

The final point I will make in conclusion, I especially thank the conferees for including a provision that I added to the Senate version of the bill. Section 608 of this conference committee report includes the provision which I added on the floor of the Senate which basically nullified the \$50 billion setoff that was given to tobacco companies in a tax bill that was passed a little before our August recess. It turned out the vast majority of my colleagues agreed with me that this was a bad provision, and we eliminated it. The conference committee has honored that and kept it in the bill.

Let me say in closing that I hope as part of the tobacco settlement agreement, with the leadership of Senator HARKIN and so many others, that we cannot only do the right thing in reducing kids smoking, but come up with the revenues to put it into things that are critically important, such as medical research, so that maybe next year when this appropriations bill comes to the floor, we won't be talking about a 7-percent increase in medical research but a dramatically larger increase paid for by the tobacco settlement agreement.

I thank the Senator from Iowa and the Senator from Pennsylvania for their fine work on this bill. I yield back the remainder of my time.

The PRESIDING OFFICER. Who seeks recognition?

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to have 5 minutes off Senator SPECTER's time.

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

Mr. HARKIN. How much time does Senator SPECTER have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 12 minutes.

Mr. HARKIN. I yield 5 minutes off Senator SPECTER's time to the Senator from Alabama.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alabama.

VETERANS DAY

Mr. SESSIONS. Mr. President, I rise today to speak about our Nation's celebration of Veterans Day next Tuesday. In doing so, I would like to take a few minutes to tell a short story; a story that I think needs retelling from time to time lest we forget some of the history that makes our heritage so special. Please forgive my use of a little artistic license for the sake of narration.

My story begins in the fall of 1947 in Birmingham, AL. Close to the drug store where this story begins is a memorial honoring the Confederate Army's 10th Alabama Regiment. The men of this incredibly fine unit made a now famous charge up the slope of Little Round Top at Gettysburg on a hot

day in July 1864. Imagine, if you will, these brave souls charging, without hesitation, bravely up that wooded slope toward the Union's 20th and Maine, a unit known to many and commanded by Col. Joshua Lawrence Chamberlain. For many dressed in Blue and Gray, the last steps they would ever take were made that fateful day.

This is not an unfamiliar story in war; men going away from their home and their families to place their lives on the line for their country; taking each breath in combat and wondering if it would be their last. Mr. Raymond Weeks, one of the heroes of this story, knew the horrors of war. He had just returned home from the Pacific theater. He knew as well the trials and tribulations of fighting in a war and he knew too of wearing the title of "veteran." His circumstance, Mr. President, was similar to that of my father, now deceased, who had likewise just returned from the Pacific, to open a general store with a gristmill in the small community of Hybart, AL.

On that fall day in 1947, Raymond had stopped in his local drug store where he bumped into some of his buddies who had also returned home from overseas. Talk at the drug store turned to the upcoming celebration of Armistice Day, started nationally just nine years before in 1938. You see, Mr. President, many Americans still remember when, on November 11 of each year, America and the world celebrated the signing of the Treaty of Versailles, the treaty commemorating the armistice that ended the First World War on the 11th hour, of the 11th day, of the 11th month of the year in 1918. Thus ended "the war to end all wars."

Yet, years later, World War II also stole the youth of many nations and many of Raymond's and my father's friends as well. Raymond Weeks suggested that the group should "do something" in town to honor the memory of those comrades who had fallen in battle. With that, this small group of men began planning a local celebration to honor not just the veterans of World War I and the Versailles Armistice, but of World War II, and American veterans of all wars.

On Armistice Day, 1947 the very first Veterans Day parade was held in Birmingham, AL. The parade drew such a great turnout that it became a yearly event, even though there was no official national recognition of Veterans Day at that point.

Over time Raymond Weeks formed a small committee and eventually traveled to Washington, DC, to approach then Army Chief of Staff, Gen. Dwight D. Eisenhower with their idea for a national holiday. History records that General Eisenhower expressed immediate approval and referred the idea to Congressman Edward Rees of Kansas. Subsequently, H.R. 7786 became Public Law 380, a law which changed the name of Armistice Day to Veterans Day. Passed by Congress, the bill was signed into law, ironically, by President Eisenhower on June 1, 1954.

What Raymond Weeks did was remarkable; even extraordinary. The Veterans Day Raymond Weeks helped to create does more, Mr. President, than just honor those who served in America's Armed Forces. Veterans Day, as hosted by Bill Voight and the National Veterans Day Committee and still celebrated annually in Birmingham, AL, extends its boundaries beyond those who fought in Korea, Vietnam, Grenada, Panama, and Desert Storm, it extends its reach to those who serve today in the ships conducting NEO operations off the coast of Africa, in the tanks manning outposts in Bosnia, to the sandy slopes of the Sinai, and to the cold ridges of the DMZ in Korea. There should be no doubt that Veterans Day is a special day that pays annual homage to the ongoing sacrifices of our men and women in uniform.

While we were home, safe, these veterans were spread around the globe protecting our liberty and freedom and our security. To them a great debt is owed.

Veterans Day, Mr. President, acknowledges the responsibilities and the special burden's that our Nation's men and women shouldered in the past. It acknowledges too the responsibilities and burdens of those in uniform today. And it calls on each of us to honor the legacy of veterans past and the dedication of today's military personnel, by renewing our responsibility to ensure that our Nation remains the strongest on earth, fully able to defend its just national interests wherever and whenever they are challenged.

To all those great Alabamians and Americans who paid the ultimate sacrifice, to all those who survived, and to those who serve today, it is fitting that we pause with a humble and grateful heart and say thank you for their sacrifices which have kept us free.

God bless the United States of America and may we be worthy of His blessing.

Thank you, Mr. President.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from New Mexico.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

Mr. BINGAMAN. Mr. President, I would like to take a moment to comment on the agreement that has been entered into on national tests. Do I need to have time yielded?

The PRESIDING OFFICER. Yes, you would.

Mr. HARKIN. Mr. President, I yield 10 minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. I appreciate the time very much.

Thank you, Mr. President.

VOLUNTARY NATIONAL TESTING

Mr. BINGAMAN. Mr. President, let me just comment on the agreement that has been reached on the issue of national tests and is part of the conference report that we are getting ready to vote on.

After weeks of delay, and essentially a campaign of misinformation waged against voluntary national tests, we now have an agreement that will allow parents to know how their children are really doing in school. And they will be able to know that as soon as the 1999-2000 school year.

As my colleagues know, people who paid attention on this issue, I have long advocated developing voluntary national education tests. And despite the firestorm of controversy that has erupted here on Capitol Hill in the last week or two, the vast majority of Americans have always thought that this was a good idea. Why should we continue to fumble around in the dark trying to guess what is wrong with our educational system when we can simply turn on the light and see for ourselves?

For these reasons, I worked with others here in the Senate to negotiate the initial Senate compromise that we approved here by a vote of 87 to 13. I worked with my colleagues to ensure that the Labor-HHS conferees knew how important it was to have new tests that States could use if they chose to as soon as possible. Here on the floor I have done my best to describe the myths and the realities of what national testing is all about.

As a result, I am glad to report that an agreement on moving forward with developing new tests has been finalized.

In essence, this new agreement does four things.

First, it transfers control over development and administration of voluntary national tests to the National Assessment Governing Board. That was part of what we discussed and proposed here in the Senate version of the legislation. And I think that was a very good proposal. So I am very glad to see that in this final bill.

Second, it calls on the National Academy of Sciences to conduct a study about whether it is feasible to link State and commercial tests to the rigorous National Assessment of Educational Progress.

Third, it allows for development of new national test items aligned with the National Assessment in the areas of 4th grade reading and 8th grade math.

And, fourth, it eliminates any prohibition against future implementation of the new tests without prior congressional authorization.

In my view, there are two main benefits to this agreement.

First, transferring control to this National Assessment Governing Board, NAGB, takes the same approach as the

Senate compromise. This ensures that the tests are controlled by an independent and bipartisan agency with a proven record of administering national assessments.

The second benefit of this agreement is that it removes any explicit requirement for future congressional authorization before implementation of testing. Making sure that the tests are available to be used is one of the most important objectives here. There is no point in having shiny new tests ready and on the shelf if States and districts and parents who want to use those are prohibited from doing so. This agreement puts the burden of blocking any implementation of national tests on those who would oppose States and school districts and parents from using them when they want to.

In my view, these provisions are all reasonable steps to take. They allow the process to go forward. They establish a level playing field for authorizers and appropriators during any future disputes about the implementation of national tests next year. And they provide reassurances against inventing a wheel that we have already invented before.

Let me make a few additional statements though about the agreement.

First, I want to clarify that, in fact, the agreement does allow the development of national testing to go forward this year. The development of fourth grade reading and eighth grade math exams based on the National Assessment of Educational Progress will go forward during the upcoming school year. Starting in the next fiscal year, this National Assessment Governing Board can begin piloting and field testing these items, which are necessary steps for implementing the tests in the spring of 2000.

Second, I would like to lower people's expectations about the proposed study of the feasibility of linking State and commercial tests to this National Assessment. That is because the current hodgepodge of State and commercial tests cannot replace a uniform national test and are almost certainly not comparably vigorous to the National Assessment of Educational Progress.

Few of the current State tests require more than 10th grade learning levels. The percentage of students who score proficiently in the National Assessment of Educational Progress on any given subject is usually much lower than the percentage of students who pass a State exam or a commercial exam.

A series of studies and reports over the past two decades, have shown that linking State or commercial tests is a costly and an uncertain undertaking. In the end, the National Academy of Sciences study will most likely reiterate the need for a voluntary national test.

Third, I would like to say that it is unfortunate that the opponents of voluntary national testing did not allow the agreement to include as many pro-

tections against discriminatory uses of the tests or bias or other safeguards for poor and minority students as were in the Senate version of the test proposal that we negotiated here. Coming from a State with many poor and minority students, I am committed to ensuring that any new tests are fair to all who take them.

Overall, I would have to say that this agreement brings us closer to the day when we will have a national yardstick to measure students' academic progress and gauge how well our education system is doing, and not just the system overall, but be able to gauge how the system is doing on a State by State basis or a district by district basis.

I know that there are those who oppose this effort who still fear that voluntary national tests will undercut local control. I myself would have preferred to move faster than this bill will move us. But I am glad that the commonsense potential of developing these measures now seems clear to all and that we can finally move forward.

Mr. KENNEDY. Mr. President, I commend Senator SPECTER and Senator HARKIN for giving education the high priority it deserves in the fiscal year 1998 Labor, Health and Human Services, and Education appropriations conference report, and I give it my strong support.

We all know the serious challenges we face in improving public education and increasing access to college. Enrollments in elementary and secondary schools have reached an all-time high of 52 million children this year, and will continue to rise in the years ahead. Forty percent of fourth graders score below the basic level in reading, and fewer than 30 percent score in the advanced category. Yet our modern economy and the country's future depend more and more heavily on well-trained people.

This bill increases funding for Federal education programs by \$3.4 billion over last year to help provide young children with a good education and help more qualified students go to college.

The bill provides a \$1.5 billion increase in Pell grants to help an additional 210,000 young people attend college, and increases the maximum Pell grant from \$2,700 to \$3,000.

The bill increases funding for title I by \$200 million to help disadvantaged students get the extra help they need to improve their math and reading skills.

The Education Technology Literacy Challenge Fund is more than doubled, from \$200 million to \$425 million. The technology innovation challenge grants receive \$106 million, an increase of \$49 million, to help teachers learn to use technology effectively and help schoolchildren prepare for the 21st century. The highly successful Star Schools Program will receive \$34 million to continue to provide educational services to remote and underserved areas.

The bill also increases Head Start funding by \$375 million, including \$279 million for the Early Head Start Program, to help more preschool children reach school ready to learn.

Special education receives \$775 million more than last year to help more children with disabilities get a good, appropriate education.

The bill also contains a compromise on the issue of testing. Despite the efforts of many parents, schools, and communities to improve education, too many schools in communities across the country are educating in the dark. They have no way to compare the performance of their students with students in other schools in other communities in other parts of the country. We know that by every current indicator, the performance of American elementary and secondary school students falls far short of the performance of students in many other countries. We have to do better, and knowing where schools and students now stand is an essential part of helping them do better.

This bill addresses these issues by including a fair compromise on President Clinton's proposal for voluntary national tests based on widely recognized national standards, so that parents, communities, and schools will have a better guide for improving local education. The voluntary national tests will be designed to test fourth grade reading and eighth grade math—two basic subjects at two critical times in students' academic development.

Parents want to know how well their children are doing and how well their schools are doing, compared to other students and schools across the Nation.

Voluntary national tests are an effective way to support local school reform, and I commend the conferees for their decision to move forward on these tests.

This bill takes another step forward in higher education, too, by creating the Emergency Student Loan Consolidation Act. I commend Senator JEFFORDS for his leadership in continuing to make paying for college easier for more students.

The Emergency Student Loan Consolidation Act reflects Congress's concern for students who have been unable to consolidate their loans in the direct loan program due to problems with the Department of Education's contractor. The act responds by opening up consolidation under the bank loan program to students who have direct loans. It does so without undermining the Department of Education's ability to pay for the administration of the loan programs.

The act contains important non-discrimination provisions that will help prevent lenders from choosing to allow consolidation of loans only for the most profitable borrowers. We will have an opportunity to do more on nondiscrimination during the reauthorization of the Higher Education Act, but this bill is a good step toward mak-

ing loans truly available to all students.

The act also makes an important adjustment in the needs analysis calculation, so that needy students will benefit more effectively from the President's new education tax credits. Students who benefit from the HOPE tax credit and the life-long learning tax credit should not be penalized in their eligibility for future Federal financial aid. This change will help approximately 70,000 needy students, and it is an important part of this act.

In addition to these advances in education, I also commend Senators SPECTER and HARKIN for including increased funding for important health, energy, and biomedical research programs.

This year's spending bill provides more funds for the Ryan White AIDS Program and the Community and Migrant Health Program.

It provides \$1.1 billion in fiscal year 1999 for LIHEAP, which will enable this program to serve thousands of additional senior citizens, the disabled, and working families by providing them with heating and cooling assistance.

And it provides an increase of \$907 million over last year for the National Institutes of Health. These investments in biomedical research hold great promise for the Nation to cure or prevent illnesses, and can also be an important factor in finding a long-term solution to the fiscal problems facing Medicare.

One of the few major problems with the conference report is that it retains the ban on using any Labor Department funds in the bill to oversee the forthcoming Teamsters election. That election is a rerun of the 1996 election conducted under government supervision as part of the important ongoing effort to free the Teamsters from domination by organized crime. The 1996 election was cancelled because of fundraising improprieties by both sides driving the election campaign. A Federal court has ordered a rerun of the election, and Labor Department funds should be available to supervise it.

The conference report is also disappointing in its funding of the National Labor Relations Board, which is frozen at last year's level. This result will require the agency to lay off 50 employees, and will hamper its ability to process its pending cases. There is no justification for Congress to disrupt the Nation's industrial relations in this way.

There are many worthwhile provisions in this bill, and I intend to support it. But I hope that in action early next year, we can reconsider these unwise provisions and achieve a more satisfactory resolution.

DIABETES

Mr. DOMENICI. I would like to engage the distinguished chairman of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, Senator SPECTER, in a discussion about certain details of the fiscal year 1998 funding for the Centers

for Disease Control [CDC] and Indian Health Service [IHS] regarding American Indians and diabetes.

Mr. SPECTER. I would be happy to respond to the Senator from New Mexico about the intentions of my committee with regard to funding diabetes programs for American Indians through the CDC. I am also interested in his ideas about coordinating efforts between the CDC and the IHS.

Mr. DOMENICI. Earlier this year, I wrote to you about my interest in establishing a national diabetes prevention research center in Gallup, NM.

Mr. SPECTER. Yes, Senator DOMENICI, I recall your letter of June 26, 1997.

Mr. DOMENICI. In that letter, I requested \$8 million for CDC to establish a national diabetes prevention research center. It is my primary intention to see this center begin a serious and vigorous effort to control the diabetes epidemic among American Indians through greatly improved, culturally relevant diagnosis and prevention, with preliminary attention to the Navajo Tribe and the Zuni Pueblo near Gallup, New Mexico. I believe CDC is the best agency in our Government to lead this very specialized task. I also hope to find better prevention strategies that will benefit the large Hispanic population of the city of Gallup, the States of New Mexico, Arizona, Texas, and California, and minority communities nationwide. I am also hopeful that the prevention research conducted in Gallup would be a major benefit for the large population of African-Americans who have this disease.

Mr. SPECTER. I certainly agree that prevention research is a very specialized field that must prove itself to be culturally relevant and attractive, or it will be meaningless. It is also my understanding that diabetes is rampant among American Indians and getting worse. The rate is almost three times as high among Indians as it is among all Americans. The national rates of diabetes among Hispanics, Blacks, and Asians are also among the highest in the Nation, and are about double the rate among Americans as a whole.

Mr. DOMENICI. When I held a hearing about the seriousness of diabetes among Navajo and Zuni Indians, and Hispanics in the Gallup area, I was pleased to learn that there are relatively inexpensive ways—such as the monofilament device for testing circulation in the feet—to detect diabetes at an early stage. We want to incorporate early detection into our prevention activities, so that the Indian populations most susceptible to this disease will have better diagnostic information as early as possible.

Among the Navajo Indians, we are told that 40 percent of all Navajo Indians are diagnosed as diabetic, and this high rate is among known cases. The sad truth is that testing is very sparse in the remote areas of the Navajo Nation. Some experts fear that the rate could actually be nearly twice as high,

if better outreach were performed. I view the Gallup center as the national center for finding better ways to improve outreach and diagnosis among native Americans. The earlier a person knows about the onset of diabetes, the more can be done to prevent it.

Mr. SPECTER. I concur with the Senator's observations.

Mr. DOMENICI. I would like my colleagues to know that I met with Health and Human Services Secretary Donna Shalala in my office about the seriousness of this epidemic among American Indians. The Secretary offered her own plan to establish this diabetes prevention research center in Gallup, NM. She recommended "a single \$8 million per year, multiyear award for a large-scale, coordinated primary, secondary, and tertiary prevention effort among the Navajo, who have a large population with a high incidence of diabetes and risk factors for diabetes."

Her support for the Gallup research center came as welcome news. In working with the CDC, we have obtained an estimate of at least \$2 million for the first year startup costs for this center. The Senate committee report on this bill specifically mentions the Gallup prevention research center. Would the chairman agree that the conferees intended to target at least this amount for the first year costs of establishing to Gallup center?

Mr. SPECTER. Yes, I would agree that the increase in funding for CDC for fiscal year 1998, includes sufficient funds for this purpose, and the House has concurred with the Senate's intention to do so. The conferees intend to increase both prevention and treatment activities among native Americans. The final bill also contains at least \$2 million for CDC programs among native Americans. In addition to this general Indian funding, I believe the Senate report clarifies our intention to fund the Gallup prevention research center in the first year from fiscal year 1998 funds. This program would then continue as envisioned by Secretary Shalala on a multiyear basis.

Mr. DOMENICI. I Thank the chairman for these important clarifications of congressional intent in this final Labor-HHS-Education Appropriations bill for fiscal year 1998. I would like to add one final comment about the Balanced Budget Act of 1998. In that act, signed by the President, we included \$30 million annually for the prevention and treatment of diabetes among American Indians for the next 5 years.

As most American Indians with serious diabetes problems live on or near the reservations, we have allocated \$30 million per year for enhancing the prevention and treatment of diabetes through the Indian Health Service of the Public Health Service in the U.S. Department of Health and Human Services.

I have written to Secretary Shalala asking her support for partial funding of the Gallup center from this Balanced

Budget Act allotment. While I have not received a definitive answer yet, I remain optimistic that the Secretary will see the value of directing the IHS to coordinate its prevention efforts with the CDC through the Gallup center. Does the chairman concur with this strategy?

Mr. SPECTER. I commend the Senator from New Mexico for his thoughtful and coordinated approach to the problems of diabetes for minorities, especially American Indians. I concur that CDC and IHS would be an invaluable combination at the Gallup prevention research center.

Mr. DOMENICI. I thank the Chairman for his thoughts on this vital coordination issue. I am convinced that the IHS could improve the effectiveness of its outreach and prevention efforts, funded in the Balanced Budget Act, by using the most current information and prevention strategies developed at the national diabetes prevention research center in Gallup, New Mexico.

Mr. SPECTER. As the Senator from New Mexico has suggested, I would hope that IHS would invite the CDC to participate in developing meaningful prevention strategies at the Gallup research center with funds from the Balanced Budget Act of 1997. I would add that the resources of the National Institutes of Health [NIH] and the National Center for Genome Research would be other valuable resources for both the CDC and the IHS to incorporate into their efforts.

I thank the Senator from new Mexico for his coordinated efforts to bring immediate assistance to American Indians, especially the Navajo and Zuni Indians in the Gallup area. I believe this diabetes prevention research effort in Gallup will benefit the Pueblo Indians, Apaches, and other Indian tribes nationwide.

I fully support Senator DOMENICI's efforts to start and maintain funding for the national diabetes prevention research center in Gallup, NM, funded by both CDC and IHS resources as we have discussed.

Mr. DOMENICI. I thank the distinguished Chairman, and I look forward to working with him again next year to continue our progress in funding vital programs for controlling the epidemic of diabetes among American Indians and other minorities.

Mrs. HUTCHISON. I would like to engage the distinguished chairman of the subcommittee in a colloquy regarding the statement of the managers on fiscal year 1998 Labor Department appropriations. During the debate on S. 1061, I brought to the attention of the chairman an important project that is making a difference in the lives of poor people in two cities in my State and in many other cities across the country. The Community Employment Alliance [CEA], sponsored by the Enterprise Foundation, is working with community development corporations, State and local governments and the private

sector to provide a range of employment and training and job creation service to welfare recipients. I appreciated the support of the chairman in urging the Department of Labor to give full consideration for application by the Enterprise Foundation to provide funding for the Community Employment Alliance.

Mr. SPECTER. I want to thank the Senator from Texas for all her efforts to gain the support of the conference committee for this important project and for the work the Community Employment Alliance and the Enterprise Foundation are doing in welfare to work. I am pleased to inform the Senator that the statement of the managers accompanying the conference report includes a reference to the Community Employment Alliance and urges the Department of Labor to give careful consideration to a proposal for funding.

Mrs. MURRAY. Mr. President, I rise in support of the conference report to accompany the fiscal year 1998 Labor, HHS, and Education appropriations bills, but I am also sadly disappointed in the actions of the other body concerning my amendment to clarify the family violence option.

The conference report before us today in the result of a bipartisan effort that focused on the priorities important to American families; education, a safe work place, biomedical research and disease prevention, child care, Headstart, and low-income energy assistance. I was proud to work with my colleagues in producing this conference report. I want to thank Chairman SPECTER and Senator HARKIN for their willingness to work with all of us in negotiating a final bill with the other body. I also want to thank both of them for including many of my priorities in this final legislation.

I am pleased that we were able to increase our commitment to the Older Americans Act programs, breast and cervical cancer research, heart disease prevention, literacy, child care, Headstart, and maintain a strong Federal role in education. I know that in a balanced budget framework meeting these priorities was a difficult task and am grateful for the leadership shown by Senators SPECTER and HARKIN.

While I worked to ensure the enactment of important increases in our investment in our future, I am sadly disappointed that this final conference report does not include my amendment to protect victims of domestic violence and abuse from the harsh punitive requirements called for in welfare reform. Despite a 98 to 1 vote in the Senate, Republicans on the conference committee from the other body, refused to help victims of family violence from continued abuse. This is a big loss that will come back and haunt us as the States begin full implementation of their welfare reform plans.

The Republicans in the other body seemed more concerned about grossly incorrect statements made by the

chairman of the House Ways and Means Committee and the chairman of the Subcommittee on Human Resources. It was interesting to see that the chairman of the Human Resources Subcommittee felt it necessary to attend the final conference meeting to ensure that there was no further effort to give States the flexibility that they need to truly help those victims of domestic violence.

In a letter to the conferees, the chairman of the House Ways and Means Committee concluded that the way to break the cycle of violence was to improve the self esteem of moms; this could only be accomplished through work. This statement in itself explains the difficulty I have had in getting this amendment enacted into law. There appear to be some Members of Congress who firmly believe that domestic violence is the fault of the woman.

I will ask that this letter be printed in the RECORD so that the American public can see how some Members of Congress view family violence and abuse.

While I am disappointed in the lack of consensus on my amendment, I am pleased to report that as a result of the courage shown by the Senate and the public debate conducted on my amendment, the chairman of the Human Resources Subcommittee in the other body has pledged his support for hearings on this important initiative. I am also inserting a copy of his letter to me stating his intention to hold these hearings. I intend to hold him to this commitment and am hopeful that hearings will be held early in 1998. Depending upon the status of these hearings, I intend on maintaining my strategy of offering this amendment to each and every appropriate legislative vehicle. I will not give up until this amendment is adopted. The stakes are simply too high. The lives of too many women and children are at stake.

I ask unanimous consent that the letters to which I referred be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 1997.
Hon. JOHN EDWARD PORTER,
Chairman, Subcommittee on Labor, Health and
Human Services, and Education, Wash-
ington, DC.

DEAR JOHN: We want to draw your attention to a provision added to the Labor, HHS, and Education appropriations bill in the Senate that we strongly oppose. Senator Murray and several others offered a floor amendment concerning domestic violence that received nearly unanimous support. Unfortunately, this amendment does not, as claimed "clarify" a provision of last year's historic welfare reform bill but instead would have the effect of gutting the reform.

As nearly as we can tell, every Member of Congress and virtually every American citizen abhors domestic violence. Every level of government already has strong laws, including criminal laws, designed to deal with the perpetrators of domestic violence. Moreover,

in the last decade or so, the nation has made significant progress both in increasing awareness of this serious problem and inventing both civic and governmental responses to the problem.

But fighting domestic violence by adopting a national policy of exempting welfare mothers, who may have been abused, from the work requirements and time limits of welfare reform is not a wise policy. First, we cannot understand how keeping mothers dependent on welfare can help them achieve independence from an abusive partner. There may be some exceptions to the rule, but in the vast majority of cases women who can support themselves and their children have a much better chance of escaping an abusive relationship. In recent years, Congress has enacted generous non-welfare benefits including tax credits, expanded health coverage; and more day care, all of which are designed to help women with children become self-supporting. The domestic violence trap can only be broken when mothers improve their self-esteem through work. Thus, exempting these mothers from the work requirements and time limits seems to be precisely the wrong thing to do.

Second, states already can exempt 75 percent of their caseload from the work requirement in the first year. Even when the work requirement is fully implemented in 2002, states will still be able to exempt half of their caseload. If in some special circumstances a mother involved in an abusive relationship would be helped by being temporarily exempted from the work requirement, states have plenty of room under existing law to provide the exemption. Similarly, the 5-year limitation on benefits is drafted so that states can exempt up to 20 percent of their caseload from the requirement.

Thus, under current law, states already enjoy a great deal of flexibility that can be used to address the needs of individual mothers. To allow states to ignore all cases in which abuse is involved is to invite them to destroy both the work requirement and the time limit. We have seen numerous claims that the original welfare reform bill intended to allow states to exempt these cases without counting them against the ceiling on work and time limit exemptions. As the authors of the original bill and the bill finally enacted by Congress and signed by the President, we want to clear up this myth. Such exemptions were never intended. Indeed, every time they have been proposed, we have fought them. Given the widespread and widely recognized success of the welfare reform bill, we believe a change of this magnitude would be exceptionally destructive—especially when the justification for making the change is so weak.

Finally, House and Senate rules prohibit legislating appropriation bills. We all know that when there is bipartisan agreement and the committee of jurisdiction agrees with an authorization provision, we tend to overlook these rules. But we are informing you in the most direct terms that we strongly oppose this Senate action. If there is any doubt about whether this provision will be removed from the conference report, we would like to be informed at the earliest moment so we can take this issue to the House and Senate Leadership.

Thanks for your personal help and the help of your staff on this issue.

Sincerely,

E. CLAY SHAW, JR.,
Chairman, Sub-
committee on Human
Resources.

BILL ARCHER,
Chairman, Committee
on Ways and Means.

HOUSE OF REPRESENTATIVES, COM-
MITTEE ON WAYS AND MEANS, SUB-
COMMITTEE ON HUMAN RESOURCES
Washington, DC, October 29, 1997.

Hon. PATTY MURRAY,
U.S. Senate, Washington, DC.

Hon. ARLEN SPECTER,
U.S. Senate, Washington, DC.

DEAR SENATORS MURRAY AND SPECTER: I am writing to you about the Murray/Wellstone amendment concerning domestic violence to the FY 1998 Labor, HHS and Education appropriations bill.

As nearly as I can tell, every Member of Congress and virtually every American citizen abhors domestic violence. Every level of government already has strong laws, including criminal laws, designed to deal with the perpetrators of domestic violence. Moreover, in the last decade or so, the nation has made significant progress both in increasing awareness of this serious problem and inventing both civic and governmental responses to the problem.

The Murray/Wellstone amendment continues this tradition of both drawing attention to the issue of domestic violence and creating special conditions for those who have been abused. Nonetheless, there are several procedural and substantive reasons why this proposal should not be included in the Labor, HHS appropriations bill. First, the provision violates House rules against legislating on an appropriations bill. Second, it is against regular order to make such significant changes without committee input. Finally, the Ways and Means Committee has never had a hearing on the Murray/Wellstone amendment, so it is unclear whether this change is needed or what its unanticipated consequences might be.

It is also important to note that, while the Murray/Wellstone amendment would allow states to exempt an unlimited number of victims of domestic violence from the welfare reform law's time limits and work requirements, current law already exempts 70 percent of the caseload from work requirements and 20 percent from the 5-year time limit. States already have the discretion to include any or all victims of domestic violence under these exemptions.

Each of these factors argues against including the Murray/Wellstone amendment in the bill currently before the conference committee. However, as Chairman of the Subcommittee on Human Resources of the Committee on Ways and Means, I am offering to convene a subcommittee hearing on this topic early in the next session, provided that the Murray/Wellstone amendment is withdrawn from consideration by the Labor, HHS conference committee. I would expect and look forward to your appearing as the first witnesses at this hearing.

I appreciate your consideration of this offer, and look forward to your response.

Sincerely,

E. CLAY SHAW,
Chairman.

Mr. WARNER. Mr. President, I rise to address a matter in the Labor-HHS Appropriations Conference Report that is of great interest to me. Would the distinguished chairman of the subcommittee, Mr. SPECTER, be willing to clarify a matter contained in the conference report?

Mr. SPECTER. I would be happy to respond to an inquiry from my friend from Virginia.

Mr. WARNER. Mr. President, an amendment offered by Senator KENNEDY and myself providing the Department of Education with \$1.1 million to

begin planning efforts for Nation's celebration of the millennium was adopted by the Senate during consideration of the Labor-HHS appropriations bill. These funds were requested by the Department of Education and were to be offset within the Department. However, it is my understanding that this language was deleted without prejudice during conference.

Mr. SPECTER. That is correct. However, \$1 million in funding was included in the Department of Education's program administration budget to be utilized for national millennium activities.

Mr. WARNER. Then it would be correct to say that while the Warner-Kennedy language was deleted in conference, \$1 million in funds will be available for activities associated with the millennium through the Department of Education's program administration budget?

Mr. SPECTER. That is correct.

Mr. WARNER. Mr. President, I thank the Chairman for his clarification of this matter.

Mr. LAUTENBERG. Mr. President, I want to take this opportunity to highlight language in the Senate's committee report on the fiscal year 1998 Labor-HHS bill under the National Institute of Health's [NIH] National Institute of Allergy and Infectious Diseases [NIAID]. This language notes the significant research on emerging infectious diseases being conducted at the Public Health Research Institute [PHRI]. I would like to clarify that PHRI is a component of a scientific research and collaborative venture in New Jersey known as the International Center for Public Health, located at University Heights Science Park in Newark. Furthermore, I would like to clarify that the intent of the Senate's report language is to encourage NIAID to give appropriate consideration to proposals received from the International Center for Public Health, one component of which is PHRI.

I would like to ask my colleagues Senators SPECTER and HARKIN if they agree with this interpretation of the intent of the Senate language? Furthermore, I would like to ask my colleagues if they agree that the International Center for Public Health's efforts to create a world class research and treatment complex to address infectious diseases are consistent with the committee's objectives for the Department of Health and Human Services, specifically the NIH's NIAID?

Mr. SPECTER. I am aware of this language and agree with this interpretation. I appreciate my colleague's leadership role in working with this important International Center, and I hope the NIH will give every appropriate consideration to the Center's proposals.

Mr. HARKIN. I, too, appreciate the leadership of my colleague from New Jersey on this issue, and concur with the Chairman that the NIH should give appropriate consideration to proposals

from the International Center for Public Health.

Mr. DODD. Mr. President, I rise today to express my strong support for key provisions of the fiscal year 1998 Labor, Health and Human Services and Education appropriations bill.

This bill is the product of a long, often difficult, process and, like many of our legislative efforts, it is in no way perfect. However, I am particularly pleased with the \$3.3 billion increase included for education.

With this legislation, students, parents and schools across the country will see broad increases in Federal spending in key areas. Funding for education technology will double. Special education funding will increase by \$800 million to a historic high of nearly \$5 billion. The title I program, which provides disadvantaged students with remedial tutoring in math and science, will receive \$7.4 billion. This bill also provides for the continued development of voluntary national tests in fourth grade reading and eighth grade math. While there was a great deal of negotiation, discussion, and compromise on this last issue, I am pleased that the final legislation does not set up any roadblocks that will block full implementation of this important accountability initiative in schools across the country.

This bill also includes new funding for young children. Head Start funding will grow by \$300 million, putting it on the path to serving 1,000,000 3- and 4-year-olds by the year 2000. The Child Care and Development Block Grant will also grow by \$50 million to reach \$1 billion and provide working families with additional assistance in meeting their child care needs.

On the other end of education funding, college students and their parents will receive substantial new assistance through this bill. First and most importantly, the Pell grant program will receive an increase of \$1.5 billion. These funds will increase the Pell grant maximum to \$3,000—the highest level in history—and will expand the Pell grant program to assist an additional 210,000 students.

This last step is particularly crucial in my view. Earlier this year, I introduced legislation to better assist students by modifying the treatment of dependent student income to ensure that needy students are not penalized for working. This appropriations bill includes this initiative and consequently will reach thousands of new students who work. This appropriations bill does not fully accomplish the goals set by my legislation, but it takes the first vital steps, which we can hopefully build upon during next year's reauthorization of the Higher Education Act.

This bill also includes legislation approved by the Labor and Human Resources Committee last month to assist students in better managing their Federal student loans. This bill, the Emergency Student Loan Consolida-

tion Act, responds to the recent shutdown of the Federal direct loan consolidation programs by providing all student borrowers with the option of consolidating their student loans into the guaranteed loan program. There had been some concern that this bill, as it passed the Labor Committee, did not have an appropriate offset; however, additional clarifying language is included today which will allow the administration to manage this offset appropriately. We also include another emergency provision which ensures that families who receive a HOPE Scholarship will not be penalized for this scholarship in the determination of families' need for Federal student aid. It is very important to America's families and college students that these two initiatives pass this year and I am pleased that their inclusion in this bill today will make that possible.

Thus far, Mr. President, I have focused on what is in this bill in terms of education. However, I am pleased that one education provision adopted by the Senate was dropped in this final bill—the Gorton amendment. This very destructive amendment, which I have strenuously opposed since it was first introduced, would have eliminated Federal funding for school safety, character education, vocational rehabilitation services, Indian education, teacher training and education technology. The conferees recognized that this policy was not fully considered by the Senate, as well as the appropriate committees, and took us in the wrong direction on education policy.

For all that is good in this bill, it is clearly the product of considerable compromise and is not the bill I would have written. I am particularly disturbed by the inclusion of language expanding the reach of the Hyde amendment which will further limit the rights of Federal employees in this important, personal area. However, on the whole, I believe this is a good bill for the families and children of America and will join my colleagues in supporting its passage.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DOMENICI. Parliamentary inquiry. Does Senator SPECTER have time?

The PRESIDING OFFICER. Senator SPECTER has 4 minutes remaining.

Mr. DOMENICI. What time are we going to vote under the order?

The PRESIDING OFFICER. At 2:35.

Mr. DOMENICI. I yield myself the remaining time that Senator SPECTER has.

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

Mr. DOMENICI. I wish to applaud the subcommittee chairman, Senator SPECTER, and other members of the Appropriations subcommittee for receiving a consensus on this bill, and at the same time adhering to the important provisions of the bipartisan budget agreement.

First, let me say this bill has a very exceptional provision in it which was not part of the budget agreement but, rather, was in the Republican budget resolution, and that was to add \$5 billion for special education for the next 5 years that was for educating children with disabilities. The appropriations bill includes an additional \$775 million for this program, the biggest increase in the history of the program. This is the program that many States were critical of our Government for because we started it and committed a share of the payment and we never lived up to our commitment in the shared expenses of the program but insisted that our rules and regulations be followed by the States.

Now we are beginning to catch up. Senator JUDD GREGG was the leader of this from the State of New Hampshire, and certainly he will take a great deal of pride as this bill works its way to the President for signature—\$5 billion over the next 5 years for educating children with disabilities.

Now, Mr. President, this bill has a lot of different provisions in it for different parts of the U.S. Government, but the education funding for the United States is almost all found in this bill. While we are not a big contributor nationally to education—that is, the National Government—there are some programs that are noteworthy that we agreed in our 22-page agree-

ment, the historic agreement of the President and the Congress, to give high priority to, and I might say on all of these on education, with our bipartisan agreement, this committee lived up to those and funded them in every single instance, even though it meant much of their allocation of resources was being predetermined by this previous agreement.

Let me give a few examples. Regarding Head Start, the budget agreement called for an additional \$2.75 billion over the next 5 years; the appropriations bill provides an additional \$274 million for this program. For both these programs I have just discussed, the bill provides more funding than the President's original 1998 budget request.

Now, looking at Pell grants, which many think are very helpful in getting our young people through college—another very important bipartisan effort—the budget agreement called for an additional \$8.6 billion over the next 5 years and to raise the maximum Pell grant to students from \$2,700 to \$3,000. True to the other measures that I have discussed, the appropriations bill provides an additional \$1.4 billion for Pell grants and increased maximum grant awards from \$2,700 to \$3,000.

Finally, in the area of bilingual and immigrant education, particularly difficult for our States, the budget agreement called for \$446 million over the next 5 years, and the appropriations bill provided \$92 million of that increase in this bill.

Now, I realize many constraints were on this committee, and I want to again offer my words of thanks and congratulations for their fine work and especially for their serious effort to uphold

the bipartisan budget agreement. I believe we can all be proud of these particular increases which have such broad bipartisan support. From the standpoint of the Republicans who were part of the bipartisan agreement with the President, I think today on education we are seeing some very positive results from that effort.

Mr. President, I have changes to the budget resolution aggregates and Appropriations Committee allocation which are in order, and I ask unanimous consent they be printed in the RECORD.

There being no obligation, the material was ordered to be printed in the RECORD as follows:

SUBMITTING CHANGES TO THE BUDGET RESOLUTION AGGREGATES AND APPROPRIATIONS COMMITTEE ALLOCATION

Mr. DOMENICI. Mr. President, section 314(b)(2) of the Congressional Budget Act, as amended, requires the chairman of the Senate Budget Committee to adjust the appropriate budgetary aggregates and the allocation for the Appropriations Committee to reflect additional new budget authority and outlays for continuing disability reviews subject to the limitations in section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act.

I hereby submit revisions to the budget authority, outlays, and deficit aggregates for fiscal year 1998 contained in sec. 101 of House Concurrent Resolution 84 in the following amounts:

	Deficit	Budget Authority	Outlays
Current aggregates	173,462,000,000	1,390,913,000,000	1,372,462,000,000
Adjustments	43,000,000	45,000,000	43,000,000
Revised aggregates	173,505,000,000	1,390,958,000,000	1,372,505,000,000

I hereby submit revisions to the 1998 Senate Appropriations Committee budget authority and outlay allocations, pursuant to sec. 302 of the Congressional Budget Act, in the following amounts:

	Budget Authority	Outlays
Current allocation:		
Defense discretionary	269,000,000,000	266,823,000,000
Nondefense discretionary	256,036,000,000	283,243,000,000
Violent crime reduction fund	5,500,000,000	3,592,000,000
Mandatory	277,312,000,000	278,725,000,000
Total allocation	807,848,000,000	832,383,000,000
Adjustments:		
Defense discretionary		
Nondefense discretionary	45,000,000	43,000,000
Violent crime reduction fund		
Mandatory		
Total allocation	45,000,000	43,000,000
Revised allocation:		
Defense discretionary	269,000,000,000	266,823,000,000
Nondefense discretionary	256,081,000,000	283,286,000,000
Violent crime reduction fund	5,500,000,000	3,592,000,000
Mandatory	277,312,000,000	278,725,000,000
Total allocation	807,893,000,000	832,426,000,000

Mr. DOMENICI. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BOND. Mr. President, have the yeas and nays been requested?

The PRESIDING OFFICER. They have not.

Mr. BOND. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second. The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The clerk will call the roll. The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri [Mr. ASHCROFT], the Senator from Colorado [Mr. CAMPBELL], the Senator from Arizona [Mr. MCCAIN], and the Senator from Kentucky [Mr. MCCONNELL] are necessarily absent.

I further announce that, if present and voting, the Senator from Missouri [Mr. ASHCROFT] would vote "nay."

Mr. FORD. I announce that the Senator from Minnesota [Mr. WELLSTONE], is necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota [Mr. WELLSTONE], would vote "aye."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, Nays 4, as follows:

[Rollcall Vote No. 298 Leg.]

YEAS—91

Abraham	Bumpers	Daschle
Akaka	Burns	DeWine
Allard	Byrd	Dodd
Baucus	Chafee	Domenici
Bennett	Cleland	Dorgan
Biden	Coats	Durbin
Bingaman	Cochran	Enzi
Bond	Collins	Faircloth
Boxer	Conrad	Feingold
Breaux	Coverdell	Feinstein
Brownback	Craig	Ford
Bryan	D'Amato	Frist