

Senate why I have objected to the Senate consideration of H.R. 2513. This bill, which was sent by the House to the Senate in the closing days of this session, would provide tax relief for certain matters involving active financing income from foreign personal holding company income and sale of stock in agricultural processors to certain farmers' cooperatives.

First of all, Mr. President, I have no objection to the provisions which provide tax relief in these matters. However, I do object to the manner in which the House has proposed that we pay for these tax reductions. The use of sales of defense stockpiles to finance these tax relief measures is, in my opinion, inappropriate and inconsistent with section 311 of the Budget Act.

While I am removing my objection to the consideration of H.R. 2513, I want to make clear to Members in both the Senate and the House that I do not consider that a precedent is being established for using defense assets as offsets for non-defense-related expenditures. I want to make it clear also that I intend to object to any similar tax relief legislation which is paid for in such a manner in the future.

As the majority leader moves to close out the remaining business so that the Senate can adjourn, I want to take this opportunity to commend him for his superb leadership and the outstanding manner in which he has managed the Senate's business as the majority leader. I look forward to continuing to work with him in the future.

TRIBAL FOSTER CARE AND ADOPTION

Mr. DASCHLE. Mr. President, I would like to bring to the attention of the Senate an issue which, I believe, needs to be addressed. Title IV-E of the Social Security Act, Federal payments for foster care and adoption assistance, does not provide equitable foster care and adoption services for Indian children living in tribal areas. I had hoped we might be able to amend this bill, which is designed to better serve children in need of permanent, loving homes, to include children living in tribal areas. However, it appears that we will be unable to do that at this time. Nonetheless, it is clear that the funding that provides services to Indian children is sufficient to address the compelling needs of children not equivalent to that provided for services to children not living on reservations, and for that reason, I would like to engage in a discussion about how we might address this issue.

Mr. ROCKEFELLER. Mr. President, I am happy to engage in a colloquy with the Democratic leader. Can the leader tell me what constitutes the primary impediment to Indian children and tribal government access to the Federal foster care program and Federal adoption assistance program?

Mr. DASCHLE. Mr. President, the flaw in the statute is that it provides

IV-E assistance only to children placed by State courts or agencies with whom States have agreements. In doing so, the law has left out Indian children living in tribal areas who are placed in foster care and adoptive homes by tribal courts. A relatively small number of tribes—50, or 10 percent of the total number of federally recognized tribes—has been able to work out tribal/State agreements whereby foster care payments are made for children placed by tribal courts. These agreements do not provide the full services of the title IV-E program, as they by and large do not include training and administrative funding for tribal governments. A major impediment to reaching even these less-than-ideal tribal/State agreements is that State governments retain liability under the agreements, something that States are reluctant to do.

The result is that Indian children—often the poorest of the poor in our Nation—are sometimes placed in unsubsidized homes without necessary foster care services. This should not be the case. Other children in this Nation who meet the eligibility requirements are eligible for the services of the open-ended Foster Care and Adoption Assistance Entitlement Program. State governments have benefited from large amounts of Federal administrative and training funds for their foster care/adoption assistance programs. Tribal governments and Indian children have not.

The legislation being considered today is designed to improve services and encourage permanent placements for children. Indian children living in tribal areas, however, have not benefited to the same extent as other children under the current program, and we should ensure that that discrepancy is eliminated.

The IV-E program provides help to fund the basics, such as food, shelter, clothing, and school supplies for the children, but this program does not include Indian children. We need to get our priorities in order, and help all children, especially those with special needs, including Indian children. I understand the primary reason for not including an amendment to make Indian children in tribal areas and tribal government eligible for the IV-E program is that no offset was provided for the cost.

Mr. ROCKEFELLER. Mr. President, the Senator is correct. Unfortunately, there are many provisions and new investments that Members wanted to include. But we are running out of time in this session, and securing new funding and appropriate revenue offsets is an overwhelming challenge. I appreciate the concerns the Senator has raised and would like to work with him in the future. As my colleagues know, Indian children are covered under a special law, known as the Indian Child Welfare Act. We should work together to ensure that this law and other Federal programs for abused and neglected children are better coordinated.

Let me assure my colleagues, though, that this package will help Indian children. Within the Promotion of Adoption, Safety, and Support for Abused and Neglected Children, the PASS Act, is a provision to extend the 1993 law to provide funding for family preservation and family support for 3 additional years. This program is designed to support community-based programs to help innovative projects invest in prevention and programs to strengthen families. Within the existing law is a 1-percent set aside for the tribes. This will be extended 3 more years, and I hope this funding will enable the tribes to continue ongoing efforts to help Indian children.

Mr. INOUE. Mr. President, I, too, want to express my strong interest in amending the title IV-E statute so that Indian children placed by tribal courts have access to this program on the same basis as other children and that tribal governments with approved programs be made eligible for IV-E administrative and training funds on the same basis as States. Senator CAMPBELL and I jointly wrote the Finance Committee on this matter.

I would point out that the Senate Committee on Indian Affairs, in April 1995, held a hearing on welfare reform proposals. At that hearing, a representative of the Department of Health and Human Services, Office of the Inspector General, testified with regard to its August 1994 report: "Opportunities for Administration on Children and Families to Improve Child Welfare Services and Protections for Native American Children," which documented that tribes receive little benefit or funding from the title IV-E Foster Care and Adoption Assistance Program—and other Social Security Act programs. The OIG report states: "The surest way to guarantee that Indian people receive benefits from these Social Security Act programs is to * * * provide direct allocations to tribes." The OIG report also noted that the State officials with whom they talked preferred direct IV-E funding to tribes:

With respect to IV-E funding, most State officials with whom we talked favored ACF (Administration on Children and Families) dealing directly with Tribes. This direct approach for title IV-E would eliminate the need for Tribal-State agreement, and because title IV-E is an uncapped Federal entitlement, would not affect the moneys available to the States. (p. 13)

Mr. MCCAIN. Mr. President, I share the concerns expressed by my colleagues about basic fairness. Last year during consideration of welfare reform, I advocated that we use that bill as a vehicle to fix the title IV-E law with regard to tribes and Indian children in tribal areas. Under the current law, states cannot even administer a Temporary Assistance for Needy Families [TANF] program unless they have in place a foster care/adoption assistance program. I appreciate the efforts of Representatives HAYWORTH and MCDERMOTT in trying to fix this problem during the Ways and Means Committee consideration of its adoption

bill, H.R. 867, and also of former Representative Bill Richardson who early this year introduced a freestanding bill on this issue. It seems that we keep running into the issue of funding. This is, however, a clear-cut case of fairness, and we must work together to provide equitable assistance to Indian children.

Mr. CHAFEE. Mr. President, I certainly appreciate the perspective my colleagues bring to this issue. Clearly, we need to take into account the status of tribes and tribal court system and the children under their jurisdiction in determining IV-E payments. I will work with them to correct this inequity.

Mr. DORGAN. I would like to add my voice to those of my colleagues who share my belief that it is fundamentally unfair for Indian children placed by tribal courts to be ineligible for IV-E assistance even though these children otherwise meet the eligibility requirements. In my judgment, we have a responsibility, both because of the Federal Government's trust relationship with Indian tribes and because of the desperate need that exists in Indian country for this funding, to correct this oversight as quickly as possible.

Mr. DASCHLE. Mr. President, I thank all of my colleagues for joining me in this discussion and for their acknowledgment that this is an injustice that must be corrected. I look forward to working with them to make sure we provide the same resources for Indian children as we do for other children in this country.

TRIBUTE TO THE LATE BOB
JONES, JR.

Mr. THURMOND. Mr. President, I am saddened to report the passing of a

longtime friend, a man of integrity and honor, and someone who was well respected throughout the United States, Dr. Bob Jones, Jr.

Dr. Jones was the chancellor and chairman of the fundamentalist Christian Bob Jones University, which was founded by his father in 1927 and moved to South Carolina in 1947. Students who attend this institution learn the fundamentals of Christianity while gaining a valuable education that will prepare them for their future. The university's talented and devoted staff of educators make many contributions to the world through their service to the community and their dedication to teaching others the truths of the Bible. Graduates of Bob Jones University are employed throughout the Nation in many different fields, but each possesses the qualities and values of a good Christian upbringing, and are sound in both mind and body.

In addition to his service at the university, Dr. Jones was a well respected preacher and Christian leader throughout the Nation. Addressing crowds at church services, conferences, and meetings around the world, he was often touted as an evangelical leader who gained an unequalled respect and admiration from those who had the privilege of hearing him speak. Words cannot possibly express the degree of his devotion to the Christian faith, his community, family, and friends. His death has left a large void that will serve to remind us of the great impact he had upon each of these. Dr. Jones was a dear friend of mine, and I feel a deep loss in his death, as do so many throughout our Nation.

His family, which includes his wife, Fannie May Holmes Jones; his three children; 10 grandchildren; and his

three great-grandchildren, all have my deepest sympathies. They have lost a wonderful husband, father, grandfather, and great-grandfather, and South Carolina has lost an irreplaceable son.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Wednesday, November 12, 1997, the Federal debt stood at \$5,429,798,432,997.19 (Five trillion, four hundred twenty-nine billion, seven hundred ninety-eight million, four hundred thirty-two thousand, nine hundred ninety-seven dollars and nineteen cents).

One year ago, November 12, 1996, the Federal debt stood at \$5,246,804,000,000 (Five trillion, two hundred forty-six billion, eight hundred four million).

Five years ago, November 12, 1992, the Federal debt stood at \$4,083,868,000,000 (Four trillion, eighty-three billion, eight hundred sixty-eight million).

Ten years ago, November 12, 1987, the Federal debt stood at \$2,394,714,000,000 (Two trillion, three hundred ninety-four billion, seven hundred fourteen million).

Fifteen years ago, November 12, 1982, the Federal debt stood at \$1,141,767,000,000 (One trillion, one hundred forty-one billion, seven hundred sixty-seven million) which reflects a debt increase of more than \$4 trillion—\$4,288,031,432,997.19 (Four trillion, two hundred eighty-eight billion, thirty-one million, four hundred thirty-two thousand, nine hundred ninety-seven dollars and nineteen cents) during the past 15 years.

NOTICE

***Incomplete record of Senate proceedings.
Today's Senate proceedings will be continued in the next issue of the Record.***