

of creating rifts among the various faith groups as they compete for public funding and allows religious providers to engage in religious discrimination against employers who are paid with taxpayers dollars. (Although religious institutions are permitted to hire co-religionists in the contest of private religious activity, it is simply improper for taxpayer dollars to be used to fund religious discrimination.)

There is yet another aspect of the "charitable choice" initiative that is cause for concern. With government dollars comes government oversight. But this kind of intrusion into the affairs of religious organizations, at least in the case of pervasively sectarian organizations, is exactly the type of entanglement of religious and state against which the Constitution guards. Such intrusion can have no effect but to undermine the distinctiveness, indeed the very mission, of religious institutions.

In addition to the foregoing, we are greatly concerned by the portion of S. 976's "charitable choice" provisions that allow sectarian providers of treatment for chronic substance abuse conditions, such as alcoholism, and drug addiction, to avoid clinically based certification and licensure standards. This legislation should not be allowed to go forward without necessary improvements to the bill to provide essential church-state protections, and without closer examination of the consequences of allowing sectarian care providers to avoid compliance with applicable state education, training and credentialing standards.

Thank you for your consideration of our views on this very important matter.

Sincerely,

RICHARD T. FOLTIN,
Legislative Director and Counsel.

UNITARIAN UNIVERSALIST
ASSOCIATION OF CONGREGATIONS,
Washington, DC, November 2, 1999.

STATEMENT OF THE UNITARIAN UNIVERSALIST
ASSOCIATION OF CONGREGATIONS OPPOSITION
TO THE "CHARITABLE CHOICE" PROVISIONS OF
S. 976

The Unitarian Universalist Association of Congregations has a long, proud record of support for both religious freedom and the separation of church and state. Our General Assembly has issued 10 resolutions since 1961 to this effect. It is thus with little hesitation that we voice our strong opposition to the "Charitable Choice" provisions of S. 976, SAMHSA, the Youth, Drug, and Mental Health Services Act.

These and other similar Charitable Choice provisions undermine the separation of church and state by (1) promoting excessive entanglement between church and state; and (2) privileging certain religions and religious institutions above others.

It does this in the following ways:

By channeling government money into "pervasively sectarian" institutions. The Supreme Court has already clearly ruled that the government cannot fund "pervasively sectarian" institutions.

By fostering inappropriate competition among religious groups for government money. With limited funding available for any one service, governments will be required to decide which religious institutions will receive funding and which will not. This necessarily puts those governments in the wholly un-Constitutional position of discriminating among religious groups.

By allowing government-funded institutions to discriminate in their employment on the basis of religion. This amounts to fed-

erally-funded employment discrimination, thus violating myriad employment and civil rights laws.

By subjecting service-recipients to government-sanctioned proselytization and religious oppression. Individuals receiving government services should not have "religious strings" attached to those services.

By encouraging religious institutions to "follow the dollars" when deciding what type of social services to provide. As a result, it may encourage these organizations to move away from their historic commitment to providing social services designed to meet basic human needs. We believe that religious groups are better suited to address these urgent human needs than they are to deal with the more complex mental and other health services that require trained professionals. These services are best left to government agencies or institutions closely regulated by governments.

We in the faith community speak often of "right relationship." We strive for "right relationship" in the world on many levels, both personal (such as between worshipper and God) and political (such as between church and state). To the Unitarian Universalist Association of Congregations, Charitable Choice legislation violates the right relationship between church and state.

In our vision of "right" church-state relations, "pervasively sectarian" institutions have the freedom to provide whatever services they chose with their own financial resources. "Religiously affiliated" institutions can accept government funding to provide basic human needs services, so long as they do so with no "religious strings" attached.

If mental and other health-related human needs are not being met by government agencies, than those agencies should adopt new strategies and approaches. Rather than throwing money at religious groups—who are not situated to handle such needs—adequate freedom and resources should be given to the relevant government agencies so that they may innovate and expand in the necessary ways.

Many Americans struggle with disease, drug addiction, hunger, and poverty. Both religious groups and the government have a responsibility to help those in need. Each is best suited to provide a particular kind of service. Rather than blurring the lines of responsibility, each should re-examine how it can do better what it is better suited to do.

The information available now indicates that very few religious institutions are pursuing funding under the "Charitable Choice" provisions of the 1996 Welfare Reform Law. Wisely, they are wary of the problems associated with government funding of religious institutions. Congress should take this as a clear sign that "Charitable Choice" is not an appropriate answer to the problems of adequate service provision.

Like others in the religious world, the Unitarian Universalist Association of Congregations is fully committed to helping those in need. We are concerned, however, that the public policies relating to these issues are good ones—appropriate and responsible—that fully respect both the needs and rights of those people receiving services. For the reasons stated above, we do not believe that "Charitable Choice" provisions are appropriate or responsible policy.

The Unitarian Universalist Association of Congregations opposes "Charitable Choice" and urges Congress to do the same.

Sincerely,

ROB CAVENAUGH,
Legislative Director.

Mr. GRAMM. Mr. President, I ask unanimous consent the amendment be agreed to, the committee substitute be agreed to, the bill be read a third time and passed as amended, the motion to reconsider be laid upon the table, and that any statement relating to the bill be printed in the RECORD.

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

The amendment (No. 2507) was agreed to.

The committee substitute amendment was agreed to.

The bill (S. 976), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

CELEBRATING 50TH ANNIVERSARY OF GENEVA CONVENTIONS OF 1949

Mr. GRAMM. Mr. President, I ask unanimous consent that H. Con. Res. 102 be discharged from the Judiciary Committee and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 102) celebrating the 50th anniversary of the Geneva Conventions of 1949 and recognizing humanitarian safeguards these treaties provide in times of armed conflict.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. GRAMM. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (H. Con. Res. 102) was agreed to.

The preamble was agreed to.

FEDERAL ERRONEOUS RETIREMENT COVERAGE CORRECTIONS ACT

Mr. GRAMM. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 309, S. 1232.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1232) to provide for the correction of retirement coverage errors under chapters 83 and 84 of title 5, United States Code.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 2508

(Purpose: To provide for the correction of retirement coverage errors under chapters 83 and 84 of title 5, United States Code)

Mr. GRAMM. Mr. President, Senators COCHRAN and AKAKA have a substitute amendment at the desk, and I ask for its consideration.