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Senate

(Legislative day of Tuesday, September 5, 1995)

The Senate met at 9:15 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, whose attributes are both majestic and manifold, we thank You most of all today for Your omnipresence and omniscience. It is a comfort and a challenge to realize that You are not only everywhere but You know everything. There is no place we can escape You, but also, no place devoid of Your potential grace and guidance. You know what we are facing with each person and each problem today. That means everything to us. We are not alone. You are with us. And because You know the complexities ahead of us throughout the day, You can give us what we need to be faithful to You and to live out our convictions. In this assurance we commit to You whatever causes us anxiety or frustration. Grant us Your vision and give us Your power. Think, speak, act through us. You provide the day; You show the way; Your love and patience in us display. In our Lord's name. Amen.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m., with 45 minutes to be under the control of the Senator from West Virginia [Mr. BYRD].

The able Senator from West Virginia is recognized.

THE CHAPLAIN'S PRAYER

Mr. BYRD. Mr. President, I thank the venerable Chair. I also thank our Chaplain for his prayer, reminding us of our insignificance and of the majestic greatness and love of an omnipotent, omnipresent, and omniscient God and of our Lord and Savior, Jesus Christ, who gave his life as a ransom for many.

DERAIL THE FEDERAL TRAIN WRECK

Mr. BYRD. Mr. President, over the past number of weeks, we have witnessed a great deal of saber-rattling and speculation over the question of whether Congress and the President can avoid a Government shutdown, called, metaphorically, a train wreck, on October 1. That is the first day of fiscal year 1996, and is also the date by which all 13 of the 1996 appropriations bills are supposed to be enacted.

Failure to achieve enactment of any of the 13 appropriations bills by October 1 will cause a funding lapse for the departments and agencies covered by any such bill. The only way to avoid a funding lapse, and an accompanying shutdown of the affected departments and agencies, is for Congress and the President to enact a short-term extension of funding authority, which is commonly known as a continuing resolution.

It is never easy to enact all 13 annual appropriations bills by the beginning of a fiscal year. In fact, only once in over 20 years have all 13 appropriations bills been signed into law prior to the beginning of the fiscal year. That year was fiscal year 1995. For every other year in the last several decades it has been necessary to enact a continuing resolution in order to enable the departments and agencies of the Federal Government to continue to carry out their responsibilities in the absence of appropriations acts. In most instances, those continuing resolutions have been of short duration and were enacted with little or no controversy.

Mr. President, given that history, I see no earthly reason for a so-called train wreck. There is certainly nothing to be gained politically by either side of the aisle or by the administration by such a catastrophe. In fact, it is far more likely that the American people will see such a train wreck as merely a game of high stakes poker played by politicians using public money to make their bets. The American people will rightly see through the political ''blame game'' that will accompany the so-called train wreck. They will ask themselves why they should have to pay the tab for the game of chicken being played by their elected officials—who, by the way, will continue to be paid their full salaries were there to be a Government shutdown.

Furloughed Federal workers by the hundreds of thousands will not be paid, nor will those who do contract work for the Federal Government. But, the President, and Senators, and Members of the House of Representatives, will still receive their full paychecks, no matter how long the shutdown lasts. Be assured, Senators, that that situation will not make any of us dearly beloved by our constituents.

Mr. President, we are told by the General Accounting Office, in its June 1991 report entitled ''Government Shutdown'' that there were nine occasions over the period from October 1981 through October 1990 when there were funding gaps of 1 to 3 days. In other words, we had nine short periods, usually over weekends when there were lapses of appropriations. This same GAO report analyzes the effects of the last of these nine funding lapses; namely, Columbus Day weekend of 1990, or October 6–8, 1990. The report points out

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

that on October 5, 1990, Federal agencies were directed by the Office of Management and Budget to implement plans to close down operations over the Columbus Day weekend (October 6–8, 1990). This action was the result of President Bush's veto of a continuing resolution that would have provided funding through October 12, 1990, and was a reflection of the President's dissatisfaction with progress on the fiscal year 1991 budget.

According to GAO, on page 2 of the report: ''The shutdown of some government agencies over the Columbus Day weekend was financially counterproductive.'' Overall, the shutdown costs of seven affected agencies totaled $3.4 million. However, these costs would have been much higher if a 3-day shutdown had occurred during a normal workweek. GAO states that ''the total cost of such a 3-day workweek shutdown would range from about $244.6 million to $607.3 million, depending upon whether revenues estimated to be lost by the IRS could be recovered.'' That is a lot of money that will be wasted—at least $250 million every 3 workdays if we cause a Government shutdown on October 1. This is a very expensive way to prove once and for all to the American people that the Government cannot perform even its basic responsibilities. No wonder one hears so much talk about throwing the whole lot of us out of office!

There is of course still time to complete action on all 13 appropriations bills by the end of the month. We have already passed 7 of the 13 bills and all of the remaining bills will be ready for Senate consideration this week, or certainly by the end of the week.

There are a number of these bills which the President has threatened to veto unless substantial changes are made to them. There are legitimate differences, which, after reasonable debate, should, in my opinion, be resolved one way or the other. We need to vote these amendments up or down and get these remaining bills to conference, and to the President's desk. If he chooses to veto some of them, as I believe he will, then it is all the more important for Congress to get its work done on time so as to allow for further negotiations on any bills which are vetoed and not overridden.

If Congress cannot complete action on all 13 appropriation conferences by October 1, there is still no excuse for a train wreck. Surely the American people have a right to expect Congress and the Chief Executive to be able to work out a continuing resolution which will prevent a Government shutdown while negotiations take place as necessary to achieve the enactment of all 13 fiscal year 1996 appropriations bills. I believe we can avoid a Government shutdown. All it really will take to do so is for both political parties to decide that they wish to avoid it. We are not on some preordained collision course. We are not controlled by some automatic pilot device which has the two political parties careening down intersecting tracks destined to collide. Those of us charged with carrying out the responsibilities of elective office have the will and the wit to avoid such nightmarish scenarios if we simply choose to do so. All it takes is for all the players on both ends of the avenue to stop the gamesmanship and go reread their oath of office.

This is not some partisan polo match we are engaged in. We are gambling with the financial fortunes of a lot of real honest to goodness people who will suffer hardships if we remain intransigent and close down this Government. And, as I have already mentioned, there are very high, very real permanent costs to the U.S. Treasury if we choose such a course. I can think of no more irresponsible act by elected officials than to deliberately plot such a devastating scenario and then to actually carry it out. What will we be proving? Who can possibly win if such a mess comes to pass? No one will applaud our statesmanship or patriotism, that is for sure. And, we will have earned the wrath of the voters in 1996, who would be well justified in their belief that nothing has changed in Washington where it is gridlock and power plays as usual.

But, as if this is not enough, there is another far more serious train wreck that may be imminent—and that is the train wreck which could occur if Congress insists on putting the debt limit increase into the reconciliation bill. According to recent testimony by the Treasury Department before the Finance Committee, Treasury's current estimates show that the permanent debt ceiling of $4.9 trillion will be reached by late October or early November.

As Senators are aware, once that debt limit is reached, the Treasury Department has no authority to spend any cash that would cause the debt limit to be exceeded. A failure by Congress and the President to raise the debt limit would bring about, in a matter of days, one of the greatest financial crises the country has ever seen—probably the greatest in some ways. The Government would not be able to continue any of its operations. It could not honor Social Security checks or pay employees to issue them. The same applies to military and civilian and veterans' pensions. They would not be honored. Interest on U.S. Government securities could not be paid. All of this is coming up this fall unless we enact an increase in the debt limit, as called for in the Budget Resolution, and which the Treasury Department has told us will be necessary no later than mid-November.

According to the Congressional Budget Office, in its August 1995 report entitled ''The Economic and Budget Outlook,'' the debt limit has had to be raised 19 times over the last decade. That report also points out the obvious; namely, that raising the debt limit is considered ''must pass'' legislation. Paradoxically, because of its critical importance, passage of the debt limit is frequently viewed by some very misguided forces as a device to use to mandate action on some other legislative partisan goal. The debt limit is, therefore, the ultimate tool in the hands of the legislative blackmailers, the ultimate tool.

CBO gives the example of 1990, when Congress voted seven times on the debt limit between August 9 and November 5 in connection with the budget summit negotiations. In that instance, as I recall—I was there—the Congress and President Bush enacted a series of debt limit increases as progress was being made on the overall budget at the Budget Summit. Those debt limit increases were supported on a bipartisan basis in both Houses, and by President Bush, as we all worked day and night, and on Saturdays and Sundays, to resolve our differences on a 5-year deficit reduction package. That package ultimately was enacted into law in what is known as the Budget Enforcement Act.

Despite the fact that President Bush later expressed regret for his involvement in that Budget Summit Agreement, I believe that it made a number of very important improvements in the Budget Act, and it also cut the deficit projections at that time by almost $500 billion. But whatever one's view may be of the 1990 budget experience, one thing was clear. No one seriously talked about deliberately causing a default on our national debt in order to gain some political advantage by blaming the other political party for the calamity.

Yet, Mr. President, we are now facing a situation where, I understand, the majority party in Congress may choose to include the debt limit increase in the upcoming reconciliation bill. They see it as an opportunity to force the President to sign the reconciliation bill. They see it as a way of slamming several crazy, at least in my judgment, legislative ''losers'' into law—no matter how unwise or how untested those proposals may be. They view this devious and irresponsible tactic as a sure way to enact massive tax cuts, which mainly benefit high-income ''fat cats.''

Reports say the majority may be planning to put the debt limit increase into the reconciliation bill and then to ram that whole package through Congress without serious negotiations with the minority in Congress or with the President.

They are riding high in the saddle, Mr. President, but the worm is going to turn. It is just a matter of when. They are riding high in the saddle, but the worm is going to turn. That is exactly what will happen, if the majority can muster the votes in both Houses of Congress for their reconciliation bill. They have chosen the reconciliation bill because reconciliation bills cannot be filibustered. Neither can reconciliation conference reports. Reconciliation bills are intended to reduce the

deficit, and so they are privileged matters with exceedingly tight time limits. Therefore, what we may be facing in regards to reconciliation is a take-it-or-leave-it bill—one that largely contains everything the majority party espouses, and with little consideration, if any, of the views of either the President or the Democratic minority in Congress. That would mean huge cuts in Medicare—around $270 billion—huge tax cuts for the wealthy—$245 billion—folly on folly—and huge cuts in discretionary investments in our physical infrastructure, as well as cuts in such programs as education, job training, and medical research. The attitude is do it our way. Take our highly partisan agenda, just as we wrote it in that great so-called ''Contract With America'' or we will wreck the national economy, close down the Government, and threaten global financial disruption.

If the Republican majority can round up a majority of the House and Senate to vote for such a reconciliation bill, and if it also includes a debt limit increase, then the President, it would seem, would be in the impossible position of having to either swallow a bill that he has said he will veto and will deserve to be vetoed, or shooting down a ''must pass'' increase in the debt limit. This is just a deplorable way to govern. It is putting politics first. Politics is important. I have never considered it to be first, above everything else, and I do not so consider it now. It is irresponsible. It makes a mockery of our constitutional system and encourages chaos to reign.

If you think that Milton's ''Paradise Lost'' presented chaos, as Satan and his angels fell from Heaven, just wait and see what this will look like.

Mr. President, I urge my colleagues in the Senate, in the House, and in the administration not to go down this road. Despite the political enticement of being able to blackmail the President into signing a highly partisan version of a reconciliation bill, I submit that in reality there is absolutely no political advantage.

The people are going to say, a plague on both of our Houses.

Go back and read Chaucer's tale by the Pardoner, wherein all three of the young men destroyed themselves. Because of their greed for gain, two knifed the one while the one poisoned the two. And they all fell in excruciating pain on top of the pile of gold and died.

So there can be no winners in this game. The Democrats, the Republicans, and the President will all destroy ourselves because of our political greed for gain.

The American people will clearly understand what is going on. We cannot bamboozle them. They are onto our childish games. And they and the press will quickly be able to determine that the debt limit can easily be increased as a free-standing bill and that the majority party in Congress need not and should not try to gain advantage in the budget battles by risking a world class financial crisis.

Am I exaggerating? Am I engaging in hyperbole? Just what would be the consequences of not raising the debt limit? I predict that such a default on paying interest due on Government securities, for example, would cause an earthquake on Wall Street, one that would rattle your eye teeth and curl your hair, as someone has said upon one occasion.

A failure to raise the debt limit in a timely manner would have devastating effects on the standing of the United States in the international economy. Investor confidence in the dollar and in U.S. Government securities would plummet—plummet, sharply affecting domestic and international stock and bond markets. U.S. bonds and bills would never be ''risk free'' again. They would become ''government insecurities,'' not ''government securities.'' Uncle Sam would no longer be a pillar of financial rectitude, but would become a shady junk bond dealer on the international market. International investors, who hold billions and billions of U.S. dollars, would understandably look for safer havens—safer havens for their investments. Interest rates would increase—interest rates would be offered and would again entice these investors to buy U.S. Government securities. This would cost the United States more, and still might not ensure stability in our financial markets.

The United States would be the big loser, big loser, in the long term, facing permanently increased borrowing costs when the time came to roll over our debt. Interest rates on those loans, which are secured with Government bonds, would be raised, increasing, in turn, the costs to the taxpayer. The added costs of an increased interest rate on borrowing to finance the debt would have to be offset by reduced Government investments in people and in infrastructure programs which already feel the crunch of budget constraints designed to bring the budget into balance. This foolhardy posturing on raising the debt limit is being played out on a knife edge that is poised to cut the throat of the American taxpayer, who will suffer from increased costs and reduced Government services for years to come.

On the international security scene, a U.S. failure to increase the debt limit could also adversely affect U.S. military preparedness. If the men and women in our military are worried about their paychecks being honored, about paying their bills and feeding their families, how credible a deterrent can they be? This has very unsettling ramifications for U.S. military operations possibly in Iraq and North Korea. Should we stop firing Tomahawk cruise missiles—at a cost of $1.3 million per missile—at Bosnian air defense sites because we are not sure that we can afford to replace them in the inventory? Do we not send in costly reinforcements if Iraq makes threatening moves toward Jordan or Kuwait? Will defense contractors make timely deliveries of new weapons after the first payment check is not honored? Will the United States be able to honor its security agreements with other nations, when it cannot credibly be counted upon to follow through on, and to pay for, its own commitments? These are just a few of the possible effects of our failure to increase the debt limit and maintain faith in the security of U.S. Government financial commitments.

Now, whether my predictions will be correct will be known in November if we have not enacted a debt limit increase by then. This is so because in November, we are told by CBO, cash interest payments are due on Treasury instruments totaling around $25 billion. Treasury tells us that they will not have room under the present $4.9 trillion debt limit to pay that interest. We indeed, therefore, must pass a debt limit increase, or risk a real default on the payment of interest on Treasury instruments for the first time in our history.

That is what is at stake here along with the lack of cash to honor Social Security checks, or Government pensions, or veterans' pensions, or the paychecks of Government workers. Surely sane men and women will not choose to play a game of chicken of this horrific magnitude. We would be risking the entire economy. Where would the panic stop? Once it started, how could one turn off the total loss of faith in the ability of this Congress to responsibly carry out its work? Once that genie is out of the bottle, who can say where or when the damage will end? We are not talking about a mere metaphorical train wreck under this set of circumstances. We are talking about a nuclear explosion—a financial doomsday scenario that could make the Great Depression, in some respects at least, look more like a picnic in the park by comparison. And, thank God, I lived in that depression. I was 12 years old when the October 29 stock market crash took place. I remember what it was. And yet, we hear daily the trumpets of our leaders at both ends, both ends of Pennsylvania Avenue preparing us for the catastrophe, as though it was inevitable due to some unavoidable, locked-in, preprogrammed self-destruct device.

That will not wash, Mr. President. We are not dealing with a bomb which we cannot disarm. There is nothing inevitable or uncontrollable about it. We have every authority and power that we need to avoid a funding lapse at the beginning of this fiscal year and a debt limit crisis. We have always solved our political and policy differences in the past without risking serious permanent damage to our economy and to our very system of Government. All it takes is for us once, just once, to put the good of the country ahead of the partisan political advantage and the

good of political parties. All it takes is for us to stop wallowing in the intoxicating sweet smoke of rhetoric—in the intoxicating aura of power, and start trying to be what we all loudly claim to be: statesmen! All it takes is for us to sober up, put the cards down, and fold up this drunken poker game that has already progressed far too late into the evening. We need to pass the coffee, get the red out of our eyes, and try to remember why the people sent us here in the first place.

If the people have lost respect for public officials, spectacles such as the one now being touted as a train wreck are surely the reason why. If confidence in the Federal Government is failing, this type of power-induced insanity that views flirting with an economic collapse as good political strategy is certainly one reason why. If we try to publicly pretend that we cannot avoid such a fiscal crisis, we need never again scratch our heads and wonder why people do not trust and do not believe politicians. There need be no crisis unless irresponsible partisan-crazed politicians create one, and we all know it.

I am encouraged by the press accounts of the meeting that occurred earlier this week between President Clinton and congressional leaders, at which they apparently agreed to negotiate a short-term spending plan that would avoid an October 1 Government shutdown. That would address at least part of the problem. And if cooler heads prevail, surely we can, and surely we must, find a way to settle our very real and very serious budgetary and appropriations differences in the coming weeks, as we were elected to do, without fashioning deliberate train wrecks that would be devastating to this great country of ours. If we fail to do so, if November brings such unimaginable devastation to our country, I fear not for our sorry lot, for we politicians will get exactly what we deserve. I fear only for the American people who so wrongly invested their trust in us in the first place.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ASHCROFT). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. WELLSTONE. Mr. President, I object for the moment.

The PRESIDING OFFICER. Objection is heard.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

OUR NATIONAL COMMITMENT TO DEPENDENT CHILDREN

Mr. MOYNIHAN. Mr. President, on this, the likely final day of the debate on the welfare reform measure before us, it is worth noting that in the lead story of the New York Times this morning, a story by Robin Toner, we read that ''the White House, exceedingly eager to support a law that promises to change the welfare system, was sending increasingly friendly signals about the bill.''

That is a bill that would repeal title IV–A of the Social Security Act of 1935 that provides aid to dependent children. It will be the first time in the history of the Nation that we have repealed a section of the Social Security Act. That the White House should be eager to support such a law is beyond my understanding, and certainly in 34 year's service in Washington, beyond my experience.

I regret it. I can only wish some who are involved in the White House or those in the administration, would know that they might well resign if they agree with the proposal that violates every principle they have asserted in their careers, honorable careers in public service.

I will state once again, we, yesterday, read Mr. Rahm Emanuel, a White House spokesman, saying the measure was coming along ''nicely.'' Today, we get the same message in a lead story in the Times. If this administration wishes to go down in history as one that abandoned, eagerly abandoned, the national commitment to dependent children, so be it. I would not want to be associated with such an enterprise, and I shall not be.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FAMILY SELF-SUFFICIENCY ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 4, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

The Senate resumed consideration of the bill.

Pending:

Dole modified amendment No. 2280, of a perfecting nature.

Subsequently, the amendment was further modified.

Daschle amendment No. 2672 (to amendment No. 2280), to provide for the establishment of a contingency fund for State welfare programs.

Faircloth amendment No. 2608 (to amendment No. 2280), to provide for an abstinence education program.

Wellstone amendment No. 2584 (to amendment No. 2280), to exempt women and children who have been battered or subject to extreme cruelty from certain requirements of the bill.

Faircloth amendment No. 2609 (to amendment No. 2280), to prohibit teenage parents from living in the home of an adult relative or guardian who has a history of receiving assistance.

Conrad amendment No. 2528 (to amendment No. 2280), to provide that a State that provides assistance to unmarried teenage parents under the State program require such parents as a condition of receiving such assistance to live in an adult-supervised setting and attend high school or other equivalent training program.

Jeffords amendment No. 2581 (to amendment No. 2280), to strike the increase to the grant to reward States that reduce out-of-wedlock births.

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes, to be equally divided, on the Wellstone amendment No. 2584, to be followed by a vote on or in relation to the amendment.

Mr. WELLSTONE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MOYNIHAN. Mr. President, there being some spare time in our schedule just now, I would like to take the occasion, and exercise the privilege, as I see it, of reading to the Senate the lead editorial in the Washington Post this morning. It is entitled ''Welfare Theories.'' This is an editorial page which has been dealing thoughtfully, supportively, with welfare problems for 35 years.

On the opposite page, columnist George Will musters a most powerful argument against the welfare bill now on the Senate floor. The bill purports to be a way of sending strong messages to welfare recipients that it is time for them to mend their ways. But as Mr. Will notes, ''no child is going to be spiritually improved by being collateral damage in a bombardment of severities targeted at adults who may or may not deserve more severe treatment from the welfare system.''

The bill is reckless because it could endanger the well-being of the poorest children in society in the name of a series of untested theories about how people may respond to some new incentives. Surely a Congress whose majority proudly carries the mantle ''conservative'' should be wary of risking human suffering on behalf of some ideological driven preconceptions. Isn't that what conservatives always accused liberals of doing?

The best thing that can be said of this bill is that it is not as bad as it might have been. Some of the most obviously flawed proposals—mandating that States end welfare assistance to children born to mothers while they are on welfare and that they cut off assistance to teen mothers—have been voted down. There will be at least some requirements that States continue to invest resources in programs for the poor in exchange for their current Federal budget allocations. But they are still not strong enough, and are potentially loophole-ridden. Some new money for child care may also be sprinkled onto this confection.

May I repeat a powerful image, Mr. President:

Some new money for child care may also be sprinkled onto this confection.

But the structure of the bill is wrong, and a fundamental untruth lies at its heart. Congress wants to claim that it is (1) doing something about a whole series of social and economic pathologies, while at the same time (2) cutting spending. But a welfare reform that is serious about both promoting work and helping children in single-parent homes will cost more than writing checks, especially given the extremely modest sums now spent by so many States on the poor.

Going to a block grant formula would destroy one of the few obvious merits of the current system, which is its ability to respond flexibly to regional economic upturns or downturns. On top of this, the bill's provisions on food stamps and its reductions in assistance to disabled children under the Supplementary Security Income Program go beyond what might constitute reasonable reforms. And its provisions cutting aid to legal immigrants would backfire on states with large immigrant populations.

Many Senators will be tempted to vote for this bill anyway, arguing that it has been ''improved'' and fearing the political consequences of voting against anything labeled welfare reform. But many of the ''improvements'' will disappear once the bill goes to a conference with the House, which has passed an even more objectionable bill. In any event, voting this bill down would be exactly the opposite of a negative act. It would be an affirmation that real welfare reform is both necessary and possible. To get to that point, a dangerous bill posing as the genuine article must be defeated first.

That is the end of the editorial.

Mr. President, what I cannot comprehend is why this is so difficult for the administration to understand. The administration has abandoned us, those of us who oppose this legislation.

Why do we not see the endless parade of petitioners as when health care reform was before us in the last Congress, the lobbyists, the pretend citizen groups, the real citizen groups? None are here.

I can recall, Mr. President, the extraordinary energy that went into any change in the welfare system 30 years ago, 25 years ago. Fifteen years ago, if there was a proposal to take $40 out of some demonstration project here on the Senate floor, there would be 40 representatives of various advocacy groups outside.

There are very few advocacy groups outside. You can stand where I stand, Mr. President, and look straight out at the Supreme Court—not a person in between that view. Not one of those flaunted, vaunted advocacy groups forever protecting the interests of the children and the helpless and the homeless and the what-you-will. Are they increasingly subsidized and therefore increasingly co-opted?

Are they are silent because the White House is silent? They should be ashamed. History will shame them.

One group was in Washington yesterday and I can speak with some spirit on that. This was a group of Catholic bishops and members from Catholic Charities. They were here. They were in Washington. Nobody else. None of the great marchers, the great chanters, the nonnegotiable demanders.

There is one police officer that has just appeared, but otherwise the lobby by the elevators is as empty this morning as it was when I left the Chamber last night about 10 o'clock.

I read in the New York Times this morning, the front page, lead article:

And the White House, exceedingly eager to support a law that promises to change the welfare system, was sending increasingly friendly signals about the bill.

I see my friend from Indiana, Senator COATS, is on the floor. I know his view will be different from mine on the bill. But I recall that extraordinary address he gave yesterday on civil society, citing such as Nathan Glazer and James Q. Wilson, I, in response, quoted some of their observations that we know we have to do these things, but we do not know how to do them. We are just at the beginning of recognizing how profound a question it is, as the Senator so brilliantly set forth. But first, do no harm. Do not pretend that you know what you do not know. Look at the beginnings of research and evaluation that say, ''Very hard, not clear.'' Do not hurt children on the basis of an unproven theory and untested hypothesis.

That is what the Senator was citing, persons yesterday who said just that. This morning, the Washington Post, in its lead editorial, speaks of the structure of the bill being wrong, that a fundamental untruth lies at its heart.

Congress wants to claim that it is (1) doing something about a whole series of social and economic pathologies, while at the same time (2) cutting spending. The nostrums, the unsupported beliefs, the unsupported assertions, are quite astounding.

White House spokesman Rahm Emanuel yesterday told us things are going well. I say once again there is such a thing as resigning in Government, and there comes a time when, if principle matters at all, you resign. People who resign on principle come back; people whose real views are less important than their temporary position, ''their brief authority,'' as Shakespeare once put it, disappear.

If that brief authority is more important than the enduring principles of protecting children and childhood, then what is to be said of those who prefer the one to the other? What is to be said of a White House that was almost on the edge of excess in its claims of empathy and concern in the last Congress but is now prepared to see things like this happen in the present Congress?

All they want is, and I quote the Washington Post, ''some new money for child care that may be sprinkled onto this confection.''

It will shame this Congress. It will spoil the conservative revolution. The Washington Post makes this clear. If conservative means anything, it means be careful, be thoughtful, and anticipate the unanticipated or understand that things will happen that you do not expect. And be very careful with the lives of children.

I had no idea, Mr. President, how profoundly what used to be known as liberalism was shaken by the last election. No President, Republican or Democrat, in history, or 60 years' history, would dream of agreeing to the repeal of title IV A of Social Security, the provision for National Government for children. Clearly, this administration is contemplating just that.

I cannot understand how this could be happening. It has never happened before.

I make no claim to access. Hardly a soul in the White House has talked to me about this subject since it arose. They know what I think and they know what I would say; not about the particulars, but about the principle—the principle. Does the Federal Government maintain a commitment to State programs providing aid to dependent children?

It is not as if we had just a few. Ten million is a round number, at any moment.

As George Will observes in his column, and the Washington Post editorial refers to his column—the numbers are so extraordinary:

Here are the percentages of children on AFDC at some point during 1993 in five cities: Detroit (67), Philadelphia (57), Chicago (46), New York (39), Los Angeles (38).

Then he cites this Senator:

''There are * * * not enough social workers, not enough nuns, not enough Salvation Army workers'' to care for children who would be purged from the welfare rolls were Congress to decree [and then Mr. Will says] ''(as candidate Bill Clinton proposed) a two-year limit for welfare eligibility.''

The citation of Nicholas Eberstadt—I have the honor to have been a colleague of Mr. Eberstadt in a course entitled, ''The Social Science and Social Policy,'' which was taught in the core curriculum at Harvard University. Nicholas Eberstadt, of Harvard and the American Enterprise Institute, says:

Supposing today's welfare policy incentives to illegitimacy were transported back in time to Salem, MA in, say, 1660. How many additional illegitimate births would have occurred in Puritan Salem? Few. Because the people of Salem in 1660 believed in hell and believed that what today are called disorganized lifestyles led to hell. Congress cannot legislate useful attitudes.

I can say of my friend Mr. Eberstadt, I do not know where his politics would be, save they would be moderate, sensible, based on research. He is a thoughtful man; a demographer. He has studied these things with great care. And he, too, cannot comprehend national policy at this point.

Scholars have been working at these issues for years now, and the more capable they are, the more tentative and incremental their findings. I cited yesterday a research evaluation of a program, now in its fifth year, of very intensive counseling and training with respect to the issue of teen births—with no results. No results. It is a very common encounter, when things as profound in human character and behavior are dealt with. The capacity of external influences to change it is so very small.

And that we should think otherwise? That men and women have stood in

this Chamber and talked about a genuine crisis—and there is that. And I have said, if nothing else comes out of this awful process, at least we will have addressed the central subject. But if it is that serious, how can we suppose it will be changed by marginal measures? It will not.

Are there no serious persons in the administration who can say, ''Stop, stop right now? No. We won't have this. We agree with the Washington Post that, 'It would be an affirmation that real welfare reform is both necessary and possible. To get to that point, a dangerous bill posing as the genuine article must be defeated first.'" If not, profoundly serious questions are raised about the year to come?

Mr. President, I ask unanimous consent to have Mr. Will's column printed in the RECORD and I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WOMEN AND CHILDREN FIRST?

(By George F. Will)

As the welfare reform debate begins to boil, the place to begin is with an elemental fact: No child in America asked to be here.

Each was summoned into existence by the acts of adults. And no child is going to be spiritually improved by being collateral damage in a bombardment of severities targeted at adults who may or may not deserve more severe treatment from the welfare system.

Phil Gramm says welfare recipients are people ''in the wagon'' who ought to get out and ''help the rest of us pull.'' Well. Of the 14 million people receiving Aid to Families with Dependent Children, 9 million are children. Even if we get all these free riders into wee harnesses, the wagon will not move much faster.

Furthermore, there is hardly an individual or industry in America that is not in some sense ''in the wagon,'' receiving some federal subvention. If everyone gets out, the wagon may rocket along. But no one is proposing that. Instead, welfare reform may give a whole new meaning to the phrase ''women and children first.''

Marx said that history's great events appear twice, first as tragedy, then as farce. Pat Moynihan worries that a tragedy visited upon a vulnerable population three decades ago may now recur, not as farce but again as tragedy.

Moynihan was there on Oct. 31, 1963, when President Kennedy, in his last signing ceremony, signed legislation to further the ''deinstitutionalization'' of the mentally ill. Advances in psychotropic drugs, combined with ''community-based programs,'' supposedly would make possible substantial reductions of the populations of mental institutions.

But the drugs were not as effective as had been hoped, and community-based programs never materialized in sufficient numbers and sophistication. What materialized instead were mentally ill homeless people. Moynihan warns that welfare reform could produce a similar unanticipated increase in children sleeping on, and freezing to death on, grates.

Actually, cities will have to build more grates. Here are the percentages of children on AFDC at some point during 1993 in five cities: Detroit (67), Philadelphia (57), Chicago (46), New York (39), Los Angeles (38). ''There are,'' says Moynihan, ''not enough social workers, not enough nuns, not enough Salvation Army workers'' to care for children who would be purged from the welfare rolls were Congress to decree (as candidate Bill Clinton proposed) a two-year limit for welfare eligibility.

Don't worry, say the designers of a brave new world, welfare recipients will soon be working. However, 60 percent of welfare families—usually families without fathers—have children under 6 years old. Who will care for those children in the year 2000 if Congress decrees that 50 percent of welfare recipients must by then be in work programs? And whence springs this conservative Congress's faith in work programs?

Much of the welfare population has no family memory of regular work, and little of the social capital of habits and disciplines that come with work. Life in, say, Chicago's Robert Taylor housing project produces what sociologist Emil Durkheim called ''a dust of individuals,'' not an employable population. A 1994 Columbia University study concluded that most welfare mothers are negligibly educated and emotionally disturbed, and 40 percent are serious drug abusers. Small wonder a Congressional Budget Office study estimated an annual cost of $3,000 just for monitoring each workfare enrollee—in addition to the bill for training to give such people elemental skills.

Moynihan says that a two-year limit for welfare eligibility, and work requirements, might have worked 30 years ago, when the nation's illegitimacy rate was 5 percent, but today it is 33 percent. Don't worry, say reformers, we'll take care of that by tinkering with the incentives: There will be no payments for additional children born while the mother is on welfare.

But Nicholas Eberstadt of Harvard and the American Enterprise Institute says: Suppose today's welfare policy incentives to illegitimacy were transported back in time to Salem, Mass., in 1660. How many additional illegitimate births would have occurred in Puritan Salem? Few, because the people of Salem in 1660 believed in hell and believed that what today are called ''disorganized lifestyles'' led to hell. Congress cannot legislate useful attitudes.

Moynihan, who spent August writing his annual book at his farm in Delaware County, N.Y., notes that in 1963 that county's illegitimacy rate was 3.8 percent and today is 32 percent—amost exactly the national average. And no one knows why the county (which is rural and 98.8 percent white) or the nation has so changed.

Hence no one really knows what to do about it. Conservatives say, well, nothing could be worse than the current system. They are underestimating their ingenuity.

The PRESIDING OFFICER (Mr. SHELBY). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I will be very brief. I thank my colleague from New York. For me, personally, having an opportunity to be on the floor while Senator MOYNIHAN speaks is a real honor. We actually go back a ways—not that we knew each other personally, but I assigned many of his books in my classes, ranging from ''Maximum Feasible Misunderstanding'' to ''The Politics of the Guaranteed Income.''

It is interesting, once upon a time, back in 1970 or thereabouts, we were not on the same side. We had disagreements. He was the one who was nationally renowned then. I was a college teacher and I always respected Professor MOYNIHAN, and Senator MOYNIHAN, for his views. But at this point in time, having just listened to what he said, I cannot even begin to tell him how much respect I have. His voice is a very powerful and eloquent voice.

I must say, I think the silence from the White House on this question is deafening. Let me just repeat that one more time: The silence from the White House on this question is just deafening. You just cannot have it both ways, Mr. President. You cannot keep talking about children and you cannot keep talking about how you are for children and turn your gaze away from this process and what we are about to do here in the U.S. Senate.

Colleagues are coming in. It may be difficult to take a lot more time. I do not want to delay this process. But as we have gone forward in this debate, I think the thing that saddens me and also angers me—sometimes I am more saddened than angered, sometimes I am more angered than saddened—is not just the question that Senator MOYNIHAN has raised, which is, we do not know, we are about to make policy without understanding, coming anywhere close to understanding the effects of what we are doing. That is, I think, what George Will was trying to say today. But I also feel, and I will be a little bit more, not harsh, but critical of some of my colleagues, I also feel that all too often Senators have come to the floor and have repeated essentially the same stereotypes.

It is not just what we do not know. In fact, we do know some things. It is as if people do not, kind of, want to face up to this at all. All this discussion about out-of-wedlock births and what I consider to be and what I think every colleague considers to be a fundamental problem, a challenge to be dealt with, or question, why children have children, that is a complicated question. That is a complicated question. That is what my colleague from New York is trying to say.

But from a lot of the statistics that have been recited out on the floor and a lot of the discussion, you would think that we are talking about exclusively a problem with AFDC. It is societal wide, yet it gets mixed up, apples and oranges, all the time.

I have heard figures spelled out on the cost of welfare where I think everything was lumped in. You would think it was the aid to families with dependent children that built up $5 trillion of debt and was responsible for the annual budget deficits and all the rest. This is not true.

You would think from this discussion that these enormously high benefits—when not one State has welfare benefits combined with food stamps, even up to the official definition of poverty—were causing women to plan to have more children. But there is no evidence for that at all.

Mr. MOYNIHAN. None.

Mr. WELLSTONE. In fact, yesterday I asked my colleague, I said, let us take a look at some correlations State by State. I asked, ''Is there any correlation?'' We learned, in fact, there is an inverse correlation. Those States

with the lowest benefits tend to have families with more children. The lowest benefit States have the highest rates of illegitimate children.

So, Mr. President, I think that we are being very reckless with the lives of children. I think what the Senate is about to do over the next couple of days, barring major changes for the better, is very reckless with the lives of children. And in many ways I think it is amounting to nothing more than just bashing because, as I have said before, these mothers do not have the resources to get on NBC, CBS, and ABC and fight some of these stereotypes.

We want reform. But I have heard precious little discussion about the whole issue of job training, jobs, affordable child care, and moving forward on health care reform, not just for welfare mothers but other families as well. I have heard precious little of that.

So, Mr. President, for me the bottom line is—and I understand the climate. It has been just a one-sided flow of information. I said, earlier, I say to my colleague, I was at the Minnesota State Fair. I love to be at the State fair. Almost half of the State's population is there in 12 days. I like interacting with people. It is my nature to like people. I had lots of people come up to me and talk about welfare. And people really do believe we have to drive all these cheaters off the rolls and slackers back to work. People do not necessarily realize that 9 million of those 15 million on welfare are children. But I think when you talk to people they will say to you we are for the reform but we do not want you to punish children.

The direction we are going in is going to punish children. It will—and I do not exaggerate—end up taking food out of the mouths of hungry children. It is not what we should be about. And if there ever was a moment for the President to show leadership, it is now. If there ever was a moment for the President of the United States of America to show leadership—and leadership to me is calling on people to be their own best selves, not appeal to the fears and to the frustrations of people—and spell out for people the facts and provide an education for people in the United States of America about what real reform would be which would benefit children as opposed to hurting children, it is now. The silence of the White House on this question is deafening.

As a Senator from Minnesota, I feel that I owe a lot to the Senator from New York for his courage, his wisdom, his eloquence, and his power.

I yield the floor.

Mr. MOYNIHAN. Mr. President, I do not want to keep the floor further than to say no one has given more of his career to this subject than the Senator from Minnesota. He has been at the barricades and in the lecture halls and the State fairs on the subject. He is an authority on this subject. He speaks with profound conviction.

I thank him for his courtesy to me, and I plead. There is no one in the White House to hear what he has said. Before the day is ending, we will perhaps know more. But we began the day on the right track.

Mr. President, I see my friend from Pennsylvania has arrived. I do believe our procedures can commence.

I yield the floor.

Mr. SANTORUM. Mr. President, not to disappoint the Senator from New York, but I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2584, AS MODIFIED

Mr. WELLSTONE. Mr. President, I ask unanimous consent to send a modified amendment to the desk.

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

The amendment (No. 2584), as modified, is as follows:

At the end of the amendment, insert the following new title:

TITLE —PROTECTION OF BATTERED INDIVIDUALS

SEC. 01. EXEMPTION OF BATTERED INDIVIDUALS FROM CERTAIN REQUIREMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of, or amendment made by, this Act, the applicable administering authority of any specified provision may exempt from (or modify) the application of such provision to any individual who was battered or subjected to extreme cruelty if the physical, mental, or emotional well-being of the individual would be endangered by the application of such provision to such individual. The applicable administering authority may take into consideration the family circumstances and the counseling and other supportive service needs of the individual.

(b) SPECIFIED PROVISIONS.—For purposes of this section, the term ''specified provision'' means any requirement, limitation, or penalty under any of the following:

(1) Sections 404, 405 (a) and (b), 406 (b), (c), and (d), 414(d), 453(c), 469A, and 1614(a)(1) of the Social Security Act.

(2) Sections 5(i) and 6 (d), (j), and (n) of the Food Stamp Act of 1977.

(3) Sections 501(a) and 502 of this Act.

(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

(1) BATTERED OR SUBJECTED TO EXTREME CRUELTY.—The term ''battered or subjected to extreme cruelty'' includes, but is not limited to—

(A) physical acts resulting in, or threatening to result in, physical injury;

(B) sexual abuse, sexual activity involving a dependent child, forcing the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities, or threats of or attempts at physical or sexual abuse;

(C) mental abuse; and

(D) neglect or deprivation of medical care.

(2) CALCULATION OF PARTICIPATION RATES.—An individual exempted from the work requirements under section 404 of the Social Security Act by reason of subsection (a) shall not be included for purposes of calculating the State's participation rate under such section.

The PRESIDING OFFICER. Under the previous order, there will be now 10 minutes of debate equally divided on the Wellstone amendment, as modified, to be followed by a vote on or in relation to the amendment.

Mr. WELLSTONE. Mr. President, I thank the Chair.

Mr. President, I shall be brief because I believe we have now worked this out and that this amendment will be accepted. I am in fact very pleased about it.

Mr. President, let me just for a moment kind of spell out for my colleagues what this amendment does. Every 15 seconds a woman is beaten by a husband or a boyfriend in the United States of America. That is a horrible statistic. But unfortunately, it is a fact. Over 4,000 women are killed every year by their abuser and every 6 minutes a woman is forcibly raped.

My concern, when I introduced this amendment last night with Senator MURRAY, was that with our various requirements we would not unwittingly put States in a position where they essentially end up forcing women back into very dangerous homes.

In other words, the way to summarize it, it took Monica Seles 2 years to get back on the tennis court. Imagine what it would be like if you were beaten over and over and over again. When would you be able to get into a job program? When would you be able to get back on your own two feet? Quite often children are also severely affected by this.

My amendment allows States to exempt people who have been battered or subjected to extreme cruelty from some of these rules that we now have within the welfare system without being penalized for not meeting their participation rate. In other words, if States want to make an exemption for a woman, or sometimes a man, who has come from a very violent home and has been battered, a State will be able to do so and a State will be penalized in no way.

Mr. President, this is extremely important because I believe that in order for us to make sure that we do not send battered women back into violent homes, States absolutely have to be able to do this without being penalized in any way, shape, or form.

I also believe this amendment being passed will enable our States to put a focus on this question for not only battered women shelters and the advocates, but I think increasingly the larger number of citizens.

So I thank my colleagues for accepting this amendment.

I yield the floor.

Mr. MOYNIHAN addressed the Chair.

Does the Senator wish to urge adoption?

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. WELLSTONE. I do.

I urge adoption of my amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania has 5 minutes.

Mr. SANTORUM. Mr. President, I rise to say we accept the amendment, as modified, and allow the Senator to continue with the adoption of the amendment.

Mr. WELLSTONE. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. The question is now on agreeing to amendment No. 2584, as modified.

The amendment (No. 2584), as modified, was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2609

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided on the Faircloth amendment, No. 2609, to be followed by a vote on or in relation to the amendment.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. FAIRCLOTH. Mr. President, my pending amendment modifies a provision in the Dole bill which allows Federal funds to be used for cash aid to unmarried teenage mothers.

The sole purpose of this amendment is designed to disrupt the pattern of out-of-wedlock childbearing that is passing from one generation to the next. My amendment seeks to stop giving cash aid that rewards multigenerational welfare dependency.

Let us be clear what the Dole bill currently does. The bill says you can use Federal funds to give vouchers or inkind benefits to an unmarried teenage mother or you can use funds to put the mother in a supervised group home. That is fine, and we have all agreed upon that.

The Dole bill then goes on to say that you can use Federal funds to give cash benefits to unmarried teenage mothers if that mother resides with her parent.

We need to be very clear what type of household we are putting cash into. In this household, there will be three people. First, the newborn child; second, the unmarried teenage mother of that child; and third, the mother of the teenager who has the child, or the grandmother, the adult, in other words, in charge of the household.

The problem with this scenario is that the adult woman, the mother of the teenager, the grandmother of the new child, the person in charge of the operation, the one we are depending upon for supervision of the unmarried teenage mother is very likely either to be or have been an unmarried welfare mother herself. It is very likely that this adult mother gave birth to the teenager out of wedlock some 15 to 16 years ago and raised her at least partly on welfare. The young teenager giving birth out of wedlock is simply repeating the pattern and model which her mother laid down.

Let me remind you of a few public statistics to confirm what I am saying. A girl who is raised in a single-parent home on welfare is five times more likely to have a child out of wedlock herself than is a girl raised in a two-parent home without welfare. Roughly two-thirds of all the unwed teenage mothers were raised in broken or single-parent homes.

The amendment I am offering is intended to break up the lethal growing pattern of multigenerational illegitimacy and welfare dependency. That is the purpose, to try to break the cycle. The current amendment follows the same basic rule on teenage mothers as the Dole bill, which says you cannot use Federal funds to give cash aid, a check in the mail to a teenage mother unless that teenage mother resides with her parents or another adult relative.

My amendment maintains that same rule but adds only the one limitation, and the limitation states that an unmarried teenage mother cannot receive Federal aid, that is a check in the mail, if the parent or adult relative the teenager is living with herself had a child out of wedlock and has recently received aid to families with dependent children.

The teenage mother cannot get cash aid, cannot get a check in the mail if she is residing with a parent who herself has had a child out of wedlock and was a welfare mother and has recently received aid to families with dependent children.

The PRESIDING OFFICER. The time of the Senator from North Carolina has expired. The Senator from North Carolina had 5 minutes.

Mr. FAIRCLOTH. I ask unanimous consent for an additional minute.

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

Mr. FAIRCLOTH. The teenager in those circumstances could receive a voucher or federally funded inkind aid, but she could not get a Federal welfare check in the mail.

I want to stress that this does not prevent teenage mothers from living at home or from receiving noncash benefits. Of course, this restriction applies only to Federal funds. A State can use its money to send a check in the mail to anyone it wants.

If you vote against this amendment, you are voting to give cash aid to multigenerational welfare households. If you vote against this amendment, you are voting to subsidize and promote multigeneration illegitimacy.

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Who yields time? The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I ask for the yeas and nays on the Faircloth amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SANTORUM. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is now on agreeing to the Faircloth amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER (Mr. THOMAS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 17, nays 83, as follows:

[Rollcall Vote No. 422 Leg.]

YEAS—17

Ashcroft	Inhofe	Shelby
Brown	Lott	Smith
Faircloth	McCain	Stevens
Gramm	McConnell	Thompson
Grams	Nickles	Thurmond
Helms	Pressler	

NAYS—83

Abraham	Dorgan	Leahy
Akaka	Exon	Levin
Baucus	Feingold	Lieberman
Bennett	Feinstein	Lugar
Biden	Ford	Mack
Bingaman	Frist	Mikulski
Bond	Glenn	Moseley-Braun
Boxer	Gorton	Moynihan
Bradley	Graham	Murkowski
Breaux	Grassley	Murray
Bryan	Gregg	Nunn
Bumpers	Harkin	Packwood
Burns	Hatch	Pell
Byrd	Hatfield	Pryor
Campbell	Heflin	Reid
Chafee	Hollings	Robb
Coats	Hutchison	Rockefeller
Cochran	Inouye	Roth
Cohen	Jeffords	Santorum
Conrad	Johnston	Sarbanes
Coverdell	Kassebaum	Simon
Craig	Kempthorne	Simpson
D'Amato	Kennedy	Snowe
Daschle	Kerrey	Specter
DeWine	Kerry	Thomas
Dodd	Kohl	Warner
Dole	Kyl	Wellstone
Domenici	Lautenberg	

So the amendment (No. 2609) was rejected.

AMENDMENT NO. 2528

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate, equally divided, on the Conrad amendment No. 2528, to be followed by a vote on or in relation to the amendment.

Mr. CONRAD. Mr. President, I ask unanimous consent that we be able to temporarily set aside the Conrad-Lieberman amendment because we have a request from the other side that we do that so that we perhaps have a chance to work things out before a vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2581

The PRESIDING OFFICER. Under the previous order, there will be 10 minutes of debate, equally divided, on the Jeffords amendment No. 2581, to be followed by a vote on or in relation to the amendment.

Mr. NICKLES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, I offered this amendment on behalf of myself, Senator SIMPSON, Senator SNOWE and, I believe, Senator CHAFEE. I have not had time to gather others who, I am sure, want to cosponsor it.

This is an important amendment. I hope that my colleagues will listen carefully to what this does. It is an amendment with all the good intentions in the world and something that we all believe in—that we should reduce the out-of-wedlock births. It hopes to do this by giving an incentive to States to do things to try and reduce it and be rewarded if they are successful. What it does is says we shall carefully—keep track of what I say—set as a baseline the year 1995, and we will draw the baseline for each State on the number of abortions which were performed in that State and also the number of out-of-wedlock births that occur during that period of time. That might be well, but I would have to point out that such statistics do not exist in any valid form. So we will be establishing a baseline, first of all, that really we do not have any idea whether it is valid or not.

Then it says that if you reduce your out-of-wedlock births by 1 percent and you do not increase your abortions, then you will be rewarded with a 5-percent increase in the amount of money you receive across the board for welfare. If you do it by 2 percent, you will get a 10 percent. That may sound good, too, but remember, to start with we do not have any baseline that we have any accuracy with.

What it does is also create an incentive for the States to find all sorts of things to do in order to try and get below that. CBO scores it at a cost of $75 million over 7 years. In their view, nothing will happen, basically, because if it is successful, the cost will be $1.6 billion a year—$1.6 billion a year for which there is no appropriation; so it will come out of something else because it is an entitlement.

I point out that both the pro-life groups, if not all of them, but also pro-choice groups are opposed to this amendment for many different reasons. First of all, since we have no baseline, it is going to be difficult to know as to whether or not anything happened. Second, since it refers only to in-State abortions and in-State out-of-wedlock births, that does not include those that go across the border. So you open up serious problems with respect to manipulation of statistics.

There is no reporting process now for abortion. There is no definition of what an abortion is in the bill.

What is an abortion? Is it an IUD? Is it a D and C? What is it? We do not know. The statistics are all over the place.

The States will see that goal out there—and keep in mind that if it is totally successful, it will cost $1.6 billion a year and we will only reduce the out-of-wedlock births by 2 percent over the whole period of time.

If you are successful the first year and you stay at that level below the baseline, you pick up this thing for the whole 7 years, the 5 years of the bill and accomplish nothing more.

And, I point out, you have letters given to you from the Catholic Charities, who are very much against this. They think it will increase the number of abortions. The pro-choice have looked at this as an intervention into privacy.

Also, it includes not just welfare individuals; it includes all of your population. This means you will have to report out-of-wedlock births from every family that has that occur.

These things are really disruptive. I hope that we will defeat this provision of the bill. I ask for support of my amendment.

I reserve the remainder of my time.

Mr. ABRAHAM. I yield myself 2 minutes. Mr. President, if this amendment succeeds, we will have nothing left in this bill geared to the problem of illegitimacy that virtually every Member of this Senate has talked about and described is a problem in their State.

This portion of the bill creates incentives for States to attack this issue head on. I believe the criticisms, although well intentioned, do not justify turning our backs on this problem. The fact that it may cost more if States across America, every single State brings down its illegitimacy rate, it may cost $1 billion more in bonuses, does not reflect the total price tag and the success we would have if this were to be achieved.

The fact is this is a priority issue. It deserves, in terms of our funding priorities, to be placed high on the priority list. If we succeed, I think we will save more in dollars and lives than any bonuses we will pay to the States.

Further, I think some of the concerns that have been raised as to definitions are addressed in the legislation as it has been brought to the floor. The Secretary has given quite a bit of latitude to determine definitions as well as to determine whether or not the numbers have been in any way gained in order to allow States to capture advantage of the bonus undeservedly.

Finally, I just would say if we strip this provision from the bill, we will have to go back and explain to our constituents why we did not do one significant thing to address the No. 1 social problem in America today. Arguments in favor of this amendment do not, in my judgment, justify turning our backs on this issue.

Mr. President, I yield 2 minutes to the Senator from North Carolina.

Mr. FAIRCLOTH. Thank you, Mr. President. We are now debating a provision of the Dole bill that addresses illegitimacy but is not at all directive or proscriptive. The provision which the amendment by Senator JEFFORDS seeks to strike is a simple provision that rewards a State for reducing its illegitimacy ratio, the percentage of total births which are out of wedlock.

This provision taken from the House welfare reform bill says if a State decreases its illegitimacy ratio without increasing its abortion rate, we will increase the AFDC block grant by up to 10 percent.

That is what we all agree that we want. We want a reduction in out-of-wedlock births as long as it is not accomplished by an increase in abortions.

We do not tell the States how to reduce illegitimacy. We simply say, ''You come up with a successful way to reduce it, and we will give you more money.''

The provision has three elements. We set a goal: reducing illegitimacy. We give the States maximum flexibility in meeting that goal. Third, we provide a financial reward for meeting the goal.

If the Jeffords amendment succeeds, the illegitimacy reduction bonus mechanism is struck, the Dole bill will have no provision to reduce illegitimacy at all. We will not have real welfare reform.

We do not address the crisis of out-of-wedlock births. I thought that is what we came to address and to do something about, was illegitimacy, and everything that comes up to reduce it we vote down.

I urge my colleagues to vote against the Jeffords amendment.

Mr. ABRAHAM. Mr. President, I yield 1 minute to the Senator from Texas.

Mr. GRAMM. Mr. President, it was argued yesterday that no one could establish a relationship between giving people money to do something and then seeing them do it.

In fact, the proponent of this argument stated that if you believe that people do more of something when you pay them to do it, then you must also believe in the tooth fairy. No more nonsensical statement was ever made on the floor of the U.S. Senate than that.

One-third of all the babies born in America today are born out of wedlock. The largest single explanation of why that is the case is that we give larger and larger cash payments to people who have more and more babies on welfare.

Yesterday, we lost on our effort to stop that suicidal national policy. Now we have an effort to strike the last remaining provision in this bill, a provision that says simply that if States are able, through their own reforms, to deal with the greatest welfare crisis we face, illegitimacy, that we will give them a bonus for their success.

Now we have an amendment that says strike that bonus and eliminate the last remaining effort to deal with illegitimacy. It is very important that this amendment be defeated.

I urge my colleagues to reject it.

Mr. JEFFORDS. I yield the balance of my time to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator has 30 seconds.

Mr. SIMPSON. Mr. President, I rise today in support of the amendment introduced by my colleague from Vermont. This amendment would strike the so-called ''illegitimacy ratio'' from the welfare bill. Let me just say obviously it is a difficult amendment, obviously a difficult area, a laudable pursuit, but I represent a state that values confidentiality and privacy and am greatly concerned about the inaccuracy of the data collection.

I do agree with the Senator from Vermont when he says that ''federal strings often do not produce the desired behavior modifications and can even produce unintended negative results.'' I think this ratio is a clear example of just that.

We all agree that the intentions of such a provision are in every way laudable, however, the implementation of such a ratio is what concerns me. We all want to reduce the number of out-of-wedlock births in this country. Every one of us. This issue is of major concern and needs to be addressed at all levels of government. I want to commend my colleagues for bringing this important issue to our attention.

However, as a legislator who is prochoice, I remain concerned that this ratio will actually hinder women from receiving abortions if and when they choose to do so. States possibly could actually restrict access to abortions in order to ensure that their abortion rate does not increase. Making abortions more difficult to obtain would obviously help to lower the abortion rate and that is the part that greatly concerns me.

In addition, coming from a state that so greatly values confidentiality and privacy—the right to be alone. I am greatly concerned about the inaccuracy of the data collection. We do not have reporting requirements on abortions in my State for physicians or public health officials. The physicians in Wyoming fiercely value their anonymity in this matter. The State does not seek more accurate reporting from them for fear of violence.

Wyoming has four abortion providers and access is very much a huge problem. In fact, most women in Wyoming travel to Colorado or Montana if they choose to have an abortion. Privacy is such an overwhelming concern in Wyoming, especially in our small towns. This ''ratio'' simply would not be an accurate indicator of abortions in any State for this very reason. Colorado and Montana's ratios would be skewed since they would have to account for the women who do travel to their States to have abortions. This is not a problem isolated to the Rocky Mountain States—this occurs across the country in every single rural and frontier area.

So I remain deeply concerned about the lack of reporting procedures that currently exist, and this amendment will only aggravate this problem. It does not provide for any additional funding for States to set up the extensive reporting procedures that will be needed in order to calculate this ratio. If we pass this ratio provision, we will in fact be passing on another unfunded mandate to the States.

We should all deal honestly with the issues of teenage pregnancy and illegitimacy, but there are so many other ways to address these matters including appropriate sex education in the schools, if I might add.

For these reasons, I urge passage of this amendment.

Mr. ABRAHAM. I yield the balance of my time to the Senator from Pennsylvania.

Mr. SANTORUM. Let me say there is always an excuse not to deal with this issue. If we do not adopt this amendment, there will be nothing on illegitimacy in this.

We have heard great speeches, what an important problem this is. If we do not reject the Jeffords amendment, there will be nothing in this bill to deal with what everybody thinks is the most pressing problem that we have to face.

We should quit finding excuses to do nothing.

Mr. DOLE. If I may use 2 minutes of my leader time.

The PRESIDING OFFICER. The Senator has that right.

Mr. DOLE. Mr. President, let me speak to my colleagues on both sides of the aisle.

I think there is a tendency for amendments offered by Democrats being voted for by Democrats, and maybe the other way, too.

This amendment makes a great deal of sense, not the amendment of the Senator from Vermont but the amendment in the bill. It was worked out very carefully after a lot of consultation by a lot of people to make certain that we were not doing some of the things that have been stated here.

It is up to the States; it is up to the Governors. We have talked about returning power to the Governors, power to the States. Democrat or Republican Governors—we have not made any distinction.

Everybody has railed about illegitimacy. Mr. President, one out of three births is out of wedlock.

This is a very important amendment. It is in the House bill. We do not see any reason it should not be in this bill. That is why we put it in the Dole amendment to start with.

I would hope my colleagues on both sides of the aisle would take a look at what we are trying to do. Why not reward a State? Why not reward a Governor, Governor Edgar from Illinois or Governor Thompson or Governor Romer, whoever it may be, if they can devise a plan to reduce the illegitimacy rate?

That is what this amendment is all about. It is straightforward.

I do not see any pitfalls described by the Senator from Wyoming or the Senator from Vermont. I hope we could defeat the amendment of the Senator from Vermont and keep this provision in the bill.

I can tell you, I will be a conferee when we ever go to conference on this. This is going to be very important. If we are serious about illegitimacy, this is an opportunity to demonstrate it. It is not partisan; not Democrat, not Republican, not conservative, not anything, as far as I know, except an honest effort to deal with a very serious problem.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Will the Senator from Kansas yield for a question?

Mr. DOLE. Yes.

Mr. GRAHAM. The Senator from Kansas yields for a question? As I read the amendment that is in the bill, it provides a bonus of 5 percent of your State grant if you reduce illegitimacy by 1 percent, and 10 percent if you reduce it by 2 percent. Is that correct?

Mr. DOLE. That is correct.

Mr. GRAHAM. Does that mean that, for instance in the District of Columbia, they would get 11 times as much actual money for the reduction of illegitimacy as would, for instance, the State of Mississippi, since they get 11 times as much block grant per poor child in the District of Columbia than in the State?

Mr. DOLE. I would have to check that. I am talking about principle. You are talking about formula.

Mr. GRAHAM. The principle? If the goal is to accomplish the objective, why could it not have been stated in an absolute amount as opposed to a percentage of a block grant, which is very different from State to State?

Mr. DOLE. We might entertain a modification if the Senator has one.

Mr. GRAHAM. Is there a policy reason why the State has a percent of a block grant as opposed to an absolute number?

Mr. DOLE. I think it is going to be more difficult to administer, too, if you make it absolute. But I want to stick to the principle. Maybe the Senator has an idea. He can offer an amendment later on. But in my view, this is a very simple straightforward amendment. It is in the bill.

I do not have an answer to the Senator from Florida without checking, whether it might be a good idea or might not be a good idea. But let us vote on the amendment and then, if the Senator has some change he would like to make, I will be happy to entertain it.

Mr. KERRY. Will the Senator yield for a question?

Mr. DOLE. No, I am ready to vote.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question now occurs on the Jeffords amendment No. 2581, up or down. This will be a 10-minute vote.

The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 37, nays 63, as follows:

[Rollcall Vote No. 423 Leg.]

YEAS—37

Akaka	Hatfield	Moynihan
Baucus	Hollings	Murray
Bradley	Inouye	Packwood
Breaux	Jeffords	Pell
Campbell	Johnston	Robb
Chafee	Kassebaum	Sarbanes
Cohen	Kennedy	Simon
Dodd	Kerrey	Simpson
Feingold	Kohl	Snowe
Feinstein	Lautenberg	Specter
Ford	Leahy	Wellstone
Glenn	Mikulski	
Harkin	Moseley-Braun	

NAYS—63

Abraham	Domenici	Lott
Ashcroft	Dorgan	Lugar
Bennett	Exon	Mack
Biden	Faircloth	McCain
Bingaman	Frist	McConnell
Bond	Gorton	Murkowski
Boxer	Graham	Nickles
Brown	Gramm	Nunn
Bryan	Grams	Pressler
Bumpers	Grassley	Pryor
Burns	Gregg	Reid
Byrd	Hatch	Rockefeller
Coats	Heflin	Roth
Cochran	Helms	Santorum
Conrad	Hutchison	Shelby
Coverdell	Inhofe	Smith
Craig	Kempthorne	Stevens
D'Amato	Kerry	Thomas
Daschle	Kyl	Thompson
DeWine	Levin	Thurmond
Dole	Lieberman	Warner

So the amendment (No. 2581) was rejected.

AMENDMENT NO. 2535

The PRESIDING OFFICER. Under the previous order there will now be 10 minutes of debate equally divided on the Dorgan amendment, numbered 2535, to be followed by a vote on or in relation to the amendment.

The Senator from North Dakota.

Mr. DORGAN. I thank the Chair very much.

This is amendment No. 2535. Mr. President, this amendment is a sense-of-the-Senate, modeled after the requirement in the new unfunded mandate law that we passed earlier this year. The Congressional Budget Office under this amendment that I offer on behalf of myself, Senator GLENN, and Senator GRAHAM is asked to report to the Senate prior to a vote on the conference report on the cost to the States of complying with the work requirements and any other mandate compared to the amount of money provided in the bill for complying with the requirements, and as well they are asked to give us an estimate of the number of States which would opt to pay the penalty rather than raise the additional revenue necessary to meet these requirements.

Mr. President, the reason this is necessary is the Department of Health and Human Services has estimated that the cost to the States of meeting the work requirement in this bill will exceed the funds provided in the Dole plan by about $17 billion over 7 years. So the States will be forced to either raise some taxes or cut some spending in other areas by $17 billion in order to comply with the requirements in the Dole bill.

Alternatively, they could simply abandon the work requirement. They could abandon the effort to meet these work requirement goals and they could instead pay a modest penalty—modest as compared to the $17 billion. The penalty would be about $6 billion.

The Congressional Budget Office has concluded that most States will opt to pay the penalty. In fact, the Congressional Budget Office has estimated that probably only 10 to 15 States will meet the work requirements, meaning 35 to 40 States will pay the penalty.

What does that mean? It means that we will not accomplish the central function of one of the things we want to do in this bill, and that is move people from the welfare rolls to work. This is in my judgment either then an unfunded mandate of significant quantity or it will fail in the primary objective of moving people off welfare and to a job.

The law we passed a few short months ago indicated we ought not do any of these things unless we understand what we are asking others to do in terms of unfunded mandates. This amendment is very simple. Before we vote on the conference report, let us have a report by the CBO of what kind of an unfunded mandate exists here, how many States will comply with the work requirement and what we can expect from this legislation.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes and 25 seconds.

Mr. DORGAN. Let me yield 1½ minutes to Senator GLENN from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. I thank my colleague. I am glad to be a cosponsor of this amendment. What the Senator has said is that early this year we passed the unfunded mandates bill. We said no longer were we going to just throw things back on the States and say you take care of it; we are putting the requirement out there with no money. And yet that is exactly what we are doing right now in this bill.

I know the unfunded mandates bill does not kick in with all of its requirements until January 1 next year. With this bill, we are requiring States to place 50 percent of welfare recipients on the work rolls by 2002. We are requiring job training, placement, education. Work requirement will be another $1.9 billion on State governments per year, 3.3 to cover child care costs, and so on, required for the Dole bill.

I do not know how the balance comes out, where increased flexibility lets them save some money and how this balances out, but this could wind up as a giant, giant unfunded mandate on the States, and so I am very glad to support my colleague's proposal. If we are in keeping with the philosophy and principles of S. 1, the first bill that we passed this year, we should not be saddling State and local governments with these new welfare requirements without knowing exactly what we are doing.

I thank the Senator.

Mr. DOLE. Mr. President, I happen to agree with the Senator from Ohio and the Senator from North Dakota. We ought to find out what it costs, whatever impact it may have.

I am prepared to accept the amendment. I yield back my time.

Mr. DORGAN. Mr. President, I am satisfied with that. I appreciate the cooperation of the majority leader.

I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment 2535.

The amendment (No. 2535) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2589

The PRESIDING OFFICER. Under the previous order, there will be a 10-minute debate equally divided on the McCain amendment No. 2589 to be followed by a vote on or in relation to the amendment. That will be a 10-minute vote.

Mr. DOLE. Mr. President, as I understand it, we are on the McCain amendment which I believe is acceptable on both sides. So I yield back the time on this side.

The PRESIDING OFFICER. If there is no objection——

Mr. CHAFEE. Could we have a description of the McCain amendment?

Mr. DOLE. I have been advised the purpose of the amendment is to provide for child support enforcement agreements between the States and Indian tribes or tribal organizations.

It provides for child support enforcement agreements between the States and Indian tribes and tribal organizations. I think the same thing that applies to States now applies to tribal organizations. As I understand, there is no problem with the amendment.

Mr. WELLSTONE. Mr. President, I am pleased today to join Senators

MCCAIN and INOUYE as a cosponsor of an amendment that would further the goals of strengthening child support enforcement activities by encouraging State governments with Indian tribes within their borders to enter into cooperative agreements for the delivery of child support enforcement services in Indian country.

Mr. President, this amendment would give the Secretary of the Department of Health and Human Services, in specific instances, the authority to provide direct Federal funding to Indian tribes operating an approved child support enforcement plan. This approach is consistent with the government-to-government relationship between tribal governments and the Federal Government. Further, this approach to child support enforcement in Indian country is supported by the National Council of State Child Support Enforcement Administrators.

Mr. President, title IV–D of the Social Security Act was enacted to assist all children in obtaining support and moving out of poverty. Yet it has been of little assistance to Indian children residing in Indian country because under title IV–D, only States are eligible to receive Federal funds to operate title IV–D programs. The regulations implementing this act restrict States from providing services to Indian children on reservations.

State child support program administrators have attempted to meet the goals of child support enforcement by extending their efforts to Indian country, but the administrative and jurisdictional hurdles have made it all but impossible to get these services to need Indian children.

Finally, Mr. President, in 1992, the Interstate Commission of Child Support Enforcement recommended that the Congress address this problem through Federal legislation. It is time for America's neediest children to receive child support enforcement services.

AMENDMENT NO. 2589

Mr. MCCAIN. Mr. President, I thank my colleagues, Senators INOUYE, WELLSTONE, DOMENICI, and DASCHLE, for joining me in offering this important amendment. The amendment that I and my colleagues are offering today would further the goals of enforcing child support enforcement activities by encouraging, not mandating, State governments, with Indian lands within their borders, to enter into cooperative agreements with Indian tribal governments for the delivery of child support enforcement services in Indian country. The amendment provides funding to achieve these purposes within the overall spending allocated to this effort. It gives the Secretary the authority, in specific instances, to provide direct Federal funding to Indian tribes operating an approved child support enforcement plan. This approach is consistent with the government-to-government relationship between tribal governments and the Federal Government, and the other provisions contained in the Dole substitute bill.

Mr. President, title IV–D of the Social Security Act was enacted to assist all children in obtaining support and moving out of poverty. Under this title, State child support offices are required to provide basic services to parents who apply for these services, including those that receive welfare assistance. These services include collecting and distributing child support payments from dead beat dads. Yet this program has been of little assistance to Indian children residing in Indian Country because under title IV–D, only States are eligible to receive Federal funds to operate IV–D programs under Federal regulations which, as a practical matter, all but prohibit them from providing services to Indian children on reservations. Because of this, Indian children have lost, and will continue to lose necessary services.

Mr. President, there is a great need for child support enforcement funding and services in Indian country. There are approximately 554 federally recognized Indian tribes and Alaska Native villages in the United States. According to the most recent Bureau of the Census data, children under the age of 18 make up the largest age group of Indians. Approximately 20.5 percent of American Indians and Alaska Natives are under the age of 10 compared to 14 percent for the Nation's total population. In addition, one out of every five Indian households are headed by single females. This data reveals that the need for coordinated child support enforcement and service delivery in Indian country exceeds the need in the rest of America.

There are also jurisdictional barriers to effective service delivery under IV–D programs on reservations. Federal courts have held that Indian tribes, not States, have authority over Indian child support enforcement issues and paternity establishment of tribal members residing and working on the reservation. These jurisdictional safeguards, although necessary, have hampered State child support agencies in their efforts to negotiate agreements for the provision of services or funding to Indian tribal governments. The types of services provided under title IV–D include paternity establishment, including genetic blood testing, the establishment of support obligations and the enforcement of support obligations through wage withholdings and tax intercepts. These activities fall within the exclusive jurisdiction of the Indian tribes. Yet there is no mechanism to enable tribes to receive Federal funding and assistance to conduct these activities.

This amendment in no way forces or compels an Indian tribe or State to act, nor does it affect well-established State or tribal jurisdiction to establish paternity or support orders. It merely recognizes the problems of child support collection and distribution between States and tribes as they exist under the current system. Simply put, this amendment encourages cooperative agreements between two governments to satisfy the goals and purposes of uniform child support enforcement. Let me just point out that some of these agreements are already in place in States like Washington and Arizona.

State administrators, such as in my own State, have attempted to meet the goals of uniform child support enforcement by extending their efforts to Indian Country, but the administrative and jurisdictional hurdles make it all but impossible to get these services out to the children in need.

These obstacles have led to costly litigation. For example, the 8th and 9th circuit courts have issued inconsistent rulings in addressing the ability of Indian children to access title IV–D services. A 1991 Federal court ruling summed up the problem by holding—

> . . . the State must give children of absent Indian parents the same degree of child support enforcement services as other children, when there is reasonable access to the tribal courts.

Yet, that court's ruling is inconsistent with the Department of Health and Human Services interpretation of title IV–D in which the Department significantly restricts the States. Let me remind my colleagues that States are trying to be fair in providing child support enforcement services and funding to Indians. Their ability to provide these services is quite limited because Indian tribes are not mentioned in title IV–D. This amendment would clarify that Indian children are entitled to the same protections from deadbeat dads as all other children in our country.

Mr. President, this problem is not new to those involved in State child support enforcement agencies or national organizations concerned with these issues. For instance, in 1992, the American Bar Association and the Interstate Commission of Child Support recognized the problems created by the omission of Indian tribes from IV–D legislation. In fact, the American Bar Association issued a handbook for States and tribes to use in attempting to negotiate State/Tribal cooperative agreements for child support enforcement. Also in an elaborate report issued in 1992, the Interstate Commission on Child Support Enforcement recommended that the Congress address this problem in Federal legislation. Until the amendment under consideration was offered, no legislative initiative to include Indian tribes has occurred.

More recently, I received a copy of a letter, dated May 15, 1995, from the president of the National Council of State Child Support Enforcement Administrators. The letter advises the Department of Health and Human Services that a resolution was passed by the IV–D directors that favors direct Federal funding to Indian tribes for child support services. Let me quote from a passage of the letter ''The states that are concerned about this

issue believe that the most effective way to provide comprehensive services to Native American children is for the federal government to deal directly with sovereign tribal governments.'' The amendment that I am offering will do just that.

The PRESIDING OFFICER. Without objection, if all time is yielded back, the question is on agreeing to the amendment 2589.

The amendment (No. 2589) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2525

The PRESIDING OFFICER. Under the previous order, there will now be a 10-minute debate equally divided on the Exon amendment 2525, to be followed by a vote on or in relation to the amendment.

Mr. MOYNIHAN. Mr. President, the Senator from Nebraska is on his way. He is expected to be here soon. I wonder if I could place a quorum call——

Mr. DOLE. Maybe better yet, as I understand, the Nickles amendment numbered 2556, I was advised by Senator NICKLES that had been worked out to the satisfaction of both sides.

Mr. MOYNIHAN. To my knowledge, I do not know of any objection.

Mr. BRADLEY. Mr. President, Senator NICKLES has spoken to me about this amendment and as I understand he has modified his amendment. At this moment, I do not know if he has modified it.

Mr. DOLE. Maybe we will put in a quorum call and we will find Senator NICKLES. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2556, AS MODIFIED

Mr. DOLE. I now ask unanimous consent we move to consideration of 2556, the Nickles amendment, and I send a modification to the desk which has been cleared by the distinguished Senator from New Jersey [Mr. BRADLEY].

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

The amendment (No. 2556), as modified, is as follows:

Section 913, page 602 of the amendment, strike line 22 through page 603 line 5 and insert in lieu thereof the following:

''(d) CIVIL MONEY PENALTIES ON NONCOMPLYING EMPLOYERS.—The State shall have the option to set a State civil money penalty which shall be less than—

''(1) $25; or

''(2) $500 if, under State law, the failure is the result of a conspiracy between the employer and the employee to not supply the required report or to supply a false or incomplete report.''

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment 2556, as modified.

The amendment (No. 2556), as modified, was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now occurs on the Exon amendment 2525.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. EXON. Mr. President, I ask unanimous consent that the quorum call be dispensed with.

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

AMENDMENT NO. 2525

Mr. EXON. Mr. President, I apologize to the managers of the bill. I did not mean to delay them. I stepped off the floor for the first time for 10 minutes assuming there were other measures ahead of mine. But I am now prepared to offer my amendment.

I offered this amendment last week. I made a concise statement at that time. I believe that I have 5 minutes under the unanimous-consent agreement.

Is that correct?

The PRESIDING OFFICER. Under the previous order, there is allowed 10 minutes of debate equally divided.

Mr. EXON. I thank the Chair.

AMENDMENT NO. 2525, AS MODIFIED

Mr. EXON. After introducing the amendment last week, I have a very minor addition to the amendment that was suggested by my friend and colleague, Senator SIMPSON from Wyoming, with whom I have worked on this matter for a long, long time.

I ask unanimous consent that this minor addition be announced and considered, and the amendment itself be considered at this time.

The PRESIDING OFFICER. If there is no objection, the amendment is modified.

The amendment, as modified, is as follows:

On page 302, between lines 5 and 6, insert the following:

SEC. 506. PROHIBITION ON PAYMENT OF FEDERAL BENEFITS TO CERTAIN PERSONS.

(a) IN GENERAL.—Notwithstanding any other provision of law and except as provided in subsection (b), Federal benefits shall not be paid or provided to any person who is not a person lawfully present within the United States.

(b) EXCEPTIONS.—Subsection (a) shall not apply with respect to the following benefits:

(1) Emergency medical services under title XIX of the Social Security Act.

(2) Short-term emergency disaster relief.

(3) Assistance or benefits under the National School Lunch Act.

(4) Assistance or benefits under the Child Nutrition Act of 1966.

(5) Public health assistance for immunizations and, if the Secretary of Health and Human Services determines that it is necessary to prevent the spread of a serious communicable disease, for testing and treatment of such disease.

(c) DEFINITIONS.—For purposes of this section:

(1) FEDERAL BENEFIT.—The term ''Federal benefit'' means—

(A) the issuance of any grant, contract, loan, professional license, or commercial license provided by an agency of the United States or by appropriated funds of the United States; and

(B) any retirement, welfare, Social Security, health, disability, public housing, postsecondary education, food stamps, unemployment benefit, or any other similar benefit for which payments or assistance are provided by an agency of the United States or by appropriated funds of the United States.

(2) PERSON LAWFULLY PRESENT WITHIN THE UNITED STATES.—The term ''person lawfully present within the United States'' means a person who, at the time the person applies for, receives, or attempts to receive a Federal benefit, is a United States citizen, a permanent resident alien, an alien whose deportation has been withheld under section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h)), an asylee, a refugee, a parolee who has been paroled for a period of at least 1 year, a national, or a national of the United States for purposes of the immigration laws of the United States (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(d) STATE OBLIGATION.—Notwithstanding any other provision of law, a State that administers a program that provides a Federal benefit (described in section 506(c)(1)) or provides State benefits pursuant to such a program shall not be required to provide such benefits to a person who is not a person lawfully present within the United States (as defined in section 506(c)(2)) through a State agency or with appropriated funds of such State.

(e) VERIFICATION OF ELIGIBILITY.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Attorney General of the United States, after consultation with the Secretary of Health and Human Services, shall promulgate regulations requiring verification that a person applying for a Federal benefit, including a benefit described in section 506(b), is a person lawfully present within the United States and is eligible to receive such benefit. Such regulations shall, to the extent feasible, require that information requested and exchanged be similar in form and manner to information requested and exchanged under section 1137 of the Social Security Act.

(2) STATE COMPLIANCE.—Not later than 24 months after the date the regulations described in subsection (1) are adopted, a State that administers a program that provides a Federal benefit described in such subsection shall have in effect a verification system that complies with the regulations.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this section.

(f) SEVERABILITY.—If any provision of this title or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this title and the application of the provisions of such to any person or circumstance shall not be affected thereby.

The PRESIDING OFFICER. Who yields time?

Mr. EXON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Nebraska.

Mr. EXON. Mr. President, I will make some brief remarks on this. I believe there is strong support on this. I will be asking for the yeas and nays. And I would agree to have the yeas and nays ordered at any time that the managers of the bill think are in order.

Mr. President, last Friday I offered an amendment to the welfare reform bill which states that Federal benefits shall not be paid or provided to any person who is not lawfully present within the United States. I have introduced measures to address this problem in the past and the Senate accepted a very similar amendment in 1993 by a vote of 85 for and only 2 against, and only to see it unfortunately dropped in conference.

My amendment specifically defines who is a person lawfully present within our country. Previous prohibitions on the payment of benefits to illegal aliens have been weakened by expansive agency regulations and court decision. My amendment also provides for a number of exceptions. Illegal aliens would still be eligible for elementary and secondary education, emergency medical services, disaster relief, school lunches, child nutrition, and immunization.

Also, States would not be obligated to provide benefits to those not lawfully present in our country, and funds would be provided for States to set up systems to verify the status of the applicants. As we continue to debate welfare reform, I believe it is evidence that we must not pass up this opportunity to stop, once and for all, providing scarce Federal benefits to illegal aliens.

Mr. President, I yield the floor and reserve the balance of my time.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MOYNIHAN. Mr. President, I yield 3 minutes to the Senator from Florida.

Mr. GRAHAM. Mr. President, I would first, if I could, ask the Senator from Nebraska if he would yield for a question?

Mr. EXON. Certainly.

Mr. GRAHAM. Mr. President, I would say to the Senator, I was particularly concerned about the issue of elementary and secondary education. The Senator stated that his amendment would not deny the child of a person who was in the country illegally access to elementary and secondary education?

Mr. EXON. That is correct.

Mr. GRAHAM. Could the Senator tell me where in the amendment that was mentioned?

Mr. EXON. It may well be that the Senator from Florida did not understand. That was incorporated in the amendment and was suggested as an exception by the Senator from Wyoming. And I think it satisfies the concerns of the Senator from Florida. It is in the amendment on which we are now discussing and on which we will vote. If you are talking about the amendment that I offered last Friday, it is not in there. But it is in the amendment that we will be voting on.

Mr. GRAHAM. Mr. President, the answer to that question allayed one of my principal concerns about this amendment, because in the original form, the form that was at the desk, there was no recognition of the children of persons who were in the country illegally in terms of their participation in elementary and secondary education.

In fact, there was a provision which would have allowed the States to have terminated educational assistance to those children as well as the Federal Government terminating whatever assistance it provides. With that modification, I will reserve final judgment as to how I will vote on this amendment. But I would like to raise the fundamental issue, the Federal Government has the total constitutional responsibility for the enforcement of our borders, and for our immigration and naturalization law. It is written almost in those terms in article 1 of the U.S. Constitution. The States have no authority in either of those two areas.

Second, when the Federal Government fails to carry out its responsibility and to enforce the borders, it is the States and the local communities who have the principal obligations and consequences of that failure.

Third, those consequences are heavily focused in about six States. Six States have over 80 percent of those persons who are in the country illegally living within their borders.

So, fourth, the consequence of this legislation is to say the Federal Government failed to carry out its exclusive constitutional responsibility: To protect the borders and enforce the immigration laws, allow large numbers——

The PRESIDING OFFICER (Mr. COVERDELL). The Senator's time has expired.

Mr. GRAHAM. Mr. President, I ask the manager for 1 additional minute.

Mr. EXON. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Nebraska has 2 minutes 57 seconds remaining.

Mr. SIMPSON. May I inquire whether I may receive 30 seconds from the Senator from Nebraska?

Mr. EXON. I yield 30 seconds to my colleague from Wyoming.

Mr. SIMPSON. I do not want to interrupt the Senator from Florida.

Mr. EXON. I yield to the Senator from Wyoming when he gets the floor.

Mr. MOYNIHAN. Mr. President, I yield an additional minute to the Senator from Florida and 1 minute to the Senator from Massachusetts.

Mr. GRAHAM. Mr. President, to conclude, we are about to set up what I think is a very unsafe situation: The Government fails to carry out its constitutional responsibility, and for the people who are illegally in communities across America, we are saying the Federal Government is going to deny any benefits to those people, which means those communities already the most heavily impacted now, out of their resources, have to pick up those responsibilities.

As a humanitarian society, we are still going to face providing health care, delivering babies to pregnant women, and the negative aspects of operating a criminal justice system and the other requirements when that illegal population acts in ways that are antithetical to the society in which they are living.

Reserving the right to review the amendment in its final form, I raise for my colleagues the potential consequences of this amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I, too, want to express that Senator EXON's amendment does not include the elementary and secondary education. Under the initial amendment, there is about $225 million that goes into States, into local communities to respond to Supreme Court holdings with regard to their requirements to educate these children. But this has eliminated that.

I welcome the opportunity to work with the Senator. We have, for example, 11,000 temporary nurses that come here to work in many of our urban area hospitals. Under this requirement, their residency requirements are such that they would not be able to get nursing licenses the way this is being interpreted, which would put a severe pressure on many of the inner-city hospitals in underserved areas.

I know that is not the intention of the Senator. I welcome the opportunity as this legislative process moves forward in some of these areas that we can work through to try to not have unintended consequences that would provide a hardship rather than to achieve the objectives of the amendment.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Wyoming for 30 seconds.

Mr. SIMPSON. Mr. President, I want to thank my friend, my colleague. Senator EXON came to the Senate when I did. His consistency on this has been clear through the years, and we have taken care of the problems brought up by Senator GRAHAM and by Senator KENNEDY.

I look forward to working with the Senator on these issues, as with Senator KENNEDY, the ranking member of the subcommittee, which I chair.

We have also taken care of in this amendment veterans issues. There will be no diminution of veterans benefits, no denial of veterans benefits to someone who may have been illegal but

served the country. So it takes care of that and takes care of the education issue.

I thank the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska has 2 minutes remaining.

Mr. EXON. I am prepared to yield back my time to move things ahead.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. EXON. Mr. President, is there remaining time in opposition to the amendment?

The PRESIDING OFFICER. All time in opposition has been yielded back.

Mrs. HUTCHISON. Will the Senator from Nebraska yield 1 minute to me?

Mr. EXON. I will be glad to yield a minute.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I rise in support of the Senator's amendment because I think this is a very important part of the Federal Government's responsibility to control our borders.

I am one of the States that is affected by the illegal aliens that come across the border, and they do take not only from our State and local coffers, but from the Federal coffers as well. This is something that we must stop. I think the Senator from Nebraska has a very good amendment, and I think it should be part of an overall illegal immigration reform measure that the Senator from Wyoming and the Senator from California, Senator FEINSTEIN, are working on. But until that time, it is very important that we speak in this welfare reform bill to the cost of illegal aliens.

So I appreciate what the Senator from Nebraska has done, and I support his amendment.

Mr. EXON. Mr. President, I thank the Senator from Texas very much for the kind statement and support. Since no one is seeking time, I yield back the remainder of my time, and the yeas and nays have already been granted.

The PRESIDING OFFICER. The question now occurs on agreeing to the Exon amendment No. 2525, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 6, as follows:

[Rollcall Vote No. 424 Leg.]

YEAS—94

Abraham	Bond	Byrd
Akaka	Boxer	Campbell
Ashcroft	Bradley	Chafee
Baucus	Breaux	Coats
Bennett	Bryan	Cochran
Biden	Bumpers	Cohen
Bingaman	Burns	Conrad
Coverdell	Hollings	Murray
Craig	Hutchison	Nickles
D'Amato	Inhofe	Nunn
Daschle	Inouye	Packwood
DeWine	Jeffords	Pell
Dodd	Johnston	Pressler
Dole	Kassebaum	Pryor
Domenici	Kempthorne	Reid
Dorgan	Kennedy	Robb
Exon	Kerrey	Rockefeller
Faircloth	Kerry	Roth
Feingold	Kohl	Santorum
Feinstein	Kyl	Sarbanes
Ford	Lautenberg	Shelby
Frist	Leahy	Simpson
Glenn	Levin	Smith
Gorton	Lieberman	Snowe
Graham	Lott	Specter
Gramm	Lugar	Stevens
Grassley	Mack	Thomas
Harkin	McCain	Thurmond
Hatch	McConnell	Warner
Hatfield	Mikulski	Wellstone
Heflin	Moseley-Braun	
Helms	Moynihan	

NAYS—6

Brown	Gregg	Simon
Grams	Murkowski	Thompson

So the amendment (No. 2525), as modified, was agreed to.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DOLE. Mr. President, the Democratic leader asked me to institute a quorum call, which I did, but I think we have an amendment of the Senator from California, Senator FEINSTEIN, which can be accepted. We will be prepared to do that.

Then the amendment of the Senator from North Dakota was set aside. Apparently he is prepared to proceed on that. It is part of our list, so I think it will be appropriate to do that. So I will work to clear it with Senator DASCHLE.

Mrs. FEINSTEIN. That is correct.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

AMENDMENT NO. 2470

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 2470.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN] proposes an amendment numbered 2470.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in the Friday, September 8, 1995, edition of the RECORD.)

Mrs. FEINSTEIN. Mr. President, I believe this amendment has been cleared on both sides. What the amendment does is require procedures for a child support order for the child of minor parents, where the mother is receiving assistance for the child, to be enforceable against the paternal grandparents of the child.

For just a moment—what the Dole bill does is require a minor mother and her child to live at home with her parents, so the maternal parents are responsible. What my amendment would do is say, where it is possible, a child support order should be obtained against the parents of the male involved. It takes two to tango in this instance, and the responsibility for the care of the child should not only belong to the maternal grandparents but the paternal as well.

So this solves the other half of the problem.

Mr. DOLE. Mr. President, we have no problem with the amendment. It has been cleared on this side.

Mr. MOYNIHAN. It has been cleared on this side.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 2470) was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote.

Mr. DOLE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Are there any other amendments that have been cleared? I think the Senator from Massachusetts has one or two minor amendments that I do not see any problem with.

The PRESIDING OFFICER. The Chair recognizes the Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I had amendment No. 2483, which I thought might have been cleared by now. I will be prepared to offer that if it has been cleared.

Mr. DOLE. I say to the Senator from New Mexico, if he will let me check that—what is the number?

Mr. BINGAMAN. Amendment No. 2483. I believe that is going to be acceptable. If it is, I am ready to offer it at any time.

Mr. DOLE. Let me check and I will be right back with the Senator.

I think the Senator from Massachusetts has two amendments.

Mr. KERRY addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

EN BLOC AMENDMENTS NOS. 2662 AND 2664

Mr. KERRY. I thank the Chair. We are just ascertaining the numbers. Mr. President, I ask amendment No. 2662 and amendment No. 2664 be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY], proposes amendments numbered 2662 and 2664, en bloc.

Mr. KERRY. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

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

(The texts of the amendments are printed in the Friday, September 8, 1995, edition of the RECORD.)

Mr. KERRY. Mr. President, these are two amendments which I thank the distinguished manager and majority leader and the Senator from New York for accepting.

Mr. President, as we trudge toward the rhetorical goal of ending welfare as we know it, we as a country must do better; we must embrace whole new ideas of how to accomplish this—if not now, at least in the future—primarily by investing in impoverished children and secondarily by providing a safety net for their parents. The guiding principle of our new system should be to summon the very best effort this country can mount to enable children who are victims of poverty to become self-sufficient adults capable of contributing to our society in a positive way and leading happy, fulfilling lives.

Dependency—whether it be on the foster care system when a person is a child, or on Government institutions such as the welfare or criminal justice systems if a person is an adult, or on drugs at any age—is a tragic waste of human potential and imposes costs we as a nation need not suffer and cannot afford to pay.

In many ways, welfare works—it is perhaps the cheapest means of getting the bare minimum of resources to the neediest slice of the American public; but in critical ways, it does not—it can perpetuate dependency rather than inculcate self-sufficiency. At the very least, by itself, it does not promote movement toward self-sufficiency.

The way to make the most of the current welfare reform movement is—without ignoring the good welfare may have done over the years—to design our priorities and construct a better system able to meet the minimal needs of today's recipients while doing everything possible to ensure that children on welfare don't become adults on welfare and that adults on welfare move whenever possible toward self-sufficiency.

The focal points for any effort to replace welfare with an intervention program which targets children must be our Nation's schools. There is a vital role that schools must play that they can't play without greater resources, voluntarism, and attention.

In cities beset by crime and violence, and in rural areas with little to inspire or occupy children, the neighborhood public school must become a beacon—a warm, safe haven of learning, of values, of friendship, of intellectual growth.

No school in such areas should shut its doors at 3 p.m. and stop its contribution to children's and parents' lives.

Case in point is teenage mothers, especially those who fail to avoid having children because they see no worthwhile future that awaits them if they avoid having children.

We must invest in efforts to educate these children about the costs and realities of parenthood, and we must invest in education programs that provide real futures for school-age pregnant girls and new mothers and, where they can be identified, new fathers.

We must think in the longterm, and understand that money dedicated to ending welfare dependency by investing in children will not only save money in the long run, it will help save this country.

We are throwing away our future by ignoring the children of this country. One day all who can read this article will be senior citizens, fully dependent on the babies we neglect today. So will be our Nation and its future.

If we fail to meet the needs of these children, not only will we fail to maintain this country's status as leader of the democratic world to which we have contributed so much, but we will devolve into a country consumed by crime and poverty the likes of which this Nation cannot imagine.

We have already fallen deeper into crime than our parents would have ever dreamed. It will not matter that parents have raised their own children well if they raise them so they are alone in that distinction. Without concerted, collective effort, even children raised with love and concern—whether in low income or high income families—will not be safe and secure.

We have already lost a frightening number of a complete generation of children to unambitious welfare programs, inadequate schooling, and societal neglect. Nothing less than the survival of our Nation depends on our collective assumption of our responsibility of this Nation's young.

Parents, schools, communities, and the Government need to become immersed in the development and enculturalization of children.

I believe we need to face the reality that this welfare debate is part of a much larger debate that we will be forced to have in this country in the not-too-distant future. It is a debate that speaks to the soul of America, and ultimately will have to come from our hearts as well as from our heads. It is a debate about not only solving our fiscal deficit, but also about addressing the cultural and spiritual deficits that seem to be tearing at the fabric of our society.

It is about a welfare mother who can't read and a system that doesn't care. It is about a teenager with a child she cannot care for and a community that will not help. It is about what we ultimately decide is the legitimate cost of failing to care, and about what we are willing to invest in the effort to manifest the care we claim.

We need to address the basic philosophical issue of responsibility to each other as a community of people.

The battle is over how we do this. How do we stop children from having children? How do we solve the problem of mothers who cannot work because they have no daycare for their children and no extended family able to help them? What do we do about young teenagers growing up in increasingly violent neighborhoods—kids with diminished valves and an increasingly diminished sense of right and wrong? We are seeing the rise of a generation of Americans who think there's more power in the barrel of a gun than in the memory of a computer.

The true question is how do we prepare for a better future in this Nation? The answer, I believe, is to invest in people and to seek long-term solutions to welfare problems to improve our collective future rather than succumb to simple-sounding, quick fixes that carry tremendous unseen burdens for our future.

But, Mr. President, the bill we have before us simply does not do what needs to be done.

I offer two amendments today that invest in children, education, and families, reaching toward the objective that no one will be isolated from the mainstream of productive society.

Mr. President, it is well-established that some children of welfare dependent parents are subjected to inadequate care, supervision, and parental love and attention, to unsafe environments and undesirable influences. It should come as no surprise that many of these children fail to develop into responsible, self-sufficient adults who are contributing members of society. Too often welfare becomes a repetitive cycle extending over multiple generations rather than a temporary situation.

Part of the answer to breaking this pathological cycle is to require parents seeking welfare to take an active role in the supervision, education, and care of their children. Another part is to make better and more efficient use of existing public resources and investments for the benefit of at-risk children. Notable among those resources and investments are our public school facilities.

While I do not believe it is possible for our Nation to successfully and acceptably resolve our current welfare problems wholly without further public investment, neither of these two partial answer to those problems entails significant additional cost.

We cannot afford to neglect children when we know full well that improving their surroundings helps prevent their long-term dependence on government aid. All the nations with which we are competing in the new global marketplace are acting in recognition of that fact—except us. We must boldly pursue the long-term benefits promised by concerted efforts to make maximum use of our schools and educational facilities, and by insisting that all welfare recipient parents accept basic parental responsibilities—that many of them routinely perform admirably under difficult circumstances but some appear to ignore.

My amendments would move in these directions.

My first amendment would provide funds for demonstration projects so keep schools that serve at-risk children open for more hours and to initiate

new programs so that schools can offer an alternative to the street for our Nation's unsupervised youth. This companion program would complement the Community Schools Program.

My second amendment would require parents to sign a parental responsibility contract that would demand, in exchange for benefits, that parents take an active role in the supervision and education of their children.

Mr. President, these two amendments are only first steps. But they are steps in the right direction: toward the brighter future of this Nation.

Mr. DOLE. Mr. President, I have no objection to the amendments.

Mr. MOYNIHAN. There is no objection on this side. To the contrary.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the en bloc amendments.

The en bloc amendments (Nos. 2662 and 2664) were agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KERRY. I thank the majority leader and thank the Senator from New York.

Mr. DOLE. As I understand it, the Senator from California has a demonstration amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

AMENDMENT NO. 2479

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 2479.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN] proposes an amendment numbered 2479.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The text of the amendment is printed in the Friday, September 8, 1995, edition of the RECORD.)

Mrs. FEINSTEIN. Mr. President, what this amendment does is essentially assures that, in those large counties or groups of counties with a population greater than 500,000, that there be provision, with permission of the State—this is the modification in the amendment—that the money, the block grant, go directly to the county. So we have modified the amendment from its original presentation. My understanding is that it is agreeable to both sides.

The purpose of the amendment is, really, so many of the innovative demonstration projects that are initiated by counties, which I pointed out in my opening remarks on this amendment, can go ahead without an additional element of bureaucracy.

Again, the State would have to approve this, but for those counties that do their own administration, this would continue to be the case.

Mr. DOLE. Has the modification been sent to the desk?

The PRESIDING OFFICER. The Chair reports the modification does not appear to be at the desk.

Mrs. FEINSTEIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LEVIN. Mr. President, I ask unanimous consent the amendment of the Senator from California be temporarily laid aside so I can make a unanimous-consent request and have my amendment considered. It has been cleared.

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

AMENDMENT NO. 2486, AS MODIFIED

Mr. LEVIN. Mr. President, I now ask unanimous consent that a modification to my amendment, No. 2486, be sent to the desk and be in order.

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

The amendment (No. 2486), as modified, is as follows:

On page 12, between lines 22 and 23, insert the following:

(G) COMMUNITY SERVICE.—Not later than 3 years after the date of the enactment of this Act, consistent with the exception provided in section 404(d), require participation by, and offer to, unless the State opts out of this provision by notifying the Secretary, a parent or caretaker receiving assistance under the program, after receiving such assistance for 6 months—

(i) is not exempt from work requirements; and

(ii) is not engaged in work as determined under section 404(c),

in community service employment, with minimum hours per week and tasks to be determined by the State.

Mr. DOLE. As I understand, the amendment, as modified, is acceptable on this side.

Is that correct?

Mr. MOYNIHAN. It most assuredly is on our side.

Mr. LEVIN. Mr. President, if I could spend 30 seconds, I have long believed that work requirements should be clear, strong, and applied promptly. For too long we have permitted welfare dependency to undermine the potential productivity of too many able-bodied Americans. We have allowed too many able-bodied welfare recipients not to work. That is wrong.

The amendment which I am offering would add a requirement that welfare recipients be in job training and school or working in private sector jobs within 6 months of receipt of benefits, and if private sector jobs could not be found they be required to perform some type of community service employment. The requirement would be phased in over 3 years to allow States the chance to adjust administratively. We have added in this modification a opt-out provision for States by notification of the Secretary of Health and Human Services, and also to make clear the intent to conform to the modifications which Senator DOLE made to his amendment No. 2280 last week.

The bill before us requires recipients to work within no more than 2 years of receipt of benefits. Why wait that long? Why wait 2 years? Unless an able-bodied person is in school or job training, why wait longer than 6 months to require that a person have a private job or be performing community service?

My amendment says 6 months instead of 2 years.

There is no doubt that there is a great need in local communities across the country for community service workers. Last year, the demand for community service workers from the President's AmeriCorps Program was far greater than the ability to fund them. According to AmeriCorps, of the 538 project applications requesting approximately 60,000 workers, only applications for about 20,000 workers could be funded. Projects ranged from environmental cleanup, to assisting in day care centers, to home health care aides. It is clear that there is no shortage of need for workers in community service.

The Daschle amendment which was narrowly defeated last week contained a similar provision which was added as a modification at my request. It would require that recipients work in community service employment if not employed in the private sector, engaged in job training or in school, and it would require that States offer the community service option to such recipients.

Mr. President, I have long been concerned about the cycle of dependency and the need to return welfare recipients to work. As long as 14 years ago, in 1981, I was the author, along with Senator DOLE, of legislation which was enacted into law that put some welfare recipients back to work as home health care aides, thereby decreasing the welfare rolls and increasing the local tax base.

This demonstration project called for the training and placement of AFDC recipients as home care aides to Medicaid recipients as a long-term care alternative to institutional care, and was subject to rigorous evaluation in both the demonstration and post-demonstration periods.

The independently conducted program evaluation found that during six of the seven demonstration projects, trainees' total monthly earnings increased by 56 percent to more than 130 percent. Evaluations in following years indicated similarly positive and significant income effects. Consistent with the increase in employment, trainees also received reduced public benefits. All seven States moved a significant proportion of trainees off of AFDC. In

four of the States, a significant proportion of the trainees also were moved off of the Food Stamp Program or received significantly reduced benefit amounts.

Additionally, the program evaluation indicated that it significantly increased the amount of formal in-home care received by Medicaid clients and had significant beneficial effects on client health and functioning. The evaluation also indicated that clients benefited from marginally reduced costs for the services they received.

As the 1986 evaluation shows, this type of demonstration had great potential in allowing local governments to respond to priority needs and assist members of their community in obtaining the training necessary to obtain practical, meaningful private sector employment and become productive, self-sufficient members of their community.

Mr. President, I want to highlight a particularly wise provision in Senator DOLE's bill. It is a provision which states that any recipient may be treated as participating in community service employment if that person provides child care services to other individuals participating in the community service program. This is a good idea. It opens a way for many able-bodied persons currently on welfare, to provide a service to others, meet work requirements, and, at the same time, free others to work who may otherwise have difficulty locating affordable child care. I hope that many States will vigorously exercise this provision and that recipients will heed the encouragement to provide child care services as a way of engaging in community service employment.

Mr. President, I am hopeful that in the 104th Congress, we will take the necessary steps to get people off welfare and working, in the private sector, if possible, but in community service, if necessary. Experience has shown we must be more aggressive in requiring recipients to work. I believe my amendment is a firm step in the right direction.

Mr. President, I thank Senator MOYNIHAN and Senator DOLE and their staff for working with us on this.

Mr. MOYNIHAN. Mr. President, I urge adoption of the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2486), as modified, was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DOLE. Mr. President, I think they are working out a modification on the amendment of the Senator from California, Senator FEINSTEIN. I understand there are four or five amendments that will be cleared here momentarily.

I would like to indicate that I will consult with the Democratic leader and hopefully have a cloture vote here within the next hour. I do not think we are going to reach an agreement. And we are not going to pass the bill if we have to accommodate every request from the other side.

So I am prepared to have a cloture vote. If we do not get cloture, this bill will go into reconciliation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MOYNIHAN. Mr. President, I see the Senator from California has risen.

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

AMENDMENT NO. 2479, AS MODIFIED

Mrs. FEINSTEIN. Mr. President, I send a modification to amendment No. 2479 to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 2479), as modified, is as follows:

On page 69, strike lines 18 through 22, and insert the following:

"SEC. 413. STATE AND COUNTY DEMONSTRATION PROGRAMS.

''(a) NO LIMITATION OF STATE DEMONSTRATION PROJECTS.—Nothing in this part shall be construed as limiting a State's ability to conduct demonstration projects for the purpose of identifying innovative or effective program designs in 1 or more political subdivisions of the State providing that such State contains more than one country with a population of greater than 500,000.

''(b) COUNTY WELFARE DEMONSTRATION PROJECT.—

''(1) IN GENERAL.—The Secretary of Health and Human Services and the Secretary of Agriculture shall jointly enter into negotiations with all counties having a population greater than 500,000 desiring to conduct a demonstration project described in paragraph (2) for the purpose of establishing appropriate rules to govern the establishment and operation of such project.

''(2) DEMONSTRATION PROJECT DESCRIBED.—The demonstration project described in this paragraph shall provide that—

''(A) a county participating in the demonstration project shall have the authority and duty to administer the operation of the program described under this part as if the county were considered a State for the purpose of this part;

''(B) the State in which the county participating in the demonstration project is located shall pass through directly to the county the portion of the grant received by the State under section 403 which the State determines is attributable to the residents of such county; and

''(C) the duration of the project shall be for 5 years.

''(3) COMMENCEMENT OF PROJECT.—After the conclusion of the negotiations described in paragraph (2), the Secretary of Health and Human Services and the Secretary of Agriculture may authorize a county to conduct the demonstration project described in paragraph (2) in accordance with the rules established during the negotiations.

''(4) REPORT.—Not later then 6 months after the termination of a demonstration project operated under this subsection, the Secretary of Health and Human Services and the Secretary of Agriculture shall submit to the Congress a report that includes—

''(A) a description of the demonstration project;

''(B) the rules negotiated with respect to the project; and

''(C) the innovations (if any) that the county was able to initiate under the project.

''(5) eligible countries are defined as:

''(A) a county that is already administering the welfare program under this part;

''(B) represents less than 25% of the State's total welfare caseload.''

Mrs. FEINSTEIN. I believe, Mr. President, that these modifications have been cleared, and are as I reported earlier.

Mr. MOYNIHAN. I believe that is the case on our side, Mr. President.

Mr. DOLE. The amendment has been cleared on this side.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 2479), as modified, was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mrs. FEINSTEIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOYNIHAN. I thank the Chair.

Mr. DOLE. Mr. President, in an effort to protect the rights of the Senator from North Dakota [Mr. CONRAD], I ask unanimous consent that in the event of a cloture vote, if cloture was invoked, his amendment would still be in order under the same conditions, the same time limit as previously ordered.

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

Mr. CONRAD. Mr. President, I thank the majority leader for his usual gracious consideration.

I thank the Chair. I yield the floor.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KYL). Without objection, it is so ordered.

AMENDMENTS NOS. 2578, 2481, 2670; 2542, AS MODIFIED; 2551, AS MODIFIED; 2601, AS MODIFIED; 2507, AS MODIFIED; AND 2280, AS FURTHER MODIFIED

Mr. DOLE. I ask unanimous consent that the Senate now proceed to the following amendments en bloc, that the

amendments be considered modified where noted with modifications, which I will send to the desk at the appropriate time: D'Amato No. 2578, Feingold No. 2481, Kerrey of Nebraska No. 2670, modified McCain 2542, modified Kohl 2551, modified Faircloth 2601, modified Wellstone No. 2507.

And then finally a further modification to amendment No. 2280.

I send the modifications to the desk.

The amendments (Nos. 2542, 2551, 2601, 2507) as modified, are as follows:

AMENDMENT NO. 2542

On page 216, line 4, strike ''6 months'' and insert ''1 year''.

AMENDMENT NO. 2551

On page 158, between lines 14 and 15, insert the following:

SEC. 801. DECLARATION OF POLICY.

Section 2 of the Food Stamp Act of 1977 (7 U.S.C. 2011) is amended by adding at the end the following: ''Congress intends that the food stamp program support the employment focus and family strengthening mission of public welfare and welfare replacement programs by—

''(1) facilitating the transition of low-income families and households from economic dependency to economic self-sufficiency through work;

''(2) promoting employment as the primary means of income support for economically dependent families and households and reducing the barriers to employment of economically dependent families and households; and

''(3) maintaining and strengthening healthy family functioning and family life.''.

On page 189, between lines 17 and 18, insert the following:

(d) ADDITIONAL MATCHING FUNDS.—Section 16(h)(2) of the Act (7 U.S.C. 2025(h)(2)) is amended by inserting before the period at the end the following: '', including the costs for case management and casework to facilitate the transition from economic dependency to self-sufficiency through work''.

On page 189, line 18, strike ''(d)'' and insert ''(e)''.

AMENDMENT NO. 2601

On page 190, between lines 17 and 18, insert the following:

''(2) RULES AND PROCEDURES.—If a disqualification is imposed under paragraph (1) for a failure of an individual to perform an action required under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the State agency may use the rules and procedures that apply under part A of title IV of the Act to impose the same disqualification under the food stamp program.

On page 190, line 18, strike ''(2)'' and insert ''(3)''.

On page 202, line 15, strike the closing quotation marks and the following period.

On page 202, between lines 15 and 16, insert the following:

''(3) RULES AND PROCEDURES.—If the allotment of a household is reduced under this subsection for a failure to perform an action required under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the State agency may use the rules and procedures that apply under part A of title IV of the Act to reduce the allotment under the food stamp program.''.

AMENDMENT NO. 2507

On page 161, strike lines 8 through 12 and insert the following:

(a) IN GENERAL.—Section 5(d) of the Food Stamp Act of 1977 (7 U.S.C. 2014(d)) is amended by striking paragraph (11) and inserting the following: ''(11) a one-time payment or allowance made under a Federal or State law for the costs of weatherization or emergency repair or replacement of an unsafe or inoperative furnace or other heating or cooling device,''.

Beginning on page 161, strike line 24 and all that follows through page 162, line 3, and insert the following:

(B) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) a payment or allowance described in subsection (d)(11);'';

The modification to the amendment (No. 2280, as further modified) is as follows:

Add the following to the end of subsection (D): '', state funds expended for the Medicaid program under title XIX of this Act or any successor to such program, and any state funds which are used to match federal funds or are expended as a condition of receiving federal funds under federal programs other than under title I of this Act.''

Mr. DOLE. Further, that the amendments be considered agreed to and that any statements relating to them be placed at the appropriate place in the RECORD.

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

So the amendments (Nos. 2578, 2481, 2670, 2542, as modified; 2551, as modified; 2601, as modified; and 2507, as modified) were agreed to.

Mr. DOLE. I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2507

CERTAIN LIHEAP EXPENSES SHOULD BE EXCLUDED FROM INCOME

Mr. WELLSTONE. Mr. President, the amendment I am offering today is designed to address a potentially serious oversight in the majority leader's version of the welfare reform bill which must be clarified. The Dole substitute would repeal the longstanding provision in the current Federal food stamp law which excludes from income measurements any regular Low-Income Energy Assistance Program benefits provided by State and Federal energy assistance programs, such as monthly utility payments. LIHEAP is the major Federal fuel subsidy program, which has in my State been a cold-weather lifeline for vulnerable unemployed people, the elderly, and children for many years.

As many of my colleagues know, Minnesota is often called the icebox of the Nation, where bitterly cold weather is the norm. In fact, Minnesota is the third coldest State, in terms of heating degree days, in the country, after Alaska and North Dakota. Especially in cold-weather States like Minnesota, funding for LIHEAP is critical to families with children and vulnerable low-income elderly persons, who without it could be forced to choose between food and heat. The LIHEAP program assists approximately 110,000 households in Minnesota, and provides an average energy assistance benefit of about $360 per heating season.

In the frenzy of getting this bill modified in the final days before it hit the floor, as was often the case with many of these so-called reforms, the net may have unintentionally been cast too widely. That is why some have urged that this repeal be corrected and clarified to ensure that it would only apply to regular energy assistance payments for heating and cooling, such as monthly utility payments, and not to the types of emergency furnace repair or replacement payments, or weatherization, or other similar payments, that are provided to many low-income Americans through State and Federal energy assistance programs.

My amendment will do just that. It explicitly excludes energy assistance payments for things like emergency furnace repairs and replacement, and weatherization expenses, from being counted as income for purposes of calculating eligibility for food stamp benefits. Unsafe and inoperative heating systems can pose serious problems, including fires, monoxide poisoning, and other life-threatening hazards. This amendment is designed in part to prevent people in my State, and across the country, from being forced to choose between eating, and heating, when their furnace breaks down or their home needs to be weatherized to protect them from severe cold. It is designed to allow them to make their homes safe and habitable, and protect their families from the cold, when faced with these immediate and urgent needs. Of necessity, my State has a strong and vital weatherization program, though efforts to slash LIHEAP funding over the years have required them to scale back substantially the services they can provide and the numbers of Minnesotans they can serve. Vastly more people in my State are eligible for LIHEAP than can be served in any given year. And these are very low-income people, including many seniors on fixed incomes. More than two-thirds of LIHEAP households have annual incomes less than $8,000; more than one-half have incomes below $6,000. Further, the average LIHEAP recipients spend 18.4 percent of their income on energy, compared with 6.7 percent for all households.

While there are other provisions of the Food Stamp Act which could be construed to exclude lump sum payments for things like emergency furnace repairs and replacement, and weatherization, I wanted to make certain that an explicit exclusion was contained in this bill for these kinds of expenses, to avoid any potential confusion or ambiguity on this matter down the road. I appreciate the support of Senator FEINGOLD, and his work on this amendment, and I am grateful that my colleagues from Indiana and Vermont are willing to accept the amendment.

Very simply, then, my amendment makes explicit an exclusion for certain State and Federal energy assistance payments, including those made to repair or replace broken furnaces, or to

weatherize homes by weatherstripping leaky windows and doors, by installing insulation, or by taking other steps as necessary to protect families from the cold. By excluding from income measurement all such one-time repair or weatherization payments, as distinguished from regular, ongoing LIHEAP utility payments, from the calculation of eligibility for food stamp benefits, of course I do not intend to have counted as income assistance payments made in situations where a family's furnace may need repair more than once in a winter, or may need certain types of weatherization more than once in a year. It is basically to exclude from income calculation energy assistance payments or allowances that are occasional and urgent, like a furnace repair, not those which are regular and ongoing, like a regular LIHEAP subsidy.

It is very simple, and will ensure that families are not, by a quirk of the bureaucratic rules, forced off the food stamp rolls because their furnace explodes, or goes off in the middle of a dark, cold night, and they replace it with help from LIHEAP. This amendment will prevent this bizarre result. When it is 30 degrees below zero, Mr. President—not uncommon in my State—that is a real emergency. And it must be dealt with immediately. We should make sure we do not build into the system disincentives for people to get furnaces fixed in a crisis, or incentives for elderly people or parents to risk themselves and their families in dangerous situations with unventilated space heaters or other hazards, simply because they are unable to afford, for example, modest furnace repairs.

As my colleagues from cold-weather States know, furnace repair and replacement can be very expensive, often costing several thousand dollars. This large and unexpected expense should not knock otherwise eligible families off the food stamp rolls simply because they need help for LIHEAP. We do not want to have people heating their kitchens with their stoves, or with leaky and dangerous kerosene space heaters, or with charcoal grills—all of which is done—because they could not afford to get their heat turned back on, or their furnace repaired or replaced, in the face of bitter cold weather. Each winter we read in the papers of people who die in such tragic situations. We must do all we can to ensure that does not happen, and this amendment takes another step in that direction.

Finally, let me say that I am still very concerned about the impact of the general provision in this bill, which repeals altogether the exclusion for ongoing, regular LIHEAP fuel subsidies for food stamp calculations, on thousands of people in my State. In Minnesota, LIHEAP does not even come close to paying the average $1,800–$2,000 costs of heating a home in the winter; people are still carrying most of these costs. But this particular amendment is crafted more narrowly, to meet the objections of those who insist that the general LIHEAP exclusion for food stamps be repealed outright. It is designed to make explicit an exclusion for that narrow category of energy assistance payments that are for the purposes I have described. I believe it is a real improvement to the bill, and I urge its adoption.

Mr. FEINGOLD. Mr. President, I am pleased that this amendment offered by my colleague from Minnesota [Mr. WELLSTONE] is being accepted, and am proud to join him as an original cosponsor. I believe that this amendment clarifies the bill to specifically exclude one-time capital improvement payments for home weatherization or repair or replacement of unsafe and inoperative heating and cooling equipment from counting as income when figuring food stamp benefits.

Under the Dole proposal as originally drafted there may have been ambiguity as to whether LIHEAP moneys received by individuals for one-time capital improvements count as income when figuring food stamp benefits. With this amendment, it is clear that this bill does not intend to affect such payments. LIHEAP is perhaps best known as the program that assists eligible individuals by subsidizing a portion of the costs of their home utility bills. However, as many in this body whose States have active LIHEAP programs are aware, LIHEAP moneys are also used by States, such as my home State of Wisconsin, in emergency situations to purchase new home heating and cooling devices and to weatherize homes.

My State is involved in two capital improvement programs funded by LIHEAP. Participants in these two programs would have been dramatically affected by the underlying bill if it were not amended. About $5.9 million of the LIHEAP grant funds received by my State of Wisconsin, about 15 percent of the total received, are combined with State funds and other Federal funds from the Department of Energy's weatherization program into a pool to conduct audits of eligible homes for one-time weatherization improvements, such as window replacement and weather stripping. At the same time these home weatherization audits are being undertaken, the State might also act to replace or repair a furnace which is found to be in disrepair. In fiscal year 1994, the last full year for which data are available, 5,800 homes were audited in Wisconsin, and of those 1,600 had their heating systems replaced.

In addition, the LIHEAP program in my State keeps $1 million in reserve, which it matches with oil overcharge funds, to conduct emergency activities in homes that it has not audited under its more routine audit program. In fiscal year 1994, 1,440 dangerous or inoperative furnaces were repaired or replaced on an emergency basis. This past summer, Mr. President, it was this program that responded to the blistering heat in the upper Midwest that claimed the lives of so many this summer.

This amendment is very simple, and I believe it makes a substantive improvement in the underlying proposal. Someone should not become ineligible for food stamps in a given program year, Mr. President, because their furnace breaks and the price of a new furnace, paid for by the LIHEAP program, would push them out of the eligible income bracket. Furnaces are extremely costly purchases for anyone, Mr. President. Even an average middle class Wisconsin family would have to budget in order to afford to replace one. Last year, the average cost of a new furnace provided by the LIHEAP program was $2,000. This expense could bump people on the margins out of the program, while their living standard, except for the fact that they may have averted both a house fire and personal injury by replacing their furnace, does not change at all.

I joined with my colleague from Minnesota because I am concerned that the counting of one-time LIHEAP payments as income may create a disincentive among food stamp recipients to undertake needed emergency repair activities. Some have argued throughout the debate on welfare reform that individuals receiving food stamp, AFDC, and other benefits make behavioral decisions that affect their benefit level. By their nature, Mr. President, these capital improvements are often unplanned and unpredictable. Every Senator in this body should be sensitive to the fact that sometimes the furnace just stops working, and these families, as hard as they might be working and trying to comply with the program as proposed, simply would not have the extra funds on hand to cover the repair. We should be very mindful of that fact that as individuals begin to move from welfare to work, as proposed by the measure before us, they are generating the primary support for them and their families—not savings. Without LIHEAP support there may be no other source of funds to act in these emergency situations.

While I am concerned about including LIHEAP utility bill subsidies as additions to income, I understand that excluding these rate subsidy payments would be a very controversial proposal. In my State, as in many others, LIHEAP never pays the whole heating bill. The amount of the bill paid ranges from 18.5 to 72 percent of the total, the individual always has the responsibility to pay a portion of the bill. Because they pay a portion, recipients are encouraged to conserve and to maintain a responsible payment schedule. As it is, Mr. President, in my home State of Wisconsin, the average LIHEAP household heating fuel cost is 10.6 percent of the recipient's total income, and after receiving assistance it is 5.7 percent of income; the average Wisconsin citizen's household heating fuel cost is 2.6 percent of their income.

To address the concerns that some have about the LIHEAP utility bill subsidy, however, this amendment is narrowly crafted to just address the issue of one-time LIHEAP payments. I believe that for safety reasons this amendment is also justified. As my colleagues know, old furnaces are extremely dangerous, as are the alternatives, such as space heaters. In crisis situations, my State LIHEAP program informs me, individuals resort to a whole host of heating techniques, including using charcoal grills indoors and relying on an electric or gas stove as a primary heat source. Despite the fact that this is 1995, Mr. President, 4 percent of Wisconsin LIHEAP program homes, or 5,720 households, are still wood heated, and 10 percent are trailer housing dependent upon propane tanks for their heat, another 14,300 households. Additionally, there is the concern of in-home carbon monoxide poisoning which, according to an article in the New York Times on May 14, 1995, sends 5,000 people each year to the emergency room with nonfatal illnesses and claims the lives of 250 people annually.

I think, Mr. President, that just as some in this body believe it would be a failed reform of the welfare system to continue to encourage people on the margins to engage in certain behaviors to increase their benefits, it would also be a failed reform if we were to encourage unsafe behavior by individuals for fear of losing benefits. This amendment avoids the classic heat or eat dilemma by clarifying that the Senate does not intend for one-time energy improvement payments to count as income, and I am pleased that it will be added to the underlying measure.

Mr. DOLE. Mr. President, I think we have made a lot of progress in the last hour, hour and a half. We have taken a lot of amendments, and I think right now I understand some of our colleagues are negotiating certain aspects of the bill. It is my understanding the Democratic leader would like to have us at this point have a quorum call so we would not be engaged in any—unless somebody wished to speak. We do not want any rollcall votes.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MOYNIHAN. I ask unanimous consent that the two amendments that were laid aside yesterday, the Faircloth amendment No. 2608 and the Daschle amendment No. 2672, be considered in order postcloture under the same restraints as previously agreed to.

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

Mr. MOYNIHAN. I thank the Chair. I suggest the absence of a quorum.

Mr. President, may I say we do not anticipate votes between now and 2 o'clock.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized for 5 minutes.

MEDICARE

Mr. DORGAN. Mr. President, the minority leader, Senator DASCHLE, and myself and some others held a press conference this morning to talk about Medicare and the plan that is to be unveiled by Speaker GINGRICH, Senator DOLE, and others to cut spending on Medicare. It was interesting, at the press conference the first question that was asked after a presentation was by a reporter, who said to Congressman GEPHARDT: ''Speaker GINGRICH just indicated today in his remarks that you lied; he, on three occasions, said you, Congressman GEPHARDT, lied about a portion of the Medicare debate.''

I thought to myself when the reporter asked that question, it is an interesting technique, again, to see if maybe the story for the next day will be about someone calling someone else a liar in their response, as opposed to the issue of what is going to happen with respect to Medicare. That is what most of us are concerned about. These debates should never be about the question of lying; the debate ought to be about truth. And the issue of truth and the question of Medicare is a very simple proposition.

I am going to offer on the next bill that comes to the floor of the Senate, which will be the appropriations bill on Commerce, State, Justice, a sense-of-the-Senate resolution. It is going to be very simple. I do not happen to think, by the way, we ought to have a tax cut proposal on the floor of the Senate at this point because I think until we get the budget balanced in this country, we ought not to be talking about tax cuts. But it is going to say if the majority party brings a tax cut to the floor of the Senate, that they limit that tax cut to those earning $100,000 or less, and use the savings from that—as opposed to the current proposal, which will give the bulk of the benefits to the most affluent in America—use the savings from that to reduce the proposed cuts in Medicare.

I want to ask people to vote on that because I think the question is, is it not a fact, no matter how much you try to tiptoe, dance, dodge, or weave, that the $270 billion proposed cuts in Medicare are designed in order to try to accommodate and accomplish a $245 billion tax cut, the bulk of which will go to the wealthiest Americans? The answer to that is clearly yes.

We were told earlier this year by the majority party, who advanced the $270 billion proposal to reduce Medicare funding, that they would provide details later. Today was the day to provide the details, and we have discovered that there really are not details that they want to disclose because those details will be enormously troublesome.

I indicated this morning that it is very hard for elephants to walk on their tiptoes. It is very hard to tiptoe around the details of a Medicare reduction of $270 billion and what it means to senior citizens, many of whom live on very, very modest incomes and who will, as a result of this, receive less health care and pay more for it. Why? So that some of the wealthiest Americans can enjoy a tax cut.

I think we ought to start over. I do not think we ought to have leadership calling anybody else liars. We ought to start over and talk about truth. The truth is this country is deep in debt. We ought to balance the budget before anybody talks about big tax cuts. It may well be very popular to be for tax cuts. But it seems to me that it is the right thing to be for balancing the budget. We had a debate about whether we should put that in the Constitution. We do not have to put that in the Constitution. All you have to do is balance the budget by changing revenue and expenditure approaches to provide a balance.

So I hope we will start over and decide no tax cut until the budget is balanced. When we deal with Medicare, as we must in order to make the adjustments necessary to keep it solvent for the long term, let us do that outside of the issue of whether the savings from Medicare should finance tax cuts. The answer to that is obvious. Of course, it should not finance a tax cut. Whatever we do to Medicare ought to be done to make it financially solvent for the long term.

THE FARM BILL

Mr. DORGAN. Mr. President, let me attend to one other item as long as the Senate is waiting on the welfare reform bill.

I would like to comment on the issue of the farm bill. We had some comments yesterday by the chairman of the Senate Agriculture Committee in which the chairman indicated that it was very difficult, if not impossible, to get a majority on the Senate Agriculture Committee to vote for some kind of a farm bill.

What is happening is that it is becoming evident to everyone that some have painted themselves into a corner on this question of agriculture. The proposed $14 billion cut in agriculture is way beyond what agriculture should bear in cuts. I have supported budget

cuts in agriculture and will support them again this year. But a $14 billion cut has now put the chairman of the Senate Agriculture Committee and the chairman of the House Agriculture Committee in a position where they cannot write a decent farm bill, and they know it. The chairman of the House Agriculture Committee now comes out with a proposal he calls the Freedom of the Farm Act. It is a white flag of surrender saying we understand we cannot finance a farm program, so let us forget it.

There is a much better way to do this. You can provide a better support price, a decent safety net for family-sized farms, and you can do it at the same time that you save the taxpayers $5 billion in the coming 7 years by targeting farm program support prices or that safety net for the family farmers, targeting it to family-sized farms. A number of us have been working on that. We have developed some plans which we will be announcing.

But our point is to say to family farmers, at least if there are those who are surrendering on the issue of whether or not they think family farms are important to their country's future, that many of us will not surrender on that. It seems to us that this country is best served by nurturing and protecting a network of family-sized farms in our country to produce Americans' foodstuffs.

We have for many, many years understood that the development and the maintenance of family farms nurture a lot of what is good in this country. Where do you find better family values than on family farms that nurture our small towns and, through migration, nurture our cities? It seems to me that the genesis of all of that starts out on the farm in our country, and we ought to decide that it is worth keeping.

It is worth keeping a farm program that provides some safety net for the only people left in this country who, first of all, do not know when they plant a seed whether they will get a crop. So they risk all that money at the front end. And then they do not know, if they get a crop, whether they will get a price. So you have twin risks which family-size farms simply cannot overcome unless we have some basic support price or some kind of a safety net.

In the coming days, I hope others will become aware as well that you cannot write a farm program that helps and nurtures a future for family farmers with the $14 billion that is now proposed in reductions. You can do it in a thoughtful way with even better price supports than now exist for the first increment of production and saving the taxpayers somewhere around $5 billion. That is what I hope the Congress will decide on later this year.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 5 minutes as if in morning business.

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

THE NEED TO SUSTAIN U.S. COUNTERNARCOTICS PROGRAMS

Mr. GRASSLEY. Mr. President, I have become increasingly concerned about the direction that our drug policy is taking. Not only has the present administration largely retreated on doing something meaningful to deal with illegal drug use, increasingly some in Congress seem to be catching this indifference. The result has been a steady erosion in our efforts to stop the flow of illegal drugs to the United States. Along with the cuts there seems to be an attitude that nothing works. Not only is this belief wrong, it has serious consequences.

According to Justice Department figures, there has been a steep decline in our interdiction of cocaine shipments in the past several years. This has resulted in an increase of at least 70 metric tons of additional cocaine on our streets. We have seen a drop in cocaine prices while purity has gone up. And now, we are seeing a disturbing increase in heroin imports and a rise in addiction. More seriously, we have seen attitude toward drug use shift among the most at-risk population—the Nation's young people. In just the last 3 years, surveys of attitudes of high school kids show a shift away from regarding drug use as bad, reversing a decade of decline in favorable attitudes. Moreover, recent polls indicate that high schoolers increasingly see drug availability and use among their peers as one of the most serious problems that they face.

And now we see yet more disturbing news that confirms the trend. The recent Household Survey released by Health and Human Services shows that drug use is on the rise, especially the use of marijuana, after a decade of decline. This is the consequence of President Clinton's drug strategy, which is to replace ''Just Say No'' with ''Just Say Nothing.'' What is even more disturbing is that the biggest increases coming among junior high and high school aged children. In those aged 12 to 17, the rate of illegal drug use increased from 6.6 to 9.5 percent. Coupled with reported changes in youth attitudes toward drug use, the trend is a sad reflection of what has happened in just a few short years. This age group is the most vulnerable population for potential drug use, and this has become the forgotten generation in our retreat from the drug issue.

Despite what many critics have argued, our counter-drug efforts were a success. Between 1985 and 1992, overall drug use declined by 50 percent, cocaine use by more than 70 percent. These are dramatic changes that reflect a major shift in public attitudes and patterns of behavior. Similar shifts in other areas of public concern—a 50 percent reduction in crime, for example—would hardly be regarded as failure. Yet, this is the way our efforts are commonly portrayed. This misinformation is then used to support decreases in the efforts that contributed to this progress. The results of the erosion of our efforts can be seen in increased drug use among the young and disturbing changes in attitudes that bode ill for the future.

This is not a fact lost on the public. While we in Washington seem to have forgotten the issue, the American public has not. A recent poll indicates that more than 80 percent of the public regard stopping the flow of illegal drugs to the United States as the number one foreign policy concern. In addition, more than 70 percent of the public consistently opposes legalization of illegal drugs. We make a great mistake in ignoring our past successes or our present failure to live up to our continuing responsibility that we have to do everything in our power to combat illegal drug trafficking and use.

I have recently become the chairman of the Senate Caucus on International Narcotics Control. I have accepted this responsibility because I am concerned about the direction, or rather the directionlessness, of our present efforts. We lack both the practical and moral leadership on this issue that are essential to maintaining our past successes. We in Congress have a substantial responsibility to represent the public interest on this issue. We need to insist on accountability. I plan to work with other Members of Congress to oversee the administration's efforts and to insist on consistent, well-conceived programs. I intend to work for adequate funding and attention, and to remind my colleagues of the continuing need to sustain effective counterdrug efforts.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DEWINE). Without objection, it is so ordered.

Mr. DOLE. Let me indicate to my colleagues that the reason we are not doing anything on the floor is that we are having some negotiations. It is my understanding—I know we will present to Senator DASCHLE, the Democratic leader, a proposal here in the next few moments.

MORNING BUSINESS

Mr. DOLE. Mr. President, if any Member wants to come over for morning business, I now ask unanimous consent we have a period for morning business from now until 3:30.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

Mr. DOLE. I think by 3:30 we will be in a position to make an announcement. If we can come together on an agreement it seems very likely that we can finish this bill fairly quickly.

If not, we would have a cloture vote, and even under a cloture vote if cloture were obtained it is my understanding that 91 amendments would qualify if cloture were invoked, which is not too exciting from my point of view. It would take a while to dispose of 91 amendments.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MEDICAL EMERGENCY IN THE DIRKSEN SENATE OFFICE BUILDING

Mr. CHAFEE. Mr. President, I wish to call the attention of my colleagues in the Senate to a very dramatic episode that just occurred within the past hour and a half in the Dirksen Building.

Just outside my office, a gentleman, a guest—not of mine but a guest to the building—had a heart attack, collapsed on the floor, and while falling severely cut his head. And the young women in our office rushed out. One of them, a member of my office, is a Girl Scout leader, and knows CPR. Loosening the gentleman's necktie, she started CPR, and the other member of my staff—my personal secretary, Donna Davis—had the forethought to run down the corridor and get Senator FRIST, Dr. FRIST.

Dr. FRIST responded immediately—immediately—and went to work on this gentleman, who oddly enough was from Tennessee.

(Laughter in the Galleries)

Dr. FRIST did not check in advance.

I discussed this with members of my office, all of whom were out there watching trying to be helpful. They were unanimous in their praise and admiration for the manner in which Dr. FRIST responded, and he really knew what he was doing. He took complete charge, applied CPR, and this gentleman who was out—I mean his heart truly had stopped—to the best of their knowledge was revived because Dr. FRIST, Senator FRIST, responded so quickly. Then the emergency people came, and he was taken over to the hospital where hopefully he will survive.

But this was a very, very dramatic occurrence. And I think all of us should have great admiration, respect, and affection for what Dr. FRIST did. I am sorry that he is not here to hear these remarks. But we are very, very fortunate to have him in the U.S. Senate—not as the Senate's physician, which I am sure we would be glad to have—but there is somebody who really knows his business, and responded in a tremendous fashion. So I want to praise our colleague, Dr. FRIST.

I want to praise everybody in my office who called and responded, and Patty Parmer and the Girl Scouts. She is a Girl Scout leader. I have always been a fan of the Girl Scouts. And this gives me added respect for that organization because she is a leader. They learn CPR, and it undoubtedly contributed to saving this gentleman's life.

So there we are, Mr. President. Sometimes we get deeply involved with $1 billion here, $1 billion there, and what we are going to do about child care and about maintenance of effort. But there are other things that are very, very important around here. And certainly Dr. FRIST, Senator FRIST, proved his mettle this afternoon.

I want to thank the Chair.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BUDGET RECONCILIATION AND STUDENT AID

Mr. PELL. Mr. President, very soon the Senate Labor Committee will convene to consider how to meet the reconciliation instructions contained in the budget resolution approved earlier this year. It will mark the seventh set of reconciliation instructions sent to the Labor Committee since 1981.

The major entitlement program within the jurisdiction of the Labor Committee is the Stafford Student Loan Program. As a result, it has been the primary target in each and every reconciliation. Over the course of the past 14 years, in reconciliation and related deficit control measures, we have made almost 50 major changes in the loan program. Some are prudent and defensible; others were not.

While I have played an active role in meeting each of these instructions, I have done so with deep reservations. The primary motive in reconciliation is to save money. Unfortunately, determining whether or not the change has merit and constitutes good public policy has all too often been lost.

As I have indicated, some of the changes we have made under the pressures of reconciliation have been good; some have not. In 1981, for example, we imposed a 5-percent origination fee on all loans. Thus, a student who applied for a $2,000 loan would get only $1,900 but would have to repay the loan as if he or she had received the full $2,000. This was intended to be a temporary measure to save money; it became permanent and deserving students were the losers.

In 1987, we required State guarantee agencies to return to the Federal Government some $250 million in so-called excess reserves. The provision did not produce the expected savings, and it had the very adverse effect of endangering the stability and the very existence of many agencies. It proved to be an unwise and unfortunate move.

In 1993, in a dramatic departure from the previous reconciliation efforts, we took action that actually helped students. In particular, the competition between the new direct student loan program and the Stafford Loan Program already in place had given students improved services, better rates, lower fees and greater benefits. It would, in my judgment, be a shame to disturb that balance.

Earlier this year, we considered the budget resolution that would have required almost $14 billion in student loan cuts over the next 7 years. We brought that down to $4.4 billion, with the passage of the Snowe-Simon amendment, which I supported. On final passage, however, I voted against the resolution. I did so because one of my concerns was that it would produce dramatic reductions in a series of very important Federal programs, not the least of which was the loan program.

When the budget resolution came back to the Senate after conference with the House, most of the gains we made with respect to the Stafford Loan Program were lost. We were confronted with having to come up with more than $10 billion in savings in the loan program. As a result, I know that I for one voted against the conference report. I did so because I believed its passage meant we would make a series of unwise and unreasonable cuts in the loan program.

Over the past six reconciliations, everyone has been hit. Lenders, guarantors, secondary markets, and students—particularly students—have felt the budgetary knife. No one has been immune. All have sacrificed.

And soon, the loan program will go back to the operating table once again to require cuts so large that everyone will be subject to the knife.

I have already gone on record opposing any cuts that will affect students. In particular, I oppose any change in the in-school interest subsidy and any change that might be passed on to students. Students are already hard pressed to make ends meet as they pay for a college education. We should not make that situation worse, either while they are in school or as they repay their loans after graduation.

At the same time, I am also concerned that additional cuts among

lenders, guarantors, secondary markets, and other program participants could threaten the very stability and the very viability of the entire loan program. Adverse changes could well threaten student access to the loans they need and must have.

Further, I believe we should keep the agreement we reached in conference 2 years ago with respect to the direct student loan program. More than anything else, that agreement has worked to the benefit of students, and it is aid to students that should be our main concern.

Mr. President, I wish to make it as clear as I can that enough is enough. It is time we left the loan program alone. It is time we considered changes solely on their merits and not because they appear to save sufficient money to meet our meticulous reconciliation instructions. It is time we understood, once and for all, that the best way to reduce the deficit which hangs over us is through a strong economy supported by a well educated and well trained work force.

I favor bringing the deficit down. We all do. But I do not favor doing that on the backs of those who need our help the most—the elderly, the poor, the middle-income wage earner, and I think, most importantly, the students upon whom we must all eventually depend to keep our Nation strong and vibrant. In particular, I do not favor making cuts in the loan program or other valuable programs just to pay for a tax cut.

To my mind, the time has come for us to say no to the instructions given the Labor Committee. It is time to say no to cuts in the student loan program. It is time we took students out of harm's way.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that morning business be extended until 4 p.m., under the same provisions of the previous unanimous-consent request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SANTORUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

REPEATING A MISBEGOTTEN AND SHAMEFUL ERA

Mr. MOYNIHAN. Mr. President, as we contemplate the compromise by which we can agree to end the entitlement under the Social Security Act, title IV–A for States to receive a share of the costs for providing for dependent children, I would like to share simply for the RECORD a portion of a letter from Irwin Garfinkel, Alfred Kahn, and Sheila Kamerman of the Columbia University School of Social Work who are so concerned with what we may be doing here, and they write:

> As we are sure you know, a similar madness pervaded the nation at the close of the 19th century. Then, of course, relief policy was—aside from Civil War veterans and their survivors—strictly a state, and in practice, mostly a local responsibility. As a consequence of the severe cutback in relief—

And here I interpolate that the Charity Organization Society managed to get hold of the effective control of local private agencies in many parts of the country.

> as a consequence of the severe cutback in relief, we began sending large numbers of children of single mothers to orphanages. The children were referred to as half-orphans. In reaction, 40 states established mothers pensions, the forerunner of ADC. Though we take some comfort from the reaction, our hope—that 100 years later the Nation might be spared another such misbegotten and shameful era before regaining its senses—grow dim.

I will just repeat that:

> . . . our hope—that 100 years later the Nation might be spared another such misbegotten and shameful era before regaining its senses—grow dim.

I will say, Mr. President, that what happened in 1935 was that the State mothers' pensions were increasingly difficult for the State governments to maintain, and so they were taken over under the title IV–A, Aid to Dependent Children, which was just children at that time.

In 1939, the mother was entitled to a benefit, and it became aid to families with dependent children, the program we are evidently intent upon abolishing and repeating ''a misbegotten and shameful era.''

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FAIRCLOTH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

A MISSED OPPORTUNITY

Mr. INHOFE. Mr. President, I think earlier today we missed an opportunity. It seemingly went by unnoticed when an amendment was offered that addressed a very sensitive area and an essential element of welfare reform, and that is a recognition that it has become a snowballing effect that a family that has welfare problems, or is on the welfare rolls, quite often the next generation comes down and is also inflicted with this same problem.

This was in the amendment offered by Senator FAIRCLOTH, No. 2609. I regret that it only received 17 votes on the floor of the Senate, and yet, I do recognize it is a very sensitive issue to deal with.

We have become and found ourselves in a situation in this country where it is a welfare trap and snares not only current recipients, but their children as well. Young women who grow up in welfare families are more than twice as likely to receive welfare themselves as their counterparts whose parents received no welfare.

I have three very short cases I will identify. These happen to come from the State of Oklahoma. They will only be identified by the individual's first names.

There is Marie, a 43-year-old, has nine kids by five different fathers. The mother was on welfare for 30 years. Marie's own daughters are unwed teen mothers on welfare.

Denise, 29 years old, had her first child at 16. She now has an additional four daughters, all born under the welfare system. Both her sisters are unwed welfare mothers with eight children.

Jacqueline, 37 years old, a mother at 15. She was born to a welfare family of 12 children. Her unwed daughter had four illegitimate children by the time she was 20.

Out-of-wedlock births and single parenthood are quickly becoming a normal lifestyle in this country. I am not sure that the Faircloth amendment was worded quite properly, but at least it did address a very serious problem that we are going to have to, sooner or later, address in this body.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

ABANDONING A COMMITMENT

Mr. MOYNIHAN. Mr. President, early today—well, at 10 o'clock this morning—we were to have commenced a series of votes that had been agreed on yesterday. There was, necessarily, a delay as Members on the other side were at a meeting with their House counterparts on, I believe, Medicare. We had a half an hour in which to talk about whatever came to mind.

I took the occasion to read a passage from the first page of the New York

Times which described the White House as ''exceedingly eager to support a law that promises to change the welfare system,'' which is to say abolish title IV–A, Aid to Families with Dependent Children.

It went on to say the White House was ''sending increasingly friendly signals about the bill.''

This is a bill which three professors at the Columbia School of Social Work, including the revered Alfred Kahn, said would recreate the turn-of-the-century era in which the children of single mothers were referred to as ''half orphans'' and sent to orphanages.

In reaction, 40 States established mothers' pensions, the forerunner of aid to dependent children. The 1935 legislation created aid to dependent children. In 1939 the mother was entitled to a benefit, hence family with dependent children.

They said, ''It is our hope that 100 years later the Nation might be spared another such misbegotten and shameful era.''

Mr. President, I spoke this morning not only about the New York Times this morning but rather of yesterday's statement, a statement by Rahm Emanuel, a White House spokesman, who said as the bill headed toward a vote on final passage, Rahm Emanuel, a White House spokesman said it was ''moving in the right direction.'' ''Moving in the right direction,'' is moving in the direction of the misbegotten and shameful era which took place at the turn of the century from which we gradually recovered our senses.

I have since been in touch with the White House. I have talked to persons there and asked, can it be that this is the disposition of the White House? I am told that, yes, Mr. Emanuel, who I believe was the fundraiser for the 1992 Presidential campaign of Mr. Clinton and then was political director in the White House, that he is in charge of this matter now and that it is his view that the Democratic Party should abandon its commitment 60 years in place—a commitment Republican Presidents have been just as firm in—to a Federal provision of aid to dependent children.

Mr. President, Rahm Emanuel is of that view, and obviously he is, he does not disguise it. I wonder about what other political advice he is giving in the White House.

I will not speculate. I will state my alarm. No one can foresee the future. I do not. Yet we have seen something like this happen before. I can say again, when Irwin Garfinkel, Alfred Kahn, and Sheila Kamerman refer to the possibility that ''100 years later the Nation might be spared another such misbegotten and shameful era before regaining senses,'' they say that hope grows dim.

If this is the advice the President is getting, that hope is dim, indeed. I say this with great reluctance, Mr. President, but something of great importance, in my view, is at stake. I yield the floor.

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the period of time for morning business be extended until 4:30 under the previous unanimous consent request.

Mr. DODD. Reserving the right to object, may I inquire as to how much longer that will go? Are we going to have some sense of——

Mr. SANTORUM. My understanding is the two leaders are meeting. In fact, I believe they may be meeting as we speak, and we are trying to find an agreement on the legislation before the Senate.

The PRESIDING OFFICER (Mr. GREGG). Without objection, it is so ordered.

Mr. SANTORUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXTENSION OF TIME FOR MORNING BUSINESS

Mr. SANTORUM. Mr. President, I ask unanimous consent that a period for the transaction of morning business be extended until 5 p.m. under the same rules governing the previous unanimous consent agreement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. SANTORUM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Madam President, I ask unanimous consent that the call for the quorum be rescinded.

The PRESIDING OFFICER (Mrs. HUTCHISON). Without objection, it is so ordered.

Mr. DODD. Madam President, parliamentary inquiry.

Are we in morning business, as I understand it?

The PRESIDING OFFICER. That is correct.

CHILD CARE

Mr. DODD. Madam President, I will take advantage of this time while we are waiting here. Let me explain. People are wondering what is going on—I have a podium in front of me and papers in front of me. I am prepared at some point to offer an amendment on child care. We had one vote already several days ago and made an effort here to try to come to some accommodation, a compromise position on child care. That may still happen. I was hopeful that the arrangement put together would work—and it may still work.

I am prepared to offer the amendment. I have been here on the floor now for virtually the last 2½, 3 days, trying to find a compromise. I am trying hard to find a welfare reform package I can vote for. I mean that very sincerely and deeply. I think the President would like to have a bill he could sign. And largely what happens, I suppose, in the next couple of hours might determine whether or not we will have a bipartisan bill.

My own view, Madam President—I will not take a lot of time here because people have heard this debate on numerous occasions in days past, weeks past, months past. Senator HATCH of Utah and I offered, back some 6 or 7 years ago, the child care and development block grant bill, which became the law of the land in 1990. Five years ago, we provided child care assistance to people in the country, particularly to the working poor families to keep them off welfare and allow them to work. It allowed them to get some child care assistance—it does not take care of everybody—it provides some help to some people. There are long waiting lists in many States for this assistance. In fact, I recall now—having recited these statistics so many times, I can almost call them State by State.

As the presiding officer is from the great State of Texas, I think the waiting list in Texas is about 20,000 people. In the State of Georgia, it is 41,000 people. The numbers are in that range. And the 36 States that keep data on child care slots—not every State keeps waiting lists—but 36 States tell us that they have long lists. There is a tremendous need and demand out there.

Again, I think the central point of the Dole welfare reform bill is, of course, to get people from welfare to work. And again I think most people accept the fact that 60 percent of the people on welfare have children under the age of 5. Of the 14 million people on welfare, 5 million are adults, 9 million or 10 million are children. So what we are talking about here is a simple enough notion; that is, to provide some sort of a safe setting for children as we move their parent or parents into the work force.

To do that requires resources. We are told by the Department of Health and Human Services that to fill the 165-percent increase in demand that would occur as a result of the bill that the majority leader has presented to us, it would require some $6 billion over 5 years to accommodate that demand.

I offered an amendment in that amount a few days ago. It failed by a single vote here. Then, over the last 2½ days, in consultations with interested parties here—and I will not go into names of people—we were able to work out a compromise, a bipartisan compromise, on the issue. The compromise

reduced the $6 billion by several billions of dollars, which would mean that we would not meet the full demand, based on the assessments that had been made, but would provide a pool of money for States. This would mean that Connecticut, Texas, New York, and other States would have a pool of resources to assist in the very legitimate issue of how you move people from welfare to work.

Now, the bill requires that we move 25 percent of all welfare recipients to work in the first 2 years, and 50 percent by the year 2000. That will place great demands on States to make that transition. If they cannot meet the demands, of course, they face penalties in the bill. It probably would be less expensive for most States to pay the penalty than actually to comply with the law. I made that rough calculation. I think it is a common interest of ours to achieve compliance with the requirements.

To achieve compliance, you need to have some training for these people. But most people would agree, if you had to pick one issue, one issue that is critical for moving welfare recipients to work, it is child care. Every survey of people on public assistance, that asks what are the greatest obstacles to moving from welfare to work, cite as the number one obstacle the lack of child care. In every survey that I have seen in the last decade or more, that is the single most important issue, and I think with complete justification. You need not have ever been on public assistance or even have had family members on assistance to understand this issue. Anyone with young children, regardless of their economic status, who works or desires to work, understands completely the anxiety that another person would feel when going to work without some safe, adequate place to leave their children. It is just unrealistic to assume that you can reasonably move someone from welfare to work without accommodating that need.

Now, it can be accommodated in a variety of ways. No one is arguing that if there are grandparents or aunts or uncles or older children—there may be a variety of ways to reach that need. I think most would agree that those arrangements will not work in every case. You are going to have to have some other system in place. If it were not true, then you would not have the waiting lists I described already with literally thousands of children on those waiting lists to find an adequate child-care place.

So, Madam President, I will, at an appropriate time, offer, or try to offer, an amendment on this issue. It may be defeated. I hope it will not. I made an honest and sincere effort to compromise, as I believe the very rationale for this institution is to bring people of different points of view together and try to find some common ground on issues.

I really know of no one arguing, no one saying we should not do anything about child care. Most people agree we should do something about it. It is how we do it and what means we use. I have tried to come up with an answer here that would accommodate the Governors, the needs of the States, and obviously the very people that we are going to be asking to make that transition in the law.

So, I will offer the amendment at an appropriate time. If it is defeated, we will move on, I guess, to other amendments. I hope that will be the case, that we will not be talking about pulling down the bill or other suggestions that may be made. It is a difficult issue. The Senator from New York knows better than all of us put together, as he has talked about so eloquently on numerous occasions, dismantling 60 years of social policy in a matter of hours.

So the fact that this is taking a little longer may be troublesome to some people. Frankly, were it to be done in haste, it would even be, I think, more dangerous. I am hopeful that we can adopt an amendment in this area. I would like to be a part of an agreement. That is my desire. That has been my intention. There is no other purpose behind this.

I have been involved in the issue of child care for more than 10 years. Going back to the 1980's, I felt it was a legitimate issue that needed to be raised for a whole host of reasons. In the midst of this debate, it is a critical issue. In the absence of it, it is impossible to call this reform in any way. We should not literally turn our back on the needs of these 10 million children out there.

As I said a moment ago, of the 14 million people in this country on welfare, with all of the rhetoric and language we use in the most virulent terms to describe them, we should remind ourselves that 10 million of the 14 million we are talking about are infants and children, who in most cases, through no fault of their own, as the Senator from New York pointed out, are in this world.

The question becomes, if no one else will help try and take care of them, shouldn't someone? And if that someone has to be us, I do not know any reason why we should shrink from that responsibility as we try to break this cycle.

I see my colleague from New York.

Mr. MOYNIHAN. Madam President, may I simply endorse everything the Senator has said, and add a further point. We have a choice in this legislation. We can have child care or we can have orphanages. I think child care is the least expensive option, but you do not know how bad an orphanage might be.

We are not just at the end of 60 years of social policy. A century ago, in response to the matter of sending half-orphans, as they were known, to orphanages that some 40 States, beginning in Wisconsin, began mothers' pensions. The States found it difficult to maintain them in the midst of the Depression, and they were incorporated into the Social Security Act as aid to dependent children.

That is the issue before us, as best one can tell, although one can never tell the future.

I thank the Senator from Connecticut. I see the distinguished Republican leader.

The PRESIDING OFFICER. Who seeks recognition?

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Madam President, I want to take a moment of the Senate's time, first of all, to commend my friend and colleague for the efforts that have been made over the period of the past 2 days. I welcome the opportunity to cosponsor the amendment; I welcome the chance to join with others in cosponsoring this amendment.

When you look over the record and realize that this initial amendment, which was the $11 billion over 5 years, just failed by two votes, the efforts by Senator DODD to cut that back by several billions of dollars in an attempt to try and reach out and make this a bipartisan effort is really in the tradition of this body.

It is troublesome to many who recognize that under the Dole proposal there is not a single cent dedicated to child care, not a single cent that is actually dedicated.

So we have seen a significant reduction in the proposal and a very extended effort to try and incorporate many of our friends and colleagues on the other side who, over a long period of their own careers, have been absolutely committed to child care and who are committed to child care at this time.

I want to indicate to our friends and colleagues, really on both sides, that his efforts to try and ensure this was going to be a bipartisan effort and consistent with the exigencies of the budget consideration has been absolutely an honorable effort and in the best traditions of the Senate.

Let me just say, I look forward to supporting that proposal because I do think that upon reflection, in spite of what is talked about in the back rooms about whether I will vote or whether I will not, that when people are faced with this issue of trying to take a small but meaningful step forward on child care will recognize the importance of their vote in a very significant piece of legislation and will ultimately support the Dodd proposal. That would certainly be my hope, so that we could move on to some of the other issues.

Finally, Madam President, I do not think there is any Member of this body who has children—and so many of us are blessed to have them—who would possibly think of starting a day without knowing their whereabouts and knowing about their safety and knowing about their security, knowing about their well-being.

I think all of us in this body are fortunate enough to have a day-care center that was developed in a bipartisan way in the Congress. We have the kind of day care available for employees of the Senate that we are denying to so many others who are attempting to work for a great deal less than we are receiving, in terms of salaries, trying to make ends meet.

We hear a great deal, as we did in the early part of the year, Washington does not get it because the laws we pass we do not apply to ourselves. Remember that? We went through a whole discussion and debate about that. And we should apply the laws that we pass for others to ourselves.

But the other shoe fits, too, and that is what we do for ourselves we might think about doing for others. What we have done is afforded the child care program, and now we are being asked to try and move people off welfare and basically avoid the fundamental commitment of trying to provide some child care to those individuals.

As Senator DODD and Senator MOYNIHAN understand very completely, that program just will not work. That just will not work. The idea that you are going to be able to take these resources, which is flat funding over a period of time, when about 85 percent of those resources are being used for benefits, and think that you are going to be able to scrape some funding out for child care, I think, does not hold water.

We have seen very little indication, given what has happened in the States, as the Senators from Connecticut and New York have pointed out, that is happening today and why we ought to expect it to happen in the future.

So, Mr. President, this is really about the priority of children. Every day so many speeches are made about children and about the most vulnerable. We have an opportunity to address those needs with the Dodd amendment. I think all of us should be impressed by the seriousness of the redressing of this issue.

It has been as a result of a long, painstaking, tireless effort by the sponsor of this amendment to try and broaden out and to work this process in a way that would have bipartisan support and would make a very important and significant improvement in the legislation. I am hopeful that when it is offered, that it will succeed. I think this will certainly be one of the most important votes that we will have in this session.

Mr. SANTORUM addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I have heard some speeches on the floor of the Senate and this ranks right up there. I do not know how you say—when the leader here is negotiating, in good faith, to in fact add more money into the child care fund—that somehow or another we are denying the fact that we need child care, and have Members on the other side who insist on having their name sketched next to the child care money, to throw out an agreement to do just that. I think that is not cooperation by any stretch of the imagination.

To also suggest that somehow we provide day care for workers here in the U.S. Congress and that we are not willing to do so in the welfare bill—maybe the Senator does not know it, but the people who have children in day care pay for that with the hard-earned dollars that they work for.

Mr. KENNEDY. Will the Senator yield?

Mr. SANTORUM. No, I will not yield. They work for it with their hard-earned dollars. What you are suggesting is to give money to people to go to work, to give them child care to go to work.

Mr. DODD. Will the Senator yield?

Mr. SANTORUM. No, I will not yield. The fact of the matter is that what the Senator from Connecticut is doing is trying to block an agreement from happening by insisting on an amendment on day care, which we are willing to sit—and have been for hours—and try to put together.

I am hopeful that we can get through the partisanship on this and move forward in a bipartisan way. And I know there are many Members on the other side of the aisle that want to work in a bipartisan fashion to get this bill through, to get day care money funded, because it is a sincere interest, I know, of the leader and of other Members on our side to get this legislation through with additional day care funds.

Mr. DODD. Will the Senator yield?

Mr. SANTORUM. We will and have been working. I object to the fact that the Senator from Massachusetts stands up and says we are giving free day care here in the Congress, and we are providing it for our folks when, in fact, they pay for that day care, and that we are unwilling to give it to people on welfare, when, in fact, we are going to be giving day care to people on welfare.

I just think you are mixing who is paying for what. The fact of the matter is, people working here paying for their day care are paying taxes to subsidize the people that we want to provide day care for under the welfare bill. Let us get it straight.

I am willing, as other Members on this side are, to put some more money in for day care so that people can get off of welfare. But do not try to suggest that somehow we are providing perks to Members here that we are unwilling to give on welfare. Exactly the opposite is the truth.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

FAMILY SELF-SUFFICIENCY ACT

The Senate continued with the consideration of the bill.

Mr. DOLE. Mr. President, I am going to propound a unanimous-consent request as soon as it has been cleared by the Democratic leader. I intend to finish this bill today one way or the other, even if there is not going to be a welfare bill. We have been at this for several hours in good faith. In the offer we made, which was rejected by the Senator from Connecticut, there is, over 5 years, $3 billion. I think his amendment was 5——

Mr. DODD. That was not the offer.

Mr. DOLE. We just changed it. He had $5.7 billion over 5 years. We said, OK, we will go more than halfway, to $3 billion over 5 years.

Mr. DODD. That is the first time this Senator heard that offer.

Mr. DOLE. My view is that is what the Senator wanted.

Mr. DODD. I will be glad to look at that. We can put in a quorum call. I say that with all due respect to the Senator.

Mr. DOLE. We changed it about an hour ago. As I understand it, it is more than halfway to where the Senator was with his amendment the other day. We checked it with some others, and they think this is a very generous, responsible offer. That would be $8 billion over 5 years set aside for child care

Mr. DODD. If the Senator will yield. We know each other very well, and I just say that offer was not presented to me. I would not say that if it were not the case.

Mr. DOLE. Then I will present it to you now.

Mr. DODD. Let us put in a quorum call and see if we can get the details.

Mr. DOLE. I do not think we have a problem here.

Mr. DODD. We may not.

Mr. DOLE. We have taken care of maintenance of effort and the job training. We are going to make it free-standing, under a time agreement. And contingency grant funds, which we did not have in our bill, was sponsored by the Senator from Ohio, Senator DEWINE. He thought about $530 million was appropriate. We made it $1 billion. So if some State has a calamity, they do not have to pay it back. We kept the loan funds of $1.7 billion, and we have accepted some of the triggers suggested. The work bonus program, that has been done.

On the vouchers, we have not reached an agreement, but we have increased the hardship exemption in the bill from 15 to 20 percent. We have added $75 per year for abstinence education, which has broad support. And program evaluation, of interest to the Senator from New York, and others, $20 million to evaluate the program. If that is not enough, we can raise it to $25 million.

I talked to Dick Nathan, who suggested that amendment; he is a well-respected academic. Food stamps, which we have discussed with the Democratic leader, has certain escape hatches. We do not think it punishes anybody.

We think it is a good package, and we think we can complete this whole bill in a couple of hours.

Mr. DODD. If the majority leader will yield—and I say this with great respect

and friendship, because that is the case—the offer presented to me was $3 billion over 7 years, along with a check on the financing schemes. I say, in fairness, that in my conversation with the Senator from Utah we talked about this, and I counteroffered with the proposal of $3 billion over 5 years. I was told it was rejected.

Under the circumstances, let us find out about where we are. If that is the case, I am prepared to sit down and take a good hard look at it. I was told something different, and that can happen around here as these offers go back and forth. I urge that maybe those involved look at the child care piece. I am not as familiar with the other pieces the majority leader described.

Mr. DOLE. I will say that the Democratic leader, Senator DASCHLE, gave me a list of six or seven items yesterday, and we have been able to accommodate part of each of those, with the exception of one where there was a time limit. Even there, we increased the percentage on exemption, hardship exemption, from 15 to 20 percent, which would cover that concern.

If the Democratic leader wishes to speak, I am happy to go over this with the Senator from Connecticut. We believe it is a responsible, reasonable effort. I might point out that we only save $5 billion in AFDC over 5 years and only $9 billion over 7 years. Total savings in the Senate bill, which are going to be reduced because of some of the things we have agreed to do, over 5 years, is $44 billion; the House bill is $75 billion. Over 7 years, ours is $71 billion; the House is $122 billion. So there is a vast difference between this and the House bill, as far as savings are concerned. We would like to complete action on this bill and go to conference.

Mr. DASCHLE. Mr. President, I wonder if we might suggest a quorum call for a brief period of time for us to be able to see if we can finalize some of the understandings as it relates to this agreement.

I think there are some misunderstandings here that may be clarified that could accommodate this agreement, even now.

I thought we had exhausted all possibilities, but maybe not. If that is the case, I think it is worth one more quorum call to see if we can resolve it.

Mr. HATCH. If leaders would withhold for a second, I think that the settlement on child care is utterly reasonable, something that can bring us together.

I commend both leaders for trying to bring this about. It is my understanding that the Hatch language on child care will also be part of that.

Mr. DASCHLE. That is what we will find out.

Mr. DOLE. The fencing will be but I am not sure about anything else.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DOLE. Mr. President, I have been in discussion with the distinguished Democratic leader and other colleagues on both sides. I think we have the framework of an agreement. We do not have it drafted. Nobody has signed off on it finally. But I think in the interest of time it has occurred to me and the Democratic leader, Senator DASCHLE, that maybe those who have outstanding amendments could come to the floor now and offer those amendments, hopefully in a very short period of time because we hope to go and will go to third reading hopefully by midnight tonight. But we are going to go to third reading on welfare reform between now and sometime, and we would rather do it by midnight if we could. I know there are a number of amendments we have looked at people can accept. We will try to be as accommodating as we can with our colleagues.

But I think that is the view of the distinguished Democratic leader; is that correct?

Mr. DASCHLE. Mr. President, I concur entirely. I think we have gotten to the point now where it may just be a matter of a period of time before we can submit the agreement and have a vote. But this is valuable time we are losing, and I know a lot of Members have come to me throughout the day expressing an interest in offering their amendments. I do not want to preclude them from doing so. I think they ought to come to the floor.

I have agreed that we can go at some point tonight to third reading. So we will finish this bill tonight at some point.

So to accommodate Senators who still have amendments, to ensure that we maximize what time we have left, whatever time it is going to take before we go to third reading, I encourage all of our colleagues to come over if they have amendments.

As the distinguished majority leader said, working with our ranking member, who has done a remarkable job—he deserves an award for sitting in the Chamber as long as he has—we are ready to go to work. We would like to finish with those amendments that are not part of this agreement, and there are many of them. So come to the floor as quickly as you can and see if we can resolve these outstanding issues.

Mr. BREAUX. Will the majority leader yield?

Mr. DOLE. Could I just say one word because the Democratic leader reminds me we are talking about amendments that would not impact on what we hope to have as an agreement here, child care—any amendment in the area we are looking at we hope would not be offered. We do not have an agreement yet. We hope there is. It may not be possible. So we hope Members would not offer amendments that would affect the agreement we hope to achieve.

Mr. BREAUX. Will the majority leader yield?

Mr. DOLE. Yes.

Mr. BREAUX. I thank the Senator for yielding. And I ask maybe our leader, both leaders actually. A great deal of work has been done, a lot of back and forth, and I think a good compromise has potentially been reached here. I am concerned, as our leader is, that there are a lot of other amendments—I do not know whether we have 30, 40 amendments that are still posted out there, and I am just concerned, is it the intent to finish the bill tonight, I ask both leaders?

Mr. DOLE. We hope to go to third reading this evening. We hope it is this evening. It may be tomorrow morning.

Mr. DASCHLE. I believe, if the majority leader will yield, in answer to the question, having had the chance to look at the amendments, most Senators would agree to relatively short time limits, and I do not think there is any reason why we cannot complete work on the remaining amendments tonight.

So I would again encourage Senators because it is 10 minutes to 6. There is some good time left tonight for us to accommodate Senators who come to the floor. And we will see what the list looks like. I expect it is going to be a lot less than 40. A number of these amendments will fall if they get this agreement. And we will just work through whatever remaining amendments Senators wish to offer, but we cannot do that if they do not come to the floor.

Mr. DOLE. It is still possible, I might add—I will certainly consult the Democratic leader. One way to eliminate some of the amendments would be with a cloture vote. Of course, you still have 91 amendments, but I think those would all be—there would not be any amendments to expand this program. They would be amendments to limit the program, so they might be good amendments. But we hope if we get some cooperation in the next hour or so that would not be necessary.

Mr. WELLSTONE. Mr. President, might I ask the majority leader a question? I certainly, first of all, know there has been a lot of difficult negotiation. And I respect that process very much.

But as I have listened to the majority leader, was he saying that built into this unanimous-consent agreement would be an understanding that there could be no amendments in the same areas in which you have reached agreement with amendments? And if that is the case, then would Senators have an opportunity to at least, as opposed to that being hammered out back in our offices, have an opportunity to look at what that means?

Mr. DOLE. Right.

Mr. WELLSTONE. I know without looking at the areas, it is difficult to say whether you would agree or not.

Mr. DOLE. Child care is one thing we are working on. Maintenance of effort has already been taken care of.

Job training. We have an agreement, if we have an overall agreement, to take the job training provisions out of this bill and have a freestanding bill. That agreement has already been reached between Senator KASSEBAUM and Senator KENNEDY. We will take that up sometime after the appropriations bills are done.

Contingency grant fund. That is in response to a request by Senator DASCHLE and the Governors and Senator DEWINE, and certain things that must happen about matching and when it is triggered.

Work bonus. That has been done. Some question about vouchers. We have not reached an agreement on that, but we have agreed to expand the current hardship exemption from 15 to 20 percent.

Abstinence education; $75 million per year earmarked for abstinence education.

Program evaluation was, I guess, a concern of the Senator from New York and others. We authorized $20 million. I think that is adequate. If not, it can be, I assume, adjusted.

Then we have been working on a savings provision with reference to food stamps. That has not been agreed to yet.

So those are the general areas. There are others that I do not—I know Senator COHEN and Senator BINGAMAN have an interest in SSI. The thing is, we need to find offsets for these. That is what we are trying to do this afternoon.

Mr. WELLSTONE. Mr. President, if I could just say to the majority leader and the minority leader, if you would be willing to give Senators some advance notice as to when you come out with the agreement. I would just like to have those areas and just sort of understand what is in the agreement before agreeing that there would be no amendments in this area. I am sure that I would agree to that, but I would just like to know what it is we are talking about since I was not part of the actual negotiation.

Mr. DASCHLE. I am sure we can accommodate the Senator.

Mr. WELLSTONE. I thank the Senator.

Mr. MOYNIHAN. Mr. President, pending the arrival of Senators wishing to offer amendments, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, might I ask the majority leader a question? I certainly, first of all, know there has been a lot of difficult negotiation. And I respect that process.

Mr. PRYOR. Mr. President, I thank the Chair for recognizing me.

PRIVILEGES OF THE FLOOR

Mr. PRYOR. Mr. President, on behalf of Senator BIDEN of Delaware, I ask unanimous consent that Peter Jaffe, a detailee on the staff of the Senate Judiciary Committee, be granted floor privileges for the remainder of the 104th Congress.

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

Mr. PRYOR. Thank you, Mr. President.

AMENDMENT NO. 2495, AS MODIFIED

Mr. PRYOR. Mr. President, at this time I call up amendment No. 2495 and ask unanimous consent that the amendment be sent to the desk and that it be modified to reflect the language in this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 52, lines 4 through 6, strike ''so used, plus 5 percent of such grant (determined without regard to this section).'' and insert ''so used. If the strike does not prove to the satisfaction of the Secretary that such unlawful expenditure was not made by the State in intentional violation of the requirements of this part, then the Secretary shall impose an additional penalty of 5 percent of such grant (determined without regard to this section).''.

On page 56, strike lines 11 through 14, and insert the following:

''(1) IN GENERAL.—The penalties described in paragraphs (2) through (6) of subsection (a) shall apply—

''(A) with respect to periods beginning 6 months after the Secretary issues final rules with respect to such penalties; or

''(B) with respect to fiscal years beginning on or after October 1, 1996;

whichever is later.

On page 122, between lines 11 and 12, insert the following:

SEC. 110A. CORRECTIVE COMPLIANCE PLAN.

(a) IN GENERAL.—

(1) NOTIFICATION OF VIOLATION.—Notwithstanding any other provision of law, the Federal Government shall, prior to assessing a penalty against a State under any program established or modified under this Act, notify the State of the violation of law for which such penalty would be assessed and allow the State the opportunity to enter into a corrective compliance plan in accordance with this section which outlines how the State will correct any violations for which such penalty would be assessed and how the State will insure continuing compliance with the requirements of such program.

(2) 60-DAY PERIOD TO PROPOSE A CORRECTIVE COMPLIANCE PLAN.—Any State notified under paragraph (1) shall have 60 days in which to submit to the Federal Government a corrective compliance plan to correct any violations described in such paragraph.

(3) ACCEPTANCE OF PLAN.—The Federal Government shall have 60 days to accept or reject the State's corrective compliance plan and may consult with the State during this period to modify the plan. If the Federal Government does not accept or reject the corrective compliance plan during the period, the corrective compliance plan shall be deemed to be accepted.

(b) FAILURE TO CORRECT.—If a corrective compliance plan is accepted by the Federal Government, no penalty shall be imposed with respect to a violation described in subsection (a) if the State corrects the violation pursuant to the plan. If a State has not corrected the violation in a timely manner under the plan, some or all of the penalty shall be assessed.

Mr. PRYOR. Mr. President, the amendment does not have to be read, as I understand it.

The PRESIDING OFFICER. That is correct.

Mr. PRYOR. I thank the Chair.

Mr. President, I rise today to offer this amendment on behalf of myself and Senator GRAHAM of Florida. This is an amendment that I think speaks to some real need for a common sense approach to the issues of penalties that this legislation could burden our States with.

This amendment will give some flexibility to the penalty section that the States will be subjected to if they fail to quickly comply with the numerous requirements of this legislation.

Mr. President, this amendment has the support of the National Governors' Association, the National Conference of State Legislatures, and the American Public Welfare Association. I would like to take this opportunity to publicly thank these fine groups for endorsing and supporting this amendment.

Under the bill before us, Mr. President, as the States move to a more flexible block grant welfare system—and it appears that that is what is going to happen—the States of our Union are going to be subjected to harsh, inflexible penalties.

These penalties should be designed to encourage States to play by the rules, not to injure them for unintentional mistakes made while they are trying to recreate their entire welfare systems with very, very limited resources and very little time to do it.

This bill states that our States in our Union can be penalized by up to 5 percent of their block grant for each of the following violations. Let me reiterate, for each of the following violations: If a State, one, fails to submit a required report—any required report; if a State fails to use the income and eligibility verification system; if the State fails to comply with the increased paternity establishment and child support enforcement requirements; and if a State fails to meet work participation rates.

The Congressional Budget Office says that most States will not be able to meet these work participation rates in the short time allowed by the proposed legislation.

These penalties are very, very harsh. They are inflexible, and alone they could add up to 20 percent of a State's block grant.

But a State can be penalized an additional 5 percent under this proposal for the improper use of funds, even if that misuse is not intentional.

If I might cite a hypothetical example. If the State of Texas, for example,

unknowingly and by mistake erroneously paid $184 in welfare payments to a person who has violated his prison parole, the penalties would be as follows, Mr. President: The $184 that was improperly used, that would be a part of the penalty, plus 5 percent of the State's total block grant value which works out to be $25 million in penalties for the State of Texas.

In addition, the State of Texas would have to use State funds, not Federal funds but State funds, to make up this entire penalty. I am certain that this is a classic case of unintended consequences, and I feel very certain, Mr. President, that the authors of the original bill had no intention of penalizing our States in this manner.

In short, a State would be penalized in this situation, in this hypothetical condition, over $25 million for an unintentional $184 violation, and that is only for one violation, unintentional as it might be.

This amendment further solves a problem by applying a penalty of 5 percent only—only—if the improper use is judged to be intentional. If it is the result of an honest mistake, the State would still have to repay the amount misused, plus an additional amount of State funds to maintain the block grant.

An additional part of this amendment gives the State the necessary transition time that the States are going to need to put their welfare systems in place, while not delaying reforms in areas where the State is ready to move ahead. It will postpone the penalties of all but improper use of funds until 6 months after Health and Human Services issues the final rules. In the absence of final regulations, the States that try to interpret and meet the requirements of a statute in good faith may still be subject to penalties when the details of the law are fleshed out by Federal regulations.

Finally, Mr. President, the amendment I offer today, once again, in behalf of myself and Senator GRAHAM of Florida, the amendment that we offer will allow the States to enter into an agreement with HHS called a corrective compliance plan which spells out how the State will improve its systems and comply with the requirements of the act.

This section of my amendment incorporates many of the ideas that were embodied in an earlier amendment by the Senator from Arizona, Senator MCCAIN. It is similar to a provision in the current law that we now operate under. The penalties are suspended as long as the State continues to follow the plan.

If the Secretary of HHS finds that a State is not working to improve its system, then the Secretary may impose all or some of the original penalties, depending on how much progress that particular State has made.

This amendment does not weaken the Federal oversight on States. In fact, even with these changes, the penalties on States in this legislation will be far more strict than those penalties in the House bill. It is narrowly drawn to be fair. It is drawn to be flexible, and it is drawn to meet the test of common sense.

The Congressional Budget Office estimates that there are no costs—no costs—associated with this amendment. I am very proud to say that this amendment has, we believe, bipartisan support in the U.S. Senate. And once again, I wish to thank the American Public Welfare Association, the National Conference of State Legislatures, and the National Governors' Association for the splendid assistance they have given us in preparing this amendment.

I also appreciate the understanding shown and hopefully the ultimate acceptance of this amendment by not only the majority but also the ranking manager of this legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DOLE. We are prepared to accept the amendment of the Senator from Arkansas.

The PRESIDING OFFICER. The question is on agreeing to amendment 2495, as modified.

The amendment (No. 2495), as modified, was agreed to.

Mr. MOYNIHAN. I move to reconsider the vote.

Mr. PRYOR. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, as I understand, the Senator from Alabama is prepared with an amendment, 40 minutes equally divided; the Senator from Maryland, Senator MIKULSKI, is prepared to offer her amendment, 20 minutes equally divided; the Senator from California would follow the Senator from Maryland.

AMENDMENT NO. 2614

Mr. DOLE. I think amendment 2614, as drafted, is acceptable.

Mr. MOYNIHAN. It is acceptable.

Mr. DOLE. I send amendment 2614 to the desk.

The PRESIDING OFFICER. Amendment 2614 is the pending question. The question is on agreeing to amendment numbered 2614.

The amendment (No. 2614) was agreed to.

Mr. DOLE. I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mrs. FEINSTEIN. Mr. President, I believe I need a very short time for my amendment. I believe Senator SIMPSON would like to speak on the deeming amendment for 10 minutes, and it would be agreeable to have 10 minutes on my side on that amendment.

On the other amendment, 10 minutes is enough. Senator KENNEDY would like to speak on the deeming amendment as well.

Mr. DOLE. As I understand, there are two amendments.

Mrs. FEINSTEIN. There are two amendments.

Mr. DOLE. Naturalization and deeming?

Mrs. FEINSTEIN. That is correct.

Mr. DOLE. Twenty minutes on each amendment?

Mrs. FEINSTEIN. That is fine.

Mr. DOLE. We have Senator SHELBY, Senator MIKULSKI, two amendments by Senator FEINSTEIN, and then in our rotation plan it would come back to this side unless we have an agreement we can accept.

Once the Senator from North Dakota has his worked out——

Mr. CONRAD. Mr. Leader, we think we have achieved agreement, so if we could get in the queue, we think we have that all taken care of.

Mr. DOLE. Following Senator FEINSTEIN.

Mr. CONRAD. That certainly would be good. We could take 10 minutes.

Mr. DOLE. Ten minutes.

That will be four amendments by my colleagues on the other side. I assume we can have an equal number on this side.

Mr. MOYNIHAN. Yes.

Mr. DOLE. I thank the Chair.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

Without objection, it is so ordered.

AMENDMENT NO. 2526

Mr. SHELBY. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Amendment 2526, offered by the Senator from Alabama, is now the pending business.

Mr. SHELBY. Mr. President I ask unanimous consent to add the following Senators as original cosponsors of the amendment: Senators SANTORUM, GRAMS, HELMS, GRAMM of Texas, COATS, and LOTT.

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

Mr. SHELBY. Mr. President, along with the Senators that I have just mentioned as cosponsors, that is, namely, Senators CRAIG, LOTT, HATFIELD, COATS, SANTORUM, GRAMS, HELMS, and GRAMM of Texas, I am introducing an amendment that we believe will help strengthen the role of the family in America.

The out-of-wedlock birthrate in America is projected to reach 50 percent by early next century, and I am concerned that this trend will result in a dramatic increase in the number of children abused and neglected. There are now close to 500,000 children in the

foster care system, but only 50,000 are placed for adoption each year. Our amendment would effectively find homes for many children who need parents and find children for parents who need families. The objective of this amendment is to provide an appropriate incentive to encourage a policy which should be embraced by all Americans.

Adoption is a positive event that benefits everyone involved. Obviously a loving, caring family for a parentless child is the primary benefit of adoption. Studies show the adopted child receives a strong self identity, positive psychological health and a tendency for financial well-being.

Parents who adopt children also benefit. They receive the joy and responsibility of raising a child as well as the love and respect only a child can give. The emotional fulfillment of raising children clearly contributes to the fullness of life.

Lastly, we should not forget the advantages to communities as a whole in America. Society is unambiguously better off as a result of adoption. Statistics show time and again that children with families intact are more likely to become productive members of the community than children without both parents.

Unfortunately more times than not, a financial barrier stands in the way of otherwise qualified parents. The monthly cost of supporting the child is not the hurdle, but instead the initial outlay to pay for the adoption. There are many fees and costs involved with adopting a child, which include maternity home care, normal prenatal and hospital care for the mother and child, preadoption foster care for infant, home study fees, and legal fees. These costs can range anywhere from about $13,000 to $36,000, according to the National Council for Adoption.

Like the person who wants to buy a home, but cannot because the financial hurdle of a down payment stops them, potential parents often cannot adopt a child because of the substantial initial fees, fees that could actually exceed the cost of a down payment for a home. As a result, children are denied homes, and parents denied children.

Our amendment seeks to address this problem. It would allow a $5,000 refundable tax credit for adoption expenses. This credit would be fully available to any individual with an income up to $60,000 and phased out up to an income of $100,000. Other adoption tax credits have been put forth, but the key element of our adoption tax credit is its full refundability. This provision will allow many couples who may not have a tax liability in a given year to be able to afford to open up their home to a parentless child.

A fully-refundable adoption tax credit is an essential part of any welfare reform measure like the one we have before us.

Our amendment would also provide that employer-provided adoption assistance would be excluded from gross income for taxable purposes. Those receiving assistance from their employer to cover costs over and above the first $5,000—which would be taken care of by the credit—would not have to count that assistance as income. Finally, the amendment provides that withdrawals from an IRA can be made penalty-free and excluded from income if used for qualified adoption expenses. Representative JOSEPH KENNEDY and others are advocating a proposal similar to this in the House.

I believe these changes will go a long way in making adoption a reality for many children and helping them find the loving homes they so desperately need in America. This amendment has the strong support of 14 adoption organizations, which represent more than 1,000 adoption agencies and practitioners. Mr. President, I hope my colleagues will join us in reaching out to families in order to provide a better, brighter future for our children and a heightened degree of appreciation for the potential that adoption holds for our society. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. Is there further debate? The Senator from Idaho.

Mr. CRAIG. Mr. President, I am pleased to join my colleague from Alabama [Senator SHELBY] in offering this amendment to provide for a refundable tax credit for adoption expenses.

The PRESIDING OFFICER. If the Senator will suspend, we are under time control. Who yields time to the Senator?

Mr. CRAIG. Excuse me, Mr. President.

Mr. CHAFEE. What is the time situation here?

The PRESIDING OFFICER. The proponents of the amendment have 13 minutes and 33 seconds; opponents, 20 minutes.

Mr. CHAFEE. How much time does the Senator want?

Mr. CRAIG. Five minutes.

Mr. CHAFEE. Fine.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 5 minutes.

Mr. CRAIG. Mr. President, as I said—and I thank the chairman for yielding—I am pleased to join my colleague from Alabama [Senator SHELBY] in offering this amendment to provide for a refundable tax credit for adoption expenses.

In short, Mr. President, this amendment will amend the Internal Revenue Code of 1986 to provide a refundable tax credit for adoption expenses. This provision will exclude from gross income employee and military adoption assistance benefits and withdrawals from IRA's for use toward adoption expenses.

Some people may ask, ''What does this have to do with welfare?'' It has very little to do with our current welfare system, but a great deal to do with a dramatically reformed system similar to that envisioned in the leader's bill.

Through the use of block grants and other reforms, we are moving away from a welfare system that has created dependency, and into a system that encourages independence.

As part of that, we also hope to see greater strength in the American family, reduce out-of-wedlock births, control welfare spending, and reduce welfare dependence. It is my concern that as we move in this direction, that the Congress needs to make adoption a more viable option for families.

We all read the stories, both happy and tragic, of efforts couples have made to adopt a child. It is my hope that our work here will lead to more happy stories and fewer heartbreaking reports, of the tens of thousands of dollars spent traveling around the world by couples in search of children to adopt to make them a part of their family.

I know this firsthand. Not that I suffered those hardships, but I am an adoptive parent and I adopted the children of my wife and we brought together a family unit. Even then, when there were no obstacles in front of us, the process was challenging in all of the hoops and hurdles that we had to go through to make sure it was done right.

This amendment will give adoptive families a fairer shake. I have introduced similar legislation with other colleagues here in the Senate and hope that they will support this amendment.

Adoption is a viable option that results the best of all worlds: Uniting a wanted child and a loving family. I think we need to keep focused on that fact, and continue our efforts to improve the adoption and foster care approaches that this Senate is so supportive of.

Mr. President, before closing, I want to take a moment to discuss something that was not included in the Republican leadership welfare reform bill.

There is good reason to highlight this item that was excluded, because it will have a big impact on our ability, as a nation, to ensure that there is a safety net to take care of children.

The item that was excluded is the creation of a block grant of the title IV–E foster care and adoption assistance programs.

In fact, both the GOP leadership bill, the Work Opportunity Act of 1995, and the conservative consensus package maintain the title IV–E foster care and adoption assistance programs as entitlements.

Mr. President, we need dramatic reform of our welfare system. And of all of us who have been engaged in that debate here for the last good number of days, the current one-size-fits-all approach of a federally designed and implemented program simply has not served this Nation well nor served those who find themselves in poverty and in need of welfare.

It has also been unsuccessful in relieving poverty. Instead, it finds that

we put families in it and somehow they stay there. Here is an opportunity, as we move out to independence to assure greater chances for children without families, to find those families and families without children—to find those children.

Instead of a program that reaches out to people and families to give them a hand up, we have a program with a hand out that constantly pushes people down and keeps them in the welfare cycle.

The bill we have before us today will provide some of that needed dramatic reform. Changes in programs like aid to families with dependent children [AFDC] may have an impact on foster care services. This will be especially prevalent during the implementation and transition into the reformed welfare system.

The impact of any changes to our welfare system is somewhat unpredictable. Therefore, Republicans here in the Senate have acknowledged that fact, and the need to maintain a safety net for children by maintaining title IV–E as an entitlement.

Mr. President, this issue has been a concern of mine for some time. In Idaho, we have a number of excellent facilities that work with children in group home settings, with an emphasis on reuniting the family when possible. I have been to these facilities, my staff have seen them. The work they do there is nothing short of remarkable.

My concern, Mr. President, is that we have a safety net available to ensure that the children who may be affected will be adequately taken care of through our foster care and adoption assistance programs. If these programs under title IV–E were converted into a block grant with a limited inflation adjuster, there would be little flexibility for States to meet the kind of unforseen demands that can shift children into these programs.

There are also issues outside of welfare reform that affect these programs, such as changes in the economy, demographics and natural disasters. For example, Idaho had a 16-percent increase in the number of child abuses cases last year; many of those children ended up in the foster care system. Again, these are things that cannot be planned for, but add to the burden of the system.

It is important to note that since the foster care and adoption assistance programs were established in 1980, there have been more than 90,000 children with special needs adopted in the United States.

Mr. President, there have been a number of references to those who are affected by what we do here.

I would like to take a moment to share a story about we've been able to accomplish in Idaho with these title IV–E moneys. The Idaho youth ranch runs a family preservation program.

Gina was a 7-year-old girl who was removed from her home by child protective services because her parent neglected to care for her. The goal of the referral was to see if the youth ranch could help the mother respond to the point that Gina and her two younger sibling could return home.

The youth ranch staff began an assessment of the family situation and developed a plan in conjunction with the Child Protective Services staff, mom, and the children.

Through the parent training, supportive services, and help the youth ranch provided, this family is now getting back on track. Mother is now working in a job close to home, has a healthy home environment set up, ready for the children's return, has the kids enrolled in school, and a responsible day care for her youngest child.

The staff at the youth ranch will continue their work after the reunification of the children. It is a happy ending for the family, for the State, and most important, for Gina.

Mr. President, that was quite a lengthy comment, but I felt it was important to note in this debate. In closing, I would just add that I hope my colleagues will support improving access to adoption, and will vote for the Shelby amendment.

So I am proud to support and to be a cosponsor of the amendment of my colleague, Senator SHELBY, and his concerted effort.

Mr. CHAFEE. Mr. President, I would like to ask the proponent of the amendment a question.

As I understand, this is going to cost $1.4 billion over 5 years. Has the Senator a method of paying for this?

Mr. SHELBY. Would the Senator from Rhode Island state the question again?

Mr. CHAFEE. It is my understanding that this amendment will cost, over 5 years, $1.4 billion.

Mr. SHELBY. The Senator is correct. The revenue loss is projected to be $1.4 billion over 5 years but the underlying bill will result in savings of over $40 billion over 5 years.

Mr. CHAFEE. I know we are going to have further discussion because I think there is a point of order that lies that is going to be raised. But I would point out that everything that comes in theory out of savings is something that the Finance Committee has to come up and pay for. We have just concluded a long meeting in connection with Medicare, and the difficulty of coming up with savings was made clear to us at that gathering.

So, Mr. President, if there is no further discussion, I suggest the absence of a quorum, and this will be charged equally against both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SANTORUM. Mr. President, I yield 3 minutes of time to the Senator from Texas, [Mr. GRAMM].

The PRESIDING OFFICER. The Senator from Texas is recognized for 3 minutes.

Mr. GRAMM. Mr. President, I rise in strong support of the Shelby amendment.

What the Shelby amendment does is it tries to provide tax equity to people who adopt children and in the process, provide a home and environment that represents our only sure-fire, guaranteed way to break the poverty cycle—allowing people the opportunity to escape from poverty and use their God-given talents.

One of the reasons I feel so strongly about not giving people more and more money to have more and more children on welfare is that I am convinced if we stopped giving people cash bonuses to have more children on welfare and adopt the Shelby amendment giving tax equity to people who adopt children on a par with people who are having them, then we have an opportunity to find a home for every child born in America. That can solve not only the welfare problem but many other problems in the country.

I do not know how our colleagues on the other side of the aisle are going to vote on this amendment, but I would simply like to note this paradox. In the compromises that have taken place in the last 2 hours in an effort to pass this bill, an initial agreement has been made which will spend $4 billion on programs that in all probability will do virtually nothing to help break the poverty cycle and will do virtually nothing to guarantee that people see an improvement in their lives.

However, by giving tax equity to people who adopt children—up to $5,000 in tax credits to cover the costs they incur in adoption—we can guarantee that people will be able to adopt more children, bringing them into their homes, giving them love, and improving the lives of those children. I think this is an important amendment, and I think if we can follow it up someday with an amendment to streamline the adoption process, making it easier for people to adopt children, we can make a dramatic difference.

One of our colleague's wives was in Bangladesh—I ask for an additional minute.

Mr. SHELBY. I yield an additional minute.

The PRESIDING OFFICER. The Senator is recognized for an additional minute.

Mr. GRAMM. As I look at the Shelby amendment, it reminds me of a statement made by Cindy McCain, Senator MCCAIN's wife. When she was in Bangladesh, there was this baby girl who had been set aside to die because she had a cleft palate. Cindy McCain decided that she was going to bring that little girl back to the United States of America and adopt her. Her point was, I cannot solve the problems of every

child in the world, but I can solve this child's problem.

What the Shelby amendment does is let other people who want to solve this problem one child at a time, do it. So, I think, this is an important amendment. I hope it will be adopted, and I urge my colleagues to vote for it.

I congratulate the distinguished Senator from Alabama. This provision was in our original welfare bill that Senator SHELBY and other conservative Republicans and I put together. I think it is an important addition to this bill, and, quite frankly, of all the things we have talked about here, this is clearly welfare reform.

I thank the Chair for its indulgence.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. I would simply make the point as a member of the Finance Committee that we have not considered this measure. It is a new credit that would be created without the means to pay for it. The proposal would cost $3 billion in revenues over the next 10 years, and there is no provision to pay for it.

There is strong sentiment in favor of it; I can sense it. I understand that and share it, but it is a doubtful measure to be adopted at this point, and yet we have a long conference committee procedure before us and that may be the time to address it. I will leave it at that.

Mr. COATS. Mr. President, over the past 25 years there has been a dramatic increase in the number of children born out of wedlock, children being raised by single parents, and children entering the foster care system because of abuse, neglect, or abandonment. Family disintegration is widespread.

At the same time we have experienced an increase in family disintegration, we have seen a sharp decrease in the number of children being adopted, with formal adoptions dropping by almost 50 percent: from 89,000 in 1970 to a fairly constant 50,000 annually throughout the 1980's into the 1990's. On any given day, 37,000 children in foster care are legally free and waiting—to be adopted.

Why are children waiting? Why aren't families adopting? The reason, I propose, is not a lack of compassion on the part of families. Many thousands of families would be eager to adopt were it not for the costs can be prohibitive for working class families. The average cost of an adoption is $14,000 and it is not uncommon for this figure to reach upwards of $25,000.

Adoption is the compassionate response to children in need of a home. Yet, there is currently inequity in the tax system. While certain medical expenses related to the conception, delivery, and birth of a child may be deducted as medical expenses, no similar relief is available for adoptive families.

Mr. President, I, like many of my colleagues know the sacrifice required of parents. Children require 100 percent of us, 100 percent of the time. The financial burden can be significant. The time element, balancing the needs of work and family—these are all very significant. Yet there are thousands who make that sacrifice every day for children they have lovingly adopted into their family, and many thousands more who would—but for the costs. The Shelby amendment will put adoption within the reach of many families, and make an important public policy statement about the value and respect we have for the institution of adoption.

I've heard some say adoption tax credits should be limited to children with special needs. Well, I believe that every child in need of adoption is a child with a special need for a loving, and permanent home.

Money should never be a barrier to adoption. Adoption should be encouraged as a compassionate response to children of parents who find themselves unable or unwilling to care for them. These families deserve our support, and deserve to be treated the same as families formed biologically. The Shelby amendment sends a strong message that adoption is a valued way of building a family.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. CHAFEE. I yield——

Mr. DOMENICI. I do not need much time. One minute.

Mr. CHAFEE. Three minutes to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 3 minutes.

Mr. DOMENICI. Mr. President, I commend Senator SHELBY for the amendment.

Frankly, I believe in this sea of problems with reference to unwed pregnancies and welfare children of this country, which are growing like a volcano erupting on America, this obviously attempts to address a very serious problem; that we are in need of more adoptions by good people who will raise children well in a good household. This amendment attempts to do that.

Frankly, it has a problem, a technical problem. I think that is well known. Senator MOYNIHAN expressed it. This is not a measure in which you can have tax credits and not pay for them. In a very real sense, it could be subject to a point of order. I, for one, believe we ought not raise it. We ought to vote on it, if that is what the distinguished Senator wants. And then it will take care of itself in terms of the tax provisions whether they will remain in the welfare bill or whether they will be taken care of in reconciliation as part of the tax bill. We can find out. We can wait and see. But essentially I think it is such a good idea that we ought to make sure it is done.

Now, if somebody raises the point of order, I would say tonight I would join in trying to waive it with my good friend from Alabama.

Mr. SHELBY. I thank the Senator.

Mr. DOMENICI. So I do not think we ought to do that. I hope we will not.

I compliment the Senator on the amendment and hope it passes here tonight one way or the other.

I yield the floor.

I thank Senator CHAFEE.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I think the distinguished ranking member of the Finance Committee made some good points, as has everybody else here today. This is a very commendable amendment. Although it is an amendment we have not had a chance to consider in the Finance Committee, it is a matter that will come before us when we are dealing with the tax provisions that we are surely going to get to later this year. And so, therefore, I am prepared to accept the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment?

All those in favor——

Mr. GRAMM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

Mr. GRAMM. Mr. President, I suggest the absence of a quorum until there is a sufficient second.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

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

Mr. SANTORUM. Mr. President, I ask for the yeas and nays on the Shelby amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CHAFEE. Now, Mr. President, I would ask unanimous consent that the vote on the Shelby amendment be put off until 8 p.m.

Mr. PRYOR addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. A point of clarification, please, from the Chair.

Would the Mikulski amendment be the next amendment in order? Is there a Mikulski amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. PRYOR. And are we going to, on subsequent amendments—if I might ask the Chair, is it correct that we are going to basically stack the votes at approximately 8 p.m.?

The PRESIDING OFFICER. There has been no order.

There is a unanimous consent request pending that the Shelby amendment be voted on at 8 p.m.

Mr. PRYOR. For the benefit of our colleagues, I have been informed that

is merely the intention. But it is the intention to basically stack votes that are considered between now and 8 p.m., stack those votes at 8 p.m.

The PRESIDING OFFICER. Is there objection to the request that the vote on the Shelby amendment occur at 8?

Without objection, it is so ordered.

Mr. CHAFEE. Now, Mr. President, we have a list here. And Senator MIKULSKI is not here. I notice Senator FEINSTEIN is here.

Mr. President, is there any defined order that has previously been arranged?

The PRESIDING OFFICER. The Senator is correct. There is a defined order. The Mikulski amendment is the next pending business. It would require a unanimous consent agreement to set it aside to deal with the Feinstein amendment.

Mr. PRYOR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 2669

Ms. MIKULSKI. Mr. President, I wish to send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI] proposes amendment numbered 2669.

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The text of the amendment is printed in the Friday, September 8, 1995, edition of the RECORD.)

Ms. MIKULSKI. Thank you, Mr. President.

Mr. President, my amendment deals with the role of men and how we can bring men back into the family, how we can eliminate marriage penalties and begin to really work toward two-parent households once again among the poor.

One of the missing discussions in this year's welfare debate is how we involve fathers with their families. We can do that through tougher child support laws and, yes, it is true we need to crack down on deadbeat dads. But you know, Democrats and Republicans all agree that we need to have major child support reform to do that. But, quite frankly, men, fathers are more than a child support check.

Our focus needs to be on the issues related to child rearing as much as child support. We need to get the men involved in the rearing of their own children and we do that by promoting two-parent families.

Earlier this year, the nonpartisan Casey Foundation, which I am proud to say is headquartered in Baltimore, released their 1995 report called ''Kids Count.'' It focused exclusively on the need to promote fathers as part of our Nation's strategy to reform welfare.

One of the most compelling things that they outlined was the devastating effect on children when fathers are absent from the home. The Casey Foundation said this:

Children in father-absent families are five times more likely to be poor and 10 times more likely to be extremely poor.

Children of single mothers are twice as likely to become high-school dropouts. These kids are more likely to end up in foster or group care or, even worse, in juvenile justice facilities.

The Casey Foundation went on to tell us that:

Girls from single-parent families have three times greater risk of bearing children as unwed teenagers.

Often in the debate, and I know the Senator from New York, Senator MOYNIHAN, has often commented on the problems related to single-parent families, we often overlook the role of what happens to girls.

And boys whose fathers are absent face a much higher probability of growing up unemployed, incarcerated, and uninvolved with their own children.

During this welfare debate, we have heard about the staggering rise in illegitimacy and the households headed by single parents. Much of this rhetoric has focused on solving the problems through punishing the mother. They aim for the mother but, in turn, hit the child.

The proposed solutions do not get at the heart of why we have fewer two-parent families, which is simply the decline in jobs that pay a family wage and the penalties in our public policy that work against the two-parent family.

The chart next to me contains data from the ''1995 Kids Count'' report and it makes it graphically. Between 1969 and 1993, the percentage of children under 18 living in households headed by women jumped from 11 percent to 24 percent. During that same 23-year period, the number of men between the ages of 25 and 34 who did not earn enough to support a family of four jumped from 14 percent to 32 percent.

The link is clear. If employment opportunities do not exist for men who are poor, it is unlikely they will get married. In fact, the ''Kids Count'' report points out most women consider a stable income an important element in choosing someone to marry.

The Republican welfare bill is either silent on solutions or it focuses on the mother as the only solution, or actually it attacks the mother. In fact, it is what I have called ''the parent trap.'' They say they want women on welfare to get married and require tougher work requirements for people who end up getting married. The Republican bill allows States to impose family caps, but it never asks States to develop programs that will bring families together.

Their bill also allows State welfare programs to cut families off if a father actually works too many hours. So we are going to penalize the father for being in the home, and we are going to penalize him for working too many hours. Hey, that is not the way to reform welfare or to move the poor out of poverty.

It also allows a father's child support check to go to a State bureaucracy instead of directly to the family.

We Democrats are serious about welfare reform, and we are serious about strengthening the family in this process. We aim for real reform by protecting the child, helping the mother and involving the father.

The amendment that the Senator from New Jersey and I have proposed seeks to end this ''parent trap'' and instead include real solutions that promote two-parent families. We will do this in our amendment by, first, job placement for noncustodial fathers. This amendment sets aside a very small amount of money in the welfare block grant for States to enroll unemployed fathers in job training and placement so they can meet their child support and family obligations. Employing these fathers is the most significant step we can take to promote two-parent families. In addition, the cost of this effort will be partially offset by increased child support payments as a result of the jobs which these fathers would have.

Second, our amendment prevents States from creating welfare rules that penalize marriage. The amendment prevents States from reenacting the current AFDC man in the house rule at the State level that pushes the man out of the family.

Third, it promotes marriage and not punishment.

And fourth, we pay child support to mothers, not State bureaucrats. What do I mean? It means that, first of all, we have a rule called the man in the house rule. If you are a father living at home and you work over 100 hours a month, regardless of what you earn, your family is cut off from assistance.

This is unacceptable. We need to promote and require work, and eligibility for assistance should be based on what you earn, not the number of hours it takes to earn it.

Third, promote marriage. For those States that impose a family cap, the amendment would require them to come up with some incentives that promote marriage. If we are serious about strengthening families, let us not just cut people off and make no effort to encourage marriage.

And fourth, pay child support to mothers not State bureaucrats. In my own State of Maryland, I had a roundtable with dads who are meeting their family obligations, but they told me how frustrating it was when they wrote their child support check it went into some big bureaucracy and when they went to visit their child, there had been no linkage between dad being the

provider and their family actually experiencing that and the check still coming from the welfare department.

As a result, our amendment requires States to pass through the first $50 in a monthly child support payment to the family.

Mr. President, my amendment has many other components to it. I could speak on many elements in this program. We deal particularly with helping interstate child custody orders and others. But I want to say this. Our amendment is good for fathers and their children. It recognizes that men are not only child support checks, but they must be involved as fathers. I want them not only paying child support, I want them to be a link within the family itself. The dad is not in the home, but still there is a relationship.

Second, where possible, to be able to promote the family and get the dad back in the home.

Mr. President, I know that the Senator from New Jersey wishes to speak on this amendment. How much time do we have left on our side?

The PRESIDING OFFICER. One minute and twelve seconds.

Mr. CHAFEE. Mr. President, let me say this. We are not going to consume our full 10 minutes. Does the Senator from New Jersey want a couple minutes from us? Three minutes for the Senator from our allotment of time.

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 4 minutes.

Mr. BRADLEY. Mr. President, I rise in support of this amendment. I thank the Senator from Maryland for offering it. I think it makes one very clear point, and that is children that grow up in two-parent families have a better chance than children who grow up in single-parent families. That does not mean that there are not a lot of single mothers who do a heroic job out there raising children against the odds, who teach them how to work hard and how to advance. It simply means that two incomes are better than one and that two supervisors are better than one.

It is very interesting, because in the course of this debate, we discussed the family cap which says if you have an additional child, if you are on welfare, that child does not receive a payment.

In my State of New Jersey, that would mean about $64 a month. We have the only family cap experiment in the country in New Jersey, and we deny a benefit to an additional child to a mother who is on welfare. But we also have a provision in the law that rewards marriage. It says that if a woman on welfare is married, her husband's income will not push her off of eligibility for welfare, up to about $21,000 in combined income.

So what the distinguished Senator from Maryland is stating with this amendment is that we should have incentives in the welfare system for single parents to get married. We have that in the experiment in New Jersey at the moment. It is only a year old, so we do not have any conclusive results. I think it is an important amendment. That, then, underlines the deeper point the Senator from Maryland is making, which is that it is important in every child's life to have a father as well as a mother, a father involved with time and resources. It is very important.

So I salute the Senator, and I cosponsor the amendment and hope that it will be adopted.

Ms. MIKULSKI. Mr. President, I thank the Senator from New Jersey. I also thank the Senator from Rhode Island for yielding him some time. I will ask for the yeas and nays, but I presume the Senator from Rhode Island wants to speak.

Mr. CHAFEE. Yes, obviously, on my time. I have a couple of questions. This is an interesting amendment and rather a broad one, as I understand it. I think the Senator from Pennsylvania has some comments that will delve into matters that otherwise I might have covered.

I have two questions. One, does the Senator from Maryland know what this would cost?

The second question is, Does she have some way of paying for it?

Ms. MIKULSKI. I believe this will cost $920 million over a 7-year period. We hope that part of the money will come from, first of all, child support itself. No. 2, by bringing men back into the family, which will decrease the need for public assistance. I am looking at the memo here on exactly where that comes from. I do not have an offset for this. I believe we were going to accept an adoption amendment which will cost $3 billion—and, by the way, I was a foster care worker and also involved in adoption work many years ago. So I support that amendment. But, there is not a cost that you can put on bringing a dad back into the home. If it is going to cost us a couple of bucks to do that, I think the long-term savings—you might think it is amusing, but I do not think it is.

Mr. CHAFEE. I remind the Senator that she is on my time.

Ms. MIKULSKI. You know what? I am.

Mr. CHAFEE. I know the Senator is being facetious. I do not want to take her up on it too much. But a billion dollars is really what it is. She was being facetious when she used the words ''a couple of bucks,'' but I am not going to dwell on that.

But we have a real problem here, Mr. President. Everybody is coming forward with amendments—wonderful amendments and good things, undoubtedly. But there is no method of paying for them. All that means is that those of us on the Finance Committee have to somehow come and make up that money. We are having terrible times coming up with amounts that we are designated to provide anyway. We have to come up with $530 billion, and to load on $1 billion more in this bill—and other moneys have been expended in other measures that come before us.

So I am, reluctantly, going to have to oppose the Senator's measure. I know the Senator from Pennsylvania has comments.

Mr. SANTORUM. I thank the Senator.

I just say that in addition to the billion dollars this spends, I question the rationale behind this. What this amendment says is, if you are a noncustodial parent you are eligible to participate in the job training and employment programs of the State. And you are eligible, if your child is receiving welfare, or if you are a noncustodial parent that owes past child support, even if you are a deadbeat dad. So if you are a father who does not support his kids and they are on welfare, or you do not pay child support, we will put you in a job training program or give you a job. I question that we are going to spend $650 million of new money on providing job training for deadbeat dads.

You can say we are going to bring families together. This is a nice benefit for someone who is doing something you do not want them to do. I do not think we should be rewarding people who are turning their backs on their children. I think that is questionable.

The other portion of the bill—and I know this is a lengthy amendment and has many different sections. I know there is one here that has the $50 pass-through, which is the first $50 of child support paid by a father, who is in arrears on his child support, goes directly—excuse me, the mother is on welfare, goes directly to the mother, not the State, to offset the benefits the State is paying the mother. This is something that is in current practice. Every State child support agency tells us that this is not a good provision. It does not help fathers or encourage fathers to pay any of this child support. It is simply $50 that the State does not get that they are now paying as an offset for AFDC. This is not proven to be incentive. It does not work. It is something that we, at their suggestion, have dropped in the Dole amendment, and now they are trying to put it back in, and it costs money and does not provide incentive to pay back child support or child support to somebody on welfare.

The cost is a billion dollars. We are going to be providing jobs and job training to deadbeat dads, fathers who allow their children to go on welfare. And there is the $50 pass-through. I think this, again, may be well-meaning. We may want to help fathers get back with their families and bring families together, but I do not think providing money to deadbeat dads for job training is the way I would go about doing it.

Ms. MIKULSKI. Will the Senator yield for a question?

Mr. SANTORUM. On whatever time I have remaining, I will do so, sure.

The PRESIDING OFFICER. The Senator has 1 minute 7 seconds.

Ms. MIKULSKI. Does the Senator think that simply because a father is

in arrears on child support, he is a deadbeat and wants to abdicate his responsibility? Because, for whatever reason, earlier in their life, maybe he did not complete school, and he needs job training to get back into the labor market in order to assume his responsibility. That is what is behind our motivation in that part.

Mr. SANTORUM. I understand there may be such cases that you mention. But I think the broader point is whether, when we have people who have violated their responsibilities to their children, we should now create a separate Government program to train them for jobs or create jobs for them. I understand there may be circumstances where people, well-meaning, could not pay their child support. But at the same time, you want to set up a program because they have done that, apart from someone else who may be paying their child support and working two and three jobs to make sure they keep up. We do not help them at all, or train them, or do anything for them. That is a bad precedent. We should not be providing this kind of money for people who are shirking the responsibilities of their children.

The PRESIDING OFFICER. All time of the opponents has expired.

Ms. MIKULSKI. Mr. President, I ask for the yeas and nays and that the vote occur in whatever order or whatever time that was in the unanimous-consent agreement.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The vote will occur as indicated.

Mr. CHAFEE. Mr. President, subject to changes in the future, that vote on the Mikulski amendment would occur after the vote on the Shelby amendment which is scheduled to occur at 8 o'clock.

Next on our list, we have Senator FEINSTEIN who I understand has two amendments, each with 20 minutes equally divided. If the Senator would be good enough to identify which amendment she is discussing.

AMENDMENT NO. 2478

Mrs. FEINSTEIN. Mr. President, to the managing Senator, the amendment I call up is amendment No. 2478.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN] proposes an amendment numbered 2478.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

(The text of the amendment is printed in the Friday, September 8, 1995, edition of the RECORD.)

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Senator KENNEDY be added as a cosponsor.

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

Mrs. FEINSTEIN. Mr. President, this amendment strikes the language in the Dole bill which precludes a naturalized citizen from obtaining at any time any cash or noncash welfare benefit.

The language in this bill, as presently drafted, is the first time in the history of the United States that naturalized citizens would be treated differently than native-born citizens.

The Constitution of the United States says that there is only one instance where there is a difference between the two; that is, one who seeks the Presidency of the United States.

My mother became a naturalized citizen. My mother had very little formal education. She had difficulty reading and writing. She had to take the test three times before she became a citizen. I have to say the day she was naturalized she was prouder than any time in her life that I can remember. It meant a great deal because she was as good as any American citizen in her eyes. That is a very big thing.

The amendment I am proposing is supported by the Department of Justice. I ask unanimous consent that a letter to Senator KENNEDY from Justice, pointing out serious concerns about section 204's constitutionality as applied to naturalized citizens, be printed in the RECORD at the conclusion of my remarks.

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

(See Exhibit No. 1.)

Mrs. FEINSTEIN. It is supported by the National Governors' Association, the National Conference of State Legislatures, and the American Bar Association.

Mr. President, I ask unanimous consent that a letter from the Bar Association and the Governors' Association be printed in the RECORD.

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

(See Exhibit No. 2.)

Mrs. FEINSTEIN. It is supported by the National Association of Counties, the National League of Cities, the U.S. Catholic Conference, and the Leadership Conference on Civil Rights, as well as several other organizations.

I believe that we are essentially a nation of immigrants. I sit as a new member of the Immigration Subcommittee and I know there is a legitimate reason that the Government should try to dissuade, in any way we can, people from becoming naturalized simply to gain welfare. There is no question about it. I believe the immigration bill that we have marked up in the Immigration Subcommittee deals with that.

What this bill does is it says that if you are a naturalized citizen—and let me give some specific examples. Take my mother's case and put it in the present day. My mother came to this country at the age of 3. Supposing her mother was naturalized, that would make her a naturalized citizen. Then supposing my mother did want to go to college, which she never had an opportunity to do, she would be eligible for a loan program. Under this bill, as drafted, my mother would never be eligible as a naturalized citizen for a program. Even Medicaid, she would not be eligible for it.

Taking my mother again, say my mother came to this country as a spouse, never worked, was naturalized, was a naturalized citizen for 20 years. Say my father left her and she was destitute. She would not have access to any aid program, cash or noncash, the way the bill is presently drafted. The language before the Senate simply deletes this language and keeps a class of ''American citizen'' as one class. If you are naturalized, you are as good as someone who is born anywhere in this great country.

I yield the floor.

EXHIBIT 1

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, July 18, 1995.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: This letter follows your question to Attorney General Janet Reno regarding the constitutionality of the deeming provisions in pending immigration legislation at the Senate Judiciary Committee's oversight hearing on June 27.

You have asked for our views regarding the ''deeming'' provisions of section 204 of S. 269, Senator Simpson's proposed immigration legislation. Our comment here is limited to the questions raised by application of section 204 to naturalized citizens.

We have serious concerns about section 204's constitutionality as applied to naturalized citizens. So applied, the deeming provisions would operate to deny, or reduce eligibility for, a variety of benefits including student financial assistance and welfare benefits to certain United States citizens because they were born outside the country. This appears to be an unprecedented result. Current federal deeming provisions under various benefits programs operate only as against aliens, (see e.g., 42 U.S.C. §615 (AFDC); 7 U.S.C. 2014(i) (Food Stamps) and we are not aware of any comparable restrictions on citizen eligibility for federal assistance. As a matter of policy, we think it would be a mistake to begin now to relegate naturalized citizens—who have demonstrated their commitment to our country by undergoing the naturalization process—to a kind of second-class status.

The provision might be defended legally on the grounds that it is an exercise of Congress' plenary authority to regulate immigration and naturalization, or, more specifically, to set the terms under which persons may enter the United States and become citizens. See *Mathews* v. *Diaz*, 426 U.S. 67 (1976); *Toll* v. *Moreno*, 458 U.S. 1, 10–11 (1982). We are not convinced that this defense would prove persuasive. Though Congress undoubtedly has power to impose conditions precedent on entry and naturalization, the provision at issue here would function as a condition subsequent, applying to entrants even after they become citizens. It is not at all clear that Congress' immigration and naturalization power extends this far.

While the rights of citizenship of the native born derive from §1 of the Fourteenth Amendment and the rights of the naturalized citizen derive from satisfying, free of fraud, the requirements set by Congress, the latter, apart from the exception noted [constitutional eligibility for President], becomes a member of the society, possessing all the

rights of a native citizen, and standing, in the view of the constitution, on the footing of a native. The constitution does not authorize Congress to enlarge or abridge those rights. The simply power of the national Legislature, is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual.

Schneider v. *Rusk*, 377 U.S. 163, 166 (1964) (internal quotations omitted) (statutory restriction on length foreign residence applied to naturalized but not native born citizens violates Fifth Amendment equal protection component).

Alternatively, it might be argued in defense of the provision that it classifies not by reference to citizenship at all, but rather on the basis of sponsorship; only those naturalized citizens with sponsors will be affected. Again, we have doubts about whether this characterization of the provision would be accepted. State courts have rejected an analogous position with respect to state deeming provisions, finding that the provisions constitute impermissible discrimination based on alienage despite the fact that they reach only sponsored aliens. See *Barannikov* v. *Town of Greenwich*, 643 A.2d 251, 263–64 (Conn. 1994); *El Souri* v. *Dep't of Social Services*, 414 N.W. 2d 679, 682–83 (Mich. 1987). Because the deeming provision in question here, as applied to citizens, is directed at and reaches only naturalized citizens, the same reasoning would compel the conclusion that it constitutes discrimination against naturalized citizens. *Cf. Nyquist* v. *Mauclet*, 432 U.S. 1, 9 (1977) (''The important points are that [the law] is directed at aliens and that only aliens are harmed by it. The fact that the statute is not an absolute bar does not mean that it does not discriminate against the class.'') Invalidating state law denying some, but not all, resident aliens financial assistance for higher education.

So understood, the deeming provision, as applied to citizens, would contravene the basic equal protection tenet that ''the rights of citizenship of the native born and of the naturalized person are of the same dignity and are coextensive.'' Schneider, 377 U.S. at 165. To the same effect, the provision might be viewed as a classification based on national origin; among citizens otherwise eligible for government assistance, the class excluded by operation of the deeming provision is limited to those born outside the United States. A classification based on national origin, of course, is subject to strict scrutiny under equal protection review, see *Korematsu* v. *United States*, 323 U.S. 214 (1944), and it is unlikely that the deeming provision could be justified under this standard. See Barannikova 643 A.2d at 265 (invalidating state deeming provision under strict scrutiny); El Souri, 414 N.W.2d at 683 (same).

The Office of Management and Budget has advised that there is no objection to the submission of this letter from the standpoint of the Administration's program.

Sincerely,

ANDREW FOIS,
Assistant Attorney General.

EXHIBIT 2

CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, NY, September 12, 1995.

Hon. DIANNE FEINSTEIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR FEINSTEIN: As the Senate moves to consideration of welfare reform legislation, I want to share my serious concerns with you about the legal immigrant provisions included in this bill. As the Mayor of New York City, a city that has benefited immensely from the economic, cultural, and social contributions of immigrants, I am particularly troubled by unprecedented efforts to limit benefits to legal immigrants and unfairly target them.

The Senate welfare reform package, for the first time, would impose extraordinary restrictions on qualified immigrants' access to many federal benefit programs. The Senate proposal would also extend sponsor deeming to a broad range of programs not presently covered by deeming restrictions. This proposal is likely to restrict benefits to some legal immigrants even after they become naturalized citizens, thereby creating a second class of U.S. citizenship. Like yourself, I believe that extending deeming beyond citizenship is unwise public policy and may prove unconstitutional, and I support your efforts to end deeming upon citizenship. In addition, I also support your attempts to limit deeming to cash assistance programs only and not to Medicaid or other non-cash assistance programs.

While the denial of benefits to legal immigrants is patently unfair to taxpaying residents, it will also result in considerable cost-shifting to local and state governments. Because the federal government has sole responsibility over immigration policy, it must bear the concomitant responsibility of serving the legal immigrants it permits to enter states and localities. I am deeply concerned that denying benefits to legal immigrants or extending deeming beyond citizenship will not eliminate needs and, subsequently, force state and local governments to bear the financial consequences of unwise policy decisions. The Senate welfare reform package fails to provide states and localities with funding for expected high administrative costs associated with implementing this proposal, and is an unfunded mandate that New York and other cities should not have to bear.

Finally, I am concerned about potential efforts to amend the Senate bill and federalize many of the harshest provisions from California's Proposition 187. Such an approach would deny services to illegal immigrants without regard to the dangers it would create for American cities. The problems of illegal immigration in our country is the result of the federal government's inability to patrol its borders and implement an effective deportation strategy. Adoption of a federal Proposition 187 will do nothing to address the overall problem of illegal immigration, but instead will further highlight the federal government's failure to enforce adequately our nation's immigration laws and policies.

If California's Proposition 187 becomes the law of the land, the results for cities heavily impacted by illegal immigration, such as New York, would be catastrophic. I urge you to consider these possible scenarios. Faced with the threat of deportation, many families would forego needed medical care, keep their children out of school, and refuse to report crime, or act as a witness in criminal cases. Immigrant children kept out of school would be denied their only chance at assimilation and productive futures, and, as a result, many turn to the streets, and illegal activities. Communicable diseases might well would go untreated if immigrants are denied access to treatment. In addition, many crimes would go unreported by illegal immigrants desperate to avoid contact with the police.

As the Senate debates welfare reform legislation over the coming days, I am hopeful that the Senate will approve your amendments and remove the bill's burdensome restrictions placed on legal immigrants, and oppose any efforts to federalize Proposition 187. Thank you for your good work on this bill and for your consideration of New York City's views on this important legislation.

Sincerely,

RUDOLPH W. GIULIANI,
Mayor.

NATIONAL CONFERENCE OF STATE LEGISLATURES, NATIONAL GOVERNORS' ASSOCIATION, NATIONAL ASSOCIATION OF COUNTIES, NATIONAL LEAGUE OF CITIES,
September 6, 1995.

DEAR SENATOR: The National Conference of State Legislatures (NCSL), the National Governors' Association (NGA), the National Association of Counties (NACo) and the National League of Cities (NLC) firmly believe that the federal government is responsible for providing funds to pay for the consequences of its immigration policy decisions. As you consider welfare reform legislation on the Senate floor this week, we urge you to support amendments which will protect states and localities from immigration cost-shifts and unfunded mandates. State and local governments cannot and should not be the safety net for federal policy decisions. The federal government has sole jurisdiction over immigration policy and must bear the responsibility to serve the legal immigrants it allows to enter states and localities.

Eliminating benefits to legal immigrants or deeming for unreasonably long periods will not eliminate needs. State and local budgets and taxpayers will bear the burden under either of these options. Denial of services to legal immigrants by states and localities appears to violate both state and federal constitutional provisions. As a result of the 1971 Supreme Court decisions *Graham* v. *Richardson*, states and localities may not exclude persons from participating in their welfare programs on the basis of lawful alienage. Although the federal government has the option to drop legal immigrants from its welfare rolls, states and localities may not. We continue to support making affidavits of support legally binding and imposing a limited deeming period.

We understand that welfare reform proposals are likely to extend sponsor deeming over a broad range of programs not presently covered by deeming restrictions. These proposals are also likely to restrict benefits to some legal immigrants even after they become naturalized citizens. We believe that sponsor deeming should be used in a more targeted fashion to limit the financial and administrative burdens states and localities will face in implementing an extended deeming policy. First, deeming should end when an immigrant becomes a naturalized citizen. Second, deeming should cover cash assistance programs only and not be extended to Medicaid, child protective services, or other non-cash assistance programs. Lastly, certain groups of immigrants should not face deeming under any circumstances, specifically legal immigrants over the age of 75 and those who are victims of domestic violence.

Sincrely,

WILLIAM T. POUND,
Executive Director, National Conference of State Legislatures.
RAYMOND C. SCHEPPACH,
Executive Director, National Governors' Association.
LARRY NASKE,
Executive Director, National Association of Counties.
DONALD J. BORUT,
Executive Director, National League of Cities.

Mr. SIMPSON. Mr. President, I believe I have 10 minutes to speak in opposition to the amendment of Senator FEINSTEIN.

I admire the Senator greatly. She has contributed so much, so vigorously, to my efforts and members of the subcommittee.

This is an issue of an honest difference of opinion. I oppose the amendment for several reasons. I hope that my colleague will hear them clearly.

To begin, I want to put to rest some serious misconceptions about the sponsor alien deeming—the ''deeming'' provisions in this bill.

Please know that the bill's immigrants provisions do not affect anyone in the United States who is already a naturalized citizen. Please hear that.

Similarly, noncitizens within the United States who become citizens will also be wholly unaffected by the bill's immigrants provision.

Deeming provisions which the Feinstein amendment seeks to alter affect only those who immigrate after enactment. This Nation's policy on welfare used by immigrants should conform, in my mind, to three basic principle: First, the newcomers should be self-supporting. That is our Nation's first general immigration law. That was put on the books in 1882. It prohibited the entry of individuals likely to become a public charge. To this day our law prevents the immigration of those who are ''likely at any time'' to become a public charge or to use welfare. That is the language—''likely at any time.''

Second, if a friend or a relative has promised to the U.S. Government that the newcomer will not require public assistance as a condition of that person's entry into the United States, and that is the condition, then it is the responsibility of that sponsor, that friend or relative who has promised the support, to provide aid before the newcomer turns to the American taxpayers for relief.

Third, the welfare system should not induce immigrants to naturalize for the wrong reasons; for example, to obtain access to welfare. We should avoid provisions which would enable a recent immigrant to obtain a benefit or a sponsor to avoid responsibility solely by naturalizing.

If we do not require the sponsored individual to disclose this particular asset in this situation—and that is the sponsor's contract to provide financial support and have it considered in the welfare determination—then we are treating the naturalized citizen better than we do the native-born citizen.

I hope my colleague will hear that. When native-born citizens apply for welfare, they have to disclose their assets and their income, including court-mandated payments such as alimony or child support, or any contractual obligation.

Under the welfare reform bill, a native-born citizen and a naturalized citizen would be treated exactly the same. There is no second-class citizen status. Both would be required to disclose all assets and income which reduce ''the need'' for public assistance.

If naturalization enables both the sponsored individual and the welfare provider to ignore an individual's right to receive support from the sponsor, then the taxpayers will be much more likely, and, of course, the sponsors less likely, to provide the needed assistance.

Also, immigrants would have a very strong incentive to naturalize for all of the wrong reasons, and the wrong reasons are to receive public assistance.

One of the principal reasons for the general animosity toward immigrants' use of welfare is that many naturalized citizens have brought their elderly parents to the United States where after 3 to 5 years, a period of deeming, the immigrant's parents receive SSI for the elderly. These elderly parents, who have never contributed to our system in any way, then receive a generous pension for the rest of their lives from the American taxpayer. And if deeming is ended, simply by naturalization, then the immigrants could receive the welfare just as if the sponsor's legalization, or legal obligation, never existed—and as early as 5 years after entry, to boot.

Immigrants, I think, should naturalize because of a personal commitment to the democratic ideals and constitutional principles that America represents, and that, namely, is liberty and democracy and equal opportunity—not in order to find access and enter into the welfare system.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from California.

Mrs. FEINSTEIN. Mr. President, may I ask how many minutes are remaining of my time?

The PRESIDING OFFICER. The Senator from California has 5 minutes and 46 seconds.

Mr. KENNEDY. Mr. President, I rise in support of the amendment of the Senator from California, which would require that the immigrant deeming requirements of the Dole bill end once the immigrant becomes a U.S. citizen.

One of the fundamental principles of our Constitution is the equal treatment of all American citizens, regardless of race, sex, creed, or national origin. It is enshrined in the Bill of Rights and the 14th amendment. The Supreme Court has held repeatedly that there is only one area in which naturalized citizens do not have the same rights and privileges as the native-born—and that is in becoming President.

The Dole bill departs from this basic American principle. It says that if you are a naturalized citizen of this country and fall on hard times, the welfare rules that applied to you as an immigrant could still apply. The income of your sponsor can be deemed as your own income in determining your eligibility for assistance, even though you are now an American citizen.

This is second-class citizenship. This rule does not apply to native-born citizens—only naturalized Americans. If you native-born mother or brother needs Medicaid, the Government does not consider your income in deciding whether they are eligible. But under this bill, if they are naturalized citizens, and if you sponsored them in coming to the United States—even if you did so years ago—the government could still count your income in determining their eligibility for help.

At a Justice Department oversight hearing on June 27, I asked Attorney General Janet Reno about this proposal. She responded, ''Our Office of Legal Counsel has examined this provision * * * and it has very serious concerns about its constitutionality as applied to naturalized citizens.''

An opinion I received from the Justice Department on July 18 elaborates on the Attorney General's statement. It says:

> Because the deeming provision in question here as applied to citizens, is directed at and reaches only naturalized citizens, (this) compels the conclusion that it constitutes discrimination against naturalized citizens.

The opinion further states that:

> As a matter of policy, we think it would be a mistake to begin now to relegate naturalized citizens—who have demonstrated their commitment to our country by undergoing the naturalization process—to a kind of second-class status.

The Supreme Court has clearly said that distinctions between native-born and naturalized citizens are unconstitutional. In 1964, in Schneider versus Rusk, the Court emphasized that ''the rights of citizenship of the native born and of the naturalized person are of the same dignity and are coextensive.''

Some argue that in bringing an immigrant to this country, the sponsor enters into a contract, promising to assist the immigrant for a specified period, whether or not the immigrant becomes a citizen in the meantime. They argue that this contractual commitment is like a trust—and that a trust is considered in determining eligibility for welfare, whether or not the applicant is a native-born citizen or naturalized.

However, the fact remains that this kind of arrangement—the deeming of a sponsor's income—is one which would only apply to naturalized citizens. For this reason, the Justice Department regards it as national origins discrimination, since—

> Among citizens otherwise eligible for government assistance, the class excluded by operation of the deeming provision is limited to those born outside the United States.

Those who naturalize and become citizens have made a substantial commitment to this country. They will have been here for at least 6 or 7 years—5 years to qualify for citizenship and 1 to 2 years to complete the naturalization process. They are required under our laws to have demonstrated

good moral character for the years preceding their naturalization. Most likely, they have worked and paid taxes throughout this period. And they have chosen America as the place to raise their children and build their futures.

American citizens are American citizens, whether by birth or by choice. We should not undermine this fundamental principle of our Constitution. I urge the adoption of the amendment of the Senator from California to ensure that when American citizens fall on hard times, their Government will be there to help—whether they were born as Americans or are naturalized Americans.

Mrs. FEINSTEIN. Mr. President, this is a very hard argument for me because I very much respect the Senator from Wyoming. He is my chairman on the committee. I do not think anyone in this body knows more about immigration. I doubt that he drafted the actual language in this bill.

All I can say is our reading, and the reading of others of the bill itself, indicates to us that the way it is worded, it would in fact affect people in this country at this time. The Bureau of the Census has identified 121,000 spouses and children of U.S. citizens who came into this country between 1990 and 1994 who, for starters, would be most definitely affected by this bill.

I mentioned earlier that I do not believe that anyone should come to the oath of being an American citizen and take that oath because they want welfare, whether it is cash or noncash. I would support any legislation to toughen the sponsorship requirements to provide for bona fide sponsorship. As a matter of fact, when the immigration bill is on the floor, I will offer an amendment to the bill which will provide that a sponsor must be responsible for health insurance for a person they are sponsoring to this country. So I fully believe that a sponsor should be responsible.

Where I have the difficulty is in the creation of two classes of citizens, because once it starts, once the camel's nose is under the tent, it will not end. And the fact is that a naturalized citizen is entitled to all of the rights of citizenship; that is a clearly established constitutional principle. I believe it will really jeopardize the constitutionality of this entire bill. It is a major point, I believe.

So I say, toughen sponsorship, toughen the naturalization process, do what you have to do to prevent somebody from using naturalization as a guise for some of these things. But once they get there, it must mean just what it means for every other citizen.

It has been said that an affidavit of support is an asset like a child support order. I do not believe that is true, because having assets means one is ineligible for welfare. A child support order is not an asset when determining eligibility for welfare. The welfare caseload is swollen with mothers who cannot collect on child support orders. Approximately 25 percent of the existing caseload is comprised of mothers who cannot collect on child support orders.

It has been said that people are not denied welfare because they have this asset. They are eligible for welfare benefits, the cost of which is only recovered if the Government is able to collect from the delinquent parent. If naturalized citizens could receive benefits while the Government attempts to collect from the sponsor, then the situation would be analogous. But that is not what the Dole bill says. And even if it did say that, it would still be treating naturalized citizens differently from native-born citizens. Denying assistance because there is an uncollected asset is not equal treatment under the law.

So let me repeat: A native-born citizen is denied welfare benefits only if there are assets available to the applicant. Just as a child support order which is uncollected is not an available asset, an affidavit of support on the naturalized citizen which is unable to be collected would not be an available asset. True, the Government could attempt to collect later, as with a child support order, but in the meantime, under the Dole bill, the applicant who is now a U.S. citizen would be denied assistance. So I believe that is wrong.

Let me speak for a moment to the 40 quarters of work and the contribution to the system. This affects the homemaker who does not work in a two-parent family. If the mother does not work, is supported by her husband, and her husband leaves, it is a major problem. Similarly, if you were an infant when your parents immigrated, you would not be eligible for benefits until you reached your 30's. That is hardly equal treatment.

Mr. President, I believe I have used my time. I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SIMPSON. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 4 minutes and 25 seconds.

Mr. SIMPSON. Mr. President, I really appreciate the thoughts of my friend from California and will look forward to working with her on the issues of the sponsorship. I think that is a key thing. I think we can strengthen that, and I will look forward to working with her on that and on things such as insurance or support, releasing those who are not able to pay or be sponsors, perhaps setting a poverty level there. We can do those things.

But I emphasize, too, we always get into immigration matters. Every one of us is a child or a grandchild or a great-grandchild of immigrants. That is my history, my heritage, my roots. And it is most interesting to me when I hear the discussion of the second-class citizen. I agree totally with my friend from California; there is no distinction between a naturalized citizen and a native-born citizen except the Constitution. This certainly does not draw the distinction. If there is a difference here, it is a difference expressed only by the sponsor of the amendment, because we are treating them exactly the same. We are treating the naturalized citizen and the native-born citizen exactly the same under this.

I agree we should not in any way treat them differently, treat them as second-class citizens. Treat them the same. So here, in this case, as the bill is drafted, a native-born citizen today must disclose all assets when applying for welfare and the naturalized citizen should also, likewise, disclose all assets as well.

One of the assets of the person to be naturalized is a contract of their sponsor that they will take care of them. It is the same as a court-ordered sponsor agreement. It is the same as any other thing, any other obligation of life. The sponsor's contract of support is an asset of the naturalized citizen, just as alimony or a child support agreement is an asset that must also be considered.

We treat the naturalized citizen no differently than we do the native born. Both must present all of their assets while seeking public assistance. That is the intent of the legislation in its original form. If the sponsor loses his or her assets and income—please hear this—the deeming period is over. If the sponsor dies, the deeming period is over. If the sponsor has too little wherewithal or assets to assist the immigrant, to help with school or whatever, the deeming then will not reduce the applicant's ability to receive this assistance. It is very critical that we hear these distinctions.

What is the remainder of my time?

The PRESIDING OFFICER. One minute 11 seconds.

Mr. SIMPSON. Mr. President, I look forward to working with Senator FEINSTEIN. I welcome these expressions to toughen the sponsor's promise that he or she will ''not at any time''—that is the law—permit the sponsored immigrant to become a public charge. That, in my mind, is a very key phrase. To me in this debate it means before naturalization and after naturalization.

I thank the Chair.

I yield the remainder of my time.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent to add Senators SIMON, KOHL, and GRAHAM as cosponsors.

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

Mrs. FEINSTEIN. Mr. President, I ask for the yeas and nays and for the vote to be set in the order of voting.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Without objection, the vote is set for 8 o'clock in sequence.

Mr. CHAFEE. Mr. President, I ask that the votes that we originally asked

for to occur starting at 8 be postponed until 8:30.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CHAFEE. Mr. President, therefore, at that batting order, we will have the Shelby, Mikulski, and Feinstein amendments. And I know the Senator from California has another amendment, followed by Senator CONRAD. But I want to work in a Republican. Senator DEWINE was available. I do not see him now. So why do we not go with the second Feinstein amendment, and then work in a Republican Senator, Senator DEWINE, and then Senator CONRAD, if that is agreeable?

I say to everybody that it is not necessary to prove one's credentials by having an amendment. Everybody is a full-fledged Senator, and we recognize that. We will continue to recognize that even though they do not come forward with an amendment on this piece of legislation. At the rate we are going, we are going to be here a long, long time. I mean this evening a long time. Every time I turn around somebody comes up with an additional amendment. Usually Senators stand here and say, ''Bring over your amendments. We are waiting to do business.'' Well, we have too much business to do here. So we are not seeking additional amendments. So everybody just call a halt to the amendment business so we can get to final passage.

I see the Senator from Ohio has arrived. So if the Senator from California will just delay, we will go ahead with Senator DEWINE's amendment.

Mr. President, how much time is he asking for?

Mr. DEWINE. Ten minutes.

Mr. CHAFEE. I ask that we have 20 minutes equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MOYNIHAN. I am not sure who will speak on this side. But it is agreed.

Mr. CHAFEE. I do not know what the amendment is. Maybe somebody on this side will oppose it.

Mr. CONRAD. Do I understand from the acting manager that after we have disposed of the DeWine amendment and the final Feinstein amendment, we would then go to the Conrad-Lieberman amendment and dispose of that?

Mr. CHAFEE. That is right.

Mr. MOYNIHAN. Mr. President, I believe we erred in the description of the Senator from Rhode Island as an acting manager. I think he is very much a manager.

Mr. CHAFEE. Titles mean nothing.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

AMENDMENT NO. 2517, AS MODIFIED

Mr. DEWINE. Mr. President, I ask unanimous consent to modify my amendment No. 2517, and I send the modified amendment to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 2517), as modified, is as follows:

On page 637, line 17, strike the period and insert '', as provided pursuant to agreements described in subsection (a)(18).

On page 712, between lines 9 and 10, insert the following:

SEC. 972. FINANCIAL INSTITUTION DATA MATCHES.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 915, 917(a), 923, 965, 969, and 976 is amended by adding at the end the following new paragraph:

''(18) Procedures under which the State agency shall enter into agreements with financial institutions doing business within the State to develop and operate a data match system, using automated data exchanges to the maximum extent feasible, in which such financial institutions are required to provide for each calendar quarter the name, record address, social security number, and other identifying information for each absent parent identified by the State who maintains an account at such institution and, in response to a notice of lien or levy, to encumber or surrender, as the case may be, assets held by such institution on behalf of any absent parent who is subject to a child support lien pursuant to paragraph (4). For purposes of this paragraph, the term 'financial institution' means Federal and State commercial savings banks, including savings and loan associations and cooperative banks, Federal and State chartered credit unions, benefit associations, insurance companies, safe deposit companies, money-market mutual funds, and any similar entity authorized to do business in the State, and the term 'account' means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account, or money-market mutual fund account.

Mr. CHAFEE. Mr. President, as we are modifying amendments, I wonder if we might also modify an amendment that Senator GRAMM submitted earlier. That is a modification to amendment No. 2280.

Mr. President, I withhold that request. The Senator from Ohio may go ahead.

Mr. DEWINE. Mr. President, one of the reasons that our welfare costs today are so high is the number of absent deadbeat parents who, in spite of a court order, in spite of judicial determination that they owe weekly or monthly child support, still flagrantly refuse to pay child support. This amendment goes a long way, I believe, to help deal with this problem.

Let me take just a moment, if I could, to congratulate Senator DOLE and to congratulate everyone else who has been directly involved in this bill because the child support enforcement section is a very good section. It was written after consultation with experts in the field, people who deal with this every day out in the 50 States who have to face the problem of trying to track down these deadbeat parents and then after they find them trying to figure out how to get money from them.

This particular amendment that I am offering was also based on our consultation with experts in the field, particularly the State of Massachusetts, which has some very, very good success. In fact, this particular amendment was modeled after what Massachusetts is doing.

The purpose of this amendment is to make it easier for States to crack down on deadbeat parents. We, of course, are all aware, Mr. President, that one of the key causes of our social breakdown is the failure of parents to be responsible for their own children. The family ought to be the school for citizenship, preparing the children for a responsible and productive life. Too often it is just the opposite, and parents do not do that. When they do not pay their child support, it is certainly very difficult for society to step in and fill the gap. We need to reconnect parenthood and responsibility, and making absent parents pay is one way that we can do it. We need to help States locate deadbeat parents and help States establish support orders for the children, and then finally enforce these orders. My amendment attempts to address this problem by providing for a more timely sharing of information with the States.

As I said at the beginning, it is good to get the child support order. It is good to locate the parent. But if you cannot figure out where the parent's assets are, it does not do anyone any good. It does not do the children any good. It does not do society any good. So what this amendment is aimed at doing is making it easier to locate the assets of the parents.

Today, Mr. President, the Federal Parent Locater Service in the U.S. Department of Health and Human Services gives the States banking and asset information about potential deadbeats on an annual basis—once a year.

Now, if you go out into the States and talk with people who have to track down these deadbeats, they will tell you how difficult that whole process is. I first became involved in this a number of years ago, in the early 1970's when I was a county prosecuting attorney. I cannot tell you how frustrating it was. You got a support order. You got a judge to say the person owed so much money. And then they took off. You could not find them. Then after you found them, you could not figure out where their assets were.

This amendment will help in that area. If you have to wait, Mr. President, a whole year to get the information about the bank assets of an individual, sometimes a year and a half, obviously many times that information is stale and many times that information does not give you the true information you really need. The person may have moved. They may have changed banks. They may not have any assets in the bank, et cetera.

My amendment will allow States to enter into agreements with the financial community in their States to match financial data with child support delinquency lists on a more frequent basis. Not only will States get information on an annual basis, this

amendment will allow for more timely information on a quarterly basis.

This quarterly system has already been implemented in the State of Massachusetts and the results have been nothing short of phenomenal, which this chart indicates. In 1994, Massachusetts child support enforcers collected $2.7 million in past due child support. This year, Massachusetts began a quarterly reporting system, and collections have dramatically increased. At the current rate, their child support collections for 1995 will be at $9.6 million. That, Mr. President, is more than three times what they collected last year. The year before, $2.7 million; this year, $9.6 million.

Let me congratulate and also thank Marilyn Smith, who is the director of the Massachusetts Child Support Enforcement Agency, who worked with my office and with Dwayne Sattler of my office and the rest of my staff to really get the language down so that other States would be able to do what Massachusetts has done.

So, Mr. President, when you are looking at what works and what does not work, this works. In short, when child support enforcers have timely information, they can make deadbeat parents pay what they owe, and that means more parents responsible for their children.

We have received the CBO scoring on this amendment, and it will be at least revenue neutral. As someone who has worked in this field and did this for a number of years, let me tell you my guess is it is going to be a lot better than revenue neutral. This is going to be a very positive thing for each State. I believe it will save money for the Federal Treasury as more and more parents own up to their financial responsibility of having children.

This amendment is cost-effective and it is necessary. The child support enforcers are doing a very tough and difficult job, facing horrible obstacles every single day. I think we should cut by 75 percent, which is what this amendment does, the amount of time they have to wait to get this valuable information. Information is power, they say, but in this case information is money. So if you get the information on time, you take the court order, you go in, slap a lien on the bank account, you draw the money out, and guess what? That deadbeat parent has now started contributing his or her fair share not just to that family, which is the most important thing, but also to society as well.

That is why I believe my amendment will do a great deal of good. I urge it be adopted.

Mr. President, let me just clarify for the record that the amendment that I am modifying is amendment 2517 and not 2519.

I thank the Chair.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President I would like to ask the sponsor of the amendment a couple of questions.

Under the amendment as I read it, it is an option for the State; it is not mandatory. Is that correct?

Mr. DEWINE. That is correct.

Mr. CHAFEE. Second, the amendment says that the State shall enter into agreements with financial institutions to develop and operate a data match system.

I understand under this the State would bring a list of those who are delinquent to the bank instead of the bank having to provide the State with the name of everybody who had a deposit in that bank. Is that correct?

Mr. DEWINE. That is correct.

If the Senator will yield, what we have done with this is to try to model the Massachusetts program. What Massachusetts has been able to do is to work out, it is my understanding, an agreement between the private banking community and the State to have a system that is not overly burdensome on the banking community; it is something that they can live with but something also that gives the information to the people who need it and give it in a very timely fashion.

Let me just say that one of the things we did, Mr. President, is we checked with the Ohio banking community, just to try it out. We said, would you be willing to do something like this? And the answer was, we are citizens of the State and we want to be good corporate citizens. We want to help out. It is something we can live with. If it is not overly burdensome and is directed at dealing with the problem, we are more than happy to comply.

What will happen, as the Senator knows, many times people move from State to State. With all States doing this, we will have in the law the system where the States can share information.

And so what I would anticipate once this system is fully up is that not only in Ohio would you basically get this information, but if a person took off and went to Connecticut or Rhode Island or Arizona, that information could be shared by cooperating with that State.

Mr. CHAFEE. As I read the amendment, it is not optional for the bank to participate if the State decides that they want the bank to participate. In other words, as I read the amendment, it says that the State shall work out agreements with the banks to develop a data match system in which such institutions are required to provide every quarter, et cetera.

So it is not just an encouragement. It is a requirement if the State so chooses.

Mr. DEWINE. That is correct. The Senator is correct.

Mr. CHAFEE. I can see this being extremely burdensome for the bank if each quarter they have to come up with everybody who has a deposit in the bank that appears on some list the State submits to them.

I presume the banks are permitted to charge something for all this.

Mr. DEWINE. Absolutely. What will happen on a practical basis is what has happened in Massachusetts and what I am sure would happen in Ohio, and that is, quite frankly, the State officials would enter into an agreement with the banking association, whoever represents all the banks in the State, for something that is actually very, very workable.

As someone who has dealt with this at the local community level, if you do not have the cooperation of a bank, if they do not want to do this, you are going to have a lot of problems. And so you have to have the good will of the bank. And to get the good bill of the bank, what you simply do is work out something that they clearly can in fact live with.

The other point I would make to the Senator is that we are not talking about huge lists being supplied to a bank. We are talking about basically a single shot where you go in with a limited list and that would only be triggered basically once the parent locater, whatever that agency was in the State, had information that that person might be in that bank's jurisdiction.

Mr. CHAFEE. Well, I am not sure it is so simple as all that. It comes up every quarter, four times a year. But I am not on the Banking Committee. This is the kind of thing that I really wish had gone through the Banking Committee and let them have hearings on it, and let them know what the costs are and what the problems are that arise under it.

I do not know whether anybody else wants to speak on this. Does the Senator want a vote on this?

Mr. DeWINE. If I just could say, we have worked closely with people in the banking community. And I do appreciate the Senator's comments about not having a hearing on it. I understand that. But this amendment is based on matching computer tapes, basically a computer match with tapes, which we are told is not, with today's technology, really much of a burden. It is not the creation and not asking for the creation of a new list. It is a computer match with tapes to get this particular job done.

I also say that if a person wanted to get a court order in every case, they could go in and get a court order for the bank records anyway on a case-by-case basis. That is not the right way to do it. This, we believe, is the right way to do it.

Mr. CHAFEE. I tell you what. We may be in a position to take this amendment. Why does not the Senator ask for the yeas and nays? And if he would be willing to vitiate those yeas and nays, if we can take it. We have got to check. Why not ask for the yeas and nays?

Mr. DeWINE. I will at this point, Mr. President, ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Do the Senators yield back the remaining time?

Mr. CHAFEE. I do.

Mr. DeWINE. I do, Mr. President.

The PRESIDING OFFICER. All time is yielded back.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Now we will go to the second amendment of the Senator from California.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator is recognized for 10 minutes.

Mrs. FEINSTEIN. And I thank the bill manager.

AMENDMENT NO. 2513

Mrs. FEINSTEIN. Mr. President, this amendment involves deeming. It is a complicated issue. Let me try and explain it simply. It only involves legal aliens.

Presently, deeming only applies to cash programs, AFDC, SSI, food stamps. This amendment would remove the deeming requirements for Federal programs not traditionally considered Federal welfare programs. It would retain the deeming for the three principal Federal cash welfare programs: AFDC, SSI, and food stamps.

Under the bill, a child of a legal immigrant would not have access to Head Start; a legal immigrant would not have access to Medicaid, would not have access to child protective services, would not have access to maternal health services, would not have access to foster care, would not have access to custodial care. All of these programs deemed—excuse me, not deemed—but all these programs which are noncash programs would not be available for anyone who was in this country legally.

The amendment also provides that no one in this country legally who is a battered wife could ever make use of a domestic abuse program, a battered wife shelter. There are actually some 80 programs that provide noncash assistance, and I have named most of them. The most important one of these is Medicaid.

Everyone in this room has heard Governors across this Nation bellow that the Federal Government is not dealing with the costs of immigrants to the States. Every one of them says this, that has the program.

Essentially, the way the bill is drafted, it is a massive cost-shift to States because it says that the county then has to pick up these costs. The county would have to pick up the costs of Head Start if a youngster was going to go into it. The county would have to pick up the costs of Medicaid or the State. The county would have to pick up the costs of child protective services or foster care or any of those items.

It is a major item. And I will be candid and frank with you; it falls most heavily on four States. It falls heavily on Texas, it falls heavily on Florida, it falls heavily on New York, and it falls heavily on California. And that is because that is where the largest percentages of these legal immigrants are.

Now, as I mentioned earlier in the earlier discussion, I believe we should tighten the sponsorship requirements. I believe we should see that they are secure, even verify what they say. And I intend to introduce legislation that would provide that sponsors of immigrants must provide health insurance for those immigrants. But here we are with a situation that exists really creating a massive unfunded mandate, particularly in the area of legal immigration.

This amendment is supported by the National Governors' Association, the National Conference of State Legislatures, the National Association of Counties, the National League of Cities, the United States Catholic Conference, the Leadership Conference on Civil Rights, Mayor Giuliani, Mayor Riordan, and many other people as well.

I ask unanimous consent to have printed in the RECORD the letter from the National Governors' Association.

There being no objection, the letter was ordered to be printed in the Record, as follows:

NATIONAL GOVERNORS ASSOCIATION,
Washington DC, September 13, 1995.

DEAR SENATOR, As the Senate considers amendments to the Work Opportunity Act of 1995, the National Governors' Association [NGA] urges you to support increased flexibility that will enable states to build upon the experiences of state welfare reform efforts around the country and to design programs in accord with their particular needs and priorities. We have provided below a partial list of amendments that are supported by the NGA. This list is not meant to be exhaustive, and there may be other amendments Governors support that are not on this list.

We urge you to support these amendments based on the recommendations of the nation's Governors, who will have direct responsibility for meeting the challenge of designing successful welfare-to-work and child care systems:

State penalties under cash assistance block grant. (Pryor #2495, McCain #2542) Delays the implementation of penalties until October 1, 1996 or six months after the date the Secretary issues the final rule, whichever is later. Provides that the five percent penalty for unlawful use of funds can only be imposed if the Secretary determines the violation was intentional. Permits states with penalties to submit to the federal government a corrective action plan to correct violations in lieu of paying penalties under the cash assistance block grant.

Technical amendments. (D'Amato #2577, 2578, 2579) Technical amendments relating to the date for determining FY 1994 expenditures, claims arising before effective dates and efforts to recover funds from previous fiscal years.

Equal treatment for naturalized citizens. (Feinstein #2478, Kennedy #2563) Provides for equal treatment for naturalized and native-born citizens so that once an individual becomes a citizen he or she will be eligible for benefits whether or not the deeming period has expired.

Sponsor deeming. (Feinstein #2513) Limits deeming of sponsors' income to those programs for which deeming is now required under current law (AFDC, Food Stamps and SSI). Additionally exempts legal immigrants who have been victims of domestic violence from the 1) ban on SSI assistance and 2) deeming requirements for all programs.

Prospective application of legal immigrant provisions. (Graham #2569) Provides that any changes with respect to legal immigrants made by this bill will not apply to noncitizens who are lawfully present in the United States and receiving benefits under a program on the date of enactment. (Simon, #2509) Eliminates retroactive deeming requirements for legal immigrants already in the U.S.

''Good cause'' hardship waiver. (Rockefeller #2492) Gives states the option of granting exceptions to the 5-year life-time limit and the participation rate calculation for individuals who are ill, incapacitated, or elderly, as well as for recipients who are providing full-time care for their disabled dependents.

High unemployment areas exemption. (Rockefeller #2491) Gives states the option of waiving time limits in area of high unemployment (ten percent or more). Recipients must participate in workfare or community work to continue benefits.

Vocational educational training. (Jeffords #2557) Changes the definition of work activities to allow vocational education to count as an eligible activity of up to 24 months.

Data reporting requirements. (McCain #2541) Provides that states are not required to comply with excessive data collection and reporting requirements, as determined by GAO, unless the federal government provides sufficient funds to meet the costs.

Work supplementation. (McCain #2280) Removes the six month limit for an individual's participation in a work supplementation program under the food stamp program.

Cash aid in lieu of food stamps. (Faircloth #2600) Allows a state agency to make cash payments in lieu of food stamps for certain individuals.

Hardship waiver. (Kennedy #2623) Permits states to apply for waivers with respect to the 15 percent cap on hardship exemptions from the five-year time limit.

Assistance to children. (Kennedy #2624) Permits states to provide non-cash assistance to children ineligible for aid because of the five-year time limit.

Modification of participation rate (DeWine #2518) Permits a pro rata reduction in a state's participation rate due to caseload reductions not required by federal law or due to changes in a state's eligibility criteria.

Sincerely,

GOV. BOB MILLER,
State of Nevada.

Mrs. FEINSTEIN. I thank the chair.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum, and the time to be equally charged against—

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. Will the Senator yield time to the Senator from Wyoming?

Mr. CHAFEE. Yes.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SIMPSON. I just came to the floor many minutes ago to debate a different amendment. But I see apparently there is no one on the other side of this, and that should not go untended. If I may then speak in opposition to the amendment, that, first of all, this amendment is not about domestic violence and the other tragedies that visit upon our Nation.

I have found—and I share with my colleague from California that on these issues of immigration, filled with emotion, fear, guilt and racism, your colleagues during the entire day say, ''Alan, we are very pleased to assist you in all this work.'' But when it comes time to stand on the floor, they are absent in great droves—droves—I have found, because these are not popular issues.

How about cash assistance, noncash assistance? The Senate has already accepted an amendment from Senator WELLSTONE which will address all concerns about violence, domestic violence, all that. That is clear. That has already been done somewhere along the line. This amendment exempts all noncash programs from all of the immigration-related provisions within this entire welfare bill.

The cost of it is $707 million. We are never going to reach the reconciliation instructions with this welfare bill. And the Finance Committee has now been charged—there are some on the floor. Senator BRADLEY serves on that committee. Of all the savings to be obtained in reconciliation, $607 billion are to be saved. And the Finance Committee is supposed to find a way to save $503 billion or $530 billion of that.

This welfare bill has already taken us over the jumps. Senator SANTORUM will tell you that, the occupant of the chair—yes, yes, the occupant of the chair will tell you that we are a little bit over our mark. And we have done that out of charity and kindness and caring. And that is fine; those are good motives. But we are way over the target with this bill.

Now, this amendment exempts all noncash programs and, as I say, all of the immigration-related provisions within this bill.

Before a prospective immigrant may enter the United States, that person must guarantee that he or she will not use public assistance, I say to my colleagues. That has been the law of the United States since 1882. It never worked because the court systems, in their interpretation of it, made it simply a neutered statute.

So you could not prove anything. The deeming was overturned and sponsoring agencies scoffed at it, relatives scoffed at it. So what was a very precious thing—and it is still on the books, since 1882, that a person will not become a public charge when they come to the United States of America. That person indicates by oath that they will not, and the sponsor is indicating that they will not allow that usually precious relative to become a public charge.

So, finally, in the Finance Committee, we corrected this abuse, a terrible abuse of the system, the kind of thing that makes people sour on immigration, sour on our precious heritage. That is what happens here.

So, in turn, we have this measure which requires immigrants to look first to the sponsor, this friend or this relative who guaranteed this support. They did this. They could not bring them unless they did this.

So we were saying in the bill, before receiving any public assistance, the sponsor is responsible for you, and his income is deemed to be yours for purposes of this. In the public's interest, the Dole bill then exempted certain limited programs, such as childhood immunizations and school lunch. I have no problem with that at all.

Senator FEINSTEIN's amendment would exempt all noncash programs. This includes Medicaid, public housing, job training and any other program which does not provide cash assistance to the recipient.

That is where we are. I have a hunch where this amendment will go. It will be well received, but it is $707 million, and we are going to have to go find that somewhere in this process. Guess where it will come from, very likely? Medicaid. That is where it will come from, unless someone can tell me another approach to it.

So here we are again with an immigration-related issue which has to do with compassion, kindness, tenderness. I know those things. Those are emotions not foreign to me, but I also know how this works. It is a great infertile field to just add and add and add. Sponsors have committed that the sponsored immigrant will neither require nor use assistance from the taxpayers of this country from any Federal welfare program, and that is the law of the United States of America.

To be consistent, all Federal welfare programs should require the sponsored immigrant to look to this friend or this relative or this sponsoring agency for assistance before turning to the American taxpayer for support.

We are not talking about illegal, undocumented persons who we care for with emergency medical assistance and hospital assurance. We are talking about people who are playing on the up and up when they came, sponsors who were playing on the up and up when they came, which was a very simple procedure: ''You come, I'll take care of you until you become self-supporting.'' That is the law of the United States of America.

You keep making these exemptions, and now we have to go find $707 million. I wish it were not a money item. It certainly is more than a money item. It is called responsibility for those you bring to the United States of America as a sponsor under the law of the United States.

I reserve the remainder of my time.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, how much time do I have?

The PRESIDING OFFICER. Five minutes 9 seconds.

Mrs. FEINSTEIN. I thank the Chair.

Mr. President, bottom line, this bill as drafted, without this amendment, is a massive cost shift. As I said, the costs are shifted essentially to four States: Texas, Florida, New York, and California.

What this bill says presently is no one in this country legally who is not a citizen can send their child to a Head Start Program, can be on Medicaid. It is not prospective. It affects everybody presently. That is why it is a cost shift. It would be one thing if it were prospective and said in the future, but it does not. It says to every legal immigrant's child out there that is in a Head Start class, ''Next year, forget it, you are no longer there.'' That is essentially the bottom line. Or somebody in the State has to pay for it, either the State or the county.

California has a huge deficit. According to the General Accounting Office, California also has 38.2 percent of all legal immigrants, but 52.4 percent of all immigrants receiving Federal welfare. New York has 12.6 percent; Florida, 8.9 percent; Texas, 8.6 percent; and other States, 31.7 percent. So you see, there is a huge cost shift in dollars from the Federal Government to the States.

That involves adoption assistance, it involves foster care, it involves child protective services. Can you believe it? If a child is being abused, the protective services are not going to be available if they are a legal immigrant? We passed legislation earlier—Senator EXON's amendment—overwhelmingly for people here illegally, and I agree with that. But these people are here legally and, therefore, I find the bill egregious as it stands right now.

Again, I am hopeful—and I would say, toughen sponsorship, look at people coming more carefully in this regard. I do not have a problem with that. But this is going to affect large numbers of people who are already in this country.

Eighty-three percent of all the immigrants receiving SSI or AFDC resided in the four States. AFDC and SSI are not covered by this amendment. It is only the noncash benefits, and I think I have spelled those out.

I do not know if there is anyone who would like to speak on this.

Mr. KENNEDY. Will the Senator yield for a brief question?

Mrs. FEINSTEIN. I will be happy to.

Mr. KENNEDY. The implications of this are extremely significant with regard to the urban hospitals, are they not, especially where there are major

groupings of urban hospitals that primarily take care of the poor, the disadvantaged and many of the immigrants as well? We find situations where even though there are relatives and other members of the family that might be able to participate in helping to offset the costs, an increasing number of people are becoming uninsured, through no fault of their own. Therefore, their relatives do not have the ability to extend the coverage to these individuals. That is taking place among immigrants who are here legally. And in many instances, sponsors have abandoned them, even though they have a responsibility toward the immigrants they sponsor, and these immigrants are really left holding the bag. As a result, the urban hospitals and health providers will be left holding the bag as well.

Does the Senator agree with me that without the Senator's amendment, there will be extreme additional stress placed on the health care providers, particularly in some of the neediest areas of the country?

Mrs. FEINSTEIN. I certainly agree with the Senator from Massachusetts. I think particularly the public hospitals in the urban centers are going to be whacked in the head unless this amendment is adopted, because a large percentage of patients comprise this population and there would be no reimbursements, no Medicaid.

Mr. KENNEDY. Who will end up paying for it then?

Mrs. FEINSTEIN. The county or the State would have to find a way. It is a cost shift.

Mr. KENNEDY. I thank the Senator.

The PRESIDING OFFICER. The Senator's time has expired.

Who yields time?

Mr. CHAFEE. Mr. President, I ask that the vote scheduled for 8:30 be postponed until the conclusion of this debate.

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

Mr. CHAFEE. Mr. President, it is my understanding—and I would like to ask the Senator from Wyoming this—in the case of domestic violence inflicted by the ''deemor,'' that has been taken care of, as I understand it, by the Wellstone amendment.

Mr. SIMPSON. Oh, yes, that is true. The Wellstone amendment took care of battered women and foster children, without question.

Mr. CHAFEE. Am I also correct that the suggestion was made by the Senator from California that it would be impossible for a legal alien's child to be in a Head Start program? As I understand it, if the ''deemor's'' assets were not of significant value, the child is not prevented from being in a Head Start program, is he or she?

Mr. SIMPSON. That was taken care of very nicely by Senator KENNEDY. We agreed to exempt Head Start and soup kitchens. That has been done.

Mr. KENNEDY. Will the Senator yield?

Mr. CHAFEE. If I might complete my questions. In connection with the foster care problems, the Boxer amendment, I believe, addressed them, am I correct?

Mr. SIMPSON. Mr. President, as far as I know, that, too, is also true, yes. But, Mr. President, there is another issue. The bill itself provides that there is a year period—an entire year—if a person is abused, if there is no money, if the sponsored individual is not there, or whatever may happen, it says that in the absence of assistance provided by the agency, if someone is unable to obtain food and shelter, taking into account the individual's own income, plus any cash, that is taken care of in this measure for 12 months—without question, whatever the reason. So this is not a case of some draconian business where we delight in taking people and waiting and suddenly see them fall into disarray and then whacking them or hitting them in the head. What will get hit in the head is Medicaid with this one.

Mrs. FEINSTEIN. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. All time has expired on the amendment.

Mr. CHAFEE. Does the Senator from California want a vote on her amendment?

Mrs. FEINSTEIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CHAFEE. Mr. President, we were to vote at 8:30. I ask that it be delayed for 10 minutes so the Senator from North Dakota, who has been patiently waiting for his amendment, might present it.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2528, AS MODIFIED

Mr. CONRAD. Mr. President, I call up my amendment No. 2528, the Conrad-Lieberman amendment.

The PRESIDING OFFICER. That amendment is now pending.

Mr. CONRAD. I ask unanimous consent to modify the amendment, as per the agreement.

The PRESIDING OFFICER. Is there objection?

Mr. CHAFEE. Mr. President, I ask if the Senator will withhold on that for a second.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CHAFEE. Mr. President, we can return to Senator CONRAD's amendment.

Mr. CONRAD. I thank the Senator from Rhode Island.

I ask unanimous consent to modify my amendment, as per the previous agreement.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment (No. 2528), as modified, is as follows:

On page 50, strike line 6 and all that follows through page 51, line 11, and insert the following:

''(d) REQUIREMENT THAT TEENAGE PARENTS LIVE IN ADULT-SUPERVISED SETTINGS.—

''(1) IN GENERAL.—

''(A) REQUIREMENT.—Except as provided in paragraph (2), if a State provides assistance under the State program funded under this part to an individual described in subparagraph (B), such individual may only receive assistance under the program if such individual and the child of the individual reside in a place of residence maintained by a parent, legal guardian, or other adult relative of such individual as such parent's, guardian's, or adult relative's own home.

''(B) INDIVIDUAL DESCRIBED.— For purposes of subparagraph (A), an individual described in this subparagraph is an individual who is—

''(i) under the age of 18; and

''(ii) not married and has a minor child in his or her care.

''(2) EXCEPTION.—

''(A) PROVISION OF, OR ASSISTANCE IN LOCATING, ADULT-SUPERVISED LIVING ARRANGEMENT.—In the case of an individual who is described in subparagraph (B), the State agency shall provide, or assist such individual in locating, a second chance home, maternity home, or other appropriate adult-supervised supportive living arrangement, taking into consideration the needs and concerns of the such individual, unless the State agency determines that the individual's current living arrangement is appropriate, and thereafter shall require that such parent and the child of such parent reside in such living arrangement as a condition of the continued receipt of assistance under the plan (or in an alternative appropriate arrangement, should circumstances change and the current arrangement cease to be appropriate).

''(B) INDIVIDUAL DESCRIBED.—For purposes of subparagraph (A), an individual is described in this subparagraph if the individual is described in paragraph (1)(B) and—

''(ii) such individual has no parent, legal guardian or other appropriate adult relative as described in (ii) of his or her own who is living or whose whereabouts are known;

''(iii) no living parent, legal guardian, or other appropriate adult relative who would otherwise meet applicable State criteria to act as such individual's legal guardian, of such individual allows the individual to live in the home of such parent, guardian, or relative;

''(iv) the State agency determines that—

''(I) the individual or the individual's custodial minor child is being or has been subjected to serious physical or emotional harm, sexual abuse, or exploitation in the residence of such individual's own parent or legal guardian; or

''(II) substantial evidence exists of an act or failure to act that presents an imminent or serious harm if such individual and such individual's minor child lived in the same residence with such individual's own parent or legal guardian; or

''(v) the State agency otherwise determines that it is in the best interest of the minor child to waive the requirement of paragraph (1) with respect to such individual or minor child.

''(C) SECOND-CHANCE HOME.—For purposes of this paragraph, the term 'second-chance

home' means an entity that provides individuals described in subparagraph (B) with a supportive and supervised living arrangement in which such individuals are required to learn parenting skills, including child development, family budgeting, health and nutrition, and other skills to promote their long-term economic independence and the well-being of their children.

''(3) ASSISTANCE TO STATES IN PROVIDING OR LOCATING ADULT-SUPERVISED SUPPORTIVE LIVING ARRANGEMENTS FOR UNMARRIED TEENAGE PARENTS.—

''(A) IN GENERAL.—For each of fiscal years 1998 through 2002, each State that provides assistance under the State program to individuals described in paragraph (1)(B) shall be entitled to receive a grant in an amount determined under subparagraph (B) for the purpose of providing or locating adult-supervised supportive living arrangements for individuals described in paragraph (1)(B) in accordance with this subsection.

''(B) AMOUNT DETERMINED.—

''(i) IN GENERAL.—The amount determined under this subparagraph is an amount that bears the same ratio to the amount specified under clause (ii) as the amount of the State family assistance grant for the State for such fiscal year (described in section 403(a)(2)) bears to the amount appropriated for such fiscal year in accordance with section 403(a)(4)(A).

''(ii) AMOUNT SPECIFIED.—The amount specified in this subparagraph is—

''(I) for fiscal year 1996, $25,000,000;

''(II) for fiscal year 1997, $25,000,000; and

''(III) for each of fiscal years 1998, 1999, 2000, 2001, and 2002, $20,000,000.

''(C) ASSISTANCE TO STATES IN PROVIDING OR LOCATING ADULT-SUPERVISED SUPPORTIVE LIVING ARRANGEMENTS FOR UNMARRIED TEENAGE PARENTS.—There are authorized to be appropriated and there are appropriated for fiscal years 1998, 1999, and 2000 such sums as may be necessary for the purpose of paying grants to States in accordance with the provisions of this paragraph.

''(e) REQUIREMENT THAT TEENAGE PARENTS ATTEND HIGH SCHOOL OR OTHER EQUIVALENT TRAINING PROGRAM.—If a State provides assistance under the State program funded under this part to an individual described in subsection (d)(1)(B) who has not successfully completed a high-school education (or its equivalent) and whose minor child is at least 12 weeks of age, the State shall not provide such individual with assistance under the program (or, at the option of the State, shall provide a reduced level of such assistance) if the individual does not participate in—

''(1) educational activities directed toward the attainment of a high school diploma or its equivalent; or

''(2) an alternative educational or training program that has been approved by the State.

On page 51, strike ''(e)'' and insert ''(f)''.

At the appropriate place, insert the following:

SEC. ___. ESTABLISHING NATIONAL GOALS TO PREVENT TEENAGE PREGNANCIES.

(a) IN GENERAL.—Not later than January 1, 1997, the Secretary of Health and Human Services shall establish and implement a strategy for—

(1) preventing an additional 2% of out-of-wedlock teenage pregnancies a year, and

(2) assuring that at least 25 percent of the communities in the United States have teenage pregnancy prevention programs in place.

(b) REPORT.—Not later than June 30, 1998, and annually thereafter, the Secretary shall report to the Congress with respect to the progress that has been made in meeting the goals described in paragraphs (1) and (2) of subsection (a).

(b) OUT-OF-WEDLOCK AND TEENAGE PREGNANCY PREVENTION PROGRAMS.—Section 2002 of the Social Security Act (42 U.S.C. 1397a) is amended by adding at the end the following new subsection:

''(2) The Secretary shall conduct a study with respect to the State programs implemented under paragraph (1) to determine the relative effectiveness of the different approaches for preventing out-of-wedlock and teenage pregnancy utilized in the programs conducted under this subsection and the approaches that can be best replicated by other States.

''(3) Each State conducting a program under this subsection shall provide to the Secretary, in such form and with such frequency as the Secretary requires, data from the programs conducted under this subsection. The Secretary shall report to the Congress annually on the progress of the programs and shall, not later than June 30, 1998, submit to the Congress a report on the study required under paragraph (2).''.

SEC. ___. SENSE OF THE SENATE REGARDING ENFORCEMENT OF STATUTORY RAPE LAWS.

It is the sense of the Senate that States and local jurisdictions should aggressively enforce statutory rape laws.

Mr. CONRAD. Mr. President, I ask unanimous consent that Senators PRYOR, BRADLEY, and KERRY of Massachusetts appear as original cosponsors in addition to Senator LIEBERMAN.

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

Mr. CONRAD. Mr. President, this amendment promotes a comprehensive strategy that prevents teen pregnancy. Mr. President, if there is one agreement on both sides of the aisle, it is that teen pregnancy is a crisis in America. One out of three children being born today are born out of wedlock. In some cities of America, two out of three children being born are born out of wedlock. Here in the Nation's capital, this year, more than two out of three children are being born out of wedlock.

Teen pregnancy is a critical challenge. It is a tragedy for America. It is a tragedy for the children. It is a tragedy for the young women. It is a tragedy for our entire country.

Mr. President, in 1992, there were more than a half million births to teenagers, and 71 percent of those births were to unmarried parents. The Conrad-Lieberman amendment is designed as a comprehensive strategy to take on this challenge.

Mr. President, the Conrad-Lieberman amendment does the following:

It provides $150 million over 7 years for States to develop adult-supervised living arrangements. I call them ''second-chance homes.'' They are places where young, unmarried mothers can get the structure and supervision they need to turn their lives around.

It retains the requirement that teen parents live with their parents or another responsible adult.

It requires that they stay in school.

It establishes a national goal to prevent out-of-wedlock pregnancy to teens by 2 percent a year.

It encourages communities to establish their own teen pregnancy prevention goals.

Finally, it calls for the aggressive prosecution of men who have sex with girls under the age of 18.

Mr. President, I think the most compelling testimony before the Finance Committee was from Sister Mary Rose McGeady, the head of Covenant House. She has been in the trenches, she has fought this battle, and she has been succeeding. They have dealt with hundreds of young mothers who have come into their facilities and have had the structure, the support, and the discipline, and the help in seeing themselves as having a future, the vision to see that they could do something more with their lives, if they did not have another child before they were able to care for it. Sister Mary Rose reported that they have been very successful in preventing those young women from having another child.

Mr. President, I read in the RECORD yesterday the statement of Elena, a young woman in New York who was in one of these second-chance homes. I will repeat her statement:

I feel this is a place where I can get my life together. I am getting my education and learning to work. My mother never cared if I went to school, and she never told me about having babies or being a parent. The people here and the programs here are helping me. I am learning to be a teacher's assistant so that I can go to college and start my own business and get off of public assistance. I needed this chance.

Elena is not alone. There are others like her that need a chance.

Mr. President, I ask to have printed in the RECORD a statement of Bishop John Ricard, Chairman of the Domestic Policy Committee, United States Catholic Conference, a statement of Catholic Charities USA also be printed in the RECORD, and a National Council of Churches of Christ in the USA, a statement in support of the amendment, also be printed in the RECORD.

There being on objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF BISHOP JOHN H. RICARD, SSJ, CHAIR, DOMESTIC POLICY COMMITTEE, UNITED STATES CATHOLIC CONFERENCE

We are pleased to offer our support and encouragement to the efforts of Senator Conrad and others to provide education, training and adult supervision to teen parents as part of welfare reform in the Senate. We are hopeful that this approach will be adopted rather than the cut-off of all benefits to teen parents which some Senators are proposing. We opposed such measures in the House welfare reform bill.

In its March 1995 welfare reform statement, the Catholic Bishops' Conference Administrative Board urged that alternatives be proposed ''which safeguard children but do not reinforce inappropriate or morally destructive behavior.'' The Bishops went on to state that the Catholic Church works every day against sexual irresponsibility and out-of-wedlock births and they do not believe that teenagers should be encouraged to set up their own households. At the same time, however, the statement criticized legislation which would deny benefits to children born to teen parents, especially in states that pay for abortions. We believe that the Conrad Amendment goes a long way towards providing appropriate options for teen parents who

are eligible for assistance without encouraging them to resort to abortion.

NATIONAL COUNCIL OF THE CHURCHES
OF CHRIST IN THE USA,
Washington, DC.

STATEMENT ON PROVISIONS RELATED TO TEEN PREGNANCY IN WELFARE REFORM LEGISLATION

(By Mary Anderson Cooper, Associate Director, Washington Office)

As people of faith and religious commitment, we in the churches are called to stand with and seek justice for people who are poor. We share a conviction, therefore, that welfare reform must not focus on eliminating programs but on eliminating poverty and the damage it inflicts on children (who are ⅔ of all welfare recipients), on their parents, and on the rest of society.

We are particularly concerned that children not be victimized by attempts at welfare reform. We reject proposals which would deny benefits to children born to unmarried mothers under the age of 18 in the name of preventing teen pregnancy. Although such proposals are focused on the desirable goal of reducing pregnancy outside of marriage, we believe that they would result in punishing children and their parents. Denying cash benefits for such families will inevitably mean that the children and their mothers will eat less well and live less well than they would have if they had received cash benefits, and that their health will be undermined. Whatever we may feel about the behavior or situation of their parents, as a nation we must not allow children to become the victims of a drive to reduce federal spending or to punish their parents for conduct deemed inappropriate by Congress.

While we oppose denial of benefits to children born to unmarried mothers, we do not believe that remaining silent on the issue of teen pregnancy is helpful. The bearing of children outside of marriage has reached nearly epidemic proportions in this country. Both children and their parents suffer as a result of this situation. There is much scholarly evidence to suggest that despair about the future is one of the things that leads young women to give birth before they are able to care for their children in a stable family setting. It is our belief that providing young people with genuine hope for their futures is one key way of discouraging adolescent pregnancies. Education, job training, and creation of employment opportunity are components of that hope, as is having the chance to relate to caring adults.

The amendment being proposed by Sen. Conrad and his colleagues goes a long way toward meeting our concern about providing education and a chance at a decent future and discouraging future pregnancies outside of marriage. By providing cash benefits to allow young mothers to stay at home with their parents and finish high school, the amendment removes the incentive for them to set up separate, unsupervised living arrangements. Their is legitimate concern about the safety of young mothers who are in abusive households; but Sen. Conrad's amendment contains thoughtful provisions to allow such individuals to leave inappropriate homes to live in other supervised setting with caring adults. We particularly commend this flexibility.

We recognize that the federal deficit must be reduced. Nonetheless, we believe that reducing welfare costs by denying benefits to teenaged mothers and their children is shortsighted and will lead to the creation of a human deficit that will ultimately be more damaging to our country than an unbalanced budget could ever be.

A STATEMENT OF SHARED PRINCIPLES ON WELFARE REFORM—INTRODUCTION

As people of faith and religious commitment, we are called to stand with and seek justice for people who are poor. This is central to our religious traditions, sacred texts, and teachings. We share a conviction, therefore, that welfare must not focus on eliminating programs but on eliminating poverty and the damage it inflicts on children (who are ⅔ of all welfare recipients), on their parents, and on the rest of society.

We recognize the benefit to the entire community of helping people move from welfare to work when possible and appropriate. We fear, however, that reform will fail if it ignores labor market issues such as unemployment and an inadequate minimum wage and important family issues such as the affordability of child care and the economic value of care-giving in the home. Successful welfare reform will depend on addressing these concerns as well as a whole range of such related issues as pay equity, affordable housing, and access to health care.

We believe that people are more important than the sum of their economic activities. Successful welfare reform demands more than economic incentives and disincentives. It depends on overcoming biased assumptions about race, gender and class that feed hostile social stereotypes about people living in poverty and suspicions that people with perspectives other than our own are either indifferent or insincere. Successful welfare reform will depend ultimately upon finding not only a common ground of policies but a common spirit about the need to pursue them for all.

The following principles do not exhaust our concerns or resolve all issues raised. The principles will serve nonetheless as our guide in assessing proposed legislation in the coming national welfare debate. We hope they may also serve as a rallying point for a common effort with others throughout the nation.

PRINCIPLES

An acceptable welfare program must result in lifting people out of poverty, not merely in reducing welfare rolls.

The federal government should define minimum benefit levels of programs serving low-income people below which states cannot fall. The benefits must be adequate to provide a decent standard of living.

Welfare reform efforts designed to move people into the work force must create jobs that pay a livable wage and do not displace present workers. Programs should eliminate barriers to employment and provide training and education necessary for inexperienced and young workers to get and hold jobs. Such programs must provide child care, transportation, and ancillary services that will make participation both possible and reasonable. If the government becomes the employer of last resort, the jobs provided must pay a family-sustaining wage.

Disincentives to work should be removed by allowing welfare recipients to retain a larger portion of wage earnings and assets before losing cash, housing, health, childcare or other benefits.

Work-based programs must not impose arbitrary time-limits. If mandated, limits must not be imposed without availability of viable jobs at a family-sustaining wage. Even then, some benefit recipients cannot work or should not be required to work. Exemptions should be offered for people with serious physical or mental illness, disabling conditions, responsibilities as caregivers for incapacitated family members, and for those primary caregivers who have responsibility for young children.

Welfare reform should result in a program that brings together and simplifies the many efforts of federal, state and municipal governments to assist persons and families in need. ''One-stop shopping centers'' should provide information, counseling, and legal assistance regarding such issues as child support, job training and placement, medical care, affordable housing, food programs and education.

Welfare reform should acknowledge the responsibility of both government and parents in seeking the well-being of children. No child should be excluded from receiving benefits available to other siblings because of having been born while the mother was on welfare. No child should be completely removed from the safety net because of a parent's failure to fulfill agreements with the government. Increased efforts should also be made to collect a proper level of child support assistance from non-custodial parents.

Programs designed to replace current welfare programs must be adequately funded. They will cost more in the short-term than the present Aid to Families with Dependent Children; but if welfare reform is successfully implemented, they will cost less as the number of families in need of assistance diminishes over the long-term. Funds for this effort should not be taken from other programs that successfully serve poor people.

NATIONAL ENDORSING ORGANIZATIONS

Adrian Dominican Sisters; American Baptist Churches, USA; American Ethical Union, Inc., National Leaders Council (AEU); American Friends Service Committee; Bread for the World; Church of the Brethren, Washington Office; Church Women United; Columban Fathers Justice and Peace Office; Episcopal Church; General Board of Global Ministries, United Methodist Church, Institutional Ministries; General Board of Church and Society, United Methodist Church; Interfaith IMPACT for Justice and Peace; Jesuit Social Ministries, National Office; Evangelical Lutheran Church in America; Maryknoll Society Justice and Peace Office; Mennonite Central Committee, Washington Office; Committee on Church and Society, Moravian Church, Northern Province; National Council of Churches; National Council of Jewish Women; NETWORK, A National Catholic Social Justice Lobby; Presbyterian Church (USA), Washington Office; Union of American Hebrew Congregations; Unitarian Universalist Service Committee; United Church of Christ, Office for Church in Society.

CATHOLIC CHARITIES USA,
August 4, 1995.

DEAR SENATOR: As the Senate takes up welfare reform, we urge you to adopt provisions to strengthen families, protect children, and preserve the nation's commitment to fighting child poverty.

Across this country, 1,400 local agencies and institutions in the Catholic Charities network serve more than 10 million people annually. Last year alone, Catholic Charities USA helped more than 138,000 women, teenagers, and their families with crisis pregnancies. Because Catholic agencies run the full spectrum of services, from soup kitchens and shelters to transitional and permanent housing, they see families in all stages of problems as well as those who have escaped poverty and dependency.

This broad experience, along with our religious tradition which defends human life and human dignity, compels us to share our strong convictions about welfare reform.

The first principle in welfare reform must be, ''Do no harm.'' Along with the U.S. Catholic Conference, the National Right-to-Life Committee, and other pro-life organizations, we have vigorously opposed child-exclusion provisions such as the ''family cap''

and denial of cash assistance for children born to teenage mothers or for whom paternity has not yet been legally established.

We are also convinced that the idea of rewarding states for reducing out-of-wedlock pregnancies is well-intentioned but dangerous in light of the fact that the only state experiment in this regard, the New Jersey family cap, already has increased abortions without any significant reduction in births. The ''illegitimacy ratio'' may well encourage states to engage in similar experiments that would result in more abortions and more suffering.

We also support Senator Kent Conrad's amendment, which not only would require teen mothers to live under adult supervision and continue their education, but also would provide resources for ''second-chance homes'' to make that requirement a reality.

The second principle should be to protect children. We are very concerned that the new work requirements and time limits for AFDC participation will leave children without adequate adult supervision while their parents are working or looking for work. The key to successful work programs is safe, affordable, quality day care for the children. The bill before the Senate does not guarantee or increase funding for day care to meet the increased need associated with the work requirements and time limits. Please, support amendments by Senators Hatch, and Kennedy to guarantee adequate funding to keep children safe while their mothers try to earn enough to support them.

The third principle should be to maintain the national safety net for children. We oppose block granting Food Stamps, even as a state option, because the Food Stamp program is the only national program available to feed poor children of all ages with working parents as well as those on welfare. On the whole, the Food Stamp program works well, ensuring that children in even the poorest families do not suffer from malnutrition.

We are encouraged by the fact that Senator Dole's bill does not seek to cut or erode federal support for child protection in the child welfare system. Proposals to block grant these essential protections are ill-advised and dangerous to children who are already abused, neglected, abandoned, and totally at the mercy of state child welfare systems. Federal rules and guarantees are essential to the safety of children.

The fourth principle should be fairness to all citizens. Certain proposals before the Senate would create a new category of ''second-class citizenship,'' making immigrants ineligible for most federal programs, even after they become naturalized Americans. We urge you to reject this and other proposals that would leave legal immigrants without the possibility of assistance when they are in genuine need.

The fifth principle should be to maintain the national commitment to fighting child poverty. In exchange for federal dollars and broad flexibility, states should be expected to maintain at least their current level of support for poor children and their families. We understand that Senator Breaux will offer such an amendment on the Senate floor. Please give it your support.

In our Catholic teaching, all children, but especially poor and unborn children, have a special claim to the protection of society and government. Please vote for proposals that keep the federal government on their side.

Sincerely,

FRED KAMMER, SJ,
President.

Mr. COATS. Mr. President, each year, over 1 million teenagers become pregnant. For many, the birth of the child signals the beginning of the cycle of welfare dependency. In 1993, the U.S. Department of Health and Human Services reported at least 296,000 unmarried teen mothers on welfare, 67,000 under the age of 18.

The current system of providing cash under AFDC to young teenage parents has failed. It has undermined families and provided the economic lifeline for generations of welfare dependency. It was wrong from the beginning for Government to provide checks to 15-year-old girls on the condition that they leave home and remain unmarried.

But as this destructive policy is reconsidered, many young, pregnant women are still in need, not of cash, but of direction, compassion and support. Ending AFDC could have the perverse effect of encouraging these women to have abortions, which would compound the tragedy, not solve it. Neither the status quo, nor a total cutoff, are good options. Creative ways must be found to give women in crisis pregnancies compassionate help in their own communities.

Private and religious maternity homes, also known by some as second chance homes, provide that help. They are a one-stop supportive environment where a young woman can receive counseling, housing, education, medical services, nutrition, and job and parenting training that gives them real opportunity for growth and decision making. Whether a pregnant mother makes a decision to parent themselves or to place the child up for adoption, she will receive important care, training, and life management skills to enable her make effective choices that will place her on the road to self-sufficiency.

Studies have shown that the infant mortality rate of babies born to residents of maternity homes is much lower than the national average. In addition, residents are more likely to complete their education and receive better paying jobs than teens who continue in regular schools through their pregnancies. Those teens who choose to parent are provided intensive parenting courses so that their children are at less risk for abuse and neglect.

Maternity homes are proven success stories. St. Elizabeth's Regional Maternity Center of New Albany, IN, is a prime example. Their mission is to ''address the needs of women and families that are in a crisis pregnancy by offering physical, emotional and spiritual support to ensure the physical and emotional health of the mother and the health of the baby.'' The results of St. Elizabeth's, like many other maternity homes, is impressive. Seventy percent of the women enrolled in their program have moved from welfare to self-sufficiency. Eighty-five percent have earned a diploma or GED.

Mr. PRYOR. Mr. President, I rise today to voice my support for the Conrad teen parent amendment and to take a few minutes to discuss a serious social problem that must be addressed—teenage pregnancy.

Senator CONRAD's amendment allows all States to do what my home State of Arkansas is already doing. Currently, Arkansas has a waiver to operate two programs for teen parents. The first requires minor parents to remain in their parents' or guardian's household in order to receive AFDC benefits. If a teenage parent is unable to live at home, the State places the young woman in an adult-supervised living arrangement. Teens should not be on their own raising a child. They need supervision, education, and support.

The second, requires teenage parents who have not finished high school to attend school or another training program to receive benefits, the point being that these teen mothers will never become self-sufficient if they drop out of school. However, the benefits are two-fold. The parent gets the education and skills she needs to become self-sufficient, and the children of these teen parents have a better chance of completing school themselves.

Mr. President, I cannot stress enough the need for programs that will educate these mothers and their children. It may be the only way we can decrease the welfare rolls. By teaching young adults about the consequences of teen pregnancies and the importance of an education, we can keep these young people out of welfare lines and focused on improving their future. Our Nation must work together to fight teen pregnancy. We should involve businesses, schools, religious institutions, and community organizations in order to bring together all facets of society in an organized effort to combat teen pregnancy both now and in the next generation.

Although birth rates among all teenagers are lower now than during the 1950's, the birth rate among unmarried teenagers has risen sharply over the last 30 years. In 1970, 70 percent of births to teens were to married teens. Now, 70 percent of births are to unmarried mothers. I find this statistic frightening.

My home State of Arkansas runs a close second to Mississippi for highest level of teen pregnancies. Among women ages 15 through 19, 80 out of every 1,000 give birth. In fact, in 1992, teenagers gave birth to more than 7,000 children in Arkansas. These facts cannot be ignored.

Another fact that cannot be ignored: teens from poor and educationally disadvantaged families are more likely to become pregnant than those from more affluent and highly educated parents. A recent study indicated that education is the number one predictor of teen pregnancy. Teenagers whose mothers have at least a high school education are half as likely to become teen mothers themselves. I am convinced that education is the key to our teen pregnancy problem. I realize that this is not a cheap solution, nor is it a quick

one. It could take a generation to reduce teen pregnancies significantly. The point is, of the limited amount we know about teen pregnancy prevention, we do know that education works. We should require young women who get pregnant to stay in school. It is the only chance they have to be able to provide a future for themselves or for their child.

Although teenage parents make up only a very small percentage of the current AFDC caseload, many older women on welfare had their first child as teenagers. Almost half of all adolescent mothers, both married and unmarried, began receiving AFDC within 5 years of giving birth for the first time. For unmarried adolescent mothers, this number increases to three-fourths. The fact is that the birth of a child compounds the disadvantages that many young people face and makes it more likely that they will live in poverty.

Mr. President, my State requires teen mothers to live with a responsible adult and to stay in school through waivers to the current AFDC program. These programs are effective because they say to these young parents that we, our society, and our Government, are willing to help them succeed, to help them learn, to allow them to have the opportunities that they, as American citizens, deserve. I do not believe that Arkansas is the only State which would benefit from such programs. This is why I support Senator CONRAD's teen parent amendment, and I urge my colleagues to join me in this support.

Mr. DOLE. Mr. President, I have been trying to work out the amendment. I thought if we worked it out on the basis we would accept it and not be required to have a rollcall vote. As far as I know it is unanimous. I thought that is what part of the package was.

Mr. CONRAD. I just say this to the leader. I was hopeful we could do this without a vote. Others who have been involved in this have insisted on a vote, and I am duty bound to honor their request after all.

Mr. DOLE. I may not be duty bound to accept it. We will see what happens here. My view was we were trying to speed up the process. It is now 20 minutes of 9 o'clock. We have been working in good faith all day. I do not know who requested the vote. I wish they were there. We spent an hour on the amendment. We could have had three or four votes. We will reserve judgment on the amendment.

Mr. CONRAD. I thank the majority leader. I say I was hopeful we could avoid a vote, and perhaps that could still be done. Maybe we can hear from Senator LIEBERMAN.

Mr. CHAFEE. Could I say it is a tremendous amendment. Everybody is for it. I do not see why we do not accept it and get it over with.

I wonder if the Senator might do this. We have other amendments. If he could check with his cosponsors and see if they drop their objections as we are dealing with the other amendments, then we can at least pick up some time.

Mr. CONRAD. I hope maybe we could have Senator LIEBERMAN make a brief statement before we resolve it. The idea was to have a whole——

Mr. CHAFEE. All Senator LIEBERMAN can do is to lose now. Everybody is for the amendment.

I yield 2 minutes to the Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, heeding the admonition, growing up in Connecticut State politics really always taught me when you got the votes call the roll.

I will be very brief and just say this: We have all talked about the problem of teenage pregnancy, of babies born out of wedlock and the extent to which that expands the welfare rolls; of the extent to which children born to poor, unwed mothers are born to a life that has very little hope in it; of the extent to which babies born to unwed mothers without a father in the house too often grow up to be the violent young criminals that disrupt, threaten, and hurt so many law-abiding people in our society.

On this bill I think we are beginning to do something about the problem of teenage pregnancy and illegitimate births. No one can claim any certainty about how to deal with, let alone solve, so profound and complicated a human problem. We have begun to offer some opportunities to the States particularly to make a difference.

Earlier today we sustained the part of this bill that deals with illegitimacy ratios and creates bonuses to States that are doing a good job at reducing the rate of illegitimacy.

Here in the amendment Senator CONRAD and I have crafted, which the Republican leader has worked with us on throughout the day, I think we make another constructive contribution.

We set up a national program with national goals. We recognize the startling fact that so many of the babies born to teenage mothers are actually fathered by adult men by calling on the States to once again enforce statutory rape laws, and we fund these very hopeful second-chance homes.

I thank all on both sides who have worked to put this amendment together. It is constructive. It can make a difference.

Let me say for the record I am not the one asking for the vote. I thank the Chair.

Mr. CHAFEE. I yield back the remainder of my time.

Mr. CONRAD. Might I ask for 15 seconds to resolve this matter?

Mr. President, we have checked with cosponsors who had made a commitment to ask for a vote on this matter, and we have persuaded them that the better part of valor is to have this accepted.

I ask unanimous consent that Senator ROCKEFELLER be listed as a cosponsor.

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

Mr. CONRAD. I ask that the majority leader also be listed as an original cosponsor.

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

Mr. CHAFEE. The amendment is agreeable.

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

The amendment (No. 2528), as modified, was agreed to.

Mr. DOLE. I move to reconsider the vote.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. I ask that the votes we are going to have be set aside for 10 minutes so the Senator from New Jersey can be heard.

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

AMENDMENT NO. 2496

Mr. BRADLEY. I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment No. 2496 is pending. The Senator is recognized for 5 minutes.

Mr. BRADLEY. The purpose of this amendment is simply to put back into place the basic elements of a cash assistance program, which were left out, I hope inadvertently, from the bill. Without retaining at least the basic core of a system that assists poor families, we would have nothing to reform. It simply requires States to set their own rules for assistance and then follow those rules.

What is it we are trying to do here? I think, or I thought, that we were trying to change the welfare system to send clear messages about values, work, and responsible parenting. But if you wants to send a clear message, the rules have to be clear and firm. Parents have to know that if they violate the State rules, they will lose benefits, period. And if they follow the rules, look for work, take responsibility, they will be helped. Period.

Under the bill, States may use the grant in any manner that is reasonably calculated to accomplish the purpose of this part, and that purpose is defined simply as assisting needy families, which can mean anything. States could conceivably do no more than to refer needy families to a facility where some surplus cheese might be available for parents. States could operate a totally chaotic, arbitrary, discriminatory, or virtually nonexistent welfare system, while still collecting their funds under this block grant.

Governors have assured us that they will administer funds fairly and responsibly. I have no doubt that most of them will try to. But we also know that most States will face increasing financial pressure. Only a few States, according to the CBO, can afford to pay for the work requirements in this bill.

So even if States don't completely ignore whole populations, they might provide minimal assistance in one region of the State or put very needy applicants on a waiting list after the Federal funds run out.

The result will be the opposite of what is intended. Instead of imposing time limits on those who have been on welfare for a long time, we will put people who need help for the first time on a waiting list.

Without basic standards, work requirements would become meaningless, since there is no basic definition of who is eligible and therefore who should be in a work program. If a State has trouble meeting the work participation requirements under this bill, they can simply stop serving those who are having the most trouble finding work.

This amendment requires States to set basic eligibility standards, define categorical exceptions—such as time limits—and then follow those rules by assisting everyone eligible under those State rules. Everything in this debate suggests that this is what we expect States to do, so why not spell it out.

My amendment retains every aspect of State flexibility ever asked for by any Governor. States would be free to set eligibility standards and benefits, as they do now, and to set rules for income and assets. They could set short-time limits or deny benefits to unwed teen mothers or additional children born to women receiving benefits, as long as they apply the rules consistently.

I have also made clear in this amendment that States could also cut off benefits to any family under the terms of an individualized agreement with the family. The most innovative States, like Iowa and Utah as well as New Jersey, currently establish such contracts setting specific obligations for each family. A parent might agree, for example, to seek substance abuse treatment, and face a cutoff of benefits if he or she does not comply. This amendment makes clear that States can cut off benefits for failure to comply, as long as the rules are clear.

This amendment does not challenge any specific reasons a State might choose to cut a family off benefits, even though I have doubts about the merits of some of the categorical cutoffs in the House bill. What this amendment goes after is the arbitrary refusal to help a family: The waiting list. The neglected region of a State. The bureaucrat who has not gotten around to looking at the application. The agency that does not want the hassle of dealing with someone who will require more time to place in a job.

States could set any rules they like. But people have to know what the rules are. It's a very simple amendment, but without it, this bill is meaningless, empty, and potentially devastating news for families with children.

Rebuttal to claim that this amendment recreates entitlement.

This amendment does not entitle anyone to anything. It gives States total freedom to develop any kind of rule under which an individual can be cut off. If a State wants to say, you receive no benefits if you are seen jaywalking, they can do it.

Rebuttal to claim that this amendment is too prescriptive on States:

If Governors are concerned that this would prevent them from implementing some policy that they want to enact, I would like to know what that is. If Governors want to do something different from writing new rules and implementing them, I think they own us an answer about what it is they want to do.

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

The amendment (No. 2496) was agreed to.

Mr. DOLE. I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. Mr. President, I ask unanimous consent that there be 2 minutes between the second, third, fourth, and fifth rollcall votes—second, third, and fourth rollcall votes.

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

Mr. CHAFEE. And that after the first rollcall vote, the votes be 10 minutes.

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

VOTE ON AMENDMENT NO. 2526

The PRESIDING OFFICER. The question occurs on amendment No. 2526, offered by the Senator from Alabama [Mr. SHELBY] in which the yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Tennessee [Mr. FRIST] is necessarily absent.

Mr. FORD. I announce that the Senator from Maryland [Mr. SARBANES] is necessarily absent.

The PRESIDING OFFICER (Mr. GRASSLEY). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 93, nays 5, as follows:

[Rollcall Vote No. 425 Leg.]

YEAS—93

Abraham	Conrad	Grassley
Akaka	Coverdell	Gregg
Ashcroft	Craig	Harkin
Baucus	D'Amato	Hatch
Bennett	Daschle	Hatfield
Biden	DeWine	Heflin
Bingaman	Dodd	Helms
Bond	Dole	Hollings
Boxer	Domenici	Hutchison
Bradley	Dorgan	Inhofe
Breaux	Exon	Inouye
Brown	Faircloth	Jeffords
Bumpers	Feinstein	Johnston
Burns	Ford	Kassebaum
Campbell	Glenn	Kempthorne
Chafee	Gorton	Kennedy
Coats	Graham	Kerrey
Cochran	Gramm	Kerry
Cohen	Grams	Kohl
Kyl	Murkowski	Shelby
Lautenberg	Murray	Simon
Leahy	Nickles	Simpson
Levin	Nunn	Smith
Lieberman	Pell	Snowe
Lott	Pressler	Specter
Lugar	Pryor	Stevens
Mack	Reid	Thomas
McCain	Robb	Thompson
McConnell	Rockefeller	Thurmond
Mikulski	Roth	Warner
Moseley-Braun	Santorum	Wellstone

NAYS—5

Bryan	Feingold	Packwood
Byrd	Moynihan	

NOT VOTING—2

Frist	Sarbanes

So the amendment (No. 2526) was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MOYNIHAN. May we have order, Mr. President.

Mr. DOLE. Mr. President, I have just had a discussion with the distinguished Democratic leader, Senator DASCHLE, and we would like anybody here who feels compelled—I underscore the word compelled—to offer an amendment tonight or sometime during the night to let us know during this next vote. We would like to wrap up this bill. We are working on a major amendment that we think will be acceptable. And I know some people think they need to offer every amendment, and some of these amendments are not really germane to this bill. But we would like to have some idea of how many amendments we have left.

So if you would either let me know, if it is a Republican amendment, or Senator DASCHLE know, or the managers know, between now and the time the next couple of votes end, we would appreciate it.

AMENDMENT NO. 2669

The PRESIDING OFFICER. The next order of business is the Mikulski amendment 2669, 2 minutes evenly divided.

Who yields time?

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator has 1 minute.

Ms. MIKULSKI. This amendment is offered by Senator BRADLEY and myself. Its purpose is to bring men back into the family: No. 1, to have tough child support; No 2, to promote marriage, and, No. 3, to end the parent trap that is in the GOP welfare reform bill. The GOP welfare reform bill does nothing to restore men in families.

What this amendment does is provide job placement for noncustodial fathers, meaning if a dad wants a job and to go to work, if he does not have work, we work to place him in it.

No. 2, we prevent States creating welfare rules that penalize marriage

and push men out of the family, particularly where they work more than 100 hours a month.

We also promote marriage. It says that where there is a family cap, this amendment would require them to come up with incentives that promote marriage. The other is we would pay child support to mothers, not to child support.

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. MIKULSKI. Our amendment is good for fathers, for kids, for America. I urge its adoption.

The PRESIDING OFFICER. Who yields time?

The majority leader.

Mr. DOLE. Mr. President, I know the Senator feels very strongly about this amendment.

Let me just say, we have tried to accommodate a number of major amendments—child care. We have lost some savings on this bill, and our savings are not nearly as much as the House side. This amendment would cost $920 million over the next 7 years. That is almost $1 billion. There is no offset. It would come right out of the savings. I hope it will be rejected.

The PRESIDING OFFICER. Does the Senator yield back the time?

Mr. DOLE. I yield to the Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, in addition to this amendment costing $1 billion, this sets up a job training and job search program for deadbeat dads and for people who let their kids go on welfare.

You have a hard-working parent who is trying to help their children, who is working in a job. They do not get any help from the Government. But if you have a deadbeat dad and you let your kids go on welfare, we are going to set up a job training and job search program for you. This is a misguided amendment.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment. The yeas and nays have been ordered. This is a 10-minute rollcall vote. The clerk will call the roll.

The bill clerk called the roll.

Mr. LOTT. I announce that the Senator from Tennessee [Mr. FRIST] is necessarily absent.

Mr. FORD. I announce that the Senator from Maryland [Mr. SARBANES] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 34, nays 64, as follows:

[Rollcall Vote No. 426 Leg.]

YEAS—34

Akaka	Dorgan	Kennedy
Biden	Feingold	Kerry
Bingaman	Ford	Kohl
Boxer	Glenn	Lautenberg
Bradley	Harkin	Leahy
Breaux	Heflin	Levin
Conrad	Hollings	Lieberman
Daschle	Inouye	Mikulski
Dodd	Johnston	Moseley-Braun
Murray	Robb	Wellstone
Pell	Rockefeller	
Reid	Simon	

NAYS—64

Abraham	Faircloth	McConnell
Ashcroft	Feinstein	Moynihan
Baucus	Gorton	Murkowski
Bennett	Graham	Nickles
Bond	Gramm	Nunn
Brown	Grams	Packwood
Bryan	Grassley	Pressler
Bumpers	Gregg	Pryor
Burns	Hatch	Roth
Byrd	Hatfield	Santorum
Campbell	Helms	Shelby
Chafee	Hutchison	Simpson
Coats	Inhofe	Smith
Cochran	Jeffords	Snowe
Cohen	Kassebaum	Specter
Coverdell	Kempthorne	Stevens
Craig	Kerrey	Thomas
D'Amato	Kyl	Thompson
DeWine	Lott	Thurmond
Dole	Lugar	Warner
Domenici	Mack	
Exon	McCain	

NOT VOTING—2

Frist Sarbanes

So the amendment (No. 2669) was rejected.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CHAFEE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOYNIHAN. Mr. President, we must have order as a procedural matter is about to be discussed.

The PRESIDING OFFICER. Will the Senator suspend? The Senator from New York wants order. The Chair asks every Senator to pay attention to the Senator from Rhode Island who seeks the floor.

AMENDMENT NO. 2517, AS MODIFIED

Mr. CHAFEE. Mr. President, just to intervene here, we are prepared to accept the following amendment after the Feinstein amendment, which is the DeWine amendment. I know the Senator from Mississippi had some reservations, and there are some changes that we would make in that DeWine amendment before the conference. The other side is prepared to accept it, and we are prepared to accept the DeWine amendment.

The PRESIDING OFFICER. Is the Senator from Rhode Island seeking to vitiate the yeas and nays on the DeWine amendment?

Mr. CHAFEE. Correct. I ask unanimous consent that the yeas and nays be vitiated on the DeWine amendment.

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

The question is on agreeing to the DeWine amendment No. 2517, as modified.

So, the amendment (No. 2517), as modified, was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2478

The PRESIDING OFFICER. The next issue before the Senate is the Feinstein amendment 2478, with 2 minutes evenly divided. Who yields time?

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mrs. FEINSTEIN. I thank the Chair.

Mr. President, the bill, as presently drafted, would deny cash and noncash welfare benefits to naturalized citizens. The Constitution of the United States provides for one class of citizens, and the only place it diverges is with respect to the President of the United States.

In every other case, a naturalized citizen is as good as a native-born citizen. I believe it is extraordinarily important that this amendment be adopted. It is supported by the American Bar Association, by the Governor's conference, by the State legislatures, by Mayor Giuliani, by Mayor Riordan of Los Angeles, by virtually a whole host of organizations. It would be my hope that in this bill we do not, for the first time in American history, create two classes of American citizens.

The PRESIDING OFFICER. The Senator's time has expired. Who yields time? The Senator from Wyoming is recognized for 1 minute.

Mr. SIMPSON. Mr. President, as many of you know, through the years, we do immigration reform legislation. It is always materially dressed, and then when we come to tough votes, we do not stick. This is one of those. We are not making second-class citizens of anyone. We are saying that whether you are naturalized or whether you are native born, one of the assets that is considered as to whether you are a public charge should be a contract, should be a court-ordered support, and we think that one of the things that should be in there is the affidavit of support of the sponsor. That is all we are saying.

That does not make anyone a second-class citizen. If you do not include that, then, in my mind, you are going to induce people to naturalize so they can get into the public support system. That is why I object to this measure.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment. The yeas and nays have been ordered. This is a 10-minute rollcall vote. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Tennessee [Mr. FRIST] is necessarily absent.

Mr. FORD. I announce that the Senator from Maryland [Mr. SARBANES] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 37, nays 61, as follows:

[Rollcall vote No. 427 Leg.]

YEAS—37

Abraham	Glenn	Mack
Akaka	Graham	Mikulski
Biden	Harkin	Moseley-Braun
Boxer	Hatfield	Murray
Bradley	Inouye	Pell
Breaux	Jeffords	Robb
Chafee	Johnston	Santorum
Cohen	Kennedy	Simon
Daschle	Kerry	Snowe
Dodd	Kohl	Specter
Feingold	Lautenberg	Wellstone
Feinstein	Leahy	
Ford	Levin	

NAYS—61

Ashcroft	Exon	McConnell
Baucus	Faircloth	Moynihan
Bennett	Gorton	Murkowski
Bingaman	Gramm	Nickles
Bond	Grams	Nunn
Brown	Grassley	Packwood
Bryan	Gregg	Pressler
Bumpers	Hatch	Pryor
Burns	Heflin	Reid
Byrd	Helms	Rockefeller
Campbell	Hollings	Roth
Coats	Hutchison	Shelby
Cochran	Inhofe	Simpson
Conrad	Kassebaum	Smith
Coverdell	Kempthorne	Stevens
Craig	Kerrey	Thomas
D'Amato	Kyl	Thompson
DeWine	Lieberman	Thurmond
Dole	Lott	Warner
Domenici	Lugar	
Dorgan	McCain	

NOT VOTING—2

Frist	Sarbanes

So the amendment (No. 2478) was rejected.

Mr. CHAFEE. Mr. President, I move to reconsider the vote.

Mr. MOYNIHAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CHAFEE. Mr. President, this is the last vote in this category. We have others coming after this. But the others have not yet been debated or rollcalls ordered. This is the last one in this group.

AMENDMENT NO. 2513

The PRESIDING OFFICER. The next order of business before the Senate is the Feinstein amendment numbered 2513. There are 2 minutes evenly divided.

Mrs. FEINSTEIN. Mr. President, under present law, deeming only applies to cash programs, AFDC, SSI and food stamps.

Without this amendment, there is a massive cost shift, particularly to four States: New York, Texas, Florida and California. That cost shift is literally hundreds of millions of dollars because it means that legal immigrants presently in this country today would not have access to Medicaid, to Head Start, to child protective services, to foster care, to any of those noncash programs.

Who would have to pick it up? The State or the local jurisdictions. It is a massive cost shift for four major States. I yield the floor.

Mr. DOLE. I say this is a $700 million reduction in the savings. I know it is a problem.

My view is we have already tried to accommodate a number of requests, and we believe we ought to protect the savings we have.

Mr. SIMPSON. Mr. President, we have already agreed to a Wellstone amendment which had to do with battered women and foster children, the exemption there. There was a Kennedy amendment with regard to Head Start, soup lines and kitchens. We have agreed to that.

This opens up this bill. This includes Medicaid, public housing, job training and any other program which does not provide cash assistance to the recipient.

We have a year's gap in the bill to take care of people in extremity who are broke or sponsors that cannot make it, or people who cannot make it and have no food and shelter. That is all in this bill. For a whole year we take care of those people.

This opens the gate for $707 million. I do not know where it is supposed to come from—maybe Medicaid.

The PRESIDING OFFICER. The question is on agreeing to the amendment No. 2513. The yeas and nays have been ordered. This is a is 10-minute rollcall.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Tennessee [Mr. FRIST] is necessarily absent.

Mr. FORD. I announce that the Senator from Maryland [Mr. SARBANES], is necessarily absent.

The result was announced—yeas 20, nays 78, as follows:

[Rollcall Vote No. 428 Leg.]

YEAS—20

Akaka	Graham	Moseley-Braun
Bingaman	Harkin	Moynihan
Boxer	Inouye	Murray
Daschle	Johnston	Simon
Dodd	Kennedy	Specter
Feinstein	Kohl	Wellstone
Glenn	Mikulski	

NAYS—78

Abraham	Exon	Lott
Ashcroft	Faircloth	Lugar
Baucus	Feingold	Mack
Bennett	Ford	McCain
Biden	Gorton	McConnell
Bond	Gramm	Murkowski
Bradley	Grams	Nickles
Breaux	Grassley	Nunn
Brown	Gregg	Packwood
Bryan	Hatch	Pell
Bumpers	Hatfield	Pressler
Burns	Heflin	Pryor
Byrd	Helms	Reid
Campbell	Hollings	Robb
Chafee	Hutchison	Rockefeller
Coats	Inhofe	Roth
Cochran	Jeffords	Santorum
Cohen	Kassebaum	Shelby
Conrad	Kempthorne	Simpson
Coverdell	Kerrey	Smith
Craig	Kerry	Snowe
D'Amato	Kyl	Stevens
DeWine	Lautenberg	Thomas
Dole	Leahy	Thompson
Domenici	Levin	Thurmond
Dorgan	Lieberman	Warner

NOT VOTING—2

Frist	Sarbanes

So, the amendment (No. 2513) was rejected.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote.

Mr. NICKLES. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MOYNIHAN. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. MCCAIN). May we have order in the Senate? The Senate is not in order.

Mr. MOYNIHAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MOYNIHAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MOYNIHAN. Mr. President, I believe the Senator from Florida is next in our sequence. May I ask how much time the Senator will require, how little time the Senator will require?

The PRESIDING OFFICER. The Chair notes the distinguished majority leader is seeking recognition.

Mr. DOLE. Mr. President, I was going to ask the same question, if we could get some agreement on time, or get a voice vote. Some of these things could be disposed of on a voice vote, I think. Like an 80-to-20 vote, we could probably determine that by audible vote, if somebody wanted that. But if we could get a time agreement, that would be a start.

Mr. GRAHAM. Mr. President, 20 minutes, equally divided.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. There will be 20 minutes, equally divided.

Mr. DOLE. I yield to the Senator from West Virginia, Senator BYRD.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I hope Senators will take their cue from the majority leader and have voice votes. If it is any satisfaction to offer an amendment at this stage, just to offer it, get a voice vote on it. These amendments are not going anywhere. Most of these amendments are going to be dead on arrival when they get to conference. We are just wasting our time. There are not many Senators listening now. Look around these walls. Just look at the people stacked around the walls. We cannot get order in the Chamber. Who wants to speak when Senators cannot listen? We are just wasting our time, spinning our wheels.

We have had a good run for the bill. We have had a vote on the Democratic substitute. Several amendments have gotten good votes. I know that every person who offers amendments feels that they are good amendments. But we have reached a point now where the law of diminishing returns has set in.

I hope Senators will curb their appetites for rollcall votes and call up their amendments, have a voice vote. We are not going anywhere anyhow. Not many amendments are even going to carry.

We have been on this bill now for 12 session days. We have all had a good chance at it. We have had our run at it. Let us go home. I have a wife waiting on me and my little dog, Billy.

[Laughter.]

We have reached a point now where we are just looking foolish.

I thank the leaders and all Senators who have listened.

Mr. MOYNIHAN. Mr. President, with some temerity making a point and bringing attention to the rules and the presence of the ROBERT C. BYRD, may I say that if they voice vote and it is close, a Senator may ask for a division and get a count. It need not take 20 minutes.

UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Mr. President, I want to say that perhaps we can help resolve it, too, if we can get this consent agreement. Let me read it for my colleagues, and everybody can decide.

I ask unanimous consent that the following amendments be the only amendments remaining in order, other than those cleared by the two managers; that they be debated this evening, and the votes occur on or in relation to the amendments tomorrow beginning at 9:30 a.m., with 10 minutes between each rollcall vote to be equally divided in the usual form:

Bingaman, No. 2483; Bingaman, No. 2484; Simon, No. 2468; Wellstone, No. 2503 and 2505; Kennedy, No. 2564; Kohl, No. 2550; Graham of Florida, No. 2509 and 2568; Gramm of Texas, No. 2615, as modified, and 2617; Levin-Dole modification No. 2486.

I further ask that following the votes, beginning at 9:30 a.m. on Friday, the two leaders be recognized to offer the compromise modification Dole amendment, with 40 minutes for debate to be equally divided in the usual form, and that following the conclusion or yielding back of time, the amendment be so modified.

I also ask that following the modification, it be in order for one amendment to be offered by the majority leader and one amendment to be offered by ten minority leader; and that following the disposition of the two leaders' amendments, if offered, the Senate proceed to the adoption of the Dole amendment 2280, as amended; and that following the disposition of the Dole amendment, the bill be advanced to third reading, and final passage occur at a time and day to be determined by the majority leader after consultation with the Democratic leader.

Let me explain what this would do. This would mean that those who do not have amendments would not have to stay here for debate. Debate would be completed this evening, and we will start to vote tomorrow.

That would also give additional time—because we do have a rather major drafting effort going on—to others to take a look at that tomorrow morning to see if it is satisfactory to people on both sides.

I think I inadvertently asked for a Bradley amendment, which might create a new entitlement program. I might need to strike that out. I did not read it carefully enough. I thank my colleague from New Jersey.

So I might do that tomorrow because they are going to score this, and I do not want to lose any additional money. We have lost a little today.

But that would be the UC agreement. I think we have protected everybody's rights.

Mr. DASCHLE. Mr. President, will the majority leader yield?

Mr. President, I must confess I looked at it—with one exception that I believe our staffs have looked at—and I am a little concerned on reflection that the 40 minutes may not be an adequate period of time for people to look at the larger compromise amendment. we want to give everybody a chance to do that. It could be that less than 40 minutes may be required. If we could just delete any reference to a period of time, that would satisfy us.

Second, if we could just have two amendments to be offered by the majority leader and the minority leader, I think that would take care of any concern that we have.

Mr. DOLE. Two by the majority and two by the minority.

I make those modifications.

I take out the following words: ''With 40 minutes for debate to be equally divided in the usual form.''

So the modification reads: To offer the compromise modification to the Dole amendment, and that following the conclusion or yielding back of time, the amendment be so modified.

Mr. WELLSTONE. Reserving the right to object, I shall not, I wonder whether on the Wellstone amendment 2503, I say to the majority leader, change that to ''modified.'' I think that is OK with everyone.

Mr. DOLE. 2503, as modified. No problem. And 2505.

Mr. WELLSTONE. 2505 is fine.

Mr. DOLE. 2503, as modified.

Mr. WELLSTONE. As I understand the agreement, the time for vote on final passage is still left.

Mr. DOLE. Let me just assure everybody, I think this is a very important vote. Nobody wants to miss this vote. I know that some people are necessarily absent tomorrow. Some are necessarily absent on Monday.

I hope we could say, after the Tuesday luncheons, if everybody is in town.

Mr. DASCHLE. If I could just add not only that concern, but because we have made a lot of changes throughout the day, I think everybody ought to have plenty of opportunity to look at it prior to the time they are going to be casting their vote.

So for both reasons, I think it would be good if we held it over until next week.

Mr. DOLE. We want to get to third reading, have a vote, and we can start on appropriations tomorrow and wrap those up in a few days.

[Laughter.]

Mr. BINGAMAN. Mr. President, could I ask the majority leader, does the unanimous consent agreement contemplate some time tomorrow for some few minutes to discuss each amendment before the votes occur?

Mr. DOLE. Ten minutes. If you do not want to stay tonight, there are 10 minutes between each vote tomorrow.

Mr. BINGAMAN. I thank the majority leader.

Mr. DOLE. It might be better to do it tomorrow.

Is there objection?

The PRESIDING OFFICER. Is there objection?

Mr. BYRD. Reserving right to object, Mr. President, could we just have a better understanding as to when the final vote will occur?

Mr. DOLE. On the bill itself, final passage?

Mr. BYRD. Yes.

Mr. DOLE. It is my hope—I have not consulted with the Democratic leader—if all Members are in town, following the luncheons on Tuesday, we would vote following the luncheons on Tuesday.

Mr. BYRD. So is that part of the request?

Mr. DOLE. Yes. That is not part of the agreement in case somebody is ill or is not able to be here. I think we ought to make every effort to have everybody available.

Mr. BYRD. I thank the leader.

Mr. BRADLEY. Reserving the right to object, I understand what the majority leader said about the amendment that I offered. I wanted to assure him that the second part of the paragraph that I was reading explaining the amendment would have gotten to that aspect of the amendment. But the majority leader cut me off and moved to pass the bill.

So I appreciate what he said, and I look forward to tomorrow.

Mr. DOLE. I will strike out the second part, then.

[Laughter.]

But we will work it out. We will not have any problem.

Mr. KENNEDY. Mr. President, reserving the right to object, could I just say that the Senator mentioned amendment 2564. This was to make it agreeable with the Senator from Wyoming because it deals with a narrow element in terms of the refugees. He had agreed to changes on it. I would like to be able to modify that, if that is agreeable.

Mr. DOLE. Without objection, we would say 2564, as modified.

Mr. KENNEDY. I thank the leader.

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

Mr. DOLE. We have the agreement.

So Senator BINGAMAN is up now.

Mr. MOYNIHAN. I believe Senator GRAHAM was.

Mr. DOLE. Senator GRAHAM from Florida, excuse me.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Thank you, Mr. President.

AMENDMENT NO. 2509

Mr. GRAHAM. I call up amendment 2509.

Mr. President, this is another amendment that relates to the provisions in the bill having to do with that arcane subject of deeming. Deeming means that in calculating the financial status of an individual you deem to include in that individual's assets and income the assets and income of a third party. In this case, the individual who is affected is a person who——

The PRESIDING OFFICER. Will the Senator suspend?

Will the Senate please by in order?

The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, under this amendment, we are focused on one group of people, a finite, fixed number of individuals. Those are individuals who are in the United States lawfully as of the enactment date of this legislation. This is not an open-ended number of people which could be augmented by persons coming legally to the United States in the future.

What this amendment says is that for those people who are in the country legally today, legal aliens, they should be treated under the rules that exist today with one very major exception, and that is they would be treated in the legislation the majority leader would provide as it relates to supplemental Social Security income.

We are dealing in this amendment with a finite group of people, those who came into this country legally, who are in the country today, and who came here under certain rules and expectations. Frankly, one of those rules was that for many of these people they had a sponsor who sponsored their entry into the United States. Sadly, the fact is that by court ruling the sponsorships of legal aliens are extremely difficult to enforce, difficult to enforce by public agencies, difficult to enforce by private parties including the legal alien him or herself.

It seems to me extremely unfair, now that these people are in the country legally—and I underscore the word legally—to change the rules on them. It is particularly unfair for a specific group within this class that I would like to talk about, and that is those who have come here as relatively young people and are now enrolled in an educational program.

The largest community college in the country is Miami Dade Community College located in Miami. That one institution has some 20,000 legal immigrants within its student body, and 8,000 of those individuals are estimated to be ruled ineligible for student financial aid if an amendment such as the one that I have offered were not to be adopted.

Here are people trying to do exactly what the American dream is all about, to improve themselves by hard work, by education, by increasing their ability to contribute to the well-being of themselves, their families, their communities, and their Nation. With the failure to adopt this amendment, we would make it extremely difficult for many of these students to continue their education.

This legislation has the strong support of the American Association of Community Colleges and a variety of other State and local service providers who understand the implications of changing the rules for people who are in this country legally at the time this legislation goes into effect.

Mr. President, I appreciate your courtesy. I would like to yield time to actually the individual who was the original author of this legislation and who has been kind enough to allow me to join him in that effort, Senator SIMON of Illinois.

I wish to assure that Senator SIMON is fully listed as a sponsor of this amendment.

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

Mr. CHAFEE. Mr. President, is there a time agreement on this amendment?

The PRESIDING OFFICER. Ten minutes on either side.

Mr. CHAFEE. On both sides?

The PRESIDING OFFICER. Ten minutes on each side, 20 minutes equally divided.

Mr. CHAFEE. I have a question of the Senator from Florida. Is there any cost estimate on this?

The PRESIDING OFFICER. I remind the Senator from Rhode Island, questions are to be addressed through the Chair.

Mr. CHAFEE. I would ask the Chair——

The PRESIDING OFFICER. Or if the Senator from Rhode Island wishes unanimous consent to engage in colloguy with the Senator from Florida.

The Senator from Florida.

Mr. GRAHAM. The estimate is that over the 5 years the total cost is $600 million.

The PRESIDING OFFICER. Does the Senator from Florida yield time to the Senator from Illinois?

Mr. GRAHAM. I yield time to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Florida has 5 minutes and 46 seconds remaining.

The Senator from Illinois is recognized.

Mr. SIMON. Mr. President, I shall use less than 2 minutes.

I would like to have the attention of my fellow colleagues who are here. What this amendment does is simply says let us make this prospective. Let us apply it in the future. Let us not take people who have agreed to sponsor people for 3 years and all of a sudden we are going to say sorry, this contract is for 5 years. And to take people who are in a college situation, who are going to become citizens, and say sorry, you are going to have to leave school, I do not think that makes sense.

I hope that the distinguished Senator from Rhode Island and the distinguished Senator from Kansas might consider accepting this amendment. I think it does make sense to do this prospectively, not retroactively.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CHAFEE. Mr. President, I ask if the proponents of the measure—we have gotten the cost of it—if they have an offset, any way of paying for it?

Mr. GRAHAM. We do not have an offset.

The PRESIDING OFFICER. Who yields time?

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield time to the Senator from Wyoming?

Mr. CHAFEE. Yes. Such time as he needs.

Mr. SIMPSON. I think 5 minutes would be adequate.

Mr. President, again, this is one of those areas of dealing with immigration and welfare and deeming provisions. Let us understand what deeming is. The sponsor brings you here to the United States, and his or her income is deemed to be yours. You as a sponsor are responsible for this person coming to the United States, for their assistance, their welfare. And you cannot come to the United States at any time if you are going to be a public charge. At any time you become a public charge while you are still in this category, you do not come on as a naturalized citizen. You must be self-sustaining. That has been the law since 1882.

So, again, we are at one of these impasses where I am surprised some of these have been successful. This is an ancient ritual. It is about people who say we want to do something about legal immigration, we want to do something about illegal immigration, and we want to do something about people who misuse the systems. But we do not.

Now, in the last Congress, we increased the deeming period for SSI to 5 years. We did that. We already did that. In his proposal—I hope you all hear this—President Bill Clinton in his proposed welfare reform bill raised the deeming period for AFDC and food stamps to 5 years. This President, President Clinton, has agreed that this is what we should do. That is what the Dole bill quite logically and properly then does. It sets a deeming period on all welfare programs at 5 years, in accordance with the directive and the wishes of the Justice Department and the President of the United States.

Please remember that the folks that are affected by this amendment were admitted as immigrants only—only—after they and their sponsors promised—promised—that they would not become dependent on public assistance at any time, period, not just for 5 years, but for any time.

Now, under this amendment, they would be permitted to access the public welfare systems of the United States after only as few as 3 years in the United States of America. The sponsor

would be off the hook, relieved of his promise of support, and the taxpayers would take over.

I think that is basically very wrong. I guess to paraphrase the words of Gertrude Stein: A sponsor is a sponsor is a sponsor. If you do not want to take care of someone when you bring them to the United States, do not sponsor them. If you bring them in as an immigrant, you have to. That is why people have misused the refugee programs. If you come here as a refugee, the Government takes care of all of it. So we have people coming here as refugees who do not qualify in any way as refugees.

We have presumptive refugees in certain areas of the world who wait 1½ years to come here after they have been designated as a presumptive refugee. You talk about gimmickry of the system. I have been at this game for 16 years, and there is plenty of it. And this amendment would cost $623 million over 7 years.

I want to say, too, that the students who the Senator has expressed concern for are sponsored immigrants who have been in the United States for less than 5 years. They are persons now seeking public assistance for college education who have a sponsor who promised, in order to get that immigrant admitted, to provide whatever assistance the immigrant might require in order to avoid becoming a public charge.

That is where we are. It is not pleasant in any way to continually year after year stand here and try to present the issues as they really are without being described as mean spirited, pinched, riven, uncaring.

That is not what we are talking about. We are talking about often people with a grand design of how to gimmick the systems. And if you really are watching, keeping your eye on the rabbit, this is not in any way helpful to the welfare system or to the immigration laws of the United States.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, first, the question was asked do we have an offset? I answered we do not have an offset. We adopted other amendments here which create new entitlements, new benefits, new tax preferences without requiring an offset. This is the law today. What we are attempting to do is to retain the law today for those people who came here with the state of the law as it is. We are not trying to change the rules.

We are trying to say, if these people came here with certain statements as to what their obligations would be, if the sponsor has entered into commitments with certain expectations as to what their obligations would be, we should keep those for those people who are in the country today. We are not proposing to make this an ongoing new standard. If you want to change the rules, we can change the rules and make it applicable to those who come after the rules are changed.

Mr. President, this is not a particularly popular issue because, among other things, we are dealing with a small group of people. But we are dealing with people who embody what we as Americans most applaud—people who desire freedom, independence, who want to be like us. People who are the target of this amendment are trying to improve themselves so they can be even better Americans.

I think it is both shortsighted and unfair to change the rules on these people and deny them, among other things, the opportunity to get that education that is going to make them a more productive citizen. These people will repay in their lifetime much more than the $600 million that this amendment calls for to continue to do for the next 5 years for these people what we have provided for them in the past and what we have considered to be in America's best interest. It was then. It is now. And at least it will be for this current group of legal aliens who are in our country, particularly those who are utilizing the opportunities to extend their education.

Let me yield to the Senator from Illinois.

Mr. SIMON. I thank my colleague.

Let me tell you what it does. JOHN MCCAIN sponsors an immigrant named ALAN SIMPSON. And JOHN MCCAIN agrees he is going to be responsible for 3 years. All of a sudden we have an amendment here that says, ''Sorry, JOHN MCCAIN. We have changed the law. You signed up for 3 years. We are going to make you responsible for 5 years.''

Second, it is true, as Senator SIMPSON says, that if you take these young people out of college—some maybe are not young—that temporarily we are going to save money. But we know from all the statistics that, if you let them stay in college, they are going to be more productive, pay taxes, and do more for our country and make ours a more productive country.

I think the amendment is a good amendment, and I hope we will have the good sense to adopt it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island has 4 minutes 21 seconds. The Senator from Florida has 1 minute 5 seconds.

Mr. GRAHAM. Mr. President, I reserve my 1 minute 5 seconds.

The PRESIDING OFFICER. Does the Senator from Rhode Island seek recognition?

Mr. CHAFEE. Mr. President, I yield the remainder of my time to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, I have not much time left. I just want to say again that when a sponsor gives an affidavit of support—if we are talking about the things cherished in America, let us talk about keeping a promise. That would be a good place to start.

When a sponsor agrees to bring in an immigrant, they agree that that person will not become a public charge. Not just for 5 years or 3 years, but the law says at any time. That is what the law says. I did not invent it. It came on the books in 1882. It says at any time, not just 5 years, not just 3. It does not matter what was thought to be agreed to, the sponsor is deemed to have their assets considered the assets of the immigrant for a period of any time, and that is the law of the United States and a contract or an obligation to do that——

Mr. GRAHAM. Will the Senator from Wyoming yield?

Mr. SIMPSON. Yes.

Mr. GRAHAM. If that is the law, why do we need to change it? The statement that you have is that there are set periods of time in which a sponsor's resources are deemed to be part of the sponsor-legal immigrant's economic status. Those have been the law. If you are saying those were meaningless, in fact the 3-year periods we used to have in the past were inapplicable then, why do we need to change the law now?

Mr. SIMPSON. Mr. President, in the last Congress, we increased the deeming period for SSI to 5 years. The President of the United States, in his welfare reform package, revised the deeming period for AFDC and food stamps to 5 years. We are trying to follow the President of the United States and his viewpoint.

Then you wonder where the support is coming from. I can tell you where it is coming from: A small cadre of educational institutions. That is where it is coming from. We are not going to injure them in the process.

We are just saying that a sponsor's promise is a sponsor's promise. I have been in these things for years. I am not the expert in any way. I would not even indicate that. But I do know what interest groups are when you deal with immigration. They come out of the woodwork. They are all out here right now, I suppose. There will be cadres of them. But one of them here is the group of educational institutions who see this, if this can get done, as tuition money, paid for.

We have Pell grants, we have all sorts of things. We do take care of people in society. No one should miss the fact we are going to vote on a debt limit of $5 trillion in a few weeks, and Medicare will be broke and Social Security will be broke in the year 2031 and will go broke and start its decline, its swan song in 2013, and we will not even deal with that on the floor of the U.S. Senate, either party.

Talk about obligations. And then just trot up $623 million and no place to get it. That is my humble viewpoint of this pointed issue.

The PRESIDING OFFICER. The Senator from Florida has 1 minute 5 seconds. The Senator from Rhode Island has 24 seconds remaining.

Mr. GRAHAM. Mr. President, I think the issue here is fairly simple. We have had rules under which people have guided their lives as it relates to the status of sponsors and legal immigrants, people who are in this country

playing by the rules, trying to prepare themselves to become self-sufficient, contributing Americans.

They are doing the heinous thing to continue their education: They are attending a vocational school; they are attending a community college. I think that is an activity that we should not say is just a matter of some interest group. Would you say the GI bill was just an interest group of a few college and university administrators? Of course not. It was a great program, it is a great program that has benefited this country manyfold.

That is what the issue is in this amendment. I believe that we ought to say to these people, as part of their learning about America, that we play by the rules that were established when the game started. For you, we are going to complete the rules. If you want to change the rules for those in the future, that is perfectly permissible. I believe we should adopt this amendment as both an immediate and long-term contribution to a better America. Thank you.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. GRAHAM. Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Wyoming has 24 seconds remaining.

Mr. SIMPSON. Mr. President, again, the affidavit of support may be for 3 years. But the overriding understanding of the American people is that the immigrant will not become a burden upon the taxpayers or the public. That is the issue. There is no other issue, especially not in his or her first 5 years here. It never would have been allowed to take place if they knew they were going to access the public support systems in the first 3 years of their presence here. That is what this is about. That was the real condition of admission. We are forgetting something here.

The PRESIDING OFFICER. All time has expired. Under a previous agreement, the vote will be stacked until tomorrow morning.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 2468

Mr. SIMON. Mr. President, I do not know if we have an agreed-upon order, but I have an amendment I will be happy to discuss briefly.

I offer this amendment in behalf of Senator BROWN, Senator Reid and myself.

The PRESIDING OFFICER. The clerk will report.

Mr. SIMON. This is a modification. Let me offer it as a modification of amendment No. 2468.

Mr. President, I ask unanimous consent to modify amendment No. 2468.

If I may say to my colleague from Mississippi, what I am doing is instead of having this a setaside—this is the community WPA Program—I am making it an authorization so that I think it may be acceptable. We have passed this as an authorization by voice vote. Senator BOREN was the sponsor about a year ago.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. LOTT. Reserving the right to object, and I hope not to, Mr. President, but if I could address this question to the Senator from Illinois, has this been discussed or cleared, to his knowledge, with the managers?

Mr. SIMON. I have not had a chance. Senator BROWN indicated to me—I mentioned to him and to Senator REID that I was going to change it to an authorization because, frankly, the word was, as a setaside, it could be opposed on your side, but as an authorization, it might be approved. So that is the reason. I, frankly, have not had a chance to discuss it with the managers of the bill.

Mr. LOTT. Mr. President, has this been discussed with and cleared with the Senator's cosponsors, for instance, the Senator from Colorado, Senator BROWN?

Mr. SIMON. I discussed this with the Senator from Nevada and the Senator from Colorado, both of whom strongly support it. I might add that we had cosponsors of this, as independent legislation, from your side as well, and it was adopted by voice vote here earlier—not this session, but an earlier session—as part of a larger bill which was vetoed but had nothing to do with this.

Mr. LOTT. Mr. President, one final question, if I could. We do have a copy of the modified language?

Mr. SIMON. I have it at the desk. It just simply changes it from being a setaside to an authorization. Otherwise, there is no change.

Mr. LOTT. I wonder, Mr. President, if I can suggest to the Senator from Illinois, we have not had a chance to take a look at the legislation. As the Senator knows, some of the staff has already left. I wonder if it would be permissible, under the agreement we have, to wait and modify this in the morning. I feel like probably there will be no problem getting an agreement. As the Senator knows, I am filling in here, too. The Senator from Illinois can discuss the modification in the morning under the time agreement agreed to.

Mr. SIMON. That is perfectly satisfactory to me.

Mr. LOTT. I think what he has done is improved the prospects, and probably there will be no problem. At this time, without the managers here and without the staff directly involved not here, we would like to have a chance to look at it.

Mr. SIMON. The Senator's request is to withhold the request to modify?

Mr. LOTT. Right.

Mr. SIMON. OK. I will do that. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

AMENDMENT NO. 2568

Mr. GRAHAM. Mr. President, I call up amendment No. 2568. It is one of the amendments under the unanimous consent agreement.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM] proposes an amendment numbered 2568.

Mr. GRAHAM. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The text of the amendment is printed in the Friday, September 8, 1995, edition of the RECORD.)

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, I do not wish to belabor this issue, because it is really an offshoot issue we debated at some length yesterday and the day before yesterday which related to the fact that there are very extreme differences in the amount of Federal resources that the 50 States will receive under this legislation.

I introduced two amendments in an attempt to deal with that disparity. One of those amendments has been accepted and will be included in the managers amendment. That was what I called the ''embarrassment'' amendment.

In this bill, there is a provision which states that there will be a periodic or annual evaluation of how the individual States are performing under this bill, how well they are doing in terms of achieving its objectives, particularly in getting people off of welfare and into work.

I would compare that standard to a series of football teams, some of whom are made up of professionals and others are junior high school players, because that is about the way in which the 50 States are being equipped to carry out these responsibilities.

In the case of the assistant majority leader, his State is going to have to spend 88 percent of all of its Federal money just to meet the mandates in this bill. There are other States that can meet the mandates with less than 40 percent of the Federal money.

So the first amendment, which, as I indicated, has been accepted for inclusion in a managers' amendment, will simply say that when we go through this embarrassment test of how well you have done, part of that evaluation will be: How many resources did the State have? We are not going to ask the State that has one-tenth the resources of another to necessarily perform at the same level. We are not going to subject that State to the ridicule of its inability to reach the same level of accomplishment.

This is another amendment in the same spirit. We have in this bill a series of national work participation rates. For instance, for a family receiving assistance under this, where there

is a single adult in the family, we are expecting 25 percent participation in 1996, up to 50 percent participation by the year 2000.

Again, I think it is unrealistic and unfair to expect the same standard of achievement for all States, given the fact that the resources available are unequal. So I provide in this amendment that the Secretary of Health and Human Services, after consultation with the States, shall establish specific work participation rate goals for each State, adjusting the national participation rate goals to reflect the level of Federal funds the State is receiving under this program and the average number of minor children in the families having income below the poverty line for that particular State.

This will mean that we will set the goalposts consistent with how much money we are prepared to make available to that State. Those States that are going to be richly endowed under this program will have a long goalpost to meet. Those that are more limited in their participation will have a less demanding standard. That seems to me to be imminently fair and reasonable in terms of what we are going to be providing to the States to accomplish the objectives of this act.

Mr. President, that is the amendment. I urge its adoption. I think it will be an amendment that the Senators who are on the floor today, who represent some of that diversity, would be very receptive to, and possibly even willing to accept.

Thank you, Mr. President.

The PRESIDING OFFICER. Is there further debate?

Mr. LOTT. Mr. President, I think this issue has been discussed, as the Senator pointed out, at great length. I do not think there is going to be an inclination to just accept it. But this will be resolved tomorrow. How much time do we have on our side?

The PRESIDING OFFICER. There is no time agreement on the amendment.

Mr. LOTT. Mr. President, I am prepared to move to close, unless there is any other Senator who wishes to speak at this point.

Mr. GRAHAM. Mr. President, in order to protect our interest, I would like to ask for the yeas and nays on this amendment, indicating that if we can arrive at an amiable resolution of this, I would be prepared tomorrow to ask to vitiate the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KEMPTHORNE. Mr. President, after months of diligent work, the Senate is, at long last, debating the issue of welfare reform. This debate is simultaneously timely and long overdue. It is timely because so much attention has been focused on this issue for the last several months, and, in fact, for many months prior to the start of the 104th Congress. Members and staff have spent a vast number of hours reviewing concepts in welfare reform and developing legislation to meet our goals. Their work has lead to many well thought out proposals which are only now ready for full and vigorous debate on the Senate floor. It is overdue, however, because we have known for years that the welfare system in this country was flawed, and yet the status quo was maintained. We must act now to make the necessary changes, because we dare not look back on this time and tell our children we failed to take action when we had the opportunity.

As I was preparing for this debate, I became curious about the history of the word welfare. Upon looking it up, I was interested to note it comes from the Old English phrase ''wel faran,'' which means, quite simply to go, or to fare, well. While it sounds like the word has changed little from its earlier days, in reality the difference between the Old English phrase and the modern word is dramatic. Most notably, under our current public assistance programs, Mr. President, no one is faring well.

In our society, three groups of people are more directly impacted by welfare than any others—the beneficiaries, the tax payers, and the case workers. Obviously, the beneficiaries themselves are the most immediately affected by our current system. And what has this system done for them? Generations have grown up without knowing the satisfaction of work and personal improvement. The value of family has been ignored, aiding the increasing rate of illegitimacy. And possibly worst of all, children have been raised without hope in a system that does more to perpetuate poverty than to break the welfare cycle. Obviously, some people have been able to get ahead and get off welfare. But for far too many, the system offers no incentives and no promise of a better future. Can anyone argue that these are positive results? I firmly believe we should avoid the attitude that this Nation owes people something simply because they reside inside our borders. But I do believe we owe those in need the chance to reach above their situations—a chance which the current system denies.

The taxpayers certainly should not be ignored in this debate. What the taxpayers of Idaho have been telling me is that they want to help those who truly are in need, but simply giving money away is not an answer. They also do not want a system which is open to fraud and abuse. Earlier this year, one of my constituents, Linda Murray–Donahue of Boise, cited a particularly glaring example of how the system was being abused. More significant than the example she sent were her comments. After noting her own difficulties in trying to raise two children after being laid off, she stated,

I am disturbed at the prospect of continuing to struggle for my boys and continue to make them sacrifice so that [welfare abusers] do not have to take responsibility for their own lives. . . I and others do not begrudge the truly needy. However, the [welfare abusers] need to be put on notice that we are demanding changes in their welfare way of life.

I believe this is an accurate representation of an attitude found throughout the Nation. People are not looking at welfare reform as a way to attack the unfortunate. Instead, they simply want to ensure that the truly needy are helped while those who can provide for themselves do so. In the process, they also want to know that their tax dollars are being used wisely and efficiently.

In between the taxpayer and the beneficiary are the case workers and social workers. They too are frustrated by a system which they see thwarting their efforts to truly help people. While they work diligently to move families into work and a lifestyle of self-sufficiency, too many of their efforts are focused on verifying eligibility. Even when they are able to help someone begin the transition from welfare to work, all too often they are stymied by a system which discourages people from trying to break the cycle of poverty. We owe it to the dedicated case workers and social workers to let them work under a system which will help, rather than hinder, as they try to give welfare recipients a chance to improve their situations.

In this regard, Idaho has already taken an active approach to welfare reform. Earlier this year, several members of the Department of Social Work at Boise State University released a report entitled, ''Family Self Sufficiency: Welfare Reform in Idaho.'' I think many of the points which were made in that report are important to share with my colleagues. With regard to the state of affairs today, the report is clear, ''The current strategy of alleviating poverty through unconditional grants-in-aid has failed because it fosters dependency, weakens self-reliance, lowers attachment to work, and excludes the poor from the participation in the labor market.'' The report sums up the major problem with our welfare programs quite simply, ''[T]he system does not equip recipients with the means to leave poverty.''

The introduction to that report, I believe, quite accurately describes the situation we now face, and the direction in which it may be best addressed. I would like to quote that portion of the report.

Welfare should be a ''hand up'' and not a ''hand out.'' Programs that do not stress self sufficiency erode the work ethic. Policies that reduce the incentives for the maintenance of families break them up. Programs that do not encourage participation in the economy through training and education go against the fabric of America's belief system. At the same time, punitive programs diminish hope, hurt children, and foster long term poverty.

Welfare is not a right or an entitlement, it is an investment. The traditional generosity of the American people toward the poor and those who find themselves in difficult situations is sorely tested when welfare programs make no progress in either lifting clients out

of poverty or of reinforcing self-reliance. The benefits the public accords the poor, the destitute, the homeless, and the sick grow out of a democratic commitment to social justice, equal opportunity, and a belief that we as Americans are in this together.

Any welfare reform effort we undertake must reinforce these principles. Welfare is an investment in people that ideally benefits the recipient and society. In exchange for benefits, able-bodied clients must take steps in partnership with the state to lift themselves to self-support. And despite myths to the contrary, the poor do work hard and welfare recipients want to find jobs.

In Idaho, Governor Batt has already begun to move ahead with efforts to address exactly the kind of reforms mentioned in the report I just mentioned. He has assembled a welfare reform advisory council—composed of legislators, community leaders, private citizens, and other key decision-makers. In the Executive Order which established the advisory council, Governor Batt noted,

''the current welfare system fails to foster fundamental values relating to work, family, personal responsibility, and self-sufficiency.'' The order went on to state, ''the current welfare system isolates recipients from the economic and social mainstream and maintains families at below poverty levels with only limited support or incentives to become independent of welfare assistance. . . [it] focuses on writing checks and verifying circumstances rather than helping people move rapidly to work.''

The Governor's advisory council has now met with Idahoans throughout the state to hear the people's thoughts on welfare reform. In addition, it has solicited further public comment in newspaper advertisements all across Idaho. This information will be used to develop a welfare reform plan which is specific to Idaho's needs. Mr. President, the State of Idaho is prepared to take on the challenge of welfare reform, and has demonstrated the willingness to address the difficult issues which this endeavor encompasses. We should give them that opportunity.

Idaho has specific concerns which it wants to address, concerns which in many cases are the same as those we have been discussing on a national level over the last few months. While these issues may be similar across the country, ideas for dealing with them are not. That is why we must let go of Federal control. As long as we continue the Federal strings, states will not have the needed flexibility to truly address their needs. They also will not have the flexibility to try innovative proposals which could serve as examples to other states about what approaches will lead to a truly productive welfare system.

Mr. President, in my very first speech here on the floor of the U.S. Senate, I spoke about the need for States to be given the opportunity to develop their own solutions to specific problems. At the time, I said, ''I believe that we need to encourage innovation. The lessons we will learn from these different States, as they undertake these significant approaches, will be invaluable to us, both in learning what does work, and also in learning what does not work. . . We need to support those States that are willing to actively seek solutions.'' While that speech was in reference to Oregon's request for a Medicaid waiver, I believe it is just as applicable today. True reforms will come from the States, and we must give them the opportunity to prove they are up to the task of changing, for the better, our current system of welfare.

The bill we are currently considering takes tremendous strides toward achieving our goals. First and foremost, it ''block grants'' many Federal welfare programs—including Aid to Families with Dependent Children, job training programs and child care programs. It also provides states with the option to accept Food Stamp funds as a block grant. This is the basis of real reform. Turning these programs over to the States will provide people with the chance to shape poverty-assistance programs to meet local needs. As a former mayor, and as the author of the Unfunded Mandates Reform Act, S. 1, which was signed into law earlier this year, I understand the frustrations and hassles which accompany Federal requirements. By eliminating these mandates, we allow State and local officials to use their own creativity and their intimate knowledge of the people's needs to address their problems. And we do not make them go through a series of bureaucratic hoops in order to get a waiver to do so.

Some have claimed the States cannot handle this responsibility. They claim State and local officials will, without strict Federal oversight, eliminate poverty assistance and turn their backs on the poor and needy. Mr. President, I do not understand how anyone could truly believe that argument. Do the naysayers really believe that State and local officials are cold, heartless individuals who would gleefully deny food to the hungry and let children suffer? Do they also believe that upon being elected to the Congress we all undergo some miraculous transformation which makes every member of this body more compassionate and knowledgeable than our State and local counterparts? The mere idea is ridiculous. Local and State officials are the ones who are in the best position to see what their programs do to people. They are the ones whose friends and neighbors are directly impacted as a result of their actions. And if they make a mistake, if they do something the people do not like, they are more directly and immediately responsible for that decision than anyone here in Washington. That, I would say to my colleagues, is a better guarantee that local needs will be met than any number of Federal rules, requirements or regulations.

In contrast, the bill presented by the Democrat leadership, which was rejected by this body, would have continued that vaunted tradition of ''Washington knows best.'' It would not have offered flexibility to the States, thus preventing innovation and creativity at the State and local level. It would have continued the entitlement status of welfare programs, preventing the States from requiring anything in return for welfare dollars. It would have kept the Federal bureaucracy firmly entrenched in the welfare system, a system which, under Federal control, has failed those it is alleged to serve. Finally, the bill would have allowed numerous exemptions to the so-called work requirements, in effect nullifying the requirements and making it easier to maintain the status quo.

Mr. President, I believe the welfare reform debate is about one word—freedom. It is the freedom of State and local governments to decide how best to provide assistance to the needy. It is the freedom of the various levels of government to create innovative ways to meet the unique needs of the downtrodden in their city, county or State. It is the freedom to follow local customs and values rather than Federal mandates. I have said for some time that when the Government tries to establish a one-size-fits-all, cookie cutter approach to address a perceived need, it ignores the unique circumstances which are so important in developing the best way to address that need. The legislation presented by the Republican leadership recognizes this fact.

The difficulties associated with the Federal approach to problem solving are especially evident in rural States, like my home state of Idaho. The kind of help which people in rural communities may need differs dramatically from the kind of assistance an individual in New York, or Miami, or Los Angeles may need. In order to address those needs, States must have flexibility. A program which is designed to help families who live in our major metropolitan areas, quite simply, will not work in Wallace, Idaho—a community with less than 2,000 people. It may not even work in Boise, which is Idaho's largest city. The reverse is also true. A program which is capable of helping folks in a State like Idaho—which has a population density of just over 12 people per square mile—is likely to have little relevance in Detroit or Boston. Mr. President, I do not want anyone in this country who is struggling to make something of themselves, whether they are from Idaho, or Minnesota, or Arizona, or North Carolina, to be hampered in their efforts because of rules and regulations which ignore the fact that this Nation is not uniform—that people in all areas of the country have unique circumstances which simply cannot be addressed in one prescriptive Federal package.

Mr. President, I stated earlier that welfare reform is about freedom for the States. More importantly, it is about freedom for the people. For too long now we have witnessed a vicious cycle of poverty in this Nation which, once entered, is nearly impossible to escape. We have a system of welfare which does

not focus on getting and keeping people off the Federal rolls, but instead appears to be based on the belief that once one has become a part of the system, they will never again desire to become self-sufficient. I do not believe this is true. I believe most welfare recipients, if given the opportunity, would gladly find a way to end their dependence on the Government. It is with these people in mind that we must complete our work on welfare reform legislation, so we may give current and future welfare recipeients the freedom to break out of poverty.

Mr. President, I have listened to many of my colleagues share their thoughts on the legislation we are now considering. As could be expected, the bill does not have unanimous support. Some think it has too many strings on the block grants, other say not enough. Some believe even more programs should be block granted. Regardless of whether or not any particular amendments were added to the bill, however, I ask my colleagues to keep in mind the long-term implications of what we are trying to do. I would ask them to ask themselves one simple question, ''Does this bill get us closer to our goals then we would be if we did nothing?'' If the answer is yes, and I believe it is, I would urge them to support the leadership package. In doing this, we can finally break the cycle of poverty which has gripped too many Americans, and help them get back on their feet. And in so doing, we will help all Americans.

In closing, in considering welfare reform I think we would be wise to heed the words of one of this nation's greatest leaders, President Abraham Lincoln. It was Lincoln who once said,

> The legitimate object of government, is to do for a community of people, whatever they need to have done, but can not do, at all, or can not, so well do, for themselves—in their separate, and individual capacities. In all that the people can individually do as well for themselves, government ought not interfere.

Mr. President, I believe this applies equally well to the relationship between the States and the Federal Government. The Federal Government should not attempt to do for the States what the States are capable of doing for themselves and for their residents. We have tried to do so for the last 30 years, and we have not succeeded. It is time we let the States decide how to meet the needs of the less fortunate, using State and local solutions. If we do this, we grant the States a level of freedom they have not had in years, and we move one step closer toward giving welfare recipients hope that they too may soon be free of a system which has perpetuated poverty and social decline. And freedom, I would say to my colleagues, is what this Government is supposed to be about.

I thank the chair and the managers of the bill for their courtesy, and I yield the floor.

THE CHILD ABUSE PREVENTION AND TREATMENT ACT AMENDMENTS OF 1995

Mr. COATS. Mr. President, child abuse is a critical issue facing our Nation. Each year, close to one million children are abused or neglected and, as a result, in need of assistance and out of home care. CAPTA is a small but vital link in the provision of these services.

S. 919, which has been included in the Dole welfare reform bill, streamlines CAPTA's State plan and reporting requirements; eliminates unnecessary research and technical assistance activities; and encourages local innovation through a restructured demonstration program.

Additionally, we have consolidated the Child Abuse Community Based Prevention Grants, Family Resource Centers, Family Support Centers into the Community-Based Family Resource and Support Grants.

Finally, S. 919 repeals the Temporary Child Care for Children with Disabilities and Crisis Nurseries Act, title VII (F) of the McKinney Homeless Assistance Act, and the Emergency Child Abuse Prevention Grants.

Mr. President, each day, hundreds of children and families come into contact with, and are affected by, our Nation's child protective system. For many, it is a frightening experience. For others—for those on the front lines, it is sometimes an opportunity to rescue children from horrific circumstances.

Unfortunately, the issues facing this overburdened system are seldom easily resolved. Too often—overworked, underpaid, untrained, and sometimes overzealous caseworkers have a tremendous and devastating impact on families.

Decisions are routinely made to remove children and place them in foster care—into situations that are sometimes far worse than from where they came. Other times, because of mounting paperwork and case files, a serious case goes uninvestigated—or a decision to return a child to an unsafe home is made because there are no more out-of-home placements available. These are all difficult circumstances that require balance, training, and resources.

Since 1974, CAPTA, though a relatively small program, has assisted States in meeting child protection needs. It is a small, but powerful program, because its mandates have radically changed how we view child protection.

Unfortunately, not all of these changes have been helpful. CAPTA has, until now, been viewed as a very prescriptive program, with States judged, not on how well they protect children, but how close they come to mirroring some Federal definition or example of how things ought to be.

The 1995 CAPTA amendments are an important first step aimed at redressing some of the problems in CAPTA while, at the same time, building upon its strengths. Most experts agree that what CAPTA can do and do best is provide guidance to States; assist States with training and technical assistance; and promote better research and dissemination of information while allowing for maximum flexibility in approach and response.

S. 919, as unanimously reported out by the Labor Committee and included in the Dole bill, builds on those strengths. Specifically, this legislation:

Eliminates unnecessary bureaucracy by repealing mandates for a National Center on Child Abuse and Neglect, the U.S. Advisory Board, and the Interagency Task Force on Child Abuse. Instead, the Secretary may use her discretion in deciding whether or not they are an essential function;

Restructures and consolidates various research functions into one coordinated effort;

Places a significant emphasis on local experimentation by expanding Demonstration Grants to encourage local innovation and experimentation. One of these grants would be available for a triage system approach which Labor Committee members heard very exciting reports about during a subcommittee hearing. Others include training for mandatory reporters, families, service providers, and communities;

And reforms the Basic State Grants by allowing greater flexibility to the States in determining the circumstances and intensity of intervention that is required, while encouraging them to look to other preventative services that can be provided to families, when intensive intervention is not called for.

Determining the appropriate level of intervention is a very important consideration. We have studied closely the numbers of abuse and neglect reports that have been filed. Of the close to 3 million reports that have been filed, only one-third are eventually substantiated. This means that over 2 million are either unsubstantiated or even false. And while I know that these numbers and how they are interpreted are the source of some disagreement, the fact remains that for whatever reason, over 2 million investigations at some level, are occurring, and possibly resulting in inappropriate interventions—including removal of the child from the home.

Members of the Labor Committee may recall the testimony of Jim Wade who spoke of his 3-year ordeal, in which his daughter was wrongfully removed from his home. I have received many such reports and complaints, and while we should be mindful not to legislate by anecdote, these stories involve real people and are chilling.

With the State grant, we have worked to find ways to improve reporting so that caseworkers are able to assess and effectively respond to cases of abuse and neglect with an appropriate response.

We have also ensured that persons who maliciously file reports of abuse or

neglect will no longer be protected by CAPTA's immunity for reporting. Only good-faith reports will be protected.

Finally, we have clarified the definition of child abuse or neglect to provide additional guidance and assistance to States as they endeavor to protect children from abuse and neglect.

Let me briefly mention the other programs authorized in the 1995 CAPTA amendments: the new Community-Based Family Resource and Support Grants represent the result of nearly a full year's effort to consolidate the Community Based Prevention Grant, Respite Care Program, and Family Resource Programs; the Family Violence Prevention and Services Act which provides assistance to States primarily for shelters; the Adoption Opportunities Act which supports aggressive efforts to strengthen the capacity of States to find permanent homes for children with special needs; the Abandoned Infants Assistance Act which provides for the needs of children who are abandoned, especially those with AIDS; the Children's Justice Act; the Missing Children's Assistance Act and section 214 of the Victims of Child Abuse Act.

Mr. President, I would like to thank the members for their attention. These are important programs and they will affect many children and families. I urge the adoption of the 1995 CAPTA amendments.

STUDENT AID

Mr. MACK. Mr. President, with regard to title V of H.R. 4, the Work Opportunity Act, I am interested in clarifying an issue regarding the applicability of the term ''assistance * * * for which eligibility is based on need'' to various student loan programs. As I understand this legislation, eligibility for needs-based public assistance will either be subject to a deeming period or will be forbidden for a period of five years for most non-citizens. At this time, there seems to be an erroneous public perception that all student financial aid programs will be subject to these provisions. This is not the case. In the interests of responsible legislating, I think it is important to clarify that unsubsidized student loans are not needs-based and should therefore not be subject to the requirements of title V.

Mr. SIMPSON. Mr. President, Senator MACK is correct. Although the term ''assistance * * * for which eligibility is based on need'' in title V of H.R. 4 would apply to most forms of student financial aid, the unsubsidized student loan program is indeed a financial aid program which is not based upon need. Therefore, this particular program would not be subject to the deeming period or 5-year ban established in title V of this bill.

Mr. DOLE. Mr. President, I would like to offer my support of the comments made by Senators MACK and SIMPSON on this issue.

CHILDREN'S SSI

Mr. CONRAD. Mr. President, I have a series of clarifications concerning the children's SSI program that I would like to discuss with the majority leader.

But first, let me express my appreciation to Senator DOLE for his leadership in helping us reach a compromise on this issue. The SSI agreement is not everything I had hoped to achieve when Senator CHAFEE and I introduced the Children's SSI Eligibility Reform Act, but it is clearly an improvement over the House bill.

In addition, I believe the agreement includes a number of extremely important provisions to both address criticisms that have been leveled against the Children's SSI program and protect children with severe disabilities. I am extremely pleased we were able to reach a bipartisan compromise on this issue, and thank Senator DOLE, Senator SANTORUM, Senator DASCHLE, Senator CHAFEE, Senator SIMPSON, Senator JEFFORDS, and others who were so deeply involved.

Mr. President, I would like to clarify for the RECORD the intent surrounding several of the provisions in the amendment. First, the amendment deletes the word ''pervasive'' from the definition of child disability that was included in the welfare reform bill reported in May by the Finance Committee. This is an important change, and one that I fully support. Would the majority leader clarify his understanding of the intent of this change?

Mr. DOLE. I want to thank the Senator from North Dakota for his leadership and hard work on this issue. Children with disabilities are certainly among those most at risk in our society, and we want to make sure we are doing the right thing by them. He and Senator CHAFEE have worked extremely hard to bring the Senate to this point.

As for the Senator's question, I understand that the Senator from North Dakota was concerned that the term ''pervasive'' included in the earlier definition implied some degree of impairment in almost all areas of a child's functioning or body systems. That was not the intent of the earlier proposed change to the statute. It is expected that the children's SSI program will serve children with severe disabilities. Sometimes children will have multiple impairments; sometimes they will not.

Mr. CONRAD. I also understand that the amendment is designed to facilitate expert analysis of the SSI program for children by the National Academy of Science, to ensure that program changes, including determination of disability, are based on the best possible science.

Mr. DOLE. Yes, I think we can all agree that the children's SSI needs a tune up. The provision for a study by the National Academy of Sciences of the disability determination procedures used by the Social Security Administration will help accomplish this goal, and help us obtain a realistic picture of how an impairment affects each child's abilities.

No doubt about it, the children's SSI program is extremely important for some children with disabilities. But as the Senator from North Dakota made mention, there have been widespread allegations that some children on SSI are not truly disabled, or money is spent in ways that do not benefit the child. I hope this study—in addition to the changes we have made in the law—will help restore confidence in this program.

Again, it is my expectation that this program will continue to serve children with severe disabilities, and that includes properly evaluating children too young to test, children with multiple impairments, and children with rare or unlisted impairments which nevertheless result in marked and severe functional limitations.

Mr. CONRAD. Is it expected that the Social Security Administration and the Congress will rely heavily on the expert advice of the National Academy of Science when engaging in future regulatory activity and deliberations regarding impairments of children in the SSI program?

Mr. DOLE. Yes. But I also hope we hear from many others as well with good information to offer, including other experts, parents, and advocates.

Mr. CHAFEE. If I might also ask the majority leader a question. The leadership amendment and the Finance Committee proposal are both silent about the purpose of children's SSI. However, unlike the House proposal, both retain the cash benefit nature of the program. This is a concept that Senator CONRAD and I thought was extremely important when we introduced the Childhood SSI Eligibility Reform Act, and I am pleased that the majority leader's proposal retains flexibility within the SSI program by retaining the cash nature of the program. It is important for the SSI program to reflect the impact a disability has on families faced with a variety of circumstances. SSI often provides important assistance to families by replacing a portion of the income that is lost when a parent must care for a disabled child. The flexible nature of SSI is indispensable for many parents who are rendered unable to work because they must stay at home to provide care and supervision to their children with disabilities. Does the majority leader share our assessment?

Mr. DOLE. No doubt about it, for some families with a severely disabled child, SSI can be a lifesaver. It allows them to care for their child at home—who might otherwise be institutionalized at much greater cost to the government—or obtain services they could not otherwise afford. If a small payment can help a disabled child stay with his family, or grow into a productive adult, it is better for the child and better for society. SSI benefits provide the greatest flexibility, and the least amount of bureaucratic redtape.

But I think there may be some difference of opinion about the purpose of the program. The SSI program was originally started to provide a small cash income to individuals who cannot work because of age or disability. But the children's SSI program had a somewhat different purpose—to help poor families with the extra costs of having a child with a disability. It seems the program has expanded without much Congressional attention. In my view, we need to revisit the purpose of the SSI program. The Finance Committee has not tackled this problem yet, but it should and I believe it will. But the Senate decision to retain the cash benefit is clearly an important difference from the House.

Mr. CONRAD. I would like to join in the comments of both of my colleagues regarding the cash benefit nature of the SSI program. This provision is critically important, and I commend the Majority Leader for including it in the amendment. If I might address one additional question to the majority leader, it is the intent of this Senator and other supporters of this amendment on both sides of the aisle that this amendment is the position of the Senate, and that it will be vigorously defended in conference with the House of Representatives. Will the majority leader insist on this provision during conference with the House?

Mr. DOLE. This is a bipartisan compromise with broad support, and in my view it should be a position to which the Senate should firmly hold in conference.

Mr. CONRAD. Base on these assurances, I am pleased to support the compromise we have developed on children's SSI. This is not everything I had hoped to achieve, but it is critically important that the Senate enter conference with a solid, unified position.

Mr. WARNER. Mr. President, I am pleased to rise as one of the original cosponsors of the Republican leadership welfare reform bill.

We have entered this historic debate because the 30-year War on Poverty remains a war, but the nation is losing. According to recent analysis, aggregate government spending on welfare programs over the last 30 years has surpassed $5.4 trillion, an expenditure that exceeds our national debt.

Despite this spending, America's national poverty rate remains at about the same level as 1965, the year that President Johnson launched the War on Poverty.

Despite the best of intentions, we have a welfare system that ''traps'' children and families in a cycle of dependency, and that encourages behavior leading to indefinite reliance on welfare. It fosters a lifestyle that is in direct opposition to the motivators that propel others to get up and go to work every day.

The Republican leadership's bill emphasizes work, families and genuine hope for the future while giving the States greater responsibility—and flexibility—for managing welfare.

This measure has been a long time coming, and I do not just mean this summer. Our distinguished colleague from Colorado, Senator HANK BROWN, did an outstanding job in 1993 and 1994 as chairman of the Republican Welfare Reform Task Force. Health Care Reform diverted the Senate, but it did not diminish the value of their work. Much of what we are considering today is built directly on the strong foundation of Senator BROWN's early proposals.

I also think back to the 1986 State of the Union Address of President Ronald Reagan. That year he proposed Welfare Reform. This was another step. The Reagan welfare reform plan, the Family Security Act of 1988, was guided to enactment by the fine hand of the then Finance Committee Chairman, Senator MOYNIHAN of New York, who is now serving with such distinction as the co-manager of this bill.

The Family Security Act of 1988 served as a laboratory for S. 1120. In 1988, we first dealt with the issues of workfare versus. welfare, the dilemmas of teen pregnancy and illegitimacy, the high costs of work requirements, and the need for broad federal waiver authority. It is the State and local levels of government which administer the American welfare system, not the Department of Health and Human Services.

I am proud that under the waiver authority established by the Family Security Act, the Commonwealth of Virginia has been in the vanguard of welfare reform initiatives.

While we are struggling to come together in the Senate to pass S. 1120, my State has already enacted and is now implementing what we call the Virginia Independence Program or ''VIP'' for short.

VIP is the visionary welfare reform program brought to the people of Virginia under the outstanding leadership of Gov. George Allen. It was no easy task to battle a sometimes hostile state legislature, dominated by the other political party, as well as the mountain of redtape required in securing the necessary Federal waivers. He succeeded splendidly, however, in achieving his goals, and now Virginia is in the careful, watchful, early stages of actual reform.

Governor Allen, with his great courtesy, personally journeyed to Washington on September 13 to deliver a thoughtful and, in my judgment, immensely helpful letter on what he believes the Senate should accomplish in welfare reform.

Mr. President, I ask unanimous consent that my letter from Governor Allen be printed in the RECORD at this point for the benefit of all of my colleagues.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE GOVERNOR,
September 13, 1995.

Hon. JOHN W. WARNER,
U.S. Senate,
Washington, DC.

DEAR JOHN, As the United States Senate continues to debate welfare reform this week, I believe that our experiences in the Commonwealth of Virginia can be instructive.

I hope you will consider Virginia's plan to be a model for the nation. The comprehensive Virginia plan is based upon the principles of the work ethnic and personal responsibility. Our experiences support the need for an overall block grant approach, that will give States the flexibility to appropriately design programs that address the individual needs of the citizens of their State, return AFDC to a program of temporary assistance for those in need, and require work for all able-bodied recipients.

I understand that there will be attempts to amend S. 1120 by attaching new chains on the block grants to the States. As a staunch proponent of federalism and self-determination, I oppose such choke chains, *whether they are ''conservative'' or ''liberal'' ones,* and respectfully encourage and request that you to do likewise for Virginians.

Experience shows that the States are perfectly capable of taking this responsibility and exercising it wisely for our citizens. Virginia's landmark welfare reform legislation is a prime example. Our plan applies to the entire AFDC caseload, with a work requirement for 48,000 of our 74,000 cases. It incorporates common-sense principles into the welfare system by rewarding responsible behavior and providing compassionate, but temporary, assistance for those in need.

In addition to providing opportunity and support to recipients, the program is expected to save the taxpayers more than $130 million over the first five years. Already, we have had a significant drop in our caseload. Restrictive maintenance-of-effort requirements rob States of the ability to share in these savings and the incentives to achieve them. They should be opposed.

As you know, Virginia received a waiver to begin implementing this landmark welfare reform plan on July 1 of this year. You also should be aware that, before this waiver was granted, we spent the better part of two months fending off efforts by the Clinton Administration to completely rewrite our plan. The administration proposed literally hundreds of changes or conditions in the waiver process. Many of them involved very fundamental things; if agreed to, they would have raised the cost of the program significantly and changed essential provisions.

We had a tough fight in our state legislature—with a final bill clearing the General Assembly only in the last hour of the 1995 legislative session. At issue were questions such as whether we would have a real work requirement and a real time limit; whether there would be a child cap and strong requirements for paternity establishment; and whether we would require minor recipients to stay in school and live at home with a parent or guardian.

This spirited debate was expected, given the fundamental nature of the changes and reforms we were proposing. We did not expect, however—after the legislative process was completed at the state level and we had decided what state law and state policy were going to be—that we would have to turn around and refight all those battles with the federal bureaucracy through the waiver process. A good example was the time limit. We went to the wall with HHS over the issue of whether we in Virginia would be able to define the circumstances that would allow

someone a hardship exemption from the time limit. That is, of course, a very fundamental issue.

This ordeal leaves me firmly convinced that the whole concept of waivers inherently flawed. The waiver process by definition invites prescriptive micromanagement and nitpicking from federal bureaucrats in Washington. What States need in order to accomplish this fundamental transformation of welfare is not new waiver guidelines, as the President has suggested, but elimination of the need for waivers in the first place through a genuine block grant, with flexibility guaranteed by statute.

There are other areas in which the Congress could learn from the experience of States like Virginia. We have implemented a child cap here that places responsibility for additional children upon those who should bear the responsibility—the parents. Our program places a cap on benefits for additional children in an AFDC family, but guarantees that 100% of support funds collected from the father will be turned over to the family. This will encourage responsibility, paternity establishment, and child support.

In Virginia, we recognize the important relationship between economic development and welfare reform. We cannot continue to prepare AFDC recipients simply for welfare jobs. Instead, we must train them to compete for existing jobs in our expanding economy. After passage of our welfare initiative, we turned our attention to workforce development. In order to reform the welfare system effectively, we are in the process of restructuring our job-training programs so that they help match workforce training and skills with the needs of our private sector in our local communities. I would encourage you to ensure that workforce development consolidation is included in the overall welfare reform bill, as the two are essential to a State's success.

What the debate really boils down to is who does the U.S. Senate trust to make these policy decisions—the federal bureaucracy or the elected representatives of the people at the State level. This is a basic philosophical question. The choices you make will determine whether the bold innovations that are occurring in Virginia and other States can move forward, or whether federal bureaucrats will continue to micromanage and second guess the decisions of the people of the States and their duly elected representatives. I respectfully urge you to place your trust in the States, which are leading the way.

Thank you for all your solid leadership for our cause in many ways and congratulations on your selection as Chairman of the Rules Committee.

With warm regards, I remain,

Sincerely,

GEORGE ALLEN.

Mr. WARNER. As you will note, the Governor fully supports the block grant process with as few Federal strings as possible. He desires neither conservative nor liberal mandates. In the spirit of true federalism, he is confident that the people of Virginia are fully able to design and administer our own welfare reform programs.

Here are a few parallels between what we are seeking to do in S. 1120 and what the Commonwealth of Virginia has already set into motion.

We are seeking to block grant the entire Aid to Families With Dependent Children [AFDC] Program and have half the eligible population participating in work requirements by the year 2002. Virginia, on the other hand, will implement AFDC reform in 4 years for our entire 74,000 caseload.

While we have debated the duration of welfare payments and whether or not to guarantee transitional benefits such as child care, Virginia has passed a 2 year time period for welfare recipients, during which intensive work experience, education and training will be provided. To facilitate the transition from welfare to work, medical care, child day care, and transportation assistance will be provided. We did not need someone in Washington dictating what we already knew. Young welfare parents have to be freed from domestic burdens if they are to truly benefit from workfare participation.

And, we promote and strengthen two parent families by assuring that both are eligible for benefits, that paternity is acknowledged, and that child support is more strictly enforced. Minor custodial parents are asked to live with their own parents or legal guardians, as long as the home is not abusive, and they must comply with compulsory school attendance laws.

These and other commonsense reforms are all on the way in Virginia. We welcome and encourage other States to watch closely what we do and to lend us the benefit of your own experiences and expertise in reformulating the welfare equation.

Mr. President, in closing, I would like to commend the Senate majority leader, Senator DOLE, and his key staff members, Sheila Burke and Nelson Rockefeller. This has been a collective effort, requiring accommodation of broad and diverse views, and it could not have been done without the good efforts and offices of the Senate majority leader. They have fine tuned the art of compromise while maintaining a strong and underriding traditional Republican philosophy.

In all seriousness, a brighter and more hopeful day for many disadvantaged Americans is almost within our reach. At the end of this day, let us not disappoint those who are looking to us now for an opportunity to join in the American success story.

Mr. MCCONNELL. Mr. President, since last week, the full Senate has debated the arduous task of reforming a welfare system that has failed in its mission to eliminate poverty in America. Throughout our history, Americans have held to the belief that hard work and investment are the staples for family security and economic success. Yet, our Nation's welfare system has turned away from these basic principles. Working Americans complain that the welfare system promotes dependence and waste, while many welfare recipients struggle for the chance to work their way off the rolls.

Since 1965, America has infused $5.4 trillion into a public assistance network composed of almost 80 State and Federal programs. At best, the War on Poverty has produced temporary gains for poor families. While the national poverty rate dropped from a high of 22 percent in 1959 to an historic low of 11 percent in 1973, the poverty rate had risen to 15 percent by 1993. Most tragically, our welfare system has failed to assist our Nation's most vulnerable families. From 1969 to 1993, the child poverty rate declined by less than 1 percent of families headed by single mothers.

America's welfare system has lost its focus. In the 1930's, the Roosevelt Administration created the Aid to Families with Dependent Children Program to help widows, orphans, and families suffering from abandonment or unemployment through difficult financial times. Today, those in need must navigate an array of conflicting bureaucratic rules and program divisions that discourage work, and many times, family unity. Instead of liberating Americans from financial crisis, today's AFDC system fosters a detrimental cycle of generational welfare reliance.

Few dispute that welfare reform is necessary. Without change, single-parent families will continue to suffer from poverty, and the escalating cost of the status-quo will overwhelm our Nation's financial resources. Democrats and Republicans alike are focused on similar goals—State flexibility and the end of unconditional assistance. But how can these goals be attained? The answer is real, commonsense reform.

First, we must fundamentally restructure the way our welfare system works. Our patchwork system of Federal and State welfare programs has produced a complex and inconsistent means for distributing benefits. In increasing numbers, States are requesting Federal waivers to restructure federally defined welfare programs so they can effectively deliver the services their citizens need. President Clinton recently promised the Nation's Governors a waiting period of only 120 days for the processing of their waiver requests. However, states need more than a fast-track system for bureaucratic review. They need real flexibility—the authority to develop public assistance programs that promote work, rather than automatic check writing.

Americans are increasingly concerned that an unconditional entitlement to welfare is displacing the desire for independence with the expectation of permanent dependence. To successfully reduce poverty, welfare must focus on employment, not exemptions to work. Over the years, we have tried a variety of complex, federally dominated work programs. Efforts to attain sustainable employment for AFDC recipients have become little more than a paper chase under the current Job Opportunities and Basic Skills [JOBS] Program. Despite good intentions, the JOBS Program has failed and must be repealed. To effectively respond to the day-to-day reality of the job market, States should be empowered with the authority to develop and adjust their

work programs according to recipient need and local job resources.

Welfare recipients also should know that public assistance is not free money but an investment in their work potential. Welfare must be contingent on real work. While appropriate job training is important, we must not lose sight of the fact that classroom lessons mean nothing unless one can actually apply them to the workplace. Real work also means real responsibility. Those who refuse to work without sound cause should see their actions directly reflected in their welfare benefit. Just like every other American employee, an hour's work should equal an hour's pay. In addition, a 5-year lifetime limit focuses recipients on welfare's fundamental purpose—support for the attainment of self-sufficiency.

Second, reform should focus on abolishing abuse. I don't know of one taxpayer that wants Food Stamps used for the purchase of drugs or alcohol. I know that many of my colleagues on both sides of the aisle share my concern with fraud in our Nation's largest welfare program. I have dedicated considerable effort to legislative proposals that would curtail waste, fraud, and abuse in the Food Stamp Program. The welfare reform bill before us meets this challenge and helps ensure that food stamps are used for their intended purpose: to help needy Americans buy food to supplement their diet.

I am also pleased to see that this bill retains child nutrition programs at the Federal level while successfully reducing excessive Federal regulation. These programs work and have successfully ensured the health and nutritional well-being of future generations of children.

Third, it is essential that welfare reform uphold a standard of responsibility to our Nation's children and families. Illegitimacy in America is becoming the rule rather than the exception. The facts are alarming. Today, 1 in 3 children are born out-of-wedlock—by the turn of the century, this figure will be 1 in 2. Most disturbing of all is the drastic increase in out-of-wedlock births among our youth. In 1960, 15 percent of births to women under the age of 20 were out-of-wedlock. By 1992, this figure had increased to 71 percent.

Today, the specter of poverty haunts single mothers and their children like never before. From 1976 to 1992, the proportion of single, never-married women receiving AFDC more than doubled, from 21 percent to almost 52 percent. Yet welfare assistance has failed to shepherd these needy families to a better future. The Congressional Budget Office found that single women receiving AFDC in 1992 were poorer than in 1976, even though they worked in about the same proportions.

The increasing number of single mother families living in poverty is fueled by the ease with which absent fathers ignore their parental responsibilities. To reverse this devastating trend, we must take seriously the necessity of paternity identification. Fatherhood is not a one-time-only event—it is a lifelong responsibility and should be treated as such.

Paternity identification is an essential step toward the improved collection of child support. In Kentucky, efforts in paternity identification have head a substantial impact upon the collection of child support for AFDC dependent families. In fiscal year 1994, 7 counties ranked in the top 10 for both paternity identification and child support collection.

Without a doubt, dead-beat dads must be held accountable for their child support obligations. In 1991, fathers owed $17.7 billion in child support payments. Only 67 percent, however, was paid—a shortfall of $5.8 billion. If a father refuses to support his child, States have the right to make his parental responsibility crystal-clear by suspending his driver's or professional license.

Mr. President, real reform means transforming welfare from a dead-end street to a bridge toward self-sufficiency and family security. Last year in Owensboro, KY, three mothers shared with me their personal experiences in the welfare system. They were deeply concerned about the future—how they would care for the health and well-being of their children as they tried to work their way off welfare. As they spoke, it was clear that their success depended on their tenacity to break free from the confines of a welfare system that promises much but delivers little. It is for them and each of our Nation's 5 million AFDC families that we must reject the status-quo of an empty entitlement system and return our welfare system to the basics of fairness, work, and family security.

THE MAINTENANCE OF EFFORT AMENDMENT

Mr. CHAFEE. Mr. President, Senator GRAHAM asked a question yesterday during consideration of my amendment on maintenance of effort which I am not sure I fully understood, and I wonder if he could ask the question again.

Mr. GRAHAM. Thank you, Mr. President. The question is does the Chafee modification to the maintenance of effort mean that a State would have to continue to maintain its effort at 80 percent if the Federal share is reduced.

Mr. CHAFEE. I thank the Senator from Florida for clarifying the issue. The answer is no, if the Federal share is reduced for whatever reason, the State maintenance of effort would also be reduced. This is the hold-harmless provision that was included in both my amendment and the amendment offered by the Senator from Louisiana, Senator BREAUX.

Mr. GRAHAM. I thank the Senator from Rhode Island for clarifying this issue for me.

Mr. PRESSLER. Mr. President, today's debate is the culmination of a long process of rethinking social programs. Welfare originally was designed as a transitional program—a safety net. The system is no longer a temporary safety net, but a lifetime security blanket. The result? Millions of Americans now are trapped in a cycle of dependency. To end this cycle we must rethink our concept of welfare. We need a new approach.

The bill offered by the majority leader, Senator DOLE, represents the fresh start we desperately need. The Dole bill would bring common sense back to welfare. It would restore personal responsibility and self-sufficiency. Compassion can no longer be defined in the number of dollars spent on welfare. Since the War on Poverty began three decades ago, welfare spending has increased to more than $137.6 billion. Despite this massive infusion of cash, our poverty level remains virtually the same—roughly 13 percent. Today, more than 69,000 South Dakotans are on welfare. That is more people than the population of Rapid City. We can no longer throw taxpayer dollars at a so-called poverty program that has not worked. We must change the incentives in the current system that encourage dependency on welfare. We must refocus our priorities to emphasize work and family. The Dole bill does just that.

My liberal friends on the other side of the aisle prefer to continue the status quo. I do not understand why. The current system is cruel and unfair—to both welfare recipients and taxpayers. The current system holds people in a dependent state of poverty. It prevents them from realizing their personal potential and contributing to their family and community through work. Last June, I met with a group of mothers from South Dakota who are on welfare. Their heartfelt stories varied, but all are working actively for the day when they will leave welfare. They want welfare to be a transitional program. Their goal should be the welfare system's goal as well.

We can no longer tolerate blatant gaming of the system. Generations of able-bodied families have stayed on welfare rather than work. This abuse is an insult to hardworking Americans. South Dakota has many working poor families. The small farmer, the local waitress and convenience store clerk struggle daily to provide for their families without government assistance. Welfare recipients should not get a free ride at the expense of hard working taxpayers. Frankly, they should not live easier or better than our working poor, who strive daily to put food on the table without a handout. The loopholes that allow people to cheat the system and defraud taxpayers must be closed.

The Dole plan would transform welfare to workfare. It would restore personal responsibility by requiring work for benefits after 2 years on public assistance. Work would be required for food stamps as well. It would impose a 5 year lifetime limit on benefits. The bill would end disability assistance payments for alcohol and drug addicts to continue their habits, which is allowed under current law. It would

tighten eligibility for food stamps. It would toughen child support enforcement. The Dole bill also would streamline child care programs, child nutrition programs, and job training programs. Collectively, these steps would move our antipoverty programs from welfare to workfare; dependency to personal responsibility. It is about time.

We all agree that we have a responsibility to provide public assistance to truly needy children and families. This bill would continue the necessary transition assistance for those families who find themselves in circumstances beyond their control. It would not cut benefits to needy children. Instead, it would eliminate one-third of the cumbersome bureaucracy at the Department of Health and Human Services and scores of needless Federal regulations.

The second pillar of personal responsibility is family. Welfare reform should remove disincentives to a sound family structure. The current system rewards illegitimacy and discourages marriage. An entire class of children are growing up in single parent families, usually without fathers. South Dakota small towns and cities are no longer immune to these problems. If we expect to restore family values, we must first restore the family structure. We should encourage marriage and family values while we encourage work.

Perhaps most importantly, the Dole bill would give South Dakota and other States the ability to craft the solutions that best serve local needs. It has been proven time and again that Washington bureaucrats cannot completely understand unique local needs from thousands of miles away. Nor can we expect Washington bureaucrats to be the sole source of creative changes. By giving States welfare funds in a block grant, South Dakota would be free to pursue innovative ways to meet the needs of their welfare recipients.

Like many other States, South Dakota has been operating under a waiver from the Federal Government since January 1, 1995. This waiver has allowed them to make some of the key reforms called for in the Dole bill. South Dakota implemented work for benefits, and incentives to moving off welfare, such as a transition period between AFDC support and employment. These changes are working. Case rolls are decreasing dramatically. In fiscal year 1994, South Dakota had a monthly average of 19,446 people on aid to families with dependent children [AFDC]—the central welfare cash assistance program. In May 1995, we had 16,737 people on AFDC. This reduction is proof that workfare truly works. We can change the incentives in the system. Further, South Dakota, like other States, can do a better job than the Federal Government.

I would like to speak for a few moments about the unique welfare problems in South Dakota. A number of the welfare problems in South Dakota are ours alone—in fact, they differ greatly from even our Midwest neighbors. My State has three of the five poorest counties in the entire Nation. Our State has the lowest wages in the country. More than half of our welfare recipients—58 percent—are native Americans—the highest percentage in the country. In some reservation areas, unemployment runs more than 80 percent. Long distances between towns and a lack of public transportation are further barriers to gainful employment and quality child care. All of these factors create a situation that needs special attention. What is needed to end welfare dependency in Oglala, Fort Thompson, or Rapid City, SD, is not what is needed in Los Angeles or Mississippi. With this bill, we recognize that we are a nation with people of vastly different needs. As such, we need individualized solutions.

True welfare reform in South Dakota demands welfare reform on our reservations. Because of South Dakota's special problems, I have been especially concerned with the treatment of native American tribes in this legislation. Both the tribes and the State of South Dakota agree that the best way to relieve poverty and welfare dependency on reservations is give tribes the option to run their own welfare programs. A number of my colleagues—Senators MCCAIN, HATCH, MURKOWSKI, and DOMENICI—and myself, have agreed on a proposal which is included in the Dole bill. Our proposal would give tribes the ability to allocate their share of a State's AFDC dollars among tribal members. Much like the overall welfare system, handing out unlimited Federal dollars in public assistance has not changed the deplorable poverty on reservations. Welfare reform for native American tribes also means changing incentives. Workfare must be employed on our native American tribes, but done in a manner that recognizes the unique circumstances that exist. By making tribes directly responsible for their members, tribes will have an incentive to find solutions to chronic unemployment and poverty. This also is consistent with the long-standing Federal policy of tribal self-governance. Under our proposal, for example, tribes in high unemployment areas such as Shannon County would be given some flexibility in meeting participation rates. This proposal is fair and I thank all my colleagues for their help in taking the first step to resolve this important, but difficult issue.

I am proud to be part of this effort today. Ultimately, what this bill is about is change—positive change. We can change the current failed system to help people become self-sufficient and productive members of society. We can change incentives to restore personal responsibility and family values. I look forward to working with my colleagues on both sides of the aisle to see that workfare becomes a reality.

ORDERS FOR FRIDAY, SEPTEMBER 15

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 9:15 a.m. on Friday, September 15, 1995, that following the prayer, the Journal of the proceedings be deemed approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then immediately resume consideration of H.R. 4, the welfare reform bill, and there then be 10 minutes of debate, equally divided, on the Bingaman amendment No. 2483.

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

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business with Senators permitted to speak therein for up to 5 minutes each.

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

AIR SERVICE TO SMALL CITIES

Mr. PRESSLER. Mr. President, I rise today to discuss a problem which severely affects the economic growth of my home state of South Dakota. This problem is an acute shortage of air service within my state coupled with insufficient connecting air service between South Dakota cities and hub airports in nearby states. Congressional attention is needed.

The Airline Deregulation Act of 1978 created significant domestic travel benefits for many Americans. In addition, airline efficiencies resulting from deregulation have helped reduce the cost of international travel. Unfortunately, these benefits have not been evenly distributed across the country. Indeed, they have not been shared by Americans living in many smaller cities and rural communities.

One need only try to schedule air travel to South Dakota to know that my state, as well as other rural states, have paid a harsh price for airline deregulation. For numerous small cities, fares are higher and service less frequent since deregulation. Moreover, I know from personal experience—and statistics from the U.S. Department of Transportation (DOT) confirm—that non-stop jet service to many South Dakota cities has been replaced by connecting turboprop service. The result? Often, it is less desirable service involving circuitous routing on slower and less comfortable aircraft.

Mr. President, several months ago I requested the General Accounting Office (GAO) to prepare a study comparing air service for large, medium and small cities across the country. That study, which I understand is progressing well, is considering differences between these markets in terms of the cost of air travel for consumers, the extent to which jet service is available,

and safety. I am confident this study will be very enlightening.

In connection with the GAO study, the DOT already has provided statistics that dramatically illustrate the great burden rural states like South Dakota bear as a result of airline deregulation. For example, for the month of February 1978, prior to deregulation, there were a total of 2,384 scheduled commercial flights departing South Dakota airports with 186,080 seats available for the traveling public. By comparison, for the month of February 1995, there were 2,421 commercial flights departing my home state but only 94,538 seats were available on these flights. These statistics show that at the same time the number of flights departing South Dakota increased by 1.5 percent, the total number of seats available to the traveling public have dramatically decreased—a 49.1 percent reduction in seating capacity.

At first glance, these statistics seem inconsistent. How is it possible for the number of seats available for departing passengers to fall so dramatically at a time the number of departing flights actually increased? The answer is that airlines are substituting small, non-jet aircraft in small city markets previously served by larger jets. For example, in May 1978, 19 percent of commercial flights departing Rapid City, South Dakota involved non-jet aircraft. In May 1995, that percentage has more than doubled to 42 percent. Turboprop aircraft substitution in many small city markets is a post-deregulation reality.

The impact of non-jet aircraft substitution in smaller markets is significant. It hits my constituents and other small city air travel consumers right in the wallet. Let me explain.

Like most goods and services, the price of air travel for consumers depends to a large extent on the supply and demand of seats. Naturally, therefore, air fares increase when demand for seats goes up at a time when the supply of available seats declines. That is precisely what has happened in my state. As I mentioned, while the demand for air travel has been generally increasing, the supply of seats available to passengers departing South Dakota has declined by 49.1 percent. Just ask my constituents if this ''supply squeeze'' has caused higher air fares. It clearly has increased the price of air travel in South Dakota.

At my request, the GAO is examining these air service issues on a national scale. When the GAO report is issued, I plan to hold a hearing on its findings. The report is expected to be completed in the Spring of next year.

Mr. President, I cannot stress strongly enough what a problem insufficient and unaffordable air service is in South Dakota as well as other rural states. However, there may be hope for improvement. Indeed, I am guardedly optimistic about a new development.

The development to which I refer is the availability of a new generation of small commuter jets, so-called ''junior jets.'' These smaller jets will give airlines a service option that previously did not exist. Previously, when airlines' planners assigned aircraft to particular routes, there was a choice only between larger jetliners and turboprops. Now, they have a third option.

Let me illustrate this point. On a flight which customarily serves 40 passengers, it is currently uneconomical for airlines to use jet aircraft, which generally have 100 or more seats. Previously, the only alternative was to use turboprop service on such routes. Now, however, junior jets will permit airlines to serve that market with a 50 seat jet aircraft.

If airlines purchase and use junior jets, jet service may return to some small cities. Other small cities may see an increase in jet service. Of significant importance, use of junior jets could increase the number of seats available in small city markets and this added capacity could help to lower the cost of air travel. In fact, these jets could reduce airlines' costs of serving some routes and this could lead to lower air fares in the long run. All the air service challenges small communities face surely will not be resolved by junior jets. Use of these aircraft would, however, be a step in the right direction.

I will ask unanimous consent that a recent article appearing in the New York Times which addresses the great potential junior jets represent in providing service to smaller air service markets be printed in the RECORD at the end of my remarks. Will airlines take advantage of the option of providing air service to small cities on junior jets? As airlines mull over this questions, I urge them to keep several important points in mind.

First, last year more than 37 percent of all passenger enplanements in the United States occurred at airports other than the 25 large connecting hubs, such as Chicago O'Hare. Many of these more than 200 million enplanements were passengers flying to or from small cities. I urge airlines to never forget that small cities, such as Sioux Falls, Rapid City and Aberdeen, SD, are a very important component of their customer base and provide critical passenger feed for the airline industry's domestic and international networks.

Second, improved quantity and quality of service and lower fares that could result from the use of junior jets could stimulate demand in small city markets. In addition to making passengers happier, using junior jets could also benefit airlines by increasing the number of passengers traveling in these markets.

Mr. President, the benefits of airline deregulation have not been shared by citizens living in smaller cities. Fairness dictates this unfortunate reality be changed. I urge airlines to carefully consider the benefits of using junior jets to serve these cities. These new aircraft have the potential to make a bad situation better. I also urge airlines not to underestimate the importance of small city markets.

I ask unanimous consent that the New York Times article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 19, 1995]

RELIEF FOR THE TURBOPROP BLUES—SMALL IS SUDDENLY BEAUTIFUL FOR SHORT-HOP TRAVELERS

(By David Cay Johnston)

Until recently, whenever Scott Hansen, a Salt Lake City lawyer, had to visit clients in Boise, Idaho, he dreaded calling his travel agent. Of the eight daily flights, four were on 135-passenger Delta Air Lines jets but the four others were on much smaller turboprops flown by SkyWest Airlines, a Delta commuter affiliate.

Of his last 75 flights, Mr. Hansen said, 45 required him to squeeze into the bumpy, low-flying turboprops. ''There's no comparison,'' he said. ''In the jet you have good seats, you board through a jetway and you can stand up when you walk down the aisle.''

But some relief for travelers like Mr. Hansen is in sight. Several manufacturers from around the world are racing to deliver a new wave of what might be called junior jets, able to carry between 50 and 80 passengers. They are a vast improvement over the somewhat smaller short-hop turboprop planes, with their propeller-droning, often stomach-wrenching flights as they go right through the middle of the seemingly inevitable summer thunderstorm.

Forget about all the attention focused on the competition between Boeing and Airbus for the next generation of jumbo jets. What will really make a big difference in the daily trials and tribulations of tens of thousands of bedraggled airline passengers are these small, often overlooked, regional jetliners.

Already, junior jets have started to replace turboprops on some midlength routes like the Salt Lake City-Boise run. And they are increasingly being used to connect less traveled, more widespread cities where passengers were once condemned to go through a connecting airport, often from one turboprop to another.

In Brazil yesterday, the newest junior jetliner took its first test flight after rolling out of its factory hangar in São Jose dos Campos, a 170-mile hop from Rio de Janerio. The Embraer–145 is a 50-seat regional jet built by Empresa Brasileira de Aeronautica S.A., as the company is formally known, to replace slightly smaller turboprops. That includes Embraer's own Brasilia, which is the most widely used turboprop in the United States. More than 200 are operated by American carriers today.

The new plane, which costs $14.5 million, is basically a stretched Brasilia turboprop fitted with jet engines. Meanwhile, another 50-seat jet aircraft, the Canadair Regional Jet, has started to make inroads in the United States and elsewhere since it was introduced in 1993.

That Canadian-built plane, a derivative of Bombardier Inc.'s Challenger corporate jet, is intended not so much to replace turboprops on short hops as to allow nonstop jet service between distant cities with limited economic ties, such as Rapid City, S.D., and Salt Lake City, which are 508 air miles apart. Even so, Sky West recently turned to

Canadair to replace its Brasília turboprop planes on the Salt Lake City-Boise run. Thirty-one Canadair Regional jets currently operate in the United States.

That's not all. Earlier this summer two Fokker 70's a new Dutch jet with 79 seats, began service for America West Express, a unit of Mesa Air Group. They provide nonstop service from Phoenix to Des Moines and to Spokane, Wash., both long, thinly used markets that previously required at least one stop. Also flying in the United States are 16 four-engine British Aerospace BAe-146 jets and a few newer models of the same plane. Fokker is a unit of Daimler-Benz A.G.

And at least one American plane maker, McDonnell Douglas, is trying to develop a shorter version of its smooth-flying MD-80. It has not yet decided whether to go ahead with construction.

Over the next 20 years airlines worldwide are expected to buy as many as 1,500 jets that carry fewer than 100 passengers, said Barbara Beyer, president of Avmark, an airline industry consulting firm in Arlington, Va.

Still, the turboprop is not about to disappear. Bombardier, the Canadian plane maker, estimates that between 1993 and 2012 airlines worldwide will spend $91 billion to buy 8,107 regional aircraft with 15 to 90 seats. Most of these planes will be low-cost turboprops with 40 of more seats. Airline industry experts say that turboprops will continue to serve as the backbone of flights between small- and medium-sized cities like Concord, N.H., and Syracuse and nearby major airports, such as Boston and New York.

For an increasing number of lucky fliers, though, the junior jets will provide a lot more speed and some added comfort over turboprops. And for thousands of others, there is the prospect of an end to the time-wasting change of planes.

''After two hours a turboprop is a real pain,'' Miss Beyer said, ''Essentially there are two kinds of markets that can be served by regional jets. Those that are more than 400 miles apart, but are not large enough to command larger jet equipment. And those markets that have been abandoned by the major carriers since deregulation of the airlines—markets that had been jet markets and should be jet markets.''

For years, the big United States aircraft manufacturers—Boeing and McDonnell Douglas—resisted building smaller jets, arguing that the development costs would be too high to justify the expense of building jets that would inevitably sell for much less than their bigger bread-and-butter jet aircraft.

''Then we hounded Canadair with the idea that they ought to turn their Challenger business jet into a regional airliner,'' Miss Beyer said. ''And ultimately they did and now it is an absolute raving success.''

While off to a good start, it remains to be seen just how successful the Canadair will be. Bombardier has delivered 65 such Canadair jets and has orders for 37 more. It says it plans to bring out a lengthened version that can carry 75 passengers.

Aircraft makers readily acknowledge that most passengers do not like turboprops, not just because of their noisy vibrations and cramped space, but also because they appear outdated and less safe. And the crash last October of a French-made ATR turboprop plane, which led the Federal Aviation Administration to ban the planes temporarily from flying in icy weather, only added to the safety fears surrounding turboprops. But the manufacturers insist that view is misguided.

''People tend to look at propellers and think old-fashioned,'' said Colin Fisher, a spokesman for Bombardier, which also makes a 50-seat turboprop, the Dash 8. ''But Turboprop and jet technology were born in the same time frame, around the time of World War II.''

Whatever the manufacturers say, passengers recognize a clear difference. On a flight from Rochester to Cincinnati, a Canadair Regional jet operated by Comair, another Delta commuter affiliate, was exceptionally quiet and smooth, taking off quickly and flying above the turbulence. But the seats in junior jets do not vary that much in appearance and comfort from those typically found in most turboprops.

The main reason more airlines do not rely on junior jets is because they are much more expensive to buy than turboprops. And even though they hold more seats, that's still a real burden, particularly for commuter operators without a lot of extra investment capital that are operating on paper-thin margins. The new Embraer regional jet, for example, will cost nearly double the $7.7 million price of its Brasilia turboprop. A Canadair Regional jet costs even more—$17 million to $22 million a copy.

But the new Brazilian operating costs are expected to be comparable. Its new regional jet, Embraer says, should cost about $27 an hour per seat to fly, compared with $29 per hour for a Brasilia. And some airlines think the investment is worthwhile, in part because jets fly much faster than turboprops, allowing more flights each day. Delta Connection flights on a Saab 340 turboprop between Rochester and La Guardia Airport in New York City are scheduled for 85 minutes, compared with USAir's 64 minutes via a 737 jet, adding about one-third to the gate-to-gate time.

Jets can also cruise higher, which means fewer cups of coffee ending up in passenger laps. ''You can fly up quickly and get above the weather, which is especially attractive during thunderstorm season,'' said David A. Siebenburgen, president of Comair Holdings, the regional airline in Cincinnati that introduced the Canadair Regional Jet into service. ''Our customers love them.''

Comair operates 64 turboprops and 23 Canadair Regional jets, but within five years the company expects to operate fewer than 50 turboprops and at least 70 Canadair Regional jets, Mr. Siebenburgen said.

And even though the carrying costs are higher, SkyWest, based in Salt Lake City, sees advantages in the eight Canadair Regional Jets, all leased, that it now flies.

''The reason we feel comfortable with the risk,'' said Bradford R. Rich, SkyWest's chief financial officer, ''is that the plane fits into the longer, thinner markets we have. We believe it can expand our market area because of the high speed and comfort.''

As far as Canadair's new Brazilian competitor goes, it already has 18 firm orders for its regional jet, five of them from BWIA, a Caribbean airline. Embraer also says it has 16 options and 127 letters of intent.

So far, however, no airline in the United States has ordered an EMB–145. But Michael Warwicke, Embraer's vice president for sales, is counting on a few orders to roll in once the airplane completes flight-worthiness testing. Long-suffering prop-jet passengers may want to start counting the days.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, before discussing today's bad news about the Federal debt, how about ''another go'', as the British put it, with our pop quiz. Remember? One question, one answer.

The question: How many millions of dollars does it take to add up a trillion dollars? While you are thinking about it, bear in mind that it was the U.S. Congress that ran up the Federal debt that now exceeds $4.9 trillion.

To be exact, as of the close of business yesterday, September 13, the total Federal debt—down to the penny—stood at $4,967,410,712,825.60, of which, on a per capita basis, every man, woman and child in America owes $18,856.78.

Mr. President, back to our pop quiz, how many million in a trillion: There are a million million in a trillion.

MESSAGE FROM THE HOUSE

At 2:58 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 2126) making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. YOUNG of Florida, Mr. MCDADE, Mr. LIVINGSTON, Mr. LEWIS of California, Mr. SKEEN, Mr. HOBSON, Mr. BONILLA, Mr. NETHERCUTT, Mr. NEUMANN, Mr. MURTHA, Mr. DICKS, Mr. WILSON, Mr. HEFNER, Mr. SABO, and Mr. OBEY as the managers of the conference on the part of the House.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1162. An act to establish a Deficit Reduction Trust Fund and provide for the downward adjustment of discretionary spending limits in appropriation bills.

H.R. 1594. An act to place restrictions on the promotion by the Department of Labor and other Federal agencies and instrumentalities of economically targeted investments in connection with employee benefit plans.

H.R. 1655. An act to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 1162. An act to establish a Deficit Reduction Trust Fund and provide for the downward adjustment of discretionary spending limits in appropriation bills; referred jointly, pursuant to the order of August 4, 1977, to the Committee on the Budget, and to the Committee on Governmental Affairs.

H.R. 1594. An act to place restrictions on the promotion by the Department of Labor and other Federal agencies and instrumentalities of economically targeted investments in connection with employee benefit plans; to the Committee on Labor and Human Resources.

H.R. 1655. An act to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United

States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Select Committee on Intelligence.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1423. A communication from the Assistant Secretary for Communications and Information, the Department of Commerce, transmitting, the report of the Public Telecommunications Facilities Program grants for fiscal year 1995; to the Committee on Commerce, Science, and Transportation.

EC–1424. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report of three contracts for design-build construction services on behalf of the Internal Revenue Service; to the Committee on Environment and Public Works.

EC–1425. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the report of a building project survey for Oklahoma City, Oklahoma; to the Committee on Environment and Public Works.

EC–1426. A communication from the Administrator of the General Services Administration, transmitting, a draft of proposed legislation entitled ''Emergency Leasing Act of 1995''; to the Committee on Environment and Public Works.

EC–1427. A communication from the Administrator of the General Services Administration, transmitting, a draft of proposed legislation entitled ''Prospectus Threshold Increase Act of 1995''; to the Committee on Environment and Public Works.

EC–1428. A communication from the Assistant Legal Affairs Adviser for Treaty Affairs, the Department of State, transmitting, pursuant to law, the text of the international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–1429. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, pursuant to law, notice of a Presidential determination relative to the International Organizations and Programs Account Funds; to the Committee on Foreign Relations.

EC–1430. A communication from the Assistant Legal Affairs Adviser for Treaty Affairs, the Department of State, transmitting, pursuant to law, the text of the international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC–1431. A communication from the Assistant Secretary of State for Legislative Affairs, transmitting, corrections to the text of the Convention Between the Government of the United States of America and the Government of the Republic of Kazakhstan; to the Committee on Foreign Relations.

EC–1432. A communication from the President of the United States, transmitting, pursuant to law, the report on the cost for operations and assistance to Haiti for the period October 1, 1993 to March 31, 1995; to the Committee on Foreign Relations.

EC–1433. A communication from the President of the United States, transmitting, pursuant to law, the report of an alternate plan for Federal pay adjustments; to the Committee on Governmental Affairs.

EC–1434. A communication from the from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''Statistical Programs of the United States Government''; to the Committee on Governmental Affairs.

EC–1435. A communication from the Comptroller General of the General Accounting Office, transmitting, pursuant to law, notice of reports and testimony for the month of July, 1995; to the Committee on Governmental Affairs.

EC–1436. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-134, enacted by the Council on July 29, 1995; to the Committee on Governmental Affairs.

EC–1437. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-135, enacted by the Council on July 29, 1995; to the Committee on Governmental Affairs.

EC–1438. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-136, enacted by the Council on July 29, 1995; to the Committee on Governmental Affairs.

EC–1439. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, copies of D.C. Act 11-139, enacted by the Council on July 29, 1995; to the Committee on Governmental Affairs.

EC–1440. A communication from the Assistant Secretary of the Interior for Indian Affairs, transmitting, pursuant to law, the report of the Plan for the Use and Distribution of the Funds Awarded the La Jolla Band of Mission Indians; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATFIELD, from the Committee on Appropriations:

Special Report entitled ''Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1996'' (Rept. No. 104–141).

By Mr. COCHRAN, from the Committee on Appropriations, with amendments:

H.R. 1976. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104–142).

By Mr. MCCONNELL, from the Committee on Appropriations, with amendments:

H.R. 1868. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104–143).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. INOUYE:

S. 1240. A bill to provide for a special application of section 1034 of the Internal Revenue Code of 1986; to the Committee on Finance.

By Mr. EXON:

S. 1241. A bill entitled the ''Public Broadcasting Financial Independence and Family Viewing Act of 1995''; to the Committee on Commerce, Science, and Transportation.

By Mr. BRADLEY:

S. 1242. A bill to authorize the National Institute of Justice to provide technical assistance to State and local law enforcement entities, and for other purposes; to the Committee on the Judiciary.

By Mr. SPECTER (for himself, Mr. KOHL, Mr. GRASSLEY, Mr. LEAHY, and Mrs. FEINSTEIN):

S. 1243. A bill to provide educational assistance to the dependents of Federal law enforcement officials who are killed or disabled in the performance of their duties; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INOUYE:

S. 1240. A bill to provide for a special application of section 1034 of the Internal Revenue Code of 1986; to the Committee on Finance.

SPECIAL APPLICATION LEGISLATION

● Mr. INOUYE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the case of Rita Bennington—

(1) who purchased her new principal residence (within the meaning of section 1034 of the Internal Revenue Code of 1986) in January 1992, and

(2) who was unable to meet the requirements of such section with respect to the sale of an old principal residence until May 1994, because of unexpected delays caused by Hurricane Iniki, the Secretary of the Treasury, in the administration of section 1034 of the Internal Revenue Code of 1986, shall apply subsection (a) of such section by substituting ''2.5 years'' for ''2 years'' each place it appears.●

By Mr. EXON:

S. 1241. A bill entitled the ''Public Broadcasting Financial Independence and Family Viewing Act of 1995''; to the Committee on Commerce, Science, and Transportation.

THE PUBLIC BROADCASTING FINANCIAL INDEPENDENCE AND FAMILY VIEWING ACT OF 1995

● Mr. EXON. Mr. President, as Governor and Senator, I have been a long time supporter of public broadcasting. In Nebraska, public broadcasting leads the way in innovative programming, distance learning, and educational opportunity. That dedication to excellence, to children and to families has made Nebraska Public Television an island of decency, sanity, and enrichment in the sea of violence, sex, and immorality which is commercial television.

I am pleased to introduce legislation titled the Public Broadcasting Financial Independence and Family Viewing Act.

Opponents of public broadcasting have sparked a debate about the future on this national treasure. That debate has been healthy and ironically could lead to the salvation of public broadcasting. As a member of both the Senate Commerce Committee, and the

Senate Budget Committee, I foresee a budgetary situation which threatens the very existence of public radio and television regardless of who controls the House or the Senate. The reforms proposed in this legislation would give public broadcasters the tools for survival.

As a strong supporter of public broadcasting, I have repeatedly expressed several troubling concerns about recent public broadcasting programs and policies. This legislation is also meant to refocus the mission of PBS and CPB on family-friendly, entertainment, educational, cultural, and informational programming.

I simply can not defend standards and practices which permit displays of nudity and use of language in CPB-funded dramatic programming which would not be permitted on commercial broadcast television. Public broadcasting can tackle controversial subjects but it should be done in a manner which is not offensive.

Public broadcasting comes into the homes of American families thanks in part to the tax dollars of those families and thanks to the radio spectrum owned by the people. It is not too much to ask that programming be presented in a manner which is appropriate for a home with children.

In this regard, I must give the Nebraska Educational Television network credit for showing great sensitivity to Nebraska families. Last year NETV only aired the edited version of the controversial program ''tales of the city'' and decided not to broadcast some of the programming offered by PBS and other sources which push the envelope of taste and propriety.

On a national level, I strongly believe that the CPB and PBS should show the same sensitivity to taxpayers and viewers. It is not censorship to ask that American tax dollars be spent in a manner that is consistent with American values.

On the financial side, the Corporation for Public Broadcasting should more aggressively pursue and share in the spinoff profits generated by products related to CPB funded programming. It is tragic that public broadcasting has made millions of dollars for others but must battle each year for modest appropriations.

In addition, under this legislation public broadcasters would be given spectrum and schedule flexibility as well as new channel placement options which could generate additional nontax revenues. These measures hold long-term promise toward the goal of making public broadcasting more financially independent.

Mr. President, never before has the need for quality television been more critical. Public broadcasting has a long tradition of meeting that need for quality. I believe that we can reinvent public broadcasting. As a supporter of public broadcasting, I am prepared to consider any creative idea to lessen taxpayer burdens in this area. My one bottom line; my one nonnegotiable item is that public boardcasting remain public. It should not be privatized or dismantled and sold to the highest bidder. It is a national treasure which must remain in the public domain.

Mr. President, I introduce this legislation and extend a hand of friendship and cooperation to Members on both sides of the aisle. Public broadcasting is an institution which means a great deal to the people of Nebraska, and the Nation, and we must find ways to help it meet the challenge of survival in a very difficult fiscal climate.

Thank you Mr. President.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be referred to as ''The Public Broadcasting Financial Independence and Family Viewing Act of 1995''.

SEC. 2. FAMILY VIEWING.

Section 396(g)(1)(A) of Title 47 is amended by inserting between the words ''which'' and ''are'' the following new language ''are suitable for family viewing throughout the broadcast day and which''.

SEC. 3. USE OF FEDERAL FUNDS.

A new Section 396(k)(1)(F) to Title 47 is added as follows:

''(F) No federal funds shall be used to broadcast any program which is indecent or to broadcast any dramatic program which includes nudity.''

SEC. 4. PUBLIC INTEREST.

Section 396(a) of Title 47 is amended by adding the following new subsection:

''(11) It is in the public interest that public broadcasting provide educational, cultural, information and entertaining programming which is suitable for family viewing.''

SEC. 5. SPECTRUM FLEXIBILITY.

The Commission shall adopt regulations which would allow public broadcast license holders to make use of their broadcast spectrum for the transmission of ancillary and supplementary services, so long as the licensees provide without charge at least one schedule of public broadcast programming. In permitting such use, the Commission shall assure through regulation or license terms that:

(a) the proceeds, if any from such ancillary and supplementary use go to the exclusive benefit of public broadcasting;

(b) public broadcast licensees do not lessen their existing commitment or level of effort to public broadcasting; and

(c) to the extent such spectrum is used for a purpose other than public broadcasting, fees charged for such use shall be at market rates.

SEC. 6. SCHEDULE FLEXIBILITY.

The Commission shall adopt regulations which would allow public broadcast license holders to utilize their broadcast schedule between the hours of 1 AM and 6 AM to provide on a leased basis non-public broadcast programming for a fee or for public broadcast license holders to provide commercially sponsored programming provided that:

(a) the proceeds, from such use go to the exclusive benefit of public broadcasting;

(b) public interest licensees do not lessen their existing commitment or level of effort to public broadcasting; and

(c) to the extent such use is for a purpose other than public broadcasting, fees charged for such use shall be at market rates.

SEC. 7. ENHANCED UNDERWRITING.

(a) Section 399(a) of Title 47 is amended:

(1) by striking the word ''exclusive'' in subsection (a); and

(2) by inserting before the period (.): ''through a call to action, an inducement to buy, sell, rent, or lease, or the provision of price information''.

(b) Section 399B(a) of Title 47 is amended:

(1) by inserting: ''through a call to action inducement to buy, sell, rent, or lease or the provision of price information'' after the word ''promote.'' and

(2) by inserting: ''when such offering is other than an educational or cultural event sponsored in part by a qualified public broadcasting station, or producer or distributor of programming for public broadcast stations'' after the word ''profit''.

SEC. 8. SATELLITE, COMMON CARRIER AND OTHER FORMS OF PROGRAM DISTRIBUTION.

Public Broadcasting programming may be distributed to viewers by means of satellite, common carrier, or other form of telecommunications technology for a fee provided that the proceeds from such distribution go to the exclusive benefit of public broadcasting.

SEC. 9. FREQUENCY EXCHANGE.

The Commission may approve an exchange of frequencies between a public broadcaster and a commercial broadcaster, when the proceeds from such exchange are dedicated to the benefit of the national public broadcasting system.

SEC. 10. ANCILLARY INCOME.

The Board of Directors of the Corporation for Public Broadcasting, and The Public Broadcasting System shall ensure that to the greatest extent possible agreements for programming include a provision to assure that public broadcasting share in benefits from the sale of any ancillary products, books, recording, toys, character licensing or other products related to the broadcast of such programming.

SEC. 11. GAO REVIEW.

The General Accounting Office shall conduct a review of the operations of the Corporation of Public Broadcasting, the Public Broadcasting System, Public Broadcasters and their program and other contractors. These entities shall make their records and accounts available to the General Accounting Office for review. The General Accounting Office shall protect proprietary information. Within one year of the date of enactment of this Act, the General Accounting Office shall report to the Congress its recommendations for improving the efficiency, and self-sufficiency of public broadcasting.

SEC. 12. FEASIBILITY OF MERGER WITH INTERNATIONAL BROADCASTING.

The General Accounting Office shall conduct a feasibility study of merging or coordinating public broadcasting operations and facilities or portions of operations and facilities with the international broadcasting operations of the United States government.

SEC. 13. EDUCATIONAL RATES.

Public broadcast licensees shall qualify for interstate and intrastate educational telecommunications service rates to the extent such rates are available and to the extent such telecommunications services are used for the purpose of providing public broadcasting.●

By Mr. BRADLEY:

S. 1242. A bill to authorize the National Institute of Justice to provide technical assistance to State and local

law enforcement entities, and for other purposes; to the Committee on the Judiciary.

THE NATIONAL INSTITUTE OF JUSTICE TECHNOLOGY ASSISTANCE ACT OF 1995

• Mr. BRADLEY. Mr. President, to empower citizens to take back their streets from criminals, it is vitally important that the Federal Government work in partnership with States and localities to deploy additional officers in communities around the country. However, Mr. President, equally critical to the success of State and local police forces in protecting American citizens is the commitment of the Federal Government to serve as a partner to ensure that State and municipal police officers have access to advanced technology and equipment to effectively fight crime.

Mr. President, the Department of Justice's National Institute of Justice [NIJ] provides this critical link between the Federal Government and local law enforcement agencies across the country. The mission of NIJ's Office of Science and Technology is to assist law enforcement, particularly on the State and local level, with upgrading their technological infrastructure. This involves the following functions: First, providing information on products and technologies; second, developing standards; third, testing and evaluating technologies and equipment; and fourth, research and development.

Because of the critical mission of NIJ, the legislation that I am introducing today seeks an appropriation of an increase of $10 million each for fiscal year 1996 and fiscal year 1997 to enable NIJ to continue and expand the work that it is doing to enhance the effectiveness of State and local police departments.

Mr. President, research and development conducted by NIJ is a valuable resource for State and local law enforcement agencies that are often confronted by criminals who have access to the most advanced commercial technologies. The invention of soft body armor was developed out of a NIJ project. Since 1975, when NIJ first conducted field tests in 15 cities across the country, bulletproof vests have saved the lives of thousands of officers. NIJ is also responsible for significant advances in the field of forensic science. For example, NIJ brought DNA identification to the United States and developed new fingerprinting techniques which permits officers to lift fingerprints on major fixtures in the field, without removing the fixture.

NIJ is currently developing products that will make police work safer and more efficient. For example, Mr. President, NIJ has developed a prototype rear airbag to use to control suspects in the back of a squad car with minimal disruption. NIJ has also developed a prototype retractable barrier strip to enable police to safely stop a fleeing vehicle, thereby minimizing the need for dangerous high speed chases which often result in injuries to police officers or innocent bystanders.

Mr. President, many local police departments receive no assistance in identifying technology and purchasing equipment. They operate as solo actors. For example, a local police department recently spent 8 months conducting market research before purchasing motorcycle helmets. To address this problem, NIJ has established the technology information network—a combination of a law enforcement internet and consumers report—to afford police departments around the country access to timely and objective information on new products, technologies, and systems. Moreover, NIJ has held and participated in a series of successful conferences and town meetings to initiate dialog between law enforcement, the Federal technology community, and the private sector, and is establishing purchasing consortiums to allow local police departments to obtain the best prices for technical products and equipment.

Mr. President, because the overwhelming majority of police work in America is conducted by State and local law enforcement, and only 13 percent of the crime fighting resources are controlled by the Federal Government, the answer to violence lies closer to home than to Washington, DC. With the establishment last year of NIJ's National Law Enforcement Technology Center, the agency has become the model for the decentralized relationship that exists between the Federal Government and State and local law enforcement.

The National Law Enforcement Technology Center consists of seven regional research centers throughout the country. This virtual national center serves as a focal point for law enforcement research and development and information dissemination. The regional centers are centers of excellence for respective technologies and act as regional interfaces for State and local law enforcement agencies. This decentralized structure brings NIJ's work into the field, thereby fostering a closer working relationship with State and local law enforcement. For example, the agency has established test bed programs to field test new equipment in local police departments.

Mr. President, the legislation that I am introducing today seeks an appropriation of an increase of $10 million each for fiscal year 1996 and fiscal year 1997 to enable NIJ to continue and expand the critical work that it is doing to assist State and local police departments. The legislation specifically authorizes funding to provide NIJ with the resources that it needs to identify, develop, and purchase new technologies to provide a safer environment for police officers and more effectively curb crime.

Mr. President, I have advocated a tough, comprehensive, approach to battling the menace of crime that has proliferated in our cities and towns. In authoring the Handgun Control and Violence Prevention Act, I have worked for a commonsense approach to stem the flow of illegal weapons that flood our streets and cause mass carnage. In proposing the Cop Killer Bullet Ban Act. I have sought to halt the manufacture and distribution of ammunition that is designed to kill those who are sworn to protect our communities.

Mr. President, my approach to combating crime has also been a community-oriented approach, whereby the Federal Government and local communities act in tandem to uproot and eliminate the problem. Last year, this body passed the omnibus crime law, which included the community policing initiative, an $8.9 billion program designed to put 100,000 law enforcement officers on the streets. I provided a jumpstart for the community policing initiative in the omnibus crime legislation when I introduced a bill in March 1993 that authorized a major new expansion of community policing. In addition, I authored the community schools provision in the omnibus crime law, which provides for public school buildings to remain open for youth programs after school hours, on weekends, and over summers. Moreover, this year, I have introduced legislation providing for community response teams, composed of community volunteers, to assist victims of domestic violence.

Mr. President, the work that NIJ is performing to enable police departments to more efficiently battle crime is consistent with my philosophy that together the Federal Government and local communities can share resources and crime fighting expertise to make our neighborhoods safer. The work performed by NIJ is invaluable. For example, NIJ has expanded its work in developing standards for law enforcement equipment, which will eliminate the risk of officers receiving substandard equipment. NIJ has also established a liability panel to assist law enforcement in using new technologies with a minimum of legal risk. The expansion of this work will only serve to strengthen police departments around the country as we continue to fight against crime.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Institute of Justice Technology Assistance Act of 1995''.

SEC. 2. TECHNOLOGY ASSISTANCE.

Section 202 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3722) is amended by adding at the end the following new subsection:

''(e) TECHNOLOGY ASSISTANCE.—

''(1) IN GENERAL.—The Director shall provide assistance to State and local government law enforcement entities to identify,

select, develop, modernize, and purchase new technologies to provide a safer environment for police officers and to more efficiently and effectively fight crime.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

''(A) $10,000,000 for fiscal year 1996, which shall be in addition to the amounts authorized and appropriated to the National Institute for Justice for such fiscal year 1996 on the date of enactment of the National Institute of Justice Technology Assistance Act of 1995; and

''(B) $10,000,000 for fiscal year 1997, which shall be in addition to amounts otherwise authorized for the National Institute of Justice.''.●

ADDITIONAL COSPONSORS

S. 491

At the request of Mr. BREAUX, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 491, a bill to amend title XVIII of the Social Security Act to provide coverage of outpatient self-management training services under part B of the medicare program for individuals with diabetes.

S. 770

At the request of Mr. DOLE, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 770, a bill to provide for the relocation of the United States Embassy in Israel to Jerusalem, and for other purposes.

S. 1027

At the request of Mr. BROWN, the names of the Senator from Nevada [Mr. REID], and the Senator from New Hampshire [Mr. SMITH] were added as cosponsors of S. 1027, a bill to eliminate the quota and price support programs for peanuts, and for other purposes.

S. 1032

At the request of Mr. ROTH, the name of the Senator from Tennessee [Mr. FRIST] was added as a cosponsor of S. 1032, a bill to amend the Internal Revenue Code of 1986 to provide nonrecognition treatment for certain transfers by common trust funds to regulated investment companies.

S. 1164

At the request of Mr. ROCKEFELLER, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1164, a bill to amend the Stevenson-Wydler Technology Innovation Act of 1980 with respect to inventions made under cooperative research and development agreements, and for other purposes.

S. 1172

At the request of Mr. ROTH, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 1172, a bill to amend the Revenue Act of 1987 to provide a permanent extension of the transition rule for certain publicly traded partnerships.

S. 1220

At the request of Mrs. BOXER, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 1220, a bill to provide that Members of Congress shall not be paid during Federal Government shutdowns.

S. 1235

At the request of Mr. COCHRAN, the names of the Senator from Alabama [Mr. HEFLIN] and the Senator from Mississippi [Mr. LOTT] were added as cosponsors of S. 1235, a bill to amend the Federal Crop Insurance Act to authorize the Secretary of Agriculture to provide supplemental crop disaster assistance under certain circumstances, and for other purposes.

SENATE RESOLUTION 117

At the request of Mr. ROTH, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of Senate Resolution 117, a resolution expressing the sense of the Senate that the current Federal income tax deduction for interest paid on debt secured by a first or second home located in the United States should not be further restricted.

AMENDMENT NO. 2478

At the request of Mrs. FEINSTEIN, the names of the Senator from Massachusetts [Mr. KENNEDY], the Senator from Illinois [Mr. SIMON], and the Senator from Wisconsin [Mr. KOHL] were added as cosponsors of amendment No. 2478 proposed to H.R. 4, a bill to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

AMENDMENT NO. 2509

At the request of Mr. GRAHAM, his name was added as a cosponsor of amendment No. 2509 proposed to H.R. 4, a bill to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

AMENDMENT NO. 2528

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 2528 proposed to H.R. 4, a bill to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

At the request of Mr. CONRAD, the names of the Senator from West Virginia [Mr. ROCKEFELLER] and the Senator from Kansas [Mr. DOLE] were added as cosponsors of amendment No. 2528 proposed to H.R. 4, supra.

AMENDMENT NO. 2581

At the request of Mr. JEFFORDS, the names of the Senator from Wyoming [Mr. SIMPSON], the Senator from Maine [Ms. SNOWE], and the Senator from Rhode Island [Mr. CHAFEE] were added as cosponsors of amendment No. 2581 proposed to H.R. 4, a bill to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

AMENDMENT NO. 2589

At the request of Mr. MCCAIN, the name of the Senator from South Dakota [Mr. DASCHLE] was added as a cosponsor of amendment No. 2589 proposed to H.R. 4, a bill to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

NOTICE OF HEARING

COMMITTEE ON ENERGY RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that the full committee hearing to consider S. 1144, a bill to reform and enhance the management of the National Park Service; S. 309, a bill to reform the concession policies of the National Park Service; and S. 964, a bill to amend the Land and Water Conservation Fund Act of 1965 with respect to fees for admission into units of the National Park System, which was previously scheduled for Thursday, September 14 at 9:30 a.m., has been rescheduled for Friday, September 15 at 9 a.m. in room SD–366.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, September 14, 1995, to conduct a hearing on the status and effectiveness of the sanctions on Iran.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be allowed to meet during the Thursday, September 14, 1995, session of the Senate for the purpose of conducting a hearing on public broadcasting.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, September 14, 1995, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to review S. 1144, a bill to reform and enhance the management of the National Park Service, S. 309, a bill to reform the concession policies of the National Park Service, and S. 964, a bill to amend the Land and Water Conservation Fund Act of 1965 with respect to fees for admission into units of the National Park System.

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

SUBCOMMITTEE ON ENERGY PRODUCTION AND REGULATION

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Subcommittee on Energy Production and Regulation of the Committee on Energy and Natural Resources be granted permission to meet during the session

of the Senate on Thursday, September 14, 1995, for purposes of conducting a subcommittee hearing which is scheduled to begin at 3 p.m. The purpose of the hearing is to consider S. 1014, to improve the management of royalties from Federal and Outer Continental Shelf Oil and gas leases, and for other purposes, and S. 1012, to extend time for construction of certain FERC licensed hydro projects.

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

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Near Eastern and South Asian Affairs Subcommittee of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 14, 1995, at 10 a.m. and 2 p.m.

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY, AND GOVERNMENT INFORMATION

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Technology, and Government Information of the Committee of the Judiciary, be authorized to hold a hearing during the session of the Senate on September 14, 1995, at 2 p.m. to consider the Ruby Ridge incident.

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

ADDITIONAL STATEMENTS

THE DEBT COLLECTION IMPROVEMENT ACT OF 1995

● Mr. HARKIN. Mr. President, on Tuesday, I introduced the Debt Collection Improvement Act of 1995, S. 1234, that would reduce the Government's budget deficit by billions of dollars by clamping down on the huge amount of unpaid debts to the Federal Government.

The Government makes thousands of loans and guarantees thousands more. Most citizens, businesses, and organizations pay those loans back. Some fall on difficult times and simply cannot pay. Some could pay, but they do not do so for one reason or another. This is unacceptable. We must act to increase the Government's efforts at collecting bad debts so that law-abiding taxpayers do not have to bear this burden.

The United States has $67 billion in delinquent taxes and $49 billion in other types of delinquent receivables, most from loans and guaranteed loans. And, nontax debts have grown by nearly a quarter, $9 billion, over the last 5 years. Generally, those in the debt collection field assume that 90 percent pay in a timely manner. Seven percent pay late. And 3 percent become seriously delinquent. This amendment does not impact a person who is up to 90 days late in making payments. It is aimed at the seriously delinquent.

We must become more systematic, diligent, and aggressive in seeking payment. Clearly, the worst way to solve an unpaid debt is to not push for repayment of outstanding funds. Yet, the Federal Government is not nearly aggressive enough in going after unpaid debts.

In conjunction with the administration, Congressman HORN of California and Congresswoman MALONEY of New York introduced similar legislation last month. I want to thank Congresswoman MALONEY for all her help in working with me on this important measure. She has years of leadership on improving Government collection of outstanding debts and has conducted a significant study of the levels of delinquent debt earlier this year. My proposal is based on their measure, but I have made a number of modifications to enhance the Government's ability to recover outstanding payments. For example, this measure clarifies the Federal Government would collect debts owed to States where there was a Federal financial interest and it would help to collect delinquent court-ordered child support payments. Failure to pay child support often results in the custodial parent and the children unnecessarily falling into the welfare system.

What does this bill require? The Department of the Treasury would act as a central collection agency for nontax debts as well as performing their current role regarding tax related debts. Other agencies would refer debts over 90 days in arrears, with a few exceptions, to the Treasury Department. Exceptions include cases where an agency is already in litigation for foreclosure on property, where the case has been recently turned over to a private collection agency within 90 days or when the loan is scheduled to be sold within 90 days. There is also an exception for specific loans or loan guarantees that may be collected after the 90-day period under terms set out in specific statutory authority. The original agency could continue its own efforts to collect the delinquent debts.

The Treasury could collect unpaid obligations by offsetting Federal payments going to the person or entity. In the case of government salary or other non-means tested income checks, up to 15 percent could be garnished. Veterans payments would be exempt and the Secretary of the Treasury would be able to grant additional, but very limited, exceptions. The Treasury would also pursue a wide variety of traditional efforts to collect debts:

Private attorneys and debt collection agencies could be hired to locate hidden assets;

In order to avoid cumbersome legal statutes, the Federal Government could use administrative rather than judicial foreclosure procedures, as private creditors can now do, to foreclose on property;

Persons in default would not be able to receive new loans or loan guarantees from the Federal Government with some exceptions; and,

Payments on Federal debts would be reported to credit bureaus so those who pay and those who do not will get the credit rating that they deserve. Where a debt could not be collected, the Treasury would notify the Internal Revenue Service. Under current law, a bad debt which is written off is considered to be taxable income to the borrower. Hopefully these provisions will be added incentive to not put the Federal Government to end of the list when payment checks are being made out.

This proposal provides appropriate notice and preserves everyone's due process rights. It simply says, if you owe, you should pay. Taxpayers shouldn't be left carrying the load of those who choose not to honor their obligations.

As we move to balance the budget, it would be unfair to increase Medicare costs or cut college loans while not doing what we can to collect over $100 billion in unpaid debts.

I urge my colleagues to review this proposal. I think they will see it is a commonsense plan worthy of their support.●

SIERRA GRANDE HIGH SCHOOL

● Mr. CAMPBELL. Mr. President, too often the only thing we hear about the youth of our country is that they do not care about anything but themselves. A tiny little school of 348 kids in the San Luis Valley of Colorado proves that statement is untrue. Friday, September 15, is their homecoming and the students of Sierra Grande Schools have chosen to celebrate their citizenship of this country by having the theme: ''Land of the Free, Home of the Brave.''

The Panthers of Sierra Grande will have their football and volleyball games—hopefully being victorious—but the big moment of the day will not be the games or dance or bonfire or crowning of the royalty, it will be when the school dedicates a 65-foot flag pole and a 20 by 30 foot garrison flag trumpeting the allegiance to this great country of this school and the communities of Fort Garland and Blanca that it represents. With the 14,000 foot Mount Blanca in the background, the flag will be a reminder to all who pass the school that patriotism and pride in our country is alive and well in the San Luis Valley.

After the singing of the Star Spangled Banner and the raising of the flag, a group of four Colorado Air National Guard jets will fly over the field breaking the silence of our memory of the POWs and MIAs who gave precious life that the students might receive and enjoy the gift of democracy.

The students of Sierra Grande are to be congratulated for their reminder that there are still those who cherish the ideals of freedom and democratic choice.●

THE 80TH BIRTHDAY OF ANDREW HEISKELL

● Mr. MOYNIHAN. Mr. President, I rise today in recognition of the celebration yesterday of the 80th birthday of Andrew Heiskell, a philanthropist of the first order, a friend to the arts and humanities, and an untiring champion of our democracy and its institutions.

He was born in Naples, and so, alas, could never become President. Instead, he attended the Harvard Graduate School of Business, worked at the New York Herald Tribune, and in 1937 became science and medical editor for LIFE magazine. What follows is a career so brilliant and accomplishments so significant that among his contemporaries it has become legend.

Within three short years of his first assignment with LIFE, he became general manager. In 1946, he was appointed publisher of that magazine, and in 1949 was elected a vice president of Time, Inc. In 1959, he became a member of the board of directors, and on August 21, 1969, he became chief executive officer of Time, Inc. In 1982 he was named Publisher of the Year by the Magazine Publishers Association, and in 1986 he was inducted into the Publishing Hall of Fame.

Andrew Heiskell retired from publishing 15 years ago, and began, in effect, a second career of public service, accomplishing in a decade-and-a-half far more than most could hope to accomplish in a lifetime.

As chairman of the board of trustees of the New York Public Library he oversaw a campaign to raise over $300 million. The campaign rededicated the library's resources not only to New Yorkers, but to the Nation, and—via electronic means—to the world. As chairman of the board of the Bryant Park Restoration Corp., he led the effort to redesign and restore that oasis in midtown Manhattan, and in so doing extended the humanist tradition of the public library adjacent to it. There is no more civil space in New York City today. Heiskell made it so.

The list of his accomplishments continues. As founding chairman of the President's Committee on the Arts and Humanities, he established a new tradition of public-private partnerships in support of the arts. As president of the Harvard Corporation he presided over the sesquicentennial observances and a major fund raising drive. Earlier he had been an indefatigable member of the advisory board of the Joint Center for Urban Studies of M.I.T. and Harvard. And numerous other nonprofit organizations have benefited from his efforts, among them the Graduate Center for the City University of New York, the Vivian Beaumont Theater at Lincoln Center, the Enterprise Foundation, People for the American Way, the Brookings Institution, the Trust for Cultural Resources of the City of New York, and the Institute of International Education. For the last 5 years Andrew Heiskell's efforts have been focused on an extraordinary institution, the American Academy in Rome, which was recognized by Congress and the President in a joint resolution last year for its contributions to America's cultural and intellectual life on the occasion of its centennial. As chairman of the executive committee of the American Academy in Rome, Andrew Heiskell has guided that institution and led a $20 million capital campaign to re-endow the academy and ensure that American artists and scholars of the next century enjoy the same opportunity provided their predecessors: to be enriched by a cultural tradition measured in millennia, and on their return to enrich the culture of our young Republic.

Andrew Heiskell has proven himself a brilliant leader and a patient teacher of those who would follow in his footsteps. He is also a great friend. On the occasion of his 80th birthday, we can be thankful that he and Marian dedicated so much to the patient improvement of American life.●

COMMENDING YOUNG-LINE ''DRUG FREE'' ASSOCIATIONS, INC.

● Mr. INHOFE. Mr. President, a day does not go by that there is not a newspaper article or news story on the destructive effects drugs have on our youth. Millions of dollars are spent each year on education and prevention programs. Despite this attention, we are having incremental success in discouraging our young people from choosing this injurious lifestyle. It has been my observation that the most effective programs are those at the local level. During my tenure as the mayor of Tulsa, I strongly supported and worked with D.A.R.E. because I believe it was a program that produced tangible results.

Since my election to the Senate, I have been made aware of an organization in Oklahoma called Young-Line ''Drug Free'' Associations, Inc. which focuses on teaching youth the dangers of drug and alcohol abuse. Chief Bonnie O. Ezechukwu, who heads the Young-Line organization, has been recognized throughout the State of Oklahoma for his outstanding work. Originally from Nigeria, Chief Ezechukwu has lived in the United States for 13 years during which time he steadfastly worked to teach respect for human life, importance of self-esteem and community involvement in the lives of young people.

I want to commend Chief Ezechukwu and Young-Line ''Drug Free'' Associations, Inc. for helping young people combat potential drug and alcohol abuse by emphasizing prevention and at the same time aiding them to become worthwhile members of society. Their prevention methods go beyond teaching and focus on leadership and character development. Their work in Oklahoma has made a difference.●

WALTER A. HAAS, JR., FAMILY

● Mrs. BOXER. Mr. President, I rise today to honor the Walter A. Haas, Jr., family for its years of community service to the people of the San Francisco Bay area. As owners of both the Oakland A's and Levi Strauss & Co., the Haas family has elevated community service to the highest level.

The Haas family has been recognized over many years for the progressive corporate philosophy of Levi Strauss & Co. Levi Strauss has been heralded in publications from the San Francisco Chronicle to Fortune Magazine for its philanthropic work and community involvement. Today, I would like to recognize the Haas family for its dedication to the bay area through its ownership of the Oakland A's.

On October 31, 1995, the Haas family will officially transfer ownership of the Oakland A's, ending a 15-year stewardship of one of the bay area's most beloved sports franchises. I join the A's in recognizing the Haas family for their contribution to the team, major league baseball, and the San Francisco Bay area.

In 1980, Mr. Haas and his son purchased the Oakland Athletics ball club out of a sense of civic pride and duty. The previous owner had become convinced that the city of Oakland simply could not support a baseball team. When Walter Haas was initially contacted by community leaders about buying the team, he was not enthusiastic. He and his family had no experience running a sports franchise.

But the Haas family's love of baseball and regard for the community prevailed. The Haas purchase of the Oakland A's began 15 years of care of a community baseball team that we rarely see in professional sports today. The Haas family philosophy emphasized civic pride—they believed that the A's were entrusted to them by the community for the benefit of Oakland A's fans, players, and bay area residents. The Haas family, in their love for baseball, dedicated themselves to the values of personal excellence, development of talent, and, most of all, to the fun of the game—all qualities that make baseball the quintessential American sport.

In so doing, the Haas' brought over 3 million fans a year to the Oakland Coliseum and gave the bay area a resurgence of the former powerhouse team of the 1970's. The A's began their first season with the Haas family winning 11 games in a row and went to the playoffs. They were the American League champions 3 years in a row, from 1988 through 1990, and won the 1989 World Series in the bay area's own Battle of the Bay World Series, punctuated as we all remember by the Loma Prieta earthquake.

The Haas family has been recognized for bringing class and commitment to the Oakland A's team, as they have brought such dedication to all of their contributions to the San Francisco Bay area community. I am privileged to

stand in honor of the Walter A. Haas, Jr., family today.●

STAR PRINT OF REPORT ACCOMPANYING S. 919

Mr. LOTT. Mr. President, I ask unanimous consent that the report to accompany S. 919, the Child Abuse Prevention and Treatment Act be star printed with the changes I now send to the desk.

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

PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, the Senate will resume consideration of the welfare reform bill tomorrow morning. Under the previous unanimous consent agreement, there will be a rollcall vote at 9:30 a.m. on or in relation to the Bingaman amendment No. 2483. Following that rollcall vote, there will be a series of votes, with only 10 minutes of debate between each vote.

RECESS UNTIL 9:15 A.M. TOMORROW

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 10:58 p.m., recessed until Friday, September 15, 1995, at 9:15 a.m.