

on the bill and are scheduled to vote at 2:30. The way our colleagues work, people will be ready to depart for trains and planes at 2:29.

So if the clerk will report now, I know that there are other Senators who wish to speak and there will be time to speak during the 90-minute time. Then by unanimous consent we can go into morning business. But I request that we proceed at this time to the consideration of the conference report on Labor-HHS and Education.

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

The PRESIDING OFFICER. Under the previous order, the clerk will report the conference report to accompany H.R. 2264.

The bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2264), have agreed to recommend and do recommend to their respective Houses this report, signed by majority of the conferees.

The Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of November 7, 1997.)

Mr. SPECTER. Mr. President, parliamentary inquiry. I ask for confirmation from the Chair that we are now on the conference report having begun at 1:05 with the 90-minute time limit so that we will vote no later than 2:35.

The PRESIDING OFFICER. The Senator is correct.

Mr. SPECTER. I thank the Chair.

Mr. President, it is with great pleasure for me personally that I address the Senate on the conference report on the appropriations bill for the Departments of Labor, Health and Human Services, and Education.

It has been a long, tortuous road to come to this position where if the Senate acts favorably on this conference report, it may then be presented to the President with the expectation that it will be signed into law.

There are 13 appropriations bills which run the U.S. Government, and the appropriations bill on these three departments is the largest one in the Federal Government, downsizing of some \$277 billion, and it is now larger even than the appropriations bill for the Department of Defense.

This bill has had a very, very difficult process in coming through conference with a tremendous number of obstacles and difficulties confronting the legislative process at every step of the way.

The process that this conference report has come to the floor with would perhaps constitute a textbook on legislative process except that it has been so extraordinary. That has been occasioned by the fact that there are so many so-called riders or legislative

provisions on the appropriations bill which have enormously complicated the work of the conferees in trying to work out an enormous number of complicated problems.

The most vexing of all of the issues—and it had a lot of competition—was the issue on so-called testing. There has been a generalized agreement that it would be desirable to test fourth graders on reading and eighth graders on mathematics but a great deal of disagreement as to how that testing ought to be carried out. There has been widespread sentiment expressed that the Federal Government ought not to be intrusive in the educational process. Then the problem arises as to just how this test would be worked out.

When the bill came to the floor of the Senate, the excellent work was done by Senator COATS of Indiana, Senator GREGG of New Hampshire, with the assistance of former Secretary of Education Bill Bennett. In the hands of those three individuals, with the established record in the education field, great knowledge on testing, and all being very zealous to keep out Federal intrusion but to limit any testing approach to absolute necessity and to State control, it was the expectation of this body that when Senator COATS, Senator GREGG, and former Secretary Bennett agreed on a process, that it would satisfy even those most diligent in objecting to Federal testing. The Senate passed that amendment by a vote of 87 to 13, which is a very, very strong show of support in this body.

The House of Representatives enacted a provision that there should be no funds on testing. When we came to the issue of conference a week ago Wednesday, a meeting occurred attended by the top leadership of the Republican Party of the House and the Senate, attended by the Speaker; by the House majority leader; by the No. 3 in rank in the House of Representatives, Mr. DELAY; the chairman of the House Appropriations Committee, Mr. LIVINGSTON; and the chairman of the House Appropriations Subcommittee, my counterpart, Congressman JOHN PORTER. And on the Senate side, we had our own majority leader. We had the chairman of the Appropriations Committee. And I was present.

We agreed on a number of items. One of the foremost of those items on which there was agreement was the issue of testing. There was one party present who disagreed. That was the chairman of the authorizing committee in the House, my colleague from Pennsylvania, Congressman GOODLING. But aside from Congressman GOODLING's dissent, there was agreement at that meeting.

A week ago Thursday the conferees met and hammered out quite a number of other complicated issues and came to agreement on a conference report. That night the agreement was repudiated, and we were back to square one with respect to the testing issue, which held up this bill until further negotia-

tions were undertaken by the President and by Congressman GOODLING. The testing issue has finally been resolved. A key part of the agreement on testing is that the matter will be submitted to the House-Senate authorizers early next year.

This is one illustration as to what ought to be done by the authorizing committees so that the matters are not put on appropriations bills and bog down the appropriators.

There was plenty of time during 1997 to have this issue of testing taken up by the authorizers. It really is a matter for the authorizers to make the congressional determination about what testing ought to be instead of tacking it onto an appropriations bill where it really does not belong. It is grafted onto the appropriations bill with this language, "No funds shall be expended for testing." That is the way many, many substantive matters were grafted onto the appropriations bill. "No funds shall be expended for" purpose A, B, or C.

When it became apparent to me that this issue was going to be one in the appropriations process after this bill was on the floor for initial consideration by the Senate, I scheduled a hearing. At the hearing, we heard both sides of the issue. The Secretary of Education came forward to articulate the administration's position on why there should be testing. We invited Congressman GOODLING to present his views about why there should be no testing. After having had the benefit of that information, we then were in the position to proceed as best we could on that limited record to make the judgment on testing.

We had in the conference many other complex issues that we finally worked out. We had the amendment offered by the distinguished Senator from Washington, Senator MURRAY, on the issue of not restricting welfare benefits to women who had been victims of domestic violence. That is a substantive matter that would be better considered by the authorizers. But it passed in the U.S. Senate by a vote of 98 to 1. At least, in my judgment, and the judgment of 97 other Senators, it had a very important public policy purpose, to give special consideration on welfare benefits and other matters for women who had been victims of domestic violence. Senator MURRAY was gracious to not press her amendment in conference, on an arrangement where the House of Representatives authorizing subcommittee made a commitment to take up the issue early next year. I was delighted to join Senator MURRAY as a cosponsor on that matter.

That is one illustration of how we moved ahead to focus on money matters without that kind of a substantive provision.

PRIVILEGE OF THE FLOOR

Mr. President, at this time I ask unanimous consent that Mr. Jim Sourwine and Ellen Murray, detailees to the committee, be granted floor privileges during the consideration of

the conference report accompanying H.R. 2264.

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

Mr. President, the conference agreement accompanying the Labor, Health and Human Services, and Education bill for fiscal year 1998 that is before the Senate today totals \$80.4 billion in discretionary budget authority. Mandatory spending totals \$196.4 billion, a decrease of \$16 billion from the fiscal 1997 levels, for a net decrease in the bill of \$10.3 billion.

The conference agreement both keeps faith with the budget agreement and addresses the health and education priorities of the Senate. The protected programs in the budget deal account for nearly half of the total increases in the bill, and \$3.3 billion of the increase is for education.

I want to take this opportunity to thank the distinguished Senator from Iowa, Senator HARKIN, for his hard work and support in bringing this bill through the conference and to the floor. I also want to thank Congressman JOHN PORTER, the distinguished chair of the House Subcommittee, Congressman DAVID OBEY, ranking minority member, and Congressman BOB LIVINGSTON, chair of the House full committee for dedicating their time and energy in getting this bill to this stage. This has not been an easy process. We confronted many difficult decisions, choices, and tradeoffs, National testing was one of them, but finally through hard work, persistence, and a great deal of give and take, we were able to work out this agreement.

The programs funded within the subcommittee's jurisdiction provide resources to improve the public health, strengthen medical research, assure a quality education for America's children, and offer opportunities for individuals seeking to improve job skills. I'd like to mention several important accomplishments of this bill.

MEDICAL RESEARCH

Few things are more important than a person's health and few things are feared more than cancer, heart disease, Alzheimer's or some other serious physical disorder. Medical research into understanding, preventing, and treating the disorders that afflict men and women in our society is the best means we have for protecting our health and combating disease. The conference agreement contains nearly \$13.7 billion for the National Institutes of Health to support medical research that is being conducted at institutions throughout the country. This is an increase of \$907 million above the fiscal year 1997 level and is consistent with the commitment I made earlier this year to increase funding for NIH by 7.1 percent and with the overwhelming endorsement of medical research by the Senate during consideration of the budget resolution. These funds will be critical in catalyzing scientific discoveries that will lead to new treatments and cures for a whole host of diseases.

FAMILY PLANNING

For the family planning program, the bill recommends \$203.4 million to support primary health care services at more than 4,000 clinics nationwide. This amount represents an increase of \$5 million over the 1997 appropriation. Over 85 percent of family planning clients are women at or below 150 percent of the poverty level and these additional funds will help to ensure that these low-income women have access to quality health services.

ADOLESCENT FAMILY LIFE

The bill recommends \$19.2 million, an increase of \$5 million more than appropriated in fiscal year 1997 for the only Federal program focused directly on the issue of adolescent sexuality, pregnancy, and parenting.

AIDS

This bill contains an estimated \$3.380 billion for research, education, prevention, and services to confront the AIDS epidemic, including an \$154 million increase for Ryan White CARE Act programs. The bill also provides \$285.5 million for state AIDS drug assistance programs, an increase of \$118.5 million over the President's request and the 1997 appropriation. Finally, within this amount, and estimated \$1.596 billion is provided for AIDS research supported by the National Institutes of Health. The bill provides that these funds will continue to be distributed and coordinated by the director of the NIH Office of AIDS Research [OAR].

SUBSTANCE ABUSE

Substance abuse continues to plague our society with recent statistics showing many teenagers reporting regular use of marijuana and alcohol. The conference agreement includes over \$2.395 billion to support the research, prevention, and treatment programs of the Departments of Health and Human Services and Education. This is an increase of \$72.1 million over the 1997 appropriated levels for these programs.

JUVENILE CRIME INITIATIVES

The conference agreement includes \$30 million for new programs to assist communities in preventing juvenile crime. Funds include: \$12.5 million for youth offender demonstration training grants supported by the Department of Labor; \$12 million for youth offender education grants supported by the Department of Education; and \$6 million for at-risk youth substance abuse prevention grants supported by the Department of Health and Human Services.

HEAD START

To enable all children to develop and function at their highest potential, the agreement includes \$4.355 billion for the Head Start Program, an increase of \$374.4 million over last year's appropriation. This increase will provide services to an additional 36,000 children bringing the total amount of kids served in fiscal year 1998 to 836,000. This brings us closer to the goal of enrolling 1 million children in Head Start by the year 2002. Within the total, \$279

million is targeted for Early Head Start, which provides Head Start services to infants and toddlers ages 0 to 3. This is an increase of \$70 million over 1997.

VIOLENCE AGAINST WOMEN

The bill includes \$154 million to support the programs authorized by the Violence Against Women Act. This is an increase of \$31 million for programs to provide assistance to women who have been victims of abuse and to initiate and expand prevention programs, to begin to reduce the number of women who are forced to confront the horrors of abuse. Included is: \$86.8 million for battered women's shelters; \$45 million for rape prevention; \$15 million for runaway youth prevention; \$6 million for domestic violence community demonstrations; and \$1.2 million for the domestic violence hotline.

LIHEAP

The bill maintains the \$1 billion appropriated in last year's bill for the upcoming winter's Low Income Home Energy Assistance Program [LIHEAP]. In addition, the recommendation provides an advance appropriation of \$1.1 billion for the 1998-1999 LIHEAP winter program, an increase of \$100 million over this year's level. The bill also provides additional emergency appropriations of \$300 million. LIHEAP is a key program for low-income families in Pennsylvania and other cold weather States in the Northeast. Funding supports grants to States to deliver critical assistance to low-income households to help meet higher energy costs.

AGING PROGRAMS

For programs serving the elderly, the bill before the Senate recommends \$1.988 billion, an increase of \$65.5 million over the fiscal year 1997 appropriation. Included is: \$440.2 million for the community service employment program which will provide more part-time employment opportunities for the low-income elderly; \$9 million more for supportive services and senior centers; \$17 million more for congregate and home-delivered nutrition services; and \$18.4 million more for the national senior volunteer corps. Also the bill provides a 7.2 percent increase for research into the causes and cures of diseases such as Alzheimer's disease and other aging related disorders, funds to continue geriatric education centers, and the Medicare insurance counseling program.

SCHOOL TO WORK

The agreement includes \$400 million for school to work programs within the Departments of Labor and Education. These important programs help improve the transition from school to work for those students who do not plan to attend 4-year institutions.

EDUCATION

To enhance this Nation's investment in education, the conference report before the Senate contains \$29.74 billion in discretionary education funds, an increase of \$3.25 billion over last year's funding level. Specifically, education

reform programs have been funded at \$1.275 billion, an increase of \$279 million over the previous year's funding level, including \$491 million for Goals 2000, \$541 million for the technology literacy challenge fund and technology innovative challenge grants.

For programs to educate disadvantaged children, the bill recommends nearly \$8 billion, \$201 million more than the amount appropriated in fiscal year 1997. These funds will provide services to approximately 7 million schoolchildren. The bill also includes \$124 million for the Even Start Program, an increase of \$22 million over the 1997 appropriation. Even Start provides educational services to low-income children and their families.

For impact aid programs, the bill includes \$808 million, an increase of \$78 million over the 1997 appropriation. Included in the recommendation is: \$50 million for payments for children with disabilities, an increase of \$10 million over last year's funding level; \$623.5 million for basic support payments, an increase of \$8 million; and \$24 million for payments for Federal property, an increase of \$6.5 million.

Consistent with the budget agreement the bill provides \$354 million to assist in the education of immigrant and limited-English proficient students. This recommendation is an increase of \$92.3 million over the 1997 appropriation and will provide instructional services to approximately 60,000 children. Within the funds provided, \$25 million has been included for professional development to improve teacher training programs.

One of the largest increases recommended in this bill is the additional \$746 million for special education programs to help local education agencies meet the requirement that all children with disabilities have access to a free, appropriate public education, and all infants and toddlers with disabilities have access to early intervention services. The \$4.8 billion for special education programs will serve an estimated 4.95 million children at a cost of \$662 per child.

To improve post-secondary education opportunities for low-income first-generation college students, the committee recommendation provides \$530 million for the TRIO program, a \$30 million increase over the 1997 appropriation. These additional funds will assist in more intensive outreach services for low income youth.

For student aid programs, the bill provides \$8.97 billion, an increase of \$1.418 billion over the 1997 appropriation. Pell grants, the cornerstone of student financial aid, have been increased by \$300 for a maximum grant of \$3,000. The supplemental educational opportunity grants program has also been increased by \$31 million, and the work study and Perkins loans programs have been maintained at their 1997 level.

In keeping with the budget agreement, the bill also provides \$295 mil-

lion for child literacy initiatives. The committee has provided \$85 million of this amount to enhance literacy activities in existing programs in fiscal year 1998. The balance, \$210 million, is available on an advanced funded basis. This will give the authorizing committee's adequate time to work out the specifics of this new program.

JOB TRAINING

In this Nation, Mr. President, we know all too well that unemployment wastes valuable human talent and potential, and ultimately weakens our economy. The bill before us today provides \$5.23 billion for job training programs, \$518 million over the 1997 level. Increases include: \$92 million more for the Job Corps; \$60 million more for adult training; and \$64 million more for retraining dislocated workers. These funds will help improve job skills and readjustment services for disadvantaged youth and adults. The bill also reserves \$250 million for opportunity areas for out of school youth grants if this new program proposed in the budget is authorized by July 1, 1998.

WORKPLACE SAFETY

The bill provides \$1.070 billion for worker safety programs, an increase of \$45 million above 1997. While progress has been made in this area, there are still far too many work-related injuries and illnesses. The funds provided will continue the programs that inspect business and industry, assist employers in weeding out occupational hazards and protect workers' pay and pensions.

CLOSING

There are many other notable accomplishments in this conference agreement, but for the sake of time, I mentioned just several of the key highlights, so that the Nation may grasp the scope and importance of this bill.

In closing, Mr. President, I again want to thank Senator HARKIN and his staff and the other Senators on the subcommittee for their cooperation in a very tough year.

In summary, Mr. President, this bill is one of enormous importance for America, for many reasons, and I shall detail only a few. My own personal opinion is that there is no priority higher in America today than health care and education. There are matters of tremendous concern—the crime problem, something that I spent a good part of my professional life on as a prosecuting attorney, the problem of environmental protection, the issue of economic development and our infrastructure of highways, grave difficulties of foreign policy around the world: In the Mideast, Bosnia, NATO, China, Africa and Latin America, and the fast track issue—but no issues rank higher than the health of Americans or the education of Americans.

The National Institutes of Health is the crown jewel of the Federal Government, with NIH having made miraculous advances in combating Alzheimer's disease, breast cancer, cervical cancer, prostate cancer, heart dis-

ease, mental illness, you name it, the men and women at NIH are on the firing line doing extraordinary work. We have been able to add to the NIH budget some \$907 million this year, which is a 7.1 percent increase, bringing the total for the National Institutes of Health to \$13.647 billion, almost \$13.65 billion.

Senator HARKIN, my distinguished ranking member, and I have worked on a bipartisan basis in the subcommittee. My experience in Congress has demonstrated to me that the only way to get anything meaningful done in Washington is to work on a bipartisan basis. With the help of our staffs, Senator HARKIN and I on this subcommittee have consolidated or eliminated some 134 programs to save \$1.5 billion, which we have allocated to the health issues and to education issues.

I had a talk with Dr. Varmus earlier this week on the occasion of the dedication of a building at NIH to our former colleague, the distinguished Senator from Oregon, Mr. Hatfield, who did such outstanding work for NIH on so many matters in his capacity as chairman of the Appropriations Committee. On Tuesday I again asked Dr. Varmus, as I have asked him and others at NIH, "How much would you be able to appropriately use on medical research?" I asked him this question because, in a Federal budget of \$1.7 trillion, we could assess our priorities in a way to appropriate more for the National Institutes of Health. Yes, \$13.65 billion is a lot of money, but it is not a lot of money in the context of a Federal budget of \$1.7 trillion. Dr. Varmus told me that they would like to grant about a third of the applications, that they now grant something in the high twenties, and in addition to that there are other items they need in the way of equipment. I said, "You ought to make a list and tell us what it is you need." He said, "We have made a list, but we haven't told you what it is because we can't."

That is a reference to the Office of Management and Budget, which intercepts these estimates by the NIH and does not present them to Congress so the administration can maintain control over requests which are made by the various departments.

In our appropriations process next year, I intend to do my best to get that list and find out what Dr. Varmus and the National Institutes of Health would really like to have. It might be an interesting occasion for a subpoena. Our subcommittee never ever issues subpoenas. I know that takes our Committee staff by surprise to think of our doing that. But I think Congress would be prepared to make appropriation allocations for what could be effectively used by the National Institutes of Health.

Mr. President, in addition, we have some almost \$30 billion for programs in the Department of Education, which is an increase of \$3.3 billion above 1997.

On this subject, I compliment President Clinton for his leadership on education. His last State of the Union speech highlighted education, and there was a real advocacy and leadership by the President on education when this matter came up. From time to time the President is subject to a critical comment or two, and I think it appropriate to note his leadership and his important work in getting this increase in education.

The bill also includes \$1.1 billion in advance funds for LIHEAP, low-income home energy assistance, largely for senior citizens, Americans who, without this assistance, may have to make a choice between heating and eating. We have \$1.15 billion for the Ryan White care program on a drugs issue, \$861 million for programs for senior citizens under the Older Americans Act, \$826 million for community health centers, \$145 million for the breast and cervical cancer screening program for the Centers for Disease Control, \$5.2 billion for employment and training programs of the Department of Labor, including \$871 million for summer youth job programs, \$1.24 billion for the Job Corps, and \$1.35 billion for displaced worker assistance.

I might add a special note to the success by Governor Ridge of Pennsylvania and Mayor Rendell of Philadelphia, along with my distinguished colleague, Senator SANTORUM, and the Pennsylvania delegation in reopening the Philadelphia Navy Yard for shipbuilding on a very good arrangement where we will have retraining funds.

Mr. President, there is a great deal more I could say on the subject, but I note my distinguished colleague, Senator HARKIN, has some important comments to make, so I yield to him at this time.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I thank the chairman and my good friend, Senator SPECTER, for yielding this time.

I especially wish to thank Senator SPECTER, our chairman, and his staff for the skill they have demonstrated and the cooperation which they have given us in putting this bill together and working out the many compromises that were necessary to come up with this very bipartisan conference agreement. It took a lot of staff meetings, a lot of give and take, but the result is one that merits the support of all Senators.

This conference report, I believe, is the most important bill we will pass this year after the balanced budget agreement. It includes a number of very important advances.

First, the agreement significantly expands our Nation's commitment to quality education for our children. We have provided the largest increase for special education in our history. I repeat that. We have provided the largest increase for special education in our history. We have made college more af-

fordable by increasing the maximum Pell grant to \$3,000, the highest ever. We have expanded support to make sure schoolchildren have access to computers and other technology and for training teachers on how to use this technology. Computers in the classroom are of little value if the teachers do not know how to use them.

I am especially pleased that the conference committee agreed to my proposals to place greater emphasis on making sure that every American child enters school ready to learn. The agreement before us increases Head Start funding by \$374 million. That is \$50 million more than the President requested, and, more significantly, I believe this bill doubles the Early Head Start Program, that is, the birth-to-2-year-old program, at \$279 million, so we have doubled the early intervention program for Early Head Start.

The conference agreement also provides an 11-percent increase in funding to \$350 million for the early intervention program for infants and toddlers with disabilities under part H of IDEA, the Individuals with Disabilities Education Act. That is an 11 percent increase for that part H.

Finally, the conference report includes an additional \$50 million for the child care and development block grant to increase the quality of child care for infants. We all know that these are front-end investments that will pay dividends for us in the future.

Mr. President, as most of my colleagues know, our subcommittee has worked for many years to combat fraud, waste and abuse in the Medicare Program. A recent audit by the HHS inspector general found that somewhere in the neighborhood of \$23 billion was lost last year alone just to this problem of fraud, waste and abuse. I am pleased to say that the agreement before us significantly expands our efforts to stop this Medicare waste. Coupled with mandatory increases, our bill provides a full 25-percent increase in support for audits and other fraud-fighting activities, from \$440 million to \$550 million.

In addition, we have included bill language that provides Medicare greater resources to more aggressively target problem providers who are bilking the system. We need to do even more, including, at long last, to get to competitive bidding in Medicare just like they have gotten in the Veterans Administration. But the reforms in this will save Medicare and the taxpayers billions of dollars.

One major concern I have about this bill is our inability to adequately address our health services and training needs and simultaneously provide generous increases for health research. I am pleased that we have included nearly \$1 billion additional for NIH, a total of over \$13.5 billion, for medical research. But I am concerned that most health services programs received small or no funding increases. We just cannot continue to have this battle be-

tween the challenge to adequately fund biomedical research, which we have to meet, and the lack of increased funding for health services programs and training.

Now, I will not go into it at length here—I have given many speeches on the floor about this—but I feel strongly that the money we provide for biomedical research must come from outside of the discretionary pot of money we have.

Mr. President, during this session of the Congress, the Senate went on record 99 to nothing to double the funding for NIH over the next 5 years—99 to nothing. In other words, 99 Senators stood up and voted and said, yes, we should double funding for NIH in the next 5 years.

Now, if we did that within the constraints of the balanced budget agreement, with the pot of money that our committee has, at the end of this 5-year period of time there wouldn't be one penny for any other discretionary health program. In other words, the Senate has said 99 to nothing we want to double NIH funding. OK, if we do it through our Appropriations Committee, through the discretionary money that we have, there will not be anything left for any other health program. There would be no Centers for Disease Control, no Ryan White funding, no health training funding, nothing. That would all have to be zeroed out, and we still would not have enough money to double NIH funding.

So if we are really serious, and I hope we are, about doubling NIH funding over the next 5 years, then we have to find some source of funding that is outside of the normal appropriations process.

I am also concerned that our agreement does not adequately assure that the rerun of the Teamsters election will be supervised. I think that is vitally important. This bill does not adequately assure that. I am hopeful that is eventually what will happen. It is a commitment that we cannot back away from. I am hopeful that we can take some steps, when the Congress comes back in January and February, to make sure that the next Teamster election is in fact supervised.

But overall, as I have said, this is a very good agreement. It is a bipartisan agreement that deserves our support.

I again compliment Senator SPECTER and his staff and mine for a job well done. I want to specifically thank Craig Higgins, Betilou Taylor, Jim Sourwine, Dale Cabaniss, and Jack Chow of the majority staff and Marsha Simon and Ellen Murray of my staff. In addition, I want to thank Bev Schroeder, Laura Hessburg, and Peter Reinicke of my personal staff for their contributions.

Mr. President, I urge all Senators give wholehearted support to this conference agreement.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. Mr. President, I know the Senator from North Carolina was wishing to speak.

Mr. FAIRCLOTH. I was hoping Senator SPECTER would yield time.

Mr. HARKIN. I will yield you time for Senator SPECTER. How much time does the Senator want?

Mr. FAIRCLOTH. About 5 minutes.

Mr. HARKIN. The Senator has 5 minutes.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. FAIRCLOTH. I thank the Senator for his work on this bill. He has eliminated funding for national testing as well as funds for Teamsters elections. He has preserved my amendment that would require the Education Secretary to certify that 90 percent of the funds from education go to students and teachers.

(The remarks of Mr. FAIRCLOTH pertaining to the introduction of S. 1458 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. Who seeks recognition?

Mr. GORTON. Mr. President, will the Senator from Pennsylvania yield me 5 or 6 minutes?

Mr. SPECTER. I will be delighted to yield to my distinguished colleague, Senator GORTON.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I am going to vote enthusiastically for this bill, the result of countless hundreds of hours of work on the part of the chairman and the ranking minority member, other members, and their staffs. It does make many, many decisions that are important for the future of our country.

I am, however, deeply disappointed that one element in the bill that passed the Senate of the United States is not included in this bill, an element that was vitally important and provided a vitally necessary reform for our schools. For decades now, Washington, DC, has assumed increasing control over our local schools. Washington, DC has not, however, put its money where its mouth is. With Congress appropriating about 7 percent of the money spent on education, we have allowed our bureaucrats to impose half or more than half of the rules and regulations that so often frustrate innovation and success in our schools. During the past few years, on the other hand, I have listened to countless parents, teachers and principals who almost universally agree that it is time for Congress and the President to restore the authority that our teachers, parents, and local school boards once had to make decisions for our schools.

In September, I proposed a sweeping reform to improve education for kids in schools everywhere in America. That reform would have given Federal education dollars directly to local school districts so that parents, teachers and principals would have the

money and authority to make the best decisions for their children. They would have been empowered to determine their children's needs and to use their Federal dollars in a manner that is best for kids: For new schools, for lower class sizes by hiring more teachers, to purchase computers, or whatever else citizens in communities all across the United States decided that their schools needed. And they could have done it all without Washington, DC, having told them how to do it.

That sweeping reform is based on the simple philosophy that Washington, DC, does not know best. I believe that all of the laws passed by Congress and all of the regulations adopted by the Federal Department of Education have failed to reach their goals. I believe teachers in the classroom, principals in our buildings, and local school boards and parents, will make better educational decisions and do more to improve their own schools than will Congress or the Federal Department of Education.

For most of this century, Washington, DC, has been dominated by people who believe that centralized decisions and centralized control exercised by Washington, DC, is the best way to solve problems, including those in the classrooms. Unfortunately, the approach has not worked. As Washington, DC, has taken power and authority from local school districts, our schools have not improved. Sadly, old habits die hard. That belief in centralized power is still very much alive. When I proposed my amendment, every single Democrat in the Senate opposed it and the President vociferously criticized the approach of returning money and authority directly to our school districts. I suspect that, had a vote been taken in the House, the result would have been almost the same.

Recently, I attended a Senate Budget Committee education task force hearing, at which Carlotta Joyner from the General Accounting Office testified that in 1997, \$73 billion was distributed through literally hundreds of programs and more than 30 Federal agencies to support education in this country. For a great number of those programs, there is no record of whether they have succeeded or failed, and in some cases no way of measuring that progress or lack of progress. The Department of Education did not even account for half of that total dollar figure. This complex web of education programs only serves to frustrate the efforts of those who know best how to educate children in this country—parents, teachers, principals, superintendents and school board members.

Over the coming months, I know that many of my colleagues will give speeches in their home States and will almost certainly be required to cover education. I remind my colleagues that when they speak eloquently about local control of schools, they have all had an opportunity in this body to vote for or against that proposition. The

conference committee on this bill voted against it.

Finally, I want to let all of my colleagues know that the fight for restoring the traditional role that parents, teachers and principals play in education is not over. I intend to keep forcing tough votes on my colleagues, tough votes that I believe will eventually lead to letting our school districts do what is best for our children—without being told by Washington, DC, how to do it.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. The distinguished Senator from Minnesota, Senator GRAMS, wishes some time.

Mr. President, how much time remains on this side?

The PRESIDING OFFICER. The Senator controls 21 minutes 30 seconds.

Mr. SPECTER. How much on the other side?

The PRESIDING OFFICER. They have 31 minutes.

Mr. SPECTER. I yield 5 minutes to Senator GRAMS.

Mr. GRAMS. I ask unanimous consent to be able to speak for the 5 minutes as in morning business.

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

Mr. SPECTER. Mr. President, will that be charged to the bill?

The PRESIDING OFFICER. No, it will not.

Mr. SPECTER. In that event, would the distinguished Senator from Minnesota speak on the bill and then ask unanimous consent to include it as in morning business? The Parliamentarian would like it charged to the bill.

So we will vote at 2:30?

The PRESIDING OFFICER. The Senator is correct.

Mr. SPECTER. We would not want to hold up so many airplanes, Mr. President.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, I just had a couple of statements I wanted to put into the RECORD for today, dealing with the action here on Labor, Health and Human Services, and also on another unrelated item dealing with the dairy decision in Minnesota earlier this week.

Later today, as noted, the Senate will complete action on the Labor Health and Human Services appropriations bill which was passed by the House last night. I wanted to express my appreciation to Senator SPECTER, chairman of the Labor, HHS Appropriations Subcommittee for including a 1-year correction of Minnesota's disproportionate share allotment, otherwise known as DSH. I also want to thank the conferees for accepting this correction as well. Without this correction, Minnesota's hospitals stood to lose millions of dollars in DSH payments, due to an error on the form that the State filed with the Health Care Financing Administration. While that error was corrected when the State

filed an amended form with HCFA, the Balanced Budget Act did not allow HCFA to consider amended forms in determining each State's DSH allotment.

Again, I would like to express my thanks to our chairman, Mr. SPECTER, and also Chairman STEVENS for their assistance and guidance in finding a temporary fix to this problem.

Mr. President, the Labor, Health and Human Services appropriations bill will buy some time for Minnesota hospitals and allow Congress the opportunity to permanently correct this unfortunate error.

Although Minnesota hospitals have received a 1-year reprieve, it is important that we permanently correct the DSH allotment error. It is my understanding that Minnesota was not the only State with DSH allotment concerns, and those States will also need a permanent solution.

I look forward to next year when these problems might be addressed in the form of a technical corrections measure.

U.S. DISTRICT COURT CLASS I DIFFERENTIALS RULING

Mr. GRAMS. Mr. President, on an unrelated matter, I also want to take a moment this afternoon to rise in support of the U.S. district court decision that prohibits the U.S. Department of Agriculture from enforcing class I differentials when it comes to dairy and the Nation's milk marketing order system.

The ruling states that the class I price structure provided under USDA's Federal milk marketing order is unlawful. This ruling was made after providing the Department three opportunities to justify this antiquated regulation which has, again, been found to be arbitrary and capricious.

I strongly urge the Secretary to forgo any further litigation on this matter.

Judge Doty's decision has confirmed what we have known all along, and that is that the current class I price structure is unfair and that it makes no economic sense.

The 1996 farm bill requires the Secretary to provide price structure and Federal milk market order reform. This process is currently moving forward, and there should be no legislative maneuvers to restore the rejected state of affairs. I will be guarding against legislative initiatives put forth by regional interests which would attempt to restore the inequities of the former system.

USDA and Members of Congress must move forward and cease to be hamstrung by arcane economic models. Traditional economic models are not sufficient in constructing a dairy policy for the next century. The imposition of the 1937 dairy legislation on 1997 dairy economics is ludicrous.

Today, we have heard from our colleagues from Vermont that without the current system, the rest of the country

would be at the mercy of the Midwest for a fresh supply of milk. We are not asking for a monopoly, only that the heel of Government be removed from our dairy farmer's throats so that they be allowed to compete fairly.

There is no room for regional politics in Federal dairy policy. We should not encourage inefficiency.

The United States district court has rendered its decision, and now it is in Secretary Glickman's hands to institute long-term and significant dairy reform which will restore equity to U.S. dairy policy.

Thank you very much, Mr. President. I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I yield to my distinguished colleague from Iowa—how much time?

Mr. GRASSLEY. I would like to have 4 minutes.

Mr. SPECTER. Four minutes speaking on the bill, and then he may want to make an as-in-morning-business request to be sure it is subtracted from the time on the bill. The Parliamentarian nods in the affirmative.

The PRESIDING OFFICER. It will be.

Mr. GRASSLEY. I make the unanimous-consent request that the Senator from Pennsylvania enunciated.

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

Mr. GRASSLEY. I thank the Chair.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 1459 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. I yield the floor.

Mr. DURBIN addressed the Chair.

Mr. HARKIN. Mr. President, I yield 5 minutes to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

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

The Senate continued with the consideration of the conference report.

Mr. DURBIN. Mr. President, I thank my friend from the State of Iowa, Senator HARKIN. I also thank the Senator from Pennsylvania, Senator SPECTER.

This is a good bill. It is not an easy bill to write. Having been a member of the Appropriations Committee in the other body, I know some bills are tougher than others. This is the toughest.

The committee empowered with writing this legislation entertains literally hundreds of witnesses who ask for help in this bill. Some are the most touching and amazing stories, as people come before this committee with a variety of different medical problems and ask for help in funding research at the National Institutes of Health. I am

really encouraged that this piece of legislation increases spending on Federal medical research projects by 7 percent. I wish it were a lot more, and I bet the Senator from Iowa and the Senator from Pennsylvania agrees. Not too many years ago, we found that the NIH was only approving a fraction of those good research projects which should have been funded. There just wasn't enough money there.

Anyone in this body, any member of our family, anyone listening to this statement, either in the galleries or by television, understands how vulnerable we all are to medical illness. There are times in each of our lives when we pray that someplace at sometime someone is investing enough money to make sure that the cures for these illnesses are found. This is the bill that invests the money.

People say, what do these people do in Washington that has any impact on my life? We invest money in the National Institutes of Health to try to find ways to cure cancer, heart disease and a variety of diseases that are not as well known. I commend my colleagues who work hard on this committee to make it happen.

Another contentious issue in this bill is the whole issue of education testing. I don't particularly like this bill's provision on education testing. I see it a lot differently. I understand at some point the debate has to end, and we have to move forward to pass the legislation.

I believe in local control of education, but I think it is naive for us to believe that we should live in a nation where 50 different States set 50 different standards for scientific educational achievement. For example, the kids graduating in Illinois may go to work in Iowa. The kids graduating in Iowa may end up going to Nebraska. The kids in Nebraska may end up going to California.

The education standards we are espousing and the ones we are trying to make certain we achieve should be nationwide goals. Understanding the achievement levels of our schools is the first step toward appreciating the good schools and improving those that aren't as good.

The city of Chicago is going through a dramatic change in reforming its public education system. The city of Chicago voluntarily signs up for national testing to make certain that the kids coming out of those schools can make it wherever they happen to live. As a result of that testing, the public school system of the city of Chicago virtually closed down seven high schools within the last few months and said those high schools just aren't meeting the basic requirements for the kids. They demanded that the teachers in those schools basically step aside and only those who were competent were rehired. Others were told they had to do something else with their lives. That is what testing can give you, some objective standard to make a tough decision.