended, it gets changed.

Now, fast track does allow the Congress a very significant role in the whole process of this negotiation. We are involved, and my colleague's committee particularly is involved, in the consultation throughout all of these negotiations so that at every step of the way we know how the negotiations are going and we can say, this is not going to fly, Ambassador Barshevski, who is our trade representative, this is not going to fly if you bring this back, or, you need to add this to it, or, you need to do that. So we do have a role as the process goes forward.

We have used this fast track, I think the gentlewoman from Connecticut [Mrs. JOHNSON] can correct me if I am wrong, but we have used this fast track procedure for more than 20 years now since, I think, 1974 when we first added it after the Tokyo Round, because we found at that point that trade was becoming not the simple thing of just lowering tariffs, but there were other things that had to be done. There were nontariff barriers, complex issues that had to be dealt with, and these discussions became much more complicated than they had been before.

So we went to this process of fast track. And every President since Richard Nixon, that means Jimmy Carter, Ronald Reagan, George Bush, and President Clinton, well, not President Clinton, he has not had fast track authority given to him, but every President up to President Clinton has had fast track authority granted to that President. Now we have been without it for 3 years, and we have not been able to engage in the kind of serious negotiations that we would like.

I do not know if my colleague would agree, but I think we would find ourselves at a tremendous disadvantage if we do not have this fast track authority.

Mrs. JOHNSON of Connecticut. One of the things I think is not being noticed, and of course it is because most Americans do not have time to notice, they are busy and we are not at the table, but let me tell my colleagues what happens when we do not have fast track authority, because it is happening to us now.

We do not have fast track authority, so we cannot negotiate with a lot of the South American countries that have traditionally bought American products, like to buy American products, are disposed toward doing business with us, but in the last couple of years have been making deals with other people because we are not positioned, we do not have the negotiating authority that they can trust.

So, recently, Canada negotiated a very good trade agreement with Chile. It meant that there would be no Chilean tariffs on their communications equipment. That dropped an 11 percent tariff under Chilean law on Canadian communications equipment. Not long ago, we lost, an American company lost a very big deal in Chile, not because they were not the top quality producer, not because they were not the lowest cost producer, but because when we added their price of their quality product and the 11 percent tariff, they were higher cost than the Canadian company that was higher priced but did not have the 11 percent tariff.

So our failure to have negotiating authority is already losing us customers in South American nations. And if that happens too much, we lose jobs. We do not just lose customers, we lose jobs.

Mr. KOLBE. I appreciate what the gentlewoman from Connecticut [Mrs. JOHNSON] is saying. And I think that is important, that we keep in mind that we really are not just talking about some kind of abstract thing, we are talking about people who are out there in American companies every day, union people, nonunion people, working, making widgets, making all kinds of manufactured goods, providing all kinds of services, and these goods are being sold overseas.

My colleague talked about the example in Chile. And I would like to point out in a kind of an aggregate or macroeconomic sense the kinds of opportunities that we lose if we are not able to engage in these trade negotiations. Here is just a list of some of them.

For example, the Latin American trade negotiations have roughly a $300 billion import market. That is exports from the United States, imports into Latin America. The President of the United States called all the Latin American countries, all the countries of the western hemisphere, together for a summit, as my colleague knows, in December of 1994. And we made a commitment. We got a commitment to come to a free-trade agreement with all the American countries of Latin America, Central America, North America by the year 2005.

These are countries that heretofore had been largely closed. Many of them were not democracies. They had import substitution kinds of economies. They were completely closed. They were poor economies. They were not doing well. We did not have many markets there. But now the world is changing, and these countries are changing, they are growing, they have growing economies and growing hunger for American exports. And there is a tremendous opportunity out there. And the question is, are we going to try to sit down with those countries and negotiate a trade agreement for the Latin American countries, $300 million worth? That is just the first one here.

The agricultural negotiations that we talked about earlier with the World Trade Organization are worth roughly $600 billion in the global market.

Mrs. JOHNSON of Connecticut. $600 billion.

Mr. KOLBE. $600 billion that we are talking about that are available.

Mrs. JOHNSON of Connecticut. Our whole economy produces $1.5 trillion of goods each year. So $600 billion is more than a third of our whole economy.

Mr. KOLBE. Here we go here with WTO, the procurement negotiations. We are talking about government buying goods, whether it is some countries are not completely privatized, they have state-owned aircraft industries, or, of course, we are talking about defense industries and other things, telephones and telecommunications. We are talking about a trillion-dollar global market that is available to us there that, again, if we are not going to engage in these procurement negotiations, which is also scheduled to take place in Geneva, it does not mean we will not be able to sell anything. I do not think any of us would try and suggest that nothing is going to be sold. But we will not have the access to this market that other countries will have that are going to have the rules that they are going to devise these rules.

Mrs. JOHNSON of Connecticut. Can we make that a little clearer. A lot of countries have state-owned, state-operated companies that produce telephone equipment, transportation equipment, energy, and we are moving in the world toward privatizing those companies and letting anyone in the world compete.

If we are not allowed to compete, we do not get those jobs, we do not get that production. If we are allowed to compete, we have to be very good to get the deal. But we need to be able to be there at the table, and if we are not at the table, then those countries who like having that government control, even if it produces a higher-cost product for their people and lower quality, they like the control.

So if we are not there to push them and say, open that market, let us have a chance, let everybody have a chance, and it will make your industries better and raise the standard of living for your people, if we are not there to do

that, then at the table we only have those countries who want a lower standard. And that is bad not only for our country, but for the world.

□ 2145

Mr. KOLBE. The gentlewoman is absolutely right. Just two more that I would like to point out when we talk about fast track, the lost opportunities really pile up. Here we have got the world trade negotiations on services which are worth $1.2 trillion. Finally we have got the Asia Pacific, this is the APEC. Again President Clinton has made a commitment with the Asian countries that we are going to try to have a free trade agreement by 2010 that is worth $1.7 trillion. The bottom line is we add all these up and we have a cumulative effect of nearly $5 trillion, just in these areas of negotiations.

These are not just fantasy. These are not wannabes, these are not maybes. These are things that are scheduled to occur, negotiations on these kinds of trade opportunities. We will lose, not all, but we will lose a significant part of this if we are not able to have a trade agreement that favors us, that gets the things that we need in order to have access to these markets. I think the gentlewoman would agree with that.

Mrs. JOHNSON of Connecticut. They are scheduled to occur and they are going to occur. These negotiations are going to go on whether we pass fast track or whether we do not pass fast track. Just last year, just in one year, we lost $2.3 billion due to copyright piracy; that is, people just outright counterfeiting American products, copycatting our products, ignoring our copyrights. That is just one year, $2.3 billion. These negotiations are going to go on. Who is going to be at the table? We are going to be at the table, too. But at the end when the deal has to be done at the end, when those hard decisions are made, those countries who pirate our products, who make a fortune off our research and development, who steal American jobs from our people, they are going to be able to do that final deal, and we are not. The deal they strike is going to be for a lower level of protection and many, many more years for countries to come into conformance. If we are at the table, we can say, "Uh-uh."

People who invent the idea have the right to own that idea, and their employees have the right to the jobs to produce that product, and we have the right to support our people as a result of our inventiveness, and we will set that standard higher and we will require compliance sooner if we are there to drive the final deal. If we are not, it will be our loss.

Mr. KOLBE. The gentlewoman has made a point that suggests something that I think is very curious in this debate that we have been having about trade and about fast track. I know the gentlewoman has talked to many businesses and plant managers and supervisors all over her district as I do throughout Arizona and around this country when I travel. American business is not afraid to compete. We are able to compete. We want to compete. They want to get out there and compete. It strikes me as very curious that some of our colleagues here in Congress seem to be a lot more fearful of this competition than our own businesses and, frankly, I think our own workers are. I have never met a worker in one of my factories in Arizona that was not willing to compete. They know they can make good products. All they want to do is have a fair shot at selling that product overseas. That is what these trade negotiations are all about.

I just note, point out to the gentlewoman here, when we talk about the U.S. and its role in trade, it is overwhelming. Our trade, our value of our goods and services that we export in 1996 is $849 billion. That is about a sixth of our total GDP, and it is a huge amount. This is just the exports, not the import side of it. Compare that to other countries like Germany at 609 and Japan at 468. We are so far and away the biggest exporter in the world that we still dominate the world. Yet some people would say, gosh, we are afraid of this, we are afraid of trying to expand these markets. If we do not have fast track, I can tell the gentlewoman that the happiest people in the world are going to be the European countries when it comes to the agricultural negotiations. They have been resisting opening up their markets for years and they will be delighted that the United States will not be there in Geneva pounding on the table insisting that those negotiations be opened up.

Mrs. JOHNSON of Connecticut. They will be delighted. And yet just in Connecticut, just Connecticut, manufacturing has increased. Connecticut manufacturing exports, $500 million more just during the first half of 1997 over the first half of 1996, $500 million, a half a billion dollars more in manufactured exports went out the door from Connecticut plants in just the first half of 1997. If you are expanding production at that rate, you are hiring people. And if you are selling abroad, your wages are higher than domestic companies. So in Connecticut, we are selling more abroad, the jobs we are creating in that sector, not all jobs. I absolutely acknowledge that, but more and more jobs are associated with exports and those jobs on average pay 16 percent more. So if you want your kids to do well, you want to live in a State that exports a lot so your kids can get into exporting industries so they can have the opportunity to have higher paying jobs and good livings.

Mr. KOLBE. I think that the gentlewoman has suggested something that I think is indicative of the problem that we face in trying to make this appeal on trade and make the sale. I am sometimes puzzled as to why it is so difficult for us to make this case. I think one of the reasons is that whenever there is a plant that closes or moves some of its operations to an offshore setting, which by the way is not necessarily bad because they may be sourcing many of the materials from this country itself, but when they move that down there, if a plant closes in Missouri and they move the assembly plant to Mexico, that is a big headline and 200 jobs get lost because a plant moved to Mexico, or as we have seen this last week where Fruit of the Loom announced it is going to move some of its, where they manufacture underwear, they are going to move some of that to Mexico and to some of the Caribbean countries and jobs are going to be lost. Yes, I agree that is tough. That is tough for the people who are losing those jobs. But what never makes the headlines is the fact that on that same day, all over the country, hundreds of companies hired new people, one, or two, or 20 or 50 because they got some contract to sell some product into Mexico or to China or to Germany or elsewhere. There is never a story about that, because we do not see it. It is not visible. You do not open a factory just to sell to another country. But when you close a factory and move it to another country, it is a different story.

Yet the fact is the doomsayers that we hear from people who are against fast track, who are against this kind of opportunities, these trade opportunities for America say that they do not trust us, they do not believe that Americans can compete, businesses believe they can compete and since 1993, since the last time we had fast track authority for the NAFTA agreement and the GATT agreement, we have created 12 million new jobs in this country.

I want to talk a little bit in the remaining time about NAFTA, because that is one of the things, the North American Free-Trade Agreement, that Members sometimes say, "Oh, this is just all about NAFTA." We know that fast track is not about NAFTA, but it is a curious thing that since the North American Free-Trade Agreement went into place, we have, as the gentlewoman knows, we have provisions in that legislation that is called trade adjustment assistance where a job that is lost, is certified it is lost because the factory moved a job or a plant or closed the plant and moved it overseas because of the trade agreement, they qualify for special assistance. A total of 125,000 jobs have been certified as having been lost because of that. You say 125,000 jobs seems like a lot, but when you remember that during that same time we created 12 million new

jobs, you begin to see, well, maybe we benefited a lot from this because a lot of these new jobs were coming because we were selling more wheat to Mexico, we were selling more automobiles to Mexico, we were selling more petroleum drilling equipment to Mexico, and so forth. So the bottom line is that the numbers of the aggregate numbers are overwhelmingly in favor of trade. We are at the lowest unemployment level that this country has had in years. We are at the highest wage growth, personal income growth that we have had in years. This comes because we have had trade. I know the gentlewoman has worked hard on these issues in Connecticut with some of her companies and trying to encourage more trade and exports. I think we agree that that really is the future for the people that we represent to be able to have these opportunities for trade.

Mrs. JOHNSON of Connecticut. One of the hardest things today and all of us feel it in every one of our districts, it is really hard to see plants that really are not producing a top quality good gradually have to lay people off and go under. But that has nothing to do with negotiating authority. It has to do with the fact that consumers today demand very high-quality products at a reasonable cost and they have a choice of products from all over the world. For America to be competitive and American companies to be successful, they have to be the best and the lowest cost in their own local market, around the Nation and across the seas. The exciting thing is that they have risen to this challenge. It took years to do it but I can tell the gentleman, I represent the best workers in the world. They do top quality work individually, they work together well as a team, they day in and day out, you walk into any factory in my district and they can tell you stories about how the latest move that some group in that factory has made to identify by thinking, by working together, to identify a way to cut costs, improve quality, improve productivity together, same men and women, same hours, same equipment, thinking smart, working as a team, and doing a far better job than we used to do. It is truly exciting and we are frankly in so many areas absolutely the best. So we are competitive. One of the things that makes me saddest in this whole trade debate is the idea that somehow trade policy sends jobs abroad. Any American company could establish their factory here or abroad 10 years ago, 5 years ago, 1 year ago, today. They will have that right tomorrow, they will have that right 10 years from now. If they were going to go to the lowest wage company, because some of my friends say to me, "Well, gee how can we compete with 25 cents an hour?" We have been competing with 25 cents an hour. We do compete with 25 cents an hour, and we win. Why? Because we are far better. We produce a far better product at a reasonable cost. So that is not the issue. Companies establish plants abroad for only two reasons: First, to feed their high-technology production capability here in America, and sometimes because trade laws force them sometimes to sell in a market, you have to be there.

I had a company in Connecticut that had a plant in Mexico because under the old rules, they had to produce in Mexico to sell in Mexico. As soon as we passed NAFTA, they closed their plant in Mexico and came home. Why? Because they could produce better here. Now with the free-trade agreement, they could sell into Mexico without having a factory in Mexico.

Mr. KOLBE. So despite the fact that the wages they would have had to pay in Mexico, or they did pay in Mexico were a fraction, maybe a tenth of the amount.

Mrs. JOHNSON of Connecticut. Much lower. Because Connecticut is a high-cost State, and they pay high wages.

Mr. KOLBE. So they were paying a tenth as much in Mexico. They moved the production back to Connecticut. The answer is because of the productivity that they have.

Mrs. JOHNSON of Connecticut. You bet they did. Because it was a better work force, and a higher quality product.

Mr. KOLBE. And more capital investment and more technology. That is, of course, what countries like the United States have. That is the advantage that we have.

Let me just tell the gentlewoman my example that I always use is the copper industry in my own State. Copper was riding high back in the 1960's and 1970's and right up to 1982 when the world copper price collapsed. Half the mines in Arizona closed as a result of that. The other half were struggling selling copper at below the market price, so they were losing money with every pound of copper that they were selling. They knew that in order to stay competitive, they had to make some big changes. What they did was they put a tremendous investment in capital into those mines. We now have the most technologically advanced copper mines in the world in Arizona. Everything is computer controlled, they use robots, they use all kinds of things. The bottom line is yes, there is half the people working in the copper industry in Arizona but there is still a copper industry and they are producing more copper today than they were in 1982 with less than half of the number of people. The result is they can compete and they can outproduce in copper Chile, which is a medium-priced country in terms of wages, Zambia which is at 25 cents an hour or Zaire or Guinea or those other countries which are at the very rock bottom there. We can still beat them because we have much more productivity. Being able to invest in capital and in technology and have a well-trained work force is really the key to being able to compete.

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But I have not found any American companies that are afraid of that. They all want to be able to do that.

Mrs. JOHNSON of Connecticut. Well, I agree they are able to compete, but they have to be able to get into a market.

Mr. KOLBE. They have to get into a market. They cannot do it if we do not——

Mrs. JOHNSON of Connecticut. Right.

Mr. KOLBE. Agreements with other countries and let them in.

Mrs. JOHNSON of Connecticut. Right, under the old rules, Mexico had tariffs of 20, 30 percent on a lot of it.

Mr. KOLBE. In some cases it was as much as 100 percent.

Mrs. JOHNSON of Connecticut. Right, so if you had 100 percent tariffs, I do not care how good you were producing in the United States, you could not sell in Mexico with 100 percent tariffs.

Now, under NAFTA, Mexican tariffs have come way, way down. Yes, American tariffs have come down a little bit, too, but they were low to begin with. Now they are a little lower. Mexican tariffs were high to begin with. Now they are down low. Some of them are completely wiped out. One-half are wiped out. Others are there, but they are much smaller. So now you can sell into Mexico, and you can compete. You do not have to be there to produce.

So lower tariffs means jobs stay in America.

I gave you earlier that example of the Canadian company that got the big deal in Chile, though the American producer was lower cost and higher quality. But we did not have the tariff relief. We had to pay 11 percent tariffs. So we lost the deal. If we had the same tariff relief that Canada had had, if we had been able to be at the table and negotiate those tariffs down like Canada did, we would have gotten that order, and those orders feed jobs.

So what is sad about this fast track deal is that those who oppose fast track think they are protecting American jobs when actually you protect American jobs by being at the negotiating table, opening markets and driving international standards to American standards, because American standards are higher in every area than most of the rest of the world.

So if we can open markets, we can compete. If we open markets, our competitive companies go in, sell goods, and that allows them to hire and create jobs.

So if you care about the jobs of your kids, you have to be in lots of markets,

because remember, again, 96 percent of the consumers are outside the United States. So if your kids are going to have jobs, you have got to be able to sell into all the markets of the world, and that is what we are talking about. We are talking about letting the President be at that table with a power to negotiate agreements that are good for American producers. And if they are good for American producers, they are good for American workers because they will sell American goods and create American jobs and pay American salaries to good, solid Americans to sell American products made by American people.

It is exciting. It has meant that we are a very prosperous Nation. It will bring prosperity to our children, and without fast track the possibility of a continual rise in our economic growth is truly, truly compromised.

I do not want to be too pessimistic, but one could paint rather grim scenarios about economic growth without fast track.

Mr. KOLBE. Well, I think the gentlewoman is absolutely right, and I think we do not want to be apocalyptic about that, and certainly the world will go on, and the United States will continue to trade, but we will trade on much more difficult terms and not as well as we would do if we have trade agreements, and those can only come about if we have fast track authority to allow the President to negotiate those trade agreements.

We have been talking a bit this evening about NAFTA, and I just want to take a minute to talk about it, because if you listen to some of the opponents of fast track authority, you would think that the North American Free Trade Agreement, or NAFTA as it is called, that links the United States, Mexico and Canada in a free trade agreement is the only agreement we have ever negotiated under using the fast track authority. But the fact is we have had four other critical agreements, and those are the 1979 Tokyo Round of GATT talks, General Agreement on Trade and Tariffs; the 1985 U.S.-Israel Free Trade Agreement; the 1988 U.S.-Canada Free Trade Agreement; and the 1994 Uruguay Round of GATT talks. Now in that last round, of course, GATT became the World Trade Organization, so we talk now about WTO.

But those four rounds, all of which made significant breakthroughs for the United States in the areas of not just of tariff barriers, but of allowing us access to different markets, were absolutely critical for us.

Now, I want to just focus for a moment on the North American Free Trade Agreement in Mexico because a lot of people shy away from this and say, oh, we should not talk about that, and it is very important to understand that this fast track authority is not about Mexico, it is not about NAFTA, it is about allowing the President of the United States authority to negotiate all kinds of trade arrangements.

But I still take on the issue of NAFTA and confront it head on because I believe that when the book is written, and I think some of it is already being written, it will be demonstrated that the North American Free Trade Agreement has been a good agreement for not just Mexico, but for the United States as well.

Yes, it is true that we had a trade surplus before NAFTA, and today we have a trade deficit with Mexico. But it was not NAFTA that caused that. It was the collapse of the Mexican peso, where all of a sudden after the collapse of the Mexican peso that had nothing to do with NAFTA and everything to do with some ill-founded policies that were followed by the previous administration in Mexico and the mishandling of a currency devaluation, the collapse of that peso, the result of that is that suddenly anybody trying to buy something when they are in Mexico from another country is going to pay a lot more in dollar terms, and anybody outside of Mexico buying something in Mexico is going to pay a lot less. And so the Mexican exports to the United States went up, and U.S. imports to Mexico or exports to Mexico went down by comparison.

But let me just give a couple of facts to show why I think we can say that NAFTA has worked in terms of leveling out the dips and making it less of a slide than would otherwise be the case, because in 1982 we had a similar, almost equal, amount of devaluation of the Mexican currency. When that occurred in 1982, U.S. exports to Mexico dropped 49 percent; repeat that, 49 percent our exports dropped, and it took us 7 years for us to restore the level of exports to Mexico that we had before 1982.

In 1995, when the peso was devalued, that time about the same amount of devaluation, that time we had a 9.4-percent drop in U.S. exports to Mexico, and it took us 1 year to get back up over the level of exports that we had before that time.

And so I think we can see that the NAFTA agreement, the reason for that, people say, well, so what does NAFTA have to do with that? Why was that the case? Well, what happened in 1982 was that when you did not have an agreement, when they have a peso devaluation, a country tries to trade itself out of that, they slap on import quotas, the hundred percent tariffs, licensing requirements, all the things that make it impossible for an American exporter to get their products into Mexico while they are able to export, take advantage of the peso devaluation and export to the United States.

With NAFTA, Mexico, and with other free trade agreements, the other countries cannot do that. They are not able to resort to that kind of thing in order to what I would call beggar thy neighbor approach, and so as a result of that, Mexico was, although our exports to Mexico dropped, those that were able to get the money, to get their hands on the cash in Mexico, were still able to buy. And so our exports to Mexico did continue. They dipped, but within 1 year we were back up over where we had been before.

So I would say, quite frankly, to my colleagues who decry the North American Free Trade Agreement, the NAFTA agreement, I would say, you are wrong, it has worked, it has done precisely as we wanted.

And I will yield, and we only have just about 5 more minutes, and we are going to close up, and I will yield to you, and then I will end.

Mrs. JOHNSON of Connecticut. Let me just mention that one of the big issues in the NAFTA negotiations was the failure of Mexico to enforce their own labor laws. They look good on paper, but they did not enforce them, and we have learned something from those NAFTA negotiations.

In those negotiations we made what is called a side agreement, and as a result of that, Mexican investment in enforcement of their own labor laws has increased 250 percent. In other words, we forced them to try to start enforcing their own laws, which were good on paper and lousy in reality, and in this new fast track authority we specifically include the right for the United States to negotiate the enforcement of domestic laws in labor and environment because lots of countries have good-sounding laws, but they do not enforce them, and that does make it harder for us to compete. So we have now expanded this negotiating authority to include enforcement of domestic laws because we did learn from those negotiations in Mexico the need for that breadth.

So this time we are not only asking for the President to have negotiating authority, but we are asking for that authority to reflect the experience that we have in what defends America's interest and what strengthens our own future and creates opportunity for our people.

Mr. KOLBE. I think the gentlelady's comments are right on target, and I think they summarize exactly why America needs to have fast track authority, why the President of the United States needs fast track authority, why we need to be able to pursue opportunities.

Opportunities for trade means opportunities for jobs for Americans. It means opportunities for American consumers. It means opportunities for our children and opportunities for the future. None of us in this body should be afraid of the future. The American people are not afraid of the future.

And this issue about fast track is not a partisan issue. It is an issue about whether we are going to lead, lead for ourselves and lead with the rest of the world.

And Republicans and Democrats alike have spoken out strongly on the issue of free trade, and I would like to simply end tonight with some quotations that I think very well express the importance of why we need to have these kinds of trade agreements.

The current Secretary of the Treasury, Bob Rubin, said this: We are now at a crossroads. The question before Congress is whether to grant the President fast track so that we can continue to open markets, expand trade and raise standards of living here at home, or to refuse and watch as U.S. workers and businesses lose out in access to the opportunities in the global economy.

Brent Scowcroft was a White House national security adviser in President Reagan and President Bush's administration, and he said this: We cannot say we will lead on NATO and regional security, but not on trade. We cannot say we will lead on democracy and human rights, but not on trade. And we cannot say we will lead on the environment, but not on trade.

Senator Dole, Robert Dole, the former majority leader and Republican Presidential nominee this last campaign, said, global trade is inevitable and Presidential fast track authority is indispensable if America is to lead the community of nations into the next century.

And finally, the President of the United States, President Clinton, has said this: We owe it to the working men and women of America and around our entire country to level the playing field for trade so that when our workers are given a fair chance, they can and they do outcompete anyone anyplace in the world.

My colleagues, I appreciate my colleague from Connecticut participating with us this evening. I think it is very clear where the merits of this argument lie. We are confident about America's future, and I think we are confident that fast track authority will lead us into a brighter future for our children.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MENENDEZ (at the request of Mr. GEPHARDT), for Tuesday, November 4, on account of election day in his home State of New Jersey.

Ms. MCKINNEY (at the request of Mr. GEPHARDT), after 2:30 p.m., Wednesday, November 5, and on Thursday, November 6, on account of business in the district.

Ms. CARSON (at the request of Mr. GEPHARDT), for Thursday, November 6, on account of official business in the district.

Mr. YATES (at the request of Mr. GEPHARDT), for Thursday, November 6, after 5:30 p.m., and Friday, November 7, after 11 a.m., on account of personal reasons.

Mr. MICA (at the request of Mr. ARMEY), for Thursday, November 6, until 6:30 p.m., on account of accompanying the President to the Bush Library dedication.

Mr. PORTMAN (at the request of Mr. ARMEY), for Thursday, November 6, until 6:30, on account of attending the dedication of the George Bush Presidential Library.

Mr. QUINN (at the request of Mr. ARMEY), for today, after 3:30, until 6 p.m., November 8, on account of attending a funeral.

Mr. GILLMOR (at the request of Mr. ARMEY), from today, 5 p.m., and for Saturday and Sunday, on account of personal reasons.

Mr. FORBES (at the request of Mr. ARMEY) for Thursday, November 6, until 6:30 p.m., on account of attending the dedication of the George Bush Presidential Library.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.
Mr. LIPINSKI, for 5 minutes, today.
Mr. MCNULTY, for 5 minutes, today.
Mrs. CLAYTON, for 5 minutes, today.
Mr. POSHARD, for 5 minutes, today.
Mr. TRAFICANT, for 5 minutes, today.
Mr. FILNER, for 5 minutes, today.
Mr. SHERMAN, for 5 minutes, today.
Mr. LAFALCE, for 5 minutes, today.
Mr. TOWNS, for 5 minutes, today.
Mr. FAZIO, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. SANDERS, for 5 minutes, today.
Ms. FURSE, for 5 minutes, today.
Mr. HOYER, for 5 minutes, today.
Mr. RUSH, for 5 minutes, today.
Mr. KUCINICH, for 5 minutes, today.

(The following Members (at the request of Mr. GIBBONS) to revise and extend their remarks and include extraneous material:)

Mr. SAXTON, for 5 minutes, each day, today and November 9.
Mr. GUTKNECHT, for 5 minutes, today.
Mr. GEKAS, for 5 minutes, today.
Mr. GIBBONS, for 5 minutes, today.
Mr. PORTMAN, for 5 minutes, today.
Mr. RIGGS, for 5 minutes, today.
Mr. KASICH, for 5 minutes, today.
Mr. DUNCAN, for 5 minutes, today.
Mr. PAPPAS, for 5 minutes, today.
Mr. MORAN, for 5 minutes, today.
Mr. SANFORD, for 5 minutes, today.

The following Member (at his own request) to revise and extend his remarks and include extraneous material:

Mr. DUNCAN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HANSEN, and to include therein extraneous material, notwithstanding the fact that it exceeds 2 pages of the RECORD and is estimated by the Public Printer to cost $3,334.00.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2367. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

H.J. Res. 101. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 2367. An act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

H.J. Res. 101. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

ADJOURNMENT

Mr. KOLBE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 13 minutes p.m.), under its previous order, the House adjourned until tomorrow, Saturday, November 8, 1997, at 12 noon.

NOTICE OF ADOPTION OF AMENDMENTS TO REGULATIONS

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, October 31, 1997.

Re notice of adoption of amendments under section 204 of the Congressional Accountability Act of 1995.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 304 of the Congressional Accountability Act

of 1995 (the "Act"), 2 U.S.C. §1384, I am transmitting on behalf of the Board of Directors the enclosed notice of adoption of amendments to regulations under section 204 of the Act, together with a copy of the adopted amendments, for publication in the Congressional Record.

Section 304 specifies that the enclosed notice and amendments be published on the first day on which both the House of Representatives and the Senate are in session following this transmittal, and that the notice and amendments be referred to the appropriate committee or committees of the House and Senate for consideration of whether the amendments should be approved.

Sincerely,

GLEN D. NAGER,
Chair of the Board.

Enclosure.

OFFICE OF COMPLIANCE—THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995: EXTENSION OF RIGHTS AND PROTECTIONS UNDER THE EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988

NOTICE OF ADOPTION OF AMENDMENTS TO REGULATIONS AND SUBMISSION FOR APPROVAL

Summary: The Board of Directors ("Board") of the Office of Compliance has adopted amendments to the Board's regulations implementing section 204 of the Congressional Accountability Act of 1995 ("CAA"), 2 U.S.C. §1314, and is hereby submitting the amendments to the House of Representatives and the Senate for publication in the CONGRESSIONAL RECORD and for approval. The CAA applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices within the Legislative Branch, and section 204 applies rights and protections of the Employee Polygraph Protection Act of 1988 ("EPPA"). Section 204 will go into effect with respect to the General Accounting Office ("GAO") and the Library of Congress ("Library") on December 30, 1997, and these amendments extend the coverage of the Board's regulations under section 204 to include GAO and the Library. The amendments also make minor corrections to the regulations.

The Board has also adopted amendments to bring GAO and the Library within the coverage of the Board's regulations under sections 205 and 215 of the CAA, which apply the rights and protections, respectively, of the Worker Adjustment and Retraining Notification Act and the Occupational Safety and Health Act of 1970. To enable the House and Senate to consider and act on the amendments under sections 204, 205, and 215 separately, if the House and Senate so choose, the Board adopted the amendments under these three sections by three separate documents and is submitting the Notices for the amendments under sections 205 and 215 together with this Notice to the House and Senate for publication and approval.

For further information contact: Executive Director, Office of Compliance, John Adams Building, Room LA 200, Washington, D.C. 20540–1999. Telephone: (202) 724–9250 (voice), (202) 426–1912 (TTY).

SUPPLEMENTARY INFORMATION

1. Background and Purpose of this Rulemaking

The background and purpose of this rulemaking were described in detail in a Notice of Proposed Rulemaking published by the Board on September 9, 1997, at 143 CONG. REC. S9014 (daily ed. Sept. 9, 1997) ("NPRM"), and will be summarized here briefly. The CAA, enacted on January 23, 1995, applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices in the Legislative Branch. Section 204 of the CAA, 2 U.S.C. §1314, applies the rights and protections of the Employee Polygraph Protection Act of 1988 ("EPPA") by providing, generally, that no employing office may require a covered employee to take a lie detector test where such a test would be prohibited if required by an employer under paragraph (1), (2), or (3) of section 3 of the EPPA, 29 U.S.C. §2002(1), (2), (3).

For most employing offices and covered employees, section 204 became effective on January 23, 1996, and the Board published interim regulations on January 22, 1997 and final regulations on April 23, 1996 to implement section 204 for those offices and employees. 142 CONG. REC. S260–62, S262–70) (daily ed. Jan. 22, 1996) (Notices of Adoption of Regulation and Submission for Approval and Issuance of Interim Regulations); 142 CONG. REC. S3917–24, S3924 (daily ed. Apr. 23, 1996) (Notices of Issuance of Final Regulations). However, with respect to GAO and the Library, section 204 will become effective on December 30, 1997, and the purpose of this rulemaking is to adopt regulations to implement section 204 with respect to GAO and the Library as well.

2. Description of Amendments

In the NPRM, the Board proposed that coverage of the existing regulations under section 204 be extended so that the same regulatory provisions would apply to GAO and the Library and their employees as now apply to other employing offices and covered employees. No comments were received, and the Board has adopted the amendments as proposed.

In the Board's regulations under section 204, the scope of coverage is established by the definitions of "employing office" in section 1.2(i) and "covered employee" in section 1.2(c), and the amendments add GAO and the Library and their employees into these definitions. In addition, as proposed in the NPRM, the amendments make minor corrections to the regulations.[1]

Recommended method of approval. The Board adopted three identical versions of the amendments, one amending the regulations that apply to the Senate and employees of the Senate, one amending the regulations that apply to the House of Representatives and employees of the House, and one amending the regulations that apply to other covered employees and employing offices, and the Board recommends, as it did in the NPRM: *(1)* that the version amending the regulations that apply to the Senate and employees of the Senate be approved by the Senate by resolution, *(2)* that the version amending the regulations that apply to the House and employees of the House be approved by the House by resolution, and *(3)* that the version amending the regulations that apply to other covered employees and employing offices be approved by the Congress by concurrent resolution.

Signed at Washington, D.C., on this 31st day of October, 1997.

GLEN D. NAGER,
Chair of the Board,
Office of Compliance.

The regulations implementing section 204 of the CAA, issued by publication in the CONGRESSIONAL RECORD on April 23, 1996 at 142 CONG. REC. S3917–24 (daily ed. Apr. 23, 1996), are amended by revising section 1.2(c) and the first sentence of section 1.2(i) to read as follows:

"Sec. 1.2 Definitions

* * * * *

"(c) The term *covered employee* means any employee of (1) the House of Representatives; (2) the Senate; (3) the Capitol Guide Service; (4) the Congressional Budget Office; (5) the Office of the Architect of the Capitol; (6) the Office of the Attending Physician; (7) the Office of Compliance; (8) the General Accounting Office; or (9) the Library of Congress.

* * * * *

"(i) The term *employing office* means (1) the personal office of a Member of the House of Representatives or of a Senator; (2) a committee of the House of Representatives or the Senate or a joint committee; (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate; (4) the Capitol Guide Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; (5) the General Accounting Office; or (6) the Library of Congress. * * *".

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, October 31, 1997.

Re Notice of adoption of amendments under section 205 of the Congressional Accountability Act of 1995.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 304 of the Congressional Accountability Act of 1995 (the "Act"), 2 U.S.C. §1384, I am transmitting on behalf of the Board of Directors the enclosed notice of adoption of amendments to regulations under section 205 of the Act, together with a copy of the adopted amendments, for publication in the Congressional Record.

Section 304 specifies that the enclosed notice and amendments be published on the first day on which both the House of Representatives and the Senate are in session following this transmittal, and that the notice and amendments be referred to the appropriate committee or committees of the House and Senate for consideration of whether the amendments should be approved.

Sincerely,

GLEN D. NAGER,
Chair of the Board.

Enclosure.

OFFICE OF COMPLIANCE

The Congressional Accountability Act of 1995: Extension of Rights and Protections Under the Worker Adjustment and Retraining Notification Act.

NOTICE OF ADOPTION OF AMENDMENTS TO REGULATIONS AND SUBMISSION FOR APPROVAL

Summary: The Board of Directors ("Board") of the Office of Compliance has adopted amendments to the Board's regulations implementing section 205 of the Congressional Accountability Act of 1995 ("CAA"), 2 U.S.C. §1315, and is hereby submitting the amendments to the House of Representatives and the Senate for publication in the Congressional Record and for approval. The CAA applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices within the Legislative Branch, and section 205 applies rights and protections of the

[1] In the definitions of "employing office" and "covered employee," the references to the Office of Technology Assessment and to employees of that Office are removed, as that Office no longer exists.

Worker Adjustment Retraining and Notification Act ("WARN Act"). Section 205 will go into effect with respect to the General Accounting Office ("GAO") and the Library of Congress ("Library") on December 30, 1997, and these amendments extend the coverage of the Board's regulations under section 205 to include GAO and the Library. The amendments also make a minor correction to the regulations.

The Board has also adopted amendments to bring GAO and the Library within the coverage of the Board's regulations under sections 204 and 215 of the CAA, which apply the rights and protections, respectively, of the Employee Polygraph Protection Act of 1988 and the Occupational Safety and Health Act of 1970. To enable the House and Senate to consider and act on the amendments under sections 204, 205, and 215 separately, if the House and Senate so choose, the Board adopted the amendments under these three sections by three separate documents and is submitting the Notices for the amendments under sections 204 and 215 together with this Notice to the House and Senate for publication and approval.

For further information contact: Executive Director, Office of Compliance, John Adams Building, Room LA 200, Washington, D.C. 20540-1999. Telephone: (202) 724-9250 (voice), (202) 426-1912 (TTY).

SUPPLEMENTARY INFORMATION

1. Background and Purpose of this Rulemaking

The background and purpose of this rulemaking were described in detail in a Notice of Proposed Rulemaking published by the Board on September 9, 1997, at 143 Cong. Rec. S9014 (daily ed. Sept. 9, 1997) ("NPRM'), and will be summarized here briefly. The CAA, enacted on January 23, 1995, applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices in the Legislative Branch. Section 205 of the CAA, 2 U.S.C. §1315, applies the rights and protections of the Worker Adjustment and Retraining Notification Act ("WARN Act") by providing, generally, that no employing office shall be closed or a mass layoff ordered within the meaning of section 3 of the WARN Act, 29 U.S.C. §2102, until 60 days after the employing office has provided written notice to covered employees.

For most covered employees and employing offices, section 205 became effective on January 23, 1996, and the Board published interim regulations on January 22, 1997 and final regulations on April 23, 1996 to implement section 205 for those offices and employees. 142 Cong. Rec. S270-74) (daily ed. Jan. 22, 1996) (Notice of Adoption of Regulation and Submission for Approval and Issuance of Interim Regulations); 142 CONG. REC. S3949-52 (daily ed. Apr. 23, 1996) (Notice of Issuance of Final Regulations). However, with respect to GAO and the Library, section 205 will become effective on December 30, 1997, and the purpose of this rulemaking is to adopt regulations to implement section 205 with respect to GAO and the Library as well.

2. Description of Amendments

In the NPRM, the Board proposed that coverage of the existing regulations under section 205 be extended so that the same regulatory provisions would apply to GAO and the Library and their employees as now apply to other employing offices and covered employees. No comments were received, and the Board has adopted the amendments as proposed.

In the Board's regulations implementing section 205, the scope of coverage is established by the definition of "employing office" in section 639.3(a)(1), which, by referring to the definition of "employing office" in section 101(9) of the CAA, 2 U.S.C. §1301(9), includes all covered employees and employing offices other than GAO and the Library. The amendments add to this regulatory provision a reference to section 205(a)(2) of the CAA, which, for purposes of section 205, adds GAO and the Library into the definition of "employing office." In addition, as proposed in the NPRM, the amendments make a minor correction to the regulations.[1]

Recommended method of approval. The Board adopted three identical versions of the amendments, one amending the regulations that apply to the Senate and employees of the Senate, one amending the regulations that apply to the House of Representatives and employees of the House, and one amending the regulations that apply to other covered employees and employing offices, and the Board recommends, as it did in the NPRM, *(1)* that the version amending the regulations that apply to the Senate and employees of the Senate be approved by the Senate by resolution, *(2)* that the version amending the regulations that apply to the House and employees of the House be approved by the House by resolution, and *(3)* that the version amending the regulations that apply to other covered employees and employing offices be approved by the Congress by concurrent resolution.

Signed at Washington, D.C., on this 31st day of October, 1997.

GLEN D. NAGER,
Chair of the Board,
Office of Compliance.

The regulations implementing section 205 of the CAA, issued by publication in the CONGRESSIONAL RECORD on April 23, 1996 at 142 CONG. REC. S3949-52 (daily ed. Apr. 23, 1996), are amended by revising the title at the beginning of the regulations and the introductory text of the first sentence of section 639.3(a)(1) to read as follows:

"APPLICATION OF RIGHTS AND PROTECTIONS OF THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT

* * * * *

"*§639.3 Definitions.*

"(a) *Employing office.* (1) The term "employing office" means any of the entities listed in section 101(9) of the CAA, 2 U.S.C. §1301(9), and either of the entities included in the definition of "employing office" by section 205(a)(2) of the CAA, 2 U.S.C. §1315(a)(2), that employs—

"(i) * * *".

U.S. CONGRESS,
OFFICE OF COMPLIANCE,
Washington, DC, October 31, 1997.

Re notice of adoption of amendments under section 215 of the Congressional Accountability Act of 1995.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 304 of the Congressional Accountability Act of 1995 (the "Act"), 2 U.S.C. §1384, I am transmitting on behalf of the Board of Directors the enclosed notice of adoption of amendments to regulations under section 215 of the Act, together with a copy of the adopted amendments, for publication in the Congressional Record.

Section 304 specifies that the enclosed notice and amendments be published on the first day on which both the House of Representatives and the Senate are in session following this transmittal, and that the notice and amendments be referred to the appropriate committee or committees of the House and Senate for consideration of whether the amendments should be approved.

Sincerely,

GLEN D. NAGER,
Chair of the Board.

Enclosure.

OFFICE OF COMPLIANCE

The Congressional Accountability Act of 1995: Extension of Rights and Protections Under the Occupational Safety and Health Act of 1970.

NOTICE OF ADOPTION OF AMENDMENTS TO REGULATIONS AND SUBMISSION FOR APPROVAL

Summary: The Board of Directors ("Board") of the Office of Compliance has adopted amendments to the Board's regulations implementing section 215 of the Congressional Accountability Act of 1995 ("CAA"), 2 U.S.C. §1341, and is hereby submitting the amendments to the House of Representatives and the Senate for publication in the CONGRESSIONAL RECORD and for approval. The CAA applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices within the Legislative Branch, and section 215 applies rights and protections of the Occupational Safety and Health Act of 1970 ("OSHAct"). Section 215 will go into effect with respect to the General Accounting Office ("GAO") and the Library of Congress ("Library") on December 30, 1997, and these amendments extend the coverage of the Board's regulations under section 215 to include GAO and the Library. The amendments also make minor corrections and changes to the regulations.

The Board has also adopted amendments to bring GAO and the Library within the coverage of the Board's regulations under sections 204 and 205 of the CAA, which apply the rights and protections, respectively, of the Employee Polygraph Protection Act of 1988 and the Worker Adjustment and Retraining Notification Act. To enable the House and Senate to consider and act on the amendments under sections 204, 205, and 215 separately, if the House and Senate so choose, the Board adopted the amendments under these three sections by three separate documents and is submitting the Notices for the amendments under sections 204 and 205 together with this Notice to the House and Senate for publication and approval.

For further information contact: Executive Director, Office of Compliance, John Adams Building, Room LA 200, Washington, D.C. 20540-1999. Telephone: (202) 724-9250 (voice), (202) 426-1912 (TTY).

SUPPLEMENTARY INFORMATION

1. Background and Purpose of this Rulemaking

The background and purpose of this rulemaking were described in detail in a Notice of Proposed Rulemaking published by the Board on September 9, 1997, at 143 CONG. REC. S9014 (daily ed. Sept. 9, 1997) ("NPRM"), and will be summarized here briefly. The CAA, enacted on January 23, 1995, applies the rights and protections of eleven labor and employment and public access laws to covered employees and employing offices in the Legislative Branch. Section 215 of the CAA, 2 U.S.C. §1341, applies the rights and protections of the Occupational Safety and Health Act of 1970 ("OSHAct") by providing, generally, that each employing office and each

[1] The title at the beginning of the regulations is being corrected.

covered employee must comply with the provisions of section 5 of the OSHAct, 29 U.S.C. §654.

For most covered employees and employing offices, section 215 became effective on January 1, 1997, and the Board adopted regulations published on January 7, 1997 to implement section 215 for those offices and employees. 143 CONG. REC. S61-70 (Jan. 7, 1997) (Notice of Adoption and Submission for Approval). However, with respect to GAO and the Library, section 215 will become effective on December 30, 1997, and the purpose of this rulemaking is to adopt regulations to implement section 215 with respect to GAO and the Library as well.

2. DESCRIPTION OF AMENDMENTS

In the NPRM, the Board proposed that coverage of the existing regulations under section 215 be extended so that the same regulatory provisions would apply to GAO and the Library and their employees as would apply to other employing offices and covered employees. No comments were received, and the Board has adopted the amendments as proposed.

In the Board's regulations implementing section 215, the scope of coverage is established by the definitions of "covered employee" in section 1.102(c) and "employing office" in section 1.102(i) and by the listings in sections 1.102(j) and 1.103 of entities that are included as employing offices if responsible for correcting a violation of section 215 of the CAA, and the amendments add GAO and the Library and their employees into these definitions and listings. In addition, in the provisions of the Board's regulations that cross-reference the Secretary of Labor's regulations under the OSHAct, the amendments correct several editorial and technical errors and incorporate recent changes in the Secretary's regulations, and the amendments make other typographical and minor corrections to the Board's regulations.[1]

Recommended method of approval. The Board adopted three identical versions of the amendments, one amending the regulations that apply to the Senate and employees of the Senate, one amending the regulations that apply to the House of Representatives and employees of the House, and one amending the regulations that apply to other covered employees and employing offices, and the Board recommends, as it did in the NPRM, *(1)* that the version amending the regulations that apply to the Senate and employees of the Senate be approved by the Senate by resolution, *(2)* that the version amending the regulations that apply to the House and employees of the House be approved by the House by resolution, and *(3)* that the version amending the regulations that apply to other covered employees and employing offices be approved by the Congress by concurrent resolution. The Board's regulations under section 215 have not yet been approved by the House and Senate, and, if the regulations remain unapproved when the amendments come before the House and Senate for consideration, the Board recommends that the House and Senate approve the amendments together with the regulations.

[1] In the definition of "employing office" in section 1.102(i), "the Senate" is stricken from clause (1) and "of a Senator" is inserted instead, and "or a joint committee" is stricken from that clause, for conformity with the text of section 101(9)(A) of the CAA, 2 U.S.C. §1301(9)(A). In section 1.102(j), "a violation of this section" is stricken and "a violation of section 215 of the CAA (as determined under section 1.106)" is inserted instead, for consistency with the language in section 1.103 of the regulations.

Signed at Washington, D.C., on this 31st day of October, 1997.

GLEN D. NAGER,
Chair of the Board,
Office of Compliance.

The regulations implementing section 215 of the CAA, adopted and published in the CONGRESSIONAL RECORD on January 7, 1997 at 143 CONG. REC. S61, 66-69 (daily ed. Jan. 7, 1997), are amended as follows:

1. Extension of coverage.—By revising sections 1.102(c), (i), and (j) and 1.103 to read as follows:

"*§1.102 Definitions.*

* * * * *

"(c) The term *covered employee* means any employee of (1) the House of Representatives; (2) the Senate; (3) the Capitol Guide Service; (4) the Capitol Police; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; (8) the Office of Compliance; (9) the General Accounting Office; and (10) the Library of Congress.

* * * * *

"(i) The term *employing office* means: (1) the personal office of a Member of the House of Representatives or of a Senator; (2) a committee of the House of Representatives or the Senate or a joint committee; (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate; (4) the Capitol Guide Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance; (5) the General Accounting Office; or (6) the Library of Congress."

* * * * *

"(j) The term *employing office* includes any of the following entities that is responsible for the correction of a violation of section 215 of the CAA (as determined under section 1.106), irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such violation occurs: (1) each office of the Senate, including each office of a Senator and each committee; (2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee; (3) each joint committee of the Congress; (4) the Capitol Guide Service; (5) the Capitol Police; (6) the Congressional Budget office; (7) the Office of the Architect of the Capitol (including the Senate Restaurants and the Botanic Garden); (8) the Office of the Attending Physician; (9) the Office of Compliance; (10) the General Accounting Office; and (11) the Library of Congress.

* * * * *

"*§1.103 Coverage.*

"The coverage of Section 215 of the CAA extends to any "covered employee." It also extends to any "covered employing office," which includes any of the following entities that is responsible for the correction of a violation of section 215 (as determined under section 1.106), irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such a violation occurs:

"(1) each office of the Senate, including each office of a Senator and each committee;

"(2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;

"(3) each joint committee of the Congress;

"(4) the Capitol Guide Service;

"(5) the Capitol Police;

"(6) the Congressional Budget Office;

"(7) the Office of the Architect of the Capitol (including the Senate Restaurants and the Botanic Garden);

"(8) the Office of the Attending Physician;

"(9) the Office of Compliance;

"(10) the General Accounting Office; and

"(11) the Library of Congress.".

2. Corrections to cross-references.—By making the following amendments in Appendix A to Part 1900, which is entitled "References to Sections of Part 1910, 29 CFR, ADOPTED AS OCCUPATIONAL SAFETY AND HEALTH STANDARDS UNDER SECTION 215(d) of the CAA":

(a) After "1910.1050 Methylenedianiline." insert the following:

"1910.1051 1,3-Butadinene.

"1910.1052 Methylene chloride.".

(b) Strike "1926.63—Cadmium (This standard has been redesignated as 1926.1127)." and insert instead the following:

"1926.63 [Reserved]".

(c) Strike "Subpart L—Scaffolding", "1926.450 [Reserved]", "1926.451 Scaffolding.", "1926.452 Guardrails, handrails, and covers.", and "1926.453 Manually propelled mobile ladder stands and scaffolds (towers)." and insert instead the following:

"Subpart L—Scaffolds

"1926.450 Scope, application, and definitions applicable to this subpart.

"1926.451 General requirements.

"1926.452 Additional requirements applicable to specific types of scaffolds.

"1926.453 Aerial lifts.

"1926.454 Training.".

(d) Strike "1926.556 Aerial lifts.".

(e) Strike "1926.753 Safety Nets.".

(f) Strike "Appendix A to Part 1926—Designations for General Industry Standards" and insert instead the following:

"APPENDIX A TO PART 1926—DESIGNATIONS FOR GENERAL INDUSTRY STANDARDS INCORPORATED INTO BODY OF CONSTRUCTION STANDARDS".

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5806. A letter from the Acting Administrator, Food and Consumer Service, transmitting the Service's final rule—Commodity Supplemental Food Program—Caseload Assignment (RIN: 0584-AC60) received October 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5807. A letter from the Acting Assistant Secretary for Command, Control, Communications, and Intelligence, Department of Defense, transmitting a report describing the support services other than telecommunications provided to the White House by the Department of Defense through the White House Communications Agency for the 4th quarter of FY 1997, pursuant to Public Law 104—201, section 912; to the Committee on National Security.

5808. A letter from the Secretary of Health and Human Services, transmitting the Department's report entitled "Model Comprehensive Program for the Treatment of Substance Abuse, Metropolitan Area Treatment Enhancement System (MATES)" for

Fiscal Year 1996, pursuant to Public Law 102—321, section 301 (106 Stat. 419); to the Committee on Commerce.

5809. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Defense Special Weapons Agency Privacy Program [DSWA Instruction 5400.11B] received October 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5810. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's annual report on the Program Fraud Civil Remedies Act for fiscal year 1997, pursuant to 31 U.S.C. 3810; to the Committee on Government Reform and Oversight.

5811. A letter from the Acting Assistant Secretary (Civil Works), Department of the Army, transmitting a letter stating that an emergency exists at Devils Lake, North Dakota, pursuant to Public Law 93—288, section 102; to the Committee on Transportation and Infrastructure.

5812. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule— Miscellaneous Educational Revisions (RIN: 2900–AI69) received October 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5813. A letter from the Acting Administrator, Food and Consumer Service, transmitting the Service's final rule—Food Distribution Programs—Reduction of the Paperwork Burden (RIN: 0584–AB27) received October 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Agriculture and Education and the Workforce.

5814. A letter from the Secretary of Health and Human Services, transmitting the Department's "Major" final rule—Medicare Program; Revisions to Payment Policies and Adjustments to the Relative Value Units Under the Physician Fee Schedule, Other Part B Payment Policies, and Establishment of the Clinical Psychologist Fee Schedule for Calendar Year 1998 [BPD–884–FC] (RIN: 0938–AH94) received October 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Commerce and Ways and Means.

5815. A letter from the Chair of the Board, Office of Compliance, transmitting notice of adoption of amendments to regulations under section 205 of the Congressional Accountability Act of 1995 for publication in the CONGRESSIONAL RECORD, pursuant to Public Law 104—1, section 303(b) (109 Stat. 28); jointly to the Committees on House Oversight and Education and the Workforce.

5816. A letter from the Chair of the Board, Office of Compliance, transmitting notice of adoption of amendments to regulations under section 215 of the Congressional Accountability Act of 1995 for publication in the CONGRESSIONAL RECORD, pursuant to Public Law 104—1, section 303(b) (109 Stat. 28); jointly to the Committees on House Oversight and Education and the Workforce.

5817. A letter from the Chair of the Board, Office of Compliance, transmitting notice of adoption of amendments to regulations under section 204 of the Congressional Accountability Act of 1995 for publication in the CONGRESSIONAL RECORD, pursuant to Public Law 104—1, section 303(b) (109 Stat. 28); jointly to the Committees on House Oversight and Education and the Workforce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2578. A bill to amend the Immigration and Nationality Act to extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of non-immigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General (Rept. 105–387). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform and Oversight. Gulf war veterans' illnesses: VA, DOD, continue to resist strong evidence linking toxic causes to chronic health effects (Rept. 105–388). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEKAS: Committee on the Judiciary. House Joint Resolution 95. Resolution granting the consent of Congress to the Chickasaw Trail Economic Development Compact (Rept. 105–389). Referred to the House Calendar.

Mr. LIVINGSTON: Committee of Conference. Conference report on H.R. 2264. A bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes (Rept. 105–390). Ordered to be printed.

Mr. PRYCE of Ohio: Committee on Rules. House Resolution 311. Resolution providing for consideration of certain resolutions in preparation for the adjournment of the first session sine die (Rept. 105–391). Referred to the House Calendar.

Mr. LEACH: Committee of Conference. Conference report on S. 1026. An act to reauthorize the Export-Import Bank of the United States (Rept. 105–392). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, and Mr. BOEHNER):

H.R. 2864. A bill to require the Secretary of Labor to establish a program under which employers may consult with State officials respecting compliance with occupational safety and health requirements; to the Committee on Education and the Workforce.

By Mr. FOX of Pennsylvania:

H.R. 2865. A bill to amend the Federal Election Campaign Act of 1971 to prohibit any individual from making a contribution to a candidate for election for Federal office which is not accompanied by a written certification that the contribution consists solely of personal funds of the individual; to the Committee on House Oversight.

By Mr. CALVERT (for himself, Mr. POMBO, Mr. MCKEON, Mr. RADANOVICH, Mr. GILCHREST, Mr. HORN, Mr. ROYCE, Mr. ROHRABACHER, Mr. BILBRAY, and Mr. GALLEGLY):

H.R. 2866. A bill to amend the Federal Election Campaign Act of 1971 to require candidates for election for the House of Representatives or the Senate to raise at least 50 percent of their contributions from individuals residing in the district or State involved, and for other purposes; to the Committee on House Oversight.

By Mr. GILMAN:

H.R. 2867. A bill to amend the Foreign Assistance Act of 1961 to target assistance to support the economic and political independence of the countries of the South Caucasus and Central Asia; to the Committee on International Relations.

By Mr. PAUL:

H.R. 2868. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow consumers greater access to information regarding the health benefits of foods and dietary supplements; to the Committee on Commerce.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, Mr. GREENWOOD, and Mr. BOEHNER):

H.R. 2869. A bill to amend the Occupational Safety and Health Act of 1970 to exempt safety and health assessments, audits, and reviews conducted by or for an employer from enforcement action under such Act; to the Committee on Education and the Workforce.

By Mr. PORTMAN (for himself, Mr. KASICH, and Mr. HAMILTON):

H.R. 2870. A bill to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests; to the Committee on International Relations.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, and Mr. BOEHNER):

H.R. 2871. A bill to amend the Occupational Safety and Health Act of 1970 to provide for the establishment of advisory panels for the Secretary of Labor; to the Committee on Education and the Workforce.

By Mr. FOX of Pennsylvania:

H.R. 2872. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit for a portion of the expenses of providing dependent care services to employees, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, and Mr. BOEHNER):

H.R. 2873. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. ACKERMAN (for himself, Mr. COBURN, Mr. ABERCROMBIE, Mr. BARTLETT of Maryland, Mr. BECERRA, Mr. BISHOP, Mr. BONO, Mr. BROWN of Ohio, Mr. BURTON of Indiana, Mr. CLYBURN, Mr. COOK, Mr. CRAMER, Mr. DEFAZIO, Mr. DELLUMS, Mr. DEUTSCH, Ms. ESHOO, Mr. FARR of California, Mr. FAZIO of California, Mr. FOGLIETTA, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GRAHAM, Mr.

GREEN, Mr. GUTIERREZ, Mr. HEFNER, Mr. HINCHEY, Mr. HOYER, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK, Mr. KIND of Wisconsin, Mr. KUCINICH, Mr. LAFALCE, Mr. LAMPSON, Mr. LAZIO of New York, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MCCARTHY of New York, Ms. MCKINNEY, Mr. MCNULTY, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. MILLER of California, Mr. NADLER, Mr. ORTIZ, Mr. OWENS, Mr. PALLONE, Mr. PAXON, Ms. RIVERS, Mr. RODRIGUEZ, Ms. ROS-LEHTINEN, Mr. ROTHman, Mr. SANDERS, Mr. SAWYER, Mr. SCHUMER, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Mr. TANNER, Mr. TAYLOR of Mississippi, Mr. THOMPSON, Mr. TURNER, Ms. VELÁZQUEZ, Mr. WALSH, Mr. WAXMAN, and Mr. WEXLER):

H.R. 2874. A bill to provide for prompt disclosure to insured individuals of their medical conditions after undergoing medical examinations necessary to qualify for insurance coverage; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, and Mr. BOEHNER):

H.R. 2875. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 2876. A bill to promote food safety through continuation of the Food Animal Residue Avoidance Database program operated by the Secretary of Agriculture; to the Committee on Agriculture.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, Mr. GREENWOOD, and Mr. BOEHNER):

H.R. 2877. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. ANDREWS (for himself and Mr. MENENDEZ):

H.R. 2878. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a loan program and a bond guarantee program to assist local educational agencies in the construction, reconstruction, and renovation of public elementary and secondary schools; to the Committee on Education and the Workforce.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, Mr. GREENWOOD, and Mr. BOEHNER):

H.R. 2879. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 2880. A bill to amend title 23, United States Code, to encourage States to require background checks requested in connection with the Brady Handgun Violence Prevention Act; to the Committee on Transportation and Infrastructure.

By Mr. BALLENGER (for himself, Mr. HALL of Texas, Mr. STENHOLM, Mr. NORWOOD, Mr. BARRETT of Nebraska, Mr. PAUL, Mr. DELAY, Mr. BOB SCHAFFER, Mr. HOEKSTRA, Mr. GRAHAM, Mr. ISTOOK, Mr. FAWELL, Mr. GREENWOOD, and Mr. BOEHNER):

H.R. 2881. A bill to amend the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. BONO:

H.R. 2882. A bill to amend chapter 1 of title 9 of the United States Code to permit each party to certain contracts to accept or reject arbitrations as a means of settling disputes under the contracts; to the Committee on the Judiciary.

By Mr. BURTON of Indiana (for himself, Mr. ARMEY, Mr. HORN, and Mr. SESSIONS):

H.R. 2883. A bill to amend provisions of law enacted by the Government Performance and Results Act of 1993 to improve Federal agency strategic plans and performance reports; to the Committee on Government Reform and Oversight.

By Mr. CRANE:

H.R. 2884. A bill to amend the Internal Revenue Code of 1986 to limit the tax rate for certain small businesses, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVIS of Virginia:

H.R. 2885. A bill to authorize the establishment of a Cold War memorial; to the Committee on Resources.

By Mr. DOOLITTLE:

H.R. 2886. A bill to provide for a demonstration project in the Stanislaus National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System; to the Committee on Resources.

By Mr. EVANS (for himself, Mr. FILNER, Mr. MASCARA, Mr. REYES, and Mr. RODRIGUEZ):

H.R. 2887. A bill to amend title 38, United States Code, to require certain contracts of the Department of Veterans Affairs to be subject to the same procurement law applicable to other departments and agencies of the Federal Government; to the Committee on Veterans' Affairs.

By Mr. FAWELL (for himself and Mr. ANDREWS):

H.R. 2888. A bill to amend the Fair Labor Standards Act of 1938 to exempt from the minimum wage recordkeeping and overtime compensation requirements certain specialized employees; to the Committee on Education and the Workforce.

By Mr. GEKAS:

H.R. 2889. A bill to establish a commission to recommend a strategy for the global eradication of disease; to the Committee on Commerce.

By Mr. GOODLING (for himself and Mr. GEKAS):

H.R. 2890. A bill to amend title 18, United States Code, to provide a mandatory minimum prison sentence for certain wiretapping or electronic surveillance offenses by Federal officers or employees; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself and Mr. EHRLICH):

H.R. 2891. A bill to amend the Fair Labor Standards Act of 1938 to provide a limited overtime exemption for employees performing emergency medical services; to the Committee on Education and the Workforce.

By Mr. HALL of Ohio (for himself, Mr. SMITH of New Jersey, and Mr. HUNTER):

H.R. 2892. A bill to amend title 18, United States Code, with respect to the dissemination of indecent material on cable television; to the Committee on the Judiciary.

By Mr. HASTINGS of Washington:

H.R. 2893. A bill to amend the Native American Graves Protection and Repatriation Act to provide for appropriate study and repatriation of remains for which a cultural affiliation is not readily ascertainable; to the Committee on Resources.

By Mr. HERGER (for himself and Mr. POMBO):

H.R. 2894. A bill to amend the Endangered Species Act of 1973 to enable Federal agencies responsible for the preservation of threatened species and endangered species to rescue and relocate members of any of those species that would be taken in the course of certain reconstruction, maintenance, or repair of Federal or non-Federal manmade flood control levees; to the Committee on Resources.

By Mr. KILDEE:

H.R. 2895. A bill to provide for the establishment of the National Lighthouse Museum; to the Committee on Transportation and Infrastructure.

By Ms. KILPATRICK (for herself, Mr. FROST, and Ms. MILLENDER-MCDONALD):

H.R. 2896. A bill to authorize the Secretary of Defense to make military helicopters and their crews available to State and local law enforcement agencies to assist in law enforcement and rescue operations; to the Committee on National Security.

By Mr. LEWIS of Georgia (for himself, Mr. YATES, Mr. STARK, Mrs. MALONEY of New York, Mr. DAVIS of Illinois, and Mr. FALEOMAVAEGA):

H.R. 2897. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on persons who operate vending machines that dispense tobacco products; to the Committee on Ways and Means.

By Mr. LUTHER (for himself, Mr. KASICH, Mr. DELLUMS, and Mr. FOLEY):

H.R. 2898. A bill to limit production of the B-2 bomber; to the Committee on National Security.

By Mr. MALONEY of Connecticut (for himself and Mr. SHAYS):

H.R. 2899. A bill to amend the Harmonized Tariff Schedule of the United States to provide for reduced duty treatment for certain fully assembled bicycle wheels; to the Committee on Ways and Means.

By Mrs. MALONEY of New York (for herself, Ms. SLAUGHTER, Mr. WALSH, Ms. NORTON, Mr. SANDERS, Ms. JACKSON-LEE, Mr. BROWN of California, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YATES, Ms. CHRISTIAN-GREEN, Mr. DELLUMS, Mrs. MINK of Hawaii, Mr. PASCRELL, Ms. MILLENDER-MCDONALD, and Mr. ENGEL):

H.R. 2900. A bill to provide for research to determine the extent to which the presence of dioxin, synthetic fibers, and other additives in tampons and similar products used by women with respect to menstruation pose any risks to the health of women, including risks relating to cervical cancer, endometriosis, infertility, ovarian cancer, breast cancer, immune system deficiencies, pelvic inflammatory disease, and toxic shock syndrome, and for other purposes; to the Committee on Commerce.

By Mr. MCDADE (for himself, Mr. KLUG, and Ms. ESHOO):

H.R. 2901. A bill to improve cellular telephone service in selected rural areas and to achieve equitable treatment of certain cellular license applicants; to the Committee on Commerce.

By Mr. McDERMOTT (for himself, Mr. BARTLETT of Maryland, Mr. KLUG, Mrs. THURMAN, Mrs. TAUSCHER, Mr. MILLER of California, and Mr. WAXMAN):

H.R. 2902. A bill to amend the Internal Revenue Code of 1986 to apply the energy credit to small wind turbines; to the Committee on Ways and Means.

By Mr. MORAN of Kansas (for himself, Mr. TIAHRT, Mr. RYUN, and Mr. SNOWBARGER):

H.R. 2903. A bill to provide relief from unfair interest and penalties on refunds retroactively ordered by the Federal Energy Regulatory Commission; to the Committee on Commerce.

By Mr. NADLER:

H.R. 2904. A bill to make an exception to the United States embargo on trade with Cuba for the export of medicines or medical supplies, instruments, or equipment, and for other purposes; to the Committee on International Relations.

By Mr. NADLER:

H.R. 2905. A bill to provide for comprehensive reform for managed health care plans; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEUMANN:

H.R. 2906. A bill to authorize and direct the Director of the Office of Management and Budget to reduce nondefense discretionary spending limits by two percentage points for each of fiscal years 1999 through 2002; to the Committee on the Budget.

By Mr. NEUMANN:

H.R. 2907. A bill to require the destruction of the United States stockpile of landmines other than self-destructive landmines and to prohibit the acquisition of such landmines in the future; to the Committee on National Security, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NUSSLE:

H.R. 2908. A bill to amend title XVIII of the Social Security Act to repeal the restriction on payment for certain hospital discharges to post-acute care imposed by section 4407 of the Balanced Budget Act of 1997; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. CAMPBELL, Mr. FRANKS of New Jersey, Mr. ANDREWS, Mr. PASCRELL, Mr. SAXTON, Mr. PAYNE, Mr. WAXMAN, Mr. SMITH of New Jersey, Mr. ROTHman, Mr. PAPPAS, Mrs. ROUKEMA, Mr. LoBIONDO, Mr. MENENDEZ, and Mr. FRELINGHUYSEN):

H.R. 2909. A bill to amend the Federal Power Act to establish requirements regarding the operation of certain electric generating facilities, and for other purposes; to the Committee on Commerce.

By Mr. PALLONE (for himself, Mr. SANDERS, and Mr. ALLEN):

H.R. 2910. A bill to reduce the risk of mercury pollution through use reduction, increased recycling, and reduction of emissions into the environment, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO (for himself and Mr. HERGER):

H.R. 2911. A bill to amend the Endangered Species Act of 1973 to improve the ability of individuals and local, State, and Federal agencies to prevent natural flood disasters; to the Committee on Resources.

By Mr. RAHALL (for himself, Mr. POSHARD, Mr. MOLLOHAN, Mrs. CLAYTON, Ms. KILPATRICK, Mr. McINTYRE, Mr. FROST, Mr. COSTELLO, Mr. CLEMENT, Mr. BAESLER, Mr. ADERHOLT, Mr. BOUCHER, and Mr. CRAMER):

H.R. 2912. A bill to amend the Balanced Budget Act of 1997 to reinstate payment under Medicare for home health services consisting of venipuncture solely for the purpose of obtaining a blood sample, and to require the Secretary of Health and Human Services to study potential fraud and abuse under the Medicare Program with respect to such services; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RAMSTAD:

H.R. 2913. A bill to amend the Internal Revenue Code of 1986 to clarify the mortgage subsidy bond benefits for residences located in disaster areas; to the Committee on Ways and Means.

By Mr. SAXTON (for himself, Mr. ABERCROMBIE, Mr. LoBIONDO, Mr. EVANS, Mrs. LOWEY, Mr. HINCHEY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. GOSS, Mr. FALEOMAVAEGA, Mr. SANDERS, Mr. DELLUMS, Mr. SHAYS, Mrs. MORELLA, Mr. UNDERWOOD, Mr. SERRANO, Ms. WOOLSEY, Mr. EHLERS, Ms. PRYCE of Ohio, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. DAVIS of Virginia, Ms. RIVERS, Mr. DeFAZIO, Mr. FRANKS of New Jersey, Mr. GILCHREST, Mr. YATES, Ms. ESHOO, Ms. PELOSI, Ms. MILLENDER-McDONALD, Mr. FAWELL, Mrs. MEEK of Florida, Mr. BARRETT of Wisconsin, Ms. NORTON, and Mr. MORAN of Virginia):

H.R. 2914. A bill to improve the governmental environmental research and information by organizing a National Institute for the Environment, and for other purposes; to the Committee on Science.

By Mr. DAN SCHAEFER of Colorado:

H.R. 2915. A bill to extend certain programs under the Energy Policy and Conservation Act and the Energy Conservation and Production Act; to the Committee on Commerce.

By Mr. BOB SCHAFFER (for himself, Mr. SKAGGS, and Mr. McINNIS):

H.R. 2916. A bill to provide for the conveyance of an unused Air Force housing facility in La Junta, Colorado, to the City of La Junta; to the Committee on National Security.

By Mr. SHAYS:

H.R. 2917. A bill to temporarily increase the number of visas available for backlogged spouses and children of lawful permanent resident aliens and to provide for certain limitations on the adjustment of status of nonimmigrants physically present in the United States to permanent residence; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

H.R. 2918. A bill to amend the Internal Revenue Code of 1986 to increase the amount of the deduction allowed for meals and entertainment expenses; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey:

H.R. 2919. A bill to establish grant programs and provide other forms of Federal assistance to pregnant women, children in need of adoptive families, and individuals and families adopting children; to the Committee on Education and the Workforce, and in addition to the Committees on National Security, Banking and Financial Services, Ways and Means, Commerce, Government Reform and Oversight, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOLOMON (for himself, Mr. QUINN, Mr. HASTINGS of Washington, Mr. METCALF, Mr. LaFALCE, Mr. HILL, Mr. McHUGH, Mr. CAMP, Mr. PAXON, Mr. UPTON, Mr. POMEROY, Mr. OBERSTAR, Mr. BALDACCI, Mr. NETHERCUTT, Mrs. CHENOWETH, Mr. CRAPO, Mr. ALLEN, and Mr. SMITH of Texas):

H.R. 2920. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system; to the Committee on the Judiciary.

By Mr. TAUZIN (for himself, Mr. MARKEY, and Mr. BOUCHER):

H.R. 2921. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to conduct an inquiry into the impediments to the development of competition in the market for multichannel video programming distribution; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT (for himself, Mr. MURTHA, Mr. BILBRAY, and Mr. ROHRABACHER):

H.R. 2922. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to assign members of the Armed Forces, under certain circumstances and subject to certain conditions, to assist the Immigrantion and Naturalization Service and the United States Customs Service in the performance of border protection functions; to the Committee on National Security.

By Mr. WALSH (for himself, Mr. McHUGH, Mr. KING of New York, Mrs. MALONEY of New York, Mr. KILDEE, Mr. FORBES, Mr. BOEHLERT, Mr. LAZIO of New York, and Mr. FOSSELLA):

H.R. 2923. A bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H.R. 2924. A bill to amend the Alaskan Native Claims Settlement Act to provide for selection of lands by certain veterans of the Vietnam era and by the Elim Native Corporation; to the Committee on Resources.

By Mr. HOYER (for himself and Mr. HYDE):

H.R. 2925. A bill to establish felony violations for the failure to pay legal child support obligations, and for other purposes; to the Committee on the Judiciary.

By Mr. LIVINGSTON:

H.J. Res. 101. A joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes; to the Committee on Appropriations. The Committee on Appropriations discharged; considered and passed.

By Mr. LANTOS (for himself, Mr. GILMAN, Mr. ACKERMAN, Mr. BLUNT, Mr. BROWN of Ohio, Mr. CAMPBELL, Mr. CARDIN, Mr. CHABOT, Mr. DAVIS of Florida, Mr. ENGEL, Mr. FILNER, Mr. FOLEY, Mr. FOX of Pennsylvania, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEJDENSON, Mr. HASTINGS of Florida, Ms. HARMAN, Mr. HORN, Mr. HYDE, Mr. KING of New York, Mr. LEACH, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. MANZULLO, Mr. MENENDEZ, Mr. NADLER, Ms. PELOSI, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Mr. ROYCE, Mr. SCHUMER, Mr. SHERMAN, Mr. SMITH of New Jersey, Mr. WEXLER, Mr. YATES, Mr. MCHUGH, and Mr. BERMAN):

H.J. Res. 102. A joint resolution expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel; to the Committee on International Relations.

By Mr. LANTOS (for himself, Mr. PORTER, Mr. SMITH of New Jersey, Mr. ABERCROMBIE, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. CARDIN, Mr. HALL of Ohio, Mr. LEACH, Mr. MALONEY of Connecticut, Mr. MCDERMOTT, Mr. MEEHAN, Mr. MENENDEZ, Ms. NORTON, Mr. SNYDER, and Ms. PELOSI):

H. Con. Res. 185. Concurrent resolution expressing the sense of the Congress on the occasion of the 50th anniversary of the signing of the Universal Declaration of Human Rights and recommitting the United States to the principles expressed in the Universal Declaration; to the Committee on International Relations.

By Mr. BROWN of Ohio:

H. Con. Res. 186. Concurrent resolution commending all who served with the United States Navy Asiatic Fleet throughout the Far East from 1910 to 1942, especially those sailors and marines who put their lives on the line for this Nation during the earliest days of our involvement in World War II; to the Committee on National Security.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. GRANGER, Mr. TURNER, Mr. SANDLIN, Mr. HINOJOSA, Mr. STENHOLM, Mr. GREEN, Mr. DOGGETT, Mr. EDWARDS, Ms. JACKSON-LEE, Mr. ORTIZ, Mr. LAMPSON, Mr. FROST, Ms. KILPATRICK, Ms. NORTON, Ms. CHRISTIAN-GREEN, Mr. GUTIERREZ, Mrs. MORELLA, Mr. COMBEST, Mr. BONILLA, Mr. BRADY, Mr. PAUL, Mr. SMITH of Texas, Mr. ARCHER, Mr. BARTON of Texas, Mr. THORNBERRY, Mrs. JOHNSON of Connecticut, and Mr. RODRIGUEZ):

H. Con. Res. 187. Concurrent resolution expressing the sense of Congress that the museum to be known as "The Women's Museum: An Institute for the Future", in Dallas, Texas, should be designated as a Millennium Project for the United States; to the Committee on Education and the Workforce.

By Mr. PAPPAS (for himself, Mr. BILIRAKIS, Mrs. MALONEY of New York, Mr. KLINK, Mr. ACKERMAN, Mr. ANDREWS, Mr. CUNNINGHAM, Mr. FILNER, Ms. HOOLEY of Oregon, Mr. NEY, Mr. MANTON, Ms. RIVERS, Mr. SHERMAN, Mr. POMBO, Mr. LOBIONDO, Mrs. ROUKEMA, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mr. PORTER, Mrs. JOHNSON of Connecticut, and Mr. FOSSELLA):

H. Con. Res. 188. Concurrent resolution expressing the sense of the Congress regarding Turkey's claim of sovereignty to the islets in the Aegean Sea called Imia by Greece and Kardak by Turkey; to the Committee on International Relations.

By Mr. SANDERS:

H. Con. Res. 189. Concurrent resolution revising the congressional budget for the United States Government for fiscal year 1998 with respect to the appropriate budgetary levels for Social Security and national defense for fiscal years 1999 through 2002 in order to maintain the level of administrative expenses for Social Security by taking into account anticipated inflation; to the Committee on the Budget.

By Mr. UNDERWOOD (for himself, Mr. ABERCROMBIE, Mr. FALEOMAVAEGA, Mr. FILNER, and Mrs. MINK of Hawaii):

H. Res. 312. A resolution urging the President to authorize the transfer of ownership of one the bells taken from the the town of Balangiga on the island of Samar, Philippines, which are currently displayed at F.E. Warren Air Force Base, to the people of the Philippines; to the Committee on International Relations.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

220. The SPEAKER presented a memorial of the Legislature of the Territory of Guam, relative to Resolution No. 186 requesting the 105th Congress to amend certain Sections of the Organic Act of Guam, Title 48 United States Code, to mandate the establishment and independent election of the position of the Attorney General; to the Committee on Resources.

221. Also, a memorial of the Legislature of the Territory of Guam, relative to Resolution No. 85 requesting the 105th Congress to amend the Organic Act by adding a new Section 6 to confirm that the adoption of a Constitution establishing local government shall not preclude or prejudice the further exercise in the future by the people of Guam of the right of self-determination regarding the ultimate political status of Guam; to the Committee on Resources.

222. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution 17 memorializing the President and the Congress to maintain the existing restrictions on trucks from Mexico and other foreign nations entering California and continue efforts to assure full compliance by the owners and drivers of those trucks with all highway safety, environmental, and drug enforcement laws; to the Committee on Transportation and Infrastructure.

223. Also, a memorial of the Senate of the State of Michigan, relative to Senate Rsolution No. 69 memorializing the Congress of the United States to provide for the distribution of the Leaking Underground Storage Tank Trust Fund's proceeds to the states for cleanup projects determined by the states; jointly to the Committees on Commerce and Ways and Means.

224. Also, a memorial of the Legislature of the State of California, relative to Assembly Joint Resolution 18 commending the local, national, and international efforts of the National Committee on the United Nations to promote the universal adoption of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, and urging the United State Senate to ratify CEDAW; jointly to the Committees on International Relations and the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. CARSON:

H.R. 2926. A bill for the relief of Adela T. Bailor; to the Committee on the Judiciary.

By Mr. MATSUI:

H.R. 2927. A bill for the relief of Wayne R. Hultgren; to the Committee on National Security.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 59: Mr. THUNE, Mr. BEREUTER, Mr. LEWIS of Kentucky, Mr. HUNTER, Mr. DUNCAN, and Mr. MICA.

H.R. 76: Mr. DUNCAN.

H.R. 80: Mr. NEUMANN.

H.R. 100: Mr. HINOJOSA.

H.R. 135: Mr. GILMAN, Mr. TAYLOR of Mississippi, Mr. DICKS, Mr. HALL of Texas, Mr. PETERSON of Minnesota, Mr. POSHARD, Mr. SISISKY, Mr. SKELTON, Mr. SNYDER, Mr. HALL of Ohio, Mr. JOHN, Mr. VISCLOSKY, Mr. BOYD, and Mr. GOODE.

H.R. 145: Mr. BROWN of California.

H.R. 164: Mr. WALSH.

H.R. 192: Mr. SALMON.

H.R. 306: Mr. MCDADE, Mr. CLYBURN, and Mr. MALONEY of Connecticut.

H.R. 414: Mr. SALMON.

H.R. 586: Mr. PRICE of North Carolina.

H.R. 616: Mr. CALVERT, Mr. CLEMENT, Ms. MCCARTHY of Missouri, Ms. NORTON, MR. CRAMER, Ms. KILPATRICK, Mr. EVANS, Mr. SANDLIN, Mr. FRELINGHUYSEN, Mr. TORRES, Ms. FURSE, Mrs. TAUSCHER, Mr. VENTO, Mr. GRAHAM, and Mrs. CHENOWETH.

H.R. 634: Mr. ISTOOK.

H.R. 676: Mrs. MORELLA and Mr. PAYNE.

H.R. 677: Mr. SALMON.

H.R. 692: Mr. HASTINGS of Washington.

H.R. 715: Mrs. KELLY and Mr. ENGEL.

H.R. 738: Mr. SCHUMER.

H.R. 758: Mr. BONO and Mr. SMITH of Michigan.

H.R. 768: Mr. STRICKLAND.

H.R. 815: Mr. PRICE of North Carolina.

H.R. 843: Mr. MCGOVERN.

H.R. 851: Mr. BROWN of California.

H.R. 900: Mr. FORBES and Mr. JOHNSON of Wisconsin.

H.R. 971: Mr. ANDREWS.

H.R. 991: Ms. DEGETTE.

H.R. 1005: Mr. NEUMANN.

H.R. 1018: Mr. PASCRELL.

H.R. 1061: Mr. SANDLIN and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1114: Mr. GOSS and Mr. BOYD.

H.R. 1117: Mrs. LOWEY and Ms. ESHOO.

H.R. 1121: Mr. GRAHAM.

H.R. 1146: Mr. NORWOOD.

H.R. 1159: Mr. SANDLIN.

H.R. 1165: Mrs. MCCARTHY of New York.

H.R. 1173: Mr. MARTINEZ.
H.R. 1231: Mr. GRAHAM.
H.R. 1240: Ms. CARSON.
H.R. 1329: Mr. PASCRELL.
H.R. 1376: Mr. PALLONE and Mr. CLYBURN.
H.R. 1404: Mr. STRICKLAND.
H.R. 1415: Mr. FORD, Mr. WOLF, Mr. BLUMENAUER, Mr. STOKES, and Mr. POMBO.
H.R. 1438: Mr. SALMON.
H.R. 1500: Mr. HALL of Ohio and Mr. MOAKLEY.
H.R. 1507: Mr. SHAYS.
H.R. 1524: Mr. CALLAHAN and Mr. MANTON.
H.R. 1560: Ms. DANNER, Mr. ALLEN, Mr. FRELINGHUYSEN, and Mr. MILLER of California.
H.R. 1625: Mr. BATEMAN, Mr. DOOLITTLE, Mr. HUTCHINSON, Mr. TAYLOR of North Carolina, Mr. ISTOOK, Mr. BRADY, Mr. CHABOT, Mr. BURTON of Indiana, Mr. CANNON, Mr. MICA, and Mr. MCCRERY.
H.R. 1671: Mr. ADAM SMITH of Washington.
H.R. 1689: Mr. ORTIZ and Mr. CRANE.
H.R. 1711: Mr. HOBSON, Mr. FOLEY, and Mr. POMBO.
H.R. 1736: Mr. LEWIS of Georgia, Mr. PAYNE, Mr. LANTOS, Mr. ACKERMAN, MRS. MALONEY of New York, Mr. FROST, Mrs. MORELLA, and Mrs. THURMAN.
H.R. 1766: Mr. DUNCAN.
H.R. 1812: Mr. NEUMANN and Mr. SALMON.
H.R. 1858: Mr. KLINK and Mr. RODRIGUEZ.
H.R. 1909: Mr. KOLBE.
H.R. 1972: Mrs. THURMAN.
H.R. 1975: Mr. RUSH.
H.R. 1987: Ms. SLAUGHTER, Mr. GEJDENSON, Mr. LEWIS of Georgia, Mr. LANTOS, and Mr. OWENS.
H.R. 2038: Mr. NORWOOD.
H.R. 2062: Mr. MANZULLO.
H.R. 2069: Mr. LUTHER.
H.R. 2077: Ms. FURSE.
H.R. 2085: Mr. LUTHER.
H.R. 2094: Ms. FURSE and Mr. ALLEN.
H.R. 2116: Mr. SANDLIN.
H.R. 2143: Ms. FURSE.
H.R. 2174: Ms. RIVERS, Mr. ADAM SMITH of Washington, and Mrs. THURMAN.
H.R. 2229: Mr. CALVERT.
H.R. 2250: Mr. SANDLIN.
H.R. 2254: Mr. RUSH and Mr. KUCINICH.
H.R. 2263: Mr. UNDERWOOD.
H.R. 2273: Mr. HASTINGS of Florida.
H.R. 2305: Ms. PRYCE of Ohio, Mr. WATT of North Carolina, Mr. STOKES, Mrs. CLAYTON, Mr. SAWYER, Mr. BALLENGER, Mr. OXLEY, Mr. HEFNER, Mr. TRAFICANT, Mr. ETHERIDGE, Mr. GILLMOR, Mr. PRICE of North Carolina, Mr. BROWN of Ohio, Mr. TAYLOR of North Carolina, Mr. LATOURETTE, Mr. STRICKLAND, Mr. KASICH, Ms. KAPTUR, and Mr. KUCINICH.
H.R. 2331: Mr. OBERSTAR.
H.R. 2340: Mr. CALVERT.
H.R. 2359: Mr. ENGEL and Mr. BLUMENAUER.
H.R. 2365: Mr. WALSH and Mr. NADLER.
H.R. 2380: Mr. SALMON.
H.R. 2391: Mr. HINCHEY, Ms. CHRISTIAN-GREEN, Mr. SANDLIN, Mr. FALEOMAVAEGA, and Mr. BONIOR.
H.R. 2397: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SPRATT, Mr. TAYLOR of Mississippi, and Mr. CALVERT.
H.R. 2400: Mr. THOMPSON, Mr. RANGEL, Mr. LEWIS of Kentucky, Mrs. LINDA SMITH of Washington, and Mr. OWENS.
H.R. 2408: Mr. CUMMINGS.
H.R. 2431: Mrs. MALONEY of New York, Mr. ANDREWS, Mr. HILL, Mr. FORBES, and Mr. FRANKS of New Jersey.
H.R. 2432: Mr. HEFNER.
H.R. 2450: Mrs. THURMAN.
H.R. 2451: Mr. MCDERMOTT.
H.R. 2456: Mr. FOSSELLA, Mr. FAWELL, and Mr. KLECZKA.
H.R. 2459: Mr. CARDIN, Mr. WATT of North Carolina, Mrs. KENNELLY of Connecticut, Mr. KILDEE, Mr. MEEHAN, Mr. LEVIN, Mr. LEWIS of California, and Mr. HINOJOSA.
H.R. 2481: Mr. RAHALL.
H.R. 2497: Mr. MICA, Mr. BATEMAN, Mr. BURTON of Indiana, Mr. WALSH, Mr. POMBO, and Mr. HEFLEY.
H.R. 2499: Mr. WAXMAN, Mr. FILNER, Mr. HASTINGS of Florida, Mrs. JOHNSON of Connecticut, and Mr. CUNNINGHAM.
H.R. 2503: Mr. GRAHAM.
H.R. 2525: Mr. ABERCROMBIE, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. GUTIERREZ.
H.R. 2527: Mr. ALLEN and Mr. FATTAH.
H.R. 2536: Mr. SAWYER.
H.R. 2560: Mr. HORN, Mr. FOLEY, Mr. MALONEY of Connecticut, Mr. DEUTSCH, Mr. BLILEY, Mr. COOK, Mr. BERRY, Ms. ESHOO, Mr. KUCINICH, Mr. WAXMAN, Ms. HARMAN, Mr. PALLONE, Mr. MANTON, Mr. CALVERT, Mr. SANDLIN, and Mr. NEAL of Massachusetts.
H.R. 2568: Mr. CRAPO, Mr. NEAL of Massachusetts, and Mr. LEWIS of Kentucky.
H.R. 2593: Mr. DUNCAN, Mr. SHERMAN, and Mr. CANADY of Florida.
H.R. 2597: Mr. STARK.
H.R. 2602: Mr. OLVER.
H.R. 2611: Mr. BONILLA, Mr. BONO, Mr. BRADY, Mr. BURTON of Indiana, Mr. COOK, Mr. GOODE, Mr. HASTINGS of Washington, Mr. HOSTETTLER, Mr. HYDE, Mr. JONES, Mr. KASICH, Mr. LEACH, Mr. LINDER, Mrs. MYRICK, Mr. PARKER, Mr. POMBO, Mr. SKEEN, Mr. SOLOMON, Mr. ABERCROMBIE, Mr. ADERHOLT, Mr. BARTLETT of Maryland, Mr. BUNNING of Kentucky, Mr. DICKEY, Mr. GILCHREST, Mr. TIAHRT, Mr. WATTS of Oklahoma, Mr. SHAYS, Mr. ENSIGN, Mrs. FOWLER, Mr. HERGER, Mr. MCDADE, Mr. PETERSON of Pennsylvania, Mr. SMITH of New Jersey, Mr. STEARNS, Mr. TALENT, Mr. THORNBERRY, and Mr. YOUNG of Alaska.
H.R. 2631: Mr. GILMAN.
H.R. 2635: Mrs. LOWEY, Ms. LOFGREN, Ms. SLAUGHTER, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. FARR of California, Mr. MCDERMOTT, Mr. SHERMAN, and Mr. ENGEL.
H.R. 2639: Mr. HALL of Ohio.
H.R. 2648: Mr. GRAHAM.
H.R. 2704: Mr. BONIOR.
H.R. 2713: Mr. ABERCROMBIE and Mr. CUMMINGS.
H.R. 2714: Mr. FROST.
H.R. 2715: Mr. BONO, Mrs. CHENOWETH, and Mr. WELLER.
H.R. 2719: Ms. WATERS.
H.R. 2740: Mr. SOLOMON, Mr. HAYWORTH, Mr. TIAHRT, Mrs. CHENOWETH, Mr. PICKERING, Mr. BALLENGER, Mrs. MYRICK, Mr. TRAFICANT, Mr. WALSH, Mr. CAMP, Mr. SESSIONS, Mr. GOODLING, Mr. POMBO, Mr. BOB SCHAFFER, and Mr. DOOLITTLE.
H.R. 2748: Mr. LAHOOD.
H.R. 2754: Mr. HINCHEY and Ms. FURSE.
H.R. 2760: Mr. PICKETT.
H.R. 2761: Mr. GEJDENSON and Mr. BLAGOJEVICH.
H.R. 2775: Mr. GEKAS, Mr. MASCARA, Mr. HOLDEN, Mr. BORSKI, and Mr. MURTHA.
H.R. 2783: Mr. REDMOND and Mr. STRICKLAND.
H.R. 2786: Mr. BEREUTER and Mr. TIAHRT.
H.R. 2791: Mr. PETERSON of Minnesota, Mr. FROST, and Mr. ENGEL.
H.R. 2805: Mr. BLUMENAUER.
H.R. 2810: Mr. DINGELL.
H.R. 2821: Mr. KINGSTON, Mr. BLUNT, Mr. GRAHAM, and Mr. WELDON of Florida.
H.R. 2824: Mr. LARGENT.
H.R. 2829: Mr. CALVERT, Ms. DELAURO, Mr. DIXON, Mr. EDWARDS, Mr. ENGEL, Mr. HAMILTON, Mr. KINGSTON, Mr. MCDADE, Mr. MICA, Mr. MORAN of Virginia, Ms. PELOSI, Mr. REDMOND, Mr. SAWYER, Mr. STARK, Mr. TAUZIN, Mr. TAYLOR of Mississippi, Mr. TORRES, Mr. UPTON, and Mr. WAXMAN.
H.R. 2837: Mr. BARR of Georgia.
H.R. 2863: Mr. CUNNINGHAM.
H.J. Res. 66: Mr. CLEMENT, Mr. SHERMAN, Mr. BROWN of Ohio, Mr. KENNEDY of Massachusetts, Mr. WEXLER, Mr. WAXMAN, Mr. FAWELL, and Mr. BALDACCI.
H. Con. Res. 22: Mr. ROGAN.
H. Con. Res. 37: Mr. POMBO.
H. Con. Res. 121: Mr. CRAMER, Mr. CARDIN, Mr. FROST, Mr. ADAM SMITH of Washington, and Mr. KLECZKA.
H. Con. Res. 152: Mr. FOX of Pennsylvania and Mr. MCNULTY.
H. Con. Res. 170: Mr. CALVERT.
H. Con. Res. 181: Mrs. KELLY, Mr. KUCINICH, Mr. COYNE, Mr. PAYNE, Mr. ANDREWS, Mr. ACKERMAN, Mr. MCNULTY, Mr. KENNEDY of Rhode Island, Mrs. LOWEY, Ms. PELOSI, Mr. MEEHAN, Mr. FILNER, Mr. PALLONE, Mr. WELDON of Pennsylvania, Mr. WEYGAND, Mr. BLAGOJEVICH, Mr. BROWN of Ohio, Mr. CUNNINGHAM, Mr. MANTON, Mr. FAZIO of California, and Mr. CALVERT.
H. Con. Res. 183: Mr. GRAHAM.
H. Res. 16: Mr. BISHOP.
H. Res. 26: Mr. HINCHEY.
H. Res. 144: Ms. DANNER, Mr. ALLEN, Mrs. KELLY, Mr. FRELINGHUYSEN, Mr. POSHARD, Mr. MILLER of California
H. Res. 172: Mr. DEFAZIO.
H. Res. 211: Mr. GIBBONS, Mr. GRAHAM, Mr. JONES, Mr. PICKERING, Mr. EHRLICH, and Mr. EVERETT.
H. Res. 224: Mr. BARRETT of Wisconsin, Mr. GOODLING, and Mrs. TAUSCHER.
H. Res. 251: Mr. REYES and Ms. WOOLSEY.
H. Res. 267: Mr. ETHERIDGE.
H. Res. 279: Mr. HORN, Mr. LAMPSON, Mr. MEEHAN, Mr. PAYNE, Mr. MILLER of California, and Mr. NEAL of Massachusetts.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

27. The SPEAKER presented a petition of the Racine Taxpayers Association, Inc., relative to a resolution indorsing Representative Mark Neumann's Debt Reduction Bill and charging the Congress to swiftly pass it; to the Committee on the Budget.