

***In the Senate of the United States,***

*September 17, 1997.*

*Resolved*, That the bill from the House of Representatives (H.R. 2264) entitled “An Act 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.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for the*
- 3 *Departments of Labor, Health and Human Services, and*
- 4 *Education, and related agencies for the fiscal year ending*
- 5 *September 30, 1998, and for other purposes, namely:*

1            *TITLE I—DEPARTMENT OF LABOR*2            *EMPLOYMENT AND TRAINING ADMINISTRATION*3            *TRAINING AND EMPLOYMENT SERVICES*

4            *For necessary expenses of the Job Training Partner-*  
5 *ship Act, as amended, including the purchase and hire of*  
6 *passenger motor vehicles, the construction, alteration, and*  
7 *repair of buildings and other facilities, and the purchase*  
8 *of real property for training centers as authorized by the*  
9 *Job Training Partnership Act; the Stewart B. McKinney*  
10 *Homeless Assistance Act; the Women in Apprenticeship and*  
11 *Nontraditional Occupations Act; the National Skill Stand-*  
12 *ards Act of 1994; and the School-to-Work Opportunities*  
13 *Act; \$5,010,053,000 plus reimbursements, of which*  
14 *\$3,815,062,000 is available for obligation for the period*  
15 *July 1, 1998 through June 30, 1999; of which \$118,491,000*  
16 *is available for the period July 1, 1998 through June 30,*  
17 *2001 for necessary expenses of construction, rehabilitation,*  
18 *and acquisition of Job Corps centers; and of which*  
19 *\$200,000,000 shall be available from July 1, 1998 through*  
20 *September 30, 1999, for carrying out activities of the*  
21 *School-to-Work Opportunities Act: Provided, That*  
22 *\$55,127,000 shall be for carrying out section 401 of the Job*  
23 *Training Partnership Act, \$72,749,000 shall be for carry-*  
24 *ing out section 402 of such Act, \$7,300,000 shall be for car-*  
25 *rying out section 441 of such Act, \$10,000,000 shall be for*

1 *all activities conducted by and through the National Occu-*  
2 *ptional Information Coordinating Committee under such*  
3 *Act, \$955,000,000 shall be for carrying out title II, part*  
4 *A of such Act, and \$129,965,000 shall be for carrying out*  
5 *title II, part C of such Act: Provided further, That the Na-*  
6 *tional Occupational Information Coordinating Committee*  
7 *is authorized, effective upon enactment, to charge fees for*  
8 *publications, training and technical assistance developed by*  
9 *the National Occupational Information Coordinating Com-*  
10 *mittee: Provided further, That revenues received from publi-*  
11 *cations and delivery of technical assistance and training,*  
12 *notwithstanding 31 U.S.C. 3302, shall be credited to the*  
13 *National Occupational Information Coordinating Commit-*  
14 *tee program account and shall be available to the National*  
15 *Occupational Information Coordinating Committee without*  
16 *further appropriations, so long as such revenues are used*  
17 *for authorized activities of the National Occupational Infor-*  
18 *mation Coordinating Committee: Provided further, That no*  
19 *funds from any other appropriation shall be used to provide*  
20 *meal services at or for Job Corps centers: Provided further,*  
21 *That funds provided for title III of the Job Training Part-*  
22 *nership Act shall not be subject to the limitation contained*  
23 *in subsection (b) of section 315 of such Act; that the waiver*  
24 *described in section 315(a)(2) may be granted if a substate*  
25 *grantee demonstrates to the Governor that such waiver is*

1 *appropriate due to the availability of low-cost retraining*  
2 *services, is necessary to facilitate the provision of needs-re-*  
3 *lated payments to accompany long-term training, or is nec-*  
4 *essary to facilitate the provision of appropriate basic read-*  
5 *justment services; and that funds provided for discretionary*  
6 *grants under part B of such title III may be used to provide*  
7 *needs-related payments to participants who, in lieu of meet-*  
8 *ing the enrollment requirements under section 314(e) of*  
9 *such Act, are enrolled in training by the end of the sixth*  
10 *week after grant funds have been awarded: Provided further,*  
11 *That funds provided to carry out section 324 of such Act*  
12 *may be used for demonstration projects that provide assist-*  
13 *ance to new entrants in the workforce and incumbent work-*  
14 *ers: Provided further, That service delivery areas may*  
15 *transfer funding provided herein under authority of title*  
16 *II, parts B and C of the Job Training Partnership Act be-*  
17 *tween the programs authorized by those titles of the Act,*  
18 *if the transfer is approved by the Governor: Provided fur-*  
19 *ther, That service delivery areas and substate areas may*  
20 *transfer up to 20 percent of the funding provided herein*  
21 *under authority of title II, part A and title III of the Job*  
22 *Training Partnership Act between the programs authorized*  
23 *by those titles of the Act, if such transfer is approved by*  
24 *the Governor: Provided further, That, notwithstanding any*  
25 *other provision of law, any proceeds from the sale of Job*

1 Corps center facilities shall be retained by the Secretary of  
2 Labor to carry out the Job Corps program: Provided fur-  
3 ther, That notwithstanding any other provision of law, the  
4 Secretary of Labor may waive any of the statutory or regu-  
5 latory requirements of titles I–III of the Job Training Part-  
6 nership Act (except for requirements relating to wage and  
7 labor standards, worker rights, participation and protec-  
8 tion, grievance procedures and judicial review, non-  
9 discrimination, allocation of funds to local areas, eligi-  
10 bility, review and approval of plans, the establishment and  
11 functions of service delivery areas and private industry  
12 councils, and the basic purposes of the Act), and any of  
13 the statutory or regulatory requirements of sections 8–10  
14 of the Wagner-Peyser Act (except for requirements relating  
15 to the provision of services to unemployment insurance  
16 claimants and veterans, and to universal access to basic  
17 labor exchange services without cost to job seekers), only for  
18 funds available for expenditure in program year 1998, pur-  
19 suant to a request submitted by a State which identifies  
20 the statutory or regulatory requirements that are requested  
21 to be waived and the goals which the State or local service  
22 delivery areas intend to achieve, describes the actions that  
23 the State or local service delivery areas have undertaken  
24 to remove State or local statutory or regulatory barriers,  
25 describes the goals of the waiver and the expected pro-

1 *grammatical outcomes if the request is granted, describes the*  
2 *individuals impacted by the waiver, and describes the proc-*  
3 *ess used to monitor the progress in implementing a waiver,*  
4 *and for which notice and an opportunity to comment on*  
5 *such request has been provided to the organizations identi-*  
6 *fied in section 105(a)(1) of the Job Training Partnership*  
7 *Act, if and only to the extent that the Secretary determines*  
8 *that such requirements impede the ability of the State to*  
9 *implement a plan to improve the workforce development*  
10 *system and the State has executed a Memorandum of Un-*  
11 *derstanding with the Secretary requiring such State to meet*  
12 *agreed upon outcomes and implement other appropriate*  
13 *measures to ensure accountability: Provided further, That*  
14 *the Secretary of Labor shall establish a workforce flexibility*  
15 *(work-flex) partnership demonstration program under*  
16 *which the Secretary shall authorize not more than six*  
17 *States, of which at least three States shall each have popu-*  
18 *lations not in excess of 3,500,000, with a preference given*  
19 *to those States that have been designated Ed-Flex Partner-*  
20 *ship States under section 311(e) of Public Law 103-227,*  
21 *to waive any statutory or regulatory requirement applica-*  
22 *ble to service delivery areas or substate areas within the*  
23 *State under titles I-III of the Job Training Partnership*  
24 *Act (except for requirements relating to wage and labor*  
25 *standards, grievance procedures and judicial review, non-*

1 *discrimination, allotment of funds, and eligibility), and*  
2 *any of the statutory or regulatory requirements of sections*  
3 *8–10 of the Wagner-Peyser Act (except for requirements re-*  
4 *lating to the provision of services to unemployment insur-*  
5 *ance claimants and veterans, and to universal access to*  
6 *basic labor exchange services without cost to job seekers),*  
7 *for a duration not to exceed the waiver period authorized*  
8 *under section 311(e) of Public Law 103–227, pursuant to*  
9 *a plan submitted by such States and approved by the Sec-*  
10 *retary for the provision of workforce employment and train-*  
11 *ing activities in the States, which includes a description*  
12 *of the process by which service delivery areas and substate*  
13 *areas may apply for and have waivers approved by the*  
14 *State, the requirements of the Wagner-Peyser Act to be*  
15 *waived, the outcomes to be achieved and other measures to*  
16 *be taken to ensure appropriate accountability for Federal*  
17 *funds.*

18 *For necessary expenses of Opportunity Areas of Out-*  
19 *of-School Youth, in addition to amounts otherwise provided*  
20 *herein, \$250,000,000, to be available for obligation for the*  
21 *period October 1, 1998 through September 30, 1999, if job*  
22 *training reform legislation authorizing this or similar at-*  
23 *risk youth projects is enacted by April 1, 1998.*

1 *COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS*  
2 *(TRANSFER OF FUNDS)*

3 *To carry out the activities for national grants or con-*  
4 *tracts with public agencies and public or private nonprofit*  
5 *organizations under paragraph (1)(A) of section 506(a) of*  
6 *title V of the Older Americans Act of 1965, as amended,*  
7 *or to carry out older worker activities as subsequently au-*  
8 *thorized, \$353,340,000.*

9 *To carry out the activities for grants to States under*  
10 *paragraph (3) of section 506(a) of title V of the Older Amer-*  
11 *icans Act of 1965, as amended, or to carry out older worker*  
12 *activities as subsequently authorized, \$99,660,000.*

13 *The funds appropriated under this heading shall be*  
14 *transferred to and merged with the Department of Health*  
15 *and Human Services, "Aging Services Programs", for the*  
16 *same purposes and the same period as the account to which*  
17 *transferred, following the enactment of legislation authoriz-*  
18 *ing the administration of the program by that Department.*

19 *FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES*

20 *For payments during the current fiscal year of trade*  
21 *adjustment benefit payments and allowances under part I;*  
22 *and for training, allowances for job search and relocation,*  
23 *and related State administrative expenses under part II,*  
24 *subchapters B and D, chapter 2, title II of the Trade Act*  
25 *of 1974, as amended, \$349,000,000, together with such*  
26 *amounts as may be necessary to be charged to the subse-*



1 *quent appropriation for payments for any period subse-*  
2 *quent to September 15 of the current year.*

3 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*

4 *SERVICE OPERATIONS*

5 *For authorized administrative expenses, \$173,452,000,*  
6 *together with not to exceed \$3,288,476,000 (including not*  
7 *to exceed \$1,228,000 which may be used for amortization*  
8 *payments to States which had independent retirement plans*  
9 *in their State employment service agencies prior to 1980,*  
10 *and including not to exceed \$2,000,000 which may be obli-*  
11 *gated in contracts with non-State entities for activities such*  
12 *as occupational and test research activities which benefit*  
13 *the Federal-State Employment Service System), which may*  
14 *be expended from the Employment Security Administration*  
15 *account in the Unemployment Trust Fund including the*  
16 *cost of administering section 1201 of the Small Business*  
17 *Job Protection Act of 1996, section 7(d) of the Wagner-*  
18 *Peysner Act, as amended, the Trade Act of 1974, as amended,*  
19 *the Immigration Act of 1990, and the Immigration and Na-*  
20 *tionality Act, as amended, and of which the sums available*  
21 *in the allocation for activities authorized by title III of the*  
22 *Social Security Act, as amended (42 U.S.C. 502–504), and*  
23 *the sums available in the allocation for necessary adminis-*  
24 *trative expenses for carrying out 5 U.S.C. 8501–8523, shall*  
25 *be available for obligation by the States through December*  
26 *31, 1998, except that funds used for automation acquisi-*

1 tions shall be available for obligation by States through  
2 September 30, 2000; and of which \$173,452,000, together  
3 with not to exceed \$738,283,000 of the amount which may  
4 be expended from said trust fund, shall be available for obli-  
5 gation for the period July 1, 1998 through June 30, 1999,  
6 to fund activities under the Act of June 6, 1933, as amend-  
7 ed, including the cost of penalty mail authorized under 39  
8 U.S.C. 3202(a)(1)(E) made available to States in lieu of  
9 allotments for such purpose, and of which \$150,000,000  
10 shall be available solely for the purpose of assisting States  
11 to convert their automated State employment security agen-  
12 cy systems to be year 2000 compliant, and of which  
13 \$212,333,000 shall be available only to the extent necessary  
14 for additional State allocations to administer unemploy-  
15 ment compensation laws to finance increases in the number  
16 of unemployment insurance claims filed and claims paid  
17 or changes in a State law: Provided, That to the extent that  
18 the Average Weekly Insured Unemployment (AWIU) for fis-  
19 cal year 1998 is projected by the Department of Labor to  
20 exceed 2,789,000 an additional \$28,600,000 shall be avail-  
21 able for obligation for every 100,000 increase in the AWIU  
22 level (including a pro rata amount for any increment less  
23 than 100,000) from the Employment Security Administra-  
24 tion Account of the Unemployment Trust Fund: Provided  
25 further, That funds appropriated in this Act which are used

1 *to establish a national one-stop career center network may*  
2 *be obligated in contracts, grants or agreements with non-*  
3 *State entities: Provided further, That funds appropriated*  
4 *under this Act for activities authorized under the Wagner-*  
5 *Peyser Act, as amended, and title III of the Social Security*  
6 *Act, may be used by the States to fund integrated Employ-*  
7 *ment Service and Unemployment Insurance automation ef-*  
8 *forts, notwithstanding cost allocation principles prescribed*  
9 *under Office of Management and Budget Circular A-87.*

10 *ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND*  
11 *OTHER FUNDS*

12 *For repayable advances to the Unemployment Trust*  
13 *Fund as authorized by sections 905(d) and 1203 of the So-*  
14 *cial Security Act, as amended, and to the Black Lung Dis-*  
15 *ability Trust Fund as authorized by section 9501(c)(1) of*  
16 *the Internal Revenue Code of 1954, as amended; and for*  
17 *nonrepayable advances to the Unemployment Trust Fund*  
18 *as authorized by section 8509 of title 5, United States Code,*  
19 *section 104(d) of Public Law 102-164, and section 5 of*  
20 *Public Law 103-6, and to the “Federal unemployment ben-*  
21 *efits and allowances” account, to remain available until*  
22 *September 30, 1999, \$392,000,000.*

23 *In addition, for making repayable advances to the*  
24 *Black Lung Disability Trust Fund in the current fiscal*  
25 *year after September 15, 1998, for costs incurred by the*

1 *Black Lung Disability Trust Fund in the current fiscal*  
2 *year, such sums as may be necessary.*

3 *PROGRAM ADMINISTRATION*

4 *For expenses of administering employment and train-*  
5 *ing programs, \$88,308,000, together with not to exceed*  
6 *\$41,285,000, which may be expended from the Employment*  
7 *Security Administration account in the Unemployment*  
8 *Trust Fund.*

9 *PENSION AND WELFARE BENEFITS ADMINISTRATION*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses for the Pension and Welfare*  
12 *Benefits Administration, \$82,000,000, of which \$3,000,000*  
13 *shall remain available through September 30, 1999 for ex-*  
14 *penses of completing the revision of the processing of em-*  
15 *ployee benefit plan returns.*

16 *PENSION BENEFIT GUARANTY CORPORATION*

17 *PENSION BENEFIT GUARANTY CORPORATION FUND*

18 *The Pension Benefit Guaranty Corporation is author-*  
19 *ized to make such expenditures, including financial assist-*  
20 *ance authorized by section 104 of Public Law 96–364, with-*  
21 *in limits of funds and borrowing authority available to*  
22 *such Corporation, and in accord with law, and to make*  
23 *such contracts and commitments without regard to fiscal*  
24 *year limitations as provided by section 104 of the Govern-*  
25 *ment Corporation Control Act, as amended (31 U.S.C.*  
26 *9104), as may be necessary in carrying out the program*

1 *through September 30, 1998, for such Corporation: Pro-*  
2 *vided, That not to exceed \$10,433,000 shall be available for*  
3 *administrative expenses of the Corporation: Provided fur-*  
4 *ther, That expenses of such Corporation in connection with*  
5 *the termination of pension plans, for the acquisition, pro-*  
6 *tection or management, and investment of trust assets, and*  
7 *for benefits administration services shall be considered as*  
8 *non-administrative expenses for the purposes hereof, and ex-*  
9 *cluded from the above limitation.*

10 *EMPLOYMENT STANDARDS ADMINISTRATION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the Employment Standards*  
13 *Administration, including reimbursement to State, Federal,*  
14 *and local agencies and their employees for inspection serv-*  
15 *ices rendered, \$299,660,000, together with \$993,000 which*  
16 *may be expended from the Special Fund in accordance with*  
17 *sections 39(c) and 44(j) of the Longshore and Harbor Work-*  
18 *ers' Compensation Act: Provided further, That the Secretary*  
19 *of Labor is authorized to accept, retain, and spend, until*  
20 *expended, in the name of the Department of Labor, all sums*  
21 *of money ordered to be paid to the Secretary of Labor, in*  
22 *accordance with the terms of the Consent Judgment in Civil*  
23 *Action No. 91-0027 of the United States District Court for*  
24 *the District of the Northern Mariana Islands (May 21,*  
25 *1992): Provided further, That the Secretary of Labor is au-*

1 *thorized to establish and, in accordance with 31 U.S.C.*  
2 *3302, collect and deposit in the Treasury fees for processing*  
3 *applications and issuing certificates under sections 11(d)*  
4 *and 14 of the Fair Labor Standards Act of 1938, as amend-*  
5 *ed (29 U.S.C. 211(d) and 214) and for processing applica-*  
6 *tions and issuing registrations under title I of the Migrant*  
7 *and Seasonal Agricultural Worker Protection Act, 29*  
8 *U.S.C. 1801 et seq.*

9 *SPECIAL BENEFITS*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For the payment of compensation, benefits, and ex-*  
12 *penses (except administrative expenses) accruing during the*  
13 *current or any prior fiscal year authorized by title 5, chap-*  
14 *ter 81 of the United States Code; continuation of benefits*  
15 *as provided for under the head “Civilian War Benefits” in*  
16 *the Federal Security Agency Appropriation Act, 1947; the*  
17 *Employees’ Compensation Commission Appropriation Act,*  
18 *1944; and sections 4(c) and 5(f) of the War Claims Act of*  
19 *1948 (50 U.S.C. App. 2012); and 50 per centum of the addi-*  
20 *tional compensation and benefits required by section 10(h)*  
21 *of the Longshore and Harbor Workers’ Compensation Act,*  
22 *as amended, \$201,000,000 together with such amounts as*  
23 *may be necessary to be charged to the subsequent year ap-*  
24 *propriation for the payment of compensation and other ben-*  
25 *efits for any period subsequent to August 15 of the current*  
26 *year: Provided, That amounts appropriated may be used*

1 *under section 8104 of title 5, United States Code, by the*  
2 *Secretary to reimburse an employer, who is not the em-*  
3 *ployer at the time of injury, for portions of the salary of*  
4 *a reemployed, disabled beneficiary: Provided further, That*  
5 *balances of reimbursements unobligated on September 30,*  
6 *1997, shall remain available until expended for the pay-*  
7 *ment of compensation, benefits, and expenses: Provided fur-*  
8 *ther, That in addition there shall be transferred to this ap-*  
9 *propriation from the Postal Service and from any other cor-*  
10 *poration or instrumentality required under section 8147(c)*  
11 *of title 5, United States Code, to pay an amount for its*  
12 *fair share of the cost of administration, such sums as the*  
13 *Secretary of Labor determines to be the cost of administra-*  
14 *tion for employees of such fair share entities through Sep-*  
15 *tember 30, 1998: Provided further, That of those funds*  
16 *transferred to this account from the fair share entities to*  
17 *pay the cost of administration, \$7,269,000 shall be made*  
18 *available to the Secretary of Labor for expenditures relating*  
19 *to capital improvements in support of Federal Employees'*  
20 *Compensation Act administration, and the balance of such*  
21 *funds shall be paid into the Treasury as miscellaneous re-*  
22 *ceipts: Provided further, That the Secretary may require*  
23 *that any person filing a notice of injury or a claim for*  
24 *benefits under chapter 81 of title 5, United States Code,*  
25 *or 33 U.S.C. 901 et seq., provide as part of such notice and*

1 *claim, such identifying information (including Social Secu-*  
2 *rity account number) as such regulations may prescribe.*

3 *BLACK LUNG DISABILITY TRUST FUND*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For payments from the Black Lung Disability Trust*  
6 *Fund, \$1,007,000,000, of which \$960,650,000 shall be avail-*  
7 *able until September 30, 1999, for payment of all benefits*  
8 *as authorized by section 9501(d) (1), (2), (4), and (7) of*  
9 *the Internal Revenue Code of 1954, as amended, and inter-*  
10 *est on advances as authorized by section 9501(c)(2) of that*  
11 *Act, and of which \$26,147,000 shall be available for transfer*  
12 *to Employment Standards Administration, Salaries and*  
13 *Expenses, \$19,551,000 for transfer to Departmental Man-*  
14 *agement, Salaries and Expenses, \$296,000 for transfer to*  
15 *Departmental Management, Office of Inspector General,*  
16 *and \$356,000 for payment into miscellaneous receipts for*  
17 *the expenses of the Department of Treasury, for expenses*  
18 *of operation and administration of the Black Lung Benefits*  
19 *program as authorized by section 9501(d)(5) of that Act:*  
20 *Provided, That, in addition, such amounts as may be nec-*  
21 *essary may be charged to the subsequent year appropriation*  
22 *for the payment of compensation, interest, or other benefits*  
23 *for any period subsequent to August 15 of the current year.*



1 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
2 SALARIES AND EXPENSES

3 *For necessary expenses for the Occupational Safety*  
4 *and Health Administration, \$336,205,000, including not to*  
5 *exceed \$77,941,000 which shall be the maximum amount*  
6 *available for grants to States under section 23(g) of the Oc-*  
7 *cupational Safety and Health Act, which grants shall be*  
8 *no less than fifty percent of the costs of State occupational*  
9 *safety and health programs required to be incurred under*  
10 *plans approved by the Secretary under section 18 of the*  
11 *Occupational Safety and Health Act of 1970; and, in addi-*  
12 *tion, notwithstanding 31 U.S.C. 3302, the Occupational*  
13 *Safety and Health Administration may retain up to*  
14 *\$750,000 per fiscal year of training institute course tuition*  
15 *fees, otherwise authorized by law to be collected, and may*  
16 *utilize such sums for occupational safety and health train-*  
17 *ing and education grants: Provided, That, notwithstanding*  
18 *31 U.S.C. 3302, the Secretary of Labor is authorized, dur-*  
19 *ing the fiscal year ending September 30, 1998, to collect*  
20 *and retain fees for services provided to Nationally Recog-*  
21 *nized Testing Laboratories, and may utilize such sums, in*  
22 *accordance with the provisions of 29 U.S.C. 9a, to admin-*  
23 *ister national and international laboratory recognition pro-*  
24 *grams that ensure the safety of equipment and products*  
25 *used by workers in the workplace: Provided further, That*

1 *none of the funds appropriated under this paragraph shall*  
2 *be obligated or expended to prescribe, issue, administer, or*  
3 *enforce any standard, rule, regulation, or order under the*  
4 *Occupational Safety and Health Act of 1970 which is ap-*  
5 *plicable to any person who is engaged in a farming oper-*  
6 *ation which does not maintain a temporary labor camp*  
7 *and employs ten or fewer employees: Provided further, That*  
8 *no funds appropriated under this paragraph shall be obli-*  
9 *gated or expended to administer or enforce any standard,*  
10 *rule, regulation, or order under the Occupational Safety*  
11 *and Health Act of 1970 with respect to any employer of*  
12 *ten or fewer employees who is included within a category*  
13 *having an occupational injury lost workday case rate, at*  
14 *the most precise Standard Industrial Classification Code*  
15 *for which such data are published, less than the national*  
16 *average rate as such rates are most recently published by*  
17 *the Secretary, acting through the Bureau of Labor Statis-*  
18 *tics, in accordance with section 24 of that Act (29 U.S.C.*  
19 *673), except—*

20           *(1) to provide, as authorized by such Act, con-*  
21           *sultation, technical assistance, educational and train-*  
22           *ing services, and to conduct surveys and studies;*

23           *(2) to conduct an inspection or investigation in*  
24           *response to an employee complaint, to issue a citation*  
25           *for violations found during such inspection, and to*

1       *assess a penalty for violations which are not corrected*  
2       *within a reasonable abatement period and for any*  
3       *willful violations found;*

4             (3) *to take any action authorized by such Act*  
5       *with respect to imminent dangers;*

6             (4) *to take any action authorized by such Act*  
7       *with respect to health hazards;*

8             (5) *to take any action authorized by such Act*  
9       *with respect to a report of an employment accident*  
10       *which is fatal to one or more employees or which re-*  
11       *sults in hospitalization of two or more employees, and*  
12       *to take any action pursuant to such investigation au-*  
13       *thorized by such Act; and*

14            (6) *to take any action authorized by such Act*  
15       *with respect to complaints of discrimination against*  
16       *employees for exercising rights under such Act: Pro-*  
17       *vided further, That the foregoing proviso shall not*  
18       *apply to any person who is engaged in a farming op-*  
19       *eration which does not maintain a temporary labor*  
20       *camp and employs ten or fewer employees.*

21            *MINE SAFETY AND HEALTH ADMINISTRATION*

22                    *SALARIES AND EXPENSES*

23            *For necessary expenses for the Mine Safety and Health*  
24       *Administration, \$205,804,000, including purchase and be-*  
25       *stowal of certificates and trophies in connection with mine*

1 rescue and first-aid work, and the hire of passenger motor  
2 vehicles; the Secretary is authorized to accept lands, build-  
3 ings, equipment, and other contributions from public and  
4 private sources and to prosecute projects in cooperation  
5 with other agencies, Federal, State, or private; the Mine  
6 Safety and Health Administration is authorized to promote  
7 health and safety education and training in the mining  
8 community through cooperative programs with States, in-  
9 dustry, and safety associations; and any funds available to  
10 the Department may be used, with the approval of the Sec-  
11 retary, to provide for the costs of mine rescue and survival  
12 operations in the event of a major disaster: Provided, That  
13 none of the funds appropriated under this paragraph shall  
14 be obligated or expended to carry out section 115 of the Fed-  
15 eral Mine Safety and Health Act of 1977 or to carry out  
16 that portion of section 104(g)(1) of such Act relating to the  
17 enforcement of any training requirements, with respect to  
18 shell dredging, or with respect to any sand, gravel, surface  
19 stone, surface clay, colloidal phosphate, or surface limestone  
20 mine.

21 *BUREAU OF LABOR STATISTICS*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses for the Bureau of Labor Statis-*  
24 *tics, including advances or reimbursements to State, Fed-*  
25 *eral, and local agencies and their employees for services ren-*

1 *dered, \$320,097,000, of which \$15,430,000 shall be for ex-*  
2 *penses of revising the Consumer Price Index and shall re-*  
3 *main available until September 30, 1999, together with not*  
4 *to exceed \$52,574,000, which may be expended from the*  
5 *Employment Security Administration account in the Un-*  
6 *employment Trust Fund.*

7 *DEPARTMENTAL MANAGEMENT*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses for Departmental Management,*  
10 *including the hire of three sedans, and including up to*  
11 *\$4,439,000 for the President's Committee on Employment*  
12 *of People With Disabilities, \$152,131,000; together with not*  
13 *to exceed \$282,000, which may be expended from the Em-*  
14 *ployment Security Administration account in the Unem-*  
15 *ployment Trust Fund: Provided, That no funds made avail-*  
16 *able by this Act may be used by the Solicitor of Labor to*  
17 *participate in a review in any United States court of ap-*  
18 *peals of any decision made by the Benefits Review Board*  
19 *under section 21 of the Longshore and Harbor Workers'*  
20 *Compensation Act (33 U.S.C. 921) where such participa-*  
21 *tion is precluded by the decision of the United States Su-*  
22 *preme Court in Director, Office of Workers' Compensation*  
23 *Programs v. Newport News Shipbuilding, 115 S. Ct. 1278*  
24 *(1995): Provided further, That no funds made available by*  
25 *this Act may be used by the Secretary of Labor to review*

1 *a decision under the Longshore and Harbor Workers' Com-*  
2 *pensation Act (33 U.S.C. 901 et seq.) that has been appealed*  
3 *and that has been pending before the Benefits Review Board*  
4 *for more than 12 months: Provided further, That any such*  
5 *decision pending a review by the Benefits Review Board*  
6 *for more than one year shall be considered affirmed by the*  
7 *Benefits Review Board on that date, and shall be considered*  
8 *the final order of the Board for purposes of obtaining a*  
9 *review in the United States courts of appeals: Provided fur-*  
10 *ther, That these provisions shall not be applicable to the*  
11 *review of any decision issued under the Black Lung Benefits*  
12 *Act (30 U.S.C. 901 et seq.).*

13 **WORKING CAPITAL FUND**

14 *The paragraph under this heading in Public Law 85-*  
15 *67 (29 U.S.C. 563) is amended by striking the last period*  
16 *and inserting after "appropriation action" the following:*  
17 *": Provided further, That the Secretary of Labor may trans-*  
18 *fer annually an amount not to exceed \$3,000,000 from un-*  
19 *obligated balances in the Department's salaries and ex-*  
20 *penses accounts, to the unobligated balance of the Working*  
21 *Capital Fund, to be merged with such Fund and used for*  
22 *the acquisition of capital equipment and the improvement*  
23 *of financial management, information technology and other*  
24 *support systems, and to remain available until expended:*  
25 *Provided further, That the unobligated balance of the Fund*  
26 *shall not exceed \$20,000,000."*

1 ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND  
2 TRAINING

3 Not to exceed \$181,955,000 may be derived from the  
4 Employment Security Administration account in the Un-  
5 employment Trust Fund to carry out the provisions of 38  
6 U.S.C. 4100–4110A and 4321–4327, and Public Law 103–  
7 353, and which shall be available for obligation by the  
8 States through December 31, 1998.

9 OFFICE OF INSPECTOR GENERAL

10 For salaries and expenses of the Office of Inspector  
11 General in carrying out the provisions of the Inspector Gen-  
12 eral Act of 1978, as amended, \$43,105,000, together with  
13 not to exceed \$3,645,000, which may be expended from the  
14 Employment Security Administration account in the Un-  
15 employment Trust Fund.

16 GENERAL PROVISIONS

17 SEC. 101. None of the funds appropriated in this title  
18 for the Job Corps shall be used to pay the compensation  
19 of an individual, either as direct costs or any proration  
20 as an indirect cost, at a rate in excess of \$125,000.

21 (TRANSFER OF FUNDS)

22 SEC. 102. Not to exceed 1 percent of any discretionary  
23 funds (pursuant to the Balanced Budget and Emergency  
24 Deficit Control Act, as amended) which are appropriated  
25 for the current fiscal year for the Department of Labor in  
26 this Act may be transferred between appropriations, but no

1 *such appropriation shall be increased by more than 3 per-*  
2 *cent by any such transfer: Provided, That the Appropria-*  
3 *tions Committees of both Houses of Congress are notified*  
4 *at least fifteen days in advance of any transfer.*

5 *SEC. 103. Funds shall be available for carrying out*  
6 *title IV–B of the Job Training Partnership Act, notwith-*  
7 *standing section 427(c) of that Act, if a Job Corps center*  
8 *fails to meet national performance standards established by*  
9 *the Secretary.*

10 *SEC. 104. None of the funds made available in this*  
11 *Act may be used by the Occupational Safety and Health*  
12 *Administration to promulgate or issue any proposed or*  
13 *final standard regarding ergonomic protection before Sep-*  
14 *tember 30, 1998: Provided, That nothing in this section*  
15 *shall be construed to limit the Occupational Safety and*  
16 *Health Administration from issuing voluntary guidelines*  
17 *on ergonomic protection or from developing a proposed*  
18 *standard regarding ergonomic protection: Provided further,*  
19 *That no funds made available in this Act may be used by*  
20 *the Occupational Safety and Health Administration to en-*  
21 *force voluntary guidelines through section 5 (general duty*  
22 *clause) of the Occupational Safety and Health Act.*

23 *SEC. 105. Section 13(b)(12) of the Fair Labor Stand-*  
24 *ards Act of 1938 (29 U.S.C. 213(b)(12)) is amended by in-*



1 *serting after “water” the following: “, at least 90 percent*  
2 *of which is ultimately delivered”.*

3       *SEC. 106. (a) IN GENERAL.—Except as provided in*  
4 *subsection (b), none of the funds made available under this*  
5 *Act, or any other Act making appropriations for fiscal year*  
6 *1998, may be used by the Department of Labor or the De-*  
7 *partment of Justice to conduct a rerun of a 1996 election*  
8 *for the office of President, General Secretary, Vice-Presi-*  
9 *dent, or Trustee of the International Brotherhood of Team-*  
10 *sters.*

11       *(b) EXCEPTION.—*

12             *(1) IN GENERAL.—Upon the submission to Con-*  
13 *gress of a certification by the President of the United*  
14 *States that the International Brotherhood of Team-*  
15 *sters does not have funds sufficient to conduct a rerun*  
16 *of a 1996 election for the office of President, General*  
17 *Secretary, Vice-President, or Trustee of the Inter-*  
18 *national Brotherhood of Teamsters, the President of*  
19 *the United States may transfer funds from the De-*  
20 *partment of Justice and the Department of Labor for*  
21 *the conduct and oversight of such a rerun election.*

22             *(2) REQUIREMENT.—Prior to the transfer of*  
23 *funds under paragraph (1), the International Broth-*  
24 *erhood of Teamsters shall agree to repay the Secretary*  
25 *of the Treasury for the costs incurred by the Depart-*

1        *ment of Labor and the Department of Justice in con-*  
2        *nection with the conduct of an election described in*  
3        *paragraph (1). Such agreement shall provide that any*  
4        *such repayment plan be reasonable and practicable,*  
5        *as determined by the Attorney General and the Sec-*  
6        *retary of the Treasury, and be structured in a man-*  
7        *ner that permits the International Brotherhood of*  
8        *Teamsters to continue to operate.*

9            (3) *REPAYMENT PLAN.*—*The International*  
10        *Brotherhood of Teamsters shall submit to the Presi-*  
11        *dent of the United States, the Majority and Minority*  
12        *Leaders of the Senate, the Majority and Minority*  
13        *Leaders of the House of Representatives, and the*  
14        *Speaker of the House of Representatives, a plan for*  
15        *the repayment of amounts described in paragraph*  
16        *(2), at an interest rate equal to the Federal underpay-*  
17        *ment rate established under section 6621(a)(2) of the*  
18        *Internal Revenue Code of 1986 as in effect for the cal-*  
19        *ender quarter in which the plan is submitted, prior*  
20        *to the expenditure of any funds under this section.*

21        (c) *EFFECTIVE DATE.*—*This section shall take effect*  
22        *one day after enactment of this Act.*

23        *This title may be cited as the “Department of Labor*  
24        *Appropriations Act, 1998”.*



1 vided further, That of the funds made available under this  
2 heading, \$208,452,000 shall be for the program under title  
3 X of the Public Health Service Act to provide for voluntary  
4 family planning projects: Provided further, That amounts  
5 provided to said projects under such title shall not be ex-  
6 pended for abortions, that all pregnancy counseling shall  
7 be nondirective, and that such amounts shall not be ex-  
8 pended for any activity (including the publication or dis-  
9 tribution of literature) that in any way tends to promote  
10 public support or opposition to any legislative proposal or  
11 candidate for public office: Provided further, That  
12 \$217,000,000 shall be for State AIDS Drug Assistance Pro-  
13 grams authorized by section 2616 of the Public Health Serv-  
14 ice Act: Provided further, That notwithstanding any other  
15 provision of law, funds made available under this heading  
16 may be used to continue operating the Council on Graduate  
17 Medical Education established by section 301 of Public Law  
18 102-408: Provided further, That, of the funds made avail-  
19 able under this heading, not more than \$6,000,000 shall be  
20 made available and shall remain available until expended  
21 for loan guarantees for loans funded under part A of title  
22 XVI of the Public Health Service Act as amended, made  
23 by non-Federal lenders for the construction, renovation, and  
24 modernization of medical facilities that are owned and op-  
25 erated by health centers, and for loans made to health cen-

1 *ters under section 330(d) of the Public Health Service Act*  
2 *as amended by Public Law 104-299, and that such funds*  
3 *be available to subsidize guarantees of total loan principal*  
4 *in an amount not to exceed \$80,000,000: Provided further,*  
5 *That notwithstanding section 502(a)(1) of the Social Secu-*  
6 *rity Act, not to exceed \$103,609,000 is available for carry-*  
7 *ing out special projects of regional and national signifi-*  
8 *cance pursuant to section 501(a)(2) of such Act.*

9 *MEDICAL FACILITIES GUARANTEE AND LOAN FUND*

10 *FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES*

11 *For carrying out subsections (d) and (e) of section*  
12 *1602 of the Public Health Service Act, \$6,000,000, together*  
13 *with any amounts received by the Secretary in connection*  
14 *with loans and loan guarantees under title VI of the Public*  
15 *Health Service Act, to be available without fiscal year limi-*  
16 *tation for the payment of interest subsidies. During the fis-*  
17 *cal year, no commitments for direct loans or loan guaran-*  
18 *tees shall be made.*

19 *HEALTH EDUCATION ASSISTANCE LOANS PROGRAM*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For the cost of guaranteed loans, such sums as may*  
22 *be necessary to carry out the purpose of the program, as*  
23 *authorized by title VII of the Public Health Service Act,*  
24 *as amended: Provided, That such costs, including the cost*  
25 *of modifying such loans, shall be as defined in section 502*  
26 *of the Congressional Budget Act of 1974: Provided further,*

1 *That these funds are available to subsidize gross obligations*  
2 *for the total loan principal any part of which is to be guar-*  
3 *anteed at not to exceed \$85,000,000: Provided further, That*  
4 *the Secretary may use up to \$1,000,000 derived by transfer*  
5 *from insurance premiums collected from guaranteed loans*  
6 *made under title VII of the Public Health Service Act for*  
7 *the purpose of carrying out section 709 of that Act. In addi-*  
8 *tion, for administrative expenses to carry out the guaran-*  
9 *teed loan program, \$2,688,000.*

10 *VACCINE INJURY COMPENSATION PROGRAM TRUST FUND*

11 *For payments from the Vaccine Injury Compensation*  
12 *Program Trust Fund, such sums as may be necessary for*  
13 *claims associated with vaccine-related injury or death with*  
14 *respect to vaccines administered after September 30, 1988,*  
15 *pursuant to subtitle 2 of title XXI of the Public Health*  
16 *Service Act, to remain available until expended: Provided,*  
17 *That for necessary administrative expenses, not to exceed*  
18 *\$3,000,000 shall be available from the Trust Fund to the*  
19 *Secretary of Health and Human Services.*

20 *CENTERS FOR DISEASE CONTROL AND PREVENTION*

21 *DISEASE CONTROL, RESEARCH, AND TRAINING*

22 *To carry out titles II, III, VII, XI, XV, XVII, and XIX*  
23 *of the Public Health Service Act, sections 101, 102, 103,*  
24 *201, 202, 203, 301, and 501 of the Federal Mine Safety*  
25 *and Health Act of 1977, and sections 20, 21 and 22 of the*  
26 *Occupational Safety and Health Act of 1970, title IV of*

1 *the Immigration and Nationality Act and section 501 of*  
2 *the Refugee Education Assistance Act of 1980; including in-*  
3 *surance of official motor vehicles in foreign countries; and*  
4 *hire, maintenance, and operation of aircraft,*  
5 *\$2,317,113,000, of which \$23,007,000 shall remain avail-*  
6 *able until expended for equipment and construction and*  
7 *renovation of facilities, and in addition, such sums as may*  
8 *be derived from authorized user fees, which shall be credited*  
9 *to this account: Provided, That in addition to amounts pro-*  
10 *vided herein, up to \$70,063,000 shall be available from*  
11 *amounts available under section 241 of the Public Health*  
12 *Service Act, to carry out the National Center for Health*  
13 *Statistics surveys: Provided further, That none of the funds*  
14 *made available for injury prevention and control at the*  
15 *Centers for Disease Control and Prevention may be used*  
16 *to advocate or promote gun control: Provided further, That*  
17 *the Director may redirect the total amount made available*  
18 *under authority of Public Law 101–502, section 3, dated*  
19 *November 3, 1990, to activities the Director may so des-*  
20 *ignate: Provided further, That the Congress is to be notified*  
21 *promptly of any such transfer.*

22 *In addition, \$51,000,000, to be derived from the Vio-*  
23 *lent Crime Reduction Trust Fund, for carrying out sections*  
24 *40151 and 40261 of Public Law 103–322.*

1                    *NATIONAL INSTITUTES OF HEALTH*

2                    *NATIONAL CANCER INSTITUTE*

3            *For carrying out section 301 and title IV of the Public*  
4 *Health Service Act with respect to cancer, \$2,558,377,000.*

5                    *NATIONAL HEART, LUNG, AND BLOOD INSTITUTE*

6            *For carrying out section 301 and title IV of the Public*  
7 *Health Service Act with respect to cardiovascular, lung,*  
8 *and blood diseases, and blood and blood products,*  
9 *\$1,539,898,000.*

10                   *NATIONAL INSTITUTE OF DENTAL RESEARCH*

11           *For carrying out section 301 and title IV of the Public*  
12 *Health Service Act with respect to dental disease,*  
13 *\$211,611,000.*

14                   *NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND*  
15     *KIDNEY DISEASES*

16           *For carrying out section 301 and title IV of the Public*  
17 *Health Service Act with respect to diabetes and digestive*  
18 *and kidney disease, \$883,321,000.*

19                   *NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND*  
20     *STROKE*

21           *For carrying out section 301 and title IV of the Public*  
22 *Health Service Act with respect to neurological disorders*  
23 *and stroke, \$781,351,000.*





1            *NATIONAL INSTITUTE OF ARTHRITIS AND*  
2            *MUSCULOSKELETAL AND SKIN DISEASES*

3            *For carrying out section 301 and title IV of the Public*  
4 *Health Service Act with respect to arthritis and musculo-*  
5 *skeletal and skin diseases, \$272,631,000.*

6            *NATIONAL INSTITUTE ON DEAFNESS AND OTHER*  
7            *COMMUNICATION DISORDERS*

8            *For carrying out section 301 and title IV of the Public*  
9 *Health Service Act with respect to deafness and other com-*  
10 *munication disorders, \$200,428,000.*

11           *NATIONAL INSTITUTE OF NURSING RESEARCH*

12           *For carrying out section 301 and title IV of the Public*  
13 *Health Service Act with respect to nursing research,*  
14 *\$64,016,000.*

15           *NATIONAL INSTITUTE ON ALCOHOL ABUSE AND*  
16           *ALCOHOLISM*

17           *For carrying out section 301 and title IV of the Public*  
18 *Health Service Act with respect to alcohol abuse and alco-*  
19 *holism, \$228,585,000.*

20           *NATIONAL INSTITUTE ON DRUG ABUSE*

21           *For carrying out section 301 and title IV of the Public*  
22 *Health Service Act with respect to drug abuse,*  
23 *\$531,751,000.*

1            *NATIONAL INSTITUTE OF MENTAL HEALTH*

2            *For carrying out section 301 and title IV of the Public*  
3 *Health Service Act with respect to mental health,*  
4 *\$753,334,000.*

5            *NATIONAL HUMAN GENOME RESEARCH INSTITUTE*

6            *For carrying out section 301 and title IV of the Public*  
7 *Health Service Act with respect to human genome research,*  
8 *\$218,851,000.*

9            *NATIONAL CENTER FOR RESEARCH RESOURCES*

10          *For carrying out section 301 and title IV of the Public*  
11 *Health Service Act with respect to research resources and*  
12 *general research support grants, \$455,805,000: Provided,*  
13 *That none of these funds shall be used to pay recipients*  
14 *of the general research support grants program any amount*  
15 *for indirect expenses in connection with such grants: Pro-*  
16 *vided further, That \$20,000,000 shall be for extramural fa-*  
17 *cilities construction grants.*

18          *JOHN E. FOGARTY INTERNATIONAL CENTER*

19          *For carrying out the activities at the John E. Fogarty*  
20 *International Center, \$28,468,000.*

21          *NATIONAL LIBRARY OF MEDICINE*

22          *For carrying out section 301 and title IV of the Public*  
23 *Health Service Act with respect to health information com-*  
24 *munications, \$162,825,000, of which \$4,000,000 shall be*  
25 *available until expended for improvement of information*  
26 *systems: Provided, That in fiscal year 1998, the Library*

1 *may enter into personal services contracts for the provision*  
2 *of services in facilities owned, operated, or constructed*  
3 *under the jurisdiction of the National Institutes of Health.*

4 *OFFICE OF THE DIRECTOR*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For carrying out the responsibilities of the Office of*  
7 *the Director, National Institutes of Health, \$292,196,000 of*  
8 *which \$40,266,000 shall be for the Office of AIDS Research:*  
9 *Provided, That funding shall be available for the purchase*  
10 *of not to exceed five passenger motor vehicles for replace-*  
11 *ment only: Provided further, That the Director may direct*  
12 *up to 1 percent of the total amount made available in this*  
13 *Act to all National Institutes of Health appropriations to*  
14 *activities the Director may so designate: Provided further,*  
15 *That no such appropriation shall be decreased by more than*  
16 *1 percent by any such transfers and that the Congress is*  
17 *promptly notified of the transfer: Provided further, That*  
18 *NIH is authorized to collect third party payments for the*  
19 *cost of clinical services that are incurred in National Insti-*  
20 *tutes of Health research facilities and that such payments*  
21 *shall be credited to the National Institutes of Health Man-*  
22 *agement Fund: Provided further, That all funds credited*  
23 *to the NIH Management Fund shall remain available for*  
24 *one fiscal year after the fiscal year in which they are depos-*  
25 *ited: Provided further, That up to \$500,000 shall be avail-*  
26 *able to carry out section 499 of the Public Health Service*

1 *Act: Provided further, That \$13,000,000 shall be available*  
2 *to carry out section 404E of the Public Health Service Act.*

3 *BUILDINGS AND FACILITIES*

4 *For the study of, construction of, and acquisition of*  
5 *equipment for, facilities of or used by the National Insti-*  
6 *tutes of Health, including the acquisition of real property,*  
7 *\$203,500,000, to remain available until expended, of which*  
8 *\$90,000,000 shall be for the clinical research center: Pro-*  
9 *vided, That, notwithstanding any other provision of law,*  
10 *a single contract or related contracts for the development*  
11 *and construction of the clinical research center may be em-*  
12 *ployed which collectively include the full scope of the project:*  
13 *Provided further, That the solicitation and contract shall*  
14 *contain the clause “availability of funds” found at 48 CFR*  
15 *52.232–18.*

16 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

17 *ADMINISTRATION*

18 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

19 *For carrying out titles V and XIX of the Public Health*  
20 *Service Act with respect to substance abuse and mental*  
21 *health services, the Protection and Advocacy for Mentally*  
22 *Ill Individuals Act of 1986, and section 301 of the Public*  
23 *Health Service Act with respect to program management,*  
24 *\$2,126,643,000 of which \$10,000,000 shall be for grants to*  
25 *rural and Native American projects: Provided, That in ad-*  
26 *dition to amounts provided herein, up to \$10,000,000 shall*

1 *be available from amounts available under section 241 of*  
2 *the Public Health Service Act, for State-level data collection*  
3 *activities by the National Household Survey on Drug*  
4 *Abuse: Provided further, That notwithstanding any other*  
5 *provision of law, each State's allotment for fiscal year 1998*  
6 *for each of the programs under subparts I and II of part*  
7 *B of title XIX of the Public Health Service Act shall be*  
8 *equal to such State's allotment for such programs for fiscal*  
9 *year 1997.*

10 *RETIREMENT PAY AND MEDICAL BENEFITS FOR*  
11 *COMMISSIONED OFFICERS*

12 *For retirement pay and medical benefits of Public*  
13 *Health Service Commissioned Officers as authorized by law,*  
14 *and for payments under the Retired Serviceman's Family*  
15 *Protection Plan and Survivor Benefit Plan and for medical*  
16 *care of dependents and retired personnel under the Depend-*  
17 *ents' Medical Care Act (10 U.S.C. ch. 55), and for payments*  
18 *pursuant to section 229(b) of the Social Security Act (42*  
19 *U.S.C. 429(b)), such amounts as may be required during*  
20 *the current fiscal year.*

21 *AGENCY FOR HEALTH CARE POLICY AND RESEARCH*  
22 *HEALTH CARE POLICY AND RESEARCH*

23 *For carrying out titles III and IX of the Public Health*  
24 *Service Act, and part A of title XI of the Social Security*  
25 *Act, \$77,587,000; in addition, amounts received from Free-*  
26 *dom of Information Act fees, reimbursable and interagency*

1 *agreements, and the sale of data tapes shall be credited to*  
2 *this appropriation and shall remain available until ex-*  
3 *pended: Provided, That the amount made available pursu-*  
4 *ant to section 926(b) of the Public Health Service Act shall*  
5 *not exceed \$65,000,000.*

6 *HEALTH CARE FINANCING ADMINISTRATION*

7 *GRANTS TO STATES FOR MEDICAID*

8 *For carrying out, except as otherwise provided, titles*  
9 *XI and XIX of the Social Security Act, \$71,602,429,000,*  
10 *to remain available until expended.*

11 *For making, after May 31, 1998, payments to States*  
12 *under title XIX of the Social Security Act for the last quar-*  
13 *ter of fiscal year 1998 for unanticipated costs, incurred for*  
14 *the current fiscal year, such sums as may be necessary.*

15 *For making payments to States under title XIX of the*  
16 *Social Security Act for the first quarter of fiscal year 1999,*  
17 *\$27,800,689,000, to remain available until expended.*

18 *Payment under title XIX may be made for any quarter*  
19 *with respect to a State plan or plan amendment in effect*  
20 *during such quarter, if submitted in or prior to such quar-*  
21 *ter and approved in that or any subsequent quarter.*

22 *PAYMENTS TO HEALTH CARE TRUST FUNDS*

23 *For payment to the Federal Hospital Insurance and*  
24 *the Federal Supplementary Medical Insurance Trust*  
25 *Funds, as provided under sections 217(g) and 1844 of the*  
26 *Social Security Act, sections 103(c) and 111(d) of the So-*

1 *cial Security Amendments of 1965, section 278(d) of Public*  
2 *Law 97–248, and for administrative expenses incurred pur-*  
3 *suant to section 201(g) of the Social Security Act,*  
4 *\$63,581,000,000.*

5 *PROGRAM MANAGEMENT*

6 *For carrying out, except as otherwise provided, titles*  
7 *XI, XVIII, and XIX of the Social Security Act, titles XIII*  
8 *and XXVII of the Public Health Service Act, the Clinical*  
9 *Laboratory Improvement Amendments of 1988, and section*  
10 *191 of Public Law 104–191, not to exceed \$1,719,241,000*  
11 *to be transferred from the Federal Hospital Insurance and*  
12 *the Federal Supplementary Medical Insurance Trust*  
13 *Funds, as authorized by section 201(g) of the Social Secu-*  
14 *urity Act; together with all funds collected in accordance with*  
15 *section 353 of the Public Health Service Act, the latter*  
16 *funds to remain available until expended, together with*  
17 *such sums as may be collected from authorized user fees and*  
18 *the sale of data, which shall remain available until ex-*  
19 *pended, and together with administrative fees collected rel-*  
20 *ative to medicare overpayment recovery activities, which*  
21 *shall remain available until expended: Provided, That all*  
22 *funds derived in accordance with 31 U.S.C. 9701 from or-*  
23 *ganizations established under title XIII of the Public Health*  
24 *Service Act are to be credited to and available for carrying*  
25 *out the purposes of this appropriation: Provided further,*  
26 *That \$900,000 shall be for carrying out section 4021 of Pub-*



1 *lic Law 105–33: Provided further, That in carrying out its*  
2 *legislative mandate, the National Bipartisan Commission*  
3 *on the Future of Medicare shall examine the role increased*  
4 *investments in health research can play in reducing future*  
5 *Medicare costs, and the potential for coordinating Medicare*  
6 *with cost-effective long-term care services: Provided further,*  
7 *That \$54,100,000 appropriated under this heading for the*  
8 *development of, transition to, and implementation of the*  
9 *Medicare Transaction System shall remain available until*  
10 *expended: Provided further, That \$2,000,000 of the amount*  
11 *available for research, demonstration, and evaluation ac-*  
12 *tivities shall be available for carrying out demonstration*  
13 *projects on Medicaid coverage of community-based attend-*  
14 *ant care services for people with disabilities which ensures*  
15 *maximum control by the consumer to select and manage*  
16 *their attendant care services: Provided further, That no less*  
17 *than \$50,000,000 appropriated under this heading in fiscal*  
18 *year 1997 shall be obligated in fiscal year 1997 to increase*  
19 *medicare provider audits and implement the Department’s*  
20 *corrective action plan to the Chief Financial Officer’s audit*  
21 *of the Health Care Financing Administration’s oversight*  
22 *of medicare.*

23 *HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN*  
24 *GUARANTEE FUND*

25 *For carrying out subsections (d) and (e) of section*  
26 *1308 of the Public Health Service Act, any amounts re-*

1 *ceived by the Secretary in connection with loans and loan*  
2 *guarantees under title XIII of the Public Health Service*  
3 *Act, to be available without fiscal year limitation for the*  
4 *payment of outstanding obligations. During fiscal year*  
5 *1998, no commitments for direct loans or loan guarantees*  
6 *shall be made.*

7 *ADMINISTRATION FOR CHILDREN AND FAMILIES*

8 *FAMILY SUPPORT PAYMENTS TO STATES*

9 *For making payments to each State for carrying out*  
10 *the program of Aid to Families with Dependent Children*  
11 *under title IV–A of the Social Security Act before the effec-*  
12 *tive date of the program of Temporary Assistance to Needy*  
13 *Families (TANF) with respect to such State, such sums as*  
14 *may be necessary: Provided, That the sum of the amounts*  
15 *available to a State with respect to expenditures under such*  
16 *title IV–A in fiscal year 1997 under this appropriation and*  
17 *under such title IV–A as amended by the Personal Respon-*  
18 *sibility and Work Opportunity Reconciliation Act of 1996*  
19 *shall not exceed the limitations under section 116(b) of such*  
20 *Act: Provided further, That, notwithstanding section 418(a)*  
21 *of the Social Security Act, for fiscal year 1997 only, the*  
22 *amount of payment under section 418(a)(1) to which each*  
23 *State is entitled shall equal the amount specified as manda-*  
24 *tory funds with respect to such State for such fiscal year*  
25 *in the table transmitted by the Administration for Children*

1 *and Families to State Child Care and Development Block*  
2 *Grant Lead Agencies on August 27, 1996, and the amount*  
3 *of State expenditures in fiscal year 1994 or 1995 (whichever*  
4 *is greater) that equals the non-Federal share for the pro-*  
5 *grams described in section 418(a)(1)(A) shall be deemed to*  
6 *equal the amount specified as maintenance of effort with*  
7 *respect to such State for fiscal year 1997 in such table.*

8 *For making, after May 31 of the current fiscal year,*  
9 *payments to States or other non-Federal entities under ti-*  
10 *ties I, IV-D, X, XI, XIV, and XVI of the Social Security*  
11 *Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the*  
12 *last three months of the current year for unanticipated*  
13 *costs, incurred for the current fiscal year, such sums as may*  
14 *be necessary.*

15 *For making payments to States or other non-Federal*  
16 *entities under titles I, IV-D, X, XI, XIV, and XVI of the*  
17 *Social Security Act and the Act of July 5, 1960 (24 U.S.C.*  
18 *ch. 9), for the first quarter of fiscal year 1999,*  
19 *\$660,000,000, to remain available until expended.*

20 *LOW INCOME HOME ENERGY ASSISTANCE*

21 *For making payments under title XXVI of the Omni-*  
22 *bus Budget Reconciliation Act of 1981, \$1,200,000,000, to*  
23 *be available for obligation in the period October 1, 1998*  
24 *through September 30, 1999.*

25 *For making payments under title XXVI of such Act,*  
26 *\$300,000,000: Provided, That these funds are hereby des-*

1 *ignated by Congress to be emergency requirements pursuant*  
2 *to section 251(b)(2)(D) of the Balanced Budget and Emer-*  
3 *gency Deficit Control Act of 1985: Provided further, That*  
4 *these funds shall be made available only after submission*  
5 *to Congress of a formal budget request by the President that*  
6 *includes designation of the entire amount of the request as*  
7 *an emergency requirement as defined in the Balanced*  
8 *Budget and Emergency Deficit Control Act.*

9 *REFUGEE AND ENTRANT ASSISTANCE*

10 *For making payments for refugee and entrant assist-*  
11 *ance activities authorized by title IV of the Immigration*  
12 *and Nationality Act and section 501 of the Refugee Edu-*  
13 *cation Assistance Act of 1980 (Public Law 96-422),*  
14 *\$392,332,000: Provided, That funds appropriated pursuant*  
15 *to section 414(a) of the Immigration and Nationality Act*  
16 *under Public Law 104-134 for fiscal year 1996 shall be*  
17 *available for the costs of assistance provided and other ac-*  
18 *tivities conducted in such year and in fiscal years 1997*  
19 *and 1998.*

20 *CHILD CARE AND DEVELOPMENT BLOCK GRANT*

21 *For carrying out sections 658A through 658R of the*  
22 *Omnibus Budget Reconciliation Act of 1981 (The Child*  
23 *Care and Development Block Grant Act of 1990), in addi-*  
24 *tion to amounts already appropriated for fiscal year 1998,*  
25 *\$26,120,000; and to become available on October 1, 1998*  
26 *and remain available through September 30, 1999,*

1 \$1,000,000,000: *Provided, That of funds appropriated for*  
2 *each of fiscal years 1998 and 1999, \$19,120,000 shall be*  
3 *available for child care resource and referral and school-*  
4 *aged child care activities, of which for fiscal year 1998*  
5 *\$6,120,000 shall be derived from an amount that shall be*  
6 *transferred from the amount appropriated under section*  
7 *452(j) of the Social Security Act (42 U.S.C. 652(j)) for fis-*  
8 *cal year 1997 and remaining available for expenditure.*

9 *SOCIAL SERVICES BLOCK GRANT*

10 *For making grants to States pursuant to section 2002*  
11 *of the Social Security Act, \$2,245,000,000: Provided, That*  
12 *notwithstanding section 2003(c) of such Act, as amended,*  
13 *the amount specified for allocation under such section for*  
14 *fiscal year 1998 shall be \$2,245,000,000.*

15 *CHILDREN AND FAMILIES SERVICES PROGRAMS*

16 *(INCLUDING RESCISSIONS)*

17 *For carrying out, except as otherwise provided, the*  
18 *Runaway and Homeless Youth Act, the Developmental Dis-*  
19 *abilities Assistance and Bill of Rights Act, the Head Start*  
20 *Act, the Child Abuse Prevention and Treatment Act, (in-*  
21 *cluding section 105(a)(2) of the Child Abuse Prevention and*  
22 *Treatment Act), the Native American Programs Act of*  
23 *1974, title II of Public Law 95-266 (adoption opportuni-*  
24 *ties), the Abandoned Infants Assistance Act of 1988, part*  
25 *B(1) of title IV and sections 413, 429A and 1110 of the*  
26 *Social Security Act; for making payments under the Com-*

1 *munity Services Block Grant Act; and for necessary admin-*  
2 *istrative expenses to carry out said Acts and titles I, IV,*  
3 *X, XI, XIV, XVI, and XX of the Social Security Act, the*  
4 *Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget*  
5 *Reconciliation Act of 1981, title IV of the Immigration and*  
6 *Nationality Act, section 501 of the Refugee Education As-*  
7 *sistance Act of 1980, and section 126 and titles IV and V*  
8 *of Public Law 100-485, \$5,611,094,000, of which*  
9 *\$539,432,000 shall be for making payments under the Com-*  
10 *munity Services Block Grant Act: Provided, That to the ex-*  
11 *tent Community Services Block Grant funds are distributed*  
12 *as grant funds by a State to an eligible entity as provided*  
13 *under the Act, and have not been expended by such entity,*  
14 *they shall remain with such entity for carryover into the*  
15 *next fiscal year for expenditure by such entity consistent*  
16 *with program purposes: Provided further, That notwith-*  
17 *standing any other provision of law, 10 percent of any ad-*  
18 *ditional funds for Head Start over the fiscal year 1997 ap-*  
19 *propriation shall be made available for Early Head Start*  
20 *programs.*

21 *In addition, \$93,000,000, to be derived from the Vio-*  
22 *lent Crime Reduction Trust Fund, for carrying out sections*  
23 *40155, 40211 and 40241 of Public Law 103-322.*

1       *Funds appropriated for fiscal year 1998 under section*  
2 *429A(e), part B of title IV of the Social Security Act shall*  
3 *be reduced by \$6,000,000.*

4       *Funds appropriated for fiscal year 1998 under section*  
5 *413(h)(1) of the Social Security Act shall be reduced by*  
6 *\$15,000,000.*

7                   *FAMILY PRESERVATION AND SUPPORT*

8       *For carrying out section 430 of the Social Security*  
9 *Act, \$255,000,000.*

10       *PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION*

11                   *ASSISTANCE*

12       *For making payments to States or other non-Federal*  
13 *entities, under title IV–E of the Social Security Act,*  
14 *\$3,200,000,000.*

15       *For making payments to States or other non-Federal*  
16 *entities, under title IV–E of the Social Security Act, for*  
17 *the first quarter of fiscal year 1999, \$1,157,500,000.*

18                   *ADMINISTRATION ON AGING*

19                   *AGING SERVICES PROGRAMS*

20       *For carrying out, to the extent not otherwise provided,*  
21 *the Older Americans Act of 1965, as amended,*  
22 *\$894,074,000: Provided, That notwithstanding section*  
23 *308(b)(1) of such Act, the amounts available to each State*  
24 *for administration of the State plan under title III of such*  
25 *Act shall be reduced not more than 5 percent below the*  
26 *amount that was available to such State for such purpose*

1 *for fiscal year 1995: Provided further, That of the funds*  
2 *appropriated to carry out section 303(a)(1) of such Act,*  
3 *\$4,449,000 shall be available for carrying out section 702(a)*  
4 *of such Act and \$4,732,000 shall be available for carrying*  
5 *out section 702(c) of such Act: Provided further, That in*  
6 *considering grant applications for nutrition services for*  
7 *elder Indian recipients, the Assistant Secretary shall pro-*  
8 *vide maximum flexibility to applicants who seek to take*  
9 *into account subsistence, local customs, and other character-*  
10 *istics that are appropriate to the unique cultural, regional,*  
11 *and geographic needs of the American Indian, Alaskan and*  
12 *Hawaiian native communities to be served.*

13 *OFFICE OF THE SECRETARY*

14 *GENERAL DEPARTMENTAL MANAGEMENT*

15 *For necessary expenses, not otherwise provided, for*  
16 *general departmental management, including hire of six se-*  
17 *dans, and for carrying out titles III, XVII, and XX of the*  
18 *Public Health Service Act, the United States-Mexico Border*  
19 *Health Commission Act, and research studies under section*  
20 *1110 of the Social Security Act, \$174,588,000, together with*  
21 *\$5,851,000, to be transferred and expended as authorized*  
22 *by section 201(g)(1) of the Social Security Act from the*  
23 *Hospital Insurance Trust Fund and the Supplemental*  
24 *Medical Insurance Trust Fund.*





1 *Nations International Children's Emergency Fund or the*  
2 *World Health Organization.*

3 *SEC. 203. None of the funds appropriated under this*  
4 *Act may be used to implement section 399L(b) of the Public*  
5 *Health Service Act or section 1503 of the National Insti-*  
6 *tutes of Health Revitalization Act of 1993, Public Law 103-*  
7 *43.*

8 *SEC. 204. None of the funds appropriated in this Act*  
9 *for the National Institutes of Health and the Substance*  
10 *Abuse and Mental Health Services Administration shall be*  
11 *used to pay the salary of an individual, through a grant*  
12 *or other extramural mechanism, at a rate in excess of*  
13 *\$125,000 per year.*

14 *SEC. 205. None of the funds appropriated in this Act*  
15 *may be expended pursuant to section 241 of the Public*  
16 *Health Service Act, except for funds specifically provided*  
17 *for in this Act, or for other taps and assessments made by*  
18 *any office located in the Department of Health and Human*  
19 *Services, prior to the Secretary's preparation and submis-*  
20 *sion of a report to the Committee on Appropriations of the*  
21 *Senate and of the House detailing the planned uses of such*  
22 *funds.*

23 *SEC. 206. None of the funds appropriated in this Act*  
24 *may be obligated or expended for the Federal Council on*  
25 *Aging under the Older Americans Act or the Advisory*

1 *Board on Child Abuse and Neglect under the Child Abuse*  
2 *Prevention and Treatment Act.*

3 (TRANSFER OF FUNDS)

4 SEC. 207. *Not to exceed 1 percent of any discretionary*  
5 *funds (pursuant to the Balanced Budget and Emergency*  
6 *Deficit Control Act, as amended) which are appropriated*  
7 *for the current fiscal year for the Department of Health and*  
8 *Human Services in this Act may be transferred between ap-*  
9 *propriations, but no such appropriation shall be increased*  
10 *by more than 3 percent by any such transfer: Provided,*  
11 *That the Appropriations Committees of both Houses of Con-*  
12 *gress are notified at least fifteen days in advance of any*  
13 *transfer.*

14 (TRANSFER OF FUNDS)

15 SEC. 208. *The Director of the National Institutes of*  
16 *Health, jointly with the Director of the Office of AIDS Re-*  
17 *search, may transfer up to 3 percent among institutes, cen-*  
18 *ters, and divisions from the total amounts identified by*  
19 *these two Directors as funding for research pertaining to*  
20 *the human immunodeficiency virus: Provided, That the*  
21 *Congress is promptly notified of the transfer.*

22 (TRANSFER OF FUNDS)

23 SEC. 209. *Of the amounts made available in this Act*  
24 *for the National Institutes of Health, the amount for re-*  
25 *search related to the human immunodeficiency virus, as*  
26 *jointly determined by the Director of NIH and the Director*

1 *of the Office of AIDS Research, shall be made available to*  
2 *the “Office of AIDS Research” account. The Director of the*  
3 *Office of AIDS Research shall transfer from such account*  
4 *amounts necessary to carry out section 2353(d)(3) of the*  
5 *Public Health Service Act.*

6 *SEC. 210. Funds appropriated in this Act for the Na-*  
7 *tional Institutes of Health may be used to provide transit*  
8 *subsidies in amounts consistent with the transportation*  
9 *subsidy programs authorized under section 629 of Public*  
10 *Law 101–509 to non-FTE bearing positions including*  
11 *trainees, visiting fellows and volunteers.*

12 *COMPREHENSIVE INDEPENDENT STUDY OF NIH RESEARCH*  
13 *PRIORITY SETTING*

14 *SEC. 211. (a) STUDY BY THE INSTITUTE OF MEDI-*  
15 *CINE.—Not later than 30 days after the date of enactment*  
16 *of this Act, the Secretary of Health and Human Services*  
17 *shall enter into a contract with the Institute of Medicine*  
18 *to conduct a comprehensive study of the policies and process*  
19 *used by the National Institutes of Health to determine fund-*  
20 *ing allocations for biomedical research.*

21 *(b) MATTERS TO BE ASSESSED.—The study under*  
22 *subsection (a) shall assess—*

23 *(1) the factors or criteria used by the National*  
24 *Institutes of Health to determine funding allocations*  
25 *for disease research;*

1           (2) *the process by which research funding deci-*  
2           *sions are made;*

3           (3) *the mechanisms for public input into the pri-*  
4           *ority setting process; and*

5           (4) *the impact of statutory directives on research*  
6           *funding decisions.*

7           (c) *REPORT.—*

8           (1) *IN GENERAL.—Not later than 6 months after*  
9           *the date on which the Secretary of Health and*  
10           *Human Services enters into the contract under sub-*  
11           *section (a), the Institute of Medicine shall submit a*  
12           *report concerning the study to the Committee on*  
13           *Labor and Human Resources and the Committee on*  
14           *Appropriations of the Senate, and the Committee on*  
15           *Commerce and the Committee on Appropriations of*  
16           *the House of Representatives.*

17           (2) *REQUIREMENT.—The report under para-*  
18           *graph (1) shall set forth the findings, conclusions, and*  
19           *recommendations of the Institute of Medicine for im-*  
20           *provements in the National Institutes of Health re-*  
21           *search funding policies and processes and for any*  
22           *necessary congressional action.*

23           (d) *FUNDING.—Of the amount appropriated in this*  
24           *title for the National Institutes of Health, \$300,000 shall*

1 *be made available for the study and report under this sec-*  
2 *tion.*

3 *PARKINSON'S DISEASE RESEARCH.*

4 *SEC. 212. (a) SHORT TITLE.—This section may be*  
5 *cited as the “Morris K. Udall Parkinson’s Research Act of*  
6 *1997”.*

7 *(b) FINDING AND PURPOSE.—*

8 *(1) FINDING.—Congress finds that to take full*  
9 *advantage of the tremendous potential for finding a*  
10 *cure or effective treatment, the Federal investment in*  
11 *Parkinson’s must be expanded, as well as the coordi-*  
12 *nation strengthened among the National Institutes of*  
13 *Health research institutes.*

14 *(2) PURPOSE.—It is the purpose of this section*  
15 *to provide for the expansion and coordination of re-*  
16 *search regarding Parkinson’s, and to improve care*  
17 *and assistance for afflicted individuals and their fam-*  
18 *ily caregivers.*

19 *(c) PARKINSON’S RESEARCH.—Part B of title IV of*  
20 *the Public Health Service Act (42 U.S.C. 284 et seq.) is*  
21 *amended by adding at the end the following:*

22 *“PARKINSON’S DISEASE*

23 *“SEC. 409B. (a) IN GENERAL.—The Director of NIH*  
24 *shall establish a program for the conduct and support of*  
25 *research and training with respect to Parkinson’s disease*

1 *(subject to the extent of amounts appropriated under sub-*  
2 *section (e)).*

3 “(b) *INTER-INSTITUTE COORDINATION.*—

4 “(1) *IN GENERAL.*—*The Director of NIH shall*  
5 *provide for the coordination of the program estab-*  
6 *lished under subsection (a) among all of the national*  
7 *research institutes conducting Parkinson’s research.*

8 “(2) *CONFERENCE.*—*Coordination under para-*  
9 *graph (1) shall include the convening of a research*  
10 *planning conference not less frequently than once*  
11 *every 2 years. Each such conference shall prepare and*  
12 *submit to the Committee on Appropriations and the*  
13 *Committee on Labor and Human Resources of the*  
14 *Senate and the Committee on Appropriations and the*  
15 *Committee on Commerce of the House of Representa-*  
16 *tives a report concerning the conference.*

17 “(c) *MORRIS K. UDALL RESEARCH CENTERS.*—

18 “(1) *IN GENERAL.*—*The Director of NIH shall*  
19 *award Core Center Grants to encourage the develop-*  
20 *ment of innovative multidisciplinary research and*  
21 *provide training concerning Parkinson’s. The Direc-*  
22 *tor shall award not more than 10 Core Center Grants*  
23 *and designate each center funded under such grants*  
24 *as a Morris K. Udall Center for Research on Parkin-*  
25 *son’s Disease.*

1           “(2) *REQUIREMENTS.*—

2                   “(A) *IN GENERAL.*—*With respect to Parkin-*  
3                   *son’s, each center assisted under this subsection*  
4                   *shall—*

5                           “(i) *use the facilities of a single insti-*  
6                           *tution or a consortium of cooperating insti-*  
7                           *tutions, and meet such qualifications as*  
8                           *may be prescribed by the Director of the*  
9                           *NIH; and*

10                           “(ii) *conduct basic and clinical re-*  
11                           *search.*

12                   “(B) *DISCRETIONARY REQUIREMENTS.*—  
13                   *With respect to Parkinson’s, each center assisted*  
14                   *under this subsection may—*

15                           “(i) *conduct training programs for sci-*  
16                           *entists and health professionals;*

17                           “(ii) *conduct programs to provide in-*  
18                           *formation and continuing education to*  
19                           *health professionals;*

20                           “(iii) *conduct programs for the dis-*  
21                           *semination of information to the public;*

22                           “(iv) *separately or in collaboration*  
23                           *with other centers, establish a nationwide*  
24                           *data system derived from patient popu-*  
25                           *lations with Parkinson’s, and where pos-*



1           sible, comparing relevant data involving  
2           general populations;

3           “(v) separately or in collaboration  
4           with other centers, establish a Parkinson’s  
5           Disease Information Clearinghouse to facili-  
6           tate and enhance knowledge and under-  
7           standing of Parkinson’s disease; and

8           “(vi) separately or in collaboration  
9           with other centers, establish a national edu-  
10          cation program that fosters a national focus  
11          on Parkinson’s and the care of those with  
12          Parkinson’s.

13          “(3) *STIPENDS REGARDING TRAINING PRO-*  
14          *GRAMS.—A center may use funds provided under*  
15          *paragraph (1) to provide stipends for scientists and*  
16          *health professionals enrolled in training programs*  
17          *under paragraph (2)(B).*

18          “(4) *DURATION OF SUPPORT.—Support of a cen-*  
19          *ter under this subsection may be for a period not ex-*  
20          *ceeding five years. Such period may be extended by*  
21          *the Director of NIH for one or more additional peri-*  
22          *ods of not more than five years if the operations of*  
23          *such center have been reviewed by an appropriate*  
24          *technical and scientific peer review group established*

1        *by the Director and if such group has recommended*  
2        *to the Director that such period should be extended.*

3        “(d) *MORRIS K. UDALL AWARDS FOR EXCELLENCE IN*  
4        *PARKINSON’S DISEASE RESEARCH.—The Director of NIH*  
5        *shall establish a grant program to support investigators*  
6        *with a proven record of excellence and innovation in Par-*  
7        *kinson’s research and who demonstrate potential for signifi-*  
8        *cant future breakthroughs in the understanding of the*  
9        *pathogenesis, diagnosis, and treatment of Parkinson’s.*  
10       *Grants under this subsection shall be available for a period*  
11       *of not to exceed 5 years.*

12       “(e) *AUTHORIZATION OF APPROPRIATIONS.—For the*  
13       *purpose of carrying out this section and section 301 and*  
14       *title IV of the Public Health Service Act with respect to*  
15       *direct Parkinson’s disease research, there are authorized to*  
16       *be appropriated a total of \$100,000,000 for fiscal year 1998,*  
17       *and such sums as may be necessary for each of the fiscal*  
18       *years 1999 and 2000.”.*

19       *COMPREHENSIVE FETAL ALCOHOL SYNDROME PREVENTION*  
20       *SEC. 213. (a) SHORT TITLE.—This section may be*  
21       *cited as the “Comprehensive Fetal Alcohol Syndrome Pre-*  
22       *vention Act”.*

23       (b) *FINDINGS.—Congress finds that—*

24                (1) *Fetal Alcohol Syndrome is the leading known*  
25                *cause of mental retardation, and it is 100 percent*  
26                *preventable;*

1           (2) each year, up to 12,000 infants are born in  
2           the United States with Fetal Alcohol Syndrome, suf-  
3           fering irreversible physical and mental damage;

4           (3) thousands more infants are born each year  
5           with Fetal Alcohol Effects, which are lesser, though  
6           still serious, alcohol-related birth defects;

7           (4) children of women who use alcohol while  
8           pregnant have a significantly higher infant mortality  
9           rate (13.3 per 1000) than children of those women  
10          who do not use alcohol (8.6 per 1000);

11          (5) Fetal Alcohol Syndrome and Fetal Alcohol  
12          Effects are national problems which can impact any  
13          child, family, or community, but their threat to  
14          American Indians and Alaska Natives is especially  
15          alarming;

16          (6) in some American Indian communities,  
17          where alcohol dependency rates reach 50 percent and  
18          above, the chances of a newborn suffering Fetal Alco-  
19          hol Syndrome or Fetal Alcohol Effects are up to 30  
20          times greater than national averages;

21          (7) in addition to the immeasurable toll on chil-  
22          dren and their families, Fetal Alcohol Syndrome and  
23          Fetal Alcohol Effects pose extraordinary financial  
24          costs to the Nation, including the costs of health care,

1        *education, foster care, job training, and general sup-*  
2        *port services for affected individuals;*

3                *(8) the total cost to the economy of Fetal Alcohol*  
4        *Syndrome was approximately \$2,700,000,000 in*  
5        *1995, and over a lifetime, health care costs for one*  
6        *Fetal Alcohol Syndrome child are estimated to be at*  
7        *least \$1,400,000;*

8                *(9) researchers have determined that the possibil-*  
9        *ity of giving birth to a baby with Fetal Alcohol Syn-*  
10        *drome or Fetal Alcohol Effects increases in proportion*  
11        *to the amount and frequency of alcohol consumed by*  
12        *a pregnant woman, and that stopping alcohol con-*  
13        *sumption at any point in the pregnancy reduces the*  
14        *emotional, physical, and mental consequences of alco-*  
15        *hol exposure to the baby; and*

16                *(10) though approximately 1 out of every 5 preg-*  
17        *nant women drink alcohol during their pregnancy, we*  
18        *know of no safe dose of alcohol during pregnancy, or*  
19        *of any safe time to drink during pregnancy, thus, it*  
20        *is in the best interest of the Nation for the Federal*  
21        *Government to take an active role in encouraging all*  
22        *women to abstain from alcohol consumption during*  
23        *pregnancy.*

24                *(c) PURPOSE.—It is the purpose of this section to es-*  
25        *tablish, within the Department of Health and Human Serv-*

1 ices, a comprehensive program to help prevent Fetal Alcohol  
 2 Syndrome and Fetal Alcohol Effects nationwide. Such pro-  
 3 gram shall—

4 (1) coordinate, support, and conduct basic and  
 5 applied epidemiologic research concerning Fetal Alco-  
 6 hol Syndrome and Fetal Alcohol Effects;

7 (2) coordinate, support, and conduct national,  
 8 State, and community-based public awareness, pre-  
 9 vention, and education programs on Fetal Alcohol  
 10 Syndrome and Fetal Alcohol Effects; and

11 (3) foster coordination among all Federal agen-  
 12 cies that conduct or support Fetal Alcohol Syndrome  
 13 and Fetal Alcohol Effects research, programs, and  
 14 surveillance and otherwise meet the general needs of  
 15 populations actually or potentially impacted by Fetal  
 16 Alcohol Syndrome and Fetal Alcohol Effects.

17 (d) *ESTABLISHMENT OF PROGRAM.*—Title III of the  
 18 Public Health Service Act (42 U.S.C. 241 et seq.) is amend-  
 19 ed by adding at the end the following:

20 **“PART O—FETAL ALCOHOL SYNDROME**

21 **PREVENTION PROGRAM**

22 **“SEC. 399G. ESTABLISHMENT OF FETAL ALCOHOL SYN-**  
 23 **DROME PREVENTION PROGRAM.**

24 **“(a) FETAL ALCOHOL SYNDROME PREVENTION PRO-**  
 25 **GRAM.**—The Secretary shall establish a comprehensive Fetal

1 *Alcohol Syndrome and Fetal Alcohol Effects prevention pro-*  
2 *gram that shall include—*

3           “(1) *an education and public awareness program*  
4 *to—*

5                   “(A) *support, conduct, and evaluate the ef-*  
6 *fectiveness of—*

7                           “(i) *training programs concerning the*  
8 *prevention, diagnosis, and treatment of*  
9 *Fetal Alcohol Syndrome and Fetal Alcohol*  
10 *Effects;*

11                           “(ii) *prevention and education pro-*  
12 *grams, including school health education*  
13 *and school-based clinic programs for school-*  
14 *age children, concerning Fetal Alcohol Syn-*  
15 *drome and Fetal Alcohol Effects; and*

16                           “(iii) *public and community aware-*  
17 *ness programs concerning Fetal Alcohol*  
18 *Syndrome and Fetal Alcohol Effects;*

19                   “(B) *provide technical and consultative as-*  
20 *sistance to States, Indian tribal governments,*  
21 *local governments, scientific and academic insti-*  
22 *tutions, and nonprofit organizations concerning*  
23 *the programs referred to in subparagraph (A);*  
24 *and*

1           “(C) award grants to, and enter into coop-  
2           erative agreements and contracts with, States,  
3           Indian tribal governments, local governments,  
4           scientific and academic institutions, and non-  
5           profit organizations for the purpose of—

6                   “(i) evaluating the effectiveness, with  
7                   particular emphasis on the cultural com-  
8                   petency and age-appropriateness, of pro-  
9                   grams referred to in subparagraph (A);

10                   “(ii) providing training in the preven-  
11                   tion, diagnosis, and treatment of Fetal Al-  
12                   cohol Syndrome and Fetal Alcohol Effects;

13                   “(iii) educating school-age children, in-  
14                   cluding pregnant and high-risk youth, con-  
15                   cerning Fetal Alcohol Syndrome and Fetal  
16                   Alcohol Effects, with priority given to pro-  
17                   grams that are part of a sequential, com-  
18                   prehensive school health education program;  
19                   and

20                   “(iv) increasing public and community  
21                   awareness concerning Fetal Alcohol Syn-  
22                   drome and Fetal Alcohol Effects through  
23                   culturally competent projects, programs,  
24                   and campaigns, and improving the under-  
25                   standing of the general public and targeted

1            *groups concerning the most effective inter-*  
2            *vention methods to prevent fetal exposure to*  
3            *alcohol;*

4            *“(2) an applied epidemiologic research and pre-*  
5            *vention program to—*

6            *“(A) support and conduct research on the*  
7            *causes, mechanisms, diagnostic methods, treat-*  
8            *ment, and prevention of Fetal Alcohol Syndrome*  
9            *and Fetal Alcohol Effects;*

10           *“(B) provide technical and consultative as-*  
11           *sistance and training to States, Tribal govern-*  
12           *ments, local governments, scientific and aca-*  
13           *ademic institutions, and nonprofit organizations*  
14           *engaged in the conduct of—*

15           *“(i) Fetal Alcohol Syndrome preven-*  
16           *tion and early intervention programs; and*

17           *“(ii) research relating to the causes,*  
18           *mechanisms, diagnosis methods, treatment,*  
19           *and prevention of Fetal Alcohol Syndrome*  
20           *and Fetal Alcohol Effects; and*

21           *“(C) award grants to, and enter into coop-*  
22           *erative agreements and contracts with, States,*  
23           *Indian tribal governments, local governments,*  
24           *scientific and academic institutions, and non-*  
25           *profit organizations for the purpose of—*



1           “(i) conducting innovative demonstra-  
2           tion and evaluation projects designed to de-  
3           termine effective strategies, including com-  
4           munity-based prevention programs and  
5           multicultural education campaigns, for pre-  
6           venting and intervening in fetal exposure to  
7           alcohol;

8           “(ii) improving and coordinating the  
9           surveillance and ongoing assessment meth-  
10          ods implemented by such entities and the  
11          Federal Government with respect to Fetal  
12          Alcohol Syndrome and Fetal Alcohol Effects;

13          “(iii) developing and evaluating effec-  
14          tive age-appropriate and culturally com-  
15          petent prevention programs for children,  
16          adolescents, and adults identified as being  
17          at-risk of becoming chemically dependent on  
18          alcohol and associated with or developing  
19          Fetal Alcohol Syndrome and Fetal Alcohol  
20          Effects; and

21          “(iv) facilitating coordination and col-  
22          laboration among Federal, State, local gov-  
23          ernment, Indian tribal, and community-  
24          based Fetal Alcohol Syndrome prevention  
25          programs;

1           “(3) a basic research program to support and  
2           conduct basic research on services and effective pre-  
3           vention treatments and interventions for pregnant al-  
4           cohol-dependent women and individuals with Fetal  
5           Alcohol Syndrome and Fetal Alcohol Effects;

6           “(4) a procedure for disseminating the Fetal Al-  
7           cohol Syndrome and Fetal Alcohol Effects diagnostic  
8           criteria developed pursuant to section 705 of the  
9           ADAMHA Reorganization Act (42 U.S.C. 485n note)  
10          to health care providers, educators, social workers,  
11          child welfare workers, and other individuals; and

12          “(5) the establishment, in accordance with sub-  
13          section (b), of an inter-agency task force on Fetal Al-  
14          cohol Syndrome and Fetal Alcohol Effects to foster co-  
15          ordination among all Federal agencies that conduct  
16          or support Fetal Alcohol Syndrome and Fetal Alcohol  
17          Effects research, programs, and surveillance, and oth-  
18          erwise meet the general needs of populations actually  
19          or potentially impacted by Fetal Alcohol Syndrome  
20          and Fetal Alcohol Effects.

21          “(b) INTER-AGENCY TASK FORCE.—

22                 “(1) MEMBERSHIP.—The Task Force established  
23                 pursuant to paragraph (5) of subsection (a) shall—

24                         “(A) be chaired by the Secretary or a des-  
25                         ignee of the Secretary; and

1           “(B) include representatives from all rel-  
2           evant agencies within the Department of Health  
3           and Human Services, including the Centers for  
4           Disease Control and Prevention, the National In-  
5           stitutes of Health, the Health Resources and  
6           Services Administration, the Substance Abuse  
7           and Mental Health Services Administration, and  
8           any other relevant agencies of the Department of  
9           Health and Human Services.

10          “(2) FUNCTIONS.—The Task Force shall—

11                 “(A) coordinate all relevant programs and  
12                 research concerning Fetal Alcohol Syndrome and  
13                 Fetal Alcohol Effects, including programs that—

14                         “(i) target individuals, families, and  
15                         populations identified as being at risk of  
16                         acquiring Fetal Alcohol Syndrome and  
17                         Fetal Alcohol Effects; and

18                         “(ii) provide health, education, treat-  
19                         ment, and social services to infants, chil-  
20                         dren, and adults with Fetal Alcohol Syn-  
21                         drome and Fetal Alcohol Effects;

22                 “(B) coordinate its efforts with existing De-  
23                 partment of Health and Human Services task  
24                 forces on substance abuse prevention and mater-  
25                 nal and child health; and

1           “(C) report on a biennial basis to the Sec-  
2           retary and relevant committees of Congress on  
3           the current and planned activities of the partici-  
4           pating agencies, including a proposal for a Fed-  
5           eral Interagency Task Force to include represent-  
6           atives from all relevant agencies and offices with-  
7           in the Department of Health and Human Serv-  
8           ices, the Department of Agriculture, the Depart-  
9           ment of Education, the Department of Defense,  
10          the Department of the Interior, the Department  
11          of Justice, the Department of Veterans Affairs,  
12          the Bureau of Alcohol, Tobacco and Firearms,  
13          the Federal Trade Commission, and any other  
14          relevant Federal agency.

15          “(c) *SCIENTIFIC RESEARCH AND TRAINING.*—The Di-  
16          rector of the National Institute on Alcohol Abuse and Alco-  
17          holism, with the cooperation of members of the interagency  
18          task force established under subsection (b), shall establish  
19          a collaborative program to provide for the conduct and sup-  
20          port of research, training, and dissemination of informa-  
21          tion to researchers, clinicians, health professionals and the  
22          public, with respect to the cause, prevention, diagnosis, and  
23          treatment of Fetal Alcohol Syndrome and the related condi-  
24          tion know as Fetal Alcohol Effects.

1 **“SEC. 399H. ELIGIBILITY.**

2       *“To be eligible to receive a grant, or enter into a coop-*  
3 *erative agreement or contract under this part, an entity*  
4 *shall—*

5             *“(1) be a State, Indian tribal government, local*  
6 *government, scientific or academic institution, or*  
7 *nonprofit organization; and*

8             *“(2) prepare and submit to the Secretary an ap-*  
9 *plication at such time, in such manner, and contain-*  
10 *ing such information as the Secretary may prescribe,*  
11 *including a description of the activities that the en-*  
12 *tity intends to carry out using amounts received*  
13 *under this part.*

14 **“SEC. 399I. AUTHORIZATION OF APPROPRIATIONS.**

15       *“There are authorized to be appropriated to carry out*  
16 *this part, such sums as are necessary for each of the fiscal*  
17 *years 1998 through 2002.”.*

18       *SEC. 214.—(a) That section 414(a) of the Immigration*  
19 *and Nationality Act (8 U.S.C. 1524(a)) is amended by*  
20 *striking “fiscal year 1995, fiscal year 1996, and fiscal year*  
21 *1997” and inserting “each of fiscal years 1998 and 1999”.*

22       *(b) The amendment made by subsection (a) shall take*  
23 *effect October 1, 1997.*

24       *SEC. 215. (a) STUDY.—From amounts appropriated*  
25 *under this title, the Secretary should conduct a study on*  
26 *the health effects of perchlorate on humans with particular*

1 *emphasis on the health risks to vulnerable subpopulations*  
2 *including pregnant women, children, and the elderly.*

3       (b) *REPORT.*—*Not later than 9 months after the date*  
4 *of enactment of this Act, and annually thereafter, the Na-*  
5 *tional Institutes of Health should prepare and submit to*  
6 *the Committee on Appropriations of the Senate and the*  
7 *Committee on Appropriations of the House of Representa-*  
8 *tives, a report concerning the results of the study conducted*  
9 *under subsection (a), including whether further health ef-*  
10 *fects research is necessary.*

11       *SEC. 216. Subparagraphs (B) and (C) of section*  
12 *1143(a)(2) of the Social Security Act (42 U.S.C. 1320b-*  
13 *13(a)(2)(B), (C)) are each amended by striking “employee”*  
14 *and inserting “employer, employee.”*

15       *SEC. 217. (a) Notwithstanding any other provision of*  
16 *law, the payments described in subsection (b) shall not be*  
17 *considered income or resources in determining eligibility*  
18 *for, or the amount of benefits under, a program or State*  
19 *plan under title XVI or XIX of the Social Security Act.*

20       (b) *The payments described in this subsection are pay-*  
21 *ments made by the Secretary of Defense pursuant to section*  
22 *657 of the National Defense Authorization Act for Fiscal*  
23 *Year 1997 (Public Law 104–201; 110 Stat. 2584).*

24       *SEC. 218. (a) STUDY.*—*Not later than 30 days after*  
25 *the date of enactment of this Act, the Secretary of Health*

1 *and Human Services, in consultation with the General Ac-*  
2 *counting Office, shall conduct a comprehensive study con-*  
3 *cerning efforts to improve organ and tissue procurement at*  
4 *hospitals. Under such study, the Secretary shall survey at*  
5 *least 5 percent of the hospitals who have entered into agree-*  
6 *ments with an organ procurement organization required*  
7 *under the Public Health Service Act and the hospitals' des-*  
8 *ignated organ procurement organizations to examine—*

9           (1) *the differences in protocols for the identifica-*  
10 *tion of potential organ and tissue donors;*

11           (2) *whether each hospital, and the designated*  
12 *organ procurement organization of the hospital, have*  
13 *a system in place for such identification of donors;*  
14 *and*

15           (3) *protocols for outreach to the relatives of po-*  
16 *tential organ or tissue donors.*

17       (b) *REPORT.—Not later than 1 year after the date of*  
18 *enactment of this Act, the Secretary of Health and Human*  
19 *Services shall prepare and submit to the appropriate com-*  
20 *mittees of Congress a report concerning the study conducted*  
21 *under subsection (a), that shall include recommendations*  
22 *on hospital best practices—*

23           (1) *that result in the most efficient and com-*  
24 *prehensive identification of organ and tissue donors;*  
25 *and*

1           (2) *for communicating with the relatives of po-*  
2           *tential organ and tissue donors.*

3           *SEC. 219. (a) FINDINGS.—Congress finds that—*

4           (1) *over 53,000 Americans are currently await-*  
5           *ing organ transplants;*

6           (2) *in 1996, 3,916 people on the transplant wait-*  
7           *ing list died because no organs became available for*  
8           *such people;*

9           (3) *the number of organ donors has grown slowly*  
10          *over the past several years, even though there is sig-*  
11          *nificant unrealized donor potential;*

12          (4) *a Gallup survey indicated that 85 percent of*  
13          *the American public supports organ donation, and 69*  
14          *percent describe themselves as likely to donate their*  
15          *organs upon death;*

16          (5) *most potential donors are cared for in hos-*  
17          *pitals with greater than 350 beds, trauma services,*  
18          *and medical school affiliations;*

19          (6) *a recent Harvard study showed that hospitals*  
20          *frequently fail to offer donation services to the fami-*  
21          *lies of medically eligible potential organ donors;*

22          (7) *staff and administration in large hospitals*  
23          *often are not aware of the current level of donor po-*  
24          *tential in their institution or the current level of do-*  
25          *nation effectiveness of the institution;*



1           (8) *under titles XVIII and XIX of the Social Se-*  
2           *curity Act (42 U.S.C. 1395 et seq; 1396 et seq.), hos-*  
3           *pitals that participate in the medicare or medicaid*  
4           *program are required to have in place policies to offer*  
5           *eligible families the option of organ and tissue dona-*  
6           *tion; and*

7           (9) *many hospitals have not yet incorporated*  
8           *systematic protocols for offering donation to eligible*  
9           *families in a skilled and sensitive way.*

10          (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*  
11          *ate that hospitals that have organ or tissue donor potential*  
12          *take prompt steps to ensure that a skilled and sensitive re-*  
13          *quest for organ or tissue donation is provided to eligible*  
14          *families by—*

15               (1) *working with the designated organ procure-*  
16               *ment organization or other suitable agency to assess*  
17               *donor potential and performance in their institutions;*

18               (2) *establishing protocols for organ donation that*  
19               *incorporate best-demonstrated practices;*

20               (3) *providing education to hospital staff to en-*  
21               *sure adequate skills related to organ and tissue dona-*  
22               *tion;*

23               (4) *establishing teams of skilled hospital staff to*  
24               *respond to potential organ donor situations, ensure*  
25               *optimal communication with the patient’s surviving*

1 *family, and achieve smooth coordination of activities*  
2 *with the designated organ procurement organization;*  
3 *and*

4 *(5) monitoring organ donation effectiveness*  
5 *through quality assurance mechanisms.*

6 *PROTECTING VICTIMS OF FAMILY VIOLENCE*

7 *SEC. 220. (a) FINDINGS.—Congress finds that—*

8 *(1) the intent of Congress in amending part A*  
9 *of title IV of the Social Security Act (42 U.S.C. 601*  
10 *et seq.) in section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996*  
11 *(Public Law 104–193; 110 Stat 2112) was to allow*  
12 *States to take into account the effects of the epidemic*  
13 *of domestic violence in establishing their welfare pro-*  
14 *grams, by giving States the flexibility to grant indi-*  
15 *vidual, temporary waivers for good cause to victims*  
16 *of domestic violence who meet the criteria set forth in*  
17 *section 402(a)(7)(B) of the Social Security Act (42*  
18 *U.S.C. 602(a)(7)(B));*

20 *(2) the allowance of waivers under such sections*  
21 *was not intended to be limited by other, separate, and*  
22 *independent provisions of part A of title IV of the So-*  
23 *cial Security Act (42 U.S.C. 601 et seq.);*

24 *(3) under section 402(a)(7)(A)(iii) of such Act*  
25 *(42 U.S.C. 602(a)(7)(A)(iii)), requirements under the*  
26 *temporary assistance for needy families program*

1 under part A of title IV of such Act may, for good  
2 cause, be waived for so long as necessary; and

3 (4) good cause waivers granted pursuant to sec-  
4 tion 402(a)(7)(A)(iii) of such Act (42 U.S.C.  
5 602(a)(7)(A)(iii)) are intended to be temporary and  
6 directed only at particular program requirements  
7 when needed on an individual case-by-case basis, and  
8 are intended to facilitate the ability of victims of do-  
9 mestic violence to move forward and meet program  
10 requirements when safe and feasible without inter-  
11 ference by domestic violence.

12 (b) CLARIFICATION OF WAIVER PROVISIONS.—

13 (1) IN GENERAL.—Section 402(a)(7) of the So-  
14 cial Security Act (42 U.S.C. 602(a)(7)) is amended  
15 by adding at the end the following:

16 “(C) NO NUMERICAL LIMITS.—In imple-  
17 menting this paragraph, a State shall not be  
18 subject to any numerical limitation in the grant-  
19 ing of good cause waivers under subparagraph  
20 (A)(iii).

21 “(D) WAIVERED INDIVIDUALS NOT IN-  
22 CLUDED FOR PURPOSES OF CERTAIN OTHER  
23 PROVISIONS OF THIS PART.—Any individual to  
24 whom a good cause waiver of compliance with  
25 this Act has been granted in accordance with

1           subparagraph (A)(iii) shall not be included for  
2           purposes of determining a State’s compliance  
3           with the participation rate requirements set  
4           forth in section 407, for purposes of applying the  
5           limitation described in section 408(a)(7)(C)(ii),  
6           or for purposes of determining whether to impose  
7           a penalty under paragraph (3), (5), or (9) of sec-  
8           tion 409(a).”.

9           (2) *EFFECTIVE DATE.*—The amendment made by  
10          paragraph (1) takes effect as if it had been included  
11          in the enactment of section 103(a) of the *Personal Re-*  
12          *sponsibility and Work Opportunity Reconciliation*  
13          *Act of 1996 (Public Law 104–193; 110 Stat. 2112).*

14          (c) *FEDERAL PARENT LOCATOR SERVICE.*—

15               (1) *IN GENERAL.*—Section 453 of the *Social Se-*  
16          *curity Act (42 U.S.C. 653)*, as amended by section  
17          5534 of the *Balanced Budget Act of 1997 (Public Law*  
18          105–33; 111 Stat. 627), is amended—

19                       (A) in subsection (b)(2)—

20                               (i) in the matter preceding subpara-  
21                               graph (A), by inserting “or that the health,  
22                               safety, or liberty or a parent or child would  
23                               by unreasonably put at risk by the disclo-  
24                               sure of such information,” before “provided  
25                               that”;

1                   (ii) in subparagraph (A), by inserting  
2                   “, that the health, safety, or liberty or a  
3                   parent or child would be unreasonably put  
4                   at risk by the disclosure of such informa-  
5                   tion,” before “and that information”; and

6                   (iii) in subparagraph (B)(i), by strik-  
7                   ing “be harmful to the parent or the child”  
8                   and inserting “place the health, safety, or  
9                   liberty of a parent or child unreasonably at  
10                  risk”; and

11                  (B) in subsection (c)(2), by inserting “, or  
12                  to serve as the initiating court in an action to  
13                  seek and order,” before “against a noncustodial”.

14                  (2) *STATE PLAN.*—Section 454(26) of the Social  
15                  Security Act (42 U.S.C. 654), as amended by section  
16                  5552 of the Balanced Budget Act of 1997 (Public Law  
17                  105–33; 111 Stat. 635), is amended—

18                  (A) in subparagraph (C), by striking “re-  
19                  sult in physical or emotional harm to the party  
20                  or the child” and inserting “place the health,  
21                  safety, or liberty of a parent or child unreason-  
22                  ably at risk”;

23                  (B) in subparagraph (D), by striking “of  
24                  domestic violence or child abuse against a party  
25                  or the child and that the disclosure of such infor-

1            *mation could be harmful to the party or the*  
2            *child” and inserting “that the health, safety, or*  
3            *liberty of a parent or child would be unreason-*  
4            *ably put at risk by the disclosure of such infor-*  
5            *mation”;* and

6            (C) *in subparagraph (E), by striking “of*  
7            *domestic violence” and all that follows through*  
8            *the semicolon and inserting “that the health,*  
9            *safety, or liberty of a parent or child would be*  
10           *unreasonably put at risk by the disclosure of*  
11           *such information pursuant to section 453(b)(2),*  
12           *the court shall determine whether disclosure to*  
13           *any other person or persons of information re-*  
14           *ceived from the Secretary could place the health,*  
15           *safety, or liberty or a parent or child unreason-*  
16           *ably at risk (if the court determines that disclo-*  
17           *sure to any other person could be harmful, the*  
18           *court and its agents shall not make any such*  
19           *disclosure);”.*

20           (3) *EFFECTIVE DATE.—The amendments made*  
21           *by this section shall take effect 1 day after the effec-*  
22           *tive date described in section 5557(a) of the Balanced*  
23           *Budget Act of 1997 (Public Law 105–33).*

24           SEC. 221. (a) *TRANSFER.—Using \$5,000,000 of the*  
25           *amounts appropriated under this title, the Secretary of*

1 *Health and Human Services shall carry out activities*  
2 *under subsection (b) to address urgent health threats posed*  
3 *by E. coli:0157H7.*

4 *(b) USE OF FUNDS.—From amounts transferred under*  
5 *subsection (a) the Secretary of Health and Human Services*  
6 *shall—*

7 *(1) provide \$1,000,000 for the development of*  
8 *improved medical treatments for patients infected*  
9 *with E. coli:0157H7-related disease (HUS);*

10 *(2) provide \$550,000 to fund ongoing research to*  
11 *detect or prevent colonization of E. coli:0157H7 in*  
12 *live cattle;*

13 *(3) provide, through the existing partnership be-*  
14 *tween the Federal Government, industry, and*  
15 *consumer groups, \$1,000,000 for the National*  
16 *Consumer Education Campaign on Food Safety as*  
17 *part of the activities to address safe food handling*  
18 *practices;*

19 *(4) provide \$1,000,000 for a study to determine*  
20 *the feasibility of the use of electronic pasteurization*  
21 *on red meats to eliminate pathogens and to carry out*  
22 *activities to educate the public on the safety of that*  
23 *process; and*

24 *(5) provide \$1,000,000 for a contract to be en-*  
25 *tered into with the National Academy of Sciences to*

1        *assess the effectiveness of testing to ensure zero toler-*  
2        *ance of E. coli:0157H7 in raw ground beef products.*

3        *This title may be cited as the “Department of Health*  
4        *and Human Services Appropriations Act, 1998”.*

5                *TITLE III—DEPARTMENT OF EDUCATION*

6                        *EDUCATION REFORM*

7        *For carrying out activities authorized by titles III and*  
8        *IV of the Goals 2000: Educate America Act, the School-to-*  
9        *Work Opportunities Act, and sections 3132, 3136, and 3141*  
10        *of the Elementary and Secondary Education Act of 1965,*  
11        *\$1,271,000,000, of which \$530,000,000 for the Goals 2000:*  
12        *Educate America Act and \$200,000,000 for the School-to-*  
13        *Work Opportunities Act shall become available on July 1,*  
14        *1998, and remain available through September 30, 1999:*  
15        *Provided, That none of the funds appropriated under this*  
16        *heading shall be obligated or expended to carry out section*  
17        *304(a)(2)(A) of the Goals 2000: Educate America Act, ex-*  
18        *cept that no more than \$1,500,000 may be used to carry*  
19        *out activities under section 314(a)(2) of that Act: Provided*  
20        *further, That section 315(a)(2) of the Goals 2000 Act shall*  
21        *not apply: Provided further, That up to one-half of one per-*  
22        *cent of the amount available under section 3132 shall be*  
23        *set aside for the outlying areas, to be distributed on the*  
24        *basis of their relative need as determined by the Secretary*  
25        *in accordance with the purposes of the program: Provided*



1 *further, That if any State educational agency does not*  
2 *apply for a grant under section 3132, that State's allotment*  
3 *under section 3131 shall be reserved by the Secretary for*  
4 *grants to local educational agencies in that State that apply*  
5 *directly to the Secretary according to the terms and condi-*  
6 *tions published by the Secretary in the Federal Register.*

7 *EDUCATION FOR THE DISADVANTAGED*

8 *For carrying out title I of the Elementary and Second-*  
9 *ary Education Act of 1965, and section 418A of the Higher*  
10 *Education Act, \$7,807,349,000, of which \$6,488,271,000*  
11 *shall become available on July 1, 1998, and shall remain*  
12 *available through September 30, 1999, and of which*  
13 *\$1,298,386,000 shall become available on October 1, 1998*  
14 *and shall remain available through September 30, 1999, for*  
15 *academic year 1998–1999: Provided, That \$6,273,712,000*  
16 *shall be available for basic grants under section 1124: Pro-*  
17 *vided further, That up to \$4,000,000 of these funds shall*  
18 *be available to the Secretary on October 1, 1997, to obtain*  
19 *updated local-educational-agency-level census poverty data*  
20 *from the Bureau of the Census: Provided further, That*  
21 *\$1,022,020,000 shall be available for concentration grants*  
22 *under section 1124A, \$6,977,000 shall be available for eval-*  
23 *uations under section 1501 and not more than \$7,500,000*  
24 *shall be reserved for section 1308, of which not more than*  
25 *\$3,000,000 shall be reserved for section 1308(d): Provided*  
26 *further, That grant awards under section 1124 and 1124(A)*

1 *of title I of the Elementary and Secondary Education Act*  
2 *shall be made to each State or local educational agency at*  
3 *no less than 100 percent of the amount such State or local*  
4 *educational agency received under this authority for fiscal*  
5 *year 1997 under Public Laws 104–208 and 105–18: Pro-*  
6 *vided further, That in determining State allocations under*  
7 *any other program administered by the Secretary, amounts*  
8 *provided under Public Law 105–18, or equivalent amounts*  
9 *provided for in this bill, will not be taken into account in*  
10 *determining State allocations.*

11 *IMPACT AID*

12 *For carrying out programs of financial assistance to*  
13 *federally affected schools authorized by title VIII of the Ele-*  
14 *mentary and Secondary Education Act of 1965,*  
15 *\$794,500,000, of which \$623,500,000 shall be for basic sup-*  
16 *port payments under section 8003(b), \$80,000,000 shall be*  
17 *for payments for children with disabilities under section*  
18 *8003(d), \$52,000,000, to remain available until expended,*  
19 *shall be for payments under section 8003(f), \$5,000,000*  
20 *shall be for construction under section 8007, and*  
21 *\$24,000,000 shall be for Federal property payments under*  
22 *section 8002 and \$10,000,000, to remain available until ex-*  
23 *pended, shall be for facilities maintenance under section*  
24 *8008.*



1 *boundaries of a national monument for Federal lands*  
2 *outside the boundaries of the monument; and*

3 *(2) the State educational agency is eligible to re-*  
4 *ceive a grant under paragraph (1) only if the agency*  
5 *serves a State that—*

6 *(A) has a national monument declared*  
7 *within the State under the authority of the Act*  
8 *entitled “An Act for the preservation of Amer-*  
9 *ican antiquities”, approved June 8, 1906 (16*  
10 *U.S.C. 431 et seq.) (commonly known as the An-*  
11 *tiquities Act of 1906) that incorporates more*  
12 *than 100,000 acres of State school trust lands*  
13 *within the boundaries of the national monument;*  
14 *and*

15 *(B) ranks in the lowest 25 percent of all*  
16 *States when comparing the average per pupil ex-*  
17 *penditure (as defined in section 14101 of the El-*  
18 *ementary and Secondary Education Act of 1965*  
19 *(20 U.S.C. 8801)) in the State to the average per*  
20 *pupil expenditure for each State in the United*  
21 *States.*

22 *INDIAN EDUCATION*

23 *For expenses necessary to carry out, to the extent not*  
24 *otherwise provided, title IX, part A of the Elementary and*  
25 *Secondary Education Act of 1965, as amended, and section*

1 215 of the Department of Education Organization Act,  
2 \$62,600,000.

3 *BILINGUAL AND IMMIGRANT EDUCATION*

4 *For carrying out, to the extent not otherwise provided,*  
5 *bilingual, foreign language and immigrant education ac-*  
6 *tivities authorized by parts A and C and section 7203 of*  
7 *title VII of the Elementary and Secondary Education Act,*  
8 *without regard to section 7103(b), \$354,000,000: Provided,*  
9 *That State educational agencies may use all, or any part*  
10 *of, their part C allocation for competitive grants to local*  
11 *educational agencies: Provided further, That the Depart-*  
12 *ment of Education should only support instructional pro-*  
13 *grams which ensure that students completely master Eng-*  
14 *lish in a timely fashion (a period of three to five years)*  
15 *while meeting rigorous achievement standards in the aca-*  
16 *demic content areas.*

17 *SPECIAL EDUCATION*

18 *For carrying out the Individuals with Disabilities*  
19 *Education Act, \$4,958,073,000, of which \$4,713,112,000*  
20 *shall become available for obligation on July 1, 1998, and*  
21 *shall remain available through September 30, 1999: Pro-*  
22 *vided, That \$1,500,000 of the funds provided shall be for*  
23 *section 687(b)(2)(G), and shall remain available until ex-*  
24 *pendent.*

1     *REHABILITATION SERVICES AND DISABILITY RESEARCH*

2           *For carrying out, to the extent not otherwise provided,*  
3 *the Rehabilitation Act of 1973, the Technology-Related As-*  
4 *sistance for Individuals with Disabilities Act, and the*  
5 *Helen Keller National Center Act, as amended,*  
6 *\$2,591,286,000.*

7     *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*8           *AMERICAN PRINTING HOUSE FOR THE BLIND*

9           *For carrying out the Act of March 3, 1879, as amended*  
10 *(20 U.S.C. 101 et seq.), \$7,906,000.*

11           *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

12           *For the National Technical Institute for the Deaf*  
13 *under titles I and II of the Education of the Deaf Act of*  
14 *1986 (20 U.S.C. 4301 et seq.), \$44,141,000: Provided, That*  
15 *from the amount available, the Institute may at its discre-*  
16 *tion use funds for the endowment program as authorized*  
17 *under section 207.*

18           *GALLAUDET UNIVERSITY*

19           *For the Kendall Demonstration Elementary School,*  
20 *the Model Secondary School for the Deaf, and the partial*  
21 *support of Gallaudet University under titles I and II of*  
22 *the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et*  
23 *seq.), \$81,000,000: Provided, That from the amount avail-*  
24 *able, the University may at its discretion use funds for the*  
25 *endowment program as authorized under section 207.*



1 *available through September 30, 1999: Provided, That,*  
2 *\$35,000,000 shall be available for State Student Incentive*  
3 *grants derived from unobligated balances: Provided further,*  
4 *That \$60,000,000 shall be for education infrastructure au-*  
5 *thorized under title XII of the Elementary and Secondary*  
6 *Education Act to be derived from unobligated balances.*

7 *The maximum Pell Grant for which a student shall*  
8 *be eligible during award year 1998–1999 shall be \$3,000:*  
9 *Provided, That notwithstanding section 401(g) of the Act,*  
10 *if the Secretary determines, prior to publication of the pay-*  
11 *ment schedule for such award year, that the amount in-*  
12 *cluded within this appropriation for Pell Grant awards in*  
13 *such award year, and any funds available from the fiscal*  
14 *year 1997 appropriation for Pell Grant awards, are insuffi-*  
15 *cient to satisfy fully all such awards for which students are*  
16 *eligible, as calculated under section 401(b) of the Act, the*  
17 *amount paid for each such award shall be reduced by either*  
18 *a fixed or variable percentage, or by a fixed dollar amount,*  
19 *as determined in accordance with a schedule of reductions*  
20 *established by the Secretary for this purpose.*

21 *FEDERAL FAMILY EDUCATION LOAN PROGRAM ACCOUNT*

22 *For Federal administrative expenses to carry out*  
23 *guaranteed student loans authorized by title IV, part B, of*  
24 *the Higher Education Act, as amended, \$46,482,000.*



1 *HIGHER EDUCATION*

2 *For carrying out, to the extent not otherwise provided,*  
3 *parts A and B of title III, without regard to section*  
4 *360(a)(1)(B)(ii), titles IV, V, VI, VII, and IX, and part*  
5 *A and subpart 1 of parts B and E of title X and title XI*  
6 *of the Higher Education Act of 1965, as amended, part G*  
7 *of title XV of Public Law 102–325, the Mutual Educational*  
8 *and Cultural Exchange Act of 1961, and Public Law 102–*  
9 *423; \$929,752,000, of which \$13,700,000 for interest sub-*  
10 *sidies under title VII of the Higher Education Act shall re-*  
11 *main available until expended: Provided, That funds avail-*  
12 *able for part D of title IX of the Higher Education Act*  
13 *shall be available to fund new and noncompeting continu-*  
14 *ation awards for academic year 1998–1999 for fellowships*  
15 *awarded originally under part C of title IX of said Act,*  
16 *under the terms and conditions of part C.*

17 *HOWARD UNIVERSITY*

18 *For partial support of Howard University (20 U.S.C.*  
19 *121 et seq.), \$198,000,000: Provided, That not less than*  
20 *\$3,530,000, shall be for a matching endowment grant pur-*  
21 *suant to the Howard University Endowment Act (Public*  
22 *Law 98–480) and shall remain available until expended.*

23 *COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS*24 *PROGRAM*

25 *For Federal administrative expenses to carry out ac-*  
26 *tivities related to facility loans entered into under title VII,*

1 *part C and section 702 of the Higher Education Act, as*  
2 *amended, \$698,000.*

3 *HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL*  
4 *FINANCING, PROGRAM ACCOUNT*

5 *The total amount of bonds insured pursuant to section*  
6 *724 of title VII, part B of the Higher Education Act shall*  
7 *not exceed \$357,000,000, and the cost, as defined in section*  
8 *502 of the Congressional Budget Act of 1974, of such bonds*  
9 *shall not exceed zero.*

10 *For administrative expenses to carry out the Histori-*  
11 *cally Black College and University Capital Financing Pro-*  
12 *gram entered into pursuant to title VII, part B of the High-*  
13 *er Education Act, as amended, \$104,000.*

14 *EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT*

15 *For carrying out activities authorized by the Edu-*  
16 *cational Research, Development, Dissemination, and Im-*  
17 *provement Act of 1994, including part E; the National*  
18 *Education Statistics Act of 1994; section 2102 of title II,*  
19 *and parts B, C, and D of title III, and parts A, B, I, and*  
20 *K and section 10601 of title X, and part C of title XIII*  
21 *of the Elementary and Secondary Education Act of 1965,*  
22 *as amended, and title VI of Public Law 103–227,*  
23 *\$362,225,000.*

24 *CHILD LITERACY INITIATIVE*

25 *For carrying out a child literacy initiative,*  
26 *\$260,000,000, which shall become available on October 1,*

1 1998 and shall remain available through September 30,  
2 1999 only if specifically authorized by subsequent legisla-  
3 tion enacted by April 1, 1998.

4 *INSTITUTE OF MUSEUM AND LIBRARY SERVICES*

5 *For carrying out subtitle B of the Museum and Li-*  
6 *brary Services Act, \$146,369,000, of which \$15,455,000*  
7 *shall be for national leadership grants, notwithstanding sec-*  
8 *tion 221(a)(1)(B).*

9 *DEPARTMENTAL MANAGEMENT*

10 *PROGRAM ADMINISTRATION*

11 *For carrying out, to the extent not otherwise provided,*  
12 *the Department of Education Organization Act, including*  
13 *rental of conference rooms in the District of Columbia and*  
14 *hire of two passenger motor vehicles, \$340,064,000: Pro-*  
15 *vided, That \$1,100,000 shall be used for the Millennium*  
16 *2000 project.*

17 *OFFICE FOR CIVIL RIGHTS*

18 *For expenses necessary for the Office for Civil Rights,*  
19 *as authorized by section 203 of the Department of Edu-*  
20 *cation Organization Act, \$57,522,000.*

21 *OFFICE OF THE INSPECTOR GENERAL*

22 *For expenses necessary for the Office of the Inspector*  
23 *General, as authorized by section 212 of the Department*  
24 *of Education Organization Act, \$32,000,000.*





1 *for grants for the establishment, operation, and evaluation*  
2 *of pilot student safety toll-free hotlines to provide elemen-*  
3 *tary school and secondary school students with confidential*  
4 *assistance regarding school crime, violence, drug dealing,*  
5 *and threats to the personal safety of the students.*

6       *SEC. 307. The Secretary of Education shall annually*  
7 *provide to the Committee on Labor and Human Resources*  
8 *and the Committee on Appropriations of the Senate and*  
9 *the Committee on Education and the Workforce and the*  
10 *Committee on Appropriations of the House of Representa-*  
11 *tives a certification that not less than 95 percent of the*  
12 *amount appropriated for a fiscal year for the activities of*  
13 *the Department of Education is being used directly for*  
14 *teachers and students. If the Secretary determines that less*  
15 *than 95 percent of such amount appropriated for a fiscal*  
16 *year is being used directly for teachers and students, the*  
17 *Secretary shall certify the percentage of such amount that*  
18 *is being directly used for teachers and students.*

19       *SEC. 308. (a) The Secretary of Education shall con-*  
20 *duct a study that examines—*

21               *(1) the economic, educational, and societal costs*  
22 *of—*

23                       *(A) the increase in enrollments of secondary*  
24 *school students during the period 1998 through*  
25 *2008;*

1           (B) the creation of smaller class sizes for  
2           students enrolled in grades 1 through 3; and

3           (C) the increase in enrollments described in  
4           subparagraph (A) in relation to the creation of  
5           smaller class sizes described in subparagraph  
6           (B); and

7           (2) the costs to States and local school districts  
8           for taking no action with respect to such increase in  
9           enrollments and smaller class sizes.

10          (b) The Secretary of Education shall report to Con-  
11          gress within 9 months of the date of enactment of this Act  
12          regarding the results of the study conducted under sub-  
13          section (a). Such report shall include recommendations re-  
14          garding what local school districts, States and the Federal  
15          Government can do to address the issue of the increase in  
16          enrollments of secondary school students and the need for  
17          smaller class sizes in grades 1 through 3.

18          SEC. 309. (a) The Senate finds that—

19               (1) Federal Pell Grants are a crucial source of  
20               college aid for low- and middle-income students;

21               (2) in addition to the increase in the maximum  
22               Federal Pell Grant from \$2,700 to \$3,000, which will  
23               increase aid to more than 3,600,000 low- and middle-  
24               income students, our Nation should provide addi-  
25               tional funds to help more than 250,000 independent

1        *and dependent students obtain crucial aid in order to*  
2        *help the students obtain the education, training, or*  
3        *retraining the students need to obtain good jobs;*

4            *(3) our Nation needs to help children learn to*  
5        *read well in fiscal year 1998, as 40 percent of the Na-*  
6        *tion's young children cannot read at the basic level;*  
7        *and*

8            *(4) the Bipartisan Budget Agreement includes a*  
9        *total funding level for fiscal year 1998 of*  
10       *\$7,600,000,000 for Federal Pell Grants, and of*  
11       *\$260,000,000 for a child literacy initiative.*

12        *(b) It is the sense of the Senate that prompt action*  
13       *should be taken by the authorizing committees to—*

14            *(1) make the change in the needs analysis for*  
15        *Federal Pell Grants for independent and for depend-*  
16        *ent students; and*

17            *(2) enact legislation and authorize the funds*  
18        *needed to cover the cost of the changes for a*  
19        *\$260,000,000 child literacy initiative.*

20        *(c) It is the sense of the Senate that the maximum level*  
21       *possible of fiscal year 1998 funding should be achieved in*  
22       *the appropriations conference committee.*

23        *This title may be cited as the “Department of Edu-*  
24       *cation Appropriations Act, 1998”.*





1 *receptions, parties, or similar forms of entertainment for*  
2 *Government officials or employees: Provided further, That*  
3 *none of the funds contained in this paragraph shall be*  
4 *available or used to aid or support any program or activity*  
5 *from which any person is excluded, or is denied benefits,*  
6 *or is discriminated against, on the basis of race, color, na-*  
7 *tional origin, religion, or sex.*

8 *FEDERAL MEDIATION AND CONCILIATION SERVICE*

9 *SALARIES AND EXPENSES*

10 *For expenses necessary for the Federal Mediation and*  
11 *Conciliation Service to carry out the functions vested in*  
12 *it by the Labor Management Relations Act, 1947 (29 U.S.C.*  
13 *171–180, 182–183), including hire of passenger motor vehi-*  
14 *cles; and for expenses necessary for the Labor-Management*  
15 *Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses*  
16 *necessary for the Service to carry out the functions vested*  
17 *in it by the Civil Service Reform Act, Public Law 95-454*  
18 *(5 U.S.C. chapter 71), \$33,481,000, including \$1,500,000,*  
19 *to remain available through September 30, 1999, for activi-*  
20 *ties authorized by the Labor-Management Cooperation Act*  
21 *of 1978 (29 U.S.C. 175a): Provided, That notwithstanding*  
22 *31 U.S.C. 3302, fees charged, up to full-cost recovery, for*  
23 *special training activities and for arbitration services shall*  
24 *be credited to and merged with this account, and shall re-*  
25 *main available until expended: Provided further, That fees*

1 *for arbitration services shall be available only for education,*  
2 *training, and professional development of the agency*  
3 *workforce: Provided further, That the Director of the Service*  
4 *is authorized to accept on behalf of the United States gifts*  
5 *of services and real, personal, or other property in the aid*  
6 *of any projects or functions within the Director's jurisdic-*  
7 *tion.*

8 *FEDERAL MINE SAFETY AND HEALTH REVIEW*

9 *COMMISSION*

10 *SALARIES AND EXPENSES*

11 *For expenses necessary for the Federal Mine Safety*  
12 *and Health Review Commission (30 U.S.C. 801 et seq.),*  
13 *\$6,060,000.*

14 *NATIONAL COMMISSION ON LIBRARIES AND INFORMATION*

15 *SCIENCE*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for the National Commission*  
18 *on Libraries and Information Science, established by the*  
19 *Act of July 20, 1970 (Public Law 91-345, as amended by*  
20 *Public Law 102-95), \$1,000,000.*

21 *NATIONAL COUNCIL ON DISABILITY*

22 *SALARIES AND EXPENSES*

23 *For expenses necessary for the National Council on*  
24 *Disability as authorized by title IV of the Rehabilitation*  
25 *Act of 1973, as amended, \$1,793,000.*

1                    *NATIONAL EDUCATION GOALS PANEL*

2            *For expenses necessary for the National Education*  
3 *Goals Panel, as authorized by title II, part A of the Goals*  
4 *2000: Educate America Act, \$2,000,000.*

5                    *NATIONAL LABOR RELATIONS BOARD*6                                    *SALARIES AND EXPENSES*

7            *For expenses necessary for the National Labor Rela-*  
8 *tions Board to carry out the functions vested in it by the*  
9 *Labor-Management Relations Act, 1947, as amended (29*  
10 *U.S.C. 141–167), and other laws, \$174,661,000: Provided,*  
11 *That no part of this appropriation shall be available to or-*  
12 *ganize or assist in organizing agricultural laborers or used*  
13 *in connection with investigations, hearings, directives, or*  
14 *orders concerning bargaining units composed of agricul-*  
15 *tural laborers as referred to in section 2(3) of the Act of*  
16 *July 5, 1935 (29 U.S.C. 152), and as amended by the*  
17 *Labor-Management Relations Act, 1947, as amended, and*  
18 *as defined in section 3(f) of the Act of June 25, 1938 (29*  
19 *U.S.C. 203), and including in said definition employees en-*  
20 *gaged in the maintenance and operation of ditches, canals,*  
21 *reservoirs, and waterways when maintained or operated on*  
22 *a mutual, nonprofit basis and at least 95 per centum of*  
23 *the water stored or supplied thereby is used for farming*  
24 *purposes: Provided further, That none of the funds made*  
25 *available by this Act shall be used in any way to promul-*

1 *gate a final rule (altering 29 CFR part 103) regarding sin-*  
2 *gle location bargaining units in representation cases.*

3 *NATIONAL MEDIATION BOARD*

4 *SALARIES AND EXPENSES*

5 *For expenses necessary to carry out the provisions of*  
6 *the Railway Labor Act, as amended (45 U.S.C. 151–188),*  
7 *including emergency boards appointed by the President,*  
8 *\$8,600,000: Provided, That unobligated balances at the end*  
9 *of fiscal year 1998 not needed for emergency boards shall*  
10 *remain available for other statutory purposes through Sep-*  
11 *tember 30, 1999.*

12 *OCCUPATIONAL SAFETY AND HEALTH REVIEW*

13 *COMMISSION*

14 *SALARIES AND EXPENSES*

15 *For expenses necessary for the Occupational Safety*  
16 *and Health Review Commission (29 U.S.C. 661),*  
17 *\$7,800,000.*

18 *PHYSICIAN PAYMENT REVIEW COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For expenses necessary to carry out section 1845(a) of*  
21 *the Social Security Act, \$3,508,000, to be transferred to this*  
22 *appropriation from the Federal Supplementary Medical In-*  
23 *surance Trust Fund.*

1        *PROSPECTIVE PAYMENT ASSESSMENT COMMISSION*2                                *SALARIES AND EXPENSES*

3        *For expenses necessary to carry out section 1886(e) of*  
4 *the Social Security Act, \$3,507,000, to be transferred to this*  
5 *appropriation from the Federal Hospital Insurance and the*  
6 *Federal Supplementary Medical Insurance Trust Funds.*

7                                *RAILROAD RETIREMENT BOARD*8                                *DUAL BENEFITS PAYMENTS ACCOUNT*

9        *For payment to the Dual Benefits Payments Account,*  
10 *authorized under section 15(d) of the Railroad Retirement*  
11 *Act of 1974, \$205,500,000, which shall include amounts be-*  
12 *coming available in fiscal year 1998 pursuant to section*  
13 *224(c)(1)(B) of Public Law 98-76; and in addition, an*  
14 *amount, not to exceed 2 percent of the amount provided*  
15 *herein, shall be available proportional to the amount by*  
16 *which the product of recipients and the average benefit re-*  
17 *ceived exceeds \$205,500,000: Provided, That the total*  
18 *amount provided herein shall be credited in 12 approxi-*  
19 *mately equal amounts on the first day of each month in*  
20 *the fiscal year.*

21        *FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT*22                                *ACCOUNTS*

23        *For payment to the accounts established in the Treas-*  
24 *ury for the payment of benefits under the Railroad Retire-*  
25 *ment Act for interest earned on unnegotiated checks,*  
26 *\$50,000, to remain available through September 30, 1999,*

1 *which shall be the maximum amount available for payment*  
2 *pursuant to section 417 of Public Law 98–76.*

3 *LIMITATION ON ADMINISTRATION*

4 *For necessary expenses for the Railroad Retirement*  
5 *Board for administration of the Railroad Retirement Act*  
6 *and the Railroad Unemployment Insurance Act,*  
7 *\$87,728,000, to be derived in such amounts as determined*  
8 *by the Board from the railroad retirement accounts and*  
9 *from moneys credited to the railroad unemployment insur-*  
10 *ance administration fund.*

11 *LIMITATION ON THE OFFICE OF INSPECTOR GENERAL*

12 *For expenses necessary for the Office of Inspector Gen-*  
13 *eral for audit, investigatory and review activities, as au-*  
14 *thorized by the Inspector General Act of 1978, as amended,*  
15 *not more than \$5,394,000, to be derived from the railroad*  
16 *retirement accounts and railroad unemployment insurance*  
17 *account.*

18 *SOCIAL SECURITY ADMINISTRATION*

19 *PAYMENTS TO SOCIAL SECURITY TRUST FUNDS*

20 *For payment to the Federal Old-Age and Survivors In-*  
21 *surance and the Federal Disability Insurance trust funds,*  
22 *as provided under sections 201(m), 228(g), and 1131(b)(2)*  
23 *of the Social Security Act, \$20,308,000.*

1           *SPECIAL BENEFITS FOR DISABLED COAL MINERS*

2           *For carrying out title IV of the Federal Mine Safety*  
3 *and Health Act of 1977, \$426,090,000, to remain available*  
4 *until expended.*

5           *For making, after July 31 of the current fiscal year,*  
6 *benefit payments to individuals under title IV of the Fed-*  
7 *eral Mine Safety and Health Act of 1977, for costs incurred*  
8 *in the current fiscal year, such amounts as may be nec-*  
9 *essary.*

10          *For making benefit payments under title IV of the Fed-*  
11 *eral Mine Safety and Health Act 1977 for the first quarter*  
12 *of fiscal year 1999, \$160,000,000, to remain available until*  
13 *expended.*

14           *SUPPLEMENTAL SECURITY INCOME PROGRAM*

15          *For carrying out titles XI and XVI of the Social Secu-*  
16 *rity Act, section 401 of Public Law 92-603, section 212*  
17 *of Public Law 93-66, as amended, and section 405 of Public*  
18 *Law 95-216, including payment to the Social Security*  
19 *trust funds for administrative expenses incurred pursuant*  
20 *to section 201(g)(1) of the Social Security Act,*  
21 *\$16,162,525,000, to remain available until expended: Pro-*  
22 *vided, That any portion of the funds provided to a State*  
23 *in the current fiscal year and not obligated by the State*  
24 *during that year shall be returned to the Treasury: Pro-*  
25 *vided further, That not less than \$2,225,000 shall be avail-*  
26 *able for conducting a disability return to work demonstra-*



1 *tion initiative, which focuses on providing persons who*  
2 *have lost limbs with an integrated program of prosthetic*  
3 *and rehabilitative care and job placement assistance.*

4 *From funds provided under the previous paragraph,*  
5 *not less than \$100,000,000 shall be available for payment*  
6 *to the Social Security trust funds for administrative ex-*  
7 *penses for conducting continuing disability reviews.*

8 *In addition, \$175,000,000, to remain available until*  
9 *September 30, 1999, for payment to the Social Security*  
10 *trust funds for administrative expenses for continuing dis-*  
11 *ability reviews as authorized by section 103 of Public Law*  
12 *104–121 and Supplemental Security Income administra-*  
13 *tive work as authorized by Public Law 104–193. The term*  
14 *“continuing disability reviews” means reviews and redeter-*  
15 *minations as defined under section 201(g)(1)(A) of the So-*  
16 *cial Security Act, as amended, and reviews and redeter-*  
17 *minations authorized under section 211 of Public Law 104–*  
18 *193.*

19 *For making, after June 15 of the current fiscal year,*  
20 *benefit payments to individuals under title XVI of the So-*  
21 *cial Security Act, for unanticipated costs incurred for the*  
22 *current fiscal year, such sums as may be necessary.*

23 *For making benefit payments under title XVI of the*  
24 *Social Security Act for the first quarter of fiscal year 1999,*  
25 *\$8,680,000,000, to remain available until expended.*

1            *LIMITATION ON ADMINISTRATIVE EXPENSES*

2            *For necessary expenses, including the hire of two pas-*  
3 *senger motor vehicles, and not to exceed \$10,000 for official*  
4 *reception and representation expenses, not more than*  
5 *\$5,937,708,000 may be expended, as authorized by section*  
6 *201(g)(1) of the Social Security Act, from any one or all*  
7 *of the trust funds referred to therein: Provided, That not*  
8 *less than \$1,268,000 shall be for the Social Security Advi-*  
9 *sory Board: Provided further, That unobligated balances at*  
10 *the end of fiscal year 1998 not needed for fiscal year 1998*  
11 *shall remain available until expended for a state-of-the-art*  
12 *computing network, including related equipment and non-*  
13 *payroll administrative expenses associated solely with this*  
14 *network.*

15            *From funds provided under the previous paragraph,*  
16 *not less than \$200,000,000 shall be available for conducting*  
17 *continuing disability reviews.*

18            *In addition to funding already available under this*  
19 *heading, and subject to the same terms and conditions,*  
20 *\$290,000,000, to remain available until September 30,*  
21 *1999, for continuing disability reviews as authorized by sec-*  
22 *tion 103 of Public Law 104–121, section 10203 of Public*  
23 *Law 105–33 and Supplemental Security Income adminis-*  
24 *trative work as authorized by Public Law 104–193. The*  
25 *term “continuing disability reviews” means reviews and re-*

1 *determinations as defined under section 201(g)(1)(A) of the*  
2 *Social Security Act as amended, and reviews and redeter-*  
3 *minations authorized under section 211 of Public Law 104-*  
4 *193.*

5 *In addition to funding already available under this*  
6 *heading, and subject to the same terms and conditions,*  
7 *\$200,000,000, which shall remain available until expended,*  
8 *to invest in a state-of-the-art computing network, including*  
9 *related equipment and non-payroll administrative expenses*  
10 *associated solely with this network, for the Social Security*  
11 *Administration and the State Disability Determination*  
12 *Services, may be expended from any or all of the trust funds*  
13 *as authorized by section 201(g)(1) of the Social Security*  
14 *Act.*

15 *In addition, \$35,000,000 to be derived from adminis-*  
16 *tration fees in excess of \$5.00 per supplementary payment*  
17 *collected pursuant to section 1616(d) of the Social Security*  
18 *Act or section 212(b)(3) of Public Law 93-66, which shall*  
19 *remain available until expended. To the extent that the*  
20 *amounts collected pursuant to such section 1616(d) or*  
21 *212(b)(3) in fiscal year 1998 exceed \$35,000,000, the*  
22 *amounts shall be available in fiscal year 1999 only to the*  
23 *extent provided in advance in appropriations Acts.*

1                    *OFFICE OF INSPECTOR GENERAL*  
2                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For expenses necessary for the Office of Inspector Gen-*  
4 *eral in carrying out the provisions of the Inspector General*  
5 *Act of 1978, as amended, \$6,265,000, together with not to*  
6 *exceed \$31,089,000, to be transferred and expended as au-*  
7 *thorized by section 201(g)(1) of the Social Security Act from*  
8 *the Federal Old-Age and Survivors Insurance Trust Fund*  
9 *and the Federal Disability Insurance Trust Fund.*

10           *In addition, an amount not to exceed 3 percent of the*  
11 *total provided in this appropriation may be transferred*  
12 *from the “Limitation on Administrative Expenses”, Social*  
13 *Security Administration, to be merged with this account,*  
14 *to be available for the time and purposes for which this*  
15 *account is available: Provided, That notice of such transfers*  
16 *shall be transmitted promptly to the Committees on Appro-*  
17 *priations of the House and Senate.*

18                    *UNITED STATES INSTITUTE OF PEACE*  
19                    *OPERATING EXPENSES*

20           *For necessary expenses of the United States Institute*  
21 *of Peace as authorized in the United States Institute of*  
22 *Peace Act, \$11,160,000.*

23                    *TITLE V—GENERAL PROVISIONS*

24           *SEC. 501. The Secretaries of Labor, Health and*  
25 *Human Services, and Education are authorized to transfer*  
26 *unexpended balances of prior appropriations to accounts*

1 *corresponding to current appropriations provided in this*  
2 *Act: Provided, That such transferred balances are used for*  
3 *the same purpose, and for the same periods of time, for*  
4 *which they were originally appropriated.*

5 *SEC. 502. No part of any appropriation contained in*  
6 *this Act shall remain available for obligation beyond the*  
7 *current fiscal year unless expressly so provided herein.*

8 *SEC. 503. (a) No part of any appropriation contained*  
9 *in this Act shall be used, other than for normal and recog-*  
10 *nized executive-legislative relationships, for publicity or*  
11 *propaganda purposes, for the preparation, distribution, or*  
12 *use of any kit, pamphlet, booklet, publication, radio, tele-*  
13 *vision, or video presentation designed to support or defeat*  
14 *legislation pending before the Congress or any State legisla-*  
15 *ture, except in presentation to the Congress or any State*  
16 *legislature itself.*

17 *(b) No part of any appropriation contained in this*  
18 *Act shall be used to pay the salary or expenses of any grant*  
19 *or contract recipient, or agent acting for such recipient, re-*  
20 *lated to any activity designed to influence legislation or ap-*  
21 *propriations pending before the Congress or any State legis-*  
22 *lature.*

23 *SEC. 504. The Secretaries of Labor and Education are*  
24 *each authorized to make available not to exceed \$15,000*  
25 *from funds available for salaries and expenses under titles*

1 *I and III, respectively, for official reception and representa-*  
2 *tion expenses; the Director of the Federal Mediation and*  
3 *Conciliation Service is authorized to make available for of-*  
4 *ficial reception and representation expenses not to exceed*  
5 *\$2,500 from the funds available for “Salaries and expenses,*  
6 *Federal Mediation and Conciliation Service”; and the*  
7 *Chairman of the National Mediation Board is authorized*  
8 *to make available for official reception and representation*  
9 *expenses not to exceed \$2,500 from funds available for “Sal-*  
10 *aries and expenses, National Mediation Board”.*

11 *SEC. 505. Notwithstanding any other provision of this*  
12 *Act, no funds appropriated under this Act shall be used to*  
13 *carry out any program of distributing sterile needles for*  
14 *the hypodermic injection of any illegal drug unless the Sec-*  
15 *retary of Health and Human Services determines that such*  
16 *programs are effective in preventing the spread of HIV and*  
17 *do not encourage the use of illegal drugs.*

18 *SEC. 506. (a) Purchase of American-Made Equipment*  
19 *and Products.—It is the sense of the Congress that, to the*  
20 *greatest extent practicable, all equipment and products pur-*  
21 *chased with funds made available in this Act should be*  
22 *American-made.*

23 *(b) NOTICE REQUIREMENT.—In providing financial*  
24 *assistance to, or entering into any contract with, any entity*  
25 *using funds made available in this Act, the head of each*

1 *Federal agency, to the greatest extent practicable, shall pro-*  
2 *vide to such entity a notice describing the statement made*  
3 *in subsection (a) by the Congress.*

4       (c) *PROHIBITION OF CONTRACTS WITH PERSONS*  
5 *FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—*  
6 *If it has been finally determined by a court or Federal agen-*  
7 *cy that any person intentionally affixed a label bearing a*  
8 *“Made in America” inscription, or any inscription with*  
9 *the same meaning, to any product sold in or shipped to*  
10 *the United States that is not made in the United States,*  
11 *the person shall be ineligible to receive any contract or sub-*  
12 *contract made with funds made available in this Act, pur-*  
13 *suant to the debarment, suspension, and ineligibility proce-*  
14 *dures described in sections 9.400 through 9.409 of title 48,*  
15 *Code of Federal Regulations.*

16       *SEC. 507. When issuing statements, press releases, re-*  
17 *quests for proposals, bid solicitations and other documents*  
18 *describing projects or programs funded in whole or in part*  
19 *with Federal money, all grantees receiving Federal funds*  
20 *included in this Act, including but not limited to State and*  
21 *local governments and recipients of Federal research grants,*  
22 *shall clearly state (1) the percentage of the total costs of*  
23 *the program or project which will be financed with Federal*  
24 *money, (2) the dollar amount of Federal funds for the*  
25 *project or program, and (3) percentage and dollar amount*

1 *of the total costs of the project or program that will be fi-*  
2 *nanced by nongovernmental sources.*

3 *SEC. 508. (a) None of the funds appropriated under*  
4 *this Act shall be expended for any abortion.*

5 *(b) None of the funds appropriated under this Act shall*  
6 *be expended for health benefits coverage that includes cov-*  
7 *erage of abortion.*

8 *(c) The term “health benefits coverage” means the*  
9 *package of services covered by a managed care provider or*  
10 *organization pursuant to a contract or other arrangement.*

11 *SEC. 509. (a) The limitations established in the preced-*  
12 *ing section shall not apply to an abortion—*

13 *(1) if the pregnancy is the result of an act of*  
14 *rape or incest; or*

15 *(2) in the case where a woman suffers from a*  
16 *physical disorder, physical injury, or physical illness,*  
17 *including a life-endangering physical condition*  
18 *caused by or arising from the pregnancy itself, that*  
19 *would, as certified by a physician, place the woman*  
20 *in danger of death unless an abortion is performed.*

21 *(b) Nothing in the preceding section shall be construed*  
22 *as prohibiting the expenditure by a State, locality, entity,*  
23 *or private person of State, local, or private funds (other*  
24 *than a State’s or locality’s contribution of medicaid match-*



1 *ing funds) for abortion services or coverage of abortion by*  
2 *contract or other arrangement.*

3 *(c) Nothing in the preceding section shall be construed*  
4 *as restricting the ability of any managed care provider or*  
5 *organization from offering abortion coverage or the ability*  
6 *of a State or locality to contract separately with such a*  
7 *provider for such coverage with State funds (other than a*  
8 *State's or locality's contribution of medicaid matching*  
9 *funds).*

10 *SEC. 510. Notwithstanding any other provision of*  
11 *law—*

12 *(1) no amount may be transferred from an ap-*  
13 *propriation account for the Departments of Labor,*  
14 *Health and Human Services, and Education except*  
15 *as authorized in this or any subsequent appropriation*  
16 *Act, or in the Act establishing the program or activity*  
17 *for which funds are contained in this Act;*

18 *(2) no department, agency, or other entity, other*  
19 *than the one responsible for administering the pro-*  
20 *gram or activity for which an appropriation is made*  
21 *in this Act, may exercise authority for the timing of*  
22 *the obligation and expenditure of such appropriation,*  
23 *or for the purpose for which it is obligated and ex-*  
24 *pended, except to the extent and in the manner other-*

1       *wise provided in sections 1512 and 1513 of title 31,*  
2       *United States Code; and*

3               *(3) no funds provided under this Act shall be*  
4       *available for the salary (or any part thereof) of an*  
5       *employee who is reassigned on a temporary detail*  
6       *basis to another position in the employing agency or*  
7       *department or in any other agency or department,*  
8       *unless the detail is independently approved by the*  
9       *head of the employing department or agency.*

10       *SEC. 511. None of the funds made available in this*  
11       *Act may be used to enforce the requirements of section*  
12       *428(b)(1)(U)(iii) of the Higher Education Act of 1965 with*  
13       *respect to any lender when it is made known to the Federal*  
14       *official having authority to obligate or expend such funds*  
15       *that the lender has a loan portfolio under part B of title*  
16       *IV of such Act that is equal to or less than \$5,000,000.*

17       *SEC. 512. (a) None of the funds made available in this*  
18       *Act may be used for—*

19               *(1) the creation of a human embryo or embryos*  
20       *for research purposes; or*

21               *(2) research in which a human embryo or em-*  
22       *bryos are destroyed, discarded, or knowingly subjected*  
23       *to risk of injury or death greater than that allowed*  
24       *for research on fetuses in utero under 45 CFR*

1       46.208(a)(2) and section 498(b) of the Public Health  
2       Service Act (42 U.S.C. 289g(b)).

3       (b) For purposes of this section, the term “human em-  
4       bryo or embryos” include any organism, not protected as  
5       a human subject under 45 CFR 46 as of the date of the  
6       enactment of this Act, that is derived by fertilization, par-  
7       thenogenesis, cloning, or any other means from one or more  
8       human gametes or human diploid cells.

9       SEC. 513. (a) LIMITATION ON USE OF FUNDS FOR  
10       PROMOTION OF LEGALIZATION OF CONTROLLED SUB-  
11       STANCES.—None of the funds made available in this Act  
12       may be used for any activity when it is made known to  
13       the Federal official having authority to obligate or expend  
14       such funds that the activity promotes the legalization of any  
15       drug or other substance included in schedule I of the sched-  
16       ules of controlled substances established by section 202 of  
17       the Controlled Substances Act (21 U.S.C. 812).

18       (b) EXCEPTIONS.—The limitation in subsection (a)  
19       shall not apply when it is made known to the Federal offi-  
20       cial having authority to obligate or expend such funds that  
21       there is significant medical evidence of a therapeutic advan-  
22       tage to the use of such drug or other substance or that Feder-  
23       ally-sponsored clinical trials are being conducted to deter-  
24       mine therapeutic advantage.

1       *SEC. 514. None of the funds made available in this*  
2 *Act may be obligated or expended to enter into or renew*  
3 *a contract with an entity when it is made known to the*  
4 *Federal official having authority to obligate or expend such*  
5 *funds that—*

6           *(1) such entity is otherwise a contractor with the*  
7 *United States and is subject to the requirement in*  
8 *section 4212(d) of title 38, United States Code, re-*  
9 *garding submission of an annual report to the Sec-*  
10 *retary of Labor concerning employment of certain vet-*  
11 *erans; and*

12           *(2) such entity has not submitted a report as re-*  
13 *quired by that section for the most recent year for*  
14 *which such requirement was applicable to such entity.*

15       *SEC. 515. (a) FEES FOR FEDERAL ADMINISTRATION*  
16 *OF STATE SUPPLEMENTARY SSI PAYMENTS.—*

17           *(1) OPTIONAL STATE SUPPLEMENTARY PAY-*  
18 *MENTS.—*

19           *(A) IN GENERAL.—Section 1616(d)(2)(B) of*  
20 *the Social Security Act (42 U.S.C.*  
21 *1382e(d)(2)(B)) is amended—*

22                   *(i) by striking “and” at the end of*  
23 *clause (ii); and*

24                   *(ii) by striking clause (iv) and insert-*  
25 *ing the following:*

1           “(iv) for fiscal year 1997, \$5.00;  
2           “(v) for fiscal year 1998, \$6.20;  
3           “(vi) for fiscal year 1999, \$7.60;  
4           “(vii) for fiscal year 2000, \$7.80;  
5           “(viii) for fiscal year 2001, \$8.10;  
6           “(ix) for fiscal year 2002, \$8.50; and  
7           “(x) for fiscal year 2003 and each succeeding fis-  
8           cal year—

9                   “(I) the applicable rate in the preceding fis-  
10                  cal year, increased by the percentage, if any, by  
11                  which the Consumer Price Index for the month  
12                  of June of the calendar year of the increase ex-  
13                  ceeds the Consumer Price Index for the month of  
14                  June of the calendar year preceding the calendar  
15                  year of the increase, and rounded to the nearest  
16                  whole cent; or

17                   “(II) such different rate as the Commis-  
18                  sioner determines is appropriate for the State.”.

19                  (B) CONFORMING AMENDMENT.—Section  
20                  1616(d)(2)(C) of such Act (42 U.S.C.  
21                  1382e(d)(2)(C)) is amended by striking  
22                  “(B)(iv)” and inserting “(B)(x)(II)”.

23                  (2) MANDATORY STATE SUPPLEMENTARY PAY-  
24                  MENTS.—

1           (A) *IN GENERAL.*—Section 212(b)(3)(B)(ii)  
2 of Public Law 93–66 (42 U.S.C. 1382 note) is  
3 amended—

4           (i) by striking “and” at the end of sub-  
5 clause (III); and

6           (ii) by striking subclause (IV) and in-  
7 serting the following:

8           “(IV) for fiscal year 1997, \$5.00;

9           “(V) for fiscal year 1998, \$6.20;

10           “(VI) for fiscal year 1999, \$7.60;

11           “(VII) for fiscal year 2000, \$7.80;

12           “(VIII) for fiscal year 2001, \$8.10;

13           “(IX) for fiscal year 2002, \$8.50; and

14           “(X) for fiscal year 2003 and each succeeding  
15 fiscal year—

16           “(aa) the applicable rate in the preceding  
17 fiscal year, increased by the percentage, if any,  
18 by which the Consumer Price Index for the  
19 month of June of the calendar year of the in-  
20 crease exceeds the Consumer Price Index for the  
21 month of June of the calendar year preceding the  
22 calendar year of the increase, and rounded to the  
23 nearest whole cent; or

24           “(bb) such different rate as the Commis-  
25 sioner determines is appropriate for the State.”.

1                   (B) *CONFORMING AMENDMENT.*—Section  
2                   212(b)(3)(B)(iii) of such Act (42 U.S.C. 1382  
3                   note) is amended by striking “(i)(IV)” and in-  
4                   serting “(i)(X)(bb)”.

5                   (b) *USE OF NEW FEES TO DEFRAY THE SOCIAL SECU-*  
6                   *RITY ADMINISTRATION’S ADMINISTRATIVE EXPENSES.*—

7                   (1) *CREDIT TO SPECIAL FUND FOR FISCAL YEAR*  
8                   *1998 AND SUBSEQUENT YEARS.*—

9                   (A) *OPTIONAL STATE SUPPLEMENTARY PAY-*  
10                   *MENT FEES.*—Section 1616(d)(4) of the Social  
11                   Security Act (42 U.S.C. 1382e(d)(4)) is amended  
12                   to read as follows:

13                   “(4)(A) The first \$5 of each administration fee assessed  
14                   pursuant to paragraph (2), upon collection, shall be depos-  
15                   ited in the general fund of the Treasury of the United States  
16                   as miscellaneous receipts.

17                   “(B) That portion of each administration fee in excess  
18                   of \$5, and 100 percent of each additional services fee  
19                   charged pursuant to paragraph (3), upon collection for fis-  
20                   cal year 1998 and each subsequent fiscal year, shall be cred-  
21                   ited to a special fund established in the Treasury of the  
22                   United States for State supplementary payment fees. The  
23                   amounts so credited, to the extent and in the amounts pro-  
24                   vided in advance in appropriations Acts, shall be available

1 to defray expenses incurred in carrying out this title and  
2 related laws.”.

3 (B) MANDATORY STATE SUPPLEMENTARY  
4 PAYMENT FEES.—Section 212(b)(3)(D) of Public  
5 Law 93–66 (42 U.S.C. 1382 note) is amended to  
6 read as follows:

7 “(D)(i) The first \$5 of each administration fee assessed  
8 pursuant to subparagraph (B), upon collection, shall be de-  
9 posited in the general fund of the Treasury of the United  
10 States as miscellaneous receipts.

11 “(ii) The portion of each administration fee in excess  
12 of \$5, and 100 percent of each additional services fee  
13 charged pursuant to subparagraph (C), upon collection for  
14 fiscal year 1998 and each subsequent fiscal year, shall be  
15 credited to a special fund established in the Treasury of  
16 the United States for State supplementary payment fees.  
17 The amounts so credited, to the extent and in the amounts  
18 provided in advance in appropriations Acts, shall be avail-  
19 able to defray expenses incurred in carrying out this section  
20 and title XVI of the Social Security Act and related laws.”.

21 (2) LIMITATIONS ON AUTHORIZATION OF APPRO-  
22 PRIATIONS.—From amounts credited pursuant to sec-  
23 tion 1616(d)(4)(B) of the Social Security Act and sec-  
24 tion 212(b)(3)(D)(ii) of Public Law 93–66 to the spe-  
25 cial fund established in the Treasury of the United



1       *States for State supplementary payment fees, there is*  
2       *authorized to be appropriated an amount not to ex-*  
3       *ceed \$35,000,000 for fiscal year 1998, and such sums*  
4       *as may be necessary for each fiscal year thereafter, for*  
5       *administrative expenses in carrying out the supple-*  
6       *mental security income program under title XVI of*  
7       *the Social Security Act and related laws.*

8       *SEC. 516. Section 520(c)(2)(D) of Departments of*  
9       *Labor, Health and Human Services, and Education, and*  
10       *Related Agencies Appropriations Act, 1997, is amended by*  
11       *striking “September 30, 1997” and inserting in lieu thereof*  
12       *“December 31, 1997”.*

13       *SEC. 517. Of the budgetary resources available to agen-*  
14       *cies funded in this Act for salaries and expenses during fis-*  
15       *cal year 1998, \$75,500,000, to be allocated by the Office*  
16       *of Management and Budget, are permanently canceled: Pro-*  
17       *vided further, That this provision shall not apply to the*  
18       *Food and Drug Administration and the Indian Health*  
19       *Service.*

20       *SEC. 518. REPEAL OF TOBACCO INDUSTRY SETTLE-*  
21       *MENT CREDIT.—Subsection (k) of section 9302 of the Bal-*  
22       *anced Budget Act of 1997, as added by section 1604(f)(3)*  
23       *of the Taxpayer Relief Act of 1997, is repealed.*

24       *SEC. 519. (a) GENERAL LIMITATION.—Notwithstand-*  
25       *ing any other provision of law, if any attorneys’ fees are*

1 *paid (on behalf of attorneys for the plaintiffs or defendants)*  
2 *in connection with an action maintained by a State*  
3 *against one or more tobacco companies to recover tobacco-*  
4 *related medicaid expenditures or for other causes of action*  
5 *involved in the national tobacco settlement agreement, such*  
6 *fees shall—*

7           (1) *not be paid at a rate that exceeds \$250 per*  
8           *hour; and*

9           (2) *be limited to a total of \$5,000,000.*

10          (b) *FEE ARRANGEMENTS.—Subsection (a) shall apply*  
11 *to attorneys' fees provided for or in connection with an ac-*  
12 *tion of the type described in such subsection under any—*

13           (1) *court order;*

14           (2) *settlement agreement;*

15           (3) *contingency fee arrangement;*

16           (4) *arbitration procedure;*

17           (5) *alternative dispute resolution procedure (in-*  
18 *cluding mediation); or*

19           (6) *other arrangement providing for the payment*  
20 *of attorneys' fees.*

21          (c) *EXPENSES.—The limitation described in sub-*  
22 *section (a) shall not apply to any amounts provided for*  
23 *the attorneys' reasonable and customary expenses.*

1       (d) *REQUIREMENTS.*—No award of attorneys' fees  
2 shall be made under any national tobacco settlement until  
3 the attorneys involved have—

4           (1) provided to the Governor of the appropriate  
5 State, a detailed time accounting with respect to the  
6 work performed in relation to any legal action which  
7 is the subject of the settlement or with regard to the  
8 settlement itself; and

9           (2) made public disclosure of the time accounting  
10 under paragraph (1) and any fee agreements entered  
11 into, or fee arrangements made, with respect to any  
12 legal action that is the subject of the settlement.

13       (e) *PROVISION OF FUNDS FOR CHILDREN'S HEALTH*  
14 *RESEARCH.*—Any amounts provided for attorneys' fees in  
15 excess of the limitation applicable under this section shall  
16 be paid into the Treasury for use by the National Institutes  
17 of Health for research relating to children's health.

18       (f) *EFFECTIVE DATE.*—The limitation on the payment  
19 of attorneys' fees contained in this section shall become effec-  
20 tive on the date of enactment of any Act providing for a  
21 national tobacco settlement.

22       *SEC. 520. SENSE OF THE SENATE ON COMPENSATION*  
23 *FOR TOBACCO GROWERS AS PART OF LEGISLATION ON THE*  
24 *NATIONAL TOBACCO SETTLEMENT. (a) FINDINGS.*—

1           (1) *On June 20, 1997, representatives of tobacco*  
2           *manufacturers, public health organizations, and At-*  
3           *torneys General from a majority of the States an-*  
4           *nounced that an agreement had been reached on a na-*  
5           *tional tobacco settlement;*

6           (2) *the national tobacco settlement was intended*  
7           *to provide a comprehensive framework for dealing*  
8           *with several issues relevant to the tobacco industry,*  
9           *including youth smoking prevention, legal liabilities,*  
10          *and the sales and marketing practices of the industry;*

11          (3) *implementation of the national tobacco settle-*  
12          *ment requires the enactment of Federal legislation by*  
13          *the Congress and the President;*

14          (4) *there are more than 125,000 farms in the*  
15          *United States which derive a substantial portion of*  
16          *their income from the cultivation and sale of tobacco;*

17          (5) *representatives of tobacco growers were com-*  
18          *pletely excluded from the negotiations on the national*  
19          *tobacco settlement, and were poorly informed, or not*  
20          *informed at all, of any details of the settlement nego-*  
21          *tiations by any participants in those negotiations;*

22          (6) *the national tobacco settlement includes com-*  
23          *penetration for several adversely affected groups, in-*  
24          *cluding NASCAR, rodeo, and other event sponsors,*  
25          *but includes absolutely no compensation whatsoever*

1       or other provisions relating to the impact of the settle-  
2       ment on tobacco growers;

3               (7) no other group has their livelihoods affected  
4       by the national tobacco settlement as adversely as to-  
5       bacco growers;

6               (8) the local economies of tobacco growing com-  
7       munities will be adversely affected by implementation  
8       of the national tobacco settlement;

9               (9) the national tobacco settlement contemplates  
10       \$368,500,000,000 in payments from tobacco manufac-  
11       turers over the next 25 years, and not all of this  
12       amount has been specifically earmarked by the agree-  
13       ment; and

14              (10) the Federal tobacco program was designed  
15       to operate at no net cost to the Federal taxpayer, the  
16       national tobacco settlement does not contemplate any  
17       changes to the operation of this program, and even  
18       many critics of the national tobacco settlement, in-  
19       cluding representatives from the public health commu-  
20       nity, have expressed support for the continued oper-  
21       ation of a Federal tobacco program which operates at  
22       no net cost to taxpayers.

23       (b) *SENSE OF THE SENATE.*—It is the sense of the Sen-  
24       ate that—

1           (1) tobacco growers should be fairly compensated  
2           as part of any Federal legislation for the adverse im-  
3           pact which will follow from the enactment of the na-  
4           tional tobacco settlement;

5           (2) tobacco growing communities should be pro-  
6           vided sufficient resources to adequately adjust to the  
7           impact on their local economies which will result  
8           from the enactment of the national tobacco settlement;

9           (3) any compensation provided to tobacco grow-  
10          ers and tobacco growing communities as part of Fed-  
11          eral legislation to implement the national tobacco set-  
12          tlement should be included within the  
13          \$368,500,000,000 in payments which are to be pro-  
14          vided over the next 25 years; and

15          (4) No provisions should be included in any Fed-  
16          eral legislation to implement the national tobacco set-  
17          tlement which would restrict or adversely affect the  
18          continued administration of a viable Federal tobacco  
19          program which operates at no net cost to the tax-  
20          payer.

21          SEC. 521. Nothing in this Act may be construed to  
22          interfere with, or abrogate, any agreement previously en-  
23          tered into between any State and any private attorney or  
24          attorneys with respect to litigation involving tobacco.

1        *SEC. 522. It is the sense of the Senate that attorneys’*  
2 *fees paid in connection with an action maintained by a*  
3 *State against one or more tobacco companies to recover to-*  
4 *bacco-related costs affected by Federal tobacco settlement*  
5 *legislation should be publicly disclosed and should not dis-*  
6 *place spending in the settlement legislation intended for*  
7 *public health.*

8        *SEC. 523. (a) Notwithstanding any other provision of*  
9 *law, the Secretary of Education shall award the total*  
10 *amount of funds described in subsection (b) directly to local*  
11 *educational agencies in accordance with subsection (d) to*  
12 *enable the local educational agencies to support programs*  
13 *or activities for kindergarten through grade 12 students that*  
14 *the local educational agencies deem appropriate.*

15        *(b) The total amount of funds referred to in subsection*  
16 *(a) are all funds that are appropriated for the Department*  
17 *of Education under this Act to support programs or activi-*  
18 *ties for kindergarten through grade 12 students, other*  
19 *than—*

20            *(1) amounts appropriated under this Act—*

21                    *(A) to carry out title VIII of the Elemen-*  
22                    *tary and Secondary Education Act of 1965;*

23                    *(B) to carry out the Individuals with Dis-*  
24                    *abilities Education Act;*

25                    *(C) to carry out the Adult Education Act;*

1           (D) to carry out the Museum and Library  
2           Services Act;

3           (E) for departmental management expenses  
4           of the Department of Education; or

5           (F) to carry out the Educational Research,  
6           Development, Dissemination, and Improvement  
7           Act;

8           (G) to carry out the National Education  
9           Statistics Act of 1994;

10          (H) to carry out section 10601 of the Ele-  
11          mentary and Secondary Education Act of 1965;

12          (I) to carry out section 2102 of the Elemen-  
13          tary and Secondary Education Act of 1965;

14          (J) to carry out part K of the Elementary  
15          and Secondary Education Act of 1965;

16          (K) to carry out subpart 5 of part A of title  
17          IV of the Higher Education Act of 1965; or

18          (L) to carry out title I of the Elementary  
19          and Secondary Education Act of 1965; or

20          (2) 50 percent of the amount appropriated under  
21          title III under the headings “Rehabilitation Services  
22          and Disability Research” and “Vocational and Adult  
23          Education”.

24          (c) Each local educational agency shall conduct a cen-  
25          sus to determine the number of kindergarten through grade



1 12 students served by the local educational agency not later  
2 than 21 days after the beginning of the school year. Each  
3 local educational agency shall submit the number to the  
4 Secretary.

5 (d) The Secretary shall determine the amount awarded  
6 to each local educational agency under subsection (a) as fol-  
7 lows:

8 (1) First, the Secretary, using the information  
9 provided under subsection (c), shall determine a per  
10 child amount by dividing the total amount of funds  
11 described in subsection (b), by the total number of  
12 kindergarten through grade 12 students in all States.

13 (2) Second, the Secretary, using the information  
14 provided under subsection (c), shall determine the  
15 baseline amount for each local educational agency by  
16 multiplying the per child amount determined under  
17 paragraph (1) by the number of kindergarten through  
18 grade 12 students that are served by the local edu-  
19 cational agency.

20 (3) Lastly, the Secretary shall compute the  
21 amount awarded to each local educational agency as  
22 follows:

23 (A) Multiply the baseline amount deter-  
24 mined under paragraph (2) by a factor of 1.1 for  
25 local educational agencies serving States that are

1           *in the least wealthy quintile of all States as de-*  
2           *termined by the Secretary on the basis of the per*  
3           *capita income of individuals in the States.*

4           *(B) Multiply the baseline amount by a fac-*  
5           *tor of 1.05 for local educational agencies serving*  
6           *States that are in the second least wealthy such*  
7           *quintile.*

8           *(C) Multiply the baseline amount by a fac-*  
9           *tor of 1.00 for local educational agencies serving*  
10          *States that are in the third least wealthy such*  
11          *quintile.*

12          *(D) Multiply the baseline amount by a fac-*  
13          *tor of .95 for local educational agencies serving*  
14          *States that are in the fourth least wealthy such*  
15          *quintile.*

16          *(E) Multiply the baseline amount by a fac-*  
17          *tor of .90 for local educational agencies serving*  
18          *States that are in the wealthiest such quintile.*

19          *(4) Notwithstanding paragraph (3), the Sec-*  
20          *retary shall compute the amount awarded to each*  
21          *local educational agency serving the State of Alaska*  
22          *or Hawaii by multiplying the base line amount deter-*  
23          *mined under paragraph (2) for the local educational*  
24          *agency by a factor of 1.00.*

1       (e) *If the total amount of funds described in subsection*  
2 *(b) that are made available to carry out subsection (a) is*  
3 *insufficient to pay in full all amounts awarded under sub-*  
4 *section (d), then the Secretary shall ratably reduce each*  
5 *such amount.*

6       (f) *If the Secretary determines that a local educational*  
7 *agency has knowingly submitted false information under*  
8 *subsection (c) for the purpose of gaining additional funds*  
9 *under subsection (a), then the local educational agency shall*  
10 *be fined an amount equal to twice the difference between*  
11 *the amount the local educational agency received under sub-*  
12 *section (d), and the correct amount the local educational*  
13 *agency would have received if the agency had submitted ac-*  
14 *curate information under subsection (c).*

15       (g)(1) *Notwithstanding any other provision of law, the*  
16 *Secretary of Education shall award the total amount of*  
17 *funds made available under this Act to carry out title I*  
18 *of the Elementary and Secondary Education Act of 1965*  
19 *for fiscal year 1998 directly to local educational agencies*  
20 *in accordance with paragraph (2) to enable the local edu-*  
21 *cational agencies to support programs or activities for kin-*  
22 *dergarten through grade 12 students that the local edu-*  
23 *cational agencies deem appropriate.*

24       (2) *Each local educational agency shall receive an*  
25 *amount awarded under this subsection that bears the same*

1 *relation to the total amount of funds made available under*  
2 *this Act to carry out title I of the Elementary and Second-*  
3 *ary Education Act of 1965 for fiscal year 1998 as the num-*  
4 *ber of children counted under section 1124(c) of such Act*  
5 *for the local educational agency for fiscal year 1997 bears*  
6 *to the total number of students so counted for all local edu-*  
7 *cational agencies for fiscal year 1997.*

8       *(h) Notwithstanding any other provision of this sec-*  
9 *tion, the total amount awarded to local educational agencies*  
10 *in each State under this section shall not be less than the*  
11 *net dollars that States would have received absent the provi-*  
12 *sions of this section.*

13       *(i) In this section—*

14               *(1) the term “local educational agency” has the*  
15 *meaning given the term in section 14101 of the Ele-*  
16 *mentary and Secondary Education Act of 1965;*

17               *(2) the term “Secretary” means the Secretary of*  
18 *Education; and*

19               *(3) the term “State” means each of the several*  
20 *States of the United States, the District of Columbia,*  
21 *the Commonwealth of Puerto Rico, Guam, American*  
22 *Samoa, the Commonwealth of the Northern Mariana*  
23 *Islands, the United States Virgin Islands, the Repub-*  
24 *lic of the Marshall Islands, the Federated States of*  
25 *Micronesia, and the Republic of Palau.*

1        *SEC. 524. (a) Notwithstanding any other provision of*  
2 *law, the Office of Educational Research and Improvement*  
3 *shall submit to the Committee on Appropriations of the*  
4 *Senate a spending plan for activities funded under this title*  
5 *under the heading “EDUCATION RESEARCH, STATISTICS,*  
6 *AND IMPROVEMENT”, prior to the obligation of the funds.*

7        *(b)(1) Notwithstanding any other provision of law, the*  
8 *National Assessment Governing Board established under*  
9 *section 412 of the National Education Statistics Act of 1994*  
10 *(20 U.S.C. 9011) (hereafter in this section referred to as*  
11 *the “Board”) shall hereafter have exclusive authority over*  
12 *all policies, direction, and guidelines for establishing and*  
13 *implementing voluntary national tests for 4th grade Eng-*  
14 *lish reading and 8th grade mathematics: Provided, That the*  
15 *tests shall be made available to a State, local educational*  
16 *agency, or private or parochial school, upon the request of*  
17 *the State, agency, or school, and the use of the tests shall*  
18 *not be a condition for receiving any Federal funds: Pro-*  
19 *vided further, That within 90 days after the date of enact-*  
20 *ment of this Act, the Board shall review the national test*  
21 *development contract in effect on the date of enactment of*  
22 *this Act, and modify the contract as the Board determines*  
23 *necessary: Provided further, That if the contract cannot be*  
24 *modified to the extent determined necessary by the Board,*  
25 *the contract shall be terminated and the Board shall nego-*

1 *tiate a new contract, under the Board's exclusive control,*  
2 *for the tests.*

3 *(2) In exercising the Board's responsibilities under*  
4 *paragraph (1) regarding the national tests, and notwith-*  
5 *standing any action undertaken by the Department of Edu-*  
6 *cation or a person contracting with or providing services*  
7 *for the Department regarding the planning, or the develop-*  
8 *ment of specifications, for the tests, the Board shall—*

9 *(A) ensure that the content and standards for the*  
10 *tests are the same as the content and standards for*  
11 *the National Assessment;*

12 *(B) exercise exclusive authority over any expert*  
13 *panel or advisory committee that will be or is estab-*  
14 *lished with respect to the tests;*

15 *(C) ensure that the tests are linked to the Na-*  
16 *tional Assessment to the maximum degree possible;*

17 *(D) develop test objectives, test specifications,*  
18 *and test methodology;*

19 *(E) develop policies for test administration, in-*  
20 *cluding guidelines for inclusion of, and accommoda-*  
21 *tions for, students with disabilities and students with*  
22 *limited English proficiency;*

23 *(F) develop policies for reporting test results, in-*  
24 *cluding the use of standards or performance levels,*  
25 *and for test use;*

1           (G) have final authority over the appropriate-  
2           ness of all test items;

3           (H) ensure that all items selected for use on the  
4           tests are free from racial, cultural, or gender bias;  
5           and

6           (I) take such actions and make such policies as  
7           the Board determines necessary.

8           (c) No State or local educational agency may require  
9           any private or parochial school student, or home-schooled  
10          individual, to take any test developed under this Act with-  
11          out the written consent of the student or individual.

12          (d) Section 412 of the National Education Statistics  
13          Act of 1994 (20 U.S.C. 9011) is amended—

14               (1) in subsection (b)(1)—

15                       (A) by amending subparagraph (A) to read  
16                       as follows:

17                               “(A) three Governors, or former Governors,  
18                               of whom not more than 1 shall be a member of  
19                               the same political party as the President;”;

20                       (B) by amending subparagraph (B) to read  
21                       as follows:

22                               “(B) two State legislators, of whom not  
23                               more than 1 shall be a member of the same polit-  
24                               ical party as the President;”;

1           (C) in subparagraph (H), by striking “one  
2           representative” and inserting “three representa-  
3           tives”;

4           (D) by amending subparagraph (I) to read  
5           as follows:

6           “(I) two mayors, of whom not more than 1  
7           shall be a member of the same political party as  
8           the President;”;

9           (E) by striking subparagraph (J); and

10          (F) by redesignating subparagraphs (K),  
11          (L), and (M) as subparagraphs (J), (K), and  
12          (L), respectively;

13          (2) in subsection (c)—

14               (A) in paragraph (1), by striking “and  
15               may not exceed a period of 3” and inserting  
16               “and shall be for periods of 4”; and

17               (B) in paragraph (2), by inserting “con-  
18               secutive” after “two”;

19          (3) by amending subsection (d) to read as fol-  
20          lows:

21          “(d) VACANCIES.—As vacancies on the Board occur,  
22          new members of the Board shall be appointed by the Sec-  
23          retary from among individuals who are nominated by the  
24          Board after consultation with representatives of the individ-  
25          uals described in subsection (b)(1). For each vacancy, the



1 *Board shall nominate at least 3 individuals who are quali-*  
2 *fied by experience or training to fill the particular Board*  
3 *vacancy.”; and*

4 *(4) in subsection (e) by adding at the end the fol-*  
5 *lowing:*

6 *“(7) INDEPENDENCE.—In the exercise of its*  
7 *functions, powers, and duties, the Board shall be*  
8 *independent of the Secretary and the other offices and*  
9 *officers of the Department. The Secretary shall, by*  
10 *written delegation of authority, authorize the Board*  
11 *to award grants and contracts, and otherwise operate,*  
12 *to the maximum extent practicable, independent of*  
13 *the Department.”.*

14 *(e) Not later than 30 days after the date of enactment*  
15 *of this Act, the Secretary of Education, in consultation with*  
16 *the Speaker and Minority Leader of the House of Represent-*  
17 *atives, and the Majority Leader and Minority Leader of*  
18 *the Senate, shall appoint individuals to fill vacancies on*  
19 *the National Assessment Governing Board caused by the ex-*  
20 *piration of the terms of members of the Board, or the cre-*  
21 *ation of new membership positions on the Board pursuant*  
22 *to amendments made by this Act.*

1        *This Act may be cited as the “Departments of Labor,*  
2 *Health and Human Services, and Education, and Related*  
3 *Agencies Appropriations Act, 1998”.*

Attest:

*Secretary.*

105<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 2264**

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**AMENDMENT**

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