

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 enunciate.

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.

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

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

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

The PRESIDING OFFICER. Who seeks recognition?

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

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

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

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

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

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

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

#### VETERANS DAY

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you, Mr. President.

The PRESIDING OFFICER. Who seeks recognition?

Mr. BINGAMAN addressed the Chair. The PRESIDING OFFICER (Mr. SESSIONS). The Senator from New Mexico.

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

The Senate continued with the consideration of the conference report.

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

The PRESIDING OFFICER. Yes, you would.

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

The PRESIDING OFFICER. The Senator from New Mexico.