

H.R. 1800: Mr. GUTKNECHT.  
 H.R. 1828: Mr. SALMON.  
 H.R. 1873: Mr. HORN.  
 H.R. 2124: Mr. BEREUTER, Mr. LUCAS of Oklahoma, Mr. LATOURETTE, and Mr. GOODE.  
 H.R. 2174: Mr. FILNER, Ms. HARMAN, Mr. ALLEN, Mrs. MALONEY of New York, and Mr. GEJDESON.  
 H.R. 2183: Mr. GOODLING, Ms. MCCARTHY of Missouri, and Mr. LUTHER.  
 H.R. 2202: Mr. MANZULLO, Mr. JENKINS, Ms. MILLENDER-MCDONALD, and Mr. VENTO.  
 H.R. 2231: Mr. SANDLIN, Mr. THORNBERRY, Mr. SOUDER, Mr. BURTON of Indiana, Mr. DELAY, Mr. HALL of Texas, and Mr. SAM JOHNSON.  
 H.R. 2252: Mrs. THURMAN.  
 H.R. 2273: Mr. MCGOVERN, Mr. DEFAZIO, Mr. PETERSON of Minnesota, Ms. SLAUGHTER, Mr. BLAGOJEVICH, Ms. SANCHEZ, and Mr. SMITH of New Jersey.  
 H.R. 2290: Mr. MARTINEZ.  
 H.R. 2321: Mr. HULSHOF.  
 H.R. 2382: Mr. CLYBURN.  
 H.R. 2456: Mrs. TAUSCHER.  
 H.R. 2457: Ms. SANCHEZ.  
 H.R. 2462: Mr. CHAMBLISS, Mr. ROYCE, and Mr. ANDREWS.  
 H.R. 2468: Mr. TOWNS, Ms. MILLENDER-MCDONALD, Ms. JACKSON-LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, and Ms. NORTON.  
 H.R. 2485: Mr. BLUMENAUER.  
 H.R. 2488: Mr. GREEN.  
 H.R. 2492: Mr. Gutierrez.  
 H.R. 2495: Mr. SANDLIN, Mr. LAMPSON, Mr. EDWARDS, and Ms. EDDIE BERNICE JOHNSON of Texas.  
 H.R. 2509: Mr. SPRATT, Mr. SKELTON, Mr. SAWYER, Mr. CRAMER, Mr. INGLIS of South Carolina, and Mr. LEVIN.  
 H.R. 2526: Mr. FATTAH.  
 H.R. 2553: Mr. TORRES.  
 H.R. 2593: Mrs. MINK of Hawaii, Mr. FOX of Pennsylvania, Mr. LUCAS of Oklahoma, Mr. COMBEST, Mr. HILL, Mr. JOHNSON of Wisconsin, Mr. KOLBE, Mrs. THURMAN, and Mr. FARR of California.  
 H.R. 2596: Mr. NETHERCUTT, Mr. DIAZ-BALART, Mr. HULSHOF, Mr. MORAN of Kansas, Mr. THUNE, Mr. WELDON of Florida, Mr. PETERSON of Pennsylvania, Ms. STABENOW, Mr. WALSH, and Mr. LATHAM.  
 H.R. 2597: Mr. HINCHEY.  
 H.R. 2611: Mr. COOKSEY, Mr. CRAPO, Mr. CUNNINGHAM, Mr. GRAHAM, Mr. HANSEN, Mr. HILLEARY, Mr. HUNTER, Mr. PITTS, Mr. REDMOND, Mr. SNOWBARGER, Mr. STUMP, and Mr. ROGAN.  
 H.R. 2631: Mr. UNDERWOOD, Mr. BARTLETT of Maryland, and Mr. LAFALCE.  
 H.R. 2671: Mr. EVANS.  
 H.R. 2693: Ms. LOFGREN, Mr. BONIOR, Mr. SANDLIN, and Mr. UNDERWOOD.  
 H.R. 2697: Mr. TURNER, Mr. SANDLIN, Mr. HINOJOSA, Mr. STENHOLM, Mr. GREEN, Mr. DOGGETT, Mr. EDWARDS, Ms. JACKSON-LEE, Mr. ORTIZ, Mr. LAMPSON, Mrs. MEEK of Florida, Ms. KILPATRICK, Mrs. MCCARTHY of New York, Ms. STABENOW, Mrs. KELLY, Mrs. FOWLER, Mrs. ROUKEMA, Mr. CLYBURN, Mr. DIXON, Ms. PELOSI, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. WYNN, Mr. HILLIARD, Mr. THOMPSON, Mr. CLAY, Mr. BISHOP, Mrs. CLAYTON, Ms. ROYBAL-ALLARD, Ms. VELAZQUEZ, Ms. HARMAN, Ms. LOFGREN, Mr. HASTINGS of Florida, Mr. BROWN of Ohio, Ms. FURSE, Mr. LEWIS of Georgia, Ms. ESHOO, and Mrs. LOWEY.  
 H.R. 2699: Mr. MATSUI.  
 H.R. 2717: Mrs. TAUSCHER.  
 H.R. 2718: Mr. KINGSTON.  
 H.R. 2733: Mr. STUMP, Mr. TAYLOR of North Carolina, Mr. TRAFICANT, Mr. BALLENGER, Mrs. MYRICK, Mr. BRADY, Mr. COBURN, Ms. FURSE, Mr. SOUDER, Mr. DREIER, Mr. BLUMENAUER, and Mr. WYNN.  
 H.R. 2748: Mr. MCHUGH.  
 H.R. 2761: Ms. MCKINNEY.

H.R. 2795: Mr. BEREUTER.  
 H.R. 2804: Ms. CARSON.  
 H.R. 2805: Mr. DEFAZIO.  
 H.R. 2829: Mr. BATEMAN, Mr. BAESLER, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BORSKI, Mr. BUNNING of Kentucky, Mr. BURTON of Indiana, Mr. CALLAHAN, Ms. DANNER, Mr. DIAZ-BALART, Mr. DOOLEY of California, Mr. FATTAH, Mr. KLINK, Mr. FORBES, Mr. FRANKS of New Jersey, Mr. GREEN, Mr. HOYER, Mr. HUNTER, Mr. HYDE, Mr. MASCARA, Mrs. MEEK of Florida, Mr. MCHALE, Mr. MURTHA, Mr. NEAL of Massachusetts, Mr. POSHARD, Ms. PRYCE of Ohio, Mr. ROEMER, Mrs. ROUKEMA, Mr. SHUSTER, Mr. SMITH of New Jersey, Mr. TAYLOR of North Carolina, Mr. TIAHRT, and Mr. YOUNG of Alaska.  
 H.J. Res. 83: Mr. NORWOOD.  
 H. Con. Res. 106: Mr. BLUMENAUER and Mr. FARR of California.  
 H. Con. Res. 150: Mrs. KELLY and Mr. MCHUGH.  
 H. Con. Res. 152: Mr. BORSKI.  
 H. Res. 267: Mr. NEUMAN and Mr. WELDON of Florida.

#### ¶127.50 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1202: Mr. FOX of Pennsylvania.  
 H.R. 2198: Mr. ARMEY.

#### FRIDAY, NOVEMBER 7, 1997 (128)

The House was called to order by the SPEAKER.

#### ¶128.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, November 6, 1997.

Mr. MCNULTY, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. MCNULTY objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

#### ¶128.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were 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.

128.3 ORDER OF BUSINESS—EXTENSION OF REMARKS TO SINE DIE ADJOURNMENT

On motion of Mr. GOSS, by unanimous consent,

Ordered, 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, 105th Congress, sine die.

128.4 MOTION TO ADJOURN

Mr. PALLONE moved that the House do now adjourn.

The question being put, viva voce, Will the House now adjourn?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. PALLONE objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 38  
Nays ..... 308

128.5 [Roll No. 606] YEAS—38

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

NAYS—308

Abercrombie	Burr	Dunn
Aderholt	Buyer	Edwards
Allen	Callahan	Ehlers
Archer	Calvert	Emerson
Armey	Camp	English
Bachus	Campbell	Ensign
Baesler	Cannon	Eshoo
Baker	Cardin	Everett
Baldacci	Castle	Ewing
Ballenger	Chabot	Fattah
Barcia	Chambliss	Fawell
Barr	Christensen	Ford
Barrett (NE)	Clay	Fossella
Barrett (WI)	Clement	Fowler
Bartlett	Coble	Fox
Barton	Coburn	Franks (NJ)
Bass	Collins	Frelinghuysen
Bateman	Combest	Frost
Bentsen	Condit	Furse
Bereuter	Cook	Galleghy
Berman	Costello	Ganske
Berry	Cramer	Gekas
Bilbray	Cummings	Gibbons
Bilirakis	Cunningham	Gilchrest
Bishop	Danner	Gillmor
Blagojevich	Davis (IL)	Goode
Bliley	Davis (VA)	Goodlatte
Blunt	Deal	Goodling
Boehlert	DeFazio	Gordon
Boehner	DeGette	Goss
Borski	DeLay	Green
Boswell	Diaz-Balart	Gutierrez
Boyd	Dickey	Gutknecht
Brady	Dicks	Hall (TX)
Brown (CA)	Dooley	Hamilton
Brown (OH)	Doyle	Hansen
Bryant	Dreier	Hastert
Bunning	Duncan	Hastings (WA)

Hayworth	McCollum	Sandlin
Hefley	McGovern	Sanford
Hergert	McHale	Sawyer
Hill	McHugh	Saxton
Hilleary	McInnis	Schaefer, Dan
Hilliard	McIntyre	Schaffer, Bob
Hinchee	McKeon	Schumer
Hinojosa	Meehan	Scott
Hobson	Menendez	Sensenbrenner
Hoekstra	Metcalfe	Sessions
Holden	Mica	Shadegg
Hooley	Miller (FL)	Shays
Horn	Minge	Sherman
Hostettler	Moakley	Shimkus
Houghton	Moran (KS)	Shuster
Hoyer	Moran (VA)	Sisisky
Hulshof	Morella	Skaggs
Hunter	Murtha	Skelton
Hutchinson	Myrick	Slaughter
Hyde	Nadler	Smith (MI)
Inglis	Nethercutt	Smith (NJ)
Istook	Neumann	Smith (OR)
Jackson (IL)	Ney	Smith (TX)
Jenkins	Northup	Smith, Linda
John	Norwood	Snowbarger
Johnson (CT)	Nussle	Snyder
Johnson (WI)	Obey	Solomon
Jones	Ortiz	Souder
Kanjorski	Oxley	Spence
Kelly	Packard	Stabenow
Kennedy (MA)	Pappas	Stearns
Kennedy (RI)	Pascarella	Stenholm
Kildee	Pastor	Stokes
Kilpatrick	Paul	Strickland
Kim	Paxon	Stump
Kind (WI)	Pease	Stupak
King (NY)	Peterson (PA)	Sununu
Kingston	Petri	Talent
Klink	Pickering	Tanner
Klug	Pickett	Tauscher
Knollenberg	Pitts	Taylor (MS)
Kucinich	Pomeroy	Thomas
LaHood	Portman	Thompson
Lampson	Poshard	Thornberry
Lantos	Price (NC)	Thune
Latham	Quinn	Tiahrt
LaTourette	Rahall	Tierney
Lazio	Ramstad	Trafficant
Levin	Redmond	Turner
Lewis (CA)	Regula	Upton
Lewis (KY)	Reyes	Vento
Linder	Rivers	Visclosky
Lipinski	Rodriguez	Walsh
LoBiondo	Roemer	Wamp
Lofgren	Rogan	Waters
Lowe	Rogers	Watkins
Lucas	Rohrabacher	Watt (NC)
Luther	Ros-Lehtinen	Watts (OK)
Maloney (CT)	Rothman	Weldon (PA)
Maloney (NY)	Roukema	Weygand
Martinez	Roybal-Allard	White
Mascara	Royce	Whitfield
Matsui	Ryun	Wolf
McCarthy (MO)	Salmon	Wynn
McCarthy (NY)	Sanchez	

NOT VOTING—87

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

So the motion to adjourn was not agreed to.

128.6 INTELLIGENCE AUTHORIZATION

Mr. GOSS, pursuant to the order of the House of October 30, 1997, called up the following conference report (Rept. No. 105-350):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the 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, 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 "Intelligence Authorization Act for Fiscal Year 1998".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:  
Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.  
Sec. 102. Classified schedule of authorizations.  
Sec. 103. Personnel ceiling adjustments.  
Sec. 104. Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.  
Sec. 302. Restriction on conduct of intelligence activities.  
Sec. 303. Detail of intelligence community personnel.  
Sec. 304. Extension of application of sanctions laws to intelligence activities.  
Sec. 305. Sense of Congress on intelligence community contracting.  
Sec. 306. Sense of Congress on receipt of classified information.  
Sec. 307. Provision of information on certain violent crimes abroad to victims and victims' families.

Sec. 308. Annual reports on intelligence activities of the People's Republic of China.  
Sec. 309. Standards for spelling of foreign names and places and for use of geographic coordinates.  
Sec. 310. Review of studies on chemical weapons in the Persian Gulf during the Persian Gulf War.

Sec. 311. Amendments to Fair Credit Reporting Act.  
TITLE IV—CENTRAL INTELLIGENCE AGENCY  
Sec. 401. Multiyear leasing authority.  
Sec. 402. Subpoena authority for the Inspector General of the Central Intelligence Agency.  
Sec. 403. CIA central services program.  
Sec. 404. Protection of CIA facilities.  
Sec. 405. Administrative location of the Office of the Director of Central Intelligence.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Authority to award academic degree of Bachelor of Science in Intelligence.

Sec. 502. Funding for infrastructure and quality of life improvements at Menwith Hill and Bad Aibling stations.

Sec. 503. Unauthorized use of name, initials, or seal of National Reconnaissance Office.

#### TITLE I—INTELLIGENCE ACTIVITIES

##### SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1998 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The Drug Enforcement Administration.
- (11) The National Reconnaissance Office.
- (12) The National Imagery and Mapping Agency.

##### SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1998, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill S.858 of the One Hundred Fifth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the Executive Branch.

##### SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 1998 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Director exercises the authority granted by this section.

##### SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 1998 the sum of \$121,580,000.

(2) AVAILABILITY OF CERTAIN FUNDS.—Within such amount, funds identified in the classified Schedule of Authorizations referred to

in section 102(a) for the Advanced Research and Development Committee and the Environmental Intelligence and Applications Program shall remain available until September 30, 1999.

(b) AUTHORIZED PERSONNEL LEVELS.—The elements within the Community Management Account of the Director of Central Intelligence are authorized a total of 283 full-time personnel as of September 30, 1998. Personnel serving in such elements may be permanent employees of the Community Management Account element or personnel detailed from other elements of the United States Government.

(c) CLASSIFIED AUTHORIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Community Management Account by subsection (a), there is also authorized to be appropriated for the Community Management Account for fiscal year 1998 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

(2) AUTHORIZATION OF PERSONNEL.—In addition to the personnel authorized by subsection (b) for elements of the Community Management Account as of September 30, 1998, there is hereby authorized such additional personnel for such elements as of that date as is specified in the classified Schedule of Authorizations.

(d) REIMBURSEMENT.—Except as provided in section 113 of the National Security Act of 1947 (as added by section 303 of this Act), during fiscal year 1998, any officer or employee of the United States or member of the Armed Forces who is detailed to the staff of an element within the Community Management Account from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a non-reimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(e) NATIONAL DRUG INTELLIGENCE CENTER.—

(1) IN GENERAL.—Of the amount authorized to be appropriated in subsection (a), the amount of \$27,000,000 shall be available for the National Drug Intelligence Center. Within such amount, funds provided for research, development, test, and evaluation purposes shall remain available until September 30, 1999, and funds provided for procurement purposes shall remain available until September 30, 2000.

(2) TRANSFER OF FUNDS.—The Director of Central Intelligence shall transfer to the Attorney General of the United States funds available for the National Drug Intelligence Center under paragraph (1). The Attorney General shall utilize funds so transferred for the activities of the Center.

(3) LIMITATION.—Amounts available for the Center may not be used in contravention of the provisions of section 103(d)(1) of the National Security Act of 1947 (50 U.S.C. 403-3(d)(1)).

(4) AUTHORITY.—Notwithstanding any other provision of law, the Attorney General shall retain full authority over the operations of the Center.

#### TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

##### SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1998 the sum of \$196,900,000.

#### TITLE III—GENERAL PROVISIONS

##### SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits

for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

##### SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

##### SEC. 303. DETAIL OF INTELLIGENCE COMMUNITY PERSONNEL.

(a) IN GENERAL.—Title I of the National Security Act of 1947 (50 U.S.C. 401 et seq.) is amended by adding at the end the following new section:

“DETAIL OF INTELLIGENCE COMMUNITY PERSONNEL—INTELLIGENCE COMMUNITY ASSIGNMENT PROGRAM

“SEC. 113. (a) DETAIL.—(1) Notwithstanding any other provision of law, the head of a department with an element in the intelligence community or the head of an intelligence community agency or element may detail any employee within that department, agency, or element to serve in any position in the Intelligence Community Assignment Program on a reimbursable or a nonreimbursable basis.

“(2) Nonreimbursable details may be for such periods as are agreed to between the heads of the parent and host agencies, up to a maximum of three years, except that such details may be extended for a period not to exceed one year when the heads of the parent and host agencies determine that such extension is in the public interest.

“(b) BENEFITS, ALLOWANCES, TRAVEL, INCENTIVES.—An employee detailed under subsection (a) may be authorized any benefit, allowance, travel, or incentive otherwise provided to enhance staffing by the organization from which the employee is detailed.

“(c) ANNUAL REPORT.—Not later than March 1, 1999, and annually thereafter, the Director of Central Intelligence shall submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate a report describing the detail of intelligence community personnel pursuant to subsection (a) during the 12-month period ending on the date of the report. The report shall set forth the number of personnel detailed, the identity of parent and host agencies or elements, and an analysis of the benefits of the details.”

(b) TECHNICAL AMENDMENT.—Sections 120, 121, and 110 of the National Security Act of 1947 are hereby redesignated as sections 110, 111, and 112, respectively.

(c) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by striking out the items relating to sections 120, 121, and 110 and inserting in lieu thereof the following:

“Sec. 110. National mission of National Imagery and Mapping Agency.

“Sec. 111. Collection tasking authority.

“Sec. 112. Restrictions on intelligence sharing with the United Nations.

“Sec. 113. Detail of intelligence community personnel—intelligence community assignment program.”

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to an employee on detail on or after January 1, 1997.

##### SEC. 304. EXTENSION OF APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

Section 905 of the National Security Act of 1947 (50 U.S.C. 441d) is amended by striking out “January 6, 1998” and inserting in lieu thereof “January 6, 1999”.

**SEC. 305. SENSE OF CONGRESS ON INTELLIGENCE COMMUNITY CONTRACTING.**

It is the sense of Congress that the Director of Central Intelligence should continue to direct that elements of the intelligence community, whenever compatible with the national security interests of the United States and consistent with operational and security concerns related to the conduct of intelligence activities, and where fiscally sound, should competitively award contracts in a manner that maximizes the procurement of products properly designated as having been made in the United States.

**SEC. 306. SENSE OF CONGRESS ON RECEIPT OF CLASSIFIED INFORMATION.**

It is the sense of Congress that Members of Congress have equal standing with officials of the Executive Branch to receive classified information so that Congress may carry out its oversight responsibilities under the Constitution.

**SEC. 307. PROVISION OF INFORMATION ON CERTAIN VIOLENT CRIMES ABROAD TO VICTIMS AND VICTIMS' FAMILIES.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national interests of the United States to provide information regarding the killing, abduction, torture, or other serious mistreatment of United States citizens abroad to the victims of such crimes, or the families of victims of such crimes if they are United States citizens; and

(2) the provision of such information is sufficiently important that the discharge of the responsibility for identifying and disseminating such information should be vested in a cabinet-level officer of the United States Government.

(b) RESPONSIBILITY.—The Secretary of State shall take appropriate actions to ensure that the United States Government takes all appropriate actions to—

(1) identify promptly information (including classified information) in the possession of the departments and agencies of the United States Government regarding the killing, abduction, torture, or other serious mistreatment of United States citizens abroad; and

(2) subject to subsection (c), promptly make such information available to—

(A) the victims of such crimes; or

(B) when appropriate, the family members of the victims of such crimes if such family members are United States citizens.

(c) LIMITATIONS.—The Secretary shall work with the heads of appropriate departments and agencies of the United States Government in order to ensure that information relevant to a crime covered by subsection (b) is promptly reviewed and, to the maximum extent practicable, without jeopardizing sensitive sources and methods or other vital national security interests, or without jeopardizing an on-going criminal investigation or proceeding, made available under that subsection unless such disclosure is specifically prohibited by law.

**SEC. 308. ANNUAL REPORTS ON INTELLIGENCE ACTIVITIES OF THE PEOPLE'S REPUBLIC OF CHINA.**

(a) REPORT TO CONGRESS.—Not later than 90 days after the date of enactment of this Act and annually thereafter, the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, jointly and in consultation with the heads of other appropriate Federal agencies, including the National Security Agency and the Departments of Defense, Justice, Treasury, and State, shall prepare and transmit to Congress a report on intelligence activities of the People's Republic of China directed against or affecting the interests of the United States.

(b) DELIVERY OF REPORT.—The Director of Central Intelligence and the Director of the

Federal Bureau of Investigation shall jointly transmit classified and unclassified versions of the report to the Speaker and Minority leader of the House of Representatives, the Majority and Minority leaders of the Senate, the Chairman and Ranking Member of the Permanent Select Committee on Intelligence of the House of Representatives, and the Chairman and Vice-Chairman of the Select Committee on Intelligence of the Senate.

**SEC. 309. STANDARDS FOR SPELLING OF FOREIGN NAMES AND PLACES AND FOR USE OF GEOGRAPHIC COORDINATES.**

(a) SURVEY OF CURRENT STANDARDS.—

(1) SURVEY.—The Director of Central Intelligence shall carry out a survey of current standards for the spelling of foreign names and places, and the use of geographic coordinates for such places, among the elements of the intelligence community.

(2) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director shall submit to the congressional intelligence committees a report on the survey carried out under paragraph (1). The report shall be submitted in unclassified form, but may include a classified annex.

(b) GUIDELINES.—

(1) ISSUANCE.—Not later than 180 days after the date of enactment of this Act, the Director shall issue guidelines to ensure the use of uniform spelling of foreign names and places and the uniform use of geographic coordinates for such places. The guidelines shall apply to all intelligence reports, intelligence products, and intelligence databases prepared and utilized by the elements of the intelligence community.

(2) BASIS.—The guidelines under paragraph (1) shall, to the maximum extent practicable, be based on current United States Government standards for the transliteration of foreign names, standards for foreign place names developed by the Board on Geographic Names, and a standard set of geographic coordinates.

(3) SUBMITTAL TO CONGRESS.—The Director shall submit a copy of the guidelines to the congressional intelligence committees.

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term "congressional intelligence committees" means the following:

(1) The Select Committee on Intelligence of the Senate.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

**SEC. 310. REVIEW OF STUDIES ON CHEMICAL WEAPONS IN THE PERSIAN GULF DURING THE PERSIAN GULF WAR.**

(a) REVIEW.—

(1) IN GENERAL.—Not later than May 31, 1998, the Inspector General of the Central Intelligence Agency shall complete a review of the studies conducted by the Federal Government regarding the presence, use, or destruction of chemical weapons in the Persian Gulf theater of operations during the Persian Gulf War.

(2) PURPOSE.—The purpose of the review is to identify any additional investigation or research that may be necessary—

(A) to determine fully and completely the extent of Central Intelligence Agency knowledge of the presence, use, or destruction of such weapons in that theater of operations during that war; and

(B) with respect to any other issue relating to the presence, use, or destruction of such weapons in that theater of operations during that war that the Inspector General considers appropriate.

(b) REPORT ON REVIEW.—

(1) REQUIREMENT.—Upon the completion of the review, the Inspector General shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of

Representatives a report on the results of the review. The report shall include such recommendations for additional investigations or research as the Inspector General considers appropriate.

(2) FORM.—The report shall be submitted in unclassified form, but may include a classified annex.

**SEC. 311. AMENDMENTS TO FAIR CREDIT REPORTING ACT.**

(a) EXCEPTION TO CONSUMER DISCLOSURE REQUIREMENT.—Section 604(b) of the Fair Credit Reporting Act (15 U.S.C. 1681b(b)) (as amended by chapter 1 of subtitle D of the Economic Growth and Regulatory Paperwork Reduction Act of 1996) is amended by adding at the end the following new paragraph:

"(4) EXCEPTION FOR NATIONAL SECURITY INVESTIGATIONS.—

"(A) IN GENERAL.—In the case of an agency or department of the United States Government which seeks to obtain and use a consumer report for employment purposes, paragraph (3) shall not apply to any adverse action by such agency or department which is based in part on such consumer report, if the head of such agency or department makes a written finding that—

"(i) the consumer report is relevant to a national security investigation of such agency or department;

"(ii) the investigation is within the jurisdiction of such agency or department;

"(iii) there is reason to believe that compliance with paragraph (3) will—

"(I) endanger the life or physical safety of any person;

"(II) result in flight from prosecution;

"(III) result in the destruction of, or tampering with, evidence relevant to the investigation;

"(IV) result in the intimidation of a potential witness relevant to the investigation;

"(V) result in the compromise of classified information; or

"(VI) otherwise seriously jeopardize or unduly delay the investigation or another official proceeding.

"(B) NOTIFICATION OF CONSUMER UPON CONCLUSION OF INVESTIGATION.—Upon the conclusion of a national security investigation described in subparagraph (A), or upon the determination that the exception under subparagraph (A) is no longer required for the reasons set forth in such subparagraph, the official exercising the authority in such subparagraph shall provide to the consumer who is the subject of the consumer report with regard to which such finding was made—

"(i) a copy of such consumer report with any classified information redacted as necessary;

"(ii) notice of any adverse action which is based, in part, on the consumer report; and

"(iii) the identification with reasonable specificity of the nature of the investigation for which the consumer report was sought.

"(C) DELEGATION BY HEAD OF AGENCY OR DEPARTMENT.—For purposes of subparagraphs (A) and (B), the head of any agency or department of the United States Government may delegate his or her authorities under this paragraph to an official of such agency or department who has personnel security responsibilities and is a member of the Senior Executive Service or equivalent civilian or military rank.

"(D) REPORT TO THE CONGRESS.—Not later than January 31 of each year, the head of each agency and department of the United States Government that exercised authority under this paragraph during the preceding year shall submit a report to the Congress on the number of times the department or agency exercised such authority during the year.

"(E) DEFINITIONS.—For purposes of this paragraph, the following definitions shall apply:

“(i) CLASSIFIED INFORMATION.—The term ‘classified information’ means information that is protected from unauthorized disclosure under Executive Order No. 12958 or successor orders.

“(ii) NATIONAL SECURITY INVESTIGATION.—The term ‘national security investigation’ means any official inquiry by an agency or department of the United States Government to determine the eligibility of a consumer to receive access or continued access to classified information or to determine whether classified information has been lost or compromised.”

(b) RESALE OF CONSUMER REPORT TO A FEDERAL AGENCY OR DEPARTMENT.—Section 607(e) of the Fair Credit Reporting Act (12 U.S.C. 1681e(e)) (as amended by chapter 1 of subtitle D of the Economic Growth and Regulatory Paperwork Reduction Act of 1996) is amended by adding at the end the following new paragraph:

“(3) RESALE OF CONSUMER REPORT TO A FEDERAL AGENCY OR DEPARTMENT.—Notwithstanding paragraph (1) or (2), a person who procures a consumer report for purposes of reselling the report (or any information in the report) shall not disclose the identity of the end-user of the report under paragraph (1) or (2) if—

“(A) the end user is an agency or department of the United States Government which procures the report from the person for purposes of determining the eligibility of the consumer concerned to receive access or continued access to classified information (as defined in section 604(b)(4)(E)(i)); and

“(B) the agency or department certifies in writing to the person reselling the report that nondisclosure is necessary to protect classified information or the safety of persons employed by or contracting with, or undergoing investigation for work or contracting with the agency or department.”

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if such amendments had been included in chapter 1 of subtitle D of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 as of the date of the enactment of such Act.

#### TITLE IV—CENTRAL INTELLIGENCE AGENCY

##### SEC. 401. MULTIYEAR LEASING AUTHORITY.

(a) IN GENERAL.—Section 5 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403f) is amended—

(1) by redesignating paragraphs (a) through (f) as paragraphs (1) through (6), respectively;

(2) by inserting “(a)” after “SEC. 5.”;

(3) in paragraph (5), as so redesignated, by striking out “without regard” and all that follows through “; and” and inserting in lieu thereof a semicolon;

(4) by striking out the period at the end of paragraph (6), as so redesignated, and inserting in lieu thereof “; and”;

(5) by inserting after paragraph (6) the following new paragraph:

“(7) Notwithstanding section 1341(a)(1) of title 31, United States Code, enter into multiyear leases for up to 15 years.”; and

(6) by inserting at the end the following new subsection:

“(b)(1) The authority to enter into a multiyear lease under subsection (a)(7) shall be subject to appropriations provided in advance for—

“(A) the entire lease; or

“(B) the first 12 months of the lease and the Government’s estimated termination liability.

“(2) In the case of any such lease entered into under subparagraph (B) of paragraph (1)—

“(A) such lease shall include a clause that provides that the contract shall be termi-

nated if budget authority (as defined by section 3(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(2))) is not provided specifically for that project in an appropriations Act in advance of an obligation of funds in respect thereto;

“(B) notwithstanding section 1552 of title 31, United States Code, amounts obligated for paying termination costs with respect to such lease shall remain available until the costs associated with termination of such lease are paid;

“(C) funds available for termination liability shall remain available to satisfy rental obligations with respect to such lease in subsequent fiscal years in the event such lease is not terminated early, but only to the extent those funds are in excess of the amount of termination liability at the time of their use to satisfy such rental obligations; and

“(D) funds appropriated for a fiscal year may be used to make payments on such lease, for a maximum of 12 months, beginning any time during such fiscal year.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to multiyear leases entered into under section 5 of the Central Intelligence Agency Act of 1949, as so amended, on or after October 1, 1997.

##### SEC. 402. SUBPOENA AUTHORITY FOR THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) AUTHORITY.—Subsection (e) of section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403g) is amended—

(1) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5)(A) Except as provided in subparagraph (B), the Inspector General is authorized to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of the duties and responsibilities of the Inspector General.

“(B) In the case of Government agencies, the Inspector General shall obtain information, documents, reports, answers, records, accounts, papers, and other data and evidence for the purpose specified in subparagraph (A) using procedures other than by subpoenas.

“(C) The Inspector General may not issue a subpoena for or on behalf of any other element or component of the Agency.

“(D) In the case of contumacy or refusal to obey a subpoena issued under this paragraph, the subpoena shall be enforceable by order of any appropriate district court of the United States.

“(E) Not later than January 31 and July 31 of each year, the Inspector General shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report of the Inspector General’s exercise of authority under this paragraph during the preceding six months.”

(b) LIMITATION ON AUTHORITY FOR PROTECTION OF NATIONAL SECURITY.—Subsection (b)(3) of that section is amended by inserting “, or from issuing any subpoena, after the Inspector General has decided to initiate, carry out, or complete such audit, inspection, or investigation or to issue such subpoena,” after “or investigation”.

##### SEC. 403. CIA CENTRAL SERVICES PROGRAM.

(a) AUTHORITY FOR PROGRAM.—The Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) is amended by adding at the end the following new section:

###### “CENTRAL SERVICES PROGRAM

“SEC. 21. (a) IN GENERAL.—The Director may carry out a program under which ele-

ments of the Agency provide items and services on a reimbursable basis to other elements of the Agency and to other Government agencies. The Director shall carry out the program in accordance with the provisions of this section.

“(b) PARTICIPATION OF AGENCY ELEMENTS.—(1) In order to carry out the program, the Director shall—

“(A) designate the elements of the Agency that are to provide items or services under the program (in this section referred to as ‘central service providers’);

“(B) specify the items or services to be provided under the program by such providers; and

“(C) assign to such providers for purposes of the program such inventories, equipment, and other assets (including equipment on order) as the Director determines necessary to permit such providers to provide items or services under the program.

“(2) The designation of elements and the specification of items and services under paragraph (1) shall be subject to the approval of the Director of the Office of Management and Budget.

“(c) CENTRAL SERVICES WORKING CAPITAL FUND.—(1) There is established a fund to be known as the Central Services Working Capital Fund (in this section referred to as the ‘Fund’). The purpose of the Fund is to provide sums for activities under the program.

“(2) There shall be deposited in the Fund the following:

“(A) Amounts appropriated to the Fund.

“(B) Amounts credited to the Fund from payments received by central service providers under subsection (e).

“(C) Fees imposed and collected under subsection (f)(1).

“(D) Amounts collected in payment for loss or damage to equipment or other property of a central service provider as a result of activities under the program.

“(E) Such other amounts as the Director is authorized to deposit in or transfer to the Fund.

“(3) Amounts in the Fund shall be available, without fiscal year limitation, for the following purposes:

“(A) To pay the costs of providing items or services under the program.

“(B) To pay the costs of carrying out activities under subsection (f)(2).

“(d) LIMITATION ON AMOUNT OF ORDERS.—The total value of all orders for items or services to be provided under the program in any fiscal year may not exceed an amount specified in advance by the Director of the Office of Management and Budget.

“(e) PAYMENT FOR ITEMS AND SERVICES.—(1) A Government agency provided items or services under the program shall pay the central service provider concerned for such items or services an amount equal to the costs incurred by the provider in providing such items or services plus any fee imposed under subsection (f). In calculating such costs, the Director shall take into account personnel costs (including costs associated with salaries, annual leave, and workers’ compensation), plant and equipment costs (including depreciation of plant and equipment), operation and maintenance expenses, amortized costs, and other expenses.

“(2) Payment for items or services under paragraph (1) may take the form of an advanced payment by an agency from appropriations available to such agency for the procurement of such items or services.

“(f) FEES.—(1) The Director may permit a central service provider to impose and collect a fee with respect to the provision of an item or service under the program. The amount of the fee may not exceed an amount equal to four percent of the payment received by the provider for the item or service.

“(2)(A) Subject to subparagraph (B), the Director may obligate and expend amounts in the Fund that are attributable to the fees imposed and collected under paragraph (1) to acquire equipment or systems for, or to improve the equipment or systems of, elements of the Agency that are not designated for participation in the program in order to facilitate the designation of such elements for future participation in the program.

“(B) The Director may not expend amounts in the Fund for purposes specified in subparagraph (A) in fiscal year 1998, 1999, or 2000 unless the Director—

“(i) secures the prior approval of the Director of the Office of Management and Budget; and

“(ii) submits notice of the proposed expenditure to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

“(g) AUDIT.—(1) Not later than December 31 each year, the Inspector General of the Central Intelligence Agency shall conduct an audit of the activities under the program during the preceding fiscal year.

“(2) The Director of the Office of Management and Budget shall determine the form and content of annual audits under paragraph (1). Such audits shall include an itemized accounting of the items or services provided, the costs associated with the items or services provided, the payments and any fees received for the items or services provided, and the agencies provided items or services.

“(3) Not later than 30 days after the completion of an audit under paragraph (1), the Inspector General shall submit a copy of the audit to the following:

“(A) The Director of the Office of Management and Budget.

“(B) The Director of Central Intelligence.

“(C) The Permanent Select Committee on Intelligence of the House of Representatives.

“(D) The Select Committee on Intelligence of the Senate.

“(h) TERMINATION.—(1) The authority of the Director to carry out the program under this section shall terminate on March 31, 2000.

“(2) Subject to paragraph (3), the Director of Central Intelligence and the Director of the Office of Management and Budget, acting jointly—

“(A) may terminate the program under this section and the Fund at any time; and

“(B) upon such termination, shall provide for the disposition of the personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with the program or the Fund.

“(3) The Director of Central Intelligence and the Director of the Office of Management and Budget may not undertake any action under paragraph (2) until 60 days after the date on which the Directors jointly submit notice of such action to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.”.

(b) AVAILABILITY OF FUNDS.—Of the amount appropriated pursuant to the authorization of appropriations in section 101, \$2,000,000 shall be available for deposit in the Central Services Working Capital Fund established by section 21(c) of the Central Intelligence Agency Act of 1949, as added by subsection (a).

#### SEC. 404. PROTECTION OF CIA FACILITIES.

Subsection (a) of section 15 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403o) is amended—

(1) by inserting “(1)” after “(a)”;

(2) by striking out “powers only within Agency installations,” and all that follows through the end and inserting in lieu thereof the following: “powers—

“(A) within the Agency Headquarters Compound and the property controlled and occupied by the Federal Highway Administration located immediately adjacent to such Compound;

“(B) in the streets, sidewalks, and the open areas within the zone beginning at the outside boundary of such Compound and property and extending outward 500 feet;

“(C) within any other Agency installation and protected property; and

“(D) in the streets, sidewalks, and open areas within the zone beginning at the outside boundary of any installation or property referred to in subparagraph (C) and extending outward 500 feet.”; and

(3) by adding at the end the following new paragraphs:

“(2) The performance of functions and exercise of powers under subparagraph (B) or (D) of paragraph (1) shall be limited to those circumstances where such personnel can identify specific and articulable facts giving such personnel reason to believe that the performance of such functions and exercise of such powers is reasonable to protect against physical damage or injury, or threats of physical damage or injury, to Agency installations, property, or employees.

“(3) Nothing in this subsection shall be construed to preclude, or limit in any way, the authority of any Federal, State, or local law enforcement agency, or any other Federal police or Federal protective service.

“(4) The rules and regulations enforced by such personnel shall be the rules and regulations prescribed by the Director and shall only be applicable to the areas referred to in subparagraph (A) or (C) of paragraph (1).

“(5) Not later than December 1, 1998, and annually thereafter, the Director shall submit a report to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate that describes in detail the exercise of the authority granted by this subsection, and the underlying facts supporting the exercise of such authority, during the preceding fiscal year. The Director shall make such report available to the Inspector General of the Central Intelligence Agency.”.

#### SEC. 405. ADMINISTRATIVE LOCATION OF THE OFFICE OF THE DIRECTOR OF CENTRAL INTELLIGENCE.

Section 102(e) of the National Security Act of 1947 (50 U.S.C. 403(e)) is amended by adding at the end the following:

“(4) The Office of the Director of Central Intelligence shall, for administrative purposes, be within the Central Intelligence Agency.”.

#### TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

#### SEC. 501. AUTHORITY TO AWARD ACADEMIC DEGREE OF BACHELOR OF SCIENCE IN INTELLIGENCE.

(a) AUTHORITY FOR NEW BACHELOR'S DEGREE.—Section 2161 of title 10, United States Code, is amended to read as follows:

“§2161. Joint Military Intelligence College: academic degrees

“Under regulations prescribed by the Secretary of Defense, the president of the Joint Military Intelligence College may, upon recommendation by the faculty of the college, confer upon a graduate of the college who has fulfilled the requirements for the degree the following:

“(1) The degree of Master of Science of Strategic Intelligence (MSSI).

“(2) The degree of Bachelor of Science in Intelligence (BSI).”.

(b) CLERICAL AMENDMENT.—The item relating to that section in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:

“2161. Joint Military Intelligence College: academic degrees.”.

#### SEC. 502. FUNDING FOR INFRASTRUCTURE AND QUALITY OF LIFE IMPROVEMENTS AT MENWITH HILL AND BAD ABLING STATIONS.

Section 506(b) of the Intelligence Authorization Act for Fiscal Year 1996 (Public Law 104-93; 109 Stat. 974) is amended by striking out “for fiscal years 1996 and 1997” and inserting in lieu thereof “for fiscal years 1998 and 1999”.

#### SEC. 503. UNAUTHORIZED USE OF NAME, INITIALS, OR SEAL OF NATIONAL RECONNAISSANCE OFFICE.

(a) EXTENSION, REORGANIZATION, AND CONSOLIDATION OF AUTHORITIES.—Subchapter I of chapter 21 of title 10, United States Code, is amended by adding at the end the following new section:

#### “§ 425. Prohibition of unauthorized use of name, initials, or seal: specified intelligence agencies

“(a) PROHIBITION.—Except with the written permission of both the Secretary of Defense and the Director of Central Intelligence, no person may knowingly use, in connection with any merchandise, retail product, impersonation, solicitation, or commercial activity in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Secretary and the Director, any of the following (or any colorable imitation thereof):

“(1) The words ‘Defense Intelligence Agency’, the initials ‘DIA’, or the seal of the Defense Intelligence Agency.

“(2) The words ‘National Reconnaissance Office’, the initials ‘NRO’, or the seal of the National Reconnaissance Office.

“(3) The words ‘National Imagery and Mapping Agency’, the initials ‘NIMA’, or the seal of the National Imagery and Mapping Agency.

“(4) The words ‘Defense Mapping Agency’, the initials ‘DMA’, or the seal of the Defense Mapping Agency.”.

(b) TRANSFER OF ENFORCEMENT AUTHORITY.—Subsection (b) of section 202 of title 10, United States Code, is transferred to the end of section 425 of such title, as added by subsection (a), and is amended by inserting “AUTHORITY TO ENJOIN VIOLATIONS.—” after “(b)”.

(c) REPEAL OF REORGANIZED PROVISIONS.—Sections 202 and 445 of title 10, United States Code, are repealed.

(d) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of subchapter II of chapter 8 of title 10, United States Code, is amended by striking out the item relating to section 202.

(2) The table of sections at the beginning of subchapter I of chapter 21 of title 10, United States Code, is amended by striking out the items relating to sections 424 and 425 and inserting in lieu thereof the following:

“424. Disclosure of organizational and personnel information: exemption for Defense Intelligence Agency, National Reconnaissance Office, and National Imagery and Mapping Agency.

“425. Prohibition of unauthorized use of name, initials, or seal: specified intelligence agencies.”.

(3) The table of sections at the beginning of subchapter I of chapter 22 of title 10, United States Code, is amended by striking out the item relating to section 445.

And the House agree to the same. From the Permanent Select Committee on Intelligence, for consideration of the Senate

bill, and the House amendment, and modifications committed to conference:

PORTER GOSS,  
BILL YOUNG,  
JERRY LEWIS,  
BUD SHUSTER,  
BILL MCCOLLUM,  
MICHAEL N. CASTLE,  
SHERWOOD BOEHLERT,  
CHARLES F. BASS,  
JIM GIBBONS,  
NORM DICKS,  
JULIAN C. DIXON,  
DAVID E. SKAGGS,  
NANCY PELOSI,  
JANE HARMAN,  
IKE SKELTON,  
SANFORD D. BISHOP,

From the Committee on National Security, for consideration of defense tactical intelligence and related activities:

FLOYD SPENCE,  
BOB STUMP,

*Managers on the Part of the House.*

From the Select Committee on Intelligence:

RICHARD SHELBY,  
JOHN H. CHAFFEE,  
DICK LUGAR,  
MIKE DEWINE,  
JON KYL,  
JAMES INHOFE,  
ORRIN HATCH,  
PAT ROBERTS,  
WAYNE ALLARD,  
DANIEL COATS,  
BOB KERREY,  
JOHN GLENN,  
RICHARD H. BRYAN,  
BOB GRAHAM,  
JOHN F. KERRY,  
MAX BAUCUS,  
CHUCK ROBB,  
FRANK LAUTENBERG,  
CARL LEVIN,

From the Committee on Armed Services:

STROM THURMAN,

*Managers on the Part of the Senate.*

When said conference report was considered.

After debate,

On motion of Mr. GOSS, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mr. GOSS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 385  
                                  Nays ..... 36

¶128.7 [Roll No. 607]  
YEAS—385

Abercrombie	Barrett (WI)	Blunt
Ackerman	Bartlett	Boehrlert
Aderholt	Barton	Boehner
Allen	Bass	Bonilla
Andrews	Bateman	Bono
Archer	Bentsen	Borski
Armey	Bereuter	Boswell
Bachus	Berman	Boucher
Baesler	Berry	Boyd
Baker	Bilbray	Brady
Baldacci	Bilirakis	Brown (CA)
Ballenger	Bishop	Brown (FL)
Barcia	Blagojevich	Brown (OH)
Barr	Bliley	Bryant
Barrett (NE)	Blumenauer	Bunning

Burr	Hamilton
Burton	Hansen
Buyer	Harman
Callahan	Hastert
Calvert	Hastings (FL)
Campbell	Hastings (WA)
Canady	Hayworth
Cannon	Hefley
Cardin	Hefner
Carson	Herger
Castle	Hill
Chabot	Hilleary
Chambliss	Hilliard
Christensen	Hinojosa
Clay	Hobson
Clayton	Hoekstra
Clement	Holden
Clyburn	Hooley
Coble	Horn
Coburn	Hostettler
Collins	Houghton
Combest	Hoyer
Condit	Hulshof
Cook	Hunter
Costello	Hutchinson
Cox	Hyde
Coyne	Inglis
Cramer	Istook
Crane	Jackson-Lee
Crapo	(TX)
Cummings	Jefferson
Cunningham	Jenkins
Danner	John
Davis (FL)	Johnson (CT)
Davis (VA)	Johnson (WI)
Deal	Johnson, E. B.
DeGette	Jones
Delahunt	Kanjorski
DeLauro	Kaptur
DeLay	Kasich
Deutsch	Kelly
Diaz-Balart	Kennedy (MA)
Dickey	Kennedy (RI)
Dicks	Kennelly
Dingell	Kildee
Dixon	Kilpatrick
Doggett	Kim
Dooley	Kind (WI)
Doyle	King (NY)
Dreier	Kingston
Dunn	Klecza
Edwards	Klink
Ehlers	Klug
Ehrlich	Knollenberg
Emerson	Kolbe
Engel	Kucinich
English	LaFalce
Ensign	LaHood
Eshoo	Lampson
Etheridge	Lantos
Evans	Largent
Everett	Latham
Ewing	LaTourette
Farr	Lazio
Fattah	Leach
Fawell	Levin
Fazio	Lewis (CA)
Flake	Lewis (GA)
Foglietta	Lewis (KY)
Foley	Linder
Forbes	Lipinski
Ford	Livingston
Fossella	LoBiondo
Fowler	Lowe
Fox	Lucas
Franks (NJ)	Luther
Frelinghuysen	Maloney (CT)
Frost	Maloney (NY)
Galleghy	Manton
Ganske	Manzullo
Gejdenson	Martinez
Gekas	Mascara
Gephardt	Matsui
Gibbons	McCarthy (MO)
Gilchrist	McCarthy (NY)
Gillmor	McCollum
Gilman	McCrery
Goode	McHale
Goodlatte	McHugh
Goodling	McInnis
Gordon	McIntosh
Goss	McIntyre
Graham	McKeon
Granger	McNulty
Green	Meehan
Greenwood	Meek
Gutknecht	Menendez
Hall (OH)	Metcalf
Hall (TX)	Mica

Millender-McDonald	Spratt
Miller (FL)	Stabenow
Mink	Stearns
Moakley	Stenholm
Mollohan	Strickland
Moran (KS)	Stump
Moran (VA)	Stupak
Morella	Sununu
Murtha	Talent
Myrick	Tanner
Nadler	Tauscher
Nethercutt	Tauzin
Neumann	Taylor (MS)
Ney	Taylor (NC)
Northup	Thomas
Norwood	
Nussle	
Obey	
Ortiz	
Oxley	
Packard	
Pallone	
Pappas	
Parker	
Pascarell	
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	

Thompson	Weldon (FL)
Thornberry	Weldon (PA)
Thune	Weller
Thurman	Wexler
Tiahrt	Weygand
Towns	White
Trafigant	Whitefield
Turner	Wicker
Upton	Wise
Visclosky	Wolf
Walsh	Wynn
Wamp	Young (AK)
Watkins	Young (FL)
Watts (OK)	
Waxman	

NAYS—36

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

NOT VOTING—12

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

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk notify the Senate thereof.

¶128.8 SUSPENSION OF THE RULES NOTICE

Mr. GOSS, pursuant to section 2 of House Resolution 305, at 10:51 a.m. announced the Speaker will recognize Members for motions to suspend the rules under clause 2 of rule XXVII, with respect to the following bills and resolution that may be considered today: H.R. 2534, Agricultural Research, Extension, and Education Reauthorization Act of 1997; H. Res. 122, Expressing the Sense of the House of Representatives Regarding Tactile Curvature for the Blind and Visually Impaired; H.R. 2614, Reading Excellence Act; S. 813, Veterans' Cemetery Protection Act of 1997; S. 1139, Small Business Reauthorization Act of 1997; S. 714, Extension and Improvement of the Native American Veteran Housing Loan Pilot Program; H.R. 2513, Taxpayer Relief Act Amendments; S. 1377, American Legion Incorporation Amendment; and H.R. 2813, Medal of Honor Award to Robert R. Ingram.

¶128.9 CHARTER SCHOOLS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to House Resolution 288 and rule XXIII, declared the House resolved 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.

Mr. SNOWBARGER, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶128.10 MOTION TO RISE

A recorded vote by electronic device was ordered in the Committee of the Whole on the motion of Mr. MENEN-DEZ that the Committee do now rise.

It was decided in the { Yeas ..... 71 negative ..... } Nays ..... 348

¶128.11 [Roll No. 608]

AYES—71

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

NOES—348

- Abercrombie Coburn Gilman
Aderholt Collins Goode
Allen Combust Goodlatte
Andrews Condit Goodling
Archer Cook Gordon
Armye Cooksey Moran (KS)
Bachus Costello Moran (VA)
Baesler Cox Morella
Baker Cramer Myrick
Baldacci Crane Green
Ballenger Crapo Gutierrez
Barcia Cummings Hall (OH)
Barr Cunningham Hall (TX)
Barrett (NE) Danner Hamilton
Barrett (WI) Davis (FL) Hansen
Bartlett Davis (IL) Harman
Barton Davis (VA) Hart
Bass Deal Hastert
Bateman DeGette Hastings (WA)
Bentsen Delahunt Hayworth
Bereuter DeLay Hefley
Berman Diaz-Balart Hefner
Berry Dickey Herger
Bilbray Dicks Hill
Bilirakis Dixon Hilleary
Bishop Dooley Hilliard
Blagojevich Doolittle Hinojosa
Bliley Doyle Hobson
Blunt Dreier Hoekstra
Boehlert Duncan Holden
Boehner Dunn Horn
Bonilla Edwards Hostettler
Borski Ehlers Houghton
Boswell Ehrlich Hoyer
Boucher Emerson Hulshof
Boyd Engel Hunter
Brady English Hutchinson
Brown (CA) Ensign Hyde
Bryant Eshoo Inglis
Bunning Etheridge Istook
Burr Everett Jenkins
Burton Ewing John
Buyer Fattah Johnson (CT)
Callahan Fawell Johnson (WI)
Calvert Flake Johnson, Sam
Camp Foley Jones
Campbell Forbes Kanjorski
Canady Ford Kasich
Cannon Fossella Kelly
Cardin Fowler Kennedy (MA)
Castle Fox Kildee
Chabot Franks (NJ) Kilpatrick
Chambliss Frost Kim
Chenoweth Frelinghuysen Kind (WI)
Christensen Galleghy King (NY)
Clay Ganske Kingston
Clayton Gekas Kleczka
Clement Gibbons Klink
Clyburn Gilchrist Klug
Coble Gillmor 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
Schumer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)
Rodriguez
Roybal-Allard
Sanchez
Scott
Skaggs
Smith, Adam
Smith, Linda
Abercrombie
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
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
Ewing
Fawell
Flake
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Galleghy
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McHale
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Serrano
Sessions

NOT VOTING—14

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

So the motion was not agreed to. After some further time,

¶128.12 MOTION TO RISE

A recorded vote by electronic device was ordered in the Committee of the Whole on the motion of Ms. VELAZ-QUEZ that the Committee do now rise.

It was decided in the { Yeas ..... 75 negative ..... } Nays ..... 334

¶128.13 [Roll No. 609]

AYES—75

- Baldacci Farr Markey
Barrett (WI) Fattah McDermott
Becerra Fazio McKinney
Blagojevich Filner McNulty
Blumenauer Frank (MA) Meek
Bonior Furse Menendez
Brown (FL) Gejdenson Millender-
Brown (OH) Gephardt McDonald
Conyers Hastings (FL) Miller (CA)
Coyne Hefner Mink
DeFazio Hilleary Nadler
Delahunt Hinchev Oberstar
DeLauro Hinojosa Olver
Dellums Jackson (IL) Owens
Deutsch Jefferson Pallone
Dicks Conyers Miller (CA)
Dingell LaFalce Pelosi
Doggett Lewis (GA) Peterson (MN)
Etheridge Lofgren Pomeroy
Evans Maloney (NY) Rangel

- Rodriguez
Roybal-Allard
Sanchez
Scott
Skaggs
Smith, Adam
Spratt
Stark
Strickland
Stupak
Torres
Towns
NOES—334
Ewing
Fawell
Flake
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Galleghy
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hayworth
Hefley
Herger
Hill
Hilliard
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson-Lee
Coble
Coburn
Collins
Combust
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dixon
Dooley
Doolittle
Doyle
Duncan
English
Ensign
Eshoo
Etheridge
Everett
Farr
Fattah
Fazio
Filner
Frank (MA)
Furse
Gejdenson
Gephardt
Hastings (FL)
Hefner
Hilleary
Hinchev
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
Smith, Linda
Abercrombie
Aderholt
Allen
Andrews
Archer
Bachus
Baesler
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
Ewing
Fawell
Flake
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Galleghy
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McHale
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Serrano
Sessions

Shadegg	Stabenow	Visclosky	Tauscher	Velazquez	Weygand
Shaw	Stearns	Walsh	Thompson	Vento	Wise
Shays	Stenholm	Wamp	Tierney	Visclosky	Woolsey
Sherman	Stump	Waters	Torres	Waters	Wynn
Shimkus	Sununu	Watkins	Towns	Watt (NC)	
Shuster	Tanner	Watts (OK)	Turner	Waxman	
Sisisky	Tauscher	Waxman			
Skeen	Tauzin	Weldon (FL)			
Skelton	Taylor (MS)	Weldon (PA)			
Slaughter	Taylor (NC)	Weller			
Smith (MI)	Thomas	Wexler			
Smith (NJ)	Thompson	Weygand			
Smith (OR)	Thornberry	White			
Smith (TX)	Thune	Whitfield			
Smith, Linda	Thurman	Wicker			
Snowbarger	Tierney	Wolf			
Snyder	Trafficant	Wynn			
Solomon	Turner	Young (AK)			
Souder	Upton	Young (FL)			
Spence	Vento				

NOES—260

NOT VOTING—24

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

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

So the motion was not agreed to.  
After some further time,

128.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. TIERNEY:

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

It was decided in the { Yeas ..... 164  
negative ..... } Nays ..... 260

128.15 [Roll No. 610]  
AYES—164

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

NOT VOTING—9

Army	Gonzalez	Scarborough
Cubin	Johnson, Sam	Schiff
Foglietta	Riley	Yates

So the amendment was not agreed to.  
The SPEAKER pro tempore, Mr. BARRETT, assumed the Chair.

When Mr. SNOWBARGER, Chairman, pursuant to House Resolution 288, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community-Designed Charter Schools Act".

SEC. 2. INNOVATIVE CHARTER SCHOOLS.

Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended—

(1) in section 6201(a)—  
(A) in paragraph (1)(C), by striking "and" after the semicolon;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

"(2) support for planning, designing, and initial implementation of charter schools as described in part C of title X; and"; and

(2) in section 6301(b)—

(A) in paragraph (7), by striking "and" after the semicolon;

(B) by redesignating paragraph (8) as paragraph (9); and

(C) by inserting after paragraph (7) the following:

"(8) planning, designing, and initial implementation of charter schools as described in part C of title X; and".

SEC. 3. CHARTER SCHOOLS.

Part C of title X of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"PART C—PUBLIC CHARTER SCHOOLS

"SEC. 10301. FINDINGS AND PURPOSE.

"(a) FINDINGS.—The Congress finds that—

"(1) enhancement of parent and student choices among public schools can assist in promoting comprehensive educational reform and give more students the opportunity to learn to challenging State content standards and challenging State student performance standards, if sufficiently diverse and high-quality choices, and genuine opportunities to take advantage of such choices, are available to all students;

"(2) useful examples of such choices can come from States and communities that experiment with methods of offering teachers and other educators, parents, and other members of the public the opportunity to design and implement new public schools and to transform existing public schools;

"(3) charter schools are a mechanism for testing a variety of educational approaches and should, therefore, be exempted from restrictive rules and regulations if the leadership of such schools commits to attaining specific and ambitious educational results for educationally disadvantaged students consistent with challenging State content standards and challenging State student performance standards for all students;

"(4) charter schools, as such schools have been implemented in a few States, can embody the necessary mixture of enhanced choice, exemption from restrictive regulations, and a focus on learning gains;

"(5) charter schools, including charter schools that are schools-within-schools, can help reduce school size, which can have a significant effect on student achievement;

“(6) the Federal Government should test, evaluate, and disseminate information on a variety of charter school models in order to help demonstrate the benefits of this promising educational reform; and

“(7) there is a strong documented need for cash-flow assistance to charter schools that are starting up, because State and local operating revenue streams are not immediately available.

“(b) PURPOSES.—The purposes of this part are—

“(1) to provide financial assistance for the planning, design, initial implementation of charter schools;

“(2) to facilitate the ability of States and localities to increase the number of charter schools in the Nation to not less than 3,000 by the year 2000; and

“(3) to evaluate the effects of charter schools, including the effects on students, student achievement, staff, and parents.

**“SEC. 10302. PROGRAM AUTHORIZED.**

“(a) IN GENERAL.—The Secretary may award grants to State educational agencies having applications approved pursuant to section 10303 to enable such agencies to conduct a charter school grant program in accordance with this part.

“(b) SPECIAL RULE.—If a State educational agency elects not to participate in the program authorized by this part or does not have an application approved under section 10303, the Secretary may award a grant to an eligible applicant that serves such State and has an application approved pursuant to section 10303.

“(c) PROGRAM PERIODS.—

“(1) GRANTS TO STATES.—

“(A) BASIC GRANTS.—Grants awarded to State educational agencies under this part for planning, design, or initial implementation of charter schools, shall be awarded for a period of not more than 5 years.

“(B) EXTENSION.—Any State educational agency that has received a grant or subgrant under this part prior to October 1, 1997, shall be eligible to receive an additional grant for a period not to exceed 2 years in accordance with this section, notwithstanding that such a State does not meet the requirements of section 10309(1)(A).

“(2) GRANTS TO ELIGIBLE APPLICANTS.—

“(A) BASIC GRANTS.—Grants awarded by the Secretary to eligible applicants or subgrants awarded by State educational agencies to eligible applicants under this part shall be awarded for planning, design, or initial implementation of charter schools, for a period not to exceed more than 5 years, of which the eligible applicant may use—

“(i) not more than 30 months for planning and program design; and

“(ii) not more than 4 years for the initial implementation of a charter school.

“(B) EXTENSION.—Any eligible applicant that has received a grant or subgrant under this part prior to October 1, 1997, shall be eligible to receive an additional grant for a period not to exceed 2 years in accordance with this section, notwithstanding that such an eligible applicant does not meet the requirements of section 10309(1)(A).

“(d) LIMITATION.—Except as otherwise provided under subsection (c), the Secretary shall not award more than one grant and State educational agencies shall not award more than one subgrant under this part to support a particular charter school.

“(e) PRIORITY AND REQUIREMENTS.—

“(1) PRIORITY.—

“(A) FISCAL YEARS 1998, 1999, AND 2000.—In awarding grants under this part for any of the fiscal years 1998, 1999, and 2000 from funds appropriated under section 10310 that are in excess of \$51,000,000 for the fiscal year, the Secretary shall give priority to State educational agencies in accordance with subparagraph (C).

“(B) SUCCEEDING FISCAL YEARS.—In awarding grants under this part for fiscal year 2001 or any succeeding fiscal year from any funds appropriated under section 10310, the Secretary shall consider the number of charter schools in each State and shall give priority to State educational agencies in accordance with subparagraph (C).

“(C) PRIORITY ORDER.—In awarding grants under subparagraphs (A) and (B), the Secretary shall, in the order listed, give priority to a State that—

“(i) meets all requirements of paragraph (2);

“(ii) meets 2 requirements of paragraph (2); and

“(iii) meets 1 requirement of paragraph (2).

“(2) REQUIREMENTS.—The requirements referred to in paragraph (1)(C) are as follows:

“(A) The State law regarding charter schools ensures that each charter school has a high degree of autonomy over its budgets and expenditures.

“(B) The State law regarding charter schools provides that not less than 1 chartering authority in the State allows for an increase in the number of charter schools from 1 year to the next year; and

“(C) 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 as set forth under State law or the school’s charter.

**“SEC. 10303. APPLICATIONS.**

“(a) APPLICATIONS FROM STATE AGENCIES.—Each State educational agency desiring a grant from the Secretary under this part shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may require.

“(b) CONTENTS OF A STATE EDUCATIONAL AGENCY APPLICATION.—Each application submitted pursuant to subsection (a) shall—

“(1) describe the objectives of the State educational agency’s charter school grant program and a description of how such objectives will be fulfilled, including steps taken by the State educational agency to inform teachers, parents, and communities of the State educational agency’s charter school grant program;

“(2) describe how the State educational agency will inform each charter school of available Federal programs and funds that each such school is eligible to receive and ensure that each such school receives its appropriate share of Federal education funds allocated by formula; and

“(3) contain assurances that the State educational agency will require each eligible applicant desiring to receive a subgrant to submit an application to the State educational agency containing—

“(A) a description of the educational program to be implemented by the proposed charter school, including—

“(i) how the program will enable all students to meet challenging State student performance standards;

“(ii) the grade levels or ages of children to be served; and

“(iii) the curriculum and instructional practices to be used;

“(B) a description of how the charter school will be managed;

“(C) a description of—

“(i) the objectives of the charter school; and

“(ii) the methods by which the charter school will determine its progress toward achieving those objectives;

“(D) a description of the administrative relationship between the charter school and the authorized public chartering agency;

“(E) a description of how parents and other members of the community will be involved in the design and implementation of the charter school;

“(F) a description of how the authorized public chartering agency will provide for continued operation of the school once the Federal grant has expired, if such agency determines that the school has met the objectives described in subparagraph (C)(i);

“(G) a request and justification for waivers of any Federal statutory or regulatory provisions that the applicant believes are necessary for the successful operation of the charter school, and a description of any State or local rules, generally applicable to public schools, that will be waived for, or otherwise not apply to, the school;

“(H) a description of how the subgrant funds or grant funds, as appropriate, will be used, including a description of how such funds will be used in conjunction with other Federal programs administered by the Secretary;

“(I) a description of how students in the community will be—

“(i) informed about the charter school; and

“(ii) given an equal opportunity to attend the charter school;

“(J) an assurance that the eligible applicant will annually provide the Secretary and the State educational agency such information as may be required to determine if the charter school is making satisfactory progress toward achieving the objectives described in subparagraph (C)(i);

“(K) an assurance that the applicant will cooperate with the Secretary and the State educational agency in evaluating the program assisted under this part;

“(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

“(M) such other information and assurances as the Secretary and the State educational agency may require; and

“(4) describe how the State educational agency will use administrative funds provided under section 10304(f)(4) to disseminate best or promising practices of charter schools in such State to each local educational agency in the State, except that such dissemination shall result, to the extent practicable, in a minimum of paperwork for a State educational agency, eligible applicant, or charter school.

“(c) CONTENTS OF ELIGIBLE APPLICANT APPLICATION.—Each eligible applicant desiring a grant pursuant to section 10302 shall submit an application to the State educational agency or Secretary, respectively, at such time, in such manner, and accompanied by such information as the State educational agency or Secretary, respectively, may reasonably require.

“(d) CONTENTS OF APPLICATION.—Each application submitted pursuant to subsection (c) shall contain—

“(1) the information and assurances described in subparagraphs (A) through (L) of subsection (b)(3), except that for purposes of this subsection subparagraphs (J), (K), and (L) of such subsection shall be applied by

striking 'and the State educational agency' each place such term appears; and

"(2) assurances that the State educational agency—

"(A) will grant, or will obtain, waivers of State statutory or regulatory requirements; and

"(B) will assist each subgrantee in the State in receiving a waiver under section 10304(e).

**"SEC. 10304. ADMINISTRATION.**

"(a) **SELECTION CRITERIA FOR STATE EDUCATIONAL AGENCIES.**—The Secretary shall award grants to State educational agencies under this part on the basis of the quality of the applications submitted under section 10303(b), after taking into consideration such factors as—

"(1) the contribution that the charter schools grant program will make to assisting educationally disadvantaged and other students to achieving State content standards and State student performance standards and, in general, a State's education improvement plan;

"(2) the degree of flexibility afforded by the State educational agency to charter schools under the State's charter schools law;

"(3) the ambitiousness of the objectives for the State charter school grant program;

"(4) the quality of the strategy for assessing achievement of those objectives;

"(5) the likelihood that the charter school grant program will meet those objectives and improve educational results for students; and

"(6) the number of charter schools created under this part in the State.

"(b) **SELECTION CRITERIA FOR ELIGIBLE APPLICANTS.**—The Secretary shall award grants to eligible applicants under this part on the basis of the quality of the applications submitted under section 10303(c), after taking into consideration such factors as—

"(1) the quality of the proposed curriculum and instructional practices;

"(2) the degree of flexibility afforded by the State educational agency and, if applicable, the local educational agency to the charter school;

"(3) the extent of community support for the application;

"(4) the ambitiousness of the objectives for the charter school;

"(5) the quality of the strategy for assessing achievement of those objectives; and

"(6) the likelihood that the charter school will meet those objectives and improve educational results for students.

"(c) **PEER REVIEW.**—The Secretary, and each State educational agency receiving a grant under this part, shall use a peer review process to review applications for assistance under this part.

"(d) **DIVERSITY OF PROJECTS.**—The Secretary and each State educational agency receiving a grant under this part, shall award subgrants under this part in a manner that, to the extent possible, ensures that such grants and subgrants—

"(1) are distributed throughout different areas of the Nation and each State, including urban and rural areas; and

"(2) will assist charter schools representing a variety of educational approaches, such as approaches designed to reduce school size.

"(e) **WAIVERS.**—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority except any such requirement relating to the elements of a charter school described in section 10309(1), if—

"(1) the waiver is requested in an approved application under this part; and

"(2) the Secretary determines that granting such a waiver will promote the purpose of this part.

"(f) **USE OF FUNDS.**—

"(1) **STATE EDUCATIONAL AGENCIES.**—Each State educational agency receiving a grant under this part shall use such grant funds to award subgrants to one or more eligible applicants in the State to enable such applicant to plan and implement a charter school in accordance with this part.

"(2) **ELIGIBLE APPLICANTS.**—Each eligible applicant receiving funds from the Secretary or a State educational agency shall use such funds to plan and implement a charter school in accordance with this part.

"(3) **ALLOWABLE ACTIVITIES FOR BASIC GRANTS.**—An eligible applicant receiving a basic grant or subgrant under section 10302(c)(2) may use the grant or subgrant funds only for—

"(A) post-award planning and design of the educational program, which may include—

"(i) refinement of the desired educational results and of the methods for measuring progress toward achieving those results; and

"(ii) professional development of teachers and other staff who will work in the charter school; and

"(B) initial implementation of the charter school, which may include—

"(i) informing the community about the school;

"(ii) acquiring necessary equipment and educational materials and supplies;

"(iii) acquiring or developing curriculum materials; and

"(iv) other initial operational costs that cannot be met from State or local sources.

"(4) **ADMINISTRATIVE EXPENSES.**—Each State educational agency receiving a grant pursuant to this part may reserve not more than 5 percent of such grant funds for administrative expenses associated with the charter school grant program assisted under this part.

"(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.

**"SEC. 10305. NATIONAL ACTIVITIES.**

"The Secretary shall reserve for each fiscal year the lesser of 5 percent of the amount appropriated to carry out this part for the fiscal year or \$5,000,000, to carry out, giving highest priority to carrying out paragraph (3), the following:

"(1) To provide charter schools, either directly or through the State educational agency, with information regarding available education funds that such school is eligible to receive, and assistance in applying for Federal education funds which are allocated by formula, including filing deadlines and submission of applications; and

"(2) To provide, through 1 or more contracts using a competitive bidding process—

"(A) charter schools with assistance in accessing private capital;

"(B) pilot projects in a variety of States to better understand and improve access to private capital by charter schools; and

"(C) collection on a nationwide basis, of information regarding successful programs that access private capital for charter schools and disseminate any such relevant information and model descriptions to all charter schools.

"(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.

"(4)(A) To provide information to applicants for assistance under this part;

"(B) assistance to applicants for assistance under this part with the preparation of applications under section 10303;

"(C) assistance in the planning and startup of charter schools;

"(D) ongoing training and technical assistance to existing charter schools; and

"(E) to the dissemination of best practices in charter schools to other public schools.

**"SEC. 10306. FEDERAL FORMULA ALLOCATION DURING FIRST YEAR AND FOR SUCCESSIVE ENROLLMENT EXPANSIONS.**

"For purposes of the allocation to schools by the States or their agencies of funds under part A of title I, and any other Federal funds which the Secretary allocates to States on a formula basis, the Secretary and each State educational agency shall take such measures not later than 6 months after the date of the enactment of this part as are necessary to ensure that every charter school receives the Federal funding for which it is eligible not later than 5 months after first opening, notwithstanding the fact that the identity and characteristics of the students enrolling in that school are not fully and completely determined until that school actually opens. These measures shall similarly ensure that every charter school expanding its enrollment in any subsequent year of operation receives the Federal funding for which it is eligible not later than 5 months after such expansion.

**"SEC. 10307. RECORDS TRANSFER.**

"State and local educational agencies, to the extent practicable, shall ensure that a student's records and if applicable a student's individualized education program as defined in section 602(11) of the Individuals with Disabilities Education Act (20 U.S.C. 1401(11)), are transferred to the charter school upon transfer of a student to a charter school in accordance with applicable State law.

**"SEC. 10308. PAPERWORK REDUCTION.**

"To the extent practicable, the Secretary and each authorized public chartering agency, shall ensure that implementation of this part results in a minimum of paperwork for any eligible applicant or charter school.

**"SEC. 10309. DEFINITIONS.**

"As used in this part:

"(1) The term 'charter school' means a public school that—

"(A) in accordance with a specific State charter school statute, is exempted from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;

"(B) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

"(C) operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;

"(D) provides a program of elementary or secondary education, or both;

"(E) is nonsectarian in its programs, admissions policies, employment practices, and

all other operations, and is not affiliated with a sectarian school or religious institution;

“(F) does not charge tuition;
“(G) complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, and part B of the Individuals with Disabilities Education Act;

“(H) is a school to which parents choose to send their children, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;

“(I) agrees to comply with the same Federal and State audit requirements as do other elementary and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;

“(J) meets all applicable Federal, State, and local health and safety requirements;

“(K) operates in accordance with State law; and

“(L) has a written performance contract with the authorized public chartering agency in the State.

“(2) The term ‘developer’ means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

“(3) The term ‘eligible applicant’ means an authorized public chartering agency participating in a partnership with a developer to establish a charter school in accordance with this part.

“(4) The term ‘authorized public chartering agency’ means a State educational agency, local educational agency, or other public entity that has the authority pursuant to State law and approved by the Secretary to authorize or approve a charter school.

“SEC. 10310. AUTHORIZATION OF APPROPRIATIONS.

“For the purpose of carrying out this part, there are authorized to be appropriated \$100,000,000 for fiscal year 1998 and such sums as may be necessary for each of the four succeeding fiscal years.

“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.”

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. BARRETT, announced that the yeas had it.

Mr. RIGGS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 367 Nays ..... 57

¶128.16 [Roll No. 611] AYES—367

- Ackerman Emerson Kolbe
Aderholt Engel LaFalce
Allen English LaHood
Andrews Ensign Lampson
Archer Eshoo Lantos
Armey Etheridge Largent
Bachus Evans Latham
Baesler Everett LaTourrette
Baker Ewing Laker
Baldacci Farr Leach
Ballenger Fattah Levin
Barcia Fawell Lewis (CA)
Barr Fazio Lewis (GA)
Barrett (NE) Filner Lewis (KY)
Barrett (WI) Flake Linder
Bartlett Foglietta Lipinski
Barton Forbes Livingston
Bass Ford LoBiondo
Bateman Fossella Lofgren
Bentsen Fowler Lowey
Bereuter Fox Lucas
Berman Franks (NJ) Luther
Berry Frelinghuysen Maloney (CT)
Bilbray Frost Maloney (NY)
Bilirakis Furse Manton
Bishop Gallegly Mascara
Blagojevich Ganske Matsui
Bliley Gejdenson McCarthy (MO)
Blunt Gekas McCarthy (NY)
Boehlert Gephardt McCollum
Boehner Gibbons McCrery
Bonilla Gilchrist McDade
Bono Gillmor McHale
Borski Gilman McHugh
Boucher Goodlatte McInnis
Boyd Goodling McIntosh
Brady Gordon McIntyre
Brown (CA) Goss McKeon
Brown (FL) Graham McKinney
Bryant Granger McNulty
Bunning Green Menendez
Burr Greenwood Metcalf
Burton Gutierrez Mica
Buyer Gutknecht Millender-
Callahan Hall (OH) McDonald
Calvert Hall (TX) Miller (CA)
Camp Hamilton Miller (FL)
Campbell Hansen Minge
Canady Harman Mollohan
Cardin Hastert Moran (KS)
Castle Hastings (FL) Moran (VA)
Chabot Hastings (WA) Morella
Chambliss Hayworth Murtha
Christensen Hefner Myrick
Clayton Herger Nadler
Clement Hill Nethercutt
Clyburn Hilleary Neumann
Coble Hobson Ney
Coburn Hoekstra Northup
Collins Holden Norwood
Combest Hooley Nussle
Condit Horn Oberstar
Conyers Houghton Obey
Cook Hoyer Ortiz
Cooksey Hulshof Oxley
Costello Hunter Packard
Cox Hutchinson Pallone
Cramer Inglis Pappas
Crane Istook Parker
Crapo Jackson (IL) Pascrell
Cummings Jackson-Lee Pastor
Cunningham (TX) Paxon
Danner Jefferson Pease
Davis (FL) Jenkins Pelosi
Davis (VA) John Peterson (MN)
Deal Johnson (CT) Peterson (PA)
DeGette Johnson (WI) Petri
DeLauro Johnson, E. B. Pickering
DeLay Johnson, Sam Pickett
Dellums Jones Pitts
Diaz-Balart Kanjorski Pomo
Dickey Kaptur Pomeroy
Dicks Kasich Porter
Dixon Kelly Portman
Doggett Kennedy (RI) Poshard
Dooley Kennelly Price (NC)
Doolittle Kildee Pryce (OH)
Doyle Kim Quinn
Dreier Kind (WI) Radanovich
Duncan King (NY) Ramstad
Dunn Kingston Rangel
Edwards Kleczka Redmond
Ehlers Klug Regula
Ehrlich Knollenberg Riggs

- Rodriguez Shuster Thomas
Roemer Sisisky Thornberry
Rogan Skaggs Thune
Rogers Skeen Thurman
Rohrabacher Skelton Tiahrt
Ros-Lehtinen Smith (MI) Towns
Rothman Smith (NJ) Traficant
Roukema Smith (OR) Turner
Royce Smith (TX) Upton
Ryuan Smith, Adam Velazquez
Sabu Smith, Linda Visclosky
Salmon Snowbarger Walsh
Sanchez Snyder Wamp
Sanders Solomon Watkins
Sandlin Souder Watts (OK)
Sanford Spence Waxman
Sawyer Spratt Weldon (FL)
Saxton Stark Weldon (PA)
Scarborough Stearns Weller
Schaefer, Dan Stenholm Weygand
Schumer Strickland White
Sensenbrenner Stump Whitfield
Serrano Sununu Wicker
Sessions Talent Wise
Shadegg Tanner Wolf
Shaw Tauscher Woolsey
Shays Tauzin Wynn
Sherman Taylor (MS) Young (AK)
Shimkus Taylor (NC) Young (FL)

NOES—57

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

NOT VOTING—9

- Cubin Hilliard Schiff
Foley Owens Thompson
Gonzalez Riley Yates

So the bill was passed.

Mr. DOGGETT moved to reconsider the vote whereby said bill was passed.

Mr. RIGGS moved to lay on the table the motion to reconsider the vote.

The question being put, viva voce,

Will the House lay on the table the motion to reconsider said vote?

The SPEAKER pro tempore, Mrs. Emerson, announced that the yeas had it.

Mr. DOGGETT demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 256 Nays ..... 163

¶128.17 [Roll No. 612] AYES—256

- Aderholt Bilbray Buyer
Archer Bilirakis Callahan
Armey Bliley Calvert
Bachus Blunt Camp
Baesler Boehlert Campbell
Baker Boehner Canady
Barcia Bonilla Cannon
Barr Bono Castle
Barrett (NE) Boucher Chabot
Bartlett Boyd Chambliss
Barton Brady Chenoweth
Bass Bryant Christensen
Bateman Bunning Coble
Bereuter Burr Coburn
Berman Burton Combest

Cook Johnson (WI) Portman Kilpatrick Obey Sisisky Pallone Serrano Towns  
 Cooksey Johnson, Sam Pryce (OH) Kleczka Olver Skaggs Payne Smith, Adam Velazquez  
 Cox Jones Quinn Kloczka Ortiz Skelton Pelosi Stark Waters  
 Cramer Kanjorski Rahall LaFalce Owens Slaughtor Peterson (MN) Stupak Watt (NC)  
 Crane Kasich Ramstad Lampson Pallone Smith, Adam Rangel Stupak Wise  
 Crapo Kelly Redmond Lantos Pastor Snyder Spratt Thurman Woolsey  
 Cunningham Kim Regula Levin Payne Spratt Stabenow Torres  
 Davis (FL) Kind (WI) Reyes Lewis (GA) Pelosi Stark  
 Davis (VA) King (NY) Riggs Lofgren Peterson (MN) Stabenow  
 Deal Kingston Roemer Lowey Pickett Stenholm  
 DeGette Klug Rogan Lowey Pickett Stokes  
 DeLay Knollenberg Rogers Maloney (CT) Pomeroy Stupak  
 Diaz-Balart Kolbe Rohrabacher Manton Price (NC) Tanner Stupak  
 Dickey LaHood Ros-Lehtinen Markey Rangel Thompson Thurman  
 Doolittle Largent Roukema Matsui Rivers Thurman  
 Doyle Latham Ryun McCarthy (MO) Rodriguez Tierney  
 Dreier LaTourette Salmon McDermostt Rothman Torres  
 Duncan Lazio Sanford McGovern Roybal-Allard Towns  
 Dunn Leach Saxton McNulty Rush Velazquez  
 Ehrlich Lewis (CA) Scarborough Meehan Sabo Vento  
 Emerson Lewis (KY) Schaefer, Dan Meek Sanchez Visclosky  
 English Linder Schaffer, Bob Miller (CA) Sanders Waters  
 Ensign Lipinski Sensesbrenner Mink Sandlin Watt (NC)  
 Everett Livingston Sessions Moakley Sawyer Wexler  
 Ewing LoBiondo Shadegg Mollohan Schumer Weygand  
 Fawell Lucas Shaw Nadler Scott Woolsey  
 Foley Luther Shays Shimkus Oberstar Serrano Wynn  
 Forbes Manzullo Shuster Sken Sherman  
 Fossella Martinez Sken Sherman  
 Fowler Mascara Sken Sherman  
 Fox McCarthy (NY) Smith (MI) Greenwood Riley  
 Franks (NJ) McCollum Smith (NJ) Klink Royce  
 Frelinghuysen McCrery Smith (OR) Ney Schiff  
 Gallegly McDade Smith (TX) Pascrell Yates  
 Ganske McHale Smith, Linda Radanovich  
 Gekas McHugh Snowbarger  
 Gibbons McInnis Solomon  
 Gilchrist McIntosh Souder  
 Gillmor McIntyre Spence  
 Gilman McKeon Stearns  
 Goode McKinney Strickland  
 Goodlatte Menendez Stump  
 Goodling Metcalf Sununu  
 Goss Mica Talent  
 Graham Millender-Tauscher  
 Granger McDonald Tauzin  
 Gutknecht Miller (FL) Taylor (MS)  
 Hall (TX) Minge Taylor (NC)  
 Hansen Moran (KS) Thomas  
 Hastert Moran (VA) Thornberry  
 Hastings (WA) Morella Thune  
 Hayworth Murtha Tiahrt  
 Hefley Myrick Traficant  
 Herger Nethercutt Turner  
 Hill Neumann Upton  
 Hilleary Northup Walsh  
 Hobson Norwood Wamp  
 Hoekstra Nussle Watkins  
 Holden Oxley Watters (OK)  
 Horn Packard Waxman  
 Hostettler Pappas Weldon (FL)  
 Houghton Parker Weldon (PA)  
 Hulshof Paul Weller  
 Hunter Paxon White  
 Hutchinson Pease Whitfield  
 Hyde Peterson (PA) Wicker  
 Inglis Petri Wise  
 Istook Pickering Wolf  
 Jenkins Pitts Young (AK)  
 John Pombo Young (FL)  
 Johnson (CT) Porter

NOES—163

Abercrombie Costello Frost  
 Ackerman Coyne Furse  
 Allen Cummings  
 Andrews Danner  
 Baldacci Davis (IL)  
 Ballenger DeFazio  
 Barrett (WI) Delahunt  
 Becerra DeLauro  
 Bentsen Dellums  
 Berry Deutsch  
 Bishop Dicks  
 Blagojevich Dingell  
 Blumenauer Dixon  
 Bonior Doggett  
 Borski Dooley  
 Boswell Edwards  
 Brown (CA) Engel  
 Brown (FL) Eshoo  
 Brown (OH) Etheridge  
 Cardin Evans  
 Carson Farr  
 Clay Fattah  
 Clayton Fazio  
 Clement Filner  
 Clyburn Flake  
 Condit Ford  
 Conyers Frank (MA)

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  
 Sensesbrenner  
 Sessions  
 Shadegg  
 Shaw  
 Shays  
 Shimkus  
 Shuster  
 Sken  
 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  
 Watters (OK)  
 Waxman  
 Weldon (FL)  
 Weldon (PA)  
 Weller  
 White  
 Whitfield  
 Wicker  
 Wise  
 Wolf  
 Young (AK)  
 Young (FL)

So the motion to lay on the table the motion to reconsider the vote was agreed to.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

128.18 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. RIGGS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

128.19 MOTION TO ADJOURN

Mr. BECERRA moved that the House do now adjourn.

The question being put, viva voce, Will the House now adjourn?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the nays had it.

Mr. BECERRA demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 61 negative ..... } Nays ..... 348

128.20 [Roll No. 613] AYES—61

Andrews Evans Lantos  
 Barrett (WI) Farr Lewis (GA)  
 Becerra Fazio McDermott  
 Berry Filner McNulty  
 Bonior Frank (MA) Meehan  
 Brown (FL) Gejdenson Meek  
 Clayton Gephardt Menendez  
 Clyburn Hastings (FL) Millender-  
 Conyers Hefner McDonald  
 Coyne Hinchey Miller (CA)  
 DeFazio Jefferson Mink  
 DeLauro Kennedy (RI) Obey  
 Deutsch Kenedally Olver  
 Dingell LaFalce Owens

Pallone Serrano Towns  
 Payne Smith, Adam Velazquez  
 Pelosi Stark Waters  
 Peterson (MN) Stupak Watt (NC)  
 Rangel Stupak Wise  
 Roybal-Allard Thurman Woolsey  
 Sanchez Torres

NOES—348

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

Royce Smith (MI) Tiaht
Rush Smith (NJ) Tierney
Ryun Smith (OR) Traficant
Sabo Smith (TX) Turner
Salmon Smith, Linda Upton
Sandlin Snowbarger Vento
Sanford Snyder Visclosky
Sawyer Solomon Walsh
Saxton Souder Wamp
Scarborough Spence Watkins
Schaefer, Dan Stabenow Watts (OK)
Schaffer, Bob Stearns Waxman
Schumer Stenholm Weldon (FL)
Scott Strickland Weldon (PA)
Sensenbrenner Stump Weller
Sessions Sununu Wexler
Shadegg Talent Weygand
Shaw Tanner White
Shays Tauscher Whitfield
Sherman Tauzin Wicker
Shimkus Taylor (MS) Wolf
Shuster Taylor (NC) Wynn
Sisisky Thomas Young (AK)
Skaggs Thompson Young (FL)
Skeen Thornberry
Skelton Thune

NOT VOTING—24

Ballenger Gonzalez Morella
Barton Hoekstra Redmond
Boucher Jones Riley
Callahan Klink Sanders
Cubin Linder Schiff
Dellums Markey Slaughter
Doggett McCollum Stokes
Foglietta McIntyre Yates

So the motion to adjourn was not agreed to.

¶128.21 COMMERCIAL STATUS TO CHINESE LIBERATION ARMY

Mrs. FOWLER, pursuant to House Resolution 302, called 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.

When said bill was considered and read twice.

After debate,

Pursuant to House Resolution 302, the previous question was ordered.

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

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Mrs. FOWLER demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 408 affirmative ..... } Nays ..... 10

¶128.22 [Roll No. 614] YEAS—408

Abercrombie Barr Bilirakis
Ackerman Barrett (NE) Bishop
Aderholt Barrett (WI) Blagojevich
Allen Bartlett Bliley
Andrews Barton Blunt
Archer Bass Boehlert
Army Bateman Boehner
Bachus Becerra Bonilla
Baesler Bentsen Bonior
Baker Bereuter Bono
Baldacci Bertram Borski
Ballenger Berry Boswell
Barcia Bilbray Boucher

Boyd Goode McDade
Brady Goodlatte McGovern
Brown (FL) Goodling McHale
Brown (OH) Gordon McHugh
Bryant Goss McInnis
Bunning Graham McIntosh
Burr Granger McIntyre
Buyer Green McKeon
Calvert Greenwood McKinney
Camp Gutierrez McNulty
Campbell Gutknecht Meehan
Canady Hall (OH) Meek
Cannon Hall (TX) Menendez
Cardin Hansen Metcalf
Carson Harman Mica
Castle Hastert Millender-
Chabot Hastings (FL) McDonald
Chambliss Hastings (WA) Miller (CA)
Chenoweth Hayworth Miller (FL)
Christensen Hefley Minge
Clay Hefner Mink
Clayton Herger Moakley
Clement Hill Mollohan
Clyburn Hillery Moran (KS)
Coble Hilliard Morella
Coburn Hinchey Murtha
Collins Hinojosa Myrick
Combest Hobson Neal
Condit Hoekstra Nethercutt
Conyers Holden Neumann
Cook Hooley Ney
Cooksey Horn Northrup
Costello Hostettler Norwood
Cox Hoyer Nussle
Coyne Hulshof Oberstar
Cramer Hunter Obey
Crane Hutchinson Ortiz
Crapo Hyde Owens
Cummings Inglis
Cunningham Istook
Danner Jackson (IL)
Davis (FL) Jackson-Lee
Davis (IL) (TX)
Davis (VA) Jefferson
Deal Jenkins
DeFazio John
DeGette Johnson (CT)
DeLahunt Johnson (WI)
DeLauro Johnson, E. B.
DeLay Johnson, Sam
Dellums Jones
Deutsch Kanjorski
Diaz-Balart Kaptur
Dickey Kasich
Dingell Kelly
Dixon Kennedy (MA)
Doggett Kennedy (RI)
Dooley Kennelly
Doolittle Kildee
Doyle Kilpatrick
Dreier Kim
Duncan Kind (WI)
Dunn King (NY)
Edwards Kingston
Ehlers Kleczka
Ehrlich Klink
Emerson Knollenberg
Engel Kolbe
English Kucinich
Ensign LaFalce
Eshoo LaHood
Etheridge Lampson
Evans Lantos
Everett Largent
Ewing Latham
Farr LaTourrette
Fawell Lazio
Fazio Leach
Flake Levin
Foglietta Lewis (CA)
Foley Lewis (GA)
Forbes Lewis (KY)
Ford Linder
Fossella Lipinski
Fowler Livingston
Fox LoBiondo
Frank (MA) Lowey
Francs (NJ) Lucas
Frelinghuysen Luther
Frost Maloney (CT)
Furse Maloney (NY)
Gallegly Manton
Ganske Manzullo
Gedenson Markey
Gekas Martinez
Gephardt Mascara
Gibbons Matsui
Gilchrist McCarthy (MO)
Gillmore McCarthy (NY)
Gilman McCreary

Shays Stokes Vento
Sherman Strickland Visclosky
Shimkus Stump Walsh
Shuster Stupak Wamp
Sisisky Sununu Waters
Skeen Talent Watkins
Skelton Tanner Watt (NC)
Slaughter Tauscher Watts (OK)
Smith (MI) Tauzin Waxman
Smith (NJ) Taylor (MS) Weldon (FL)
Smith (OR) Taylor (NC) Weldon (PA)
Smith (TX) Thomas Weller
Smith, Adam Thompson Wexler
Smith, Linda Thornberry Weygand
Snowbarger Thune White
Snyder Thurman Whitfield
Solomon Tiaht Wicker
Souder Tierney Wise
Spence Torres Wolf
Spratt Towns Woolsey
Stabenow Trafficant Wynn
Stark Turner Young (AK)
Stearns Upton Young (FL)
Stenholm Velazquez

NAYS—10

Brown (CA) Lofgren Pickett
Dicks Moran (VA) Skaggs
Hamilton Nadler
Houghton Paul

NOT VOTING—15

Blumenauer Filner Quinn
Burton Gonzalez Riley
Callahan Klug Schiff
Cubin McCollum Shadegg
Fattah McDermott Yates

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.23 SUBMISSION OF CONFERENCE REPORT—H.R. 2264

Mr. LIVINGSTON submitted a conference report (Rept. No. 105-390) 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; together with a statement thereon, for printing in the Record under the rule.

¶128.24 ORDER OF BUSINESS—CONSIDERATION OF H.J. RES. 101

On motion of Mr. LIVINGSTON, by unanimous consent,

Ordered, That the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J. Res. 101) making further continuing appropriations for the fiscal year ending September 30, 1998, and for other purposes, when called up; 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; that the joint resolution be considered as read for amendment; that the joint resolution be debatable for not to exceed one hour, to be equally divided and controlled by Mr. Livingston and 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.

¶128.25 ORDER OF BUSINESS—  
CONSIDERATION OF CONFERENCE  
REPORT—H.R. 2264

On motion of Mr. LIVINGSTON, by unanimous consent,

*Ordered*, 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) 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; 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.

¶128.26 LABOR, HHS, EDUCATION  
APPROPRIATIONS

Mr. PORTER, pursuant to the foregoing order of the House, called up the following conference report (Rept. No. 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 a 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 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 ac-

tivities 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 ex-

ceed 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 (Many 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 ON 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 As-

sistance 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 Commit-

tees 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 in-

dividual 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 per-

centage 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 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 pay-

ment 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 percent-

age, 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 non-competing 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 USC 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 USC 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 twenty 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 1611(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 pro-

gram 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 (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 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 Dis-

ease 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 pathogenesis, 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 "dur-

ing 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 FACAA.—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,  
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. INOUE,  
DALE BUMPERS,  
HARRY REID,  
HERB KOHL,  
PATTY MURRAY,  
ROBERT C. BYRD,

*Managers on the Part of the Senate.*

When said conference report was considered.

After debate,

Pursuant to the foregoing order of the House, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas ..... 352  
affirmative ..... { Nays ..... 65

¶128.27 [Roll No. 615]  
YEAS—352

- |              |                |               |
|--------------|----------------|---------------|
| Abercrombie  | Dunn           | Kim           |
| Ackerman     | Edwards        | Kind (WI)     |
| Allen        | Ehlers         | King (NY)     |
| Andrews      | Ehrlich        | Kingston      |
| Army         | Emerson        | Klecicka      |
| Baesler      | Engel          | Klink         |
| Baker        | English        | Knollenberg   |
| Baldacci     | Ensign         | Kolbe         |
| Ballenger    | Eshoo          | Kucinich      |
| Barcia       | Etheridge      | LaFalce       |
| Barrett (NE) | Evans          | LaHood        |
| Barrett (WI) | Ewing          | Lampson       |
| Bass         | Farr           | Lantos        |
| Bateman      | Fattah         | Latham        |
| Becerra      | Fawell         | LaTourette    |
| Bentsen      | Fazio          | Lazio         |
| Bereuter     | Filner         | Levin         |
| Berman       | Foglietta      | Lewis (CA)    |
| Berry        | Foley          | Lewis (GA)    |
| Bilbray      | Forbes         | Lewis (KY)    |
| Bilirakis    | Ford           | Linder        |
| Bishop       | Fossella       | Lipinski      |
| Blagojevich  | Fowler         | Livingston    |
| Bliley       | Fox            | LoBiondo      |
| Boehlert     | Franks (NJ)    | Lofgren       |
| Boehner      | Frelinghuysen  | Lowey         |
| Bonilla      | Frost          | Lucas         |
| Bonior       | Furse          | Luther        |
| Bono         | Gallegly       | Maloney (CT)  |
| Borski       | Ganske         | Maloney (NY)  |
| Boswell      | Gejdenson      | Manton        |
| Boucher      | Gekas          | Markey        |
| Boyd         | Gephardt       | Martinez      |
| Brown (CA)   | Gibbons        | Mascara       |
| Brown (FL)   | Gilchrest      | Matsui        |
| Brown (OH)   | Gilman         | McCarthy (MO) |
| Bunning      | Goodling       | McCarthy (NY) |
| Burr         | Gordon         | McCrery       |
| Burton       | Goss           | McDade        |
| Buyer        | Graham         | McGovern      |
| Callahan     | Granger        | McHale        |
| Calvert      | Green          | McHugh        |
| Camp         | Greenwood      | McInnis       |
| Campbell     | Gutierrez      | McIntyre      |
| Canady       | Gutknecht      | McKeon        |
| Cardin       | Hall (OH)      | McKinney      |
| Carson       | Hall (TX)      | McNulty       |
| Castle       | Hamilton       | Meehan        |
| Chambliss    | Hansen         | Meek          |
| Christensen  | Harman         | Menendez      |
| Clay         | Hastert        | Metcalf       |
| Clayton      | Hastings (FL)  | Millender-    |
| Clement      | Hayworth       | McDonald      |
| Clyburn      | Hefner         | Miller (CA)   |
| Combest      | Heger          | Miller (FL)   |
| Condit       | Hilliard       | Minge         |
| Cook         | Hinchev        | Mink          |
| Cooksey      | Hinojosa       | Moakley       |
| Costello     | Hobson         | Mollohan      |
| Coyne        | Holden         | Moran (VA)    |
| Cramer       | Hooley         | Morella       |
| Cummings     | Horn           | Murtha        |
| Cunningham   | Houghton       | Myrick        |
| Danner       | Hoyer          | Nadler        |
| Davis (FL)   | Hulshof        | Neal          |
| Davis (IL)   | Hunter         | Nethercutt    |
| Davis (VA)   | Hyde           | Ney           |
| Deal         | Jackson (IL)   | Northup       |
| DeFazio      | Jackson-Lee    | Nussle        |
| DeGette      | (TX)           | Oberstar      |
| Delahunt     | Jefferson      | Obey          |
| DeLauro      | Jenkins        | Olver         |
| DeLay        | John           | Ortiz         |
| Dellums      | Johnson (CT)   | Owens         |
| Deutsch      | Johnson (WI)   | Oxley         |
| Diaz-Balart  | Johnson, E. B. | Packard       |
| Dickey       | Kanjorski      | Pallone       |
| Dicks        | Kaptur         | Pappas        |
| Dingell      | Kasich         | Parker        |
| Dixon        | Kelly          | Pascrell      |
| Doggett      | Kennedy (MA)   | Pastor        |
| Dooley       | Kennedy (RI)   | Payne         |
| Doyle        | Kennelly       | Pease         |
| Dreier       | Kildee         | Pelosi        |
| Duncan       | Kilpatrick     | Peterson (PA) |

- |               |              |             |
|---------------|--------------|-------------|
| Pickering     | Scott        | Taylor (NC) |
| Pickett       | Serrano      | Thomas      |
| Pitts         | Shadegg      | Thompson    |
| Pomeroy       | Shaw         | Thornberry  |
| Porter        | Shays        | Thune       |
| Portman       | Sherman      | Thurman     |
| Poshard       | Shimkus      | Tierney     |
| Price (NC)    | Shuster      | Torres      |
| Pryce (OH)    | Sisisky      | Towns       |
| Rahall        | Skaggs       | Trafficant  |
| Ramstad       | Skeen        | Turner      |
| Rangel        | Skelton      | Upton       |
| Redmond       | Slaughter    | Velazquez   |
| Regula        | Smith (MI)   | Vento       |
| Reyes         | Smith (NJ)   | Visclosky   |
| Riggs         | Smith (OR)   | Walsh       |
| Rivers        | Smith (TX)   | Waters      |
| Rodriguez     | Smith, Adam  | Watkins     |
| Roemer        | Smith, Linda | Watt (NC)   |
| Rogan         | Snyder       | Watts (OK)  |
| Rogers        | Solomon      | Waxman      |
| Ros-Lehtinen  | Stokes       | Weldon (PA) |
| Rothman       | Souder       | Weller      |
| Roukema       | Spence       | Wexler      |
| Roybal-Allard | Spratt       | Weygand     |
| Stabenow      | Stark        | White       |
| Rush          | Stenholm     | Whitfield   |
| Sabo          | Stokes       | Wickert     |
| Sanchez       | Strickland   | Wise        |
| Sanders       | Sununu       | Wolf        |
| Sandlin       | Tanner       | Woolsey     |
| Sawyer        | Tauscher     | Wynn        |
| Saxton        | Tauzin       | Young (AK)  |
| Schumer       |              |             |

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     |            |

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶128.28 PROVIDING FOR THE CONSIDERATION OF RESOLUTIONS IN PREPARATION FOR SINE DIE ADJOURNMENT

Ms. PRYCE, by direction of the Committee on Rules, reported (Rept. No. 105-391) the resolution (H. Res. 311) providing for consideration of certain resolutions in preparation for the adjournment of first session sine die.

When said resolution and report were referred to the House Calendar and ordered printed.

¶128.29 NOTICE TO DISCHARGE—PURSUANT TO LINE ITEM VETO ACT

Mr. PACKARD, pursuant to section 1025(d) of the Congressional Budget Act of 1974, as amended, gave notice of his

intention to discharge the Committee on Appropriations from further consideration of the bill (H.R. 2631) disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45.

¶128.30 SUBMISSION OF CONFERENCE REPORT—H.R. 1026

Mr. CASTLE submitted a conference report (Rept. No. 105-392) on the bill of the Senate (S. 1026) to reauthorize the Export-Import Bank of the United States; together with a statement thereon, for printing in the Record under the rule.

¶128.31 SUSPENSION OF THE RULES NOTICE

Mr. ARMEY, pursuant to section 2 of House Resolution 305, at 10:51 a.m. announced the speaker will recognize Members for motions to suspend the rules under clause 2 of rule XXVII, with respect to the following bills and resolutions that may be considered on Saturday, November 8, 1997: H.R. 2534, Agricultural Research, Extension, and Education Reauthorization Act of 1997; H. Res. 122, Expressing the Sense of the House of Representatives Regarding Tactile Currency for the Blind and Visually Impaired; H.R. 2614, Reading Excellence Act; S. 813, Veterans' Cemetery Protection Act of 1997; S. 1377, American Legion Incorporation Amendments; S. 1139, Small Business Reauthorization Act of 1997; S. 714, Extension and Improvement of the Native American Veteran Housing Loan Pilot Program; H.R. 2513, Taxpayer Relief Act Amendments; H.R. 2813, Medal of Honor Award to Robert R. Ingram; H.R. 2631, disapproving the cancellations transmitted by the President on October 6, 1997, regarding Public Law 105-45; H.R. 1129, the Microenterprise Act; and H. Con. Res. 22, regarding religious persecution in Germany.

¶128.32 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12 o'clock noon on Saturday, November 8, 1997.

¶128.33 HOUR OF MEETING

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That when the House adjourns on Saturday, November 8, 1997, it adjourn to meet at 2:00 o'clock p.m. on Sunday, November 9, 1997.

¶128.34 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. ARMEY, by unanimous consent,

Ordered, That it may be in order for the Speaker 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.

¶128.35 FURTHER CONTINUING  
APPROPRIATIONS, FY 1998

Mr. LIVINGSTON, pursuant to the special order of the House heretofore agreed to, called up the joint resolution (H.J. Res. 101) making further continuing appropriations for fiscal year 1998, and for other purposes.

When said joint resolution was considered and read twice.

After debate,

The previous question having been ordered by said special order.

The joint resolution was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

So the joint resolution was passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said joint resolution.

¶128.36 UNFINISHED BUSINESS—  
APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, November 6, 1997.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

So the Journal was approved.

¶128.37 DESIGNATION OF SPEAKER PRO  
TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. LATOURETTE, laid before the House a communication, which was read as follows:

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.*

By unanimous consent, the designation was accepted.

¶128.38 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-Chat-tahoochee-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 fol-

lowing 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.

¶128.39 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.

¶128.40 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.

¶128.41 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. MENENDEZ, for November 4;

To Ms. MCKINNEY, for November 5 after 2:30 p.m. and for November 6;

To Ms. CARSON, for November 6;

To Mr. FORBES, until 6:30 p.m. on November 6;

To Mr. MICA, until 6:30 p.m. on November 6;

To Mr. PORTMAN, until 6:30 p.m. on November 6;

To Mr. YATES, for November 6 after 5:30 p.m. and November 7 after 11:00 a.m.;

To Mr. QUINN, for today after 3:30 p.m. until 6:00 p.m. on November 8; and

To Mr. GILLMOR, for today after 5 p.m. and for November 8 and for November 9.

And then,

¶128.42 ADJOURNMENT

On motion of Mr. KOLBE, pursuant to the special order heretofore agreed to, at 10 o'clock and 13 minutes p.m., the House adjourned until 12 o'clock noon on Saturday, November 8, 1997.

¶128.43 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. No. 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. No. 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. No. 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. No. 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. No. 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. No. 105-392). Ordered to be printed.

¶128.44 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. GILCHRIST, Mr. HORN, Mr. ROYCE, Mr. ROHRBACHER, 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 independ-

ence 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. ROSLEHTINEN, 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. VELAZQUEZ, 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. FILLNER, 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. MCDRADE (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 with-

in 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. BALDACCIO, 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. ROHR-ABACHER):

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 Immigration 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. THORBERRY, 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. BILLRAKIS, 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. RUKEMA, 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 of the bells taken from 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.

#### ¶128.45 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 Resolution 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 States Senate to ratify CEDAW; jointly to the Committees on International Relations and the Judiciary.

#### ¶128.46 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.

#### ¶128.47 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. VISLOSKEY, 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. PASCARELL.  
 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. PASCARELL.  
 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. MCCREY.  
 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 Caro-

lina, 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 SCHAFER, 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 Florida, 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.

#### ¶128.48 PETITIONS, ETC.

##### Under clause 1 of rule XXII,

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; which was referred to the Committee on the Budget.

#### SATURDAY, NOVEMBER 8, 1997 (129)

#### ¶129.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. PEASE, who laid before the House the following communication: