Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Martinez
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (CA)
Miller (FL)
Minge
Moakley
Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Rush
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Studds
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—59

Abercrombie
Andrews
Becerra
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Conyers
Cummings
Dellums
Fields (LA)
Filner
Frank (MA)
Furse
Gibbons
Gonzalez
Gutierrez
Hilliard
Hoyer
Jackson (IL)
Lewis (GA)
Matsui
McDermott
McHale
Meek
Millender-McDonald
Mink
Nadler
Olver
Owens
Pastor
Payne (NJ)
Pelosi
Rangel
Roybal-Allard
Sabo
Sawyer
Serrano
Skaggs
Slaughter
Stark
Stokes
Tanner
Thompson
Torres
Towns
Velázquez
Vento
Visclosky
Volkmer
Waters
Watt (NC)
Waxman
Wynn
Yates

NOT VOTING—12

Allard
Cunningham
Fattah
Gephardt
Hayes
Jackson-Lee (TX)
Lincoln
Markey
Mollohan
Payne (VA)
Schiff
Williams

□ 1201

Ms. ROYBAL-ALLARD, Mr. BRYANT of Texas, and Mr. OLVER changed their vote from ''yea'' to ''nay.''

Mr. BONO and Mr. WISE changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1462

Mr. VOLKMER. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 1462.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from Missouri?

There was no objection.

LIMITING AMENDMENTS AND TIME FOR CONSIDERATION ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 3540, WISCONSIN WORKS WAIVER APPROVAL ACT

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that during the further consideration of H.R. 3540 in the Committee of the Whole, pursuant to the House Resolution 445, that no amendments to the bill shall be in order except the following amendments, if offered by the Member specified or his designee:

Amendments numbered 54, 58, and 76 offered by the gentleman from Wisconsin [Mr. OBEY]; amendment No. 10 offered by the gentleman from Massachusetts [Mr. FRANK]; amendment No. 69 offered by the gentleman from Indiana [Mr. SOUDER]; and amendment No. 75 offered by the gentleman from New Jersey [Mr. ZIMMER].

I further ask unanimous consent that debate on each amendment and all amendments thereto shall be limited to 20 minutes, equally divided and controlled by the proponent and an opponent, except that amendments numbered 54 and 10 shall each be debatable for not to exceed 45 minutes, and consideration of these amendments proceed without intervening motion, except one motion to rise, if offered by myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

Mr. OBEY. Reserving the right to object, Mr. Speaker, could I simply ask the gentleman, on amendment No. 69, I confess I am not fully familiar with the contents. Is there any intention that there is going to be an amendment to amendment No. 69?

Mr. CALLAHAN. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Speaker, I would tell the gentleman, not to my knowledge. I think the gentleman from Indiana [Mr. SOUDER] had two amendments. The second amendment I think is amendment No. 69, which he intends to offer, an amendment on Mexico that has to do with encouraging them to crack down on drug trafficking. There is no second degree amendment.

Mr. OBEY. There is no amendment? I thank the gentleman, Mr. Speaker.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

WISCONSIN WORKS WAIVER APPROVAL ACT

Mr. ARCHER. Mr. Speaker, pursuant to House Resolution 446, I call up the bill (H.R. 3562) to authorize the State of Wisconsin to implement the demonstration project known as Wisconsin Works, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 446, the amendment printed in section 2 of the resolution is adopted.

The text of H.R. 3562, as amended by the amendment printed in section 2 of House Resolution 446, is as follows:

H.R. 3562

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO IMPLEMENT WISCONSIN WORKS DEMONSTRATION PROJECT.

(a) IN GENERAL.—Upon presentation by the State of Wisconsin of the document entitled ''Wisconsin Works'' (as signed into State law by the Governor of Wisconsin on April 26, 1996) to the appropriate Federal official with respect to any Federal entitlement program specified in such document—

(1) such official is deemed to have waived compliance with the requirements of Federal law with respect to such program to the extent and for the period necessary to enable the State of Wisconsin to carry out the demonstration project described in the document; and

(2) the costs of carrying out the demonstration project which would not otherwise be included as expenditures under such program shall be regarded as expenditures under such program.

(b) LIMITATION OF COSTS.—Subsection (a)(2) shall not apply to the extent that—

(1) the sum of such costs and the expenditures of the State of Wisconsin under all programs to which subsection (a) applies during any testing period exceeds.

(2) the total amount that would be expended under such programs during such testing period in the absence of the demonstration project.

(c) TESTING PERIOD.—For purposes of subsection (b), the testing periods are—

(1) the 5-year period that begins with the date of the commencement of the demonstration project, and

(2) the period of the demonstration project.

(d) RECAPTURE OF EXCESS.—If at the close of any testing period, the Secretary of Health and Human Services determines that the amount described in subsection (b)(1) exceeds the amount described in subsection (b)(2) for such period, such Secretary shall withhold an amount equal to such excess from amounts otherwise payable to the State of Wisconsin under section 403 of the Social Security Act (relating to the program of aid to families with dependent children) for the first fiscal year beginning after the close of such period. The preceding sentence shall not apply to the extent such Secretary is otherwise paid such excess by the State of Wisconsin.

SEC. 2. NO EFFECT ON CERTAIN OTHER WAIVERS GRANTED TO THE STATE OF WISCONSIN.

This Act shall not be construed to affect the terms or conditions of any waiver granted before the date of the enactment of this Act to the State of Wisconsin under section 1115 of the Social Security Act, including earned waiver savings and conditions. The current waivers are considered a precondition and can be subsumed as part of the Wisconsin Works demonstration.

SEC. 3. AUTHORITY TO PARTICIPATE UNDER SUBSEQUENT LEGISLATION.

If, after the date of the enactment of this Act, any Federal law is enacted which modifies the terms of, or the amounts of expenditures permitted under, any program to which section 1 applies, the State of Wisconsin may elect to participate in such program as so modified.

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARCHER] and the gentleman from Wisconsin [Mr. KLECZKA] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas [Mr. ARCHER].

GENERAL LEAVE

Mr. ARCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3562, the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ARCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been 8 days since the President formally received the request for Wisconsin waivers from Governor Tommy Thompson. He still has not approved it. As Members will recall, the President endorsed the Governor's request to implement his innovative welfare initiative by waiving the cumbersome and counterproductive Federal rules and regulations that govern welfare.

The American people noted the great speed with which the President went on national radio to endorse the Wisconsin waivers, once he had learned that Senator BOB DOLE would visit Wisconsin to announce his own welfare proposal. But as of today, 8 days after the President's ringing endorsement, the Clinton administration has yet to sign the Wisconsin waivers.

Under the Social Security Act, the Clinton administration has the immediate authority to sign the Wisconsin waivers. Given his radio address, there should be no reason for the Clinton administration to negotiate, study, or otherwise delay the waivers Wisconsin seeks.

To help the President refocus his energy on the Wisconsin waivers, today we initiate this legislative process of sending the President the Wisconsin waivers in legislative form. The President endorsed the Wisconsin proposal, and now we are giving him the opportunity to personally approve it by signing this bill. We eagerly await his signature.

Mr. Speaker, pursuant to the rule, I designate the gentleman from Wisconsin [Mr. KLUG] to hereafter control the time for debate.

Mr. Speaker, I reserve the balance of my time.

Mr. KLECZKA. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], the dean of the Wisconsin delegation.

Mr. OBEY. Mr. Speaker, the biggest social failure in this country is welfare. I think everybody understands that. It is a mess. It destroys work incentives. It is hated by many of the people on it and it is hated by the taxpayers. I think the No. 1 priority of the country is to see welfare reformed, and I do not believe that the country is going to have much confidence in its Government until the Government demonstrates that it can distinguish between the truly needy and those who take no personal responsibility. The American people deserve to have the welfare issue dealt with in a way that puts their needs first.

Instead, in my view, the issue is being used as a political football by politicians to meet the needs of politicians, in order to help them gain an edge on each other. This bill is part of that circus. It is not real, it will not become law, it is simply part of a political game to tweak the President of the United States. The problem is that long after President Clinton and would-be President DOLE are gone, my constituents will have to live with the consequences.

We have before us today one-half of Governor Thompson's welfare reform package. Under the Wisconsin welfare reform package, low-income people are going to be taken off welfare in many instances, but the second half of the welfare package in Wisconsin is to put the Milwaukee Brewers and their owner on welfare, making them biggest welfare queen in Wisconsin. I find that interesting.

What we have before us is the fact that the Wisconsin legislature passed a reform bill. The Governor may have had 27 separate changes in it through item vetoes. The normal next step is for the Department of Health and Social Services to allow a 30-day comment period from the public, and then make a decision on the welfare requests. This bill cuts the public out. It simply says that 435 people in the Congress of the United States, at least in the House, who have never read the waiver proposition, who know virtually nothing about it, are going to be voting on it, instead of allowing the department to proceed to do what it has done on every other occasion, which is to grant waiver requests which Wisconsin has made.

The gentleman from Wisconsin [Mr. KLECZKA] and the rest of the Democrats in the Wisconsin delegation are offering a simple substitute. Since, after all, this welfare reform proposal does not go into effect until September 1997, it simply urges the department to approve Wisconsin's request after two conditions are met: Number one, after we have a 30-day comment period, so that the public can be cut in on the deal, and they can finally have a say-so so our constituents can participate, not just the politicians at the State and the Federal level; and second, after the department has determined that the alternative meets each of the seven tests laid down for it by the Governor himself in his document, on page 4.

Unlike the bill, we do not cut out the public, and we do not have the Congress interfering in something it knows nothing about. I want to make very clear, Mr. Speaker, that when the President spoke 2 weeks ago and endorsed the general thrust of the Wisconsin plan, he said that that plan had the makings of a good proposal, and that he wanted to work with the State of Wisconsin to see it accomplished.

That is exactly what ought to happen. We ought to stop inventing differences where there are none. We ought to stop the politics. We ought to get on with the process and get those waivers approved so Wisconsin can proceed with the experiment that the legislature passed, which the Governor changed with his vetoes and which they are now asking the Federal Government to support. That is the nonpolitical, rational way to go about things, and I urge Members to support the Kleczka amendment.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Let me make a point, in response to my colleague and friend, the gentleman from Wisconsin [Mr. OBEY]. He said that by passing this waiver, we will cut the public out. I think anything but the contrary. The public, which should be involved in this decision, has already been involved in the decision. It is the residents of the State of Wisconsin who had 30 hearings and town meetings, 120 hours of debate in the Wisconsin State legislature, and 2,000 residents participated in those venues.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Speaker, I would just like to point out that in the hometown of the gentleman from Wisconsin [Mr. OBEY], hometown of Wausau, there was a 7-hour public

hearing on October 17, 1995, where 82 individuals either appeared or registered before the committee at the hearing.

What the gentleman from Wisconsin [Mr. OBEY] apparently wants to do is to ignore the input that those 82 individuals gave in his hometown to elected legislators, and have bureaucrats in the Department of Health and Human Services end up deciding what waivers to approve, what waivers to modify, and what waivers to reject, and thus write the final welfare reform plan. I have much greater faith in the folks who appeared at the hearing in Wausaw than the folks across the street in the HHS building.

Mr. KLUG. Reclaming my time, Mr. Speaker, and we will have plenty of time to enter in a dialogue, but I want to follow up on another point to say that two-thirds of the Wisconsin State Assembly voted for and three-quarters of the Wisconsin State Senate, and in fact, the Democratic candidate for Governor who ran against Tommy Thompson last time, supported the plan and voted for the plan. It is a plan that Republicans and Democrats in Wisconsin support.

The bottom line in all of this, Mr. Speaker, is whose values do we trust: Do we trust the values of the folks back in Wisconsin, sitting down at the lunch counter right now, or do we trust the folks stuffing the file cabinets right here somewhere in Washington? It is Main Street values versus Washington values.

□ 1215

Do you trust the judgment of the Wisconsin bipartisan legislature or do you trust the judgment of the technocrats and the bureaucrats here in the Nation's Capital?

Mr. Speaker, I yield 4 minutes and 30 seconds to my colleague, the gentleman from Wisconsin [Mr. NEUMANN], to detail the waiver application itself.

Mr. NEUMANN. Mr. Speaker, I would just like to point out that the bill is very, very straightforward. It very simply says that we grant Wisconsin the ability to go ahead with the welfare reform plan that has been passed through the State legislature.

I have been looking for a way to best describe the Wisconsin Works Program. I would like to read what I found to be one of the better descriptions of the program. I quote this now. It says: Under the Wisconsin plan, people on welfare who can work must work immediately. The State will see to it that the work is there, in the private-sector jobs that can be subsidized if necessary, or community-service jobs if there are no private jobs available.

The State says it will also see to it that families have health care and child care so that parents can go to work without worrying about what will happen to their children, but they must go to work or they will not get paid. If they do work, of course, they will have the dignity of earning a paycheck, not a welfare check.

Mr. Speaker, the plan would send a clear message to teen parents as well. If you are a minor with a baby, you will receive benefits only if you stay in school, live at home and turn your life around. Those words adequately and directly describe the Wisconsin plan.

I have been hearing today that somehow President Clinton did not know what was in this plan. Those words describing the Wisconsin plan, Governor Tommy Thompson's plan, those words are President Clinton's words during his radio address. I would point out that they very directly describe the Wisconsin plan. He knew exactly what was in the plan when he said, and I quote again, we should get it done, referring to granting the Wisconsin waivers.

I have heard this is about partisan politics today. I have a very difficult time understanding how we can call it partisan politics when a Republican Congress is saying to a Democrat President, we are honoring your wishes, here it is, let us do what you said, let us get it done. That is what this is all about.

Mr. Speaker, I might add on the political front, I find myself in a very unique position of being out in Washington, DC, doing the best job I can to see to it that legislation voted for by a potential opponent of mine in the next election, Judy Robeson from Beloit, she voted for this bill, a Democrat on the other side from my own district and potentially a candidate against me in the next race. I am here working to see to it that her good work in fact gets enacted into law.

I would like to also address the comment that there have been no public hearings on this. There has been 18 months of hearings in the State of Wisconsin on this. After 18 months the people in the State of Wisconsin did what the American people want all of us to do. They cut through the Republican-Democrat gridlock that seems to bring this place, Washington DC, to a grinding halt. They cut through that. They developed a welfare reform package requiring able-bodied welfare recipients to go back into the work force while taking care of health care and child care, but they did this with both the votes of the Democrats and the Republicans.

The majority of the Democrats in the State of Wisconsin voted for this plan. All of the Republicans voted for it. All in all, the vote was 100 to 31 in favor of it.

Mr. Speaker, this plan is budget neutral. It does not cost the taxpayers from Washington, DC, at least an additional nickel. I would also like to add to my colleagues on this side of the aisle that, when they voted for H.R. 4 approximately a year ago, if that bill had been signed into law rather than vetoed by the President of the United States, we would not be standing here having this debate today. Wisconsin works for Gov. Tommy Thompson and the Republicans and Democrats in the State legislature would already be enacted into law and would be rapidly moving forward.

There is one more point that I find extremely ironic in this debate. The whole context of this debate is that we somehow need 30 days out here for the Washington bureaucrats to rewrite the Wisconsin plan. I would like you to think about what exactly that means.

In Wisconsin, we have a Governor and a State legislature that has balanced the budget year after year after year. They have just enacted a huge tax cut. That is, they have reduced the tax burden on the people in the State of Wisconsin. They have balanced the budget. They have cut the taxes. Business is booming in the State of Wisconsin providing job opportunities for people to leave the welfare rolls and once again have a shot at the American dream. Who are we asking for a 30-day review of this process? The Washington bureaucrats, 900 miles from the State of Wisconsin.

Who are we asking to do this review? Who do they want, these Washington bureaucrats to review and Washingtonize this Wisconsin plan? Well, they are the very same people that have plunged our Nation $5 trillion in debt. They have not balanced a budget in a generation, for goodness sakes. In 1993 they not only did not reduce taxes on the American people, they passed the biggest tax increase in the history of this Nation.

How is it that we would think that we should take this Wisconsin plan and bring it out here to Washington, DC, and have it reviewed by these people who have done exactly the opposite of what we should be doing in this Nation, instead of plunging us into debt and not balancing the budget, increasing the welfare rolls. That is not what we ought to be doing. And I will conclude my remarks. Maybe we should ask the people of Wisconsin to review Washington work.

Mr. KLECZKA. Let me try to bring the debate back to the issue here. I yield myself 30 seconds.

The issue before us is not to rehash or redo the State legislative enactment; that is the law of the land in the State of Wisconsin. What we are trying to do here, what we are talking about is process. There is a process for when States ask for waivers. Like it or not, that is the process that has been used.

So, what the Republican proposal today does is cut out the public's input into this process. Do not give me this baloney about the bureaucrats and everything else. The 30 days is so the public, and I will give you some of the names who have asked for this opportunity from Wisconsin and from out of Wisconsin, but they just want an opportunity to be heard. Why are we cutting that out? What do we have to fear?

Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, let me simply say that the gentleman referred to the hearing that was held in my hometown. I would simply observe that that

hearing was held before the fact. The citizens of Wisconsin have had no opportunity to comment on their view of the Governor's 97 item vetoes and the changes that that made in the process.

My understanding is he made 97 changes on 27 separate items. I would bet that no member of the Wisconsin delegation can define those.

So all we are saying is we ought to leave the process to the same people who provided Wisconsin's nine previous waivers. At least they know something about what is in the package. Certainly no one on this floor does.

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to the gentleman of California [Mr. STARK], formerly from the State of Wisconsin.

Mr. STARK. Mr. Speaker, I thank the distinguished gentleman from the south side of Milwaukee.

I grew up on the west side of Milwaukee. We used to beat Janesville in basketball at Wauwatosa High School.

Mr. NEUMANN. I personally take offense at that. The basketball teams in Janesville are dynamically great.

Mr. STARK. I am sure big guys like you would have whipped short guys like me.

Perhaps the gentleman from Janesville would indulge me for a few minutes, because I understand that he understands what they have done in Wisconsin; but I cannot quite understand what it is here that he is asking us to do today.

For instance, in his waivers he is asking to waive fair hearing rights. Can he explain to me what fair hearing rights he wants to waive? What fair hearing rights does the gentleman from Wisconsin [Mr. NEUMANN] want to waive here?

Mr. NEUMANN. What we are doing in this bill is we are simply expressing our confidence in the State of Wisconsin legislature.

Mr. STARK. The gentleman lists waivers that he is asking for. One of the waivers is fair hearing rights.

Mr. NEUMANN. No, no, no. What this bill does, very simply, is this bill very simply says we have confidence in the people of the State of Wisconsin.

Mr. STARK. I am sorry, I trust the gentleman, but I would like to know. This is an area in which I have legislated for some time. What fair hearing rights is he waiving, for example? He is waiving, in item 17 in his bill, in the record, the gentleman is saying he is waiving lump sums. I think he meant some lumps, but.

Mr. NEUMANN. We can gladly spend the rest of the debate time on this. If the gentlemen would like me to read a description of that, it is item No. 5 in the description. It says: Applicants for and participants in W–2 employment positions—trial job, CSJ or W–2 T—may appeal a W–2 agency's decision related to eligibility or benefits. The appeal process provided for is similar to the conciliation process under the JOBS Program.

So we can go through these.

Mr. STARK. Why is that not in the bill? What is the gentleman reading from?

Mr. NEUMANN. I am reading from the thing that has been referred to in the Register. But the point here is this.

Mr. STARK. Excuse me. That is not in the bill; is it?

Mr. NEUMANN. The thing is I do not happen to think that we need a Washington review of what has already been done.

Mr. STARK. We do not need a review, but we need a bill that we can read. We are spending taxpayers' money to help Wisconsin.

Mr. NEUMANN. That is money from the taxpayers in the State of Wisconsin, and they have already decided how they would like to spend that tax money. I for one believe that the people in the State of Wisconsin ought to have the right to decide how that tax money has been spent. I would like to point out about the cost.

Mr. STARK. Mr. Speaker, if I could reclaim my time for a moment, the gentleman is asking me to vote for some 88 waivers here which he described to me. I do not have any time to review this. The gentleman has had the experience of all of these hearings or had the experience of reviewing this. If I could just finish.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume. I would like to ask a question of the gentleman from Wisconsin [Mr. SENSENBRENNER].

Our colleague from Wisconsin, Mr. OBEY made the point saying that, since the Governor's veto, nobody has had the opportunity to review this. But I would ask the gentleman, is it his experience when he served in the Wisconsin State Legislature that obviously the Wisconsin State Legislature, which passed this plan two-thirds in the assembly, three-quarters in the State Senate, could have overridden the Governor's vetoes and changed it; could they not?

Mr. SENSENBRENNER. Mr. Speaker, if the gentleman will yield, that is correct, and there is a veto session of the Wisconsin Legislature scheduled for July 9, 10, and 11. The State legislature can decide to override any one of the vetoes that the Governor has chosen to make.

Mr. KLUG. I thank the gentleman for making that point.

Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, the other gentleman from Wisconsin has claimed that nobody has had a chance to review the bill after the Governor has made his line-item veto. The President of the United States has had a chance to review it, because the statements that he made in support of Wisconsin's W–2 plan were after the Governor vetoed parts of the W–2 plan and signed it into law. And he said, all in all, Wisconsin has the makings of the solid, bold, welfare reform plan. We should get it done.

Now, what we are hearing from the other side of the aisle is that we should cloud the issue more. We should confuse the issue more. And we should end up giving the bureaucrats in the Federal Department of Health and Human Services the opportunity to modify the waiver request, as they usually do when waivers are requested, and thus end up by bureaucratic fiat changing the welfare reform plan that the elected legislators of Wisconsin and the Governor of this State have decided is in the State's interest.

That philosophy is wrong. The reason this bill is before us today is so that Congress can allow Wisconsin to get on with the job of reforming its welfare system.

Now, let me say that what we are doing here is really not unprecedented. There have been three instances in the last 10 years where Congress has legislatively approved welfare reform waivers requested by the Governors of various States. In the Omnibus budget Reconciliation Act of 1987, two of them were approved, one from the State of Washington on a demonstration project permitting the operation of a family independence program as an alternative to AFDC, and the other from the State of New York as another demonstration project as an alternative to AFDC.

In the Omnibus Reconciliation Act of 1989, Minnesota was permitted to conduct a demonstration project of its family investment plan. Now, to my knowledge, there were no hearings conducted by the folks on the other side when those three requests for waivers came before Congress for approval. We should not do it here.

Mr. KLECZKA. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I want to make one thing clear again. This Wisconsin proposal does not go into effect until late 1997. There is absolutely no reason for 435 people who do not know their ear from second base about what is in this package to actually vote on it rather than having the people who have approved the previous nine requests Wisconsin has had for waivers making their decision on it.

I am tired of hearing what the President said misdescribed. The President had not seen the submission document that the Governor was going to present to him. The President in his radio statement simply said, ''I am encouraged by what I have seen so far''. He said, Wisconsin ''has the makings'' of a solid, bold, welfare reform plan.

''I pledge my administration will work with Wisconsin to make an effective transition to a new vision of welfare.''

□ 1230

Why do we not take him up on it? Instead of having a cheap political grandstand for 2 hours on this floor, we ought to be taking the President up on that on a bipartisan basis. Quit inventing differences where there are none.

Mr. KLECZKA. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, I am glad we are having this discussion today because I think that we have all agreed that we do want welfare reform, and there is a bigger picture here because we will take up and have taken up H.R. 4. But today we are talking about and the leadership is offering the Wisconsin welfare plan as its model for welfare reform.

If this is the ideal, then why do we continue in this body to offer a welfare plan that cuts the money necessary to achieve the very goals contained in the Wisconsin plan? Wisconsin says it want to require work, provide job training, child care, and health care. This assistance is going to cost money.

In fact, Wisconsin recognizes that in order to move people from welfare to work, it is going to have to spend more money than it currently does. How can they possibly achieve their goals under H.R. 4?

The Congressional Budget Office report said that H.R. 4 did not include sufficient funds to meet the work requirements in their welfare bill. How can Wisconsin then meet the more ambitious and more costly work requirements that are included in their plan? What about child care? There certainly is not enough money in H.R. 4 to provide for the level of care Wisconsin is proposing. Wisconsin's promises then probably simply will be broken.

So as we have this debate and as we play the politics today on this issue, let us remember that it is possible to achieve welfare reform that cares about children. This should be our goal. Florida has a waiver request to achieve this goal. Wisconsin believes that it has a plan to reach it, as well. However, let us not kid ourselves into believing that these State initiatives are consistent with the welfare plan that has passed this body.

States do want to be innovative and successful in their efforts to move people from welfare to work. President Clinton wants to help them. In fact, he has approved waivers in 38 States. Of course, we would rather have national welfare reform, but national reform is of no value unless it meets the cost of State plans. We have not done this in the bills offered on this floor.

I hope that my colleagues on the other side of the aisle will consider the questions I have raised. Then maybe we can find out how Wisconsin's waiver is consistent with the Republican welfare agenda, and I would not be surprised if the answer is simply no, not the welfare agenda, only the political agenda, and I think that is sad.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Let me make the point that not only does Wisconsin wait for its waiver approval from the White House but also the State of Florida has waiver applications pending, as does the State of California, the State represented by Mr. STARK who spoke earlier. Again the question is, do you trust the States to do it or does it always have to be stamped right here in Washington?

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH] to explain why we can do it back home, we do not need to do it here.

Mr. ROTH. I thank my friend from Wisconsin [Mr. KLUG] for yielding me this time. I want to congratulate him and the other Members of the Wisconsin delegation for all the work they have done on this legislation.

Mr. Speaker, let me say this. The Wisconsin Legislature has the most dedicated and the most intelligent people of any legislature in America, and they have made their judgment on this after 18 months of debate.

Today on the floor is what I call the yes butters day. Yes; I am for welfare reform, but not today. I am for welfare reform, but not on this bill. I am for welfare reform but not under these conditions, you see. The yes butters. They know back home the people are for the legislation but they do not have the courage to vote that way, so we have got to have the yes but.

I have to chuckle when people come up here and say the President, this is what he said, look at what he said here. Do you mean to tell me the President of the United States did not know what he was talking about when he talked to the Nation?

President Clinton certainly has some intellectual integrity. He is not a man that will just say anything for votes. Certainly the President of the United States has some intellectual integrity, that when he makes a statement to the Nation, he knows what he is talking about. Do you mean to tell me that he just gets up and verbalizes and does not think about what he is saying? The President does know.

The present system is the poverty preservation program and we are talking about changing it. Yes; change comes hard, because we are all tied to our past. That is what we are asking for, for change.

This weekend we had a big demonstration here in Washington. A quarter of a million people turned out, they said for our children. We in Wisconsin are coming to the Nation to say we want you to pass this legislation for our children, too. We in Wisconsin are willing to take the risk. What are you afraid of?

We in Wisconsin know that the present system does not work. That is No. 1. No. 2, anything is better than what we have today. No. 3, Wisconsin, yes; is willing to take the risk. And, No. 4, the Wisconsin assembly and legislature after 18 months of debate have passed this legislation.

We are coming to you with a package for change. All we are asking you to do is to have some confidence in yourself. Change is difficult, yes; but change is needed and that is what this legislation is doing.

We are moving with this legislation from the liberal welfare state to the information society. Seventy-five years ago we were debating moving from the agricultural society to the industrial revolution, and the Nation listened to Wisconsin and we are thankful for it.

Today we are again moving, now from the industrial revolution to the information society, and we are saying, ''You were right 75 years ago, America, to listen to Wisconsin.'' We are asking you to be right again and to be with us again today.

Mr. KLECZKA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I enjoyed listening to the comments of my colleague from Wisconsin [Mr. ROTH]. The problem with his remarks is that they are about 2 weeks early because they should be directed at the welfare reform bill that will be on this floor in about a 2-week period, once the committee I serve on has had a chance to have some public hearings and mark it up.

I should say, on the whole issue of welfare reform, the gentleman indicates, ''Yes, I'm for welfare reform but.'' ''I'm for welfare reform but.''

Well, this gentleman is for welfare reform and he put his voting card where his mouth is, and the last time we had a vote on the welfare reform bill, the conference committee, I did support it. So the issue here is not whether or not we should have welfare reform in this country. That is a done deal. The question is the process and public hearings.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. TANNER].

Mr. TANNER. I thank the gentleman from Wisconsin [Mr. KLECZKA] for yielding time.

Mr. Speaker, several days ago a group of Democrats and Republicans here in the House introduced a national welfare reform bill called H.R. 3266. It is unfortunate, I think, that we are wasting the time of the U.S. Congress debating what should or should not happen in Wisconsin.

We have a process in place that works. Most everybody here has acknowledged that, to take care of these States that are doing their own and requesting waivers and so forth.

We are a national body. If we are going to spend the time of this Congress on the floor on welfare, it seems to me we ought to be discussing a national welfare bill. We have introduced, a bipartisan group, H.R. 3266, that is consistent in many ways with the provisions of the Wisconsin plan. It has bipartisan support. The President has indicated he can work with us to resolve a few outstanding issues on that.

It seems to me that if the Republican leadership wanted to help Wisconsin and all the other 49 States in this country, we could bring a national welfare bill to the floor like H.R. 3266 which gives not only Wisconsin but all the other States the ability to make the changes they need to make, want to make and vote to make, without all this nonsense and windbagging on the

floor today about who said what or when.

It is unfortunate that we are spending all this time to talk about what should happen in Wisconsin. They are entitled to vote on that. Even the Members from Wisconsin cannot agree.

So I would just ask the leadership that sets the agenda around here, let us be a U.S. Congress and talk about a national welfare reform bill that will allow all the States to do whatever it is they want to do. We have that bipartisan bill in place and I wish we could get it to the floor.

My colleague, MIKE CASTLE, and I have introduced H.R. 3266, a bipartisan welfare reform bill which would allow real welfare reform to work. I would rather be here debating that bill because such a debate would be much more fruitful.

This situation we are confronted with in this bill is quite unusual. There is a procedure in place for approving waivers which has proven quite effective in recent months. In fact, many waivers with provisions similar to those in the Wisconsin plan have been approved or are pending approval. Yet, the leadership has only chosen to bring this request for waiver to the floor.

Furthermore, the other body has already indicated that it has no plans to consider this bill. So, this is it. This bill is dead as soon as we vote on it.

Therefore, it is abundantly clear that this is not about welfare reform at all but rather Presidential politics. The President has indicated he supports the plan as described by Governor Thompson and some folks are hoping to embarrass or put the President in a box—so this is all much ado about nothing.

But, since it is on the floor I will take advantage of this opportunity to make a few substantive points.

In terms of the merits of this individual proposal—I agree with the basic blueprint or program outlined in the Wisconsin proposal as I understand it. The proposal includes a limit on benefits, requires work, as well as a guarantee of health care, child care, and whatever assistance might be required to move from welfare to work.

In fact, the blueprint is consistent with the bipartisan reform bill Governor CASTLE and I have introduced. So, on it's face the plan is something I can certainly live with.

But the question we should be looking at today is not whether the freestanding Wisconsin plan passes the test. The question we should be asking is how does this plan stand up when it is considered in the context of the national reform bill which has marked up in subcommittee. Once this is done, we see that the Wisconsin waiver no longer looks as good. In fact, we find that the plan has a fundamental flaw. The flaw lies in the phrase, ''based on reasonable budget estimates.''

Many jobs still do not provide comprehensive health care. Therefore, any reform effort must include health care to allow recipients to leave welfare for work. In addition, reform must include child care so that recipients are free to pursue employment. Last, reform must provide access to the resources and activities needed to move from welfare to work.

On first reading it appears Governor Thompson's plan guarantees these crucial elements of reform. However, upon closer examination we find out that the guarantee is not really a solid guarantee, but a conditional guarantee. The guarantee is conditioned on reasonable budget estimates. Or, in other words the guarantee is only good as long as the money is there. This means that the proposal assumes Wisconsin will not have a recession and the Federal Government will provide all the money that is needed.

This causes me great concern. Throughout this debate, I have criticized the Republican welfare bills because they did not provide sufficient funding. Now, I understand the budget constraints better than many people in this House and I have continuously worked to balance this budget. But, let's be honest—reform is going to cost more money in the short term.

The facts are that the welfare bill which is moving toward the floor does not provide sufficient funding. This is not just my opinion but is backed up by a CBO analysis.

No one can guarantee that there will never be a recession in Wisconsin or any other State for that matter. The Castle-Tanner bill recognizes this reality and provides contingency funds to give States access to extra, emergency funds in the event of a recession. The Republican bill would not provide enough protection for States in the event of a recession and put programs such as Wisconsin's at risk.

Under the Republican bill the States will not be able to meet the participation requirements because the bill does not include enough work funding.

And, although the Republicans have responded to our concerns in part and increased funding for child care, the increases have come at the expense of title XX programs and are still insufficient to meet the needs.

Last, the Republican plan terminates Medicaid and transitional Medicaid along with AFDC. There was never a mandate for the end of Medicaid and it is impossible to have successful welfare reform without providing medical care.

I support the right of the people of Wisconsin to decide their own welfare policies and the plan itself is consistent with the bipartisan bill I have introduced. And, since this bill is not going anywhere I will support this silly bill.

However, we have the cart before the horse. We should pass the national reform bill first and then evaluate this proposal. In my opinion, our votes would be a little different then. Why? Not because the Wisconsin plan is not worthy of approval but because the plan won't work under the bill now moving to the floor.

I believe that with our bipartisan bill and the Republican bill we are close to an agreement on welfare reform and I hope that we have an opportunity to address these issues I have outlined before the national reform bill comes to the floor.

Mr. KLECZKA. Would the Speaker kindly indicate to both sides how much time is remaining?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Wisconsin [Mr. KLECZKA] has 15½ minutes remaining and the gentleman from Wisconsin [Mr. KLUG] has 16 minutes remaining.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

If I may read a quote, please, and this is talking about the Wisconsin Legislature:

> The final vote on W–2 presented legislators a choice. We could continue along a seemingly endless path that had fostered impoverished dependency on government aid. Or we could try a new direction in the hope of leading all Wisconsin citizens to a more dignified, more prosperous life of self-reliance based on work. The current welfare system doesn't serve people well. It doesn't help people advance from welfare to work.

That quote comes from State Senator Chuck Chvala, who my colleagues from Wisconsin well know was the candidate who ran last time against Tommy Thompson for Governor in the State of Wisconsin who voted, as did three-quarters of his colleagues in the State senate, for this piece of legislation.

I understand the frustration of my colleague from Tennessee, Mr. TANNER, because Tennessee is one of those States as well as California and also a number of other speakers we have heard from today from other States that are also waiting for waiver applications.

Mr. SENSENBRENNER. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. I think it is very important, Mr. Speaker, to know that had H.R. 4 become law, we would not be standing here today, because there would be no waivers required for Wisconsin to implement the W–2 welfare reform bill that the State legislature passed and Governor Thompson signed.

So anybody who voted for H.R. 4 and its conference report should really be supporting this piece of legislation enthusiastically because we already dealt with the issues then that we are dealing with today. Unfortunately, the President of the United States decided to veto H.R. 4 and that is why we are having this debate today. I thank the gentleman for yielding.

Mr. KLECZKA. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. KLECZKA. Mr. Speaker, let me further the point that was made by the gentleman from Wisconsin [Mr. SENSENBRENNER]. If, in fact, the majority party continues along the line like it is doing with the welfare reform bill, and, that is, moderating it to some degree—the one we are going to take up provides for more child care—we will get a signature, we will go to the block grants, you and I will support it, then naturally this will not be necessary. But as long as you insist on always sticking in a poison pill to the bill, you are going to keep getting a veto. The poison pill that you are going to stick in this time around is some radical Medicaid changes which you know the President is not going to buy.

Mr. KLUG. Reclaiming my time, Mr. Speaker, we will have an opportunity to debate a comprehensive welfare package in the next several weeks. The argument today and the discussion again is simply, and the challenge for

my colleagues from Wisconsin opposed to this is, are you going to trust the State to make decision or does Washington have to say yes? Do we have to come back here one more time on bended knee as Tennessee, as California, as Florida had to say, please give us a chance to fix it or you allow us to fix it ourselves.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. PETRI].

Mr. PETRI. I thank my colleague for yielding me time.

Mr. Speaker, I rise in support of this legislation deeming approval of the Wisconsin Works waiver request. My colleagues have described some of the attributes of the Wisconsin welfare reform effort. Let me add another one.

One of the gravest failings of our current welfare system is the tremendous disincentives to work and get ahead forced onto the most unfortunate in our society. There's little incentive to get off welfare and into a job to begin with. And even when a low-skilled parent is working, she has almost no chance to improve her lot. Many of the working poor face marginal tax rates at or exceeding 100 percent—meaning that they lose more in benefits and pay more in taxes than they gain in wages when they increase their hours or earn a raise. The rest of the working families in the income range just above the poverty level tend to have effective marginal tax rates of at least 75 percent.

Wisconsin's W–2 program begins to address this problem in two ways. First, it aims to get everyone into some kind of work by providing the jobs where necessary and removing any nonwork alternative. Then it allows people to earn more as they rise from totally subsidized work in exchange for a grant where they can develop the basic skills necessary to function in the working world, to community service jobs, to partially subsidized jobs in the private sector, and finally into unsubsidized jobs. Rather than treading water, or even losing ground, when low income Wisconsinites work their way up the ladder and eventually off of government assistance, they should see an improvement in their disposable income at each step. The biggest improvement should occur as they move from community service work into private sector jobs, because the EITC will be added at that step.

They'll still be affected by food stamp and child care phaseouts and eventually the EITC phaseout, income taxes, and a health subsidy phaseout but at least the State of Wisconsin is aware of these problems and moving in the right direction.

We need to look at a whole array of Federal programs which all phase out over a similar income range, just above the poverty level, and have the cumulative effect of punishing people for working harder. These programs have been created one at a time in a policy vacuum with the combined effects rarely being considered. The fact that jurisdiction over them is spread among a half dozen congressional committees just makes it that much harder to consider the combined effects.

I have tried to bring this issue to the attention of my colleagues and will continue to do so. However, it is clear that this problem is not going to be dealt with at the Federal level in any meaningful way in the near future. Therefore, in the meantime we should take the shackles off the States and allow them to try to deal with this problem as best they can. That is one of the goals of this Wisconsin plan and I urge my colleagues to support low wage working Americans and grant Wisconsin the necessary waivers to carry out its bold and innovative plan.

□ 1245

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to gentlewoman from California, Ms. MAXINE WATERS.

Ms. WATERS. Mr. Speaker, If I thought this was a serious attempt by Speaker NEWT GINGRICH to improve the welfare reform debate, I would seriously try to deal with the waiver issues. However, consideration of a waiver for this Wisconsin welfare plan today is but a cynical political ploy to do a one-upsmanship on the President.

I am sick and tired of some Democrats, and some Republicans alike, using welfare children and families as pawns in a political squabble to try to make voters believe they are reforming welfare. This plan may be credible, but who knows. We have had no hearings, and the floor jockeys on the bill do not have the faintest notion of what is in this plan.

We all need to stop the posturing, the game playing and the deceit. This bill does not deserve the vote of one serious Member of this body. Welfare certainly can be reformed, but this is not the way to deal with this issue.

Neither Speaker GINGRICH or Bill Clinton should drive us to do political gymnastics on this issue. I am told under the Wisconsin plan that families would only get help when parents are participating in work activities. But there is no assurance that sufficient placements will be available for parents. This plan does not give any details as to what happens when that family cannot find work within a specified period of time. It appears the whole family, including the children, could lose all cash aid.

Despite their best efforts to find work, children of poor families will be even poorer under this bill. All guarantees of health coverage for children and families under the Wisconsin plan would be repealed.

The Wisconsin State statute states that the new program is in lieu of Medicaid. Notwithstanding fulfillment of the eligibility requirements for any component of the Wisconsin Works, including Medicaid, an individual is not entitled to services or benefits under Wisconsin Works.

Let us all try to get real. Poor children and families deserve a lot better. Allow the 88 waivers to be reviewed and considered and not put on a political fast track.

Mr. Speaker, I ask the Members of this body to be more serious, to give more consideration, to treat families better, and stop playing this political game. It does not make any sense that the response to a remark by the President about this plan would drive us to overthrow the entire review process and come to this floor, without any hearings, without any knowledge of what is in the bill, trying to make people believe we are doing something to reform welfare and drive it through this legislature because Members think those who are running for office will be too afraid not to vote against it.

I am sick and tired of it, the American public is tired of the political games being played on serious issues. I ask that this bill be voted down.

Mr. KLUG. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, of course politics did not have anything to do with the radio address, did it? But this is how it was played back home. We have heard a lot of quotes about exactly what it was the President said, but look what it said in the headlines in a Wisconsin paper. ''Wisconsin Welfare Plan Okayed By Clinton.''

When the President goes on the radio and says he is for something, like my colleague from Wisconsin, Mr. ROTH, I assume that means he is for something. And the dilemma is essentially saying we are going to give 30 days so that we can review it is because, as we have seen in the past, and as the 19 States now know, 5 of them with Democratic Governors, Washington will take forever to modify and change plans.

My colleague from California [Ms. WATERS], asked me if I had read the Wisconsin waiver and the Wisconsin welfare bill, and the answer is yes. Unfortunately, she would not yield to me. The question is, has she read California's welfare bill and does she realize that California has waivers pending?

In fact, this is the headline from the San Francisco Chronicle: ''Welfare Overhaul Stymied in D.C., Critics Complain.''

Not only is Wisconsin waiting for the bureaucrats to wake up, California is waiting and Florida and Texas and 14 other States.

Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Wisconsin [Mr. NEUMANN].

Mr. NEUMANN. Mr. Speaker, I am hearing this is about politics. We just saw the headline there in the Wisconsin State Journal after the President's address: ''Wisconsin Welfare Plan Okayed by Clinton.'' It was the next day. It was literally the Monday after this Sunday headline that we see in the Washington Times, ''White House Deputy Chief of Staff, Harold Ickes, Later Backpedaled, Telling the Washington Post the Details of the Wisconsin Plan Will Have To Be Negotiated.''

It was clear to him that the President had said OK to the Wisconsin welfare reform plan. It was clear to the

Washington papers that he was now backpedaling from what he said.

What we are doing here today is not about politics, it is about the heart and soul of what I am doing here in Washington, DC. It is about wrestling this power away from the bureaucracy that exists in this city and giving it back to the people so the people can again have a chance to make good decisions that influence their lives.

We talk about welfare. Sometimes we just do not get the right parts of this discussion in here. When I was sitting playing cribbage on Saturday night, a good friend of mine said to me, she says, if the people really need help, we will help them. We are willing to help the people that are truly in need.

But the conversation continued. It is the people that are able to go into the work force and have a chance to leave the welfare roll. As long as they stay on welfare they are stuck in a situation where they are at the mercy of whatever big daddy government decides to give them. When they leave the welfare rolls and go into a job, they have a chance for promotion. And when they have a chance for promotion and they are showing up at work every day, they can again start to dream in this great Nation of ours. They can dream about a better life for themselves and their families, and we can again start to seeing people living the American dream in this country.

That is what the welfare plan is about. It is about an effort to help people off of the welfare rolls and back into the work force. It is doing exactly what we should be doing in this country.

Mr. KLECZKA. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, we were just shown a copy of a San Francisco news article or some newspaper in California. Let us review where we are in the California waivers. Since President Clinton took office, HHS has received nine welfare waivers from the State of California. Five have been approved, two are inactive, which means they have been withdrawn, and the two others that are pending, both have been received as of March of this year.

So I do not think that is a terribly bad track record.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I thank my colleague from Wisconsin [Mr. KLECZKA] for yielding time to me and I want to applaud the fine work he is doing on this issue.

If the proponents of this legislation were serious, they would take a look at what happened in 1992 when President Bush issued a waiver and it was struck down by the court because there was not a public comment period. But they are not serious. This is not about welfare reform. This is not about helping poor people who should get off welfare, some of whom are there because they are trapped, some are there because they have trapped themselves, some are there because the system has trapped them. This is all about Presidential politics.

Let us take a look at what the President said. The President said, ''I am encouraged by what I have seen so far. All in all, Wisconsin has the makings of a solid, bold welfare reform plan. We should get it done. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work that protects children and does right by working people and their families.''

Now, one would think that my friends on the other side of the aisle would say, great, President Clinton has said he will work with us. And they have every reason to say great because the track record in Wisconsin is one of consistent cooperation between a Democratic President of the United States, a Republican Governor, and a Republican legislature.

Nine times the State of Wisconsin has come to President Clinton or has come to Washington asking for waivers, and nine times they have been granted. My colleague from Madison said that I was incorrect by saying that one of those was granted. He indicated that the State wanted to have the whole State covered but Washington would not do it. As a matter of fact, to correct him, the County of Milwaukee, which I represent, begged to be part of that legislation but the Republicans would not let them be part of that legislation.

Why would they not let them be part of that legislation? Because in the State of Wisconsin there are problems with welfare in most parts of the State, but the most serious part and the most serious problems are in the district that I represent in Milwaukee, because we have the highest concentration of poor people there.

I just want to give my colleagues an example of why I think it makes sense for us to look at this legislation. In his address last week, Governor Thompson said there were speed bumps in the way on this legislation. He said, do not worry, we will take care of those speed bumps.

Ladies and gentlemen, some of those speed bumps are people that I represent. They are not speed bumps, they are mothers with 4-month-old infants. They are mothers who are being told they have to go to work and they have to put their child in day care.

Now, Governor Thompson recognizes there is not enough day care out there right now to serve all the new mothers that are going to have to go back to work. So what do they do? They lower the standard of care for day care. They say we are going to lower the standards. These are just poor people we are talking about. We do not have to have the same standards we have had for all these working class people. These are poor people. We do not have to have training, we do not have to have certification. These are poor people.

It is extremely fashionable, both in Washington and in other parts of the country, to kick around poor people. Sometimes I think it is a national sport. These are people, and we can never, ever forget that. But this is politics. This is not about people. Because if we were concerned about the people we would say, yes, we want them to have an opportunity to be heard.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I would just like to observe, if we really want to measure whether anything real is happening here or not we would recognize that right now outside of the Wisconsin delegation on the House floor there are exactly two people from other States.

Virtually everybody in this House, on both sides of the aisle, knows this is just one of those demeaning political exercises. We have simply got a couple of hours where people are going to get up and bash the President or bash Mr. DOLE or bash somebody else. It does no credit to anyone in this institution.

I got into politics for the same reason I am sure the gentleman did, and our other colleague from Wisconsin, Mr. KLECZKA, did, and I hope everybody else did, because we thought politicians were supposed to solve problems, not use them in order to gain a political edge here or gain a political edge there and bamboozle somebody again.

There is literally nobody on this floor. How on Earth can we ask people to vote on this legislation when they have not read it, they have not heard the debate, they could care less about the debate? They are already getting ready to go to the airport, and we are pretending this is a real legislative day. Grow up, fellas. Grow up.

Mr. BARRETT of Wisconsin. Mr. Speaker, reclaiming my time, I want to talk about how this measure ended up on the floor. Again, nine times the State of Wisconsin has come to Washington and gotten waivers. Nine times there have been no problems. In fact, if there were problems, we would not have the Governor of the State of Wisconsin traveling around the country claiming he is the king or the leader in welfare reform. If the Clinton administration had stymied them in any of those waiver requests, they would be barking, they would be screaming about it.

But the Clinton administration has not stymied them in a single one, and that is one of the reasons it is successful. But the mortal sin, the mortal sin that the Clinton administration made in this matter was that they said ''We will work together.'' My God, how can we have a Democratic President offering to work with a Republican Governor? That is the mortal sin. That is where the President went over the line. He said I am going to work with them. We will work hand-in-hand to try to solve this American problem.

It is not a Republican problem and it is not a Democratic problem, it is an

American problem, and that is the way we should be addressing it. And, frankly, why I am embarrassed as a Representative from Wisconsin is that is the way we have done it in Wisconsin. We have worked together.

When people ask me from the State of Wisconsin what is the biggest difference between the State legislature, where I served for 8 years before coming to Congress, I tell them it is much more partisan and it is much meaner in Washington. It is just a mean place where people are out day after day trying to outfox each other politically.

That never happened on the welfare issue with the State of Wisconsin until 2 weeks ago. And what happened? Speaker GINGRICH and the Representatives from Wisconsin, the Republican Representatives, held a press conference and they decided they were going to up the ante. Speaker GINGRICH suggested, well, maybe we will just introduce a piece of legislation. Speaker GINGRICH said, maybe we will just pass it in Congress.

□ 1300

Just as the swallows return to Capistrano, just as night follows day, the next thing that happens is on the floor of the House of Representatives, in defiance of the Wisconsin tradition of working together on a bipartisan basis, they are going to stick it to the President. They are going to stick it to him. They are going to take that olive branch that he has handed them and asked to work together, my God, he asked to work together, they are going to take that olive branch, break it in half and shove it in his eye because this is not about helping people. This is not about reforming the welfare system. This is about Presidential politics, pure and simple. That is exactly what we are talking about today.

That is why the gentleman from Wisconsin, Mr. OBEY, is correct, that is why there are no Members in this Chamber from anywhere but Wisconsin because this is not a national issue. This is not an issue that people care about in other parts of the country because if it were, this legislation would grant those waivers to all those other States. Wisconsin's waiver has been sitting in the White House for 8 days, 8 days.

There are other States that have a more serious problem, if you believe my colleagues on the other side of the aisle. Why are we not considering those waivers? Because in those waivers the President did not say, I will work, together with you.

This is an attempt to embarrass the President. If that is what we want to do, if that is how we are spending our time under this leadership, so be it. But it does not help the process. It abuses the process.

There has not been a single hearing on this measure since Governor Thompson exercised his partial veto pen 97 times on 27 different items. There has not been a person in this country who has had the opportunity to go to their elected officials to talk about that veto, not a single time. What are we going to do? No hearings in Congress. We have had one Governor, one person out of 260 million people in this country who used his line item veto 97 times, and now Congress is going to rubberstamp this thing.

If you are interested in welfare reform, then you should let people have an opportunity to be heard. What is the sin of having people be heard?

Let us do it right. Let us adopt the amendment that Congressman KLECZKA will propose and we will get this done. But let us end the political shenanigans. Let us get Presidential politics out of the State of Wisconsin.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Let me make the point, we have had hearings on this. The question is, Where do the hearings have to happen? Do they have to happen here in Washington or in Wisconsin? Thirty hearings, town hall meetings, as my colleague, Mr. SENSENBRENNER, has already cataloged for us, 120 hours of debate. Two thousand residents testified in those assorted town hall meetings and the legislative hearings themselves.

Again, if the Governor vetoed it, as my colleagues know who served in the Wisconsin State Legislature, the Wisconsin State Legislature has the ability to override them.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, are we waiving the plan as the Governor passed it or the plan as the legislature may change it, if they reject his vetoes?

Mr. KLUG. Mr. Speaker, we are acting on the waivers as submitted by the Governor.

Mr. OBEY. Mr. Speaker, if the gentleman will continue to yield, what happens if the legislature turns some of those down? Does the State then amend it? Do we then pass another bill? Why do we not wait until the legislature has acted?

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, I would like to respond to that. The reason for that is because we have a great deal of confidence in people like Roger Breske, a Democrat from the gentleman's part of the State, and Russell Decker, a Democrat from the gentleman's part of the State, who voted for this plan. We have a great deal of confidence that they will make good decisions for the people in the State of Wisconsin.

Mr. OBEY. Quit playing politics and answer the question.

Mr. NEUMANN. Mr. Speaker, the answer to the question is, we have a great deal of confidence in the people of Wisconsin. We do not want 30 days of bureaucratic input into the Wisconsin plan from Washington, DC.

Mr. OBEY. What is the legislature going to do? Are they going to accept those line item vetoes or not?

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOEKSTRA] who does have interest in the debate in front of us.

Mr. HOEKSTRA. Mr. Speaker, I am from the State of Michigan. I have a tremendous interest in this issue.

Recently, some of my colleagues and I, one of them from Wisconsin, completed a document called the Myth of the Magical Bureaucracy, the belief that Washington can solve every problem.

This issue that we are discussing today fits right into that document, because this document talks about the Washington myth that the future of America rests with bureaucrats in Washington, that the future of the people on welfare in Wisconsin is dependent on bureaucrats in Washington and not on the State legislature in the State of Wisconsin.

What is going on is we are replacing Washington ideals with traditional American ideals. We are replacing a faith in God with a faith in Washington. We are replacing the American ideal of parents and family with bureaucrats.

This picture of Washington shows that what we have called Independence Avenue really needs to be renamed into Dependence Avenue, because every time we build a new bureaucracy, we are moving decisionmaking away from the people. We are moving it away from the States, and we are putting it into bureaucrats here in Washington. We need to move power back to the States, back to the people closest to the problem.

We have had a lot of talk about the welfare process, the waiver chase in Washington. Let us talk about what the State of Wisconsin has to do to address the problems in their State.

Congress passes or issues mandates. We develop thousands of pages of laws of public health and welfare. It goes into bureaucracy. They develop rules and regulations, thousands of pages of regulations. It goes to the State of Wisconsin. We have a bureaucrat who interprets these thousands of pages of regulations. Finally we get to the people of Wisconsin.

They say, that is interesting what they did in Washington but that does not work for our State. Those people do not quite understand what goes on here. So they pass overwhelmingly a program that will work for their State. You think they would be able to move forward, but, no; they have got to submit 300 pages of waiver requests. It comes to Washington here. Somebody who maybe has never been in Wisconsin is going to evaluate whether they can get these waivers. The bureaucrat makes a recommendation and maybe the President will sign it.

That is not compassion for the people in Wisconsin that need help. The results are that we have waivers that take 292 days to approve, 448, 153, 322. That is not performance. That is not compassion. That is not dealing with the problem.

Let us recognize that the future of many of our problems, the future of America is in the hands and should be in the hands of individuals, parents, families, and States and not Washington bureaucrats.

Mr. KLECZKA. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, all I would say is that the substitute we are going to offer simply asks two things: make sure there is a 30-day comment period because the proposal before us does not go into effect for a year and a half, so there is hardly a rush. And, second, we are taking the seven standards defined by the Governor and simply asking HHS to determine whether or not the bill does in fact meet these seven standards defined by the Governor on page 4 of his presentation document.

If these seven statements are true, they waive it. If they are not, they work with the State to make certain that they are true.

This is not a legislative opportunity before us. This is a 2-year cooked-up special order, pretending that we are doing something when, in fact, nothing real is going to happen.

In my view this is simply a Gingrich political special. It is another exercise in dividing people, in pretending there are divisions when there are none. Every Member of the Wisconsin delegation wants the Wisconsin welfare program to be tried. Most of my political allies in the State legislature voted for it.

All we want to do is to exercise our responsibility as Federal Representatives of Wisconsin to see to it that this package is what we are told it is. That is all the resolution asks for. There is absolutely nothing wrong with it. If anybody is interested in working with each other rather than simply playing political games, they will vote for the Kleczka amendment.

Mr. KLUG. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. SENSENBRENNER].

Mr. SENSENBRENNER. Mr. Speaker, I think it is unfortunate that whenever you are on the short end of the argument, you end up demeaning the other side's arguments, getting involved in name calling. And that is not what the legislative process should be, but unfortunately, in many instances it is.

What the gentleman from Michigan [Mr. HOEKSTRA] said is what the issue is before this House. The issue is whether the decision on what waivers should be approved or not rests with bureaucrats in the Department of Health and Human Services, who are not elected, who are not responsible to the voters and who are not even responsible to the President of the United States, or whether the decision should be made by the elected representatives of the people in the Wisconsin State Legislature. It is those State senators and those State representatives that have determined that this is a good idea for the people of Wisconsin.

If it has been misrepresented, they are the folks that ought to take the political hit, because they are responsible for their voting record, just as we are responsible for ours. So let us have some faith in those elected senators and representatives by approving this bill and providing the waivers that are needed to make this work.

Mr. KLECZKA. Mr. Speaker, I yield myself the balance of my time.

I think it is important to note, as I said before, and we have to keep repeating it, what we are doing here today is not redoing the State legislative enactment. A lot has been said about the public hearings that have been held before the legislature met on the debate on the W–2 program, and that is true. I served in the State legislature for years. I happened to have been the chairman of the joint committee on finance. So I know the process as well as Mr. SENSENBRENNER, who I served with in both the house and senate.

What happens is, you have a public hearing on the idea and possibly on the bill draft. And then after the hearings and the public has had a chance to speak, the legislature in the house and the senate in Wisconsin go back to their respective chambers and they debate the legislation.

Unlike the rules of the House of Representatives, they are free to represent their constituents by offering as many amendments as they want, and they are also free to use as much time as they want, another luxury that we do not have here. And so once the public was heard, the bill came before the house. Hours were spent in debate and amending the bill. So it has been changed substantially from what was out in Wausau, WI.

So after that process was done, the bill was passed by the legislature, sent to the Governor. He waited 5 weeks before he took it up. And then when he presented it back to the legislature as approved, he issued some 27 vetoes. Again, the legislature will not be heard on those vetoes until sometime in July. So the bill could be changed, maybe not substantially, but it could be changed in part by legislative action that is coming after this debacle that we are going through today. That is the legislative process.

Again, let me remind my colleagues, we are not redoing the bill. We are finishing the process. We are providing a finale, if I could say, to this process by saying, and now what happens? There are 88 Federal waivers requested. Now the public can be heard again. Now the public from Janesville and Madison and the constituent who wrote me and the groups who wrote me, now they can be heard again.

My substitute, which we will talk about in a few minutes, does that. Your bill, sad to say, rubberstamps the 88. No one knows what is in it. It is like potluck, I would guess.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Speaker, I think if I have one reputation around here it is a reputation of being a fairly bipartisan sort of guy. But I wanted to share with you an experience I had in my early legislative days in the 1970's, when I was speaking at a welfare reform meeting with all the local welfare reform directors.

They said, I am convinced you State legislators do not ever want to get welfare reform enacted. You want the issue; you do not want a solution.

And as I listen to this discussion today, I think that is exactly what is going on here. Nobody is disparaging the Wisconsin plan. It is a comprehensive, dynamic, real substantive reform plan. It was passed with a strong bipartisan majority in both houses of the Wisconsin State legislature. It was signed into law by the Republican Governor. It has been endorsed by the Democratic President.

Now what we are saying is, all right, then let us get it done. What do we have here this afternoon? We have this intense partisan battle over whether or not we are going to let them get it done. We say the State legislature has not resolved the vetoes that the governor has had. Do my colleagues know what? A 30-day period, they are not even going to meet. So what is the plan here? Is the plan to simply say, we will deal with the question of Wisconsin waivers sometime later on? I do not think so.

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So the real question we are talking about today is are we going to do what we say we are going to do, which is enact real welfare reform, or are we going to talk about it and find all kinds of ways in the process of talking about it to make sure it never gets done? That is what this is all about.

The reason we are here is accountability. Everyone from the President to the Governor, on a bipartisan basis, said this is a good idea. If it is such a good, then let us simply get it done; at least let us get it implemented so if there are problems, we can come and fix the problems, but get the changes put into place.

Mr. KLUG. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore (Mr. BONILLA). The Chair recognizes the gentleman from Wisconsin for 1 minute.

Mr. KLUG. One more time, if I can, colleagues, let us put this in some kind

of perspective. There is a simple fundamental question in front of this body today: ''Do you trust a State legislature and a Governor to run their own affairs?'' And I think the answer fundamentally has to be ''yes.'' And my colleague, the gentleman from Wisconsin [Mr. GUNDERSON], hit the nail on the head. I mean, sure, these waiver applications may get approved, but only if it gets rewritten and gets changed and gets modified and it gets capitalized, and at the end of the day we do not have Wisconsin's welfare plan, we have Washington's welfare plan. But my colleagues could put a Wisconsin sweatshirt on, and it does not make them a badger inside.

The question is: ''If you rewrite a third of these regulations or a quarter of the regulations or half of the regulations, at the end of the day it's not Wisconsin's plan.'' We have the first comprehensive plan passed in the country, two-thirds of the State assembly, three-quarters of the State senate, the Governor's opponent for Governor the last time around, the Senate minority leader, a larger majority of Democrats as well as Republicans.

The fundamental question today is: ''Whose values are you going to trust: the people sitting at the lunch counter in Wisconsin or the bureaucrats down the road on 'Dependence Avenue,'' as the gentleman from Michigan [Mr. HOEKSTRA] appropriately characterized it?

That is why Wisconsin needs the green light for once; it does not need a yield sign or a stop sign from the Washington bureaucrats.

Mr. PASTOR. Mr. Speaker, I would like to take a few moments to discuss my position on H.R. 3562, the bill to approve the waivers for the Wisconsin Welfare Plan.

I would like nothing more than to support meaningful welfare reform legislation. However, I believe the bill before us today circumvents the entire legislative process in an attempt to politically embarrass the President. Additionally, I cannot vote for a measure that raises more questions than it answers. Members of this House have not seen the details of the Wisconsin welfare plan and we have no idea what it contains. We do not know the details of the waivers Wisconsin has asked for, and by bringing this bill to the floor, we are being asked to blindly vote and make decisions on something we have not had time to study and evaluate. Members from across the country are being asked to vote on a plan developed by Wisconsin, without having the opportunity to review the plan. This would set a disastrous precedent as the American public did not send us to Congress to cast uneducated votes.

Furthermore, by passing this bill, we would effectively shut out the public from their part in this process. The Department of Health and Human Services allows a public comment period of 30 days, a comment period that allows for concerned citizens to have input on the plan. Why are we in such a hurry that we deny the public their right to make comments on this matter?

In the past, Wisconsin has come to the administration seeking various waivers, and each time, the requested waiver was granted. The Wisconsin plan may prove deserving of the requested waivers, and should that be the case, I would fully support the plan. I believe that we should allow the administration and Wisconsin to work together to resolve this issue, not use this issue to score political points.

Unfortunately, the Republicans are not allowing us that opportunity. It is unfortunate that they have decided to attempt to portray the President and Members as opponents to welfare reform when the reality is that Congress is being asked to blindly cast votes on a plan that we have not had the opportunity to study.

Mrs. JACKSON-LEE of Texas. Mr. Speaker, I support welfare reform and I would like to see this body enact a meaningful and effective welfare reform bill during this session of Congress.

The bill we consider today, however, is not a meaningful welfare reform plan for the Nation but it is a political action intended to put Members and the President on the spot, and to paint them as opposing welfare reform. In fact, if this was not an election year, this bill would have never been scheduled for consideration.

H.R. 3562 was never considered by a committee. This bill was rushed to the floor without hearings in which the public would have an opportunity to express its views and have them considered. This bill would eliminate the 30-day public comment period routinely used by the Department of Health and Human Services [HHS] when considering waivers.

The Wisconsin plan may indeed be a plan worthy of study. I am pleased that the W–2 plan would provide child care and health care for participants, which is essential if we are to move people off of welfare and into work. I have spoken with welfare recipients in the 18th District of Texas and they have told me that they want to work and that they view welfare benefits not as a way of life but as a bridge to better times. The bill's sponsors, however, have not let the plan's merits speak for itself. Instead, they are trying to bypass the normal rules HHS has for approving a waiver, without allowing the agency and the public to fully examine the plan's components—normal procedures entail a 120-day review process.

The Kleczka substitute, on the other hand, would provide for an expedited review process to be completed by July 31, 1996, under the normal administrative rule procedures, while allowing for public input. The Kleczka substitute would require a 30-day public comment period to provide the citizens of Wisconsin and other interested parties with a voice in the process. HHS must also certify that the plan contains the features the Governor claims that it does.

The substitute would ensure that this is truly the best plan for Wisconsin and that certain individuals will not be left behind. Specifically, HHS should certify that the plan will help find the best self-sufficiency alternative, and there will be a place for everyone regardless of capabilities and that child care and health care will be available to all low-income families who need it to work. I also believe that job training is an essential component to any welfare plan.

We need comprehensive welfare reform but there are a myriad of interests and a diverse population that must be considered in enacting such reform. I appreciate the progress that Wisconsin has made on this issue but I would caution that the Wisconsin plan cannot be made a prototype for the Nation.

We should applaud the States for acting on their own to reform welfare. Congress should not however, waive the rules and regulations that a State is required to follow in implementing its plan. The Federal Government has a responsibility to ensure that a plan will do what it says it will. I urge my colleagues to support the Kleczka substitute and allow HHS to consider the Wisconsin plan according to the normal administrative review process.

Ms. MILLENDER-McDONALD. Mr. Speaker, I think that we can all agree that the welfare system in this country needs to be reformed. I think we can further agree that it is our responsibility to make an attempt to reform that system.

But as we begin our deliberations on reforming welfare, I would caution my colleagues to be thoughtful and deliberate. For it is a fool who rushes a raging river to beard an angry tiger.

Presidential politics should not be the driving force behind any reform movement. H.R. 3562 is being fast tracked through this body by the majority in an attempt to embarrass the President.

How can we begin to consider waivers for the Wisconsin welfare plan when we have less than all the facts. I have not seen a copy of the Wisconsin plan, there has been no committee review, no hearings, no markup, and there has been no health and human services public comment period. What do the citizens of Wisconsin think about the welfare reform plan offered by their Governor? Mr. Speaker, the Congressional Research Service can't even provide Members with a summary of the bill.

I caution my colleagues that if we approve these waivers in this irresponsible manner, we will give a green light to every Governor who seeks waivers for similar reasons. Let's not circumvent the process—oversight and inquiry are our responsibility and public comment is the right of the taxpayer—let's hold hearings on the Wisconsin plan—let's hear from the people of Wisconsin—vote no on approving the waivers.

Mr. REED. Mr. Speaker, I rise in opposition to this Republican effort to bypass the normal 30 day comment period and approval process for the Wisconsin welfare reform plan and eliminate the ability of the people of Wisconsin to officially and publicly express their views on the plan.

I am a strong supporter of welfare reform and workfare. I am also a strong supporter of a truly bipartisan effort to fix the problems of the current welfare system.

However, I am not a supporter of purely political exercises on the House floor when we should be in committee working on a bipartisan welfare bill for the Nation, not just Wisconsin.

The Wisconsin welfare plan, known as Wisconsin Works [W–2], requires waivers of 88 provisions of Federal law and regulation in order to be implemented. However, the legislation before us does not enumerate or provide any information on these waivers. Indeed, I have received no letter from Governor Thompson of Wisconsin requesting that I or any other Member of Congress should approve these waivers—that letter went to the President where it should have gone.

In fact, this is only a political exercise which will not be considered in the Senate. It will,

however, have real ramifications for the welfare reform effort in my State of Rhode Island.

Rhode Island is currently debating two competing plans, one offered by Governor Almond and the other by a coalition of business people and antipoverty groups, to reform the State's welfare system. These plans have many provisions in common, including requiring work in order to receive assistance and providing expanded child care opportunities. Both of these plans, however, are miles apart from the Wisconsin plan.

The goal of welfare reform should be to instill individual responsibility and move people from welfare to work. However, a reformed system should continue to provide a safety net for those individuals who are unable to work, and most important, a reformed welfare system should protect children, who have little control over their parents' behavior.

With the information I have been able to find on this proposal, it appear that the Wisconsin plan does not meet these goals. Under W–2, no family would be entitled to benefits, child care, or other services. Families would receive help when parents are participating in work activities, but there is no assurance that there will be sufficient job placements available for all those in need of assistance. W–2 also places children and families at risk by ending the guarantee of health coverage through the Medicaid Program.

Mr. Speaker, I will oppose this legislation because I am concerned it moves us away from real bipartisan welfare reform in Rhode Island and the Nation. However, I will continue my efforts in support of flexibility, work requirements, and protecting children when the majority brings a real welfare reform proposal to the floor.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, it is now in order to consider an amendment by the gentleman from Wisconsin [Mr. KLECZKA].

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. KLECZKA

The SPEAKER pro tempore. Mr. Speaker, I offer an amendment in the nature of a substitute. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment is as follows:

Amendment in the nature of a substitute offered by Mr. KLECZKA: Strike all after the enacting clause and insert:

SECTION 1. URGING IMPLEMENTATION OF WISCONSIN WORKS DEMONSTRATION PROJECT.

Upon presentation by the State of Wisconsin of the document entitled ''Wisconsin Works'' as signed into state law by the Governor of Wisconsin on April 26, 1996, to the appropriate Federal official with respect to any Federal entitlement program specified in such document, such official is urged to waive compliance with the requirements of Federal law with respect to such program to the extent and for the period necessary to enable the State of Wisconsin to carry out the demonstration described in the document upon meeting these requirements:

(1) Such official shall publish a notice in the Federal Register describing the proposed changes to Federal programs contained in the document scheduled under Wisconsin law to go into effect in October, 1997, and provide for a 30-day comment period to receive public comments from the citizens of Wisconsin and interested parties.

(2) Such official shall provide for expedited consideration of the demonstration project described in the document under the procedures otherwise required by law, except that such official shall complete such consideration not later than July 31, 1996, compatible with the State schedule established in such document.

(3) Such official shall certify that the plan does in fact contain the features described by the Governor of Wisconsin on page four of the document entitled Wisconsin Works, March 1996 (publication number PES893).

SEC. 2. PROVIDING FUNDING AUTHORITY FOR IMPLEMENTATION.

(a) The costs of carrying out the demonstration project which would not otherwise be included as expenditures under such program shall be regarded as expenditures under such program.

(b) LIMITATION OF COSTS.—Subsection (a) shall not apply to the extent that—

(1) the sum of such costs and the expenditures of the State of Wisconsin under all programs to which Section 1 applies during any testing period exceeds

(2) the total amount that would be expended under such programs during such testing period in the absence of the demonstration project.

(c) TESTING PERIOD.—For purposes of subsection (b), the testing periods are—

(1) the 5-year period that begins with the date of the commencement of the demonstration project, and

(2) the period of the demonstration project.

(d) RECAPTURE OF EXCESS.—If at the close of any testing period, the Secretary of Health and Human Services determines that the amount described in subsection (b)(1) exceeds the amount in subsection (b)(2) for such period, such Secretary shall withhold an amount equal to such excess from amounts otherwise payable to the State of Wisconsin under section 403 of the Social Security Act (relating to the program of aid to families with dependent children) for the first fiscal year beginning after the close of such period. The preceding sentence shall not apply to the extent such Secretary is otherwise paid such excess by the State of Wisconsin.

SEC. 3. NO EFFECT ON CERTAIN OTHER WAIVERS GRANTED TO THE STATE OF WISCONSIN.

This Act shall not be construed to affect the terms or conditions of any waiver granted before the date of the enactment of this Act to the State of Wisconsin under section 1115 of the Social Security Act, including earned waiver savings and conditions. The current waivers are considered a precondition and can be subsumed as part of the Wisconsin Works demonstration.

SEC. 4. AUTHORITY TO PARTICIPATE UNDER SUBSEQUENT LEGISLATION.

If, after the date of enactment of this Act, any Federal law is enacted which modifies the terms of, or the amounts of expenditures permitted under, any program to which section 1 applies, the State of Wisconsin may elect to participate in such program as so modified.

SEC. 5. EFFECTIVE DATE.

Sections 2, 3 and 4 of this Act shall become effective on the date that a waiver is approved pursuant to the conditions stated in Section 1.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin [Mr. KLECZKA] and a Member opposed, each will control 30 minutes of debate time.

Mr. KLUG. Mr. Speaker, I am opposed to this amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. KLUG] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I think it is time to start from the beginning of the debate, because I think we have gone off course, and look at what we are doing today.

The bill before us will pass at the end of the day, probably around 3 o'clock. It will not pass the Senate. So all this rhetoric will be for naught.

So if we think we are doing something to help the American people or even help the people of Wisconsin, we are fooling ourselves because as soon as this bill leaves this House, it is DOA in the Senate.

And so my colleague, the gentleman from Wisconsin [Mr. BARRETT], says this is Presidential politics, let us not kid a kidder, and he is exactly correct. I cannot change the fact that it is a Presidential political year, but I think this body could probably rise above that and act responsibly.

But that is not in the cards today, my friends. What we are being asked to do by the Republicans, what we are being asked to do by the majority party product, is to take 88 waivers that the Governor gave to this administration and President a week ago, and today, Thursday, at about 2 'clock, rubber stamp them all.

Now, do my colleagues think Members of Congress come to Washington, DC, and rubber stamp things and do not read what they are doing? Today is a good case in point because today, my friends, we are going to see it happen.

We are told that in the CONGRESSIONAL RECORD, which is published every day, there is a listing of 88 points, 88 waivers. All right; let me read one to my colleagues: Elimination of child care disregard. We are going to eliminate the child care disregard. What does that mean?

It is not in here; that is all there is. One phrase. Do my colleagues know where it is contained? In here. It is contained in this voluminous document, which 5 Members in Congress out of 435 have and possibly read.

So we are going to, about in an hour-and-a-half, do something where no Member, or 430 Members of Congress, do not know what they are doing, and they are asking us to participate in that, and I for one say ''no.'' If my folks back home taught that I was casting votes in important legislation without reading it, I would be recalled. I would be in Milwaukee, WI, today as I speak versus being in this historical Chamber. And that is what it is all about.

Let the Republicans defend how they can ask all their colleagues to vote for something they never read. Sad.

The President indicated in his remarks, and we have the copy of the radio address, that he favors the Wisconsin welfare plan. That is fine. Did

he ever say, ''And I will, within 3 days, sign 88 waivers I never read''? No. That is not part of it.

But if we go through the history of this whole process, as I indicated before, the legislature in Wisconsin passed it, 5 weeks later the Governor signed it. If it was such a rush job, why did the Governor not sign it the next day after the Wisconsin legislators passed it? Five weeks later he signed it. Then he looked at it, and because we have line-item veto, which I support, he vetoed 27 items from the bill. And then he came to Washington and said, ''And I need 88 waivers.'' The Governor also indicated; he said, ''And I like to get this process started, so if you guys and ladies in Washington wouldn't mind, if you could get this done by August 1 of this year, that would be nice.'' But know for a while this program does not get up and running in the State of Wisconsin until October 1, 1997. Why not September 1, 1997, like the legislature told the Governor? Because he vetoed that. He vetoed that in the bill and moved it back a month. So now we have the program coming on line, August 1, 1997, or October 1, 1997, clearly a year and 5 months from now.

I have introduced a substitute amendment, which I appreciate is being made in order today, and what does it do? Does it talk about bureaucrats regressing the legislature, doing all sorts of nasty things? No. Does not do any of that. What it does is, very simply, even the 430 Members who have never read the waivers will understand this, but know for a while, and I am going to ask the folks in the gallery to stick around for the vote because at least 50 Members are not going to be voting. Do my colleagues know why? Because this is not a big deal to California, and it is a long flight home, this is the last day of session, and they are gone. They are at Dulles Airport and National Airport right now catching their flight home. And so what we have here is something akin to a special order, something we do at the end of the day and just talk to the cameras and to each other.

The only good that I see that has come out of this, my friend from Wisconsin, Mr. KLUG, is that in the last 4 years this is the most time the nine of us have talked together that I can recall, and so if there is a silver lining behind what is going on today, it has brought the nine of us maybe closer together, or at least we got to have some conversation. So that is good.

But the substitute does three major things. It does, No. 1, provide that the review and approval of these waivers shall be expedited. That is No. 1. No. 2, the substitute amendment we are going to be voting on shortly says that there shall be a 30-day public comment period because the public, many in Wisconsin and many from other States who have an interest in the legislative process, have not seen any of the waivers and want a chance to react.

Why would we close the public out? That would be akin to we are taking up the appropriations bills one day on the floor, and we lock all the Chamber doors and turn off the C–SPAN cameras because we do not want the public to hear and see what we are doing. Boy, would there be a riot this country, and there should be.

But I have letters, not only from constituents, Nancy Ann from Greendale, WI, who wants to be heard on this because she did not see any of the 88 waivers. Marjorie S. from Milwaukee, who lives on Superior Street, she wants to be here on this. Here is a group who has some interest in the entire issue of waivers and what is happening: The American Association of Women in Community Colleges, very educated group, knowledgeable group, they want to be heard on this. The Wisconsin Catholic Conference; now, they participated in the public hearings, but not all the changes and not the waivers. They want to be heard on this. But if we adopt the Republican measure, they are cut out of the process, the doors are locked, the lights are dimmed, we do not see what is happening. I think that is wrong.

So my substitute provides for expeditious consideration, 30-day public review period, and finally it says by July 31 of this year, by July 31 of this year the process shall be complete.

The Governor asked this Congress to do that by August 1; the substitute that I will ask my colleagues to vote on in a short time says October or—the substitute that I have introduced provides that July 31 the process is done. How fair. And at that point, even though 430 Members have not read this before they are approved, at least someone will, or at least the public will have their say recorded and their judgments listened to.

Mr. HEFNER. Mr. Speaker, will the gentleman yield for a question?

Mr. KLECZKA. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, for my own clarification, under ordinary circumstances, something of this magnitude, what would the process be? What committee would it go to that we would have hearings where everybody could talk about it, we could have witnesses or what have we, and the public would know exactly what we are voting on? Because I am not familiar with the welfare situation in Wisconsin. I am aware of some it in North Carolina. We have had some waivers, and the Governor has put in some changes in the welfare program.

What would be the process that we would go through under ordinary circumstances if this was not a dire emergency that we had to get done this week? What would be the process?

Mr. KLECZKA. The gentleman asks a excellent question. A lot of talk has been had today about how the State legislature of Wisconsin went out, had public hearings, and they debated the bill. This is a bill just like the Wisconsin Legislature debated, and the normal operating procedures, as the gentleman well knows, is for the Committee on Ways and Means, which has control of the issue, it is in our jurisdiction, it is the committee I serve on, the bill would be introduced, we would have public hearings, members of the public could come before the committee and say we like this, we like that, this should be changed, and at this point, after the committee heard the public testimony, voted on whether or not we should recommend it, it would then be sent to the floor for debate like we are having today.

That process was totally skirted. The Committee on Ways and Means and the Members who serve on that committee do not know any more what is in this bill or the waivers than the gentleman from North Carolina.

Mr. HEFNER. Has there been 1 hour of hearings on this particular legislation?

Mr. KLECZKA. There has not been 1 minute of hearings, sir.

Mr. HEFNER. There have been no meetings on this at all?

Mr. KLECZKA. No.

Mr. HEFNER. So today the people that are proposing this legislation, I am as well informed as they are, basically?

Mr. KLECZKA. The gentleman is probably more informed because he is one of the few that is here.

Mr. HEFNER. Well, I have been here for quite awhile. I have never seen something of this magnitude, and we single out a State we are going to grant how many waivers?

Mr. KLECZKA. Eighty-eight.

Mr. HEFNER. Eighty-eight waivers that nobody knows what they are or what they do that absolutely affects the lives of millions of people—I do not know how many people are in Wisconsin.

Mr. KLECZKA. Four point eight.

Mr. HEFNER. Four point eight million people in Wisconsin, and it is going to directly or indirectly affect the lives of all the people in Wisconsin, and we are going to do it here when a lot of people are going to be gone, nobody knows anything about it. To me, this is absolutely an abdication of our responsibility, and it laughs in the face of a free society and government by the people and for the people.

This is absolutely totally repugnant to me.

Mr. KLECZKA. Mr. Speaker, I reserve the balance of my time.

Mr. KLUG. Mr. Speaker, I yield myself 1 minute.

I think this is an indication in the dialog we just saw, a very clear indication in the fundamental debate here. There were 30 hearings and townhall meetings in Wisconsin, and there were 120 hours of debate, there were 2,000 residents who participated in those townhall meetings and in those hearings as well. That is where the debate should take place, and that is where the debate has taken place and that is

where the vote was. The issue is whether my colleagues trust the Wisconsin State Legislature to run its own program or whether they think it is necessary for the Federal Government in Washington to rewrite it.

□ 1330

I do not think it is. Again, as for waivers and waiver records, the Clinton administration has denied waivers in Illinois, Massachusetts, and Wyoming. Waiver requests have been withdrawn because of the administration's strings in New Mexico, Ohio, and South Carolina. The following States have waivers pending: California, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Michigan, Minnesota, New Hampshire, Oklahoma, Tennessee, and Utah.

Mr. Speaker, I think each one of those States is capable of making its own decision, and I think that is the fundamental question before us today: Do we trust the residents of Wisconsin or do we trust the bureaucrats in Washington, DC?

Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. KASICH], the chairman of the Committee on the Budget, whose home State, Ohio, had to withdraw its welfare plan because of Clinton administration objections.

Mr. KASICH. Mr. Speaker, I very much appreciate the gentleman yielding time to be because, frankly, Mr. Speaker, everybody who is observing this debate ought to recognize that this is the opening debate, or not opening, the budget resolution was the opening debate, but this is the very first few chapters in the debate about the next century, the debate about the future of our country.

Mr. Speaker, what we are trying to do in Washington as conservatives is we are drawing the conclusion that if in fact we can take people's power, money, and influence from this city and put it back into their hands and their pockets where they live, they will be empowered to develop better solutions, more effective solutions than we can develop in Washington. This is the perfect debate, to hear the definition of a liberal and a conservative at the end of the 20th century, into the 21st century, and I love the fact that we are going to debate this and the American people can decide for themselves.

The questions that every American citizen has to ask themselves is: Am I capable of doing a better job of solving a problem where I live than somebody in Washington who has never met me? Frankly, do I have to come trudging to Washington to ask permission and to have them evaluate my solutions in order for me to be given permission to fix problems in my neighborhood?

I am going to tell the Members, Mr. Speaker, conservatives are going to win that fight every single time, because in Washington we have not been getting it right. We have been sacrificing the future of our children by wasting money, we have been not solving problems.

When we take a look at this welfare situation, I could take 10 people out of the gallery today and sit them in an office, and within 24 hours they would design a more effective welfare reform plan than is being designed in this city today.

Mr. Speaker, the real question is, do we have faith in people, do we have faith in the American citizen? Because increasingly Americans are frustrated that Washington just does not get it. It takes too much of their paychecks, does not treat their money with respect, and they design programs that do not work.

Our goal as we enter the 21st century and leave the 20th century is to systematically let people have control of their lives, because we trust that they will do better than a Washington bureaucrat who, frankly, I would say to the gentleman from Wisconsin [Mr. KLUG], does not even know what time zone it is in Madison, WI, let alone what the problems are.

Mr. Speaker, this is just the beginning, because what is exemplified in this debate is not just who should control and determine the quality of welfare, but who should determine and write the programs of quality education for our children: Should it be Washington bureaucrats or mothers and fathers?

Also, should we as Americans believe that we can handle our disabled and our elderly better where we live than relying on the Federal Government? This is what we are going to see. In fact, should the Government continue to take more and more of what we earn to spend on what they think is important in this city, rather than what we think is important in our neighborhoods?

Frankly, Mr. Speaker, the question is real simple: Do we have faith that people in the great State of Wisconsin are able to design a welfare program that they are happy with, that they believe will solve problems more effectively, that they believe is more compassionate, and at the end of the day, will get people from welfare to work? Or do Members think we ought to keep the program in Washington and impose a system on Americans where we come on hands and knees and beg unelected Federal bureaucrats for permission to design local solutions to local problems?

This is a perfect debate, and I would suggest that when this rollcall vote is put up here, we are going to be amazed at the fact that the people of this country will win, because we are going to pass this bill because it reflects and represents a confidence in the American people. Power to the people.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I appreciate the fact that this is an ideal debate, but to me it is patently unfair, Mr. speaker, for people to ask people from every State in this Union to come in and cast a vote on something that they know absolutely nothing about.

The committee system works here, where we have Democrats and Republicans go to committee, they talk, and they have hearings. They come and talk to our colleagues and explain what we are voting on. They are asking people here that know absolutely nothing about a tremendous document that is going to affect 4 million lives in Wisconsin, and the chairman of the Committee on the Budget made a very excellent speech here, a political speech, but he did not have the courtesy to enter into a colloquy. That is where we are. It is a political document. It is going nowhere and it is disgraceful. It does not speak well for this House.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. STENHOLM].

The SPEAKER pro tempore (Mr. BONILLA). Without objection, the gentleman from Wisconsin [Mr. OBEY] now controls the time in support of the amendment.

There was no objection.

Mr. STENHOLM. Mr. Speaker, I want to take time today to put in a plug for enactment of real welfare reform, something that the House and Senate can and will vote for and something the President will sign.

Let us be totally honest today, Mr. Speaker. This debate on the Wisconsin waiver is not about welfare reform, it is about scoring partisan points in an election year. We all know this is a terrible process, to be considering the Wisconsin proposal. It is not unreasonable to expect the Wisconsin plan to be subject to public comments and undergo review to determine whether it meets the goals it sets forth, whether it will increase Federal spending, which I cannot believe my chairman was speaking a moment ago without recognizing the potential of doing damage to the budget.

Regardless of whether we are talking about welfare proposals or health care grants or education plans or any other function of the Federal Government, I must say that circumventing the processes which have served both Democrat and Republican administrations, allowing time for public comment and review, is not a wise precedent.

The State of Texas had to undergo this process in order to implement a welfare reform proposal very similar to the Wisconsin plan. While it was frustrating at times for those of us who supported the Texas waiver to go through the process, we did not ask for special treatment such as we are being asked to give Wisconsin today. The Texas plan was approved because it was able to stand up to the scrutiny and questions and is now being implemented. I support the Kleczka-Obey amendment because it requires that the Wisconsin plan undergo the same reasonable scrutiny and the same valid questions to be asked that Texas did.

Instead of wasting our time with political games on waiver for one State,

we should be working on enacting a bipartisan welfare reform bill for the entire Nation. I agree that we should not be micromanaging the welfare programs of Wisconsin or any other State. There is an agreement on a bipartisan welfare reform proposal that can become law, that would allow Texas, Wisconsin, and all of the other 48 States to pursue innovative welfare reform proposals to move welfare recipients to work. It is called the Tanner-Castle Bipartisan Welfare Reform Act. The Tanner-Castle bill is an effort to put an end to the partisanship and the speechmaking and all the rhetoric on this floor, and take constructive action on welfare reform.

The Tanner-Castle bill gives States the flexibility to implement welfare reform, initiatives like the Wisconsin plan. There is so much about the Wisconsin plan that I like. It is just like the Texas plan. The problem is, we do not know what is the rest of the story. What else is in this 600 pages? Why not subject it to a reasonable amount of scrutiny?

The more important thing for today's debate is to understand this is pure political partisanship. I hope that within the next 2 weeks when the welfare reform bill comes to the floor that we will sincerely have the discussion and the debate on asking and answering the questions, so Wisconsin or any other State does not have to come to the Federal Government for a request for waivers. We are that close to doing it, but believe me, Mr. Speaker, this bill today moves us in the opposite direction. I support the amendment offered by the gentlemen from Wisconsin, Mr. KLECZKA and Mr. OBEY.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say that I understand the frustration of my colleague in Texas because of Texas' frustration in getting its own plan, which was delayed for a while with the Federal bureaucracy. He is right, we do need a national plan, but the question again is if we will give a green light to one very specific program that is ready to go, that the President said he liked, that was, again, passed by two-thirds in the House, three-quarters in the State Senate back home.

The question is can Wisconsin go ahead, in case we get held up in the national arena again? Not only is Texas inconvenienced at this point, and there is frustration from Georgia, Florida, and a number of other places, but California has been caught in this fight as well.

Mr. SABO. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, I am just curious; do we have a CBO estimate of Federal costs of the Wisconsin plan?

Mr. KLUG. I will let my colleague, the gentleman from Wisconsin [Mr. NEUMANN], a member of the Committee on the Budget, respond.

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Wisconsin.

Mr. NEUMANN. Mr. Speaker, it is cost-neutral on a 5-year period of time. It is on the second page of the bill.

Mr. SABO. If the gentleman will yield, what does that say?

Mr. NEUMANN. It say specifically that the cost has to be neutral over a 5-year period of time.

Mr. SABO. If the gentleman will yield further, I would ask, Mr. Speaker, is that for State and Federal Government combined?

Mr. NEUMANN. No, that is for the Federal Government and the impact on the Federal.

Mr. SABO. Is that a CBO estimate that that is achieved?

Mr. NEUMANN. No, it says very specifically in there that it must be budget-neutral over a 5-year period of time.

Mr. KLUG. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. RIGGS] to express his frustration with California's inability to achieve waivers here in Washington.

Mr. RIGGS. Mr. Speaker, I thank the gentleman for yielding time to me, and for his leadership on this very important issue.

Mr. Speaker, I want to point out to our Democratic colleagues what they have described here on this floor in the last few minutes as pure political partisanship, opportunism on our part, is not limited to Wisconsin. It also, to use their definition, would apply to our frustration in California, seeing our welfare waiver requests to the Federal Government held back here by the Federal Government bureaucracy for months and months and months.

This article from the May 28, 1996, San Francisco Chronicle pretty much says it all. It says ''Welfare Overhaul Stymied in D.C., Critics Complain, California Officials Lament,'' I quote from the article: ''President Clinton,'' and by extension congressional Democrats, ''argue that he,'' his administration, the Clinton administration, ''has granted States wide latitude to reform welfare, but California State officials maintain that the White House has stymied their attempts by delaying, refusing and amending requested changes in Federal rules governing Aid to Families with Dependent Children, the main welfare program financed half by the Federal Government and half by the States.''

Listen to what Eloise Anderson, the director of the California Department of Social Services, has to say: ''Clinton is out there publicly saying one thing, but his actions are quite different.'' This is a remarkable lady. She is an African-American, she is a former welfare recipient, she is very familiar with the Wisconsin plan, because she worked as a top welfare aide to Governor Thompson. She has patterned the California welfare reform proposals after the Wisconsin model.

She says that President Clinton says one thing and does another. That is a real surprise, by now, I am sure, to the American people. Governor Wilson says that President Clinton had ''failed to live up to his promise of four years ago to 'end welfare as we know it.'''' So California has been absolutely stymied by the Clinton administration. What is the status with respect to their welfare waiver request? What is the status of those waiver requests?

Contrary to the statements of the President, President Clinton has thwarted California's efforts to reform welfare through the waiver process. On average, California waiver requests have spent over 300 days languishing in Washington, DC, awaiting approval; 300 days; Mr. Speaker, not 30 days.

On average, the Bush administration approved California's waivers within 60 days, and three major California waivers are still pending. The maximum family grant, 581 days and counting, 581 days. Did Members hear that figure? Not 30. This proposal was enacted by the California State Legislature in 1994 with bipartisan support. It would end the practice of rewarding irresponsible behavior by denying a grant increase for children born to families on welfare. As I mentioned, it was submitted in November 1994 and is still pending. Grant reductions, 91 days and counting; 91 days and counting.

Studies have found that California's high AFDC grant levels discourage work because receiving AFDC is more lucrative than working for the minimum wage. That is one reason why I sponsored the minimum wage increase amendment on this floor. But Federal law prevents California, which provides the fourth highest grants in the country, from reducing their grant levels.

Lastly, the teen pregnancy disincentive, 91 days and counting. This reform, approved by the State legislature, again with bipartisan support, would require teen parents to live at home, with certain exceptions, in order to receive aid. So it is crystal clear what is going on here, Mr. Speaker, particularly to the American people, and anybody who is wondering why efforts to overhaul welfare have been stagnated today need only look as far as this Chamber and how it has acted or how it will act on the Wisconsin welfare waiver request, and how this administration has handled the California welfare waiver request.

□ 1345

Mr. KLUG. Mr. Speaker, I yield 4 minutes to my colleague, the gentleman from Missouri [Mr. TALENT], who is from the St. Louis area and who has been a real leader on welfare reform, generally, in this House.

(Mr. TALENT asked and was given permission to revise and extend his remarks.)

Mr. TALENT. Mr. Speaker, let us look at this system that Governor Thompson and an overwhelming bipartisan majority in Wisconsin is trying to change. Let us look at what this system has given us.

In the immediate postwar era, Mr. Speaker, welfare in this country was taken care of, basically, by localities and private charities backed up by State resources. Let us look at how that worked.

In 1948, the poverty rate was about 30 percent. It declined steadily in the postwar era until in 1965, it reached 15 percent. What happened in 1965? The Federal Government declared war on poverty.

Now, the national impulse to help the poor was a good thing, but here is how the Federal Government did it. It conditioned assistance on people neither working nor getting married, and the two best antipoverty programs, the way people typically got out of poverty, is by work and by marriage. In effect, what the Government did over a period of about 30 years was take away kids' dads and give them Government instead.

We did not get a reduction in poverty. The poverty rate was 15 percent in 1965, trillions of dollars later, it is still 15 percent. What we got was an explosion in the out-of-wedlock birth rate. That is the system that Governor Thompson is trying to change.

What is he trying to do about it? He is trying to replace this failed system that nobody will defend, that nobody wants to even be close to defending. He is trying to replace that system with a system of assistance to people that encourages marriage instead of penalizing it, that encourages, and in many cases for able-bodied people requires work instead of penalizing it.

Everybody believes that that is the direction that we ought to go in. How much longer are we going to wait until we go in that direction? The existing system has produced hundreds and hundreds of thousands of instances of human tragedy and usually involving kids. I think of the story of Eric Morse who was raised in a Pittsburgh housing project, a 5-year-old boy. His mom taught him right from wrong, taught him not to steal, and there were some older kids in the project. They wanted him to steal. When he would not do that for them, they dragged him up to the top of that public housing project and they threw him out a window. There were no dads in that housing project, nobody to come out of a door and say what the heck is going on? Stop this.

That is the result of this welfare system that people here are trying to defend without appearing to defend it. How much longer do we need to wait? We hear all kinds of excuses.

Mr. Speaker, why are people devoting such energy in trying to defend or fight this covered retreat in order to prevent change of this system. We do not know enough about what Wisconsin is doing. We know our system, the federally imposed system is no good. We know that this State has been at the forefront of useful welfare reform. We know that this plan was approved by the huge bipartisan majority and endorsed by the President of the United States.

What else do we need to know? We do not have a CBO estimate. We do not know how much this change is going to cost the Government. We know what this system is costing the Government. We know what the existing system is costing, not just in money, but in terms of lives. They say we need more time to consider this. We have had 30 years of this existing system. Let us give some changes an opportunity. We do not need more time to know that this system is broken.

When President Clinton said at the beginning of his term, we need to end welfare as we know it, nobody stood up and said, no, let us keep welfare as we know it. Why are we preventing this change that everybody wants?

Mr. Speaker, this is a plan that has been endorsed by a huge bipartisan majority in the Wisconsin Legislature, endorsed by the President of the United States; it is fully consistent with the bill that passed this House last year. It is not only what we should do, it is the least we should do. It is less than the least we should do.

We should be having these principles nationally. Let us at least let the people of Wisconsin do this for the individuals in their State, the most vulnerable among the lower income Wisconsinites, and the children there, let us at least let them do this for their own communities.

Mr. KLECZKA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman for yielding me this time.

I think it is important for us to come to some common ground. I do not think that those who oppose this legislation have in any way any desire to disturb, denigrate, deny, the people of Wisconsin to offer whatever solutions they see best for their State and for their community.

But we have a Federal law, and what they have to do if they have desires of participating within the Federal law and to have the benefits of 60-percent funding, which is what they received today, then they must go through the process, and the process requires that they file with the administration waivers that must be approved in order for their new plan to go through.

That is not to say that the Wisconsin people are not genuinely interested in change. They have not completed their process because the legislature still can act upon their vetoes, but nonetheless, we want to certainly accord the people of Wisconsin, California and my State the privilege of going to the administration and explaining to what extent they could do better with the funds that they are receiving by updating waivers.

Now, the waiver process may be difficult, but it is there because we are under a Federal law, which we have to reply to and be responsible to, to the rest of the taxpayers of this country. That is what it is all about.

It seems to me that to come to the Congress and to ask for special prerogatives, to establish a special precedent when anyone can come here and get a hearing with respect to their individual State's waiver on the grounds that our State desires to opt out of some Federal regulation is a very, very bad precedent to follow.

The second bad thing about this bill is that it denies open government, the open government principle which says, we must at least in the waiver process enable people to file comments; at least a 30-day comment period must be protected if we believe in open government.

The third principle which we are destroying today is the separation of powers. We have distinct authorities, legislative, executive, and judiciary. We have given the executive the prerogatives of waivers. It is not for this Congress to sit here and decide sight unseen which waivers we want to give to a law that we have enacted. None of us have seen the 88 waivers.

I certainly cannot explain any of them, because I have not read the documents, which have not been made available to us. It is really a denigration of our responsibility as national legislators to be called upon to vote on something that has occurred in another State.

Mr. Speaker, I do not wish to presume upon the intelligence and the judgment and the policies of Wisconsin, but I have a responsibility to reflect the integrity of this Chamber and the desires of my State. So regretfully, I must stand on principle today, the principles of open government, full discussion, and a separation of powers.

Mr. KLUG. Mr. Speaker, I yield myself such time as I may consume.

First of all, let me say to my colleague from Hawaii, who also has a waiver application pending with the Clinton administration.

Mrs. MINK of Hawaii. Mr. Speaker, will the gentleman yield?

Mr. KLUG. I yield to the gentlewoman from Hawaii.

Mrs. MINK of Hawaii. Mr. Speaker, in that sense, I hope that it is the policy of the majority to grant us this special hearing also whenever we see fit, because we too have waiver applications.

Mr. KLUG. Mr. Speaker, reclaiming my time, again I would encourage the gentlewoman as a member of the President's party to issue waivers more quickly. However, let me say fundamentally that waivers are not welfare reform, waivers are a lifeline for bureaucracies to rewrite and to change and negotiate and manipulate and modify documents that are written back at the State of Wisconsin.

Again, in terms of the subject of openness, 30 legislative hearings and town meetings, 120 hours of debate, 2,000 residents who participated. There was great discussion in Wisconsin, there was a recorded vote and majorities in both the assembly and the Senate, two-thirds in one, three-quarters

in the other, voted on and passed this piece of legislation and the Governor signed it into law.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. NEUMANN], the author of this important piece of legislation.

Mr. NEUMANN. Mr. Speaker, I rise to make it perfectly clear my opposition to the amendment in the form of a substitute, and I would like to make it clear exactly what is going on in this amendment in the form of a substitute.

What is happening here is they are trying to say that we need 30 days here in Washington to review this. Surely, we are not talking about Wisconsin people who want more time to review this, because after 18 months, my colleague from Wisconsin has gone through the list of how many different hearings they have had out there, but surely, after 18 months of hearings the people in Wisconsin have had their chance to be heard.

This legislation is not legislation designed to reform welfare all over the United States of America. This is legislation designed to reform welfare in the State of Wisconsin, the people that are going to be affected by this legislation, have had 18 months, they have had 18 months of chances to express themselves.

What came out of this 18 months of debate in Wisconsin? Why do we not need another 30 days of debate out here in Washington, DC? Well, first let us make it clear if we give them 30 additional days to debate this out here in Washington, DC, what we are really doing is giving the Washington bureaucrats the power, the time and the right to rewrite the Wisconsin plan and to Washingtonize it.

We do not want our Wisconsin plan Washingtonized. I do not know if the plan is right for every other State in the country, I cannot tell you that. But what I can tell you is that after 18 months of debate, two-thirds of the people in the assembly and three-quarters of our State senators, the majority of the Democrats and all of the Republicans in the State legislature voted for it. That is a pretty resounding endorsement for this.

They have made mention of the fact that maybe everybody does not understand all of the things in this. Well, our State legislature sure does. The Democrats in the State of Wisconsin that voted for it sure do, the Republicans in the State of Wisconsin sure do.

So I would just strongly oppose the amendment in the form of a substitute. We do not need 30 days for the Washington bureaucrats to pick apart the Wisconsin plan and rewrite the Wisconsin plan to their liking. The people in Wisconsin are perfectly capable of writing a plan that they know and understand and that serves the best interests of the State of Wisconsin.

There is one another point I would like to make.

After 18 months of debate, after a two-thirds vote in the assembly and a three-quarters vote in the Senate, after the Governor signing the bill, what happened? You would think the bill would be enacted into law, but instead of enacting the bill into law, the next step was to prepare this document. As has been pointed out on the other side, 700 pages in this document, 700 pages.

I would like ask people in here just exactly how much they think it costs the taxpayers in the State of Wisconsin to hire their own Wisconsin bureaucrats to put this document together, to come hat in hand to Washington to beg for approval, and just exactly how much do we think it is going to cost the taxpayers of this Nation to hire the bureaucrats to sit out here in Washington, DC, and now review this document one page at a time?

That is an expense of the taxpayers' money. That money should be going to help the truly needy people in this Nation. It should not be spent bogged down in a bureaucratic process that just plain does not work, and if there is anybody that would like to argue that the welfare system in the United States of America today works, I would sure be willing to listen.

Mr. Speaker, I strongly oppose the amendment.

Mr. KLECZKA. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the previous speakers indicate that we are giving 30 days. They know full well the law provides that 30 days shall be given to the public for comment, and the Governor by his own words and written sentences states to us that if you do this by August 1, that is fine with me. So I guess we are playing Governor here by knowing better than what Tommy Thompson needs.

The substitute provides the process will be completed by July 31. The Governor says do it by August 1. Everything is fine.

Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. SABO].

Mr. SABO. I thank the gentleman for yielding me this time.

Mr. Speaker, my understanding, there is no CBO cost estimate, and the reason we do not have it is because the legislative process is again being diverted. If one followed the normal process and had a bill reported from committee, then the House rules require a CBO cost estimate. If he brings to the floor an unreported bill such as this, then the rules do not apply.

So we do not have a CBO cost estimate, and I must say to my friend from Wisconsin, I look at your language, and it does provide some cost limitations. But it applies to the totality of State and Federal costs. It does not apply if the State is doing things with the system, increase Federal costs and decrease State costs.

Mr. NEUMANN. Mr. Speaker, will the gentleman yield?

Mr. SABO. I yield to the gentleman from Wisconsin.

□ 1400

Mr. NEUMANN. Mr. Speaker, we have had extensive debate on this issue over the course of the last week and a half. The language that is found in the bill on page 2, subsection (b), was developed in close consultation with CBO.

Mr. SABO. It does not do what the gentleman says.

Mr. KLUG. Mr. Speaker, I yield 1 minute to the gentleman from Janesville, WI [Mr. NEUMANN] to engage in a colloquy with the gentleman from Minnesota [Mr. SABO].

Mr. NEUMANN. Mr. Speaker, this is a very important concept here, and the gentleman understands just how concerned I am with the Federal deficit. I know, from serving with the gentleman on the Budget Committee, he understands just how strongly I feel about things that come to this floor being deficit neutral.

We spent an extensive amount of time and developed this language in consultation with the Committee on Ways and Means and CBO to make sure that at the end of the 5-year window, which is the normal window used out here, that we would in fact be at least neutral in terms of cost to the Federal Government, so that we do not have a bill on the floor that would make the deficit worse.

I think it is very important to understand that as people make the move from welfare to work, there are some initial up-front costs in the program but that we benefit down the road, as those people accept their normal role in society and become productive parts of the society, earning a living, paying taxes, doing all the rest of the things. So it is clear that there are some costs in the beginning but we do have the language in the bill that makes it neutral over the 5-year window.

Mr. SABO. If the gentleman will yield, I wish what the gentleman said was accurate.

Mr. KLECZKA. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I have been listening to the debate all day today, and one of the things I find most interesting in this debate is we have had a number of speakers from States other than the State of Wisconsin who have come up and told about the terrible horror stories of how their State has submitted a waiver request and the request has been pending for any number of months or any number of years. As I listened to those horror stories, I thought, well, why are we not dealing with that State's waiver request? Why are we not dealing with California's waiver request if it is so terrible? Why are we not dealing with Hawaii's waiver request?

Instead, we are dealing with the waiver request from the State of Wisconsin, a State which has had every single waiver request it has submitted granted and a State where the most stale waiver request, the one that is gathering all that dust here in this terrible city of Washington, District of

Columbia, has been sitting there for 8 days. that is right, 8 days it has been sitting there, and this terrible administration has failed to act in 8 days on this waive request.

So I ask myself, what is going on here? Why, rather than dealing with Wisconsin's request that is 8 days old, from the State that has had the most success in getting waivers, why we are not dealing with California's or Hawaii's waiver request?

I keep going back to that press conference that Speaker GINGRICH orchestrated where Speaker GINGRICH said, ''Well, we're just going to come and we're going to pass this waiver request for the State of Wisconsin.'' Why do it in the State that has the least amount of problems getting waiver requests? Because it is a State that is up for grabs in the Presidential campaign.

It is a State that President Clinton wants to carry and it is a State that Senator DOLE wants to carry. So rather than going into one of these other States, let us inject presidential politics into the State of Wisconsin's welfare reform practice.

Does that make sense? It does not make sense to me, because the State of Wisconsin has been successful. It has been successful working on a bipartisan basis. It has been successful with a Republican Governor and a Democratic President working together.

I know that that is anathema to my colleagues on the other side, that this is an issue where President Clinton agrees that there should be welfare reform. But I am also troubled by the fact that what we are trying to do here today is frankly circumvent the will of the State legislature in the State of Wisconsin and Governor Thompson, because in Governor Thompson's waiver request, what does he ask us? He asks us to approve these waivers by August 1, 1996. That is what Governor Thompson asks us to do in his waiver request.

Well, Speaker GINGRICH and his followers have decided that they know more than Governor Thompson and the legislature. Even though Governor Thompson and the legislature have asked us to approve these things by August 4, they are saying, no, we know more than that elected body in the State of Wisconsin. We know more than that elected Governor of the State of Wisconsin. What we are going to do is we are going to put our judgment—Speaker GINGRICH and his followers—are going to put our judgment in place of what the legislature and Governor Thompson have asked us to do.

Talk about arrogance, that is arrogance to me. If the Governor of Wisconsin in his own submittal asks us to approve this by August 1, well, then, let us do it. And that brings me to the substitute that has been offered by the gentleman from Wisconsin [Mr. KLECZKA] the gentleman from Wisconsin [OBEY], and myself.

What does that substitute have us to do? That substitute, believe it or not, asks us to do exactly what Governor Thompson has asked us to do, and, that is, it urges the Secretary of the Department of Health and Human Services to approve the waiver request by August 1, 1996. We are doing exactly what the legislature has requested, we are doing exactly what the Governor has requested, and we are working with them on a bipartisan basis, hand in hand. That is not good enough for the Speaker and his followers.

So where does that leave us now? That leaves us with the amendment that has been offered by the gentleman from Wisconsin [Mr. KLECZKA]. It asks us to do several things. It urges the Secretary to approve the waivers, it urges the Secretary to approve those waivers by the exact date that is contemplated in the W–2 plan. And it also asks the Secretary to make sure that the plan complies with the statements that were made by Governor Thompson. Again, wholly consistent with working together, not making it a partisan issue, trying to get welfare reform done so that it helps people and does not inject Presidential partisan politics into the debate.

I think that the substitute that is being offered is a substitute that allows the Republicans to go home and claim victory, because we will not have these delays that we are hearing about, these horrible delays that are going to say that these delays are going to go beyond 60 days. It does exactly what they want us to do, and that is get these waivers approved quickly. It does so consistent with what Governor Thompson said.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], a member of the Committee on the Judiciary and ask him to yield for a fundamental question.

Mr. SENSENBRENNER. I yield to the gentleman from Wisconsin.

Mr. KLUG. In the substitute that has been offered by our colleague from Wisconsin [Mr. KLECZKA], the language says ''urge.''

Is it the gentleman's reading that it does not compel the Secretary to act by August?

Mr. SENSENBRENNER. Mr. Speaker, that is absolutely correct. This substitute is really a cop-out, because what it does is it punts the ball right back to the bureaucrats in the office of the Secretary of Health and Human Services. It does not compel the Secretary and the bureaucrats to approve the submittal that has been made by the Governor of Wisconsin. It allows the Secretary to cherry-pick and approve some and modify others and disapprove others, which means that the whole W–2 welfare reform plan that was passed by the State legislature does not get approved, and it does not even set up an automatic deadline as I read this. It just urges the Secretary to do it by the end of July.

There is precedent for legislatively approving welfare waivers that have been requested by the States and I referred to 3 instances during my remarks in general debate: In 1987 Washington State welfare waivers were legislatively approved in a budget reconciliation bill as were New York waivers. In 1989 Minnesota had some waivers legislatively approved. That is exactly the same procedure that we are using here today with the waivers that have been requested by the State of Wisconsin. So we are not doing something unprecedented, despite what the previous speaker has said. We are following the precedents that occurred in 1987 and in 1988 with the 3 other States and simply saying that this Congress approves the waivers so that the decisions that have been made in Madison, WI by the elected representatives of the people will proceed rather than getting modified, delayed and confused by bureaucrats in the office of the Secretary of Health and Human Services across the street.

Mr. KLECZKA. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I rise to support strongly the Democratic substitute offered by my colleagues from Wisconsin and to say that that delegation also knows what is best for Wisconsin as well as my colleagues from Wisconsin on the other side of the aisle.

I also want to comment to the last speaker who said there is great precedent because there were some 3 incidents. I would hope that those precedents were based on need. There is no demonstrated need, any congressional intervention need. Only 8 days have passed. So why is there this rush to judgment that we need to engage ourselves in? Only for political reasons.

Why should we support the substitute? Because it allows the will of the Wisconsin Governor and the General Assembly to go forward without any delay. More importantly, also, it has due process. Due process is one of the constitutional provisions that all citizens should have and certainly the citizens of Wisconsin should have, and at least those 30 days to comment. Nothing is delayed in allowing the alternate bill from the Democrats to go forward. You are getting the same thing. But you also will gain one other important provision, the constitutional provision of due process allowing the citizens to comment.

Mr. KLUG. Mr. Speaker, may I inquire as to the time remaining on both sides?

The SPEAKER pro tempore (Mr. BONILLA). The gentleman from Wisconsin [Mr. KLUG] has 8 minutes remaining, and the gentleman from Wisconsin [Mr. KLECZKA] has 5 minutes remaining.

Mr. KLUG. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Speaker, I rise to urge my colleagues to vote for this waiver today. Just recently I had an

opportunity to talk in some detail with Governor Thompson about the Wisconsin plan. It is a bold plan. It is entirely in line with the principles that the majority of this Congress have voted on previously this year that would allow States to do innovations in the delivery of welfare so that we can finally find out a method for solving the welfare problem. The current system is not working to help the people that it is supposed to. We want to see some experiments around the country, and hopefully we can find a method that will work.

This plan from Wisconsin may not work. But I would like to give it the chance to do that. I know that it has been well thought out. I know that President Clinton, who has been described by many as something of a policy wonk, who looks at a lot of the details of plans, recently spoke to the benefits of this plan and the value of this plan and basically endorsed it.

So I think that we ought to go ahead today and give Wisconsin its waiver and get it on its way and see whether the Wisconsin plan will help us provide welfare better than we are doing now in the State of Wisconsin.

Mr. KLUG. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, the legislation we are debating today deals with one basic and fundamental issue. Do we want to continue with the current welfare system, or do we want to make available to those people currently receiving these benefits a more promising and rewarding future?

I, for one, firmly believe that the vast majority of individuals currently receiving welfare would prefer cashing a pay check to cashing a welfare check. Not only is it counterproductive, it is also wrong. It is wrong because it locks people into a cycle of welfare dependency and does nothing to improve their quality of life.

This issue strikes at the very core of what we are trying to accomplish in this Congress. We need to turn back to the States the programs they must administer.

Today, we are simply trying to comply with the President's wishes. He said he would like to see Wisconsin granted a waiver and that we should look to this plan as a model for future national reform.

My own State of Florida was granted a waiver to conduct two welfare demonstration projects. While the Federal waiver was granted in a more timely fashion than other States requesting such a waiver; the time span was still 5 months long.

Wisconsin passed its waiver with bipartisan support by receiving a two-thirds majority vote. This waiver was agreed to by the State legislature after 18 months of public debate. It certainly has had a significant review.

Welfare robs people of their self esteem and leaves them with little self respect. Let us put these people to work and give them the dignity they want and will receive when they are no longer on the dole.

My colleagues on the other side should remember that it is the President who endorsed this plan. Now we are being accused to playing politics. Why don't we pass this legislation and allow the people of Wisconsin to make their own decisions about the future of its State in terms of the type of welfare program it would like to have.

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Mr. Speaker, I would like to conclude by reciting a passage from Genesis in the Old testament which sums up what this debate is really all about. It reads, ''If any would not work, neither should he eat.'' Welfare represents the antithesis of what this line from Scriptures states.

Mr. KLUG. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to thank my colleagues who have been listening to this debate back in their offices as well as my colleagues on the floor. We have a very important fundamental choice before us today. To what degree do we trust the citizens of Wisconsin to make their own decision about welfare reform and to what degree do we think that Wisconsin's plan needs to be modified, changed, stapled, amended, or put through a blender by Washington bureaucrats?

Here is the fundamental point. The plan passed in the Wisconsin legislature 73 to 25, an essentially two-thirds majority in the State assembly. Republicans and Democrats. All Republicans and a majority of Democrats.

The Wisconsin State Senate? Seventy-five percent of people in the Wisconsin State Senate voted for the plan; 27 yes, 6 no. Three-quarters Republicans and Democrats were for what President Clinton called Wisconsin's bold welfare experiment.

Supporters? The current senate minority leader, after a special election this week, perhaps soon to be the current Democratic majority leader in the Wisconsin State Senate, and last time opponent to Governor Thompson for Governor, Chuck Chvala, said in support of, and voted for W–2, he said, ''The final vote on W–2 presents legislators a choice. We can continue along a seemingly endless path that has fostered an impoverished dependency on government aid, or we can try a new direction in the hope of leading all Wisconsin citizens to a more dignified, more prosperous life of self-reliance based upon work, because that is the fundamental point in the Wisconsin plan; that it is not welfare but it is work.''

Who else supports the plan; this kind of crazy idea floated up by a Republican Governor? The Democratic mayor of Milwaukee, John Norquist. In fact, he says he is worried, and has told the Clinton administration that he thinks W–2 does not go far enough. ''I want the W–2 waivers to be signed quickly, but I want President Clinton to make sure that W–2 does not become welfare reform-like.''

The Democratic mayor of the city of Milwaukee wants President Clinton to grant the waivers and wants Congress to act quickly to put the plan in the President's hands.

What did the President say again? ''Last week Wisconsin submitted to me for approval the outlines of a sweeping welfare reform plan, one of the boldest yet attempted in America, and I am encouraged by what I have seen so far. I pledge that my administration will work with Wisconsin to make an effective transition to a new vision of welfare based on work.''

Now, we have been accused on this side of misreading the President's words. All I can tell my colleagues is how the press read that. The press said that means that the welfare plan had been okayed by President Clinton. And we did not write this. That is the headline of the Wisconsin State Journal from Sunday, May 19, based on the President's radio address on Saturday that the Wisconsin welfare plan is okayed by Clinton.

Here it is one more time. ''So the States can keep on sending me strong welfare reform proposals and I will keep on signing them. I will keep doing everything I can as President to reform welfare State by State if that is what it takes.''

And that is what we are asking for here today in this body is to give Wisconsin the chance to reform welfare, to give us a chance to create a new vision of what welfare should be in this country; that we should reward work and not reward dependency. And that is what the President said on that Saturday that led to that headline.

Now, why are we trying to do this today? Because the fact of the matter is, despite the President's best intentions, despite speeches on both sides of the aisle, for far too long waiver applications come up here and they die. Twenty-eight welfare waivers currently pending involving 19 States, dating all the way back to September 20, 1993.

And under the Kleczka substitute what we say is, review it by the beginning of August. And then if we do not like it, we can review it longer and take our time; and then we will change waiver No. 8 and we will amend waiver No. 13; and we do not like waiver No. 16, so that is out altogether; and 32, well, we can talk about it and maybe it will take us to 1997 to get that done.

And along the way we will rewrite what Wisconsin wants to do. And pretty soon it is not Wisconsin's plan, it is a third Washington or a quarter Washington or a half Washington, and it is no longer what a bipartisan group in the Wisconsin State Legislature voted for after hundreds of hours of testimony and hearings and votes across the State of Wisconsin.

Wisconsin has a proud record, I would suggest to my colleagues, of innovation. We were the first place in this

country to use primary election laws. The Wisconsin Workmen's Compensation Act of 1911 was a model for the country, the first Unemployment Compensation Act in 1932. Give us a chance to again lead this country into a new form of government. I ask Members to give Wisconsin's welfare plan their approval.

Mr. KLECZKA. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me the time.

When the legislature passed the bill that we are now discussing, which is, after all, effective come late 1997, when the Governor made the 1997 changes he made in that legislative product, the law was clear: The Department of Health and Social Services was supposed to review that plan after giving every citizen of the State of Wisconsin 30 days to make a comment on it.

Now, much has been said about the President and the fact that it has been 8 whole days and he has not approved the waiver. The President did not say in his radio address I shall be a rubber stamp for Tommy Thompson. What he said is I am encouraged by what I have seen so far, and then he went on to say, Wisconsin has the makings of a solid, bold welfare plan and I pledge that I will work with Wisconsin to make it work. That is what he said.

I would point out that the President, in 3 years, has granted 61 waivers to 38 States, including Wisconsin on a number of occasions. That, by the way, is double the number of welfare waivers approved in the entire 12 years that Ronald Reagan and President Bush were President; 1,400 Bush, 1,500 Reagan.

Now, I think what has happened is simply this. Speaker GINGRICH evidently got irritated because the President indicated, a few days before Mr. DOLE went to Wisconsin, that he liked what he had seen so far about the welfare plan and would work with Wisconsin to get it approved. And so, because of the Speaker's irritation, and perhaps we could solve that, maybe the way Wisconsin can stop being a ping-pong ball in the Presidential campaign is to make an agreement that neither party's candidate will come to Wisconsin in the campaign. Maybe that will take the politics out of it and we can get serious again.

But, anyway, the bill before us today says that there will be no opportunity for Wisconsin citizens to comment; that the Congress is simply going to vote for it sight unseen, with virtually no one in this House having any idea what is in the package except perhaps some of us from Wisconsin.

I would ask my colleagues one question. How much do we think people have really learned from this debate today about what is in the Wisconsin plan as it affects human beings? I would venture to say virtually nothing.

All the substitute does that the gentleman from Wisconsin [Mr. KLECZKA] is proposing is to guarantee that no action is taken before every Wisconsin citizen has a chance to comment for 30 days. And the amendment says that the department shall evaluate the plan not based on its own opinions but based on the seven key features which the Wisconsin Governor himself has asserted are in that plan. If they are, this resolution says approve it.

That is all we ask. What is wrong with that? What are we trying to hide?

I would also point out that the gentleman from Wisconsin [Mr. SENSENBRENNER] is wrong when he says there is not a hard date. The language of the Kleczka amendment makes quite clear that the agency ''shall complete such consideration not later than July 31, 1996.'' That is pretty clear to me. And guess what, it is written in English. We can even understand it. That is the deadline, folks.

So all I would ask us to do is forget the politics, forget the maneuvering, please do not continue what has become, unfortunately, a day-to-day event where the House appears to be nothing more than a political extension of the Presidential campaign. This House is better than that, at least it ought to be. We have a lot of serious work to do, let us do it in a serious way. Let us not demean our processes by every day in every way being nothing but ventriloquist dummies for our respective Presidential candidates.

This House has a lot of work to do. Let us get on with it and let us stop the political games. This is a political game. Do it the right way, support the Kleczka amendment.

Mrs. COLLINS of Illinois. Mr. Speaker, I rise in support of the amendment offered by Representatives BARRETT, KLECZKA, and OBEY, all of Wisconsin. Since the Gingrich-Armey Republicans have forced us to divert from development of a Federal Budget for Fiscal year 1997 so that we might have a chance to avoid government shutdowns like the Republicans brought about last year, and other priority legislation, this amendment seems reasonable.

This Wisconsin delegation amendment addresses major deficiencies in H.R. 3562, the Republican effort to legislate a routine administrative procedure. The Barrett, Kleczka, Obey amendment would assure that a 30-day comment period be observed on the issues contained in the waiver request, and that the Department of Health and Human Services conduct expedited consideration of the waiver request and certify that the Wisconsin plan would, in fact, accomplish what the Wisconsin Governor advertises that it will accomplish.

The Department of Health and Human Services has a responsibility to the people of Wisconsin to review the Governor's request to waive the Federal protections and services in place and on which they have a right to rely. In fact, when the Clinton administration took office, one of the first things they did was institute a review of the process and procedures to provide for innovation by States to develop reform experiments—but also safeguarding people's rights and beneficial governmental services or programs. On September 27, 1994, the Clinton administration published in the Federal Register new waiver request procedures.

This Wisconsin delegation amendment protects the interests of the Wisconsin people while guarding the public interest in (1) not providing an automatic welfare check, (2) requiring parents who are able and qualified to work as they bring their families to self-sufficiency, (3) providing child care and health care to qualified families, and (4) collecting child support payments and putting them to use for the best interest of the children.

I urge my colleagues to support this amendment to provide for an expedited process to be completed by July 31, 1996, using normal administrative review procedures which allow for public comments to be received and considered. This is our normal and expected process. It's part of what Americans expect and deserve in getting due process from their government. I support this substitute amendment and urge my colleagues to vote for this amendment.

For the RECORD, I am submitting the official waiver process for the Department of Health and Human Services.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

OFFICE OF THE SECRETARY, HEALTH CARE FINANCING ADMINISTRATION, ADMINISTRATION FOR CHILDREN AND FAMILIES [ORD–069–N]

Medicaid Program; Demonstration Proposals Pursuant to Section 1115(a) of the Social Security Act; Policies and Procedures

Agencies. Office of the Secretary, Health Care Financing Administration (HCFA), and Administration for Children and Families (ACF), HHS.

Action. Public Notice.

Summary. This public informs interested parties of (1) the principles the Department of Health and Human Services ordinarily will consider when deciding whether to exercise its discretion to approve or disapprove demonstration projects under the authority in Section 1115(a) of the Social Security Act, 42 U.S.C. Sec. 1315(a); (2) the kinds of procedures the Department would expect States to employ in involving the public in the development of proposed demonstration projects under Section 1115; and (3) the procedures the Department ordinarily will follow in reviewing demonstration proposals. The principles and procedures described in this public notice are being provided for the information of interested parties, and are not legally binding on the Department of Health and Human Services. This notice does not create any right or benefit, substantive or procedural, enforceable at law or equity, by any person or entity, against the United States, its agencies or instrumentalities, the States, or any other person.

For further information contact. Howard Rolston, Administration for Children and Families, Department of Health and Human Services, at (202) 401–9220.

Thomas Kickham, Health Care Financing Administration, Department of Health and Human Services, at (410) 966–6503.

SUPPLEMENTARY INFORMATION

I. Introduction

Demonstration Proposals Pursuant to Section 1115 of the Social Security Act—General Policies and Procedures

Under Section 1115, the Department of Health and Human Services is given latitude, subject to the requirements of the Social Security Act, to consider and approve research and demonstration proposals with a broad range of policy objectives. the Department desires to facilitate the testing of new policy approaches to social problems. Such demonstrations can provide valuable knowledge that will help lead to improvements in

achieving the purposes of the Act. The Department also is committed to both a thorough and an expeditious review of State requests to conduct such demonstrations.

In exercising her discretionary authority, the Secretary has developed a number of policies and procedures for reviewing proposals. In order to ensure a sound, expeditious and open decision-making process, the Department will be guided by the policies and procedures described in this statement in accepting and reviewing proposals submitted pursuant to section 1115.

II. General Considerations

To facilitate the testing of new policy approaches to social problems the Department will—

Work with States to develop research and demonstrations in areas consistent with the Department's policy goals;

Consider proposals that test alternatives that diverge from that policy direction; and

Consider, as a criterion for approval, a State's ability to implement the research or demonstration project.

While the Department expects to review and accept a range of proposals, it may disapprove or limit proposals on policy grounds or because the proposal creates potential constitutional problems or violations of civil rights laws or equal protection requirements. The Department seeks proposals which preserve and enhance beneficiary access to quality services. Within this overall policy framework, the Department is prepared to—

Grant waivers to test the same or related policy innovations in multiple States, (replication is a valid mechanism by which the effectiveness of policy changes can be assessed);

Approve demonstration projects ranging in scale from reasonably small to state-wise or multi-state, and

Consider joint Medicare-Medicaid demonstrations, such as those granted in the Program for All-Incentive Care for the elderly (PACE) and Social health maintenance Organization (SHMO) demonstrations, and Aid to Families with Dependent Children (AFC) Medicaid waivers.

III. Duration

The complex range of policy issues, design methodologies, and unanticipated events inherent in any research or demonstration makes it very difficult to establish single Department of policy on the duration of 1115 waivers. However, the Department is committed, through negotiations with State applicants, to—

Approve waivers of at least sufficient duration to give new policy approaches a fair text. The duration of waiver approval should be congruent with the magnitude and complexity of the project (for example, large-scale statewide reform program will typically require waivers of five years);

Provide reasonable time for the preparation of meaningful evaluation results prior to the conclusion of the demonstration; and

Recognize that new approaches often involve considerable start-up time and allowance for implementation delays.

The Department is also committed, when successful demonstrations provide an appropriate basis, to working with State governments to seek permanent statutory changes incorporating those results. In such cases, consideration will be given to a reasonable extension of existing waivers.

IV. Evaluation

As with the duration of waivers, the complex range of policy issues, design methodologies, and unanticipated events also makes it very difficult to establish a single Department policy on evaluation. This Department is committed to a policy of meaningful evaluations using a broad range of appropriate evaluation strategies (including true experimental, quasi-experimental, and qualitative designs) and will be flexible and project-specific in the application of evaluation techniques. This policy will be most evident with health care waivers. Within-site randomized design is the preferred approach for most AFDC waivers. The Department will consider alternative evaluation designs when such designs are methodologically comparable. The Department if also eager to ensure that the evaluation process be as unintrusive as possible to the beneficiaries in terms of implementing and operating the policy approach to be demonstrated, while ensuring that critical lessons are learned from the demonstration.

V. Cost Neutrality

The Department's fiduciary obligations in a period of extreme budgetary stringency require maintenance of the principle of cost neutrality, but the Department believes it should be possible to apply that principle flexibly.

The Department will assess cost neutrality over the life of a demonstration project, not on year-by-year basis, since many demonstrations involve making ''up-front'' investments in order to achieve one-year savings.

The Department recognizes the difficulty of making appropriate baseline projections of Medicaid expenditures, and is often to development of a new methodology in that regard.

In assessing budget neutrality, the Department will not rule out consideration of other cost neutral arrangements proposed by States.

States may be required to conform, within a reasonable period of time, relevant aspects of their demonstrations to the terms of national health care reform legislation, including global budgeting requirements, and to the terms of national welfare reform legislation.

VI. Timeliness and Administrative Complexity

The Department is committed to minimizing the administrative burden on the States and to reducing the processing time for waiver requests. In order to accomplish this the Department has adopted a number of procedures, including—

Expanding pre-application consultation with States;

Setting, and sharing with applicants, a well-defined schedule for each application, with established target dates for processing and reaching a decision on the application;

Maintaining, to the extent feasible, a policy of one consolidated request for further information;

Sharing proposed terms and conditions with applicants before making final decisions;

Establising concurrent, rather than sequential, review of waivers by all relevant units of the Department and with other relevant Departments and the Office of Management and Budget;

Exanding technical assistance activities to the States; and

Developing multi-state waiver solicitations in areas of priority concern, including integrated long-term care system development, services for adolescents, and services in rural areas.

The Department will continue to follow and development procedures, and commit internal resources to reviewing demonstration proposals, necessary for a sound and expenditures review process.

VII. State Notice Procedures

The Department recognizes that people who may be affected by a demonstration project have a legitimate interest in learning about proposed projects and having input into the decision-making process prior to the time a proposal is submitted to the Department. A process that facilitates public involvement and input promotes sound decision-making.

There are many ways that States can provide for such input. In order to allow for public input into the proposals, the Department expects States to ordinarily follow one (or more if the State desires) of the processes described in this section.

1. At any time prior to submitting a section 1115 demonstration proposal to the Department of Health and Human Services, a State may provide to the Department a written description of the process the State will use for receipt of public input into the proposal prior to its submission to the Department.

Within 15 days of receipt of such description, the Department will notify the State whether the described process provides adequate opportunity for public input. The Department will accept any process that—

Includes the holding of one or more public hearings, at which the most recent working proposal is described and made available to the public, and time is provided during which comments can be received; or

Uses a commission or other similar process, where meetings are open to members of the public, in the development of the proposal; or

Results from enactment of a proposal by the State legislature prior to submission of the demonstration proposal, where the outline of such proposal is contained in the legislative enactment; or

Provides for formal notice and comment in accordance with the State's administrative procedure act; provided that such notice must be given at least 30 days prior to submission; or

Includes notice of the intent to submit a demonstration proposal in newspapers of general circulation, and provides a mechanism for receiving a copy of the working proposal and an opportunity, which shall not be less than 30 days, to comment on the proposal; or,

Includes any other similar process for public input that would afford an interested party the opportunity to learn about the contents of the proposal, and to comment on its contents.

The State shall include in the demonstration proposal it submits to the Department a statement (a narrative of several sentences) briefly describing the process that it followed in implementing the process previously presented to the Department. The Department may find a proposal incomplete if the process has not been followed.

2. A State that has not followed the procedures described in paragraph 1. must submit a description of the process that was used in the State to obtain public input, at the time it submits its demonstration proposal. The Department will notify the State if the process was adequate within 15 days after the application is submitted, applying the same criteria as in paragraph 1. If the process was not adequate, the State can cure the inadequacy by—

Posting a notice in the newspaper of widest circulation in each city with a population of 100,000 or more, or in the newspaper of widest circulation in the State if there is no city with a population of 100,000, indicating that a demonstration proposal has been submitted. Such notice shall describe the major elements of the proposed demonstration and any changes in benefits, payments, eligibility, responsibilities, or provider selection requested in the proposal. The notice shall indicate how interested persons can obtain

copies of the proposal and shall specify that written comments will be accepted by the State for a period of thirty days. If a State follows such a procedure, the State should respond to requests for copies of the proposal within seven days. The State should maintain a record of all comments received through this process.

All HHS commitments with respect to times for responding to demonstration proposals shall be tolled until this process is completed.

VIII. Federal Notice

The Department of Health and Human Services intends to publish a monthly notice in the Federal Register of all new and pending proposals submitted pursuant to section 1115. The notice will indicate that the Department accepts written comments regarding all demonstration project proposals.

The Department will maintain a list of organizations that have requested notice that a demonstration proposal has been received and will notify such organizations when a proposal is received.

IX. Comments

The Department will not approve or disapprove a proposal for at least 30 days after the proposal has been received, in order to receive and consider comments. The Department will attempt, if feasible, to acknowledge receipt of all comments, but the Department will not provide written responses to comments.

X. Findings

The Department will prepare a decision memorandum at the time a demonstration proposal is granted or denied, discussing why the Department granted or denied the proposal and how an approved demonstration meets the criteria established by statute.

XI. Administrative Record

The Department will maintain an administrative record which will generally consist of: the formal demonstration application from the State; issue papers sent to the State and State responses; public and Congressional comments sent to the Department and any Department responses; the Department's decision memorandum regarding the granting or denial of a proposal; and the final terms and conditions, and waivers, sent to the State and the State acceptance of them.

XII. Sub-state Demonstrations

When a demonstration is to be implemented in only part of a State, the State will be required to provide information on the likely demographic composition of populations subject to and not subject to the demonstration in the State. When relevant, the Department will require that the evaluation component of a project address the impact of the project on particular subgroups of the population.

XIII. Implementation Reviews

As part of the terms and conditions of any demonstration proposal that is granted, the Department may require periodic evaluations of how the project is being implemented. The Department will review, and when appropriate investigate, documented complaints that a State is failing to comply with requirements specified in the terms and conditions and implementing waivers of any approved demonstration.

XIV. Legal Effect

This notice is intended to inform the public and the States regarding procedures the Department ordinarily will follow in exercising the Secretary's discretionary authority with respect to State demonstration proposals under section 1115. This notice does not create any right or benefit, substantive or procedural, enforceable at law or equity, by any person or entity, against the United States, its agencies or instrumentalities, the States, or any other person.

(Catalog of Federal Domestic Assistance Program, No. 93.779; Health Financing Research, Demonstrations and Experiments.)

Dated: September 16, 1994. Bruce C. Vladeck, Administrator, Health Care Financing Administration.

Dated: September 16, 1994. Mary Jo Bane, Assistant Secretary for Children and Families.

Dated: September 19, 1994. Donna E. Shalala, Secretary.

Ms. PELOSI. Mr. Speaker, I rise in support of the Kleczka-Obey-Barrett substitute calling for a 30-day comment period and administration certification for the Wisconsin welfare plan.

Mr. Chairman, I am concerned that the Wisconsin Works Welfare Program may result in greater poverty for children and families. I am concerned that Wisconsin Works eliminates the safety net for the State's working poor families. It is possible that it would eliminate child-care guarantees and Medicaid coverage. I am concerned that parents who cannot find jobs despite sincere efforts will be left destitute.

These questions remain because this legislation was never considered by a committee and was rushed to the floor with little notice.

The Kleczka-Obey-Barrett substitute would provide a public comment period and require the President to certify that this system can work and the plan meets the standards defined by the Governor. I urge my colleagues to support this substitute.

The SPEAKER pro tempore (Mr. BONILLA). Pursuant to the rule, the previous question is ordered on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. KLECZKA] and on the bill, as amended.

The question is on the amendment in the nature of a substitute offered by the gentleman from Wisconsin [Mr. KLECZKA].

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. KLECZKA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 233, not voting 7, as follows:

[Roll No. 220]

YEAS—194

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Blumenauer
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NAYS—233

Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann

Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torricelli
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zimmer

NOT VOTING—7

Allard
Jackson-Lee (TX)
Lincoln
Mollohan
Quillen
Schiff
Zeliff

☐ 1445

The Clerk announced the following pair:

On this vote:

Ms. Jackson-Lee of Texas for, with Mr. Quillen against.

Messrs. BERMAN, DOGGETT, TEJEDA, and HILLIARD changed their vote from ''nay'' to ''yea.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device and there were—yeas 289, nays 136, not voting 9, as follows:

[Roll No 221]

YEAS—289

Ackerman
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Moran
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)
Zimmer

NAYS—136

Abercrombie
Baldacci
Barrett (WI)
Becerra
Beilenson
Berman
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Dingell
Dixon
Doggett
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green (TX)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Jackson (IL)
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Rahall
Rangel
Reed
Richardson
Rivers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Scott
Serrano
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Torres
Towns
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Yates

NOT VOTING—9

Allard
Jackson-Lee (TX)
Lincoln
McInnis
Mollohan
Pombo
Quillen
Schiff
Zeliff

☐ 1507

The Clerk announced the following pair:

On this vote:

Mr. Quillen for, with Ms. Jackson-Lee against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DIXON. Mr. Speaker, during consideration of H.R. 3322 on May 30, I inadvertently voted ''aye'' on rollcall votes 205 and 206. I intended to vote ''no'' on these rollcall votes.

MOURNING THE PASSING OF E. CHARLES GUSTAFSON, FORMER CHIEF REPORTER OF DEBATES

Mr. TRAFICANT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous material.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Speaker, one of the great friends of the House and a loyal servant to the House, Charles Gustafson, the former chief reporter of debates for this House, passed away June 1 in Annandale, VA. Many of us remember Gus sitting down here at the well. He was just a beautiful guy. At age 74 he passed away of emphysema.

Gus had joined the debate reporting staff in 1973, and retired in June 1995. At his retirement, Members will recall Gus was the last of the breed, the last of the pen shorthand writers to work in our well. Gus was born in West Parksville, NY. He graduated from high school at the age of 15. He then studied shorthand court reporting at Gregg College in Chicago, and worked as a court reporter in Cleveland.