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Budget - FY [Fiscal Year] '98 - Reports - Senate

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COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$1,400,000,000 for the HOME Investment Partnership Program. This amount is the same level as the 1997 appropriation.

HOMELESS ASSISTANCE**HOMELESS ASSISTANCE GRANTS**

Appropriations, 1997	\$823,000,000
Budget estimate, 1998	823,000,000
Committee recommendation	823,000,000

PROGRAM DESCRIPTION

The "Homeless Assistance Grants Program" account is intended to fund the emergency shelter grants program, the supportive housing program, the section 8 moderate rehabilitation single-room occupancy program, and the shelter plus care program.

COMMITTEE RECOMMENDATION

The Committee recommends \$823,000,000 for homeless assistance grants. The amount recommended is the same amount appropriated for fiscal year 1997 and the same as the budget request for fiscal year 1998.

The Committee is concerned over questions about the current adequacy of funding for the Homeless Assistance Grants Program. The Committee expects HUD to provide a full accounting of the program, including trends in the costs and activities associated with the homeless, with rental costs and the Federal share of this cost and strategies for a continuum of care and transition to permanent housing.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)

Appropriations, 1997	\$171,000,000
Budget estimate, 1998	204,000,000
Committee recommendation	204,000,000

PROGRAM DESCRIPTION

The Housing Opportunities for Persons with AIDS (HOPWA) Program is designed to provide States and localities with resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of persons with HIV/AIDS and their families.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$204,000,000 for this program. This is the same level enacted into law for fiscal year 1997, and is intended to establish a benchmark while the success of the program is being reviewed. HUD is requested to submit to the Appropriations Committees no later than January 15, 1998, a review of the program, including the costs and location of each project, including all component costs associated with bricks and mortar, supportive services, and administrative costs. HUD also is

requested to submit legislative and administrative reforms designed to cap the costs of the program at the current level.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

Appropriations, 1997	\$839,000,000
Budget estimate, 1998	474,000,000
Committee recommendation	839,000,000

PROGRAM DESCRIPTION

This account consolidates the housing for the elderly under section 202; housing for the disabled under section 811; and public housing for Indian families. Under these programs the Department provides capital grants to eligible entities for the acquisition, rehabilitation, or construction of housing. Twenty-five percent of the funding provided for housing for the disabled is available for tenant-based assistance under section 8.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$839,000,000 for development of additional new subsidized housing. Included in this recommendation is \$645,000,000 for capital advances for housing for the elderly and \$194,000,000 for capital advances for housing for the disabled. These amounts will maintain the current fiscal year levels of subsidized housing production for these two programs. Up to 25 percent of the funding allocated for housing for the disabled can be used to fund section 8 assistance for the disabled.

The Committee is concerned with the state of elderly housing, especially in light of departmental requests for reduced funding. The Committee directs HUD to report on the unmet need for elderly housing in the country, and the physical condition of existing elderly housing. HUD's report should also include information on what HUD can do to encourage new and innovative approaches to providing elderly housing that may reduce costs and increase efficiency. This may include approaches such as providing continuum of care service at residents' housing by facilitating onsite care by service providers.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

	Limitation on direct loans	Limitation on guaranteed loans	Administrative expenses
Appropriations, 1997	200,000,000	110,000,000,000	350,595,000
Budget estimate, 1998	200,000,000	110,000,000,000	333,421,000
Committee recommendation	200,000,000	110,000,000,000	333,421,000

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 *pational 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 *grammatic 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 *Peyser 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 *urity 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."*

9 OFFICE OF INSPECTOR GENERAL

16 *GENERAL PROVISIONS*

21 (TRANSFER OF FUNDS)

HR 2264 EAS

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 sertying 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 *TITLE II—DEPARTMENT OF HEALTH AND*
2 *HUMAN SERVICES*

3 *HEALTH RESOURCES AND SERVICES ADMINISTRATION*

4 *HEALTH RESOURCES AND SERVICES*

5 *For carrying out titles II, III, VII, VIII, X, XII, XVI,*
6 *XIX, and XXVI of the Public Health Service Act, section*
7 *427(a) of the Federal Coal Mine Health and Safety Act,*
8 *title V of the Social Security Act, and the Health Care*
9 *Quality Improvement Act of 1986, as amended, and the Na-*
10 *tive Hawaiian Health Care Act of 1988, as amended,*
11 *\$3,449,071,000, of which \$225,000 shall remain available*
12 *until expended for interest subsidies on loan guarantees*
13 *made prior to fiscal year 1981 under part B of title VII*
14 *of the Public Health Service Act: Provided, That the Divi-*
15 *sion of Federal Occupational Health may utilize personal*
16 *services contracting to employ professional management/ad-*
17 *ministrative and occupational health professionals: Pro-*
18 *vided further, That in addition to fees authorized by section*
19 *427(b) of the Health Care Quality Improvement Act of*
20 *1986, fees shall be collected for the full disclosure of informa-*
21 *tion under the Act sufficient to recover the full costs of oper-*
22 *ating the National Practitioner Data Bank, and shall re-*
23 *main available until expended to carry out that Act: Pro-*
24 *vided further, That no more than \$5,000,000 is available*
25 *for carrying out the provisions of Public Law 104–73: Pro-*

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 ALLERGY AND INFECTIOUS*

2 *DISEASES*

3 *For carrying out section 301 and title IV of the Public*
4 *Health Service Act with respect to allergy and infectious*
5 *diseases, \$1,359,688,000.*

6 *NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES*

7 *For carrying out section 301 and title IV of the Public*
8 *Health Service Act with respect to general medical sciences,*
9 *\$1,058,969,000.*

10 *NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN*

11 *DEVELOPMENT*

12 *For carrying out section 301 and title IV of the Public*
13 *Health Service Act with respect to child health and human*
14 *development, \$676,870,000.*

15 *NATIONAL EYE INSTITUTE*

16 *For carrying out section 301 and title IV of the Public*
17 *Health Service Act with respect to eye diseases and visual*
18 *disorders, \$357,695,000.*

19 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*

20 *SCIENCES*

21 *For carrying out sections 301 and 311 and title IV*
22 *of the Public Health Service Act with respect to environ-*
23 *mental health sciences, \$331,969,000.*

24 *NATIONAL INSTITUTE ON AGING*

25 *For carrying out section 301 and title IV of the Public*
26 *Health Service Act with respect to aging, \$520,705,000.*

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 *rity 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 OFFICE OF INSPECTOR GENERAL

2 *For expenses necessary for the Office of Inspector Gen-*
3 *eral in carrying out the provisions of the Inspector General*
4 *Act of 1978, as amended, \$31,921,000.*

5 OFFICE FOR CIVIL RIGHTS

6 *For expenses necessary for the Office for Civil Rights,*
7 *\$16,345,000, together with not to exceed \$3,314,000, to be*
8 *transferred and expended as authorized by section 201(g)(1)*
9 *of the Social Security Act from the Hospital Insurance*
10 *Trust Fund and the Supplemental Medical Insurance Trust*
11 *Fund.*

12 POLICY RESEARCH

13 *For carrying out, to the extent not otherwise provided,*
14 *research studies under section 1110 of the Social Security*
15 *Act, \$9,500,000.*

16 GENERAL PROVISIONS

17 *SEC. 201. Funds appropriated in this title shall be*
18 *available for not to exceed \$37,000 for official reception and*
19 *representation expenses when specifically approved by the*
20 *Secretary.*

21 *SEC. 202. The Secretary shall make available through*
22 *assignment not more than 60 employees of the Public*
23 *Health Service to assist in child survival activities and to*
24 *work in AIDS programs through and with funds provided*
25 *by the Agency for International Development, the United*



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-*

ices, a comprehensive program to help prevent Fetal Alcohol Syndrome and Fetal Alcohol Effects nationwide. Such program shall—

(1) coordinate, support, and conduct basic and applied epidemiologic research concerning Fetal Alcohol Syndrome and Fetal Alcohol Effects;

(2) coordinate, support, and conduct national, State, and community-based public awareness, prevention, and education programs on Fetal Alcohol Syndrome and Fetal Alcohol Effects; and

(3) foster coordination among all Federal agencies that conduct or support Fetal Alcohol Syndrome and Fetal Alcohol Effects research, programs, and surveillance and otherwise meet the general needs of populations actually or potentially impacted by Fetal Alcohol Syndrome and Fetal Alcohol Effects.

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

“PART O—FETAL ALCOHOL SYNDROME

PREVENTION PROGRAM

“SEC. 399G. ESTABLISHMENT OF FETAL ALCOHOL SYNDROME PREVENTION PROGRAM.

“(a) *FETAL ALCOHOL SYNDROME PREVENTION PROGRAM.*—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 demic 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

“(C) report on a biennial basis to the Secretary and relevant committees of Congress on the current and planned activities of the participating agencies, including a proposal for a Federal Interagency Task Force to include representatives from all relevant agencies and offices within the Department of Health and Human Services, the Department of Agriculture, the Department of Education, the Department of Defense, the Department of the Interior, the Department of Justice, the Department of Veterans Affairs, the Bureau of Alcohol, Tobacco and Firearms, the Federal Trade Commission, and any other relevant Federal agency.

“(c) SCIENTIFIC RESEARCH AND TRAINING.—The Director of the National Institute on Alcohol Abuse and Alcoholism, with the cooperation of members of the interagency task force established under subsection (b), shall establish a collaborative program to provide for the conduct and support of research, training, and dissemination of information to researchers, clinicians, health professionals and the public, with respect to the cause, prevention, diagnosis, and treatment of Fetal Alcohol Syndrome and the related condition known 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 Responsibil-*
 11 *ity and Work Opportunity Reconciliation Act of 1996*
 12 *(Public Law 104–193; 110 Stat 2112) was to allow*
 13 *States to take into account the effects of the epidemic*
 14 *of domestic violence in establishing their welfare pro-*
 15 *grams, by giving States the flexibility to grant indi-*
 16 *vidual, temporary waivers for good cause to victims*
 17 *of domestic violence who meet the criteria set forth in*
 18 *section 402(a)(7)(B) of the Social Security Act (42*
 19 *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

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

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

(c) *FEDERAL PARENT LOCATOR SERVICE.*—

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

(A) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by inserting “or that the health, safety, or liberty or a parent or child would be unreasonably put at risk by the disclosure of such information,” before “provided 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 of 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*