

The minimum wage is another example. If it had been adjusted to match inflation over the past 20 years, it would be just above \$12,000, the federal poverty line for a family of three. But if our typical divorced mother of two obtains full-time employment at minimum wage (as many must do), she will earn \$8,840 before deductions—about what full-time child care for her children will cost. Would we take such a population and cut their wages every year by 3% to 5%? That is what the current numbers accomplish.

We are spending more in one area: jailing of criminals. California now has the highest juvenile incarceration rate of any state, in a nation with the highest juvenile incarceration rate among all developed countries. California's adult prison population has increased from 19,000 in 1977 to 132,000 this year, at an operating cost of \$20,000 per prisoner per year. The state is now preparing for 341,000 prisoners and 41 new prisons over the next eight years. Is there a relationship between unlimited prison spending and years of decreases in basic investment in children's programs?

To be sure, many of our problems can be traced to private irresponsibility—a dependency mentality by some and, for more, a frightening abandonment of children by biological fathers. But public spending makes a difference.

Children Now indexes show that a record 28.6% of California children live in poverty and 20% have no access to private or public health care. We also have high infant disability, record low test scores and increasingly violent juvenile crime.

Each of these aspects has a relationship to public spending. It is no accident that California's falling test scores, for example, correlate with the worst student-teacher ratio in the nation and a per-pupil spending level now nearing the bottom five states, just ahead of Alabama and at half the level of New Jersey.

California is one of the richest jurisdictions in the world—we can boast of having more vehicles than licensed drivers—and our wealth increases each year. The governor predicts that personal income will increase 6% in each of the next two years.

And our tax burden has decreased. In 1989–90, we spend \$6.88 from the general fund for every \$100 in personal income; in the current year, we are spending \$5.86 per \$100, and the governor proposes a further reduction to \$5.50. At the same time, he is calling for a \$7-billion tax cut for the wealthy over the next three years.

Could the governor make his cutback proposals if the right numbers were used and understood? The fact is that for six years we have been giving to the wealthy and taking from the children. We just haven't been talking about it.●

WEST VIRGINIA EDUCATION

● Mr. ROCKEFELLER. Mr. President, I rise today to congratulate and commend the counties of Mercer, Monroe, McDowell, Summers, Raleigh, and Wyoming in West Virginia and their commitment to participating in a parental involvement program called, Teachers Involving Parents Successfully [TIPS]. This program seeks to promote teachers working more closely with parents to help the children learn and succeed in school.

Too often, we forget that the condition of children's lives and their future prospects largely reflects the well-being of their families. When family

support is strong, stable, and loving, children have a sound basis for becoming caring and competent adults. In contrast, when parents are unable to give children the attention and support they need in the home and for school, children are less likely to achieve their full potential. As a result, many of our Nation's gravest social problems stem from problems in our families.

However, Mr. President, there is genuine reason for hope and optimism. In my home State of West Virginia, under the leadership of local education officials, a new program is changing the lives of children and their families. Its development and expansion of community-based family support provides parents with the knowledge, skills, and support they need to work with their children and the school system. Its success has been achieved through a collaborative effort among State and Federal programs, including chapter I and other programs targeted for at-risk students, and private sector efforts in the community. Each month, 2,000 special education guides are distributed, as well as news releases, public service announcements, and radio reminders that focus the community on the need for parental involvement. Teacher training and support materials have also been provided to every school in a successful effort to coordinate teacher, parent, and child activity both inside and outside of school.

When I was chairman of the bipartisan National Commission on Children, we urged individuals and the country as a whole to reaffirm a commitment to forming and supporting strong, stable families as the best environment for raising children. The West Virginia TIPS Program is an extension of that goal, and its success is a tribute to those counties that have worked so hard to insure its development. The parents, children, and teachers in these counties are providing new opportunities for children and families. Their commitment to make a difference has ensured the success of the family, which is the best strategy for helping our children. They deserve our support and best wishes for continued success.●

OPPOSITION TO S. 956, THE NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT OF 1995

● Mrs. MURRAY. Mr. President, I rise in opposition to S. 956, a bill to divide the ninth judicial circuit into two circuits.

This is the fourth time since 1983 that a bill to split the ninth circuit has been introduced in the U.S. Senate. The proposal has failed to become law because the ninth circuit is operating well and providing uniform and consistent interpretation of Federal laws across the nine Western States, and the territories of Guam and the Northern Mariana Islands.

The courts of the ninth circuit are functioning well, and, in many instances, serve as models for the rest of

the country. The ninth circuit has prided itself on its experiments in judicial administration, and has been a national leader in developing innovative caseload management and court administration techniques.

The vast majority of judges, lawyers, and bar organizations in the ninth circuit have voted on several occasions against the division of the circuit.

Mr. President, I urge my colleagues to oppose this bill and to resist the temptation to meddle with an institution that is successfully administering justice in the American West.

Just 4 years ago, a comprehensive subcommittee hearing was held in the Senate on nearly identical legislation, and the proposal failed to emerge from committee. The proponents of S. 956 have identified no new reasons or change of circumstances to justify reopening this issue.

Mr. President, the ninth judicial circuit has prepared a detailed position paper opposing S. 956. I agree with the circuit's reasoning, and I commend this paper to my colleagues. I also urge them to join me in opposing this bill which is both unwise and unnecessary.

I ask that the complete text of the "Position Paper in Opposition to S. 956—Ninth Circuit Court of Appeals Reorganization Act of 1995" be printed in the RECORD.

The material follows:

POSITION PAPER IN OPPOSITION TO S. 956—NINTH CIRCUIT COURT OF APPEALS REORGANIZATION ACT OF 1995 (6/22/95)

Prepared by: The Office of the Circuit Executive for the United States Courts for the Ninth Circuit, P.O. Box 193846, San Francisco, California 94119-3486; Tel: 415-744-6150/ Fax: 415-744-6179. [6/30/95]

Proposed legislation: S. 956 would divide the present Ninth Circuit into two unequal-sized circuits. The new Twelfth Circuit would consist of the states of Alaska, Idaho, Montana, Oregon, and Washington (6 districts), with 9 active circuit judges. The new Ninth Circuit would consist of the states of Arizona, California, Hawaii, and Nevada, and the territories of Guam and the Northern Mariana Islands (9 districts), with 19 active circuit judges.

The Ninth Circuit opposes S. 956. The Ninth Circuit is functioning well and has devised innovative ways of managing its caseload that are models for other circuits. As the nation's largest circuit, it benefits from significant advantages because of its size and believes division of the circuit is unnecessary and unwise. The Circuit Executive's Office for the United States Courts for the Ninth Circuit has prepared the following information in "question and answer" format to assist decisionmakers to understand the circuit's position on S. 956.

1. WHAT WOULD THE PROPOSED LEGISLATION DO?

S. 956 would create two courts—one 19-judge court and one 9-judge court—in place of a single 28-judge court. A basic problem with this proposal is that it creates more administrative problems than it solves. Quantitatively, such a circuit court would have a very small caseload. The aggregate number of cases in such a circuit based on the most recent statistics would be 1935,¹ making it the circuit court with the second smallest caseload in the country,² with only the First Circuit court having fewer cases. Of the 11