

child's best interests will be served thereby, the vocational training program may begin before the child's 18th birthday."

(d) **EFFECTIVE DATE.**—*The amendments made by this section shall take effect as of October 1, 1997.*

Amend the title so as to read: "An Act to amend title 38, United States Code, to revise, extend, and improve programs for veterans."

Mr. ROCKEFELLER. Mr. President, as the ranking minority member of the Committee on Veterans' Affairs, I am enormously pleased that the Senate is considering S. 714, as amended, a bill that would make valuable changes to a number of veterans benefits and services. In the waning days of this session, the House and Senate Veterans' Affairs Committees were able to reach compromise on a wide range of programs and services for veterans—from programs to assist homeless veterans, to providing home loans to Native American veterans, and I urge my colleagues to give their unanimous support to this measure. It is particularly fitting that we make these improvements for veterans programs now, since tomorrow is Veterans Day.

Mr. President, because all the provisions of this measure—which I will refer to as the compromise agreement—are set forth in the joint explanatory statement which Senator SPECTER will place in the RECORD, I will discuss here only some of the issues which are of particular interest to me. The explanatory statement was developed in cooperation with the House Committee on Veterans' Affairs and that committee's chairman, BOB STUMP, will insert the same explanatory statement in the RECORD when the House considers this measure.

EXTENDING AND IMPROVING THE NATIVE AMERICAN HOUSING LOAN PILOT PROGRAM

Mr. President, section 201 of the compromise agreement will extend for 4 years the authority for the Native American Housing Loan Pilot Program, under section 3761, title 38, United States Code. This pilot program was created in 1993 to provide loans to eligible Native American veterans to purchase, build, or improve dwellings on Native American trust lands. This program is so important because commercial lenders will not finance the purchase of homes on Native American lands, as lenders cannot foreclose in the event of default. Therefore, the traditional VA loan guaranty program is not, in effect, available to Native American veterans residing on tribal lands.

This program has been very successful in financing purchases of homes by Pacific Islanders. However, it has been somewhat underutilized by other Native American populations. Therefore, this bill would also provide for enhanced outreach by VA to inform Native American veterans of the availability of this program. It further

tasks VA with analyzing what is working and what could be improved in its administration of the program.

I would like to commend Senators AKAKA and CAMPBELL for their tireless advocacy on behalf of Native American veterans.

REINVENTING VA'S EEO SYSTEM

Title 1 of the compromise agreement will establish a new employment discrimination complaint system for the VA. This provision ensures that the employees who perform equal employment and opportunity (EEO) counseling and investigations are professional and independent by creating a new office to adjudicate complaints, separate from line management.

The Committee has had grave concerns about how VA has handled several high profile EEO complaints filed against senior staff members. Therefore, this bill also provides for VA to submit a separate report regarding complaints filed against senior level employees, based on their personal conduct. I believe it is critical that VA's actions be subject to congressional scrutiny, in order to assure accountability.

I want to thank Senator GRAHAM for his leadership on this important issue.

SPINA BIFIDA ELIGIBILITY CLARIFIED

Mr. President, section 404 of the compromise agreement will clarify the eligibility—for compensation, health care, and educational assistance—of the children with spina bifida born to Vietnam veterans exposed to Agent Orange. Currently, the eligibility of the child is determined by looking to the veteran father. However, under title 38 of the United States Code, a former service member who received a dishonorable discharge is generally not considered a veteran, and is therefore not eligible for veterans benefits from the VA.

It was Congress' intention to provide benefits to all Vietnam veterans' children with spina bifida. Congress did not mean to exclude the children of veterans with dishonorable discharges.

This provision will clarify the eligibility criteria to include the child with spina bifida of a Vietnam veteran regardless of the character of his discharge. This is a minor modification in the law, but to the children who suffer from spina bifida, these benefits can make a significant difference in their lives. These benefits can improve their quality of health care, provide educational opportunities, and enhance their quality of life. It would be a great injustice if these children were denied these benefits because of their fathers' discharge status.

MAMMOGRAPHY POLICY

Section 208 of the compromise agreement seeks to address a discrepancy

between VA's stated principles and their clinical practice with respect to breast cancer programs. Though a guiding principle of the Veterans Health Administration states that "the quality of care in VHA must be demonstratively equal to, or better than, what is available in the local community," in my view, VHA's breast cancer detection policy fails to achieve community standards because it only targets women between the ages of 50 to 69.

Section 208 requires the VA to adopt a comprehensive national policy on breast cancer detection. Rather than requiring the VA to adhere to a specific clinical standard, the provision relays the sense of the Congress that VA's policy be in accordance with guidelines issued by the Secretary of Health and Human Services and the Director of the National Institutes of Health.

Mr. President, it is very important that veterans have access to preventive diagnostic tests to protect their health. Because breast cancer is the leading cause of cancer in women, I look forward to receiving VA's national policy on breast cancer detection.

I thank Senator SPECTER for his leadership on this issue.

HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

Mr. President, I am pleased that the authority for the Health Professional Scholarship Program has been extended for one year. Aspiring health professionals have a strong interest in the scholarship program, and it has proven to be an effective recruitment tool for the VA in the past. Staffing analyses done within the VA have identified a need to increase the levels of nurse practitioners and physician assistants to adjust to the shift from inpatient to outpatient care, and this program is well suited to assist individuals in these career paths. We will continue to evaluate this program and look for other opportunities that will increase both recruitment and retention of health professionals in the VA.

MAJOR MEDICAL FACILITY PROJECTS CONSTRUCTION AUTHORIZATION

Of the projects authorized under title III of this bill, I am especially pleased that we have included the authorizations for projects in northern California. I have been concerned that veterans in northern California have not been receiving convenient VA health care services ever since the Martinez VA Medical Center was closed in 1991.

The conference agreement authorizes VA to move ahead with plans to create an accessible network of VA health care by specifically authorizing funds for upgrades and enhancements to McClellan Hospital at Mather Field in Sacramento and improvements to the outpatient clinics at Mare Island in

Vallejo and at Martinez. Once the McClellan Hospital is completed, VA expects capacity for 55 inpatient beds and 110,000 outpatient visits per year, and the projected workload for the outpatient clinics will exceed 140,000 outpatient visits per year.

CONCLUSION

Mr. President, in closing, I acknowledge the work of my colleagues in the House—Chairman BOB STUMP and ranking Minority Member LANE EVANS—and our Committee's Chairman, Senator SPECTER, in developing this comprehensive legislation.

Mr. President, I thank the staff who have worked extremely long and hard on this compromise—Mike Durishin, Jill Cochran, Mary Ellen McCarthy, Adam Sachs, Susan Edgerton, Carl Commenator, Pat Ryan, Mike Brinck, Ralph Ibson, Kingston Smith, Sloan Rappoport, and others on the House Committee, and Jim Gottlieb, Kim Lipsky, Mary Schoelen, Charlie Battaglia, Bill Tuerk, and John Bradley, with the Senate Committee. I also thank Bob Cover and Charlie Armstrong of the House and Senate Offices of Legislative Counsel for their excellent assistance and support in drafting this compromise agreement.

Mr. HUTCHINSON. Mr. President, I rise today in support of the Department of Veterans Affairs Employment Discrimination Resolution and Adjudication Act. As we approach Veterans Day, it is indeed fitting that this important legislation will soon become an integral part of title 38, of the United States Code.

This legislation addresses the critical issue of sexual harassment within the Department of Veterans Affairs and ensures that the rights of all employees will be protected. I would like to recognize the leadership of Chairman SPECTER and the support of Senators ROCKEFELLER and GRAHAM in the development of this necessary legislative remedy.

Specifically, this bill creates within the Department an Office of Employment Discrimination Complaints Resolution which will be headed by a director who shall be solely responsible for resolving complaints of unlawful employment discrimination within the Department. It requires that those employed in handling the complaints be properly trained and that complaints are handled in a fair and objective manner. The legislation further ensures that those individuals in top management positions are held to the same standards concerning equal opportunity employment law as those individuals that they manage and supervise.

The legislation requires that the Secretary of Veterans Affairs submit to Congress three reports on the implementation and operation of the equal opportunity employment system. These reports are due April 1, 1998, January 1, 1999, and January 1, 2000. In ad-

dition to the reports required of the Department, the legislation further stipulates that an assessment of the Employment Discrimination Complaint Resolution system be conducted by an independent contractor who has been approved by both the House and Senate Veterans' Affairs Committees. The first independent assessment is due June 1, 1998 with the second report due June 1, 1999.

Mr. President, our Nation's veterans and the over 200,000 Federal workers who support the nationwide network of the Department of Veterans Affairs programs and services must be assured that they can put veterans first in an environment that has zero tolerance for any type of sexual, emotional, or physical harassment.

Mr. FAIRCLOTH. Mr. President, I rise in support of the Department of Veterans Affairs Employment Discrimination Act. This legislation offers an effective and expeditious method for filing and processing sexual harassment and employment discrimination claims within the Department.

Over a year ago, the problem of sexual harassment with Veterans Affairs Department was brought to my attention by a case of widespread abuse at the VA Medical Center in Fayetteville, NC. Regrettably, this situation involved the director of the facility who was also the man responsible for handling complaints filed against him. Not surprisingly, claims of sexual harassment made against the director went nowhere, and he continued his reprehensible behavior without fear of being caught.

The legislation I introduced with my colleague from Florida, Senator GRAHAM, and my colleague from Arkansas, Senator HUTCHINSON, is a constructive measure that would prevent such a blatant abuse of authority from occurring again. This bill will create the Office of Employment Discrimination Complaint Adjudication [OEDCA] with a director who would report only to the Secretary or Deputy Secretary of VA. Centralizing authority within the OEDCA will restore a large amount of accountability to currently flawed system.

Mr. President, it is imperative that Congress provide the thousands of employees of the Veterans Affairs Department with a system they can rely upon to judiciously resolve employment discrimination claims. I urge my colleagues to support this legislation to prevent an incident such as the one that occurred in my State from happening again.

Mr. LOTT. Mr. President, I move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

WAIVING TIME LIMITATIONS IN REGARD TO MEDAL OF HONOR AWARD

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2813 now at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2813) to waive time limitations specified by law in order to allow the Medal of Honor to be awarded to Robert R. Ingram of Jacksonville, Florida, for acts of valor while a Navy Hospital Corpsman in the Republic of Vietnam during the Vietnam conflict.

The Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be read three times and passed; that the motion to reconsider be laid upon the table; and that any statements relating thereto be placed at the appropriate place in the RECORD.

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

The bill (H.R. 2813) was read the third time and passed.

CENSUS OF AGRICULTURE ACT OF 1997

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 276, H.R. 2366.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2366) to transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

The Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (H.R. 2366) was read the third time and passed.

ATLANTIC STRIPED BASS CONSERVATION ACT AMENDMENTS OF 1997

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 285, H.R. 1658.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1658) to reauthorize and amend the Atlantic Striped Bass Conservation Act and related laws.