SENATE—*Thursday, September 7, 1995*

(Legislative day of Tuesday, September 5, 1995)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Let us pray:

Gracious God, the day stretches out before us filled with more to do than it seems possible to accomplish. The rigors of responsibilities and the pressures of people weigh heavily upon us. We are deeply concerned for our Nation and long to give inspired leadership.

We humbly confess that in the midst of all the needs around us, our greatest need is to renew our relationship with You with an unreserved commitment of our lives to You. You have made commitment the secret of spiritual power for successful leadership. Thank You for the confidence we have when we commit to You our worries and fears and receive Your amazing grace and abundant guidance.

So we renew our commitment to You as our Lord and Savior, our strength and courage, our guide and inspiration. We commit our relationship to You. Help us to communicate Your hope and encouragement to the people around us. Most of all, we commit to You the work of this Senate today. We are here by Your appointment to glorify You and not ourselves. We turn over to You the challenges and decisions before us today. God, bless America today throughout the work we do together. In our Lord's name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. ASHCROFT. For the information of all Senators, the Senate will proceed to a period for routine morning business not to extend beyond 10:30 a.m., with Senators permitted to speak for up to 5 minutes, with the exception of Senator MCCAIN, who is to be recognized for up to 30 minutes. At 10:30 a.m., the Senate will resume consideration of the welfare bill, and the time between 10:30 a.m. and 3:30 p.m. is equally divided between the two managers.

At 3:30 p.m., Senator DASCHLE will be recognized for up to 15 minutes to be followed by 15 minutes under the control of Senator DOLE. At 4 p.m., a rollcall vote will occur on the Daschle amendment to the welfare bill.

Additional amendments are expected to be offered following the disposition of the Daschle amendment. Therefore, votes can be expected into the evening in order to make progress on the welfare bill.

I call this to the attention of the Senate for purposes of restating this agreed-upon procedure.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. HEFLIN. Mr. President, due to the fact that no other Senator desires to speak, I ask unanimous consent that I be allowed to proceed in morning business up to 5 minutes.

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

TRIBUTE TO SENATOR CLAIBORNE PELL

Mr. HEFLIN. Mr. President, when our colleague from Rhode Island announced his retirement, I could not help but think of what a gentleman he is and what an example he has set for this body over the course of his 35-year career in the Senate. He is the walking embodiment of civility, a reminder of the days when politics and public service were indeed kinder and gentler.

First elected in 1960, CLAIBORNE PELL is not only Rhode Island's senior public servant, but also one of the Nation's senior statesmen. Only Senators THURMOND and BYRD have served here longer. He is one of the best arguments around today against term limits on Members of Congress. Senator PELL's father, Herbert Claiborne Pell, Jr., served as a Congressman from New York from 1919 to 1921 and was a close friend of Franklin Roosevelt and minister to Portugal and Hungary. He had five other relatives who served in Congress as well.

The younger PELL himself served as a foreign service officer for several years, then settled in Newport, along with the Vanderbilts and Auchinclosses. Most of us know him as the quiet, deliberate, thoughtful chairman, and now ranking member, of the Senate Foreign Relations Committee. He was present at the birth of the United Nations in San Francisco 50 years ago, and today carries a copy of the U.N. Charter in his coat pocket. This "eccentricity," as one news account called it, is a testament to the importance Senator PELL has always placed on an international organization aimed at promoting world peace and cooperation.

Senator PELL's greatest legacy probably will lie in the field of education. He is the second-ranking Democrat on the Committee on Labor and Human Resources and for years chaired the Subcommittee on Education, the Arts, and Humanities. He made a particular mark in setting up a grant program for needy college and university students. These Pell grants, as they are officially called, have become familiar to a generation of students. He has also been a leader in promoting ocean research.

A statement Senator PELL made in his retirement announcement summarizes his philosophy and approach to public service. He said,

> I consider . . . the United States Senate a marvelous institution. . . . And I continue to believe that government, and the federal government in particular, can, should, and does make a positive impact on the lives of most Americans.

There is no doubt that CLAIBORNE PELL has contributed significantly and tangibly to that positive impact over the last 3½ decades.

In his announcement, Senator PELL also thanked the people of Rhode Island for having tolerated his eccentricities. If those eccentricities include a quiet, unassuming manner characterized by thoughtful reflection, meditation, honesty, and courtliness, then we should all aspire to be eccentric in the ways that our dear friend from Rhode Island is eccentric. He is eccentric in the best sense of the term. I congratulate Senator PELL, look forward to serving with him for the remainder of this Congress, and wish him all the best for the future.

TRIBUTE TO SENATOR BILL BRADLEY

Mr. HEFLIN. Mr. President, like each and every Member of this body, I was surprised—shocked is not too

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

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strong a word—when our colleague from New Jersey announced that he would not be running for a fourth term in the Senate. I could not help but feeling that with the loss of Senator BRADLEY, the Senate would be losing one of its most intellectual, thoughtful, and hard-working Members, perhaps one of its most unique ever.

BILL BRADLEY is indisputably capable, an outstanding student of and original thinker on major economic and foreign policy issues, as well as a reflection of mainstream public opinion in this country. He is careful and deliberate in his judgments, and often provides a fresh and enlightening perspective on the many complex issues that come before the Senate.

Our Nation's tax structure has been one of the focuses of Senator BRADLEY's distinguished career in public service. His 1982 fair tax proposal led directly to the landmark 1986 tax reform bill. The plan was to cut tax rates sharply and eliminate most preferences and tax shelters. He took a broad concept and, in characteristic fashion, filled in the details with exacting care.

This was a major piece of legislation whose passage was remarkable, especially since Senator BRADLEY had relatively little seniority and was, at the time, serving in the minority. But as President Reagan, the Treasury Department, the Ways and Means chairman in the House, the Finance chairman in the Senate, and other key leaders embraced comprehensive tax reform, Senator BRADLEY was there every step of the way. He quietly encouraged others, avoiding the spotlight while offering advice and lobbying Members. He even played basketball with some Members. In spite of his unobtrusive manner and behind-the-scenes style, he emerged as the indispensable man in getting the bill through Congress.

Senator BRADLEY's has been one of our most eloquent voices on the issue of race relations in this country. He has long called for a national dialog on the issue, free of the ideological extremes that tend to make thoughtful and frank discussion of race relations rare, if not impossible. His well-thought-out and reasoned pronouncements have often had a cooling effect, and have raised the level of the arguments above the harsh rhetoric often associated with the issue. This is true on other issues as well, especially during foreign policy crises.

I look forward to working with Senator BRADLEY during the time we have left together in the Senate, and wish him all the best for whatever his future might hold after he leaves. I am confident that he will, for many years to come, continue to influence the direction of our country and will continue to provide valuable leadership on the important issues that confront us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized for 30 minutes.

Mr. McCAIN. I thank the Chair.

(The remarks of Mr. McCAIN and Mr. FEINGOLD pertaining to the introduction of legislation are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

CONGRATULATING CAL RIPKEN, JR., ON BREAKING THE MAJOR LEAGUE BASEBALL RECORD FOR MOST CONSECUTIVE GAMES PLAYED

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

Ms. MIKULSKI. I thank you, Mr. President.

Mr. President, I thank the Senator from Arizona for yielding. He knows why I rise on the Senate floor today. It is because, in behalf of myself and Senator SARBANES, as well as our colleagues from the other side of the Potomac, Senators WARNER and ROBB, I send to the desk a resolution congratulating Cal Ripken, Jr., on the occasion of breaking the Major League baseball record for consecutive games played, and I now ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 167) congratulating Cal Ripken, Jr., on the occasion of his breaking the Major League baseball record for the highest total number of consecutive games played.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

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

Ms. MIKULSKI. Mr. President, I would also further like to thank the Republican leader, Senator DOLE, for allowing the Senate to have no more votes after 5:30 last night so those Senators who were fortunate enough to have tickets to the game could get there to be there on time, to hear the national anthem sung, and Mr. Ripken's children throw out the ceremonial first ball and to see America as it really ought to be. So I would like to thank the majority leader for the courtesy that he extended to me and to the other Senators.

Mr. President, it is with pride and enthusiasm that I rise today to honor a baseball hero, a Maryland hero, and an American hero. Last night Cal Ripken, Jr., broke baseball's endurance record. Cal Ripken played in his 2,131 consecutive ballgame, and in doing so, he broke Lou Gehrig's record in consecutive games played. Yes, Cal surpassed the great Iron Horse, Lou Gehrig, by playing 2,131 straight games. Cal has started every game as a Baltimore Oriole player since May 30, 1982.

Now, Cal has achieved many honors already, in his career: Two league Most Valuable Player awards, 13 All-Star games, and two Golden Glove awards. These are just a few of his many accomplishments. His streak is astounding for the character and the commitment it represents. To the people from Maryland like me, the streak means so much more, though, than physical endurance and awards. For us, Cal's effort is a testimony to what someone can achieve when they put team interests ahead of self interests.

Cal has not done this just for the sake of breaking a record; he broke that record because that is how he lives. He gives 100 percent every day. Ask any of the hundreds of Baltimore Orioles, who played with him over the last 14 years. Ask Cal's coaches who have seen him rededicate himself every day. Ask any of the thousands and thousands and even millions of Orioles fans for whom he stayed at the ballpark late at night, willing to sign autographs, appear at charity events and be there for Baltimore and be there for the Orioles. Ask any of the millions of baseball fans who have watched him handle himself with dignity, who have watched him handle himself with gallantry on the playing field and off the playing field. We have watched him also treat others with dignity throughout his career. And, you know, if you ask Cal why he did it, he will tell you he wants to give his team the best chance of winning each and every game, and give the game the good name that it deserves.

Mr. President, this celebration is not for Cal alone but also for the man who held that record for so many years. Lou Gehrig represented the same qualities that we look for in Cal Ripken. It is words like masculine virtue, honor, integrity, being with your team, standing up for what is right. The Lou Gehrig record had really helped create a Yankee dynasty, and Lou Gehrig was the major reason for that dynasty. Lou Gehrig was in a class all by himself. He will always be a champion and have a unique place in baseball.

It was thought during Gehrig's time that the record would never be broken. However, I believe that if Lou Gehrig were alive today he would admire Cal Ripken and see a man following in his footsteps, putting pain and self-interest aside, and see a man working harder than anyone else. He would see Cal Ripken trying to be the best player and the best person he could be, and I believe that the "Pride of the Yankees" would tip his hat in respect for the "Pride of the Orioles."

Mr. President, I believe that people in positions of public trust should serve as role models for young people. I believe this includes athletes and public officials. So, today, I am proud to say that some of Cal's greatest achievements have actually come off the field.

He is a role model for kids. When so many are teaching the philosophy of "me, only," he represents the philosophy of "we, together."

Also, he represents the philosophy of giving your time to your community. His efforts at raising financial resources to fight pediatric cancer at Johns Hopkins—on the night that he tied the Gehrig record, Baltimore raised over $1 million to give to Johns Hopkins for research on the Lou Gehrig disease. That is what Cal Ripken is. And, most important, Cal is a loving father, husband and son.

It is fair to say that the streak does not end when Cal steps off the field. The field is only where it begins.

So on behalf of all Marylanders and the Nation's baseball fans, I want to congratulate Cal Ripken for his achievement. Maryland and America are proud of him. Today is Cal's day. And in Baltimore and in his hometown of Aberdeen, it is "Calleluia Day." So to commemorate his record, I am submitting this Senate resolution along with my colleagues to honor this remarkable achievement.

Mr. SARBANES. Mr. President, last night, September 6, 1995, at Oriole Park at Camden Yards, not far from my home in Baltimore, Cal Ripken broke baseball's most enduring record of consecutive games played. In surpassing Lou Gehrig's streak of 2,130 games, Cal Ripken has secured a place in sports history, and in the hearts and minds of all who love baseball.

This accomplishment is much more than an event to be chronicled in the record books; it is a tribute to Cal Ripken's dedication to excellence—excellence in athletics as well as excellence in sportsmanship. In a time bereft of heroes, we admire persons such as Cal Ripken who exemplify high standards. Cal plays for the love of the game. He does not play for the fame; he cares little about the glory. What he does care about is playing baseball to his fullest potential. His affection for the game shines like a beacon in the night. His love of the game and his dedication has led him to this record. Neither money nor fame could have guided him to such a pinnacle in his career.

We call baseball our national pastime. But for many of us it is much more than that. It brings us back to an era where the players were larger than life and inspired us to the same greatness. When players like Gehrig rambled out onto the field they were more than men: they were heroes. At a time when people are searching for heroes, Cal Ripken stands proudly and quietly at the forefront of those we have to offer our children. He is a man of dignity, quiet workmanship, and humility. It is in keeping with these qualities that his children, Rachel and Ryan, threw out the first pitches to the game that would assure that their father crossed the threshold from extraordinary player to a legend.

Mr. President, I ask unanimous consent that an editorial, lauding Cal Ripken's streak and his character, from the September 6, 1995, edition of the Baltimore Sun, as well as Cal Ripken's statement and excerpts from remarks presented by his teammate Brady Anderson, be printed in the RECORD.

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

[From the Baltimore Sun, Sept. 6, 1995]

OUR CAL

Somewhere in this favored city, we should like to think, today a male infant is being born, and named Cal.

Somewhere, as the possibilities grow, a court of law is approving a grown-up's change of name to become Mr., Mrs. or Ms. Calripken.

Fielding still another dream—from a window at 2131 East or West Baltimore Street, or 2131 Maryland Avenue, a banner flies: black background, large yellow numeral 8.

In the distance: north and east of Baltimore, traffic on U.S. 40 is backed up for miles, by the street dancing in Ripkentown, formerly Aberdeen.

Politics enters, the governor of California vowing that, once elected president, he will change the postal abbreviation out there from CA to CAL.

Hold on—back at that Baltimore maternity ward, it turns out instead to be twins; girls, yet. Okay, their names will be Callie and Vinnie.

To be a Baltimorean is to feel, right now, exalted. Some 1,525 daily newspapers are still published in this country and every last one, it may well be, will print a news story tomorrow that is datelined Baltimore—a great-news, feel-wonderful story.

The news is of a new endurance mark, one that won't be outdone until the 2000s, if then; a mark set by a Baltimore Oriole, by a man who as a major leaguer has played only for our Orioles. Season after season, starting in 1982, our tall shortstop has never missed a game. His bones refused to crack; his joints, on being wrenched, simply unwrenched; his sinews (no matter how hard he flung the ball over to first) never tore. People applaud Cal's upbringing; a further help from family is that while the Birds were on the road, no call came to be present instead for wedding or funeral. The nation that reads, or watches some announcer read, will long equate the name Ripken with stoic, determined toughness.

For there to be interest in continuity, a sport has to have gone on awhile; only in the current century did baseball's busy statisticians, checking for uninterrupted participation, proclaim their first durability champ—at 727 consecutive pennant-season games, Steve Brodie, centerfielder for the 1890s Baltimore Orioles. The original games-in-a-row search, however, had to do with base hits. There the original titleholder, at 44 games, proved to be Willie Keeler, rightfielder for the 1890s Orioles.

Is perseverance a municipal characteristic? Let others say—watching us struggle, even now, to get the world to spell Calvin Edwin Ripken Jr. correctly.

With Cal Ripken, just as much off the diamond as on, another quality shines. Put it this way, as the Camden Warehouse banner signals 2131: What a city this would be, what a state, were those of us watching and cheering to go forth, afterward, bent on creating some kind of excellence and decency streak of our own.

TEXT OF RIPKEN'S SPEECH

After last night's record-breaking game, Cal Ripken delivered the following speech:

When the game numbers on the warehouse changed during fifth innings over the past several weeks, the fans in this ballpark responded incredibly. I'm not sure that my reactions showed how I really felt. I just didn't know what to do.

Tonight, I want to make sure you know how I feel. As I grew up here, I not only had dreams of being a big-league ballplayer, but also of being a Baltimore Oriole. As a boy and a fan, I know how passionate we feel about baseball and the Orioles here. And as a player, I have benefited from this passion.

For all of your support over the years. I want to thank you, the fans of Baltimore, from the bottom of my heart. This is the greatest place to play.

This year has been unbelievable. I've been cheered in ballparks all over the country. People not only showed me their kindness, but more importantly, they demonstrated their love of the game of baseball. I give my thanks to baseball fans everywhere.

I also could express my gratitude to a number of individuals who have played a role in my life and my career, but if I try to mention them all, I might unintentionally miss someone and take more time than I should.

There are, however, four people I want to thank especially. Let me start by thanking my dad. He inspired me with his commitment to the Oriole tradition and made me understand the importance of it. He not only taught me the fundamentals of baseball, he taught me to play it the right way, the Oriole way. From the very beginning, my dad let me know how important it was to be there for your team and to be counted on by your teammates.

My mom, what can I say about my mom? She is an unbelievable person. She let my dad lead the way on the field, but she was there in every other way—leading and shaping the lives of our family off the field. She's the glue who held our lives together while we grew up, and she's always been my inspiration.

Dad and Mom laid the foundation for my baseball career and my life, and when I got to the big leagues, there was a man—Eddie Murray—who showed me how to play this game, day in and day out. I thank him for his example and for his friendship. I was lucky to have him as my teammate for the years we were together, and I congratulate him on the great achievement of 3,000 hits this year.

As my major-league career moved along, the most important person came into my life—my wife, Kelly. She has enriched it with her friendship and with her love. I thank you, Kelly, for the advice, support, and joy you have brought to me, and for always being there. You, Rachel and Ryan are my life.

These people, and many others, have allowed me, day in and day out, to play the American game of baseball.

Tonight I stand here, overwhelmed, as my name is linked with the great and courageous Lou Gehrig. I'm truly humbled to have our names spoken in the same breath.

Some may think our strongest connection is because we both played many consecutive games. Yet I believe in my heart that our true link is a common motivation—a love of

the game of baseball, a passion for our team, and a desire to compete on the very highest level.

I know that if Lou Gehrig is looking down on tonight's activities, he isn't concerned about someone playing one more consecutive game than he did. Instead, he's viewing tonight as just another example of what is good and right about the great American game. Whether your name is Gehrig or Ripken: Dimaggio or Robinson; or that of some youngster who picks up his bat or puts on his glove: You are challenged by the game of baseball to do your very best day in and day out. And that's all I've ever tried to do.

Thank you.

ANDERSON'S TRIBUTE

Excerpts from the speech Brady Anderson delivered on behalf of Orioles players after last night's game:

For 14 years, Cal Ripken has played for the Orioles with skill, determination and dedication. His inspiration has always been a love for the game, his teammates and the devoted fans of Baltimore.

The record which has been broken today speaks volumes about a man who never unduly focused on this achievement, but accomplished it through years of energy, incredible inner resources and an unflagging passion for the sport.

But fame is a dual-edged sword, and his is no exception. Incredible pressure has been placed on Cal as it became increasingly apparent that this achievement could be realized. In breaking this record, he surpasses the playing streak of Lou Gehrig, an exceptional baseball player.

I know Cal is honored to be in the company of such a legend, just as we know that each man's accomplishments and contributions enhance, rather than diminish, the other's; for what finer tribute can one player give to another than his uncompromising excellence?

Cal, you have inspired many teammates; you have delighted million of fans; you have given the Nation uncountable memories. Your pride in and love for the game are at a level few others will reach. Cal, thank you.

Mr. WARNER. Mr. President, the front page of today's Washington Post says it all: "History Embraces Ripken." As an original cosponsor of the resolution just submitted by my friend and colleague from Maryland, Senator MIKULSKI, I applaud Cal Ripken, Jr.'s magnificent accomplishment.

Last night's recordbreaking achievement by Ripken restored America's love for and pride in our national pastime, but it was not just a victory for baseball. What we are celebrating is not just Ripken's 2,131st consecutive game, or the home run which punctuated it so perfectly.

Rather, Cal Ripken, Jr.'s achievement is about greatness, about the essence of being and being an American. Cal Ripken, Jr. is a modest hero, a humble role model, a decent citizen, a caring father, a loving husband. He is committed to his craft, his community, and his country.

Yes, history has embraced Cal Ripken, Jr. But, more importantly, he has reminded Americans to celebrate all that is good about themselves and their country.

Congratulations to Cal, to his family, and to a Nation of friends who share his ideals.

Mr. ROBB. Mr. President, I rise today to commend the extraordinary accomplishments of Cal Ripken, Jr. As we all know, last night at Oriole Park at Camden Yards, Cal Ripken broke a record that was once considered unbreakable.

From 1982 until today, the one constant in the ever-changing world of baseball has been the presence of No. 8 in the Baltimore Orioles line-up. In an era where job insecurities increasingly permeate our society, Cal Ripken's breaking of Lou Gehrig's long-standing record while playing for the same team during the entire streak, seems even more remarkable.

Without a doubt, this new record has reinvigorated American's interest in baseball. And the fact that the recordholder is such a solid, decent, and humble man adds extra luster to this unprecedented achievement.

While this record is an extraordinary testament to Cal Ripken's dedication to the game of baseball, his actions during the closing days of this streak are even more telling. In the early morning of September 6, 1995, as Cal stood poised on the edge of baseball immortality, he accompanied his daughter Rachel to her first day of school. And when asked which event held more significance—the breaking of Lou Gehrig's record or his daughter's first day of school—Cal responded that in his house, Rachel's first day of school was undoubtedly the most important occasion.

I congratulate Cal Ripken, his wife Kelly, daughter Rachel, and son Ryan. Cal Ripken has made Americans remember why baseball is our national pastime—and how much true heroes mean to us.

Ms. MIKULSKI. I urge all of my colleagues to join in the celebration by adopting this resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 167) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 167

Whereas on May 30, 1982, Cal Ripken, Jr. became the regular starting shortstop for the Baltimore Orioles baseball club;

Whereas Cal Ripken, Jr. has not missed a single day of work in the intervening 14 years;

Whereas on September 6, 1995, Cal Ripken, Jr. played in his 2,131st consecutive Major League Baseball game, breaking the long-standing record held by the great Lou Gehrig;

Whereas Cal Ripken, Jr. has been a first-rate role model for the young people of Baltimore, the State of Maryland, and the United States;

Whereas Cal Ripken, Jr. has been named by America's baseball fans to 13 American League All-Star teams;

Whereas Cal Ripken, Jr. was named the American League's Most Valuable Player for the 1983 and 1991 seasons;

Whereas Cal Ripken, Jr. was a member of the 1983 World Series Champion Baltimore Orioles baseball team;

Whereas Cal Ripken, Jr. was named the Most Valuable Player in the 1991 All-Star game;

Whereas Cal Ripken, Jr. has twice been awarded baseball's most prestigious award for excellence in fielding, the Gold Glove Award, for the 1991 and 1992 seasons;

Whereas in the distinguished career of Cal Ripken, Jr., he has demonstrated an extraordinary work ethic, and dedication to his profession, his family, and his fans; and

Whereas the humility, hard work, desire, and commitment of Cal Ripken, Jr. have made him one of the best-loved and the most enduring figures in the history of the game of baseball: Now, therefore, be it

Resolved, That the United States Senate congratulates Cal Ripken, Jr. for his outstanding achievement in becoming the first player in the history of Major League Baseball to compete in 2,131 consecutive games.

Ms. MIKULSKI. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Ms. MIKULSKI. Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

JAPAN-UNITED STATES SENATE YOUTH EXCHANGE PROGRAM

Mr. LUGAR. Mr. President, I would like to draw the attention of my Senate colleagues to a successful international exchange program involving the youth of America. This program, the Japan-United States Senate Youth Exchange Program has been sponsored over the years by the Government of Japan and the Center for Global Partnership and has been sending young students from the United States to Japan for the past 15 years.

The program, which was inaugurated by Prime Minister Zenko Suzuki in 1981, offers outstanding United States high school students the opportunity to spend a summer with a Japanese host family through Youth for Understanding [YFU] International Exchange. As these young people assume positions in business, government, education, and other endeavors, they play a significant role in strengthening the bonds between Japan and the United States.

In the past, 2 students from each of the 50 States of the United States were selected to participate in this exchange program. Because of funding reductions, only 1 student from each State

now participates in the program. This is regrettable and represents a downward trend in international exchanges.

The imbalance of exchanges between the United States and Japan is worrisome: there are 20 Japanese exchangees in the United States for every 1 American exchange student in Japan. And funding from Japan for exchanges is much greater than funding from the United States. I hope this imbalance can be corrected.

Mr. President, the Japan-United States Senate Youth Exchange Program has been functioning in the best interests of the United States, Japan, and the individual student and family participants. I want to take this occasion to salute and encourage the efforts of both public and private contributors who have assisted and continue to assist this worthwhile program.

THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, before discussing today's bad news about the Federal debt, how about "another go", as the British put it, with our pop quiz. Remember? One question, one answer.

The question: How many millions of dollars does it take to add up to a trillion dollars? While you are thinking about it, bear in mind that it was the U.S. Congress that ran up the Federal debt that now exceeds $4.9 trillion.

To be exact, as of the close of business yesterday, September 6, the total Federal debt—down to the penny—stood at $4,969,749,463,346.30, of which, on a per capita basis, every man, woman, and child in America owes $18,865.25.

Mr. President, back to our pop quiz, how many million in a trillion: There are one million million in a trillion.

BIPARTISAN BUDGET SUMMIT NEEDED NOW

Mr. LEAHY. Mr. President, it is time for a bipartisan summit on the budget.

As I said back in June during the debate on the 1996 budget resolution, I fear that the Republican congressional leadership and the President are on a collision course over the budget.

An immediate bipartisan budget summit is needed to forge a solution to next year's appropriations bills, or we will have a disaster on our hands that will force the entire Government to an abrupt halt this fall.

The start of the 1996 fiscal year is less than a month away, yet we are far from completing the 13 annual appropriations bills needed to fund the Government. In fact, we are very close to a fiscal disaster.

The House, Senate, and the President are still miles apart on these bills without much effort being made to find common ground within the next 30 days. And the administration is now preparing contingency plans for agencies to continue essential operations in case we fail to agree before the first of October.

I see little hope for an agreement if we keep to our current course.

Of the 11 appropriations bills passed so far in the House, President Clinton has threatened to veto 6. The Senate has passed seven appropriations bills, with huge differences from their House counterparts. Indeed, the Senate and House have reached agreement on only one appropriations bill.

The political rhetoric is heating up as the fiscal disagreement continues.

Speaker of the House NEWT GINGRICH has declared that: "The budget fight for me is the equivalent of Gettysburg in the Civil War."

President Clinton has also refused to back down, saying: "I will not be blackmailed into selling the American people's future down the drain to avoid a train wreck. Better a train wreck."

This push for a train wreck is stupid on both sides. We don't need to shut down the Government to prove we are Democrats or Republicans. We all know that an all Republican budget will not become law or an all Democratic budget will not become law.

This political posturing is just what Vermonters tell me that they dislike about Washington.

Shutting down the Government in an attempt to score political points will only bring more scorn of our political system. It is time to put our political differences aside and come together in a bipartisan budget summit—before the crisis.

Our political system will not be the only loser if political gamesmanship causes a Government shutdown—a shutdown will also be a loser for U.S. taxpayers. Government shutdowns waste taxpayer money.

In 1981, for example, the Government spent $5.5 million to close offices and send workers home. In 1990, a President and Congress of different parties failed to reach a bipartisan agreement on the budget. And the General Accounting Office calculated that the resulting 3-day Government shutdown cost taxpayers between $244 and $607 million.

Government shutdowns also hurt the citizens in our society who depend on our Government the most. In 1979, an 11-day Government shutdown led to delays in Federal payments for housing subsidies, delays in GI bill education checks, and delays in aid to the disabled.

A longer shutdown could hurt senior citizens who rely on their Social Security income, students who rely on Federal loans, farmers who rely on Federal support programs, travelers who rely on our air traffic control system, and consumers who rely on meat inspections.

We need a bipartisan budget summit to avoid such a costly Government shutdown. For a summit to succeed, everything must be on the table: Taxes, health care reform, entitlement reform, further spending reductions, and the time it will take to get to a balanced budget.

Such a summit will be a grueling, sometimes acrimonious, encounter. But anyone who has studied the various blueprints can see the outlines of an agreement.

Both Republicans and Democrats agree that we must consolidate unnecessary Government programs, reform welfare, and control Medicare and Medicaid spending. We may now disagree on some of the details for accomplishing these goals, but that is why we need a bipartisan summit—to hammer out the details of a compromise.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FAMILY SELF-SUFFICIENCY ACT

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will now resume consideration of H.R. 4, which the clerk will report.

The legislative clerk read as follows:

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

The Senate resumed consideration of the bill.

Pending:

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

Daschle modified amendment No. 2282 (to Amendment No. 2280), in the nature of a substitute.

The PRESIDING OFFICER. Under the previous order, the time until 3:30 p.m. shall be equally divided between the managers.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. Mr. President, it has been understood with my friend, the distinguished chairman of the Committee on Finance, that time is equally divided, and that should there be no speaker seeking recognition, we will suggest the absence of a quorum and the time will be charged equally to each side.

Mr. PACKWOOD. That has been agreed upon.

Mr. MOYNIHAN. I thank my friend.

Mr. President, in auspicious timing, the Washington Post has a splendid editorial this morning entitled "Welfare: Two Kinds of Compromise."

It speaks of the compromise that was notably on display when Congress, the Nation's Governors, and President Reagan worked out some of the better provisions of the Family Support Act in 1988, aimed at reforming welfare.

The parties all agreed on the sensible principles that the Federal Government should

help the poor and that the existing welfare program was not doing enough to move people into jobs. The resulting bill was far from perfect and was not adequately financed—that's why welfare reform is still very much a live issue—but it did result in some successes that could be built upon with a new round of reform.

Mr. President, some time later in our debate, I will offer the Family Support Act of 1995, which builds on the 1988 legislation, which passed out of this Chamber 96 to 1. I recall that there was great bipartisan harmony in the Rose Garden when President Reagan signed it.

In the Committee on Finance, I offered the Family Support Act of 1995, and it failed to pass, by 12 votes to 8, which is scarcely an overwhelming rejection. It was a party-line vote, I am sorry to say. Seven years ago it was very different. But we will have an opportunity to discuss it.

I ask unanimous consent, as we begin this morning, to have this editorial printed in the RECORD.

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

[From the Washington Post, Sept. 7, 1995]

WELFARE: TWO KINDS OF COMPROMISE

There are different kinds of political compromise. The best kind happens when the contending parties find that substantive agreement can be reached without a compromise of principles. This sort of accord was notably on display when Congress, the nation's governors and President Reagan worked out some of the better provisions of the Family Support Act in 1988, aimed at reforming welfare. The parties all agreed on the sensible principles that the federal government should help the poor and that the existing welfare program was not doing enough to move people into jobs. The resulting bill was far from perfect and was not adequately financed—that's why welfare reform is still very much a live issue—but it did result in some successes that could be built upon with a new round of reform.

But there is a less honorable tradition of compromise involving not a quest for consensus but the artful manipulation of labels and slogans. It is this kind of compromise that is most to be feared as Congress approaches the welfare issue. The debate now seems hopelessly entangled in the rivalry between Senate Majority Leader Bob Dole and Sen. Phil Gramm for the Republican presidential nomination. That was clear when Mr. Dole gave a speech the other day in Chicago promising to fight "for revolutionary change vote by vote and bill by bill," and Mr. Gramm responded rapid-fire at a Washington news conference. "I see Sen. Dole moving to the right in speeches every day," Mr. Gramm said. "I don't see it reflected in what he's doing in the United States Senate."

This is a bad context in which to legislate on a problem such as welfare, where the tough issues will not be solved by a resort to doctrine or slogans. Take a particularly hard question: If welfare is turned into a block grant, should states, in exchange for receiving something close to their current levels of federal aid, be required to maintain something like their current level of spending on the poor. Those spending levels, after all, got them their current allotments of aid in the first place. A small group of Senate Republicans who are trying to prevent Mr. Dole from reacting to Mr. Gramm by doing anything he wants, rightly see this as a central issue. But it's easy to include a provision in a bill labeled "maintenance of effort," as Mr. Dole effectively has, and make it essentially meaningless, as Mr. Dole also effectively has, by allowing states to count all sorts of extraneous expenditures as meeting this "maintenance of effort" requirement and having the requirement expire in a couple of years. The provision would give Mr. Dole cover with his party's moderates without really giving them much of substance. It's fake compromise. Much more of that sort of thing could become the rule in the coming weeks.

Mr. Gramm can make welfare a centerpiece of his campaign against Mr. Dole if he wants to. But the rest of the Senate, not to mention President Clinton, does not need to be complicit in turning a momentous piece of legislation over to the politics of sound bites. Far better no welfare bill than the kind likely to be created in this atmosphere.

Mr. MOYNIHAN. I see my distinguished friend, the Senator from North Dakota, on the floor, and I am happy to yield him 20 minutes if that will be sufficient for his purposes.

The PRESIDING OFFICER. The Chair recognizes the Senator from North Dakota.

Mr. DORGAN. I thank the Senator from New York for yielding me the time to discuss the Daschle amendment on welfare reform.

A friend of mine the other day described a circumstance in his small rural hometown. There was a Lutheran minister who did not make very much money ministering to a very small congregation, being paid a very small salary. And because a minister in a small town is paid very little, his wife gave piano lessons in order to make a few dollars to try to make ends meet for him and his wife. These folks were the parents of the friend of mine who was referring them to me. He said they lived in a very meager house provided by the church and lived on a very meager income all of their lives. They contributed to their community by ministering at the church and by his wife giving piano lessons and teaching Sunday school.

At the other end of the block, there was a wonderful family, as well. This family started a business, worked very hard, made an enormous amount of money and were very successful. They were well liked and also contributed much to the community.

The two families had taken different routes. One chose ministering in a small rural church where they were never to earn any significant amount of money and always lived near subsistence. The other chose to pursue an occupation that would lead them to accumulate a substantial amount of assets. Both were good families and both contributed to their community.

My friend said, "I wonder if my parents contributed less to their community than the folks down the block who made a substantial amount of money." I think not. I think they made at least as great a contribution. But they ended up with nothing.

I use that story to illustrate that, for some in this country these days, being poor is out of fashion. If you are poor, somehow you just did not make it in America and you chose not to spend all of your time trying to maximize your income. So you end up in circumstances, after age 70 and after having ministered for 40 years in a rural church, where you have nothing. And maybe you end up needing some help from someone. But that is not disgraceful. It was because you chose to contribute in other ways during your lifetime and chose not to spend 50 years trying to maximize your income.

The question is, did the minister and his family contribute less to our country? No; they did not. They found themselves in circumstances of some difficulty—without income, without resources, without assets. There are a lot of good people in our country just like them.

The people I just described are atypical. The more likely and typical person in need in this country, with respect to welfare, is a young woman in poverty—an increasingly feminine picture these days—who is raising children in a household without two parents present.

One morning at about 6 a.m., I went down to a homeless shelter here in Washington, DC, and sat there for a couple of hours talking to the people who were there. I have told my colleagues on one previous occasion about my visit at the shelter with a 23-year-old young woman, whom I believe, had three children, whose husband had left her, who had no skills, no high school education, no job, and no place to live.

She and her children, after having spent the night in a temporary shelter, as they did every night, were then put on buses in order to be at this feeding center at 6 a.m.

I sat and visited with this young woman, and I discovered with her, as with virtually everyone else on welfare with whom I have ever visited, that what she wanted most in life was a good job. She was not asking me, can you give me a bigger welfare check? Can you find a way to extend your hand with more money, more benefits, more help? That is not what she was asking.

I was asking her what would she really like if this morning she could wave a wand and change her life? Her response was that she desperately wanted to have a job that paid her a sufficient income so that she could save money for a first month's down payment to rent an apartment where she could live with her children. She said to me, "I want a place to live. I know in order to get a place to live, I need to get a job. In order to get a job, I have to have some skills. I do look for work almost every day and I do get work. And the

minute I get work—it is occasionally frying a hamburger at some franchise place and always at the minimum wage—I lose my health care benefits for my children. The moment I try to save $10 or $20 for the first month's rent on an apartment so I could get rid of this homeless condition for me and my children and find a place to live, the minute I save $10 or $20, I lose my AFDC payment or it is reduced by the same amount."

And as I drove back to the office here on Capitol Hill the morning after I visited with her, I thought to myself, I am pretty well educated. I have a couple of college degrees. I have done pretty well. And I wondered how could I think my way through this problem if I were in this young woman's situation? What kind of a solution allows her to get off this treadmill, the treadmill of poverty, helplessness, hopelessness?

I honestly, putting myself in her position, could not really think my way out of her problem. She cannot get a job because she does not have the skills. She cannot save money for a down payment on rent because she does not have a job. If she gets a job and starts saving money, she loses AFDC payments for her kids. It is an endless circle of trouble for someone who is literally trapped in a cycle of poverty from which they cannot recover.

Now, I mention that story because in order to talk about welfare reform, you have to talk about two truths. One is often used by those of us in public office, regrettably, to talk about welfare. That is, the stereotypical notion of who is a welfare recipient. It is some bloated, overweight, lazy, slovenly, indolent, good-for-nothing person laying in a Lazy Boy recliner with a quart of beer in one hand and a Jack Daniels in another hand, with his hand on the television changer watching a 27-inch color television set and unwilling to get up and get out and get a job and go to work, munching nachos all day long watching Oprah, Geraldo, and Montel. That is the notion of the stereotypical welfare recipient.

I suppose that happens. There is, I suppose, a small element among welfare recipients who are inherently lazy, unmotivated, unwilling to work, and have become institutionalized in the welfare system. This small element believes he or she can go on welfare and live on it forever, even if they are able bodied. That does happen. It should not happen. It is a minority of the people on welfare. We must eliminate those people for whom welfare has become an institutionalized way of life. We can and will stop these abusers of the system.

The welfare bill that we have offered—Senator DASCHLE, Senator MOYNIHAN, myself, and others—is a bill that says to those folks, if you believe that in this country you can live on welfare as a routine matter and you are able bodied, then you are wrong.

Welfare is temporary assistance. We are willing to give it, we believe we must give it. But welfare is temporary and it is conditional. Our bill says we will offer a temporary hand if you are down and out. But you have a responsibility to take hold of that hand and get out of poverty by getting training to help you get a job. Our plan is intended to move people off the welfare rolls and on to payrolls. That is what our bill says. That is what we say to those folks.

The abuser—the able bodied who are lazy, is a minority in the welfare system. The bulk of the welfare recipients are represented by the woman I discussed earlier—the young woman living in poverty, a 23-year-old unskilled woman with three children to raise, and not the means with which to do it. She represents the bulk of the welfare recipients.

The question is, What do we do about it?

Let me give a couple of other facts. It is also a stereotypical notion of welfare that we have a lot of people in this country who are simply producing large numbers of children in order to get more welfare benefits. It probably does happen, but it is not typical.

The average size of the welfare family in America is nearly identical to the average size of the American family. Let me say that again because it is important. In public debate we all too often use stereotypes, and the stereotype is the notion that there is someone out there having 16 babies because producing babies allows them to get a lot of welfare. The average size of the welfare family is nearly identical to the average size of the average family in our country.

We spend about 1 percent of the Federal budget on welfare. A substantial amount of money is spent in many ways in our country, but we spend only about 1 percent of the Federal budget.

My interest in this issue has to do with two things. First, I would like to engage with people from as far right on the political spectrum as Pat Buchanan and people all the way to the far left and say we all agree on one thing: Welfare is temporary. Welfare should not become institutionalized for people who are able bodied and believe they ought to live off of the rest of the taxpayers for the rest of their lives. The temporary nature of welfare assistance is embodied in the Daschle bill.

Second, and more important to me, is an understanding of our obligation to America's children. Tens of millions of America's children are growing up in circumstances of poverty. They were born in circumstances of poverty not because they chose to, not because they decided that is what they wanted for their lives, but because of a circumstance of birth.

Two-thirds of the people on welfare in America are kids under 16 years of age. No one, no matter how thoughtless they may be in public debate, would say, I hope, to a 4-, 6-, or 8-year-old child: "You do not matter. Your hunger does not count. Your clothing needs are irrelevant."

I have spent a lot of time working on hunger issues as a Member of Congress and have told my colleagues before about a young man who made an indelible impression with me. I will never forget it. A man named David Bright from New York City, who also lived in a homeless shelter, described to us on the Hunger Committee when I served in the House, his life in the shelter with rats and with danger and so on. He said that no 10-year-old boy like me should have to put his head down on his desk at school in the afternoon because it hurts to be hungry. This from a 10-year-old boy telling us in Congress about stomachs that hurt because they did not have enough to eat.

This welfare bill cares about our kids in this country. We must decide, whatever else we do about welfare, to take care of America's children in the right way—to give them hope, opportunity and, yes, nutrition, education, and shelter.

Now, when I talk about children, there is one inescapable fact that the Senator from New York has talked about at great length that has to be addressed in the context of welfare reform. And that is the epidemic of teenage pregnancies in this country.

There will be roughly 4 million babies born this year in America—roughly. Over 1 million of those babies will be born in circumstances where two parents will not be present at the birth. 900,000 of children born this year will never in their lifetime learn the identity of their father. Think of the circumstances of that, what it means to a society. Nearly 1 million babies born this year will never in their lifetime learn the identity of their father.

The Democratic alternative we are considering today addresses the issue of teenage pregnancy and the epidemic that is occurring in this country. We address the circumstances where children are growing up in homes where the parents are children themselves, and they have no information or experience to do adequate parenting.

What we do in the Daschle amendment is that we want a national crusade against teenage pregnancy; we say that teenage pregnancy is not something that is acceptable to this country. It is not something we should promote or encourage; it is something we should discourage. People should have children only when they are able to care for them.

What this amendment says to a child who is going to have a child, a 16- or 17-year-old child who is going to have a baby—which is happening all too often in this country—is you are not going to be able to live in a separate residence if

that happens. You are not going to be able to leave school and get public assistance. We say there are going to be conditions for receiving assistance. Every teenage mother who has a baby out of wedlock has to understand this. If you do not stay in school, you will lose all benefits—nothing. Benefits are terminated. And you are not going to be able to collect money to set up a separate living arrangement for yourself and your baby.

Our proposal establishes some adult-supervised living homes, where teenage mothers will have to live in supervised circumstances and stay in school as a condition for receiving benefits. We are saying this matters in our country. There is a teenage pregnancy epidemic that this country must deal with. It is also an epidemic that eats up a substantial amount of our welfare benefits to respond to it. Our proposal says we can and should do something about it.

As I indicated, the Senator from New York has done an enormous amount of work on this issue. I commend him for it. He was the impetus in our Democratic caucus for saying: This is wrong. This is going to hurt our country. This is going to disintegrate our society unless we address it in the right way.

This amendment, the Daschle initiative, addresses teenage pregnancy, in my judgment, in a very significant way. I am very proud to say this is the right way to do it. It is the right way to go about it.

We also say something else. We say to a young woman who has a child out of wedlock, "If you are going to get benefits, you have a responsibility to help us identify who the father is. You have that responsibility. If you do not do that, you do not get benefits." We are going to find out who the father is, and we are going to go after deadbeat dads.

Deadbeat dads have a responsibility to help provide for those children. Not just taxpayers, but the people who fathered those children have a responsibility to provide some resources to help those children. They each have a responsibility to be a parent. But in the event they will not do that, we are going to make sure that they own up to the responsibility of providing resources for those children.

Our bill is tough on absent parents who are delinquent in child support. Our bill is tough on this issue. When a child is born out of wedlock and when a mother says "I now want benefits," we insist that mother help us identify the father, and that father help pay for and contribute to the well-being of that child.

I would like to mention two other points about this legislation. I have not done this necessarily in any order. I guess I could have prioritized this welfare discussion a bit more, but I wanted to talk about a couple of component parts of it that are important to me.

First, there is an assumption that if we reform the welfare system, there will be enormous savings. Savings of $100 billion over 7 years, as I believe was estimated in the budget resolution, are not going to happen. The fact is, if we do what is necessary to reform the welfare system, to make it really work, we are not going to save money in the next 7 years. But we can build a better country and make people more responsible and give people opportunity and get people off the welfare rolls and onto payrolls.

The woman in the homeless shelter that I talked about earlier is the reason we are not going to save money. In order for her to work and get a job, she has two requirements. She has to get some training to get a good job. And then, in order to work at the job, she has to have some child care. If she does not get the training, she will not get the job. And if she does not have child care, she cannot work. Then, when those two requirements are met, one other element has to be present. If the job that person gets does not provide health care, then we have to have some Medicaid transition benefits as well.

If we do not do those three things, welfare reform will fail. All three things cost money in the short term. In the long term, they will save money. But there is no way on God's green Earth to believe someone who says, if we reform this welfare system—and we should and we will—and do it the right way, that we will save $100 billion in the next 7 years. We can put the country on the right track. We can do the right thing. We can end dependency on welfare by able-bodied people, but we will not save $100 billion and it is time for everyone in this Chamber to understand that.

The second point I would like to make about the financing of welfare is the notion embodied in the Republican proposal, that we can solve this problem quickly and easily if only we simply aggregate all of this money into a block grant and ship it off somewhere and thereby create some nirvana by which the welfare problem is solved.

By and large, block grants are blockheaded. They will, in my judgment, if used routinely and repeatedly, as some have suggested, on virtually every issue coming before the Congress, result in the most egregious abuse and waste of the taxpayers' money we will have ever seen.

Do you want to describe how to promote waste in Government? I will tell you how. You have one level of Government raise the money and then send it to somebody else and say, "You spend it. No strings attached. We will not watch." If you want to promote irresponsible, reckless, wasteful, wild, abusive spending, I guarantee you this blockheaded approach to block grants is the quickest and most effective way to do it.

So, those who come to us with these simple little placebos, who say take this and you can believe it is medicine, whether it is block grants or $100 billion savings, it is pretty unimpressive to me.

What we Democrats have done is put together an alternative. It is an alternative that says welfare cannot be permanent. Welfare is going to be temporary. Welfare is not unconditional. Welfare is going to be conditional. You need help? We are going to give you some help. But you have a responsibility in accepting that help. It is your responsibility to step up and out and off of the welfare system and become a productive member of our society on a payroll somewhere.

The second element of our alternative piece of legislation that is critically important is that we say we are going to protect America's children. Yes, we are going to reform the welfare system, but we are going to do it the right way, with the right incentives that require responsibility for oneself. That is the foundation of our approach. But, at the same time, we are also going to protect America's children. Our plan leaves no questions unanswered about whether America's children will be protected.

That is why I am delighted to be here to support the Daschle initiative. I was part of a large group of people who helped construct it. I was not the major architect. I know the Senator from New York and others support it as well.

I have taken slightly more time than I intended, but I appreciate the generosity of the Senator from New York.

I yield the floor.

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

Mr. MOYNIHAN. Mr. President, may I thank the Senator from North Dakota, Senator DORGAN, for beginning today's debate, today's critical debate, in an open, thoughtful, fair-minded manner.

Could I comment on just one particular point? The Senator raised the question of the children born out of wedlock, and he is quite right. In 1992, 1,224,876 children were born out of wedlock—in some census tracts, 80 percent of all children born. Happily, North Dakota has been spared—or spared itself. This is something altogether new to our experience.

And 30 years ago, you could not have discussed it on the Senate floor. There is a maturity coming to our debates. This was a subject—the ratio, in 1992, reached 30.1 percent. It is probably almost 33 now. It has gone up every year since 1970.

In 1970, it was 10.6 percent. So it has tripled, the ratio, and the number of children have tripled.

We could not talk about this. We were not sure it was happening. Was it

an aberration, just the weather, something like that? There used to be theories that when there would be blackouts there would be more children conceived. That turned out not to be so.

We have a social crisis of a new order—not a recession, not a drought, not a collapse of farm prices, nor an increase in mortgages, the things that have come with some periodicity and consequence to us, and which we have learned to understand pretty much and manage. We have never had this before, and we have never talked about it before; not in the calm, thoughtful way the Senator from North Dakota has done.

I want to thank him most sincerely for setting a tone which I think and I hope will continue throughout this debate.

Mr. President, I look to my friend on the Republican side. Does he wish to speak?

Mr. PACKWOOD. I do.

Mr. MOYNIHAN. If I may observe, the Senator from Florida is here.

Mr. PACKWOOD. I apologize. I can wait. I am going to be on the floor.

The Senator may go right ahead.

Mr. MOYNIHAN. I yield to the distinguished Senator from Florida 15 minutes.

The PRESIDING OFFICER (Mr. CAMPBELL). The Senator from Florida is recognized to speak for 15 minutes.

Mr. GRAHAM. Thank you very much, Mr. President and my distinguished colleagues. I appreciate the courtesy.

I want to talk some about the structure of the welfare reform proposal that is before us and some concerns I have as to whether we are building a foundation on reality with steel and concrete, or a foundation of sand based on theory, hope, and avoidance of responsibility.

I am going to be talking from basically two sources. First, I will talk from some statistics that are generic and analytical of the legislation before us. I will also be talking from some anecdotes which are personal and specific.

For the last 21 years, I have had a practice of taking an occasional job in a different area of interest within my State. In July, I took a job with one of the two welfare-to-work programs in Florida, this one in Pensacola. This is a program which is very similar to the objectives of both the underlying bill and the amendment that is before us. It is mandatory; that is, participation is required. It has the goal of placing a high percentage of those persons who are currently on welfare into employment. It is exploring what are the pragmatic requirements of accomplishing that objective, and it is doing so in the community of Pensacola, which is very representative of the kind of communities across America in which this type of program will be applied.

I am going to be using some of the information and observations from that experience also as the basis of my comments on the plan which is before us today.

Mr. President, I strongly support a serious effort to move people from the dependency of welfare to the independence of and self-sufficiency through employment. That is a fundamentally important objective.

As we start this, I want us to understand almost the moral dimension of what we are doing, and I will place that in the context of eight women with whom I spent a considerable amount of time in Pensacola who are part of this process of making the transition.

Just to describe these eight women, they were six white and two African American women. They were somewhat older than I had anticipated. The youngest was in the early twenties, up to the early forties. All of them had two or more children. Three of the eight women had a child with a serious medical disability. I was initially surprised that there would be that high an incidence of medical disability. But on reflection, given the fact that these women typically had no or very limited prenatal care with their children and had limited access to primary care since their children were born, it is not surprising that there would be that incidence of medical disability.

These are women who are very committed to a better life for their children through the achievement of independence for themselves. Many of these women have limited educational backgrounds and, therefore, the kind of job training in which they are now engaged in Pensacola, the Welfare to Work program, is difficult for them. But they are making a maximum effort to be successful.

In the course of attending one of the programs in which they are learning some of the basic skills that will be necessary, one of the women broke down and cried. She said: "This is so difficult for me, but I understand the importance of this opportunity that I am being given and, if I do not succeed, not only will this likely be my last chance but it will fundamentally change the future for my children. I want to succeed."

Our moral responsibility as a society, Mr. President, is we are telling these women that you have 2, maybe 3 years to be successful in preparing yourself and securing employment, and securing employment at a level that will allow you to support your children. We are making a commitment to them that not only are we going to provide them with what would be required to do so, but there will be a job there that they can secure upon the completion of their preparation. And the consequences of their failing to get that job is that they and their children will have the level of support that they are currently receiving terminated or substantially altered and reduced.

So there is a commitment on both sides. And it is from that point that I would like to draw some observations about the underlying bill which is before us today, because I believe it is based on some unrealistic assessments of the world in which this proposal will actually operate and creates the potential of some serious unfairness and a violation of that moral commitment that we are making to these Americans.

First, I believe that the goal of the welfare plan, which is to have 25 percent of the current welfare beneficiaries employed in year 1 of this plan and 50 percent employed in year 5, is unrealistic.

In year 1, the definition of reaching that 25 percent is a month-by-month evaluation of how many persons who were on welfare had been moved into a work position. And if at the end of the first 12 months of the fiscal year, you do not have an average of 25 percent, then your State is subject to sanctions. I believe it is going to be virtually if not absolutely impossible to reach that 25 percent goal. There is a necessary startup period in terms of developing the job placement programs, the job training programs, and the support services such as transportation, as well as securing child care for the young dependents of these women, which makes reaching the goal of a 25-percent objective in year 1 highly unlikely.

Equally as difficult will be to reach the 50-percent level in year 5. That is in large part because of whether the jobs are going to actually be available. Pensacola, FL, happens to be an area that has a relatively growing economy, an economy which is creating a substantial number of jobs. But even there the administrators of the program stated that it will be very difficult to reach a 50 percent placement level within a 5-year period. That would be true because of the competition for those jobs from all the other people in the community who will be seeking that employment—the issue of will there be jobs that will be not just at the barest minimum wage but at a level high enough or at least offering a sufficient potential to raise a sufficient amount of money to be able to support a family of a single mother and two children, which is the typical family in Pensacola.

There are 6,600 welfare families in Pensacola, so the goal is to place 3,300 of those in work by the year 2000. That will be a challenge for Pensacola. But, Mr. President, let us put that in the context of another American city, a substantially larger city, and that is Philadelphia. Philadelphia has not 6,600 people on welfare; it has 500,000 people who are receiving some form of public assistance.

In Philadelphia, using the statistics provided by DRI McGraw-Hill on U.S. Market Review, in 1994 there were

2,149,000 jobs in Philadelphia. In the last year of their survey, which is 1997, the projection is there will be 2,206,000 jobs in the Philadelphia area, or an increase of approximately 47,000 jobs over that period from 1994 to 1997. We do not have the statistics to the year 2000, but assuming that that rate of increase continues, we could expect maybe another 20,000 or 30,000 jobs to the year 2000, so well under a 100,000-job growth and yet we are saying that by the year 2000, half of this population of 500,000 people is supposed to be placed in jobs in Philadelphia.

How is that going to happen? I think we have a level of unreality in terms of the scale of the population that we are saying has to be trained and placed and their children supported and the number of jobs which are going to be created, particularly in those areas of the country that are not experiencing the kind of robust economic growth that a community such as Pensacola, FL, has experienced.

My first point is that I think we have a statistical unreality in terms of what we are saying has to happen and what, in fact, is likely to occur. And for that reason, independent groups such as the Congressional Budget Office and the General Accounting Office that have looked at this plan, have stated that 44 out of the 50 States will not be able to meet the expectations of this legislation—that 44 out of the 50 States are going to fall into the category of those that are nonperformers and therefore subject to a 5-percent penalty.

I would suggest that these numbers are so unrealistic in terms of the kind of commitments that we are prepared to make that the 5 percent penalty will be accepted as a fact of life for many States and that any serious effort to meet these unrealistic goals is likely to be abandoned.

It is interesting to me the difference in which we are treating those programs that we are about to ship off to the States and say, "You run them," such as welfare reform and Medicaid, where we are setting these theoretical goals, and then essentially abandoning any effort to do those things that will be necessary to make those goals attainable, and how we are treating the one big program we are responsible for running and that at least as of today no one has suggested be sent to the States to run, which is Medicare. There we are saying that Medicare has to be treated above politics; that we have to be very, very careful it is structured properly because we know we are going to be held responsible for how that one is administered.

With welfare and Medicaid, we essentially are saying we can abandon all responsibilities for the pragmatic implementation. That is going to be somebody else's responsibility.

A second level of unreality is in the funding levels and specifically in the area of unfunded mandates to the States. It is interesting, when we came here back in January with a very expansive and aggressive agenda of domestic issues, which issue received primacy, which received that special recognition of being Senate bill No. 1. Well, that honor was assigned to the legislation that dealt with reducing unfunded mandates, that as our No. 1 domestic objective we were going to cease the process of having the Federal Government meet its responsibilities by telling somebody else, generally a State or local government, what to do and requiring them to use their resources in order to achieve that national objective.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MOYNIHAN. Can the Senator use another 5 minutes? We want to be fair to all Senators.

Mr. GRAHAM. If I could.

Mr. MOYNIHAN. I would be happy to do it. I am listening to what he has to say.

Mr. GRAHAM. The reality is that this bill which we are about to pass will be the grandfather of all unfunded mandates. We are going to be imposing significant new responsibilities on the States, without the resources to fund those responsibilities, and that as we impose that grandfather of all unfunded mandates, we are going to be creating a whole series of stepchildren as its consequence.

Let me just use the example of my State, a family of three typically, and in the case of all eight of the women I mentioned earlier, this is the case, a single mother with two children. The State of Florida provides $303 a month in economic support, cash assistance to that mother and two children. That $303 is roughly half Federal money and half State money. Under this proposal, it is going to take 75 percent of the Federal money that we have been providing for the support of that family of three in order to pay for the job training and related support activities and the child care of that mother and her family while she is preparing to work. There is no proposal to act to fund those additional activities.

In fact, the level of funding at the Federal level will be declining over the period of this program. So instead of that family having $303, it will see that reduced to approximately $185 a month which will be available for economic support because the remainder of the money, approximately $135, will be used to pay for these other mandated services. So we are saying that this family, which has been living on $303 a month, is now going to have to start living on $180 a month while the remainder of the money is used to prepare the mother for a future job and to provide child care for her dependent children.

Mr. President, I think that is an unrealistic economic scenario. And it becomes even more draconian since we are no longer going to be requiring States, at least after 2 years, and even in a very soft way during the first 2 years, to provide any continuing match. So potentially not $85. If the State of Florida were to decide to abandon its local match and not provide any State funds, we could have this family living on $35 a month, just that portion of the Federal money that is left over after you have met your mandates. I think that is highly unrealistic and would defeat not only the goal of moving people from welfare to work, but would also undermine our basic American humanitarian and compassionate sense of responsibility to all of our citizens.

And finally, the reality of this proposal is in the extreme disparities that will exist from State to State under this plan. I mention unfunded mandates. In the case of Florida, about 75 percent of our Federal funds would be required to meet the unfunded mandates. We are better off than Mississippi, where it will take 88 percent of Mississippi's Federal money to meet their unfunded mandates, which compares to the District of Columbia, that can meet their unfunded mandates with only 46 percent of the Federal money.

Why is there such a great disparity? Because we start off with a tremendous disparity in how much Federal money per child is available under the proposal that has been submitted by the majority leader. A stark difference is right within a mile of where we stand. A poor child in the District of Columbia will get three times as much money under this proposal of the majority leader as will a poor child across the Potomac River in Virginia.

I think that is not only indefensible and unfair, but undermines the basic credibility of this proposal as a means of moving people from welfare to work.

So, Mr. President, in those areas, I think we have a house that is being built on a foundation of sand.

Mr. President, we need to guard against passing legislation which has rhetorical mandates and aspirations, but without the practical understanding of what it would mean in the lives of people and, therefore, virtually assuring that we will have a failure of accomplishing our objectives and will have more decades of exactly the kind of welfare issue, exactly the kind of continuing dependence that we are trying to ameliorate through this effort.

Mr. President, I urge the adoption of the more pragmatic amendment which has been offered by Senator DASCHLE and his colleagues as the starting point for serious, meaningful welfare reform.

Thank you, Mr. President.

Mr. MOYNIHAN. Mr. President, I yield myself 5 minutes, if I need that much, to thank the Senator from Florida, the former Governor of Florida,

who knows precisely of what he speaks when Federal formulas are involved.

You heard the striking differences between the jurisdictions of Florida, Mississippi, the District of Columbia, and Virginia. I hope you also heard the Senator's comment about the city of Philadelphia, the number of jobs in the city, the numbers created in recent years. I have been trying to make a point, as I said yesterday—I do not know that I can persuade anyone, but I can try to make it and I can argue—which is the point that 30 years ago, we might have considered turning this subject back to the States, giving them block grants of some kind, saying, "You handle it. Cities, you handle it. It makes some sense since local governments are closer to the problem. It is not that big a problem."

It is today, in one after another jurisdiction, a problem that has overwhelmed the capacity of the city and the State.

The Senator mentioned Philadelphia. In 1993, 57 percent of the children living in the city of Philadelphia were on AFDC, welfare, at one point in the course of the year. At any given moment, 44 percent—these are numbers never contemplated. Nothing like that happened in the Great Depression. And these children are paupers. They are not from unemployed families, where there is a house, an automobile, some insurance.

One of the few regulations the Federal Government does have—the rest are all intended you have to waiver for—if you have less than $1,000 in assets, you are a pauper. The cities cannot handle it. And they will not.

Just as when we began the deinstitutionalization of our mental institutions in the early 1960's—at the last public bill-signing ceremony President Kennedy had, on October 31, 1963, he signed the Community Mental Health Construction Act of 1963. I was present. He gave me a pen. I had been involved with this in New York, where it began. Transfer license. We were going to build 2,000 community mental health centers by the year 1980, and one per 100,000 thereafter.

We built about 400. We kind of overlapped and folded the program in and forgot about the program. We emptied out the mental institutions. And we have been hearing about homeless shelters all day.

I said yesterday, and I will repeat again, in 10 years' time, with this legislation in place, with these time limits in place, children will be in the streets. Seventy-six percent of the children on welfare are on welfare for more than 5 years.

The Senator from Connecticut, I hope, will keep that in mind—76 percent. About 40 percent—the remainder come and go quickly and are never a problem.

But if we do this, we will have in my city of New York half a million people on the streets in New York. We wonder about homeless people. They used to be in mental institutions. Now these children are in houses. They are in households. We will wonder where they came from. We say, "Why are these children sleeping on grates? Why are they being picked up in the morning frozen? Why are they horrible to each other, a menace to all, and more importantly to themselves? Whatever happened?"

When the homeless appeared in New York, we right away diagnosed it as a lack of affordable housing. That is not what it was. It was Federal policy in its most perverse mode. Make a great change and do not follow through. Make changes you do not fully understand. Those tranquilizers were not as good as we thought.

Here are some other cities. In Detroit, 67 percent of children were on welfare at one point or another in the year of 1993; in Baltimore, 56 percent.

My time has expired. But I will return to this subject.

Now I am going to suggest the absence of a quorum for 1 minute to see whether the Senator from Oregon wishes to speak—I do not see him on the floor—after which it is the turn of the Senator from Connecticut.

The PRESIDING OFFICER. The absence of a quorum has been suggested.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MOYNIHAN. I am happy to yield to my friend.

Is 15 minutes sufficient for his purposes?

Mr. DODD. Why do we not try 15. I may need 20.

Mr. MOYNIHAN. Twenty, it is.

Mr. DODD. I thank the Senator.

Mr. MOYNIHAN. May I record, Mr. President, the Senator from Oregon does not wish to speak at this moment. So if the speakers are all on our side, it is because we are talking, I suppose, about our bill.

The PRESIDING OFFICER. The Senator from Connecticut, Mr. DODD, is recognized for 20 minutes.

Mr. DODD. Mr. President, I thank my colleague from New York. Before beginning, our colleague from Florida asked me to yield to him for a minute to raise a question to the distinguished Senator from New York.

Mr. GRAHAM. Mr. President, I thank the Senator from Connecticut very much. I appreciate his courtesy.

I want to commend the Senator from New York for the excellent statement, and particularly that he brings us back to reality, just what are the circumstances of the people that are going to be affected by our actions.

I would like to inject, briefly, for the Senator's information and possibly further comment, some good news. I mentioned that in Pensacola, there were 6,600 welfare families. I am pleased to say that in the first 18 months of the transition program, which is a program based on the 1988 legislation that the Senator from New York sponsored, that almost 600 of those 6,600 have, in fact, been placed in employment, that having occurred because there was a willingness to put the resources required to provide the kind of training and support, including child care, to those families to allow it to happen.

It can happen. This is not just a doom-and-gloom scenario. We are not consigned to have to deal with this problem in its current form forever. But it is not going to be easy, it is not going to be quick, and it is not going to be inexpensive if we are going to achieve real results.

I appreciate the constant reminder of the Senator from New York of those realities.

Mr. MOYNIHAN. I thank my friend from Florida, and I do particularly appreciate his reference to the Family Support Act, which never promised a rose garden. We said if you try hard, you will have something to show for it. Pensacola does.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 20 minutes.

Mr. DODD. Mr. President, before my colleague from New York departs the floor and my colleague from Florida continues, I want to commend my colleague from Florida for an excellent statement.

And, let me just say, the distinguished Senator from New York has contributed more to the collective wisdom in this body on the subject of welfare reform than anyone. I say that with all due respect to the other 99 of us in this Chamber, but the Senator from New York has dedicated virtually a lifetime of service focused on this complex issue.

She is no longer with us, but Barbara Tuchman wrote a wonderful book called the "March of Folly." It was related to foreign policy failures throughout history. What made her book unique is that she talked about failures where those responsible for conducting foreign policy—from the Trojan Wars to the Vietnam war—knew when they were about to do something that, in fact, it was wrong and that there were better alternatives. But, they refused to recognize them. She described several historical events beginning with Troy, including the American Revolution, and several others.

Were she alive today and were she to write a domestic version of the "March of Folly," I suspect our current debate on welfare reform might be a chapter in that book. My fear is, and I heard my colleague from New York express

this over and over again, we are missing each other in the night as we discuss this subject matter.

The Senator from New York has said repeatedly we are not engaged in reform here at all. What we are engaged in is a dismantling, total dismantling of a system with a faint hope that what we are about to put in place is somehow going to serve the public in a better way. What we are talking about here is reducing our Federal commitment to welfare by roughly $70 billion, passing the cost on to the States and localities of this country and asking them to assume the responsibility and burden of picking up this chore with little likelihood that we are going to achieve the desired goals expressed, with all due respect to the majority leader's bill.

I just want to take a moment, before getting into the substance of my remarks, and urge my colleagues to please listen —listen—to our colleague from New York. There is a lot of wisdom in what he says. He knows this issue well. Historically, we have paid attention to our colleagues, regardless of party, regardless of ideology, who brought a special knowledge and experience to a subject matter. The Senator from New York is that individual in our midst. We ought to be listening to him on this subject.

So I hope in the coming days, we can get away from a bit of the politics of this issue and think about what we are doing and what a mess we are likely to create in this country, costing the middle-class taxpayers billions of dollars before we are through, all in the name of some political debate about who is going to deal with the welfare recipient more harshly than the next.

That ought not to be what this debate is about. It ought to be about how we reform our current system to make it work better in a realistic, thoughtful, prudent manner. Unfortunately, I do not think that this has been the case. I know my colleague from New York has other business to attend to, but I just felt very strongly when I came over here to address this matter. This is one of those rare occasions when the "March of Folly" seems to be upon us once again.

Mr. President, I hope we will pay some close attention to the proposals that are being offered by the distinguished Democratic leader and hope that somehow in the next few days we may come to our senses and find some common ground on this issue.

I read the other day that the distinguished majority leader announced in Chicago that there will be no compromises this fall. How does this institution function when the leader of our body says there will be no compromise on a subject matter that will have a profound effect on our country for years to come? We need to seek some common ground and thoughtful analysis to deal intelligently and effectively with the issue of welfare reform.

There is no debate about what we are trying to achieve: How do we move people from dependency to self-sufficiency? We are now looking at grandchildren and great-grandchildren of people who have been dependent on welfare without the ability or the fortune of work. How do we move people to work in an intelligent way? How do we make it possible for them to get there and stay there, so that they have at least the basic protection of health care and some safe place to put their children?

This is not a concept that is terribly difficult to grasp, I hope. Every single family in this country ought to be able to relate to this. They do. When you go to work, where is your child? Who is watching your child? Every single person, from the highest paid chief executive officer down to the lowest wage earner in this country, understands that critical issue: if you are going to go to work, you need to have access to safe, affordable, and quality child care. It ought not to be difficult for us to try and come up with some ways to do achieve this.

The benefit of all of this is not just fiscal, it also has to do with the fabric of our country. It has to do with helping to provide people opportunities to have a sense of self-worth as we build our neighborhoods and communities. It is a critical element. And trying to find the ways and the means to accomplish that goal ought to be the subject of our discussions. We should not, as I said earlier, outdo each other in our rhetoric to indict people, in most cases, who, through no fault of their own, are in this situation.

I left this chart here, Mr. President, because it ought to be in everyone's mind. As our colleague from New York has pointed out, two-thirds of the people we are talking about in this bill are children; they are not adults, they are kids. Two-thirds of the recipients are America's children. In Baltimore, Detroit, Los Angeles, Philadelphia, there are staggering numbers of children who are recipients or dependents of families where there is this dependency on public assistance of one kind or another.

I hope, again, we can have an honest and thoughtful debate about how we can improve this situation, rather than worsening it by creating a race to the bottom. The Washington Post the other day—I do not have it here with me today—had a lengthy article about what will happen as States race to cut benefits. As some States cut benefits, their actions will put great pressure on neighboring States to follow suit, or else risk becoming a magnet for families searching for ways to end their slide further down the economic ladder. As the race proceeds, it will cause great damage to our national commitment to address these problems.

Maybe I am wrong, but I honestly believe when there is a child in Pennsylvania, or a child in Colorado, or a child in New York that is in trouble, I have an obligation as a Senator to help them. I am a U.S. Senator from the State of Connecticut, but my interest and concern about children is not limited to the geography that I represent. It is the country that I represent. And so when there is a child who is hurting in a Western State, an Eastern State, or my own State, I believe that, through the constitutional process which creates this institution, I ought to bring a concern to this national body to grapple with these problems in a way that makes sense for all of us. I should not just assume that these problems are Colorado's problem, or New York's problem, or Pennsylvania's problem alone. That belief would run contrary to our sense of nationhood.

So the goals of work and independence and self-sufficiency and family unity are all things that we ought to be striving for.

We are going to miss that mark substantially if we do not try and find ways to achieve those goals in a realistic way, and make the kinds of investments that will need to be made if we are going to be successful.

The tendency to blame and punish is certainly tempting. I understand the politics of it. But in the long-term it is not going to help us resolve the kind of difficulties that I think we have been asked to assume by our election to this body as national representatives—not just our own States' representatives but national representatives.

There is strong evidence that the rise of poverty is, in large part, attributable to declining wages. There has been a tremendous amount of evidence that over the past 2½ decades wages have declined, and anxiety and fear has grown among our people as a result of that trend. I hope we will keep this evidence in mind as we consider this debate on welfare reform.

If we take the view that the only purpose of welfare reform is to punish people—as I said a moment ago, those who have been getting something for nothing—then we are going to ignore the fact that welfare is an unwelcome fate for most recipients.

More important, we will miss the opportunity, in my view, for any kind of real, meaningful reform, because we will ignore what we must do to move people from the dependency of welfare to work: First, to provide them with education and training. Again, we all know we are entering a sophisticated age. There are fewer and fewer jobs where little or no education or training is needed. As it is right now, less than 1 percent of the jobs in this country are going to be available to people with less than a high school diploma. In a few years, it will be a college diploma. You are going to have to have those

skills if you are going to move people to work. The jobs will not exist for people in this category without the training.

Second, you have to ensure that States are partners with the Federal government, lest they engage in a race to the bottom that rewards States for spending less on moving their people from welfare rolls to payrolls. I do not think anyone believes that is a wise course to follow.

Third, and I think most important in this debate, and I have referenced it already—is to ensure that parents have the child care that they need in order to keep a job in the first place. Child care, I happen to believe, is the linchpin of welfare reform.

No matter what else we do, if a parent cannot find a safe and affordable place for their young children during the working day, that parent is not going to be able to hold down a job. I do not care how you look at that issue or analyze it. That is a fact.

In my view, the alternative proposal offered by the majority leader, Senator DOLE, fails to meet this three-part standard. It represents, I think, a retreat from the problem and not reform of it. It does not even, in my view, deserve to be called reform. All it would do is package up Federal programs for poor families, cut the funding by $70 billion, and ship the whole problem to the 50 States. Is somebody going to tell me that is reform? That is just passing the buck and asking the middle-class taxpayer to have their property taxes and sales taxes skyrocket at the local level—as we wash our hands of it. We have reformed the problem. Mr. President, we will have done nothing of the kind.

The acid test of any welfare reform proposal is its impact on children, in my view, because they are the majority of the recipients. Is a reform proposal going to punish the children for the mistakes or bad luck of their parents? It bears repeating time and time again that two-thirds of the AFDC recipients are children. More than 9 million children received cash assistance in 1993.

The Republican welfare reform proposal, as it is called, would single these children out for extraordinarily harsh treatment. I do not care what your ideology or politics are, I do not know of anybody that wants to see that happen. Yet, Mr. President, as a matter of fact, that is just what happens under this proposal. In my view, the Republican plan packages up punitive policies that aim for the parent, but will hit the child instead.

Children should not be penalized because of the happenstance into which they have been born. I do not think we want to see that be the case.

We promise the elderly and veterans a minimum level of support in our society. Why can we not do the same for children? We need a national commitment to see that children are not abused, that they do not go hungry, and that their basic needs are being met.

The Republican proposal, however, fails to provide even the most basic minimum standards for our Nation's children. Mr. President, I want to stress that these children, I believe, are our Nation's responsibility. They are our Nation's responsibility. Whether a child lives in Mississippi, California, Connecticut, Colorado, or Pennsylvania, we as a nation must look out for the basic welfare of each and every one of these young citizens. The American people, I think, understand the concept of nationhood. They do not want us to pull the basic safety net out from under these children.

The Republican plan, however, threatens to do just that. If a parent is cut off of welfare after a 5-year time limit and is still not working, his or her children are the real losers. The Republican proposal makes no allowance for these children. If you are a kid in that family, you have had it. I do not believe that makes a lot of sense, Mr. President. I think you ought to be thoughtful about what is apt to happen down the pike here.

The proposal being offered by the Democratic leader includes a 5-year time limit, but it provides a voucher in the amount of the child's portion to a third party for families who hit the time limit. So the children's portion is held aside. If the family does not make it out of welfare in 5 years—you still have something for the kid. As it is right now in the Republican proposal, you have nothing for that child. Does anybody really believe that is what we should do? Are we going to look at the face of that child in 5 years and say, "I am sorry, your parents did not get off of it, you are a loser and you get nothing." I do not know of a single person in this body that would sit and look that child in the face—not the number or the statistic, but that child—and say, "you get nothing because your parents did not make it off welfare in 5 years." I do not believe that makes any sense. I honestly do not believe that is what we will do. Nor do I believe that is what the States will do. But, this bill calls for that.

Changing the welfare rules will not make these children disappear. They may very well end up out on the street—as the Senator from New York said—solely because of the mistakes or bad luck of their parents. We ought to be more creative and more responsible than that.

Under the Republican plan, 3.9 million children could lose assistance under the 5-year time limit. More than twice that number would be jeopardized if States move to the 2-year limit, as some have suggested.

I go back to the point of the Senator from Florida and the Senator from New York. In Detroit, 67 percent of the children are on welfare. In Philadelphia, it is 57 percent. There are some 500,000 families, or people, on welfare in that city alone. Is anybody going to honestly tell me that in 5 years, everybody is going to be off? If you are not, the kids in that city are going to be the ones to pay the price because their parents were not able to find the jobs. That does not make any sense, Mr. President. More thought needs to be given to all of this.

Despite its tough rhetoric, the Republican welfare reform bill is empty, in my view, when it comes to putting welfare recipients to work. The legislation requires States only to dramatically increase their participation rates. They impose this requirement, yet do not provide the resources to help States reach this goal.

Talk about an unfunded mandate. If you do not get it done, if you do not meet that requirement in Philadelphia—Philadelphia, with 500,000 people—in a couple of years, and do not raise your participation rates, we penalize Pennsylvania.

That is an unfunded mandate—no resources to do it. My Lord, that is an incredible burden to place on these States and localities as we wash our hands entirely of it.

The proposal being offered by the distinguished Democratic leader sends, I think, a different message—not perfect, but certainly one we ought to look at as a way to incorporate these ideas. It should not be mistaken for defense of the status quo. It is anything but. It ends unconditional receipt of assistance. It replaces the entitlement to benefits with entitlement to employment services. It would cut off benefits to anyone who refuses a job offer, and would require parents to sign a parent empowerment contract.

As the title suggests, the Work First plan makes work a reality for people on welfare, and not just simply a promise.

Our alternative is built on a basic principle that work must be at the center of real welfare reform. We would provide job training and child care assistance to help welfare recipients find and keep jobs. We would back it up with tough requirements and the resources, Mr. President, to make that a reality.

Under the work first bill, existing child care programs are consolidated and dedicated to child care. The bill guarantees child care for those required to work or prepared for work, ensuring that kids will not be left home alone.

The bill also provides 1 year of transitional assistance with options for an extension for an additional year on a sliding scale basis.

In contrast, the Dole-Packwood bill acts as if the 4.3 million kids on AFDC under the age of 6 and the 3.8 million

on AFDC between ages 6 and 13 somehow do not exist.

Under the Republican proposal, we will have less money in child care than we do today, less money before we put all of the welfare mothers to work and send them out the door, less money for these kids that have to be placed in some sort of a situation where they are safe.

In the Dole bill, the three major child care programs that serve 640,000 children disappear. That is a fact, Mr. President. They disappear, undermining the Federal-State partnership.

There is absolutely no requirement under the welfare reform proposal being proposed by Senators DOLE and PACKWOOD that States continue to use the money that they previously dedicated to child care. You do not have to do that any longer. You are off the hook. So the States do not even have to put a nickel into child care. In the earlier bill, they did. They have now taken it out.

Existing State requirements are gone on child care. If States wanted to provide the same level of services as today, they could not, because the money supply is simply not there. The level of funding is frozen to 1994 levels, at the same time we expect many more mothers to go to work.

According to numbers from the Department of Health and Human services agencies, an additional $6 billion for child care is needed over 5 years, over the fiscal year 1994 levels included in the current Dole draft, to make the Dole welfare reform plan work.

The only money dedicated to this critical component of welfare reform is the money authorized by the Labor and Human Resources Committee earlier this year for child care, for the child care and development block grant. Mr. President, that serves a very small number of families.

As the author of that legislation, with my colleague from Utah, Senator HATCH, 5 years ago, I strongly support the program, Mr. President. But it is no substitute, frankly, for dedicated funds protected from the budgetary whims of this and future Congresses.

Furthermore, the program was created, I point out, to help the working poor, and is a mere fraction of what is needed. It is clear under the Republican proposal the working poor are going to lose, and lose substantially, and middle-income taxpayers are going to watch their taxes go up at the local level.

The Dole bill even allows States to use the meager amounts that have been dedicated to child care for other welfare programs, so you can get rid of it altogether.

The majority leader modified his bill in August. He gave States the option to exclude parents with children under the age of 1 from the work requirements. There is no provision, however, for other preschool and elementary-age children.

The bill does not provide adequate funds for child care, and at the same time, it is going to penalize and sanction parents who cannot work because they do not have the child care or cannot afford it.

Mr. President, that is a no-win situation we are putting these parents in. It is just plain wrong. In my view, it will not work. As I read it, this welfare bill says it is OK to leave your children home alone. You will go to work, but you figure out how to deal with your children.

In case anyone thinks that there are enough Federal dollars in child care under the current system, just look at what has happened. Thirty-six States, Mr. President, and the District of Columbia have waiting lists for child care.

Listen to the numbers on waiting lists: In Texas, 35,000 children are on a waiting list for child care. That is today, now. I am not talking about after we pass this bill. Today, 35,000 are waiting. In Illinois, 20,000 children are on a waiting list. In Alabama, 20,000 children are waiting. In Florida, 20,000. In Georgia, 41,000.

Other States have chosen not to keep a list, but the problem is present there, too.

Now, we are going to require more people to go to work while providing less child care resources. With thousands of kids already on waiting lists for child care slots, how is that possible?

Child care is not only a tremendous concern to those struggling to get off welfare. Talk to any middle-income family about child care. Have a conversation with a family that weekly, if not monthly, goes through the anxiety. They are out there working, single mothers trying to raise kids, or two-income earners.

If you want to get an earful, talk to them about child care and the problems they have. I am not talking about welfare recipients or working poor, but the average family that struggles every week with where they are going to place their kids. Is it safe? Will they be OK? How much does it cost? Here we are, telling millions of people to go to work with no accommodation, no accommodation for child care.

Mr. President, it is lunacy to think this is reform. It is dangerous. As the Senator from New York has said, we will rue the day, we will rue the day if we adopt this legislation without accommodating the kinds of investments that have to occur if this proposal is truly to work in the coming years.

If we turn our back on this issue—and frankly, Mr. President, I say so with the highest degree of respect for the individuals who are the authors of the bill—if we do that, we will create significant damage in this country. The damage will be similar to those created, as the Senator from New York described, to the deinstitutionalization of the mentally ill.

Welfare reform requires far more thought, Mr. President, far more thought. No compromise is a great political speech. But, it is not the way to address serious, complex, and profound social policy issues.

Mr. President, I hope in the coming days that we will develop a willingness to sit down and work this out thoughtfully. I am hopeful that the Daschle alternative will be adopted because it is.

But, if that is not the case, I will offer amendments with specific offsets to improve the Dole/Packwood bill. I will say they will come from corporate welfare, I let my colleagues know.

So, Mr. President, I hope common sense will prevail in these coming days and that we will find, as we have historically on issues like this, some common ground. The President has urged it. Others have here including the senator from New York. I think this no-compromise approach is unfortunate. It is not a sound way to legislate, certainly not in an area that is as important as this one.

I yield the floor.

The PRESIDING OFFICER (Mr. KYL). The Senator from New York [Mr. MOYNIHAN] is recognized.

Mr. MOYNIHAN. Mr. President, I know the Senator from Pennsylvania would like to have a dialog with the Senator from Connecticut. But just before he does, may I say I brought to the floor a pen with which John F. Kennedy, on October 31, 1963, signed the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

The Senator from Connecticut recognizes those pens. This was the last public bill signing of the Kennedy administration, and we set about emptying out our mental institutions. We said we were going to provide for the children, the young people and the older persons who left. We were going to provide community care. But we did not provide the wherewithal. We almost, for a while, forgot we had ever done it. It now seems to be lost with us entirely. We deal with the problem of the homeless as if it had no antecedent in our decisions.

We are on the floor of the U.S. Senate making a vastly more important decision. There were a million, almost a million persons in mental institutions when this bill was signed. There are about 100,000 today. There are 14 million women and children on welfare—14 million. When they end up on the streets, I hope somebody will remember that it was foretold.

I wonder.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania [Mr. SANTORUM] is recognized.

Mr. SANTORUM. Mr. President, I yield myself such time as I may consume.

I appreciate the comments of the Senator from Connecticut. In fact, with respect to the child care comments he made, I think there are some legitimate points he does make. I find myself wondering whether we do need to commit potentially more resources to provide for people who are going to be required to work so they can have the opportunity to have some child care available to them.

I am hesitant, in fact reluctant, to be for an entitlement for child care because I think that could be a slippery slope. I am not too sure we want to provide an entitlement to child care for people who are on welfare and have people who are working mothers, who need child care just as badly, have no entitlement. That, I think, creates a double standard that may in fact encourage more people to get on welfare to get the child care benefit. So I do have some concerns about that.

But I think it is a legitimate issue to bring to the floor, to talk about how we are going to have single mothers with children work and not have the resources available for child care. I think that is an issue. I think the leader came to the floor before the recess and admitted that that is an area we hope to do some work on.

We talk about bipartisanship. I think that may be an area where we could find some common ground. I think, again, on this side, we are going to be stopping short of an entitlement in nature, but certainly to provide more day care slots and to provide more funding for people to have choices as to where to take day care, that is not beyond the pale—at least from this Senator's perspective, that is not.

One of the things that concerned me, however, about his talk was at least the inference, if not the direct assault, that somehow or another Republicans are slashing welfare. I think we have to make this very clear. What we are talking about here, on the Democratic bill and frankly on the Republican bill, is not slashing welfare.

I will give the numbers. Unfortunately, the numbers do not match, necessarily, because the Democrats' calculation of what welfare is and the Republicans' calculation is a little different. Welfare, from my perspective, is obviously not just AFDC, but it is AFDC and food stamps and child care and a whole lot of other programs. When you add all those programs up, we come up with spending this year of roughly $170 billion that we will spend on welfare programs.

On the Democratic side, they add in the earned-income tax credit and some other social service programs, and they come up with a figure closer to $190 billion. So we start at a different base. But let me give what, under the Republican bill, we will spend 7 years from now and what we would spend 7 years from now if we did nothing.

If we did nothing, we would go from spending $170 billion on welfare today to, in 7 years, spending $302 billion on welfare. That is if we did nothing. We would increase spending by $132 billion, a roughly 77 percent increase in spending on welfare in the next 7 years. That is if we did nothing.

Now, what does this dramatic slashing, punishing, cruel, blaming-the-poor, Republican proposal do to welfare expenditures over the next 7 years? We are not going to spend in the year 2002 $302 billion, that is correct. We will spend $289 billion. The increase will be, not 77 percent over the next 7 years, but 70 percent over the next 7 years.

I know you can say a lot of things about this program, but cruel slashing, cutting, when you are cutting 7 percent of the increase out of a program that is going to increase 77 percent over 7 years is hardly slashing. It is hardly leaving people out on the street.

Let us please stick to the facts. This is not a harsh bill. This is not a cruel bill. This is not a bill that blames anybody. This is an honest attempt to try to solve the problem. And, yes, at the same time try to accomplish some savings—hopefully efficiencies, doing things better, getting more people off the rolls and back into productive society, which will save money in the process.

Just so you understand what the other side is going to do, under their numbers welfare spending is $190 billion today and will increase to $333 billion by the year 2002, an increase of $153 billion, a 75-percent increase.

So, $189—$190 billion to $333 billion. Again, the Republicans start at $170 billion and we go to $302 billion. But they use different numbers. Under the Democratic proposal, their spending would increase from $190 billion today, not to $333 billion but to $330 billion. So, instead of a 75-percent increase, you get a 74-percent increase.

I would not even call that an adjustment. That is not even—that does not even touch the system. The Republican proposal was a modest reduction. This does not even meet the standard of reduction, hardly. And they are trying to put this up as changing welfare as we know it? Reforming the system? Giving not only the recipient a different program but the taxpayer a break in funding this system?

It does not stand up. Either way, their system does not stand up to reduce spending significantly and ours certainly cannot be accused of slashing and cutting. Ours is a responsible reduction from a very dramatic increase.

A couple of other points I wanted to make about the talk of the Senator from Connecticut. He said, as the Senator from Louisiana discussed yesterday and the Senator from New York discussed yesterday, "How are you going to pay for these programs? You do not have the resources. We cannot do it. The Governors won't be able to put these work programs in place and there is no way for us to be able to fund this program with the number of children and single mothers on this program."

I would remind the Senator from Connecticut that the Republican Governors Association strongly supports the Dole package, strongly supports the block grant approach, strongly supports the idea that if you give them just what they had this year in AFDC funding, and a little growth factor for the growth States which we have provided for in this bill, that they will be able to run this program, put people to work, get people and turn the system from a maintenance system, a dependency system to a dynamic system that moves people out of poverty and do it for less money. For less money.

I will remind you that these Governors, the Republican Governors who support the Dole package represent 80 percent of the welfare recipients in this country. Eighty percent of the welfare recipients in this country are represented by Republican Governors, and they believe they can do a better job with less money than what the Federal Government is doing today.

So ask the people who are going to implement the program how they will do it and they will tell you they can do it. In fact, they want to do it.

It is interesting that the Senator from Connecticut mentioned and focused a lot of his introductory remarks on how we have to change this dependency system, and used the word "dependency" as it should be, as a pejorative term. It is not a good thing. And then later in his talk he talked about how cruel and horrible it was to cut people off after 5 years with nothing. He said, "We are going to cut them off and there will not be any benefits."

First off, that is not true. Children, moms with children, will continue to receive food stamps, will continue to receive Medicaid, will continue to receive housing benefits that they do in any other social service. They will lose their cash assistance. Under the Democrat bill, they lose their cash assistance also. The only difference is they replace the cash assistance with a voucher in almost an equal amount—they have a slight reduction—a voucher for them to be able to go out and do basically what they did with the cash.

So in a sense it is not much of a penalty. But we say if you are going to end dependency, you cannot continue to keep people on the system and pay them virtually the same they are making now on the system. You have to end dependency by ending dependency. You cannot continue to provide for someone on the system and expect them to leave the system.

I do not say that without the understanding that a lot of people leave the system. But a lot of people are trapped in the system because of the nature of the dependency of it in which the benefits continue.

So you cannot stand on the floor and say, "We have to end dependency" and say, "We cannot cut them off." You cannot be for any dependency and not be for some termination of benefits at some point in time when the social contract between the Government and the person the Government is attempting to help at some point ends, and the person has to do it on their own.

The other point that I cannot more strongly disagree with is the Senator from Connecticut repeatedly said, "This is a national problem." It is a national problem. As a Senator from Connecticut, he cares about the children in Philadelphia and he cares about the children in Colorado. The presiding officer is from Colorado. I care about the children from Connecticut and the children from Arizona. I just do not believe that the Federal Government is the best person to help them.

Sure, it is a national problem. But I think what we have found in decades of looking at what helps the poor in this country is the National Government does not solve the problem. It is a national problem that calls for a local solution. Sure, the Federal Government has a role to play. We are going to continue. He says we are going to wash our hands of it. We are not going to wash our hands of this.

I will repeat the numbers to make sure the Senator from Connecticut understands. We are going to be spending $289 billion under the Republican proposal in the year 2002, a 70-percent increase. The commitment is there. But what we are suggesting in this bill, which is philosophically different and fundamentally different from what the Senator from Connecticut and many on the other side of the aisle believe, is that we solve problems best when it deals with the poor by making it more personal and individual and local in nature; that community organizations and individuals solve problems better in dealing with people who have troubles in their lives than a system that processes checks and papers and maintains people in poverty.

I think everyone here understands that this is a national problem, and that that is why we are having this debate. If this was not a national problem, we would not be here debating it. Of course, it is a national problem. But does that mean that the Federal Government has to solve the problem here, has to have instant solutions here for everybody to be treated the same in America? Of course not. National problems do not always require national solutions. They at many times require solutions to be done and ideas to be grown in the local communities or the individual who can help that person get out of poverty.

The Senator from Connecticut also talked about how two-thirds of the people on welfare are children. That is a fact. It is very disquieting. He talks about how cruel it is, that the Republican bill will in fact hurt children and target children for their harsh treatment. I will just remind the Senator that over the past 30 years we have tried a great experiment as a result of the Great Society programs of the 1960's. We tried this experiment blindly, with absolutely no idea of whether this program was going to work.

A lot of the criticism on the other side is we do not know whether turning this back to the States is going to work. We do not know it is going to work. Well, I would suggest to you back in 1965, 1966, or 1967, in the years in which these programs were enacted in the early 1970's, that a lot these programs were passed, and they had absolutely no idea whether they were going to work. But they thought that it was worth a try. In fact, I would say that a lot of the people who voted for these programs did so with the best of intentions and with the greatest of hopes that this in fact would work. But it has not. I think we did answer that question.

Two-thirds of the people on welfare are children. But more of those children are born out of wedlock today than they were in 1965. In fact, if you go back to 1960, the out-of-wedlock birth rate in this country, the illegitimacy rate in this country, was 5 percent. It is now 33 percent.

I think everyone will admit now, both sides of the aisle, both philosophical perspectives will tell you that it is a harmful thing for our country. More of them are born out of wedlock. More of them are born at low birth weights. More are born drug addicted, crack addicted. More of them live in unsafe neighborhoods and die violent deaths. More of them have less opportunity. More of them have less educational opportunities and a chance for success. That is the system we have today.

I sometimes just become amazed that someone could stand up on the floor and say that what we are doing is cruel when the system today is as cruel as we have ever seen in the history of this country. What we are suggesting is not cruel or harsh. What we are trying to do is change a system that is surrounded or built on the difficulty of maintaining people in poverty.

I cannot stress this point enough: No one who receives welfare benefits as their sole source of income gets rich. You do not get rich on welfare. You maintain people. That is what the system does. That is what it is built to do—to maintain people at a level of survival.

It is not a system that you go into with the expectation—people who have never been in the business when they think of welfare do not think there is a system that people go into and they are transformed into productive, working citizens. That is what welfare does in this country. Nobody believes that. Nobody thinks of welfare as the system that changes people's lives for the better. They think of welfare as the safety net where people get caught in it.

We have to change that. That is what this bill does. It fundamentally changes the whole perception of what welfare is all about. The whole expectation of someone who now gets onto welfare is not how many are going to be provided for whatever the length of time in poverty. But how will I be helped to get back on my feet to get out of poverty. That we will change the system from one of maintenance and dependency to dynamic renewal, that is the challenge. And what many of us believe is that that is the challenge best met by people who care most about the people involved in the system. And, yes, the Senator from Connecticut cares about the children in Philadelphia. He probably cares about my children. I will never forget the Senator from Texas, Senator GRAMM, who suggested that on a talk show a couple of years ago. Ira Magaziner was on talking about health care, and Magaziner was saying, "I care about your children as much as you do, Senator." And Senator GRAMM shot back, "Then tell me their names."

Yes, I care about children in Philadelphia and Hartford and Bismarck and Fargo. I care about them. But that does not mean I am the best person to help them. The people in Fargo know better how to solve this problem and how to deal with this person, to sit across the table from them and say: What can I do to help you get back on your feet and going? Not with the eyeshade down, hand out the check and process the next number.

That is the fundamental difference we are debating here today. It is a difference between holding on to the past and moving to the future.

It is a great opportunity, it is a great opportunity we have before us to make this system something that we can be proud of, that we can look and see experimentation across the country.

In the Republican bill, we allow nonprofit organizations to get involved and be the welfare agency for that community. I know there are many communities—the Senator from Connecticut mentioned Philadelphia on many occasions. I have been to north Philadelphia and west Philadelphia, and the only thing left, the only thing left in these neighborhoods—there are no jobs left in these neighborhoods, nothing of an institutional setting except the church. Why not let the people who care most about these folks, why not let the churches get involved in providing welfare services.

Oh, I know we get real nervous about church and state, but, folks, I want to solve the problem. I want to help people. And I know many pastors—many pastors—who would absolutely be the best people to work in those communities. Sure, they would have oversight, there would be Federal oversight or State oversight, but the people working with the folks in the community would be people who know, people who care about them, people who the folks who end up on welfare trust, know that they care about themselves and their families.

This is different. We are not walking away. We are facilitating a different approach. It is one that I know will work, I know will work because it has worked in the past and I think it will work better because the Federal Government will provide a lot of the needed resources that in fact were not there in the past.

We stand at a very important moment, as we vote on this substitute later today, whether we are going to continue to try to micromanage and have solutions based out of Washington to run welfare or whether we are going to turn away from that approach that we know does not work and move to something different, exciting, dynamic, that is going to help millions of people leave welfare.

Mr. President, I yield the floor.

Mr. CONRAD addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, I have listened to my colleague from Pennsylvania and found that I agree with much of what he says in terms of where the decisions might be made, but I disagree with him in terms of his characterization of the divide that exists in this debate. I do not really think it is a question of where should the decision be made.

In my own welfare proposal that I made before the Senate Finance Committee, I left it entirely up to the States. Let the States decide what the makeup of the program should be. Let the States decide what the eligibility should be. Let the States decide what the time periods are. Let the States decide what the sanctions are.

That was not the divide in the debate. The fundamental difference in the debate was, should there be a continuation of an automatic stabilizer, a mechanism that allows the State to be assisted by the Federal Government if there is a circumstance in which State resources are overwhelmed.

Mr. President, if there is a flood in Mississippi, if there is a drought in North Dakota, if there is an earthquake in California, if there is an economic collapse in Pennsylvania, some of us believe just as fervently as does the Senator from Pennsylvania that the Federal Government has an obligation to make certain the kids in that State do not wind up on the street.

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I remember being in the State of California, going down the street in San Francisco, in one of the most affluent neighborhoods of that beautiful city, and encountering a young mother with two children sitting on the curb with a sign that said, "I'm homeless. Please help me." I inquired of the woman, who was dressed as a middle-class person and her children were well groomed, "How did you wind up on the streets of San Francisco?" And she said to me, "My husband left without notice, abandoned the family. I could not make the house payment. I was just evicted yesterday." And here sat this young woman, a lovely young woman, with two little kids on the street in San Francisco, CA, begging for money to feed her children.

If, God forbid, we are in a circumstance in which California suffers a whole other series of economic calamities or, closer to home, my home State suffers through another devastating drought as we did in 1988 and 1989, there comes a time when a flat level of funding from the Federal Government does not do the job, does not protect people who I think everyone in this Chamber would want to see protected.

The fundamental debate here is, are we going to preserve an automatic stabilizer that says to individual States if they suffer an economic collapse or some other calamity, that it will not just be a flat funding from the Federal Government and strained State resources that are ready to meet the challenge but this country stands together united? That is why we are the United States of America. Over and over, we have seen this country respond to tragedy. Whether it was the bombing in Oklahoma, the earthquakes in California, or the drought in my State, we stood together as one nation under God, indivisible, and we came to help out, to make certain that a young mother with two little kids was not on the street because the husband deserted the family and the house payment was not made.

Mr. President, let me just say, if the American people agree on one thing, it is that the current welfare system is broken. Make no mistake about it. Both sides are offering dramatic changes with respect to how we deal with welfare in America.

The current system is one that nobody respects. The taxpayers do not respect it. Those who are caught in the welfare system do not respect it. The current system does not emphasize work. It contains perverse incentives that actually break up low-income families. It allows parents to abdicate responsibility for raising their children. It allows fathers to escape their child support obligations. And it subjects 9.5 million children and 4 million mothers to a future of hardship and failure. That is why on both sides of the aisle there is a fundamental commitment to reforming our welfare system and rebuilding it from the ground up.

Mr. President, in January I began to develop my own alternative welfare reform legislation. I called it the Work And Gainful Employment Act. I hoped it would foster a bipartisan dialog on welfare. The WAGE Act was the first Senate proposal to completely reform our welfare system while maintaining an economic safety net for States and children.

It represented a substantial departure from the past. And I am proud that many of the concepts included in the WAGE Act are now in the Work First proposal offered on our side. Under the WAGE Act States receive unprecedented flexibility to experiment. They can develop the methods for moving welfare recipients to work. They have complete flexibility to design employment programs, determine eligibility criteria, develop sanctions, and determine the support that individuals receive. States may establish time limits of any duration, but those limits only apply to participants who refuse to work.

The WAGE Act eliminates the unconditional entitlement of AFDC, but unlike the blank check block grant approach in the Republican bill, it does not abdicate Federal responsibility. Instead, my bill replaces AFDC with a new transitional aid program. Under that program, welfare recipients must work in order to receive benefits. The WAGE Act also creates a block grant to fund child care work activities and includes the resources to put people to work. The only part of the current system that is maintained by my plan is the safety net for States and children. That is where we have a fundamental difference and divide between the two sides. My plan assures that as poverty and population increase, as recessions occur, and as natural disasters confront our States, the Nation will not abandon Americans in need.

Mr. President, I am disappointed in the partisan nature of the welfare debate to this point. I very much hoped that we would approach welfare on a bipartisan basis. In fact, Senator CHAFEE and I authored one of the few bipartisan welfare-related proposals, the Children's SSI Eligibility Reform Act, which I incorporated into the WAGE Act that I offered earlier this year.

Mr. President, I listened to the majority leader on the floor in August when Senator KENNEDY questioned him about the lack of resources for child care in the Republican bill. The majority leader said he was aware of the problem. He said he was discussing possible solutions within his caucus. Mr. President, I would say to the majority leader, this problem should come as no surprise.

When the Finance Committee debated welfare, I asked the Congressional Budget Office whether the Republican proposal had sufficient resources to meet its work requirements. It was a very important point, Mr. President and my colleagues. The Congressional Budget Office looked at the Republican plan and told us in open hearing that 44 of the 50 States of these United States would have no work requirement under the Republican plan, a plan that puts itself forward as work oriented, tough on work. If the Congressional Budget Office said in testimony before the Senate Finance Committee that 44 of the 50 States under the Republican plan will have no work requirement, that is not tough on work. That is not insisting that people go to work. That is no work requirement at all in 44 of the 50 States, because the States would be better off taking the penalty than actually having the funds necessary to require people to go to work.

Mr. President, that is a fundamental difference between what the Republicans hold out as a work-oriented bill and the Work First proposal advanced by this side, a proposal that has sufficient funding to deliver on the promise of moving people from welfare to work. And that ought to be the first test of any bill. No serious effort to reform welfare can succeed without child care.

Shortly before I offered my WAGE Act, Governors Carper, Carnahan, and Caperton wrote me in support of my bill. In their letter the Governors describe the elements needed for serious welfare reform. The Governors said in part:

> The litmus test for any real reform is whether or not it adequately answers the following three questions:
>
> First, does it prepare welfare recipients for work?
>
> Second, does it help welfare recipients find a job?
>
> Third, does it enable welfare recipients to maintain a job?

The Governors went on to say, and I quote:

> Your bill meets this test because it provides assistance to prepare individuals for work, to help individuals find and keep jobs, and to ensure that work pays more than welfare.

They went on to say:

> Your bill appropriately recognizes the critical link of child care in enabling welfare recipients to work and emphasizes that both parents have a responsibility to their children with the inclusion of measures to increase paternity establishments, child support collections, and interstate cooperation of child support enforcement.

Mr. President, while the WAGE Act and Work First Act both recognize the critical child-care link, the Dole bill gets a failing grade. Not only does it fail to provide child care, but it kicks children off of welfare roles if their parents are unable to work because child care is unavailable. That makes no sense. It is unconscionable to subject children to a time limit regardless of whether their parents receive the child care they need to become employed.

That is a catch-22 for the kids. But the Dole bill does precisely that. Mr. President, not only does the Dole bill include insufficient resources for child care and job training—and that is not my estimate, that is the bipartisan Congressional Budget Office telling us that that is a fact—it amounts to a $16.7 billion unfunded mandate to the States.

We have heard a lot of talk around here about how bad it is to have an unfunded mandate for the States. But that is exactly what the Dole bill represents, a huge unfunded mandate to the States. It calls for more welfare recipients to go to work, but it does not provide the money or the resources to make that happen. It calls for child care to be provided, but insufficient resources are made available.

Mr. President, the Republican plan is from the land of make-believe. You say it and it is true. We are going to move people to work. But the resources are not provided to make that happen, so it is all a hoax. It is just words. And, again, that is not my analysis. That is the Congressional Budget Office telling us 44 of the 50 States will not have a work requirement under this proposal. There has been plenty of time since the Finance Committee met to get this bill right. But, frankly, no serious effort has been made.

Now, I want this debate to be bipartisan. The American people want it to be bipartisan. They do not care whether the solution has a Democratic or Republican label. They just want the problem fixed. But they want real reform, not false promises, not just words, not just rhetoric. They want the reality of changing this system.

Mr. President, when I set out to develop a welfare reform proposal, I started with four principles. One, emphasize work; two, protect children; three, provide flexibility to the States; and four, strengthen families.

Mr. President, a reformed welfare system should require people to work in order to receive assistance. This is where those of us on both sides of the aisle, I think, are in agreement. I believe there is a consensus that if people are going to get something, they ought to work. If a reformed welfare system does that and enables States to experiment, helps keep families together, then the American people will have a system worth respecting.

The proposal I developed meets those tests. The Work First proposal, that I am proud to cosponsor with the Democratic leader, does as well. But the Republican bill does not.

Mr. President, both my proposal and Senator DASCHLE's put work first. They take action where the Republican proposal makes promises. Unlike the Dole and Gramm proposals, they provide the resources necessary to make work a reality. And Work First protects children; the Republican plan does not.

Mr. President, while Work First provides States with unprecedented flexibility to develop welfare programs, it also requires States to match Federal contributions so they do not get a free ride. The Republican plan does not.

We all agree that State flexibility is important, but there is an enormous difference between a flexible program and a blank check. The Dole block grant program is a blank check. It divorces who spends the money from who raises the money, and that is a profoundly misguided principle. We ought not to separate the responsibility of raising money from the responsibility of spending that money.

There are some similarities between the Democratic and Republican proposals. Both are significant departures from the status quo. They are departures from a system that focuses too much on writing checks and too little on promoting work and self-sufficiency. Both junk overly prescriptive Federal regulations, and both provide significant flexibility for States. But the shortcomings of the Republican proposal are a lost opportunity. Without significant changes now, the Republican proposal will undoubtedly require substantial future revisions by the Congress, and those revisions will come after the Republican plan has irreversibly harmed millions of vulnerable children and wreaked havoc on State economies.

Let me highlight a few of the most significant shortcomings in the Republican proposal and how our approach differs.

First, the work requirements in the Dole proposal are hollow. The Republican plan provides essentially flat funding for States while calling for an increased effort at putting people to work. Work First, on the other hand, makes a serious effort to provide the necessary resources to put people to work. It uses savings from the welfare system to put welfare recipients to work and includes the resources necessary to fund work programs.

I do not disagree with the goal of the Republican proposal, but it simply does not add up. If we are going to make an honest effort to put people to work, we should remember the words of responsible commentators like the Republican Governor from Wisconsin, Tommy Thompson, when he testified before the Finance Committee. Governor Thompson reminded all of us that it takes an upfront investment to have a work requirement. Senator MOYNIHAN recalls that, no doubt. We need to provide resources for child care and job training if we are going to have a serious work requirement.

Second, the Republican plan eliminates the safety net for children and the automatic stabilization mechanism for States. Whatever the faults of the current welfare system, and they are many, it does automatically adjust for changing needs.

I am going to conclude soon, because I have colleagues waiting to speak. Under the Republican plan, States are left to face crises on their own. Whether faced with a drought in North Dakota, a flood in Mississippi, an earthquake in California, or an economic downturn in Pennsylvania, the Federal Government ought to help stabilize State economies. The Work First plan continues the Federal Government's responsibility; the Dole plan does not.

The Republican bill includes a so-called rainy day loan fund. But the funding is simply not sufficient to confront the magnitude of economic impacts that occur during State recessions or disasters. Even New Jersey's Republican Governor has said the rainy day fund in Senator DOLE's bill won't get the job done.

The genius of a national approach to automatically assisting individual States that experience recessions, large population increases, high unemployment, increases in poverty or natural disasters, is that we all support each other in times of need. Part of what binds us as a nation is our sense of mutual obligation and common purpose. Our entire Nation watched as California struggled to overcome the devastation from the L.A. earthquake. The same was true after Hurricane Andrew and the Oklahoma bombing. And whenever one State is in recession, we provide an influx of national resources through unemployment insurance and other Federal programs.

The current funding structure automatically adjusts to State need. It accomplishes automatically what any nation should guarantee to its citizens—they will not be abandoned in their time of greatest need. But under the Republican proposal, States would have to borrow the money and pay it back while they still may be in the midst of a recession or other economic emergency. The Dole bill's rainy day fund is clearly a second-best approach.

Third, Mr. President, the Republican bill makes a hollow commitment to ensure that teen mothers will receive the adult supervision they need to improve their lives and the futures of their children.

In the Finance Committee, I offered an amendment that would have required all teen mothers to live with their parents, some other responsible adult, or in an adult supervised setting like a second chance home. To my surprise, that amendment failed on a tie 10–10 vote. I would have expected overwhelming support for such a provision. But every Republican on the committee except for Senator NICKLES opposed the amendment.

Now the Republican bill includes the adult supervision requirement and another provision I have been advocating for some time—a requirement that minor parents stay in school. But again, the rhetoric and reality are two different things. First, the requirements are a facade because the bill provides no resources. Without sufficient resources, infants and their young mothers who have no place to go will simply be denied needed assistance. Second, the Republican plan fails to guarantee that adult supervised living environments will be available to young mothers as an alternative to living in an abusive household. To be serious, any requirement that teenage parents live with a parent or other responsible adult must provide alternatives when no such adult is available. Therefore, I plan to offer an amendment that will provide Federal resources for second chance homes. Second chance homes are adult supervised living arrangements that provide the training, child care, counseling, and other resources that teenage parents need to learn how to care for their children. And they work.

When the Finance Committee held its hearings on welfare reform, Sister Mary Rose McGeady from Covenant House gave the most compelling testimony we heard. She told us that Covenant House works. Covenant House takes in teenage parents and helps them build a future for themselves and their children. She also told us that Covenant House has been extremely successful in preventing second pregnancies among the girls it serves.

We know that 42 percent of welfare recipients gave birth as teens. And we also know that the younger a girl is when she gives birth, the more likely she will become a long-term welfare recipient. But Covenant House and other second chance homes increase the chance that these mothers will break out of the welfare failure chain.

We should not penalize the children of teenage mothers simply because of the circumstances into which they were born. Nor should we allow their mothers the option of getting a benefit check that is a ticket to their own apartment. Rather, teenage mothers should have to finish school and learn how to take care of themselves and their children. They should learn the kind of responsibility that will not only improve their lives, but the future prospects of their children. That will only happen it States receive the resources necessary to make second chance homes a reality.

The U.S. Catholic Conference, the National Council of Churches, Catholic Charities U.S.A., and many others agree with me that second chance homes should be included in reform. We are all concerned about the need for strong welfare reform that discourages out-of-wedlock pregnancies. I hope my Republican colleagues will work with me to make second chance homes a reality.

But while I see enormous potential for Republicans and Democrats to work together on many aspects of welfare reform, there is one significant problem. The sponsors of welfare reform on the Republican side have shown complete unwillingness to move from their block grant approach. They argue that block grants are the only way to provide State flexibility. But, Mr. President, that's simply not true. Both the WAGE Act and Work First provide States with unprecedented flexibility without dumping welfare completely on the backs of State and local taxpayers.

The block grant in the Republican bill is the height of irresponsibility. History will prove that fact. We must all recognize that the need for a nationwide safety net has nothing to do with whether Governors or Members of Congress care more about children. Obviously, we all care deeply about our children.

But ending our Nation's safety net for children is extremely dangerous. Neither Governors nor Members of Congress can prevent the uncertainties that come from the business cycle, recessions, population shifts between States and natural disasters. If we abolish a safety net for children, the security of our Nation's children will be left to chance, depending solely on where a child lives. It is inconsistent at best for those who preach about morality and family values to support a plan that undermines those values.

The Work First plan strikes the right balance. It prohibits any unconditional entitlement to welfare benefits. Instead, it requires people to work in return for welfare. While it includes a few basic requirements for States, it also provides States with significant flexibility. It wipes out the 45 State plan requirements that are currently in AFDC. Work First replaces the old requirements with only a few categories. It provides States with the flexibility to design employment programs; provide incentives to case managers for successful job placements and retention among the welfare population; determine program eligibility; and establish a number of other policies under the State work program.

The last time the Senate acted on welfare reform, we passed a bipartisan bill with 96 votes. There are many aspects of welfare reform on which Republicans and Democrats can agree. But I am disappointed in the block-grants-or-bust approach being taken by the Republican majority. There are responsible and innovative ways to address this issue without the second-best pure block grant approach.

I developed the WAGE bill in order to demonstrate that there is, indeed, a better way to reform welfare. The

Work First Act closely parallels my approach. I sincerely hope that my Republican and Democratic colleagues alike will support Work First. Work First scraps a system that is broken. It uses the best ideas to build an effective welfare system that will move people into work and keep families together. And it allows States the freedom to try new ideas. I strongly believe that Work First offers the best possibility for bipartisan welfare reform this year.

Mr. President, I want to conclude by thanking my colleague, Senator MOYNIHAN, who has been a visionary on this question for longer than most people have been aware that it was a critical problem facing this country. I can remember so well 30 years ago when my colleague from New York warned this Nation of what was to come, and he has been precisely correct in what he predicted.

There is no other Member of this Chamber, there is no other academic in American society, there is no other expert who predicted with such accuracy and such vision what would occur in this country. No one has matched the predictive power of the Senator from New York, and I think his views are owed special deference because he is the only one here who has a track record of accurately predicting what would happen in 30 years. It is truly remarkable the vision that he has had with respect to this issue, and I have listened to and learned from my colleague from New York. I hope other colleagues, before this debate is concluded, will listen and learn from this very wise man.

I thank the Chair and yield the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I thank my colleague on the Finance Committee and my friend from North Dakota for his very generous remarks. May I make the point that it was he who asked in the Finance Committee, how are you going to provide for the job training provisions in the majority measure, and the CBO simply said, "You can't."

It was a clear and concise statement of what we are up against and what we are going to do to ourselves if we do not come to our senses.

I thank the Senator from North Dakota.

I see my friend from Minnesota is here.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. Mr. President, every sports fan in America celebrated along with Baltimore's Cal Ripken last night; when he played in his 2,131 consecutive game and broke a baseball record most thought could never be toppled.

That is an impressive feat; even more impressive when you consider that "The Streak" represents more than 13 years of dedication, sacrifice, and plenty of hard work.

There is another consecutive streak you should know about, one that has not received nearly the attention that Cal Ripken's has, but one that affects a lot more people, and imposes an enormous cost on the American taxpayers. Worst of all, this streak has gone on unchecked for more than 30 years.

Since the Great Society programs of the 1960's—for three long decades—taxpayers have suffered through a consecutive Federal spending streak that has taken more than 5 trillion of their tax dollars and siphoned them off to fund a welfare system that, frankly, has done more harm than good.

Mr. President, I hope Cal Ripken's streak goes on forever, but the uncontrolled welfare spending streak must come to an end, and it is up to us to stop it. I rise today to remind my colleagues of a simple truth, and that is, the people are demanding that this Congress take responsibility for our broken welfare system and fix it.

Last year, when I was running for the Senate, I listened to Minnesotans as we sat down together in their coffee shops and truck stops, in their businesses and in their homes.

They asked me over and over again: "What are you going to do about welfare?"

I told them we were going to fix it, and many of my colleagues made the same promise.

As you know, we just returned from a 3-week recess, and like many others, I had the opportunity to spend that time traveling my State, meeting with people once again and again listening to their concerns.

But the question this time was not "What are you going to do about welfare?" The question now was "What are you doing about it?"

The people are expecting solutions, not delays, not the attempts we are seeing to derail this critically important legislation.

For three decades, it has been the taxpayers who have paid the price for a welfare system that does little but encourage dependency and illegitimacy.

For three decades, the taxpayers have continually turned over their hard-earned dollars to individuals instead of bettering their own families and helping secure their own futures. The taxpayers have been subsidizing hopelessness and despair.

Congress has attempted to repair this mess before. The last major effort was in 1988, with the passage of the Family Support Act. On the day that conference report was passed in the House, my good friend, BILL ARCHER, now chairman of the Ways and Means Committee, went to the floor with a warning.

He said:

My criteria for welfare reform are that after 5 years of implementation we should be able to say to the taxpayers of this country that we have been able to encourage and to remove welfare recipients from the rolls so that it results in a program which has fewer welfare recipients than would occur under the current law. We should be able to say to the working people of this country that the cost of this program will result, after 5 years, in reduced taxes necessary to pay for welfare. This bill fails on both accounts.

Mr. President, he could not have been more right, and we should have listened.

Today, 7 years later, we have 1.3 million more families on the AFDC rolls than we had back in 1988. Seven years later, the working people of America are paying more taxes than they have ever paid before—4.5 percent more than they paid in 1988. We cannot continue to think that we will solve the welfare problem by throwing more precious taxpayer dollars at it, hoping that they will do some good. And, at last, I think we have a Congress that understands.

Instead of encouraging the status quo, the Republican welfare reform legislation offers welfare families a future. It offers hope. Yes, it does ask something in return from those who benefit from it. But what it gives back is something infinitely more valuable: self-esteem, a sense of accomplishment, and a chance to create a better life for themselves and their children.

The first step in creating that better life does not require anything more than a commitment. In breaking that long-held baseball record last night, Cal Ripken reminded us all that a person does not necessarily need to be the strongest, or the fastest, or the biggest player on the team to make a lasting contribution. Sometimes those with the most to give are simply the folks who show up every day, ready to work, eager to make a contribution.

Taxpayers do that. They show up for work every day, put in 40-plus hours a week for their hard earned money. They make a contribution.

With our legislation, we are encouraging welfare recipients to step up to the plate and take their turn at bat, to start lifting themselves, with our help, toward something better. We are not expecting home runs, but we will expect them to show up at the ballpark, ready to contribute. If we can accomplish that, then we cannot help but succeed.

Mr. President, I urge my colleagues to get serious about moving this legislation forward. I have heard about the terms of bipartisan support and a bipartisan effort. I hope that is what we can come down to as we go on with this debate, that we do come to a consensus that this is a bipartisan effort. I heard my colleague from North Dakota say we are not going to get everything he wants or everything I want, but hopefully we can come together with a plan that does meet the needs, obligations, and the responsibilities to our taxpayers. And they expect nothing less. Thank you, Mr. President.

I yield the floor.

Mr. MOYNIHAN. Mr. President, may I congratulate the Senator from Minnesota not only for the substance of his remarks but for the elegant way in which last night's events in Baltimore were used as a metaphor for what it was about. Having in my youth watched Lou Gehrig at the Yankee Stadium, I had a certain ambivalence about it, but nothing like upward and onward.

I will just say that regarding the substance of what is hoped for in welfare, there is a consensus, surprisingly, and it commences with the 1988 legislation, which redefines a widow's pension as a reality of this time. There is no agreement on how you finance—pay for—what needs doing.

Yet, the Senator from Minnesota spoke very properly about the prospect of consensus and bipartisanship, and I hope we may yet find that. We have done it in the past; why not in the future?

None speaks more ably and with more of a record in this regard than the Senator from Illinois. I see that he has risen. I believe he would like to address the Senate in this matter. I ask him how long he would like?

Mr. SIMON. Five minutes.

Mr. MOYNIHAN. In 5 minutes, the Senator from Illinois can say more than most of us do in 50. I am happy to yield him the time.

Mr. SIMON. I thank the Senator from New York. I wish he were accurate in that.

We all want welfare reform. I heard the Presiding Officer at a committee meeting this morning talk about the need for that. I do regret that we do not have more of a bipartisan effort, not only on this but on a lot of things. This has happened gradually over a period of years on the Hill, and I think it has not been a healthy thing. So when the Senator from Minnesota makes his comments about the need for working together, I agree. I heard Senator TED STEVENS make similar comments yesterday morning, and Senator BYRD has made some comments along that line.

Real candidly, the principal bill that we have, without the amendment, does not deal with the problem of poverty, does not deal with the problem of jobs. Whether you have a Democratic Senate or a Republican Senate, whether you have a Democratic President or a Republican President, one thing is not going to change, one trend line: the demand for unskilled labor is going down. Most of those on welfare are people who do not have skills. And so to have real welfare reform, we really have to be talking about jobs, ultimately. But, in the meantime, we cannot let people fall through the cracks.

I heard what our colleague from North Dakota, Senator CONRAD, said about Senator MOYNIHAN. Senator MOYNIHAN knows more about welfare than all of the rest of this body put together—meaning no disrespect to my colleagues here from Arizona and Minnesota, and anywhere else. But the reality is that we have, as a Nation, said we are committed to having a safety net for people. This bill, unamended, takes out the safety net. That is the reality. The State maintenance effort that is now required will die. If Arizona wants to do nothing, Arizona can do nothing. And if Illinois wants to do nothing, Illinois can do nothing.

Let me add one other point. The Dole bill takes a bill that emerged from the Labor and Human Resources Committee, dealing with job training and a number of other things like that, and just drops it wholesale in here—a bill that I think most of us on the committee know needs to be refined. For example, the Job Corps is just decimated. Now, the Job Corps needs to be improved. But 79 percent of the people in the Job Corps are high school dropouts. This is not a Sunday school class we are picking up and saying we want to help you along; these are people who are on the fringes, and the Job Corps has been a remarkably successful enterprise.

I will have an amendment, Mr. President, that is identical to a bill that Senator Boren and Senator REID and Senator Wofford and I introduced last year, which will call for an experiment—basically, a WPA type of program in four locations, to be picked by the Secretary of Labor, in which we will say that you can be on welfare 5 weeks—not 5 years, not 2 years, but 5 weeks—and you have to work 4 days a week at the minimum wage. The fifth day you have to be out trying to find a job in the private sector. We will give you $535 a month—not much money, but at least something. I do not recall the average in Arizona, but the average welfare payment per family in Illinois is $367. And then projects would be picked by local citizens, and these people will work on the projects, as we did in the old WPA.

Screen people as they come in. If they cannot read and write, get them into a program. If they have no marketable skill, then get them to a community college.

The PRESIDING OFFICER (Mr. COATS). The time of the Senator has expired.

Mr. SIMON. Could I have 1 minute?

Mr. MOYNIHAN. The Senator from Illinois can have as much time as he desires because he has so much to say and says it so well.

Mr. SIMON. I thank my colleague from New York. I intend now to speak for 2 or 3 hours, but I shall not.

One other great advantage of the WPA-type of program that I will offer in this amendment is we do not restrict it to one person in a household. One of the things that we have done through our welfare policies is discourage families from sticking together.

If you can have two people earning an income on a WPA-type of project, then, frankly, they would have a chance of not living in luxury, but there would be the economic incentive for families to stick together rather than families to separate.

I certainly am going to support the amendment offered by Senator DASCHLE and Senator MOYNIHAN. I hope we do not do real harm to this country in the name of welfare reform. Everything that is under a label "welfare reform" is not real good for this country. We have to recognize that.

I yield the floor.

Mr. MOYNIHAN. Mr. President, I see the able and learned Senator from California has risen. She has asked if she might have 12 minutes. She most certainly can, and I look forward to hearing from her.

Mrs. BOXER. Thank you very much, Mr. President. Thank you very much, Senator MOYNIHAN, not only for the time but for your extraordinary leadership, your vision.

I think it should send a chill through this body, whether we are Democrats or Republicans, men or women, moms, dads, single people, grandmothers, or grandfathers, when you discussed very clearly the results of the Republican plan: if it passes and is signed into law, it will undoubtedly mean children in deep despair, and in deep poverty. Your image of children sleeping on grates across this Nation is one which I take very seriously.

There are few in this Congress and few in this country and I could even say, in my opinion, there are none, who have been so correct in their analysis of what is happening to the poor in this Nation. We have made many mistakes, the Senator from Minnesota is correct, as we have tried to deal with this very intractable problem. I hope we would not replace some of those mistakes with even deeper mistakes. I, therefore, applaud the call for bipartisanship as we deal with this issue.

Mr. President, I think it is important to note that we are talking here about the Nation's children. If you look at my home State of California, approximately 70 percent of California AFDC recipients—that is, those who are on welfare—are children. Let me repeat: in my home State of California, 70 percent of those on welfare are children. Children who were born into a circumstance not of their own making at all—just their circumstance.

What we do here will impact them greatly. In many ways, we are their protectors, Mr. President. We are their protectors. I hope we will not abandon them.

As I listened to the Senator from New York, my leader on this issue, I say that he has issued a warning that if the Dole bill passes unamended, in fact we will be doing just that. We will be saying that regardless of our statements in all of our campaigns—that

children are the most important thing, that children are our future—that without our children getting a break, the country will go backwards. In fact we will be walking away from the future. We would be walking away from our responsibility.

Many know I have had the great joy of becoming a grandmother for the first time. As I looked at that little child and saw all the love that he gets on a daily basis, I know how pleased he is. We can never guarantee anyone that they will have that much love in their life.

But, my goodness, we have to give the basic guarantee to these innocents, to these babies, that they will not be left out in the cold. At least that, Mr. President. At least that.

Now, it was President Clinton who brought this issue to our attention during his campaign. "We must end welfare as we know it," he said. I think that President Clinton has a great deal of compassion in his heart for children.

I know that he agrees with us in the Senate when we say, "Let us reform welfare to benefit the children, not reform it to hurt the children." We will be judged on how we handle this bill. We will be judged in the abstract at first, but we will be judged by the results eventually.

People will know if children are going hungrier, if more of the homeless are children. They will know where to point the finger, and it will be right here. If we take the Dole approach without amending it—and I hope in a bipartisan fashion we will amend it—we will be hurting our children and we will see the results of that and we will know when and where it came from.

I listened to my learned friend from New York talk about what happened to the homeless after we moved to close down mental institutions. For all the good reasons—we said, it is better to have our mentally ill in smaller institutions, smaller homes throughout the country. But something happened on the way to the Forum. We ran out of money and we never built those alternatives.

This situation is worse because right off the top we know in the Dole bill we are freezing spending. At least when my predecessors tried to reform the mental health system, they had a plan. But this Dole bill is no plan. It is an abdication, not a plan. This is very, very troubling.

Now, one of the things that upsets me perhaps more than any other, is that there is no clear way in the Dole bill that we are going to enable working moms and working dads to rely on child care.

Child care is really an incidental in the Dole bill. It is wrapped into a job assistance grant. The funds are frozen. In California, we have thousands of kids today waiting in line to get into child care. We do nothing.

I hearken this Senate back to the days of Franklin Delano Roosevelt, who is often praised by Republicans for his leadership. He knew we needed to get women into the workplace. We all know about "Rosie the Riveter." Without women going to work and building the machinery of war that we had to build in this Nation—and we had to catch up because we were so behind in order to fight these battles—women were relied upon in the workplace. And Franklin Delano Roosevelt knew a woman was not going to abandon her child. She was going to need child care while the husband was off at war and she was off in the factory.

According to Doris Kearns Goodwin in the book "No Ordinary Time," which I commend to everyone, nearly $50 million was spent on child care before the end of the war. And the women blossomed in the workplace because they knew that their kids were OK.

I like the Democratic alternative. I think it makes sense because what it says is: You must work, but we will make sure that you do not abandon your children. The Democratic plan is respectful of the family, is understanding of the family. The Democratic plan puts work first and children first. Work first and children first. The Republican plan takes us out of the game. It says to the States: Here it is. It is your problem.

The people in our States understand in the end it will be their problem, because what is going to happen when there are more helpless and more homeless and more desperate people, and people are tripping over them in the street and we are out of it?

We have to balance the budget, and we will. We will not have the money for welfare. And it will be the greatest unfunded mandate of all time, because people are not going to allow their communities to deteriorate.

So I am very proud to support the Democratic alternative. I think it is smart. I think it builds on what success we have had. In California we have had success. In Riverside County, for example, and in Los Angeles County, we have put a large percentage of welfare recipients onto the work rolls because we have really given them what they need. But the Republican plan, that is going to lead to nothing but trouble—trouble in the States, unfunded mandates laid on our State taxpayers, laid on our local taxpayers.

I come from the local end of things. I got elected to the Board of Supervisors of Marin County a long time ago. I got calls at home when anything was going on in the street. I can assure you, county supervisors and city council people and mayors and Governors are going to be very upset when these problems appear in their communities and the Federal Government says, "It is your problem."

Mr. President, an estimated 70 percent of welfare recipients are children and here we are walking away from those children. We do not have to do it. Let us be tough on work and kind to children. That is what the Democratic alternative does. I hope we will have bipartisan support for that. My cities in California are desperate about this. Billions of dollars will be lost to the big counties in California with the Republican plan—billions. Not millions but billions. And the problem will not go away.

So I stand with the former chairman, the Democratic ranking member of the Finance Committee. His vision should not be ignored. We should learn from him. We should listen to him. He is the leader in this Nation on this issue. He predicted what would happen in the communities, the out-of-wedlock births, and the problems that would follow in society. And when he says he knows we are going to see kids sleeping on grates, and misery, and children who are out of control—he knows what he is talking about.

So I stand with him proudly. I hope we will support the Democratic alternative and, if we lose that, that we will come together on amending the Dole bill. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, may I express particular personal thanks to the Senator from California for her generosity in her remarks, and to make the case—just comment—that in the aftermath of the Family Support Act, we had considerable successes in places such as Riverside. And we also had a continued rise in the number of families headed by women.

The CBO has done the best analysis you can do with these things, a regression analysis. It states the caseload increase from late 1989 to 1992, increases in the number of families headed by women explain just over half in the rise of the AFDC basic caseload. A quarter was the recession.

I ask unanimous consent the analysis be printed in the RECORD at this point.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 6, 1993.

Subject: CBO Staff Memorandum on Rising Caseloads in the Aid to Families with Dependent Children (AFDC) Program.

We are enclosing a copy of "Forecasting AFDC Caseloads, with an Emphasis on Economic Factors," which was prepared by Janice Peskin and John Tapogna in response to a request from the Subcommittee on Human Resources of the Committee on Ways and Means. To understand the upsurge in AFDC caseloads that began during late 1989, the memorandum develops regression models that estimate how various factors affect caseloads.

The CBO model for the AFDC-Basic caseload indicates that:

The effect on employment of the 1990-1991 recession—and the relatively weak economy

before and after the recession—accounts for about a quarter of the recent growth in caseloads; and

Increases in the number of families headed by women explain just over half of the rise in the AFDC-Basic caseload.

Looking ahead to the 1993-1995 period, increases in the AFDC-Basic caseload are expected to be sizable. The main underlying causes are growth in the number of families headed by women—especially by never-married mothers—which is expected to continue at a rapid rate, and the relatively weak economic recovery that is forecast.

We hope you find this report useful.

Mr. MOYNIHAN. I do not want to go around looking like an Easter procession here or something, but to my friend from California, that is the pen with which John F. Kennedy, in his last public bill-signing ceremony, October 31, 1963, signed the Community Mental Health Construction Act of 1963.

We were going to build 2,000 community mental health centers by the year 1980 and 1 per 100,000 population afterwards. We built 400 and we forgot what we were doing. We emptied out the mental institutions. The next thing you know, the problem of the homeless appears. I was there. He gave me this pen. And we said, "The homeless? Where did they come from? It was certainly nothing we did."

It was exactly something we did. When you see those children sleeping on grates in 10 years time in your city, do not think it will not be recorded, thanks to the Senator from California, that you can see it coming. Somebody might keep the pen with which this bill is going to be signed, if in fact it is signed, for such an occasion.

Mr. President, I thank, again, the Senator from California. I see the Senator from Michigan is on the floor. Would he like to speak?

The Senator from Michigan asks 15 minutes. The Senator from Pennsylvania has nobody wishing to speak.

The PRESIDING OFFICER. The Chair will advise the Senator from New York that the time remaining under the time agreement for his side is 12 minutes and 45 seconds.

Mr. MOYNIHAN. The Senator from Michigan is accordingly granted 12 minutes. We will have 45 seconds to wrap up. Is that agreeable?

Mr. LEVIN. I will be happy to take 10.

Mr. MOYNIHAN. No, we understood this would happen and it has happened.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I thank my friend from New York. I also thank him, much more importantly, for the extraordinary wisdom, as well as passion, with which he addresses this subject. The experience that he has, the institutional and national memory which he carries around up there in his head, is unique. I just wish there were more of us like him in that capacity, to learn from experience not just what is achievable, but also to pass along the lessons of unintended consequences for so many things that we do.

Mr. President, the Nation's welfare system does not serve the Nation well. It is broken in a number of places. It has failed the children that it is intended to protect. It has failed the American taxpayer.

I am hopeful the debate in the Senate will result in a constructive effort which will finally end the current system and achieve meaningful reform. Meaningful reform will assure that children are protected, that able-bodied people work, and that child support enforcement laws are fully effective in getting fathers to support their children.

The history of this country's welfare reform is littered with the remains of programs that have begun with high expectations but fallen short in reality. Welfare has too often been a cycle of dependence instead of independence. It makes no sense to continue a system which contains incentives for people to be on welfare. We have an obligation to break this cycle for all concerned.

The imperative of ending welfare dependency has led me to conclude that one component of welfare reform must be time limits on welfare benefits, in order to force able-bodied recipients to seek and secure employment.

The Daschle work first bill fundamentally changes the current welfare system by replacing a system of unconditional, unlimited aid with conditional benefits for a limited time. But it does so without abandoning the national goal of helping children. Under the work first bill, in order to receive assistance, all recipients must sign an empowerment contract. This contract will contain an individual plan, designed to move the recipient promptly into the work force. Those who refuse to sign a contract will not get assistance, and tough sanctions will apply to those not complying with the contract that they sign. I have long believed that work requirements should be clear, strong, and should be applied promptly. I am pleased that Senator DASCHLE has accepted a modification at my request which adds a requirement that recipients be in job training or in school or working in a private sector job within 6 months of the receipt of benefits, or, if a private sector job cannot be found, in community service employment. The requirement would be phased in to allow the States the opportunity to adjust administratively.

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

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

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

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

The independently conducted program evaluation found that in six of the seven demonstration projects, trainees' total monthly earnings increased by 56 percent to over 130 percent during the demonstration period. Evaluations of the post-demonstration years indicated similarly positive and significant income effects.

Consistent with the increase in employment, trainees also received reduced public benefits. All seven States moved a significant proportion of trainees off of AFDC. In four of the States, a significant proportion of the trainees also were moved off of the Food Stamp Program or received significantly reduced benefit amounts.

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

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

So experience has shown that we must be much more aggressive in requiring recipients to work. But, as we require recipients to work, we must remember that another important part of the challenge facing us is that two-thirds of the welfare recipients nationwide are children. Almost 10 million American children—nearly 400,000 in my home State of Michigan alone—receive benefits. We must not punish the kids in our welfare reform.

I am hopeful that the 104th Congress will get people off welfare and into jobs, in the privilege sector, if possible, but in community service, if necessary.

I want to again commend and congratulate Senator MOYNIHAN for his decades of work on this issue. I want to congratulate Senators DASCHLE, MIKULSKI, BREAUX, and so many others of our colleagues who have worked on the Daschle work first bill, which I am proud to cosponsor.

The work first bill is tough on getting people into jobs. But it provides the necessary incentives and resources to the States not only to require people to work, but to help people find jobs and to keep them.

Mr. President, I have focused on making sure that able-bodied people on welfare work. That has been a focus of my efforts for over a decade now in this body, and I have described one of those efforts, with Senator DOLE, that we actually succeeded in putting into place over a decade ago that had some very positive effects. But there are other critically important elements of positive welfare reform. The number of children born to unwed teenaged mothers has continued to rise at totally unacceptable rates. We all recognize the need to do something about this and to remove any incentives created by the welfare system for teenagers to have children. I support teen pregnancy prevention programs with flexibility for the States in its implementation.

We also know that the problem of teen pregnancy and unwed teenaged parents is not going to be completely eliminated or easily eliminated. So I support provisions which require teen parents to continue their education and job training and to live either at home with an adult family member or in an adult-supervised group home in order to qualify for benefits.

We should not erode the Federal safety net for low-income working families and for families who have exhausted their unemployment benefits. We frequently forget those families. Working families who lose their jobs get unemployment and then exhaust their unemployment. These are working people.

Tens of thousands of people in my home State of Michigan, over 329,000 nationally, who are working people who have exhausted their unemployment benefits have had to move into welfare as a final resort. That was their final safety net. And responsible reform must assure that in times of economic crisis, funds are available for working families who have lost their jobs and exhausted their unemployment insurance. And the only way to do this is with a Federal safety net, that Federal safety net which the Senator from New York has spent so much time analyzing and discussing before this body.

Child care assistance is an important facet of realistic welfare reform as it is for low-income working families who are not on welfare. Child care assistance is essential to help recipients keep a job and stay off welfare. Assistance is particularly needed in transition periods moving from welfare to work. That is why child care assistance is such an important feature of the work first plan, not just for people on welfare but for low-income people, whether or not they are on welfare.

Another key element of any successful welfare program will be assuring that parents take responsibility for their children. So we must toughen and improve interstate enforcement of child support. I very much support provisions to require welfare recipients' cooperation in establishing the paternity of a child as a condition of eligibility for benefits, and a range of measures such as driver's license and passport restrictions, use of Federal income tax refunds, and an enhanced database capability for locating parents who do not meet their child support obligations.

The Daschle amendment which is before us addresses these and other problems. It ends the failed welfare system and replaces it with a program to move people into jobs, to provide child care, to assure that parents take responsibility for the children they bring into the world, and it does this without penalizing America's children.

So I intend to vote for Senator DASCHLE's work first welfare reform program to finally end the current system and achieve meaningful but realistic welfare reform.

Again, I want to particularly single out our good friend from New York for the dedication which he has brought to this subject over so many decades, and for the wisdom which he imparts, and for the warnings which he really gives to all of us that we should do our best to reform the system but be aware of those unintended consequences. It is a lesson which each of us should heed.

I thank my friend for the time.

I yield the floor.

The PRESIDING OFFICER. The Chair would advise the Senator from New York that he has 25 seconds remaining.

Mr. MOYNIHAN. I will use each of those seconds to thank my incomparably learned and capable friend from Michigan who has so wonderfully guided us in legal matters through this Congress and who has spoken so wisely about welfare and who has spoken generously about the Senator from New York.

Mr. President, if I have 5 remaining seconds, I will retain them for some unspecified purpose.

The PRESIDING OFFICER. The time has expired.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MOYNIHAN. Mr. President, the majority leader has very generously suggested we might have an additional 15 minutes for our side, and the Senator from Vermont is present and I give him as much of that time as he wishes.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from New York and the distinguished Republican leader for the courtesy that in my years here I have grown accustomed to receiving from both of them.

Mr. President, I am concerned about the welfare bill before us, the Republican version. I know that a lot of very good Senators on both sides of the aisle have been wrestling with the problems we face, but I worry about just how that wrestling match may come out.

Mr. President, the Republican welfare bill is an all-out assault on low-income children and families. The bill is anti-child, anti-family and it does nothing to get people off welfare and into a job.

The rhetoric being used to sell this bill to the American people is full of false promises. The bill is not reform.

It boxes up welfare problems and ships them off to the States. On the outside of this box there ought to be, in big bold letters, a sign that says "Local taxpayers beware."

Sending severely underfunded block grants to the States with no real emphasis on work will cost all of us more in the end. The Senate Republican plan cuts spending on welfare now, but you can be sure that local taxpayers will be picking up the tab later.

According to the Congressional Budget Office, 44 of the 50 States will not meet work participation target rates in the Senate Republican bill because this plan fails to provide States with the money needed to achieve these rates.

Here is another unfunded mandate being passed on to the State and local taxpayers.

States must either swallow further cuts in Federal payments to the needy—or come up with more money from their own coffers.

This makes no sense—unless the true purpose of this bill is to turn our back on the unemployed and further burden the taxpayer. You have to be tax-happy or cold-hearted to like this bill.

In my home State of Vermont, the Republican bill would cut over $77 million in cash assistance, supplemental security income, child care, and food stamps over the next 5 years.

Under the Republican block grant proposal there will be no adjustments for high unemployment or recession. When the block grant money runs out, Vermonters will pick up the tab.

Helping low-income Americans find a way out of poverty is a responsibility of both States and the Federal Government. The Republican plan abandons any national involvement in providing for the welfare of the Nation.

States need more flexibility, but that does not mean shedding our national responsibility.

I cannot support the Republican plan, but I intend to vote for the alternative proposal offered by Senator DASCHLE. The Democratic leader's plan continues a national commitment to keep families together and work their way off welfare.

Families on welfare cannot get jobs if they do not have adequate child care support. They cannot keep their jobs unless there is a transition period for child care.

The Democratic bill not only emphasizes helping people find work—but backs it up with the child care necessary to go to work.

The Democratic alternative is a national commitment to help children and families work their way out of poverty. The Republican bill is a feel-good, do-nothing charade that takes a walk on the problem of poverty.

There is a welfare scandal in this country that most Republicans have been strangely silent about. It is the scandal of corporate welfare.

As we pause on the brink of slashing food assistance and child care to needy families, I wish we would think a little bit about the corporations that are receiving benefits from Uncle Sam.

According to the conservative Cato Institute, the American taxpayer spends $85 billion a year on corporate welfare—not including tax loopholes that cost many billions of dollars more.

The reason for this is simple. Low-income children cannot hire high-priced Washington law firms. Those who can hire expensive law firms are spared the reform axe this year.

The Senate Republican bill takes food, child care, housing assistance and assistance for disabled children away from families, but continues the practice of letting taxpayers foot part of the bill for wealthy corporations to lease limousines.

We must look at the entire welfare system—including corporate welfare.

Nobody on the Senate floor disagrees that we need to reform welfare aid for low-income families. We do. There are too many programs that do too little to help people get back to work.

We need to ask more of those who receive assistance, but we should not abandon those who play by the rules. We also need to continue programs that reward low-income working families.

This bill is just the latest attack by Republican leadership in Congress on low-income children and families. But families on welfare are not the only targets.

Earlier this year, the Republican leadership announced plans to cut back the earned income tax credit [EITC]. This is a tax credit that rewards low-income Americans who work. It makes a huge difference for families struggling to pay the rent and buy food for their kids.

Yes, you heard it right. The Republican leadership wants to raise taxes for low-income working families.

The Republican budget resolution also cuts Medicaid by $180 billion over the next 7 years. Medicaid provides long-term care for low-income seniors, the disabled and health care for low-income children and families.

Following through on the budget resolution, the House just cut billions out of next year's appropriations for education programs, Head Start and youth work programs.

At the same time, the House is gearing up to pay for 20 additional B–2 bombers at $1 billion a pop. A plane that the Pentagon has said it does not even want. We need to get our priorities straight.

The Republican assault on programs that benefit low-income Americans comes at a time when census data shows the gap between the rich and the poor is greater than at any time since the end of World War II.

If the present trends continue, the America that our children grow up in will look more like a Third World country, with deep gulfs between the rich and the poor.

Programs that keep poor families together, rather than tearing them apart and programs that feed children so they can learn, are investments in our future.

These investments will make America more productive.

Members of Congress have benefited from the opportunities which have made America the land of opportunity.

We have an obligation to make sure that those same opportunities are available for the next generation.

We must work together to make responsible bipartisan changes to Federal programs that provide assistance to low-income children and families. I fear, however, the public policy is right now being overshadowed by Presidential politics.

I hope that reason will prevail over hysteria as we all take a good hard look at how we can make welfare programs work better for all Americans.

Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. HEFLIN. Mr. President, I am pleased that the Senate has finally embarked on an earnest and vigorous debate on reforming welfare. Except for the balanced budget amendment, this is probably the most important legislation we will tackle in this Congress. There is no doubt that our current system is failing welfare recipients and taxpayers alike. I believe that all Senators recognize the shortcomings that exist in welfare and sincerely want to rectify them. Although there are some tough issues yet to be resolved, let us not shirk the responsibility we have to all citizens of this country to work together in passing meaningful welfare reform.

We have before us various proposals to revise the Federal programs that provide assistance to the poor in our Nation. After reviewing the different recommendations, I have concluded that the Work First legislation authored by Senators DASCHLE, BREAUX, and MIKULSKI contains the best alternatives to the current problems in our welfare system. First and foremost, the Work First plan mandates work for welfare recipients and an end to government dependency. The AFDC Program would be abolished and replaced by a time-limited benefit, conditional upon a recipient's signing and complying with a parent empowerment contract. Welfare offices would be transformed into employment offices and ensure that welfare parents become productive members of the work force as soon as possible. Persons receiving temporary employment assistance would be required to look for work from day one and would be penalized for turning down any legitimate job offer. States would confirm that an increasing percentage of their welfare populations are entering the work force. Unlike the Republican leadership bill, however, States would have access to the necessary resources to fulfill work participation rates. Child care assistance would be available to help welfare parents successfully make the transition to employment. The Congressional Budget Office has stated that the lack of child care would make it impossible for 44 States to comply with the majority leader's bill. I do not wish to place such an unfunded mandate on the States. The Work First plan recognizes that child care is a must for States to meet its tough work participation rates. Moreover, only with sufficient child care can single welfare parents retain jobs and avoid a return to welfare dependency.

The Work First bill provides greater incentives than welfare. It transforms

the entire welfare bureaucracy, making it work-oriented. States are given the flexibility to administer the Work First employment block grant themselves or contract with private companies to move temporary employment assistance recipients into full-time, private-sector jobs. Senator DASCHLE's bill is cost-effective. It would achieve a savings of $21 billion over 7 years, all of which would go directly toward deficit reduction. And while the Work First proposal imposes tough time limits for welfare assistance, it contains important protections for children, the innocent victims of our current defective system.

There is an urgent need to improve the welfare system in the United States. I hope that the Senate will take advantage of this historic opportunity to enact legislation to overhaul our flawed programs and empower welfare recipients to break cycles of dependency and become successful and productive citizens.

I yield the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. I think at this point we may have a few moments remaining, which I would like to reserve for some unanticipated purpose.

Seeing no Senators on this side, I see the Senator from Oklahoma.

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

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. NICKLES. Mr. President, we have heard several of our colleagues, particularly on the other side of the aisle, talk about the need for welfare reform. And I would say that there is unanimous support in the Senate and in the country for welfare reform. But I also would say in my opinion the Democrat alternative leaves a lot to be desired.

Let me just make a couple of general comments about welfare before I talk about the specific amendment that we have before us today.

We have a lot of Federal programs, and we are spending a lot of money on welfare. It kind of shocks people. I told people in my State this past month that we have 336 Federal welfare programs; 336 different Federal welfare programs, and they have not been working. We are spending lots and lots of money, and it has not been working.

In 1994, we were spending about $241 billion for welfare programs—$241 billion—and that figure is increasing dramatically. Most of these programs are entitlements. Most of these programs grow. The Federal Government defines eligibility, and then we see how much they cost at the end of the year. We do not budget them. We do not say, "Here is how much money we are going to spend on welfare." They are entitlements. People are entitled to these benefits. Whether it is food stamps, whether it is housing assistance, whether it is energy assistance, you name it, we have a lot of programs where people are entitled to the benefit, and we see how much it costs at the end of the year.

It is not too surprising, therefore, we find a lot of people who become addicted to these entitlements and then they demand their money; they are entitled, as by definition of the Federal Government. So they become addicted to Federal programs. They become dependent on the Federal Government. We have to break the welfare dependency cycle we have in this country.

One of President Clinton's best lines in his 1992 campaign said, "We need to end welfare as we know it." Everyone was applauding. Democrats, Republicans, and Independents said, "Yes, we need to, because we realize the system is not working and it has not worked very well."

Mr. President, I ask unanimous consent that a study done by the Congressional Research Service that lists the 336 welfare programs and their costs be printed in the RECORD.

There being no obligation, the study was ordered to be printed in the RECORD, as follows:

OVERVIEW OF FEDERAL PROGRAMS AND SPENDING IN EIGHT WELFARE DOMAINS NOVEMBER 1994

Welfare domain	Number of programs	FY 1994 or 1995 appropriation (in millions)
Cash welfare	7	*$17,171
Child welfare and child abuse	38	4,306
Child care	45	11,771
Employment and training	154	24,838
Social services	33	6,589
Food and nutrition	10	37,967
Housing	27	17,516
Health	22	5,076
Total	336	125,234

*Figure for FY 1996.

Note. The figure of $125.2 billion does not include the $87 billion the Federal Government spent on Medicaid or the $28 billion spent on Supplemental Security Income in FY 1994.

Overview of selected Federal cash welfare programs for low-income people November 1994

[In millions]

Program	*FY 1996 spending*
AFDC Basic payments	$12,040
AFDC Unemployed Parent payments	1,124
AFDC Emergency Assistance	600
AFDC Administration	1,637
JOBS	900
At-Risk child care	300
AFDC Transitional child care	570
Total	17,171

Source. Congressional Budget Office.

Note. All programs are under jurisdiction of the Committee on Ways and Means. AFDC=Aid to Families with Dependent Children.

Overview of Federal child welfare and child abuse programs for low-income people, November 1994

[In millions]

Committee of Jurisdiction and Program	*FY 1995 appropriations*
Education and Labor Committee (15 programs):	
Abandoned infants assistance	$14.4
Child abuse State grant program	22.8
Children's Justice Grant program	
Child abuse demonstration and research grants	15.4
Demonstration grants for abuse of homeless children	
Community based family resource program	31.4
Adoption opportunities program	13.0
Family violence State grant program	32.6
Family support centers	7.4
Missing and exploited children's program	6.7
Temporary Child Care for disabilities	5.9
Crisis Nurseries	5.9
Grants to improve the investigation and prosecution of child abuse cases	1.5
Children's Advocacy Centers	3.0
Treatment for juvenile offenders who are victims of child abuse or neglect	
Ways and Means Committee (13 programs):	
Child welfare services	292.0
Child welfare training	4.4
Child welfare research and demonstration	6.4
Family Preservation and family support program	150.0
Independent living	70.0
Entitlement for Adoption (4 programs)	399.3
Entitlement for Foster Care (3 programs)	3,128.0
Judiciary Committee (6 programs):	
Criminal background checks for child care providers	
Court-appointed special advocates (CASA) program	6.0
Child abuse training program for judicial personnel and practitioners	0.8
Grants for televised testimony	
Victims of crime program	
Grants to Indian tribes for child abuse cases	
Natural Resources Committee (3 programs):	
Indian child and family programs	24.6
Indian child protection and family violence prevention programs	0.6
Indian child welfare assistance	
Banking Committee (1 program):	
Family unification program	76.0
Total (38 programs)	4,306.1

*Estimated amount of the total $2.8 billion appropriation spent on child care.

Source. Congressional Research Service.

Overview of Federal child care programs for low-income people, November 1994

[In millions]

Committee of Jurisdiction Program	FY 1994 appropriation
Committee on Agriculture (1 program):	
Food Stamp program	$180
Subtotal	180
Committee on Education and Labor (25 programs):	
Student financial aid	–
Early Intervention grants for infants and families	253
Title I (Education for the disadvantaged)	127
Even Start	91
Migrant Education	26
Native Hawaiian Family Education Centers	5
School-to-work opportunities	–
Special Child Care Services for Disadvantaged College Students	–
Special Education Preschool Grants	339
Vocational Education	–
Child and adult food program	1,500
Abandoned Infants Assistance Act[1]	15
Child Care and Development Block Grant	892
Child Development Associate Credential Scholarship	1
Comprehensive Child Development Centers	47
Head Start	3,300
State Dependent Care Planning and Development Grants	13
Temporary Child Care for Children with Disabilities and Crisis Nurseries	12
Adult Training Program	–
Economic Dislocation and Worker Adjustment Assist. Program	–
Job Corps	–
Migrant and Seasonal Farmworkers Programs	–
School-to-work Transition (overlapping with Education)	–
Summer Youth Employment and Training Program	–
Youth Training Program	–
Subtotal	6,621
Committee on Ways and Means (11 programs):	
At-Risk Child Care	361
Child Care for Recipients of AFDC	528
Child Care Licensing Improvement Grants	–
Child Welfare Services	–
Social Services Block Grant	560
Transitional Child Care	140
Child Care and Dependent Care Tax Credit	2,700
Child Care as a Business Expense	–
Employer Provided Child or Dependent Care Services	675
Tax Exemption for Nonprofit Organizations	–
National Service Trust Program	–
Subtotal	4,964
Committee on Energy and Commerce (2 programs):	
Residential Substance Abuse Treatment for Women	–
Substance Abuse Prevention and Treatment Block Grant	–
Committee on Banking, Finance and Urban Affairs (4 programs):	
Community Development Block Grant	–
Early Childhood Development Program	6
Family Self-Sufficiency Program	–
Homeless Supportive Housing Program	–
Subtotal	6
Committee on Public Works and Transportation (1 program):	
Appalachian Childhood Development	–
Committee on Small Business (1 program):	
Guaranteed Loans for Small Business	–
Committee on Natural Resources (1 program):	
Indian Child Welfare Act—Title II grants	–
Total (46 programs)	11,771

[1] Jurisdiction shared by Energy and Commerce.

Note. Dash indicates indiscernible amount.

Source. Congressional Research Service.

Overview of Federal employment and training programs for low-income people, November 1994

[In millions]

Program	FY 1995 appropriation
Guaranteed Student Loans	$5,889.0
Federal Pell Grant	2,846.9
Rehabilitation Services Basic Support	
Grants to States	1,933.4
JTPA IIB Training Services for the Disadvantaged Summer-Youth Employment and Training Program	1,688.8
JFPA Job Corps	1,153.7
All-Volunteer Force Educational Assistance	895.1
Job Opportunities and Basic Skills Program	825.0
State Legalization Impact Assistance Grants	809.9
JTPA IIA Training Services for the Disadvantaged-Adult	793.1
Employment Service-Wagner Peyser State Grants	734.8
Vocational Education-Basic State Programs	717.5
JTPA IIC Disadvantaged Youth	563.1
Senior Community Service Employment Program	421.1
Community Services Block Grant	352.7
Adult Education-State Administered Basic Grant Programs	261.5
Vocational Rehabilitation for Disabled Veterans	245.1
JTPA EDWAA-Dislocated Workers (Governor's Discretionary)	229.5
JTPA EDWAA-Dislocated Workers (Substate Allotment)	229.5
Trade Adjustment Assistance-Workers	215.0
Supportive Housing Demonstration Program	164.0
Food Stamp Employment and Training	162.7
Upward Bound	160.5
One-Stop Career Centers	150.0
Economic Development-Grants for Public Works and Development	135.4
School-to-Work	135.0
Federal Supplemental Education Opportunity Grants	125.0
JTPA EDWAA-Dislocated Workers (Secretary's Discretionary)	114.7
Student Support Services	110.3
Survivors and Dependents Educational Assistance	109.1
Vocational Education-TechPrep Education	104.1
Miscellaneous*	2,562.0
Total	24,827.5

*A total of 93 programs with spending of less than $100 million; an additional 31 programs are authorized but had no appropriation for 1994.

Source: U.S. General Accounting Office. Multiple Employment and Training Programs: Overlapping Programs Can Add Unnecessary Administrative Costs. (GAO/HEHS-94-80). Washington, D.C. Clarence Crawford, 1994.

Overview of Federal social services programs for low-income people, November, 1994

[In millions]

Committee of Jurisdiction and Program	FY 1995 Appropriation
Education and Labor Committee (30 programs):	
Community Services Block Grant	$391.5
Community Economic Development	23.7
Rural Housing	2.9
Rural Community Facilities	3.3
Farm Worker Assistance	3.1
National Youth Sports	12.0
Community Food and Nutrition	8.7
VISTA	42.7
VISTA—Literary	5.0
Special Volunteers Programs	0
Retired Senior Volunteer Corps	35.7
Foster Grandparent Program	67.8
Senior Companion Program	31.2
Senior Demonstrations	1.0
Demonstration Partnership Agreements	8.0
Juvenile Justice Formula Grants (A+B	75.0
Juvenile Justice Discretionary Grants	25.0
Youth Gangs (Part D)	10.0
State Challenge Grants (Part E)	10.0
Juvenile Monitoring (Part G)	4.0
Prevention Grants—Title V	20.0
Americorps: National Service Trust	492.5
Service America	50.0
Civilian Community Corps	26.0
Youth Community Corps	?
Points of Light Foundation	6.5
Runaway and Homeless Youth	40.5
Transition Living for Homeless Youth	13.7
Drug Education for Runaways	14.5
Emergency Food & Shelter (McKinney)	130.0
Emergency Community Services Grants	19.8
Subtotal	1,574.1
Banking Committee (1 program):	
Community Development Grant	4,600.0
Judiciary Committee (1 program): Legal Services Corporation	415.0
Total (32 Programs)	$6,589.1

Source: Congressional Research Service.

Overview of Federal housing programs for low-income people, November 1994

[In millions]

Program	FY 1995 Appropriation
Section 8	$2,800
Public Housing	7,200
Section 236 Interest Deduction	0
Section 235 Homeownership Assistance	7
Section 101 Rent Supplements	0
Home Investment Partnership Program (HOME)	1,400
Homeownership and Opportunity for People Everywhere (HOPE)	50
Section 202 Elderly	1,280
Section 811 Disabled	387
Housing Opportunities for Persons with AFDC	186
Emergency Shelter Grants to Homeless	
Section 8 Moderate Rehabilitation for SROs	
Supportive Housing for Homeless	1,120
Shelter Plus Care	
Innovative Homeless Initiatives Demonstration	
Section 502 Rural Home Loans	2,200
Rural Housing Repair Loans	35
Rural Housing Repair Grants	25
Farm Labor Housing Loans	16
Rural Rental Housing Grants	220
Farm Labor Housing Grants	11
Section 521 Rural Rental Assistance	523
Rural Self-help Housing TA Grants	13
Section 523 Self-Help Housing Site Loans	1
Section 524 Rural Housing Site Loans	1
Section 533 Rural Housing Preservation Grants	22
Bureau of Indian Affairs Housing Grants	19
Total (27 Programs)	17,516

Note: All programs except the Indian Affairs program are under jurisdiction of the Banking Committee; the Indian Affairs program is under jurisdiction of the Natural Resources Committee.

Source. Congressional Budget Office.

Overview of Federal food and nutrition programs for low-income persons, November 1994

[In millions]

Program	FY 1995 Spending
Food Stamps	$24,750
Nutrition Assistance for Puerto Rico	1,143
Special Milk	15
Child Nutrition	7,271
Child Nutrition Commodities	400
Food Donations	266
Women, Infants and Children Program	3,297
CSFP	107
Emergency Food Assistance Program	123
HHS: Congregate Meals	386
HHS: Meals on Wheels	96
Food Program Administration	113
Total	37,967

Source: Congressional Budget Office.

Overview of Federal health programs for low-income people, November 1994

[In millions]

Program	FY 1995 Appropriations
Community Health Centers	$617
Migrant Health Centers	65
Health Care Services for Homeless	65
Health Services for Residents of Public Housing	10
National Health Service Corps Field Program	45
National Health Service Corps Recruitment Program	80
Rural Health Services Outreach Grants	27
Maternal & Child Health Block grant	572
Setaside for Special Projects of National Significance	101
Setaside for Community Integrated Services Systems	11
Healthy Start Initiative	110
Family Planning Program	193
Adolescent Family Life Demonstration Grants	7
Indian Health Services	1,963
Projects for Assistance in Transition and Homelessness	30
Immunization Program	466
Vaccines for Children	424
CARE Grant Program	198
Scholarships for Disadvantaged Student Faculty (3 Programs)	37
Centers of Excellence	24
Education Assistance Regarding Undergraduates	27
Nurse Education Opportunities	4
Total (22 Programs)	5,076

Source. Congressional Budget Office.

Mr. NICKLES. Mr. President, Franklin Roosevelt once said:

The lessons of history, confirmed by evidence immediately before me, show conclusively that continued dependence upon relief induces a spiritual and moral disintegration fundamentally destructive to the national fiber. To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit.

Franklin Delano Roosevelt was exactly right. We have induced a spiritual and moral disintegration of fundamental destructive values, and it has been destructive to our national fiber; it has been destructive to the family. We have a welfare system that does not work.

Since President Lyndon Johnson launched the war on poverty in 1965, welfare spending has cost U.S. taxpayers about $5.4 trillion. Tragically, as Roosevelt predicted, this culturally destructive system has heightened the plight of the poor in this country, discouraging work and marriage. Today, one child in seven is raised on welfare through the Aid to Families with Dependent Children Program. Nearly a third of the children in the United States are now born to single mothers. The number of children on AFDC has tripled between 1965 and 1992, even though the total number of children in the United States declined by 5.5 percent.

To fix this system, we must drastically change it. Simply tinkering around the edges, as suggested by the White House and regrettably by the Democrats' substitute, is not an acceptable solution. Real welfare reform must be linked to personal responsibility. It must provide incentives for work instead of dependence, incentives for marriage instead of children born out of wedlock, and incentives to get a good education and save money to buy a home instead of dropping out of school and remaining in Government-owned housing.

The proposal before the Senate fulfills the commitment—and the proposal I am talking about is the Dole proposal—fulfills the commitment to overhaul the welfare system and is the result of important debate among the Senate Republicans in an effort to strengthen our proposal. I believe this proposal should enjoy overwhelming support from both Republicans and Democrats, as well as the White House.

The Dole substitute has strong work requirements to ensure that able-bodied welfare recipients find a job. It recognizes illegitimacy as a serious national problem and stresses the responsibility of parenthood. It controls the unlimited spending of welfare programs by capping spending and consolidating many overlapping programs.

The Dole bill also consolidates 95 Federal programs in 3 block grants with the option for States to request a block grant for food stamps. We may have an amendment to include food stamps in the block-grant proposal, and certainly this Senator will support it.

The Congressional Budget Office scores the Dole proposal as saving approximately $70 billion over 7 years, while the Democratic package that we will vote on at 4 o'clock today saves only $21 billion. The bill also makes reforms in food stamps, housing programs, child support enforcement, and SSI.

The Dole bill has a real work requirement. Any able-bodied welfare recipient will be required to find a job, and work means work. Welfare recipients will no longer be able to avoid work by moving from one job training program to the next. States will also be able to require welfare applicants to look for a job before even receiving a welfare check.

I have heard my colleagues talk, and they have a great title for their bill. It is called the Work First Act of 1995, and that sounds great. But you need to look at the details.

We now have 155 Federal job training programs. They do not work. Why do we have 155? Because in almost every Congress, every time somebody is running for President they say, "The best welfare program is a job," so we come up with a new jobs program.

We did not eliminate any of the old ones not working, and we stacked on new. We have 155 Federal job training programs. It is ridiculous. Under our proposal, we put those together. We basically have one. Let the States decide which ones work. Some undoubtedly do work. I hope so. We are spending a lot

of money. It certainly does not make any sense to have 155. That makes no sense whatsoever.

In regard to the substitute before us, many people have said this is a great bill, this is going to help people move into work. I am afraid—I am going to call it the Daschle bill—the Democratic substitute tinkers with the welfare system instead of rebuilding it. It proposes to replace AFDC with a bigger, more expensive package of entitlements.

Again, I want to underline "entitlements." The Republican package says we want to end welfare as an entitlement; people will not be entitled to receive welfare. We will have a block-grant approach. We will say, "This is how much we will spend." It will not be an open-ended entitlement.

Not so under the Democratic package. They replace AFDC with a new entitlement package that actually increases spending. Spending will increase more than $16 billion than projected AFDC costs over the next 7 years, and that is according to the Congressional Budget Office, not just DON NICKLES or the Republican Policy Committee.

The Democratic bill does not impose real time limits on welfare benefits. I have heard everybody say, "Well, we have to have some limits," and I am glad to see they approached time limits in the Democratic bill, but they have exceptions, several pages of exceptions.

As a matter of fact, they talk about a time limit and say, "Oh, yes, we are going to put a limit of cash payments of 5 years under the Democrats' bill," but then if you look at page 3 of the bill, as modified, we have exceptions. We have a hardship exception. That goes for a page. We have exceptions for teen parents. We will not count the years they are teens. There are exceptions for child-only cases, and other exceptions. In other words, this time limit has loopholes that can just be expanded and expanded.

It exempts families that happen to reside in an area that has an unemployment rate exceeding 8 percent. Originally, it was 7.5 percent. That means you do not have a 5-year time limit if you happen to live in New York City, Washington, DC, Los Angeles, or Newark, NJ. A lot of cities, a lot of areas have unemployment rates exceeding 8 percent, so they are exempt from the 5-year limitation.

Does that fix welfare as we know it? Does that meet President Clinton's statement, "We want to end welfare as we know it"? That does not end it. It means it will be a lifetime annuity if you live in a high unemployment area. That makes no sense.

We are going to exempt teenagers. If they are 16 years old and have a child born out of wedlock, we will not count the first 3 years and we will start counting after that. So they can be on for 7 or 8 years.

Wait a minute. That is not what President Clinton's rhetoric was. As a matter of fact, President Clinton said on August 11:

> What do we want out of welfare reform? We want work, we want time limits, we want responsible parenting.

There is no time limit, not if you live in an area that has high unemployment. If you are a teenage mother, that time limit is extended substantially.

So I just want to say I have heard many colleagues on the other side making very laudatory comments on the Daschle bill. But the more I look, the more exceptions I see. It does not look like a welfare reform bill. It is kind of tinkering on the edges.

Let us talk about the work requirement because, again, President Clinton said how important work requirements are. The Dole bill says 50 percent of the people have to be on work—50 percent of all people. Under the Daschle proposal, it requires 30 percent of the cash welfare recipients to engage in work-related activities by 1997, and 50 percent by the year 2000. It sounds like it is the same. But as with the time limits on welfare benefits, these work performance standards are undone by the fine print. A substantial number of recipients are excluded when calculating the work participation rates—mothers with young children, ill people, teen mothers, those caring for a family member who is ill or incapacitated. Together, these "clients," as they are now called under the Democratic bill, make up 25 percent of the adult welfare population, and they are exempt from the accounting of the 50-percent requirement.

Think of that. We will have a welfare population where 25 percent is now exempt from the mandate that 50 percent have to be at work. Well, if you add that together, that means that when the work requirements are fully phased in, 62.5 percent of the adult recipients will not be required to work or even get job training under the Daschle approach. That means five-eighths of the people will not be required to get a job or go into work training because they are exempt. So the time limits have all kinds of exemptions—a big exemption if you live in a high-unemployment area, a big exemption if you are a teen mother. The work requirements have big exemptions because we excluded a lot of people—25 percent of the adult population—from that. That is why I look at President Clinton saying, "What do we want out of welfare? We want work requirements and time limits." But the bill is riddled with exceptions in work requirements and certainly in time limits. It says we want responsible parenting. So do we. Maybe we can say we want responsible parenting and make that happen.

Both bills, I might say, have pretty stringent hits on deadbeat or delinquent dads or parents. So maybe there is some commonality in that area.

But, Mr. President, my comment is that we need to pass a welfare bill. I hope that we will pass a bipartisan bill. I hope our colleagues on the other side, after we dispose of this amendment, will look at the proposal Senator DOLE and myself and many other people have sponsored and be very serious. I know there are a lot of amendments. We need to dispose of them. Maybe we will pass some and reject some. I hope our colleagues that have amendments will bring them to the floor. I hope we will consider and dispose of them and, in the next few days, pass a significant welfare reform bill, one that eliminates the open-ended entitlement, one that has savings for taxpayers and encourages work and moves people away from Federal welfare dependency.

I think that is a big challenge. We have not done it in decades. It needs to be done. The biggest beneficiary—some people think that Republicans are trying to do that so they can save some dollars. Some people think this is management, or we are just going to give the authority to the State. I think the biggest beneficiary of our changes will be welfare recipients, because we will be making some changes so they will get off the addiction of welfare and they will be able to break away from the dependency cycle that so many generations and individuals now are stuck on.

So, Mr. President, I think this is one of the most important pieces of legislation this Congress will consider, certainly this year. I am hopeful that in the next few days we will be successful in passing it.

Mr. President, I know that our side is planning on going into a conference. I see my friend from Arkansas on the floor.

Mr. DEWINE assumed the chair.

Mr. BUMPERS. Mr. President, if I may address a question. I understand that all the time remaining between now and 3:30 belongs to the opponents of the Daschle proposal; is that correct?

Mr. NICKLES. That is correct.

Mr. BUMPERS. I wonder if I can impose on the generosity of the Senator from Oklahoma to yield 5 or 10 minutes to me in opposition to his position.

Mr. NICKLES. I am happy to. I will inform my colleague that we were planning on actually—we have a caucus going on at this moment that I was hoping to join in. So it is my intention, as I told the Senator from New York, to have the Senate stand in recess for some period—say until 3 o'clock. I will be happy to give my colleague 5 minutes.

I yield the Senator from Arkansas 5 minutes.

Mr. KERREY. Mr. President, can I ask the Senator from Oklahoma, is he

intending to do that and go into recess at that point?

Mr. NICKLES. That was my hope.

Mr. KERREY. I wonder if the Senator will entertain a unanimous-consent that I speak for 10 minutes after the Senator from Arkansas and at that point we go into recess?

Mr. NICKLES. Yes, but I will withhold putting the unanimous-consent request.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BUMPERS. Mr. President, I want to make a couple of observations and take a slightly different tack on the issue of welfare than that which has been debated.

First of all, I am deeply troubled by the Dole proposal. I do not see how I can support it. One of the reasons I cannot support it is because there is no comprehensive plan on child care. Any welfare proposal that does not consider child care is doomed to failure. Women are not going to work unless they have someplace that will take care of their children during work hours. There is no added money in the Dole proposal for that purpose.

The Dole proposal also has a number of other shortcomings. For instance, the Dole proposal shortchanges States in the Sunbelt, such as Arkansas, where immigration is on the increase. The bill provides no additional funding to take care of a recession when the number of applicants for welfare grow. It seems to me that the proposal is fatally flawed in a number of ways. So I am going to strongly support the Daschle proposal, which attempts to address these issues. Every Member of the Senate wants to vote for welfare reform. If you sit around the coffee shops at home, that is about all they will talk about. However, we have to reform welfare in a commonsensical manner; not the willy-nilly approach taken by the Dole proposal.

It seems to me that we speak loudly, longingly, and piously about the children of this country in this debate on welfare. We overtly or covertly attack them in this proposal—the most vulnerable among our population. Nobody knows for sure what the answer is. However, Mr. President, I assure you the answer is not to make children any worse off than they already are.

Let me just make a point about another kind of welfare. This morning's Washington Post had a story on the Federal Page indicating that the Secretary of the Interior yesterday signed a deed for 110 acres of land belonging to the American people to a Danish company called Faxe Kalk. What do you think the U.S. taxpayers got for that 110 acres of land yesterday? $275—$2.50 an acre. What do you think the corporation Faxe Kalk got? One billion dollars' worth of a mineral called travertine. It is an aggregate source used to whiten paper.

Due to the 1872 mining law, still firmly in place, the taxpayers of this country, who lament the taxes they pay, saw $1 billion worth of their assets go down the tube.

In 1990, Mr. President, I stood exactly where I am standing right now and pleaded with the people of the Senate to impose a moratorium on patenting under the 1872 mining law which requires the Secretary of Interior to deed away billions and billions and billions of dollars worth of gold, platinum, palladium, travertine, whatever, for $2.50 or $5 an acre. I lost that year by two votes.

Mr. President, I wonder if the Senator from Oklahoma will yield 2 additional minutes?

Mr. NICKLES. I yield the Senator from Arkansas an additional 4 minutes, and at the conclusion of his remarks I yield the Senator from Nebraska 10 minutes.

Mr. BUMPERS. I thank the Senator.

I stood here and pleaded with this body to put a moratorium to stop this practice, but lost 50–48.

Four days later, the Stillwater Mining Co. filed an application with the Secretary for patents on approximately 2,000 acres of public land in Montana for $5 an acre—roughly $10,000. If the Secretary winds up having to deed the land, and he certainly will under existing law, to the Stillwater Mining Co., the next story you read in the Washington Post will be that the Secretary of the Interior has deeded 2,000 acres of land belonging to the people of this country for $10,000 and underneath that 2,000 acres lies $38 billion worth of platinum and palladium.

Mr. President, are these my figures? No, they are the figures presented by the Stillwater Mining Co. Mr. President, 2½ years ago, Stillwater said they did not know whether they could make that pay off or not. They say there is $38 billion worth of minerals under it, but they did not know whether they could make it pay off.

Really? A year ago the Manville Corp., which had jointly formed the Stillwater Mining Co. with Chevron bought Chevron out and took Stillwater public at roughly $13 a share. Last week, Manville sold its remaining interest in Stillwater to a bunch of investors for $110 million plus a 5-percent royalty based on a net smelter return. Not bad for a company that 2½ years ago said they did not know whether they could make it profitable or not.

A year ago, when Stillwater went public, the stock sold for $13. 1 year later—how I wish I had invested in this one—the stock is worth $23 today. It had been up to $28. We cannot find the money for child care in the welfare reform bill, while, at the same time, we deeded away $1 billion yesterday, and are getting ready to deed away another $38 billion.

Just before the recess, I offered an amendment on the Interior appropriations bill to renew a moratorium on the issuance of patents pursuant to the 1872 mining law. However, the Senate defeated the amendment 51–46. Instead, my friend from Idaho offered an amendment that would require mining companies to pay fair market value for the surface of the land in the future, but that is just for the surface, not the minerals. So instead of paying $275 yesterday, the Faxe Kalk Corp. for $1 billion worth would have had to pay $20,000.

What a scam. Talk about welfare, welfare for some of our biggest corporations, while we beat up on the children of this country and say to the mothers, "No, we cannot give you child care for your child so you can go to work."

Mr. President, I yield the floor.

Mr. KERREY. Mr. President, this amendment unfortunately will probably be defeated along party lines.

I say unfortunately because there is a significant amount of enthusiasm in this body to respond to the people's concern about our welfare system and to try to change it.

The Democratic Party, as people have observed and understand, has very often had difficulty coming together around change. That is not the case with welfare reform.

We have spent a great deal of time on this side of the aisle—not defending the status quo—coming up with a proposal that radically alters the status quo with an attempt to pass legislation that will respond to taxpayers who say they do not like the current tax.

They think we are spending money with no results, and perhaps worse, spending money and making the problem more serious than it currently is to the recipients who do not like the system, since many do not go onto welfare by choice but are there as a consequence of divorce or separation and find it difficult to get off once they are on.

Mr. President, even providers today increasingly are saying they do not like the current system.

The Work First proposal is a serious attempt to respond to these concerns, an attempt not to reduce the budget deficit, but to reduce the rate of poverty and increase the self-sufficiency of Americans who are struggling to get out of the ranks of poverty. That is the effort that we have before us.

It changes our system so that we first will have an emphasis on finding and keeping a job; second, by providing the support necessary to find and keep that job; and third, by providing the States with more flexibility.

Mr. President, I urge citizens to understand that the Daschle amendment abolishes AFDC. It replaces it with an entitlement that is conditional upon an individual who is able bodied being willing to work. Those recipients must sign a parent empowerment contract

that outlines their plan to move themselves into the work force, similar to what many States have already done, including my own, the State of Nebraska.

It provides a stimulus to develop the work ethic by moving from an income maintenance program to an employment assistance program.

Mr. President, beyond that, this bill recognizes that in order to keep that job, individuals, parents, need to have other things. In particular, it makes certain that every single person that is moving into the ranks of the employed has high-quality, affordable child care. Otherwise, they will not be able to get it done.

Now, there is a tremendous differential, Mr. President, between the relative cost of child care for somebody who is in the ranks of the poor and that of the people who are not poor. Above poverty, American families spend about 9 percent of their income for child care. Below poverty, it is almost 25 percent of their income.

This proposal, moreover, says that many Americans are still struggling to try to be able to afford the cost of health care. This extends the 1-year Medicaid to 2 years and provides a sliding scale. So again, there is a requirement of effort for health care.

Mr. President, this legislation responds to States saying that they want more flexibility. It allows States to design their own program and encourages States to redesign their infrastructure, to streamline the processes.

It provides incentive for States if the States exceed the required job participation rate. It does not freeze the funds in an inflexible block grant, but it does say the States are required to maintain some effort.

Mr. President, this legislation by itself will not solve all the problems. I still believe that we need to raise the minimum wage. I still believe that we need to hold on to the progress that was made with the expansion of the earned-income tax credit.

Perhaps one of the most damaging things that is done in the current budget resolution is to reduce the earned-income tax credit. This welfare reform proposal by itself will not solve all the problems.

Indeed, ideally for me, would be to pass the Daschle amendment and then include thereafter title 7 and title 8 of the Dole proposal, which is essentially the Kassebaum Work Force Development Act that consolidates and provides an awful lot more flexibility to States to make job training programs work. It is a very good piece of legislation. It could give the States the kind of flexibility and the power that they need to help people acquire the skills necessary to be self-sufficient.

I have no doubt that, if we were to pass this amendment—and I hope my own skepticism about this current division between Republicans and Democrats will not be warranted, I hope there will be Republicans who will vote for the Daschle proposal—if it is passed, taxpayers will like it because they will be getting their money's worth, for a program that provides incentives for people to work. The recipients will like it because it strengthens child support enforcement, it provides a contract that lets them know precisely what they are supposed to do, and it offers an alternative approach to the cycle of poverty and the cycle of welfare dependency that many are trying to break.

The people of the State of Nebraska, in my recent campaign, indicated strongly they want our welfare rules to be written so work is given greater priority than welfare, so it is more attractive than being on welfare. This legislation responds precisely to that concern. They want the opportunity at the State level and at the local level to be able to design their own programs, and this legislation responds to that concern.

It is not being driven solely by the need to reduce the deficit. There is not an ideological bent to it that says it has to be one way or the other. It is driven by a desire to be able to stand at the end of the day and say this thing is working better; that, from the taxpayers' standpoint, from the beneficiaries' standpoint, and from the providers' standpoint, we have made our welfare system operate in a more efficient, effective and, hopefully, humanitarian fashion as well.

I yield the floor.

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

Mr. BAUCUS. Mr. President, on behalf of the majority leader, I yield myself such time as I may consume.

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

Mr. BAUCUS. Mr. President, this is a very important subject, welfare reform. I have approached the debate myself by trying to go back to the basics. I think all of us have attempted that. That is by asking why we have a welfare system at all, what should it do, and, just as important, what should it not do? The answers to those questions, I think, are simple.

We now do not have a welfare system just in order to give money to poor people. That is not the point of welfare. It is not the point of welfare simply to give money to poor people. Neither do we have a welfare system to punish and humiliate people, especially children, for being poor. The reason we have a welfare system is to help people in a tough spot get back on their feet and back to work; to promote with compassion the values of work, personal responsibility, and self-sufficiency we all share as Americans.

The failure of our present system to meet these goals is a national tragedy. It is a top concern of Montanans and of all Americans, and rightly so. It seems to me very sad that Congress is approaching welfare reform in a polarized, partisan way. After spending several weeks at home listening, talking to people, I know the American people expect better. They expect a serious effort to solve a serious problem. And they are right. That is why I have reached out to work with Republicans on welfare reform, and it is why I am disappointed to see how little effort the majority has made to work with Democrats and how little cooperation there is between the administration and the Congress.

If we continue on this course, the country will not get welfare reform. It will get a partisan bill, maybe a veto, and ultimately an embarrassing failure. So, while we still have time, today I would like to urge us all to try a bit harder to work better together, to do what we know is right, listen to the people, and get the job done.

In the past month, I have listened to Montanans I meet along the highway. I am walking across my State. I talk to people on welfare and people who have fought their way off welfare and into jobs, to teachers from Head Start and professionals from State government, county human service officers, to advocates for poor people, and to middle-class taxpayers who pay for our system.

As heated as the welfare reform debate can be, I have learned that most of us have some basic principles in common. We agree that America needs a welfare system, but one which encourages personal responsibility, encourages work and self-sufficiency, lets States like Montana create systems that make sense for our own unique problems, is fair to taxpayers, protects children, and helps keep families together.

We agree the present system does not achieve these goals. It is broken and it needs dramatic change.

The Federal Government has administered our major welfare program, Aid to Families With Dependent Children, or AFDC, since the 1930's. I think it is fair to say that AFDC has failed to live up to these principles, and there is no reason to reinforce failure. The best thing to do now is not to tinker with the AFDC, or come up with a substitute to it; it is to get the Federal Government out of AFDC, turn it into a block grant, let the States design different plans, come up with their own ideas and try to learn from one another.

Therefore, it is with some reluctance I will vote against the alternative proposal by the Democratic leader. It has some good points: a time limit, work requirements, a child care program, and protection for children. Those are very important. But the proposal has a fundamental flaw. Under the proposal,

the Federal Government will continue to administer welfare reform. I believe that will continue to cause a problem. It will continue to write requirements for States, and I believe it will perpetuate a system that has failed. That is why, on balance, I prefer the welfare reform bill offered by Senator DOLE.

The Dole proposal makes a clean break with the past. It converts the welfare program into a block grant, eliminating red tape and giving States the flexibility they need to run their own program. And it does some other essential things. It is fair to taxpayers. It does not require States to adopt the more punitive approaches of the House bill, such as making States deny benefits to families when they have more children, or to unwed teenage mothers. And by placing a time limit on benefits and requiring work, it moves away from a program which is based on benefit checks toward one which is based on responsibility and self-help.

Thus, I hope I will ultimately be able to vote for Senator DOLE's proposal. But at this point I believe it has some very serious problems. They can be fixed, but we cannot evade them.

These problems fall into three main areas:

First, failure to provide for child care. First, women and children, the people who receive the big majority of AFDC benefits, can only go to work if they have a safe, dependable provider of child care, and child care is expensive. When a mother comes off AFDC, she is likely to start with a pretty low-paying job. So, if we expect welfare recipients to work, we must offer some help with child care. But, at present, the Dole bill offers no real help with child care. It merely gives States the option of exempting families with children before their first birthday from the work participation requirements. We have to do much better.

Second, the safety net for families with children. While we must tell people they have to go back to work in a reasonable time, we have also to protect them when times are really tough: when a father suddenly leaves a family, when a wage-earner is killed or disabled in an accident, when a business closes, and when a young, single mother suddenly loses her job. We cannot and we must not simply cut away the whole social safety net.

So, if the Federal Government is going to turn the welfare system over to the States, we need a guarantee that the States will continue to provide their part of that safety net.

We need a guarantee that, under budget pressures as most of them are, they will not simply take the money and eliminate most or all benefits for people who truly need help.

The Dole bill does not provide that guarantee. Instead, it merely says that for 2 years, States must reach 75 percent or more of their present level of spending. After that, all bets are off. That is not good enough.

Third, the Dole bill contains provisions which should not be in a welfare bill at all. All these should be removed.

For example, it turns the Food Stamp Program into an optional block grant that was not in the committee bill. It is in the Dole bill. This is unnecessary, because the Food Stamp Program on the whole works. No doubt it can be improved in some ways, but it provides our families and children with the food they need.

And turning food stamps into a block grant is also dangerous, because it threatens the nutrition of poor children. States could eliminate nutrition services completely, which would threaten kids' health. Or they could turn them into cash grants, which would encourage fraud and abuse by recipients.

In addition, the Dole bill contains a large and controversial job training program. This is a very important issue which should be considered on its own merits, not simply lumped into the welfare bill without debate.

AMERICA NEEDS A BIPARTISAN REFORM

Finally, and once again, my most important criticism applies to the whole approach Congress has taken to welfare reform. That is, I believe Congress is treating this as a political issue rather than a real issue.

That is wrong. The failure of the welfare system is a serious social problem. It is a top concern of the public, and rightly so. It deserves to be more than a political hockey puck.

But today, we have a Democratic bill and a Republican bill. Slogans and press releases. All the things that have made so many Americans fed up with politics.

If nothing changes, we will get a partisan bill pushed through with a very narrow margin of votes. We will get a veto. It will be sustained. And at the end of the year, we will have no welfare reform.

That does not have to happen. We still have time for serious work on a serious problem. We can improve this bill, and ultimately get a good, tough, fair reform. I hope my colleagues here will join me.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. MOSELEY-BRAUN. I now ask unanimous consent that I be yielded 10 minutes to speak on the pending legislation.

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

Ms. MOSELEY-BRAUN. Mr. President, today we begin in earnest to tackle the issue of welfare reform. In the next week we will decide if this Congress will pass welfare reform legislation that attacks poverty and aids recipients to become self-sufficient or if we give in to the rhetoric, the hot buttons, the slogans, the wedge issues, ignore past economic appearance, and pass shortsighted and, I daresay, counterproductive legislation.

To look first at some of the facts and to suggest a reality check about this debate: There are currently some 14 million people in the United States receiving aid to families with dependent children assistance, known as welfare. But, Mr. President, over 9 million of those people are children. The remaining 5 million of those people are adults. So let us be clear what we are talking about at the outset. When we talk about welfare reform, we are talking about primarily children. Nine million of the 14 million people receiving welfare are kids; only 5 million are adults.

Now, of those adults, of those 5 million adults, nearly 4 percent overall—these are national numbers—nearly 4 percent have been designated by the States—by the States—as incapacitated or physically unable to work. Other estimates, Mr. President, which include, among other conditions, mental illness, substance abuse and the like, put the number of those who are incapacitated and unable the work at about 18 percent. So 18 percent of the 5 million people are unable to work.

That means then that somewhere between 4.1 and 4.8 million AFDC recipients are able to work, and, Mr. President, I agree that they should work. I do not think there is anyone in this Chamber, indeed in this country, who would deny that those people who can work should work. On this point I think there can be absolute consensus.

The difference, Mr. President, however, between the Democratic alternative, the substitute amendment, and the underlying bill, between the Democratic and the Republican approaches, is that the Democratic approach, I believe, asks two critical questions that apparently did not occur or at least are not represented in the leadership bill.

First question: What about the jobs and attendant training and education for those 4.1 to 4.8 able-bodied adults? And, second, what about the children? Again, 9 million children, what about them? To me, I believe that the bottom line of all of this is to ensure that children are protected. The question we should ask ourselves when evaluating any welfare reform proposal is, what about the children?

I introduced welfare reform legislation earlier in the year. Every provision in that bill, which was developed in conjunction and in conversation with the task force of Illinois residents, every provision of that bill

sought to improve the condition of children through economic opportunities for their families and to maintain a safety net for them. The whole idea is to keep families and allow families to come together to provide a nurturing atmosphere for children and at the same time provide those families with an ability to support those children while providing a safety net for those children. I believe that the Democratic Work First bill, also known as the Daschle substitute, builds on those principles of support for families, support for children, and an emphasis on work.

The Daschle plan, the Democratic plan, includes all of the components necessary for successful welfare reform. It is tough on work, including a guarantee of necessary support services like child care and provides funding for job creation, and above all, it protects children. That is the reason that I have joined in cosponsoring the Democratic plan and support it wholeheartedly.

First, the Democratic bill provides that critical safety net for children. Our bill ensures that no child will go hungry or homeless due to the behavior of his or her parents. It affirms the Federal and State commitment to aiding poor children. And in that regard, Mr. President, I would point out that in this country right now some 24 percent, estimated 24 percent, of the children in America fall below the poverty level. The highest level of child poverty in the industrialized world is in America today. I, therefore, think that we cannot approach the issue of welfare reform without addressing the question of child poverty, and addressing the question of child poverty has to take place in a Federal, State, and local collaborative and cooperative arrangement.

Second, Mr. President, the Democratic alternative, the Work First bill, includes critical support services such as child care and health care. We know from past experience that the lack of child care and health care causes many poor people, many recipients, former recipients, to go back into transition and return back to the welfare rolls. An individual who is faced with the prospect of not being able to afford health care may then have to leave work and go back on welfare just to have their health needs attended to. Similarly, a mother, a single mother particularly, or single parent faced with the prospect of leaving their child alone, underaged child alone, in order to go to work will often be forced to leave the work force and go on welfare just to provide for child care.

So, the Work First bill, the Democratic alternative, includes those services as a necessary component of welfare reform. The Work First bill not only guarantees child care for those recipients required to work under it; it also expands and provides for the child care development block grant, the existing program that helps low-income working families to afford child care.

As you know, Mr. President, there are a number of people who work but who need the financial assistance so they can put their children into child care so that they will not be forced back onto welfare rolls. This legislation, the Democratic alternative, provides for those support services.

Mr. President, child care for the working poor is critical. It can often make the difference between a working parent and a parent receiving welfare. In Illinois alone, in my State, we currently have a waiting list—a waiting list, Mr. President—of some 30,000 children, 30,000 kids, children, who need to have slots in day care for which there are no slots available. The Democratic leadership recognizes that moving from welfare to work requires an upfront investment, and it has to be an investment that goes to the benefit of the children.

The Work First bill provides adequate funding so the recipients will have a real opportunity to move from welfare and into the private-sector work force. And that is why I would encourage all of my colleagues to take a good look at the leadership bill and encourage their support of it, because only by providing support for child care will we be able to accomplish real welfare reform.

The Democratic plan recognizes no matter how skilled a recipient, if there are no jobs or not enough jobs in the community, there still can be no work. Again, this job creation is another major element that has to be part of any real welfare reform. This bill, the Democratic bill, the Daschle bill, provides funding for community-based institutions that invest in business enterprises and therefore helps to create new private-sector jobs for low-income persons, which then will help us to revitalize poor, underserved communities and help us diminish the reliance on and the need for welfare.

Mr. President, the Republican leadership bill falls short in the areas that I have just mentioned: Work, child care, and job creation. And above all, it fails children. Two-thirds of those receiving assistance are children, and protecting their future should be the goal of reform.

One of the fundamental errors and problems with the plan before us right now—the Republican plan, the leadership plan—is that the plan ends the 60-year-old Federal commitment to provide assistance to needy children. States are given the option of leaving children to go homeless and hungry. It is unconscionable to me, Mr. President, the Senate would ignore the plight of children and allow that to happen.

During one of the hearings on welfare reform in the Finance Committee, I asked a sponsor, frankly, of the Republican bill, who supported the total dismantlement of the safety net, "What about the children? What if this bill results in children being homeless and hungry?" And the response that I got was, "Well, if that happens, we will just have to come back in a couple years and fix this."

Mr. President, I submit that we cannot be that generous with the suffering of children in this country and that we ought to start off fixing this problem now. And that is why I support the Daschle alternative.

CHILD CARE

Under the Dole bill, work requirements and participation rates are increased but funding for child care is not. Illinois alone will have to increase child care by 383 percent to meet the work requirements in the Dole bill. Funding for recipients required to work will siphon off dollars from low-income families. In a State that already has a waiting list of 30,000, the impact of the Dole bill could be devastating.

This is a misguided approach if the aim of reform is long term self-sufficiency.

JOB CREATION

On the jobs issue the Dole bill is silent. There is no recognition that job creation and economic development are critical to communities that are plagued by both high unemployment and high poverty rates.

The bill assumes that recipients will be able to find jobs after the 5-year time limit, which could be less at a State's option, but does not provide funding for job creation or provide adequate funding for support services that will aid recipients to obtain and keep private sector jobs. In many poor communities jobs do not exist and those that are available are not easily accessible. This bill buys into the "Field of Dreams" theme of: If you kick them off they will work.

In many poor areas in Chicago, unemployment is between 20 and 40 percent. Eighty percent of black youth between the ages of 16 and 19 are unemployed in Chicago and 55 percent of the 20- to 24-year-olds are out of work. It will be nearly impossible to move recipients into permanent private sector jobs if there is no effort to create jobs.

Under the Dole bill States will have to increase the number of persons participating in work-job preparation activities by over 161 percent by the year 2000. To use my State as an example: Illinois will receive $444 million less in AFDC funds, but will be required to increase by 122 percent the number of recipients participating in work-job preparation activities.

This will be a tremendous burden on Illinois. Our current caseload exceeds 700,000 people and 64 percent of the entire caseload resides in one county. In the year 2000, Illinois will be forced to

use 73 percent of its block grant allocation to meet the Dole bill requirements. That leaves almost no funding for cash assistance or other programs supporting family stability. In addition, the State and the city of Chicago will have to create tens of thousands of jobs to absorb former welfare recipients who will have reached the 5-year time limit.

UNFUNDED MANDATE

What this means is States and localities will be forced to pick up the tab, which means the cost will be passed along to all of us through higher State and local taxes.

This leads me to my last point—the Dole will is an unfunded mandate.

Welfare reform is not easy and it is not cheap. What we have learned from successful State experiments like those in Michigan and Wisconsin—is that moving recipients into jobs can be done but it is expensive, labor intensive, and time consuming.

Even Tommy Thompson, Governor of Wisconsin, acknowledges the need for an initial investment. He has stated that "every time you change a system you are going to have an up-front investment, more transportation, more job training, more day care. And those who think that you can just change the system from one based on dependency, where you receive a welfare check once a month, to one in which you require people to go to work, are going to be sadly mistaken when you first start the program. Because there is an up-front investment."

In order to meet the work and child care costs associated with the Republican bill, States will have to spend an additional $16.7 billion. That is a very large unfunded mandate.

It is no wonder that the Congressional Budget Office has predicted States won't be able to meet the work and child care requirements in the Dole bill. It is easy to see why CBO assumes that 44 States will be unable to meet the bill's requirements, preferring to risk penalties instead.

CONCLUSION

We all want reform so that the welfare system works better. But we must keep in mind that the system serves real people—the majority of whom are children. Welfare should not be a wedge issue—it is a people issue.

The Work First plan provides a real solution to the problems of poverty; the Republican plan ignores poverty.

We live in one of the richest countries in the world, we have a $7 trillion economy and a $1.2 trillion Federal budget, and yet we lag behind every other industrial nation in child poverty. Yesterday, this body voted to give the Department of Defense $7 billion more than they asked for. Clearly, we have the wherewithal to do better by this Nation's children. What this next week will show is whether or not we have the will.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MOSELEY-BRAUN. I will continue to express myself on this subject in the coming hours of this debate. Thank you.

The PRESIDING OFFICER. Who yields time?

Mr. SANTORUM. Mr. President, I yield 3 minutes to the Senator from Missouri.

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

Mr. BOND. Mr. President, I thank the distinguished Senator from Pennsylvania. I want to raise a question for my colleagues on the other side of the aisle as to whether the proposed Daschle amendment would deal with a very disturbing situation we found in the State of Missouri.

Under the current law, and this is one of the reasons people are going nuts with welfare today, we have had an innovative program in Sedalia, MO, where the president pro tempore of the Missouri State Senate worked with the Division of Family Services, which administers AFDC, to try to find employees for a major employer coming to the Sedalia area, bringing 1,500 to 1,600 jobs.

They had the very simple idea that if they would bring qualified AFDC recipients to the employer, then they might help solve the problems of the people who did not have jobs and meet the needs of the employer for workers. They sent over a number of workers. Some of the workers have accepted employment, and the system seems to be working very well for them. Some of them chose to find other jobs because they did not like this employer, and that is a good result. Those two classes of people found work.

A third class of people was turned down for jobs. They continued to receive AFDC. Another class of workers who refused to show up for jobs could be cut off, but they could only be cut off of the AFDC rolls for 2 months—jobs for which they were qualified, well above the minimum wage, and they were cut off, but they could only be cut off for 2 months.

No. 1, would that restriction continue under the proposed Daschle amendment?

No. 2, and this is probably the most troubling part, two of the AFDC recipients who went to the employer failed the mandatory drug test. Since they failed the mandatory drug test, they were not offered jobs. They went back to the Division of Family Services and continued their AFDC checks. They could not be cut off, as we understand in Missouri the requirements of AFDC, even though they failed drug tests.

As I see it, if this is the effect of existing law or the Daschle amendment, then there would be an incentive for people who wanted to stay on AFDC simply to take drugs to prevent them from passing a drug test.

I invite Members who are supporting the Daschle amendment to tell me if those two very important requirements would be changed under the Daschle amendment.

I thank the Chair, and I thank my colleague from Pennsylvania.

The PRESIDING OFFICER. Who yields time?

Mr. SANTORUM. I yield such time as he may consume to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BROWN. Mr. President, I want to thank the Senator from Pennsylvania.

I rise in strong support of the welfare reform effort and to express several concerns about the effort to amend it, which is before the body now. First of all, a very distinguished Member has just noted her, I know, genuine concern that families could be cut off without assistance. Let me assure her and other Members who may be listening to this debate that this bill is not about cutting people off who are genuinely in need and genuinely in need of help. As a matter of fact, what this bill does is continue the program in a significant fashion. What it does do that is different, in its main point, is give States the discretion to run that program, and it has some big differences in this area.

The first and biggest difference is that we take money that is now sent to the Federal bureaucracy to administer this program and put that money into programs to help the needy and help the State level administer the program.

What we are doing with this effort is saying that it is no longer going to be a Federal bureaucracy that dictates to the States and the counties how to run their programs. We are going to give many of the decisions and administration of programs to people on the line, and the resources of the program will be diverted away from the bureaucracy toward those people in need and toward those people who actually run the program. It does make a difference. It puts more resources in the hands of the people who can make a difference and help those in need.

The second thing it does, I think, that is so important and why I think it would be a mistake to turn back to the past is this: In the past, we have precluded people from being able to develop effective, viable programs on the local level. I will simply give an example in Colorado. My own county, Weld County, had a program that had the impact of reducing welfare rolls by a substantial amount during the first month of operation. It was an experimental program.

It ended up with a substantial number of people having viable, substantive jobs that improved their lot in life and set them on the path toward getting out of poverty. It was one focused on job placement and opportunity, not subsistence and welfare.

Those who truly needed the assistance got it, but those who had the ability to work and the desire to work were delighted to have the opportunity to work, and that is what the program did.

What happened to that program? It was shut down, and it was shut down because it did not satisfy the demands of the Federal bureaucrats that ruled.

That is what this bill is all about. This is about giving your local counties and cities and States the ability to design programs that really work. If you believe Washington has all the answers, you will not want to do that. If you believe in centralized planning and decisionmaking in the few hands of people in Washington, DC, that they can make a better decision than the people on the line, why, you want to oppose the Dole amendment, you want to oppose the Republican proposal. What is at stake in this measure is the ability to give the States and the cities and the communities where these programs are run the ability to change welfare.

I do not think there is anyone in this Chamber who would come forward and say they are proud of the results of the war on poverty. Men and women, Democrats and Republicans, liberal and conservatives all look at the numbers and they know that the number of people in poverty has gone up under the war on poverty, not down. They know that in spite of spending hundreds of billions of dollars, literally trillions of dollars since the war on poverty started, that poverty is a bigger problem today than it was when it started. Part of it is because the kind of programs we designed have made people dependent on Government instead of being designed to help make them independent and give them opportunity. That is what this bill is all about.

To go back to central planning, I think, would be a mistake, and that is why this bill is a good one, because it gives broader decisionmaking to a greater number of people and gives flexibility to the States. It redirects the resources so that more of it goes to the recipients and the people who run the program and less to bureaucrats.

Third, Mr. President, I want to make a point I think is very important when people cast their vote on the amendment that is going to be before us. One of the things that sabotaged welfare reform in 1988 was some amendments that were added at the last minute. Those amendments involved an effort to outlaw referrals to work. I know most Members are going to say, "What, making it illegal to refer people to work?" But that is literally what the law did.

I think most Members of the House and the Senate would be surprised if they knew those measures were in it. I remember the battle very well, because I was in a position of the ranking Republican on the Ways and Means Committee that worked on that. There were three provisions added to the bill in the House that restricted referrals to work.

One, the most damaging, literally says that a State may not refer someone to a job in the municipal government or State government unless that job is an entirely new program. In other words, if they simply just have a vacancy in a program where they have a real job that performs real services for real pay and you have a welfare recipient who is able to fill that job, they are not allowed to put that welfare recipient to work in that job.

What it has done is sabotage much of the efforts to turn this program around. You can look in the Green Book that catalogs the welfare programs. If you will look at the rhetoric of the 1988 bill, the line was that we have required either work or education or training, the emphasis being on work. But when you look at the results, what we find is that only 4 percent of the people on welfare in the JOBS Program are in a job or work activity. What you literally have done is create a program that was sabotaged by that prohibition on work.

Now, Mr. President, the major focus of the Dole amendment and the Republican bill that has come out of committee, the No. 1 item that I think has value over and above everything else, is the repeal of the prohibition on work; the repeal of that statute that makes it illegal to refer welfare recipients to existing job openings. It is a tragic mistake that was incorporated into our laws in 1988. It is a tragic mistake that has sabotaged our efforts to help those who are poor among us turn their lives around. Tragically, the amendment before us does not fully correct that error. In other words, if you vote for the Daschle amendment, you will be voting to continue some of the prohibitions on work.

Right now, the Finance Committee bill, and the Dole amendment, repeal the prohibitions on work. If you wipe those out with this weaker amendment, you wipe out the major tool that I think can turn the welfare system around.

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

Mr. BROWN. Yes.

Mr. SANTORUM. I want to make sure I am clear on this. In current law, the Senator is suggesting that if there is a job opening which a welfare recipient could qualify to do, and someone wants to hire the welfare recipient in a work program for that position, they cannot refer that person for the job; is that correct?

Mr. BROWN. The statute is very clear. They cannot refer them to it unless it is an entirely new job, a new organization, a new department, or new bureaucracy.

Mr. SANTORUM. If I own a company, a small business, and I want to hire a welfare recipient, they cannot refer that person unless it is a newly created job?

Mr. BROWN. They can if it is a private company. But they cannot with regard to a city or State job.

Mr. SANTORUM. A city or State job. If you have a job available in the highway department holding a sign up—we have all seen that—and you want to refer a welfare recipient to that job, you cannot do that today; is that right?

Mr. BROWN. Under today's law, you could not.

Mr. SANTORUM. Under the Daschle proposal, could you refer that person?

Mr. BROWN. My understanding is—and perhaps Members will correct me if I am wrong—in that amendment, they do not fully change that prohibition. On its face the amendment appears to repeal the prohibition, but it in fact continues it in a more subtle form.

Mr. SANTORUM. "Where are the jobs," I hear. We are not allowed to refer them to the jobs. Under our bill, we would create the opportunity for those referrals. Under their bill, they prohibit job placements.

Mr. BROWN. They keep in place a major impediment to placing men and women on those jobs.

Ms. MOSELEY-BRAUN. Would the Senator like a response?

Mr. BROWN. Yes.

Ms. MOSELEY-BRAUN. The Daschle Work First provision says that you cannot fire an individual who is working in order to replace that worker with someone currently receiving public assistance. That is correct. So your reference to a new job means the job is not currently held by a worker, a person already in the private work force.

Mr. BROWN. I appreciate that. Let me say I agree with the Senator that somebody should not be fired to be replaced by a welfare recipient. But the statute on the books now—and that is repealed by the committee proposal—is one that makes it illegal to refer someone to an existing opening. Now, the purpose of that might be to protect somebody from being fired—I have no problem with that—so that you could replace them with a welfare recipient. I assume the concern is it might cost less. I have no problem with that.

I have a problem with the tragedy that has occurred since 1988, and that is prohibiting people from being referred to those jobs which are normally open, saying the only ones you can refer them to are brand new agencies or bureaucracies. That is the basic concern I have about the amendment before us, which I believe is the No. 1 item that was a problem with the 1988 bill.

I will mention that I offered an amendment on the floor of the House to instruct the conferees to repeal from

the bill those prohibitions on work. That measure passed by a large majority in the House of Representatives at the time. It was a measure that, unfortunately, though, the conference committee in 1988 chose to retain in the bill, and it has had continuing devastating affects on the abilities of young men and women to turn their lives around from poverty.

It seems to me that what we ought to be doing with the welfare reform bill is looking for ways to help people get out of poverty, instead of having a program that keeps people in poverty. What we have done to people under the existing program is create a program that makes it very difficult to get out of poverty, to leave it, to turn their way of life around. What we have done in some States is create a level so people have to take a pay cut if they go to get a job. Tragically, sometimes the bureaucracy in these areas has chosen not to refer people to baseline jobs, beginning jobs.

The Denver welfare office, which I have visited several times, is a large office that employs over 1,000 people working on welfare-related programs at one location. Obviously, Denver is not as big as many of the cities represented here on this floor right now. But the attitude, tragically, in many of those areas is that you should not start at some of the basic jobs, that you should only refer people to jobs that start at $8 or $9 an hour, or $10 an hour.

Mr. President, let me mention that I think it is terribly important for people to understand that the way you do well in our economy is you start off on the ladder, and you climb it rung by rung by rung. You do not start off at the top. You do start off and work your way up by doing a good job in each responsibility that you have. One of the things I did while in high school was work 40 hours a week. I worked as a gardener, a busboy, and a janitor. Those jobs were jobs that helped me get better jobs. I think around this country, what men and women find is an opportunity—work means an opportunity for them to improve their way of life.

What we have had is a welfare program in the past that has sought to isolate people from an opportunity to get started. What we need more than anything else in the way of welfare reform is a program that understands its purpose and its function, and its focus ought to be to help people get out of poverty, not keep them in it. It ought to be one that has a different image of people. It ought to recognize that some people do need help, and we will provide that. But many people want, more than anything else, an opportunity. They want, more than anything else, a way to find a job, to prepare for the skills, and help to begin that process.

I am proud that in the welfare reform bill that came out of the Finance Committee, there are many ingredients that I think will help turn this around. The biggest one, other than repealing the prohibition on work, is allowing our communities to take a hand in running and designing these programs. Pueblo County in Colorado designed an outstanding program that showed superb results. Unfortunately, it was shut down by Federal regulators because it did not fit their idea of what would work and what would not work. I know San Diego County in California has done a number of experiments that were successful in helping people turn their lives around. Unfortunately, they could not be continued because they did not fit the Federal role model and guides.

We have seen Jefferson County in Colorado come forward with a very progressive program. I am proud to say that I think many of the bills talked about here will give them the flexibility to move ahead with that. But part of this is understanding that central planning, centralization of decisions, centralization and controlling all welfare programs, does not work. The package that has been put together since the war on poverty began has increased poverty, not reduced it. It has reduced opportunity for people. So we have an opportunity, in this next week, to pass what I think will be the single most important bill we will consider in this session of Congress, and that is one of changing welfare, changing it from a program that locks people into poverty to a program that is designed to help people out of poverty.

I yield the floor.

Mr. SANTORUM. Mr. President, I yield myself such time as I may use. I thank the Senator from Colorado for his excellent remarks. I thank him for the great work he has done on not only this legislation but really in getting us here. He mentioned that he has been the ranking member on the Subcommittee on Human Resources of the House Ways and Means Committee, which is a position I was fortunate enough to serve in for 2 years. I know on that committee he worked to set a lot of groundwork for us to work on welfare reform that we did in the House, which became H.R. 4, that passed, and added tremendously, even in last year's debate, by introducing his own bill last session to reform the welfare system and again move the ball forward on this subject.

I want to pick up on this issue of worker displacement because I do not think we got the full answer. I am reading from the bill, section 485 of the bill. Subsection (C) talks about nondisplacement.

"In general, no funds provided under this Act shall be used in a manner that would result in the displacement of any currently employed worker"—I accept that as meaning maybe someone who would be fired—"or the impairment of existing contracts for services or collective bargaining agreements."

Well, what does that mean? It means that if you have any position that is a part of a collective bargaining agreement or contracted service, which just about every city and State position is part of a collective bargaining agreement, you cannot fill that. Any unionized employee whose position is vacant cannot be filled by a welfare recipient. This is a blatant bow to organized labor, saying we will not take that person who holds that sign on the construction project that says "stop" and "slow," that is in most cases a contracted service, an existing contract for service; that is a position that is filled by the contractor for the State government and cannot be filled by a welfare recipient; someone who works in the State bureaucracy, who is a member of a union. I imagine you could do this if you became a union member and got off welfare, but if you are in a work program, you cannot fill that job. You cannot be referred for that job under the Daschle-Breaux position.

It is a fancier way of saying—I know they were very uncomfortable with coming out and saying we do not want to allow people to be referred, because I got a lot of heat on that, but this is a backdoor way of accomplishing the same thing.

So I think we should tell it like it is. It is very clear here that almost all city and State jobs, which are almost all unionized jobs with the exception of political appointments, what we are talking about here is not allowing to replace vacancies.

I think that is, as the Senator from Colorado very eloquently stated, one of the biggest impediments to moving people off welfare into jobs in which they can later become productive, is this prohibition. It remains in the Daschle bill. I think it is a serious flaw in the legislation.

Ms. MOSELEY-BRAUN. Will the Senator yield?

Mr. SANTORUM. I am happy to yield to the Senator.

Ms. MOSELEY-BRAUN. Section 486 of the bill does provide for the placement of people in employment. I wish to correct the statement. I hope the misimpression that was given that the Daschle substitute prohibits people from being placed in public-sector employment—it does not prohibit welfare recipients from being placed in public-sector employment. What it does provide, as the Senator correctly noted, is that it has to be done according to the rules, and the rules which are collective bargaining agreements and others. It does not prohibit the placement of welfare recipient in the public sector.

Mr. SANTORUM. Reclaiming my time, it did not, except there are no public-sector jobs other than the jobs we are talking about in which you

could be placed. It sort of is giving with one and taking away with the other. The end result, there will not be public-sector jobs the welfare recipients will be referred to. That is a very serious flaw in this amendment that is being put forward by the Democratic leader.

I am happy to yield 10 minutes to the Senator from Virginia.

The PRESIDING OFFICER. There are 4 minutes remaining on the side of the Senator from Pennsylvania and 2 minutes remaining on the Daschle side.

Mr. ROBB. Mr. President, I ask unanimous-consent that I be recognized for 12 minutes to speak on the bill.

The PRESIDING OFFICER. According to the unanimous-consent agreement, at 3:30 there is to be 15 minutes available to the Democratic leader followed by 15 minutes available to the majority leader.

Mr. SANTORUM. I am happy to yield the remaining 4 minutes on the Republican side to the Senator from Virginia and he can use the remaining time.

Mr. ROBB. I ask that I be recognized until such time as the leaders come to reclaim the time under the unanimous-consent agreement.

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

Mr. ROBB. Thank you, Mr. President.

Mr. President, I rise today in support of the Work First plan offered by our Democratic leader, Senator DASCHLE. I am pleased to be an original cosponsor of this important legislation because I believe it both establishes firm boundaries to combat welfare dependency and provides beneficiaries with genuine economic opportunity.

George Bernard Shaw once said, "The greatest of our evils and the worst of our crimes is poverty."

And it is unconscionable, Mr. President, that in America today we have nearly 16 million children living in poverty. In 1993, almost 30 percent of all children under age 3 lived in poverty and almost 50 percent of all African-American children were poor.

Between 1989 and 1993, the number of children receiving food stamps increased more than 50 percent and in 1994 25 percent of our Nation's homeless were children under 18.

For the world's greatest democracy (where the value and the freedoms inherent in each individual citizen are unparalleled anywhere on earth) these statistics portray both a moral dilemma and an economic burden of enormous consequence.

We have not only an obligation to improve the quality of life of generations of innocent children shadowed by poverty, but also a responsibility to our taxpayers to both improve our welfare system and to reduce the billions of dollars in lost productivity incurred each year as a result of current poverty levels.

Mr. President, there are infrequent moments in time where constructive and meaningful solutions can be found to otherwise intractable problems. I honestly believe we have before us such a moment, and I hope we do not let this opportunity slip from our grasp.

At a minimum, we do not want to let politics, or public opinion polls, or fears of 30-second sound bites on the evening news prevent us from doing what is right.

And to do what is right, Mr. President, we have to rethink our Nation's social policy. We have to restructure our welfare system to foster greater upward mobility, to reconnect the poor to the mainstream job market, to reward self-discipline and hard work, to encourage families to stay together, and to restore to the poor and the dispossessed both the benefits and the obligations of citizenship.

I believe the Work First plan meets those objectives.

With a 2-year time limit on benefits for adults—and a 5-year lifetime limit—this bill transforms welfare into the short-term safety net it was meant to be. It contains the funding necessary to allow an individual to both sustain a family in the short-term and secure and keep a job in the longer term. That is the definition of real welfare reform, Mr. President.

In reality, single mothers need child care to work, and the Work First plan guarantees that child care. In reality, families need extended Medicaid coverage to bridge the gap created by entry-level jobs with little or no benefits—and the Work First plan makes Medicaid available for an additional 12 months.

By addressing the practical obstacles to independence which so many poor families encounter today, the Work First plan provides incentives to shatter current barriers and allow individuals to move up the economic ladder.

And very importantly, Mr. President, those who cannot find a private sector job under the Work First plan are put to work as well, either through workfare or community service. In fact, within 7 years of enactment, nonexempt individuals are required to participate in community service jobs just 6 months after joining the welfare rolls.

Two years ago, Mr. President, I joined our former colleague from Oklahoma, Senator BOREN, in supporting legislation similar to the old Works Progress Act, which placed into public service jobs AFDC recipients who had completed the JOBS Program and still remained unemployed. Requiring that those individuals work for their benefits appeals to my sense of what the shared contract between a society and its people should encompass.

Only by providing useful work—and the values and discipline associated with work—can we offer the poor and the disadvantaged a permanent way out of poverty. I believe everyone benefits from the sense of self-worth that earning wages and contributing to his or her community engenders.

When we require beneficiaries to work we give them job experience—job experience that can open doors and bridge the gap between dependency and genuine economic opportunity.

The Work First plan is tough medicine, Mr. President, but I believe it establishes a pragmatic, compassionate process to lift many of our poor citizens out of poverty and into the economic mainstream.

And while I believe the Work First plan moves us firmly in the right direction, I have some serious concerns about the alternative plan offered by the majority leader.

First, it guarantees neither adequate child care nor extended health benefits. How can we require poor women to go to work without ensuring that their young children are watched over and protected?

Second, CBO estimates that States will need to collectively spend an additional $5 billion by the year 2000—$5 billion above what they are paying now—to meet the work requirements in the alternative bill. Where will States get that $5 billion, Mr. President, if federal block grants are frozen for 5 years at current levels? And what is more vitally important to successfully improving our welfare system than effectively moving people into jobs?

Finally, Mr. President, I am concerned that the alternative bill fails to require States to continue to contribute their historic share.

As a former Governor, I know that reduced State support could mean financial disaster for many cities and counties. On June 15, the U.S. Conference of Mayors unanimously adopted a resolution opposing the Senate Finance Committee bill and endorsing the Work First plan, stating that it would "provide significantly greater assistance—to facilitate the transition from welfare to work."

The transition from welfare to work—that is our goal. That is the purpose, the spirit, the driving force behind the Work First plan.

Mr. President, every time a welfare recipient earns a living wage, at least one more child in America moves out of poverty.

Every time a welfare recipient earns a living wage, at least one more child in America sees their role model go to work in the morning, earn a salary, pay their bills, believe a little more in their own ability and their self-worth, and live in a world that is infinitely stronger because they contribute to it.

And every time a welfare recipient earns a living wage, at least one more child in America escapes from what could become a cycle of dependency and hopelessness that is inherently unAmerican—and for which we have an obligation today to begin to break.

The moment, Mr. President, is before us. We have an opportunity—indeed, a responsibility—to help many of our most vulnerable people better attain the priceless gift of economic freedom. And we will make our country stronger in the future.

This does not have to be a partisan battle, Mr. President. Rather, it should be a bipartisan effort to identify tough, effective solutions.

As Franklin Roosevelt said during his second inaugural address, "In every land there are always at work forces that drive men apart and forces that draw men together. In our personal ambitions we are individuals. But in our seeking for economic and political progress as a Nation, we all go up, or else we all go down, as one people * * *."

I urge my colleagues on both sides of the aisle to join together in support of the Work First amendment.

Mr. BRYAN. Mr. President, as an original cosponsor of the Democrats' Work First welfare reform plan, I urge my colleagues to join us in supporting this proposal. Welfare reform needs to be done now.

Work First does what all of us want to do—it requires people receiving welfare to get to work as quickly as possible. It does this while also protecting those children at risk and dependent upon the welfare assistance system through no action on their part.

This spring, I came to the Senate floor to discuss the need to reform our welfare system. I related what I had learned after spending an entire morning at one of the busiest welfare offices in Las Vegas, the West Owens District Welfare Office, observing an eligibility determination interview, and meeting with welfare eligibility workers. I later also visited a welfare office in Reno. The need for extensive and immediate reform of the current welfare system was brought home to me most vividly during these visits. I believe Work First gets us to that needed reform.

The Work First alternative is self-explanatory. It puts the focus of the welfare assistance program where it must be—on getting people to work as quickly as possible. All able-bodied recipients go to work immediately. Those who work receive the help they need to get on their feet—they get an additional year of Medicaid health care coverage, and they get child care assistance. And for the working poor, those trying to go it on their own, they get a 5-year child care phase-in to help ensure they can permanently join the work force.

Work First does this, while at the same time showing compassion for those in dire straits, and for those children who are at risk. It is too easy to forget in the heat of debate on this very important issue that there are people, and particularly children throughout this Nation who desperately, and very legitimately need welfare assistance. We want a welfare assistance system that will be there for those truly in need, yet ensures that they get on their own two feet as quickly as possible.

My State of Nevada is the fastest growing State in the Nation. Rapid growth States like Nevada benefit tremendously from the current entitlement status of the Federal welfare assistance system. Today, if a person meets the eligibility criteria, he or she is entitled to assistance. The entitlement protects States like Nevada which are experiencing incredible population increases. As needy people move into these rapid growth States, the Federal funding follows the population shift.

Work First limits the entitlement to welfare assistance. People who need assistance only get it if they are eligible, and only if they meet their responsibilities. It is a time limited and conditional eligibility. For the needy, assistance is there, but only if they do what is necessary to get to work. No longer can welfare assistance become a lifestyle.

Work First provides States with the incentive to create welfare systems that will put people to work as soon as possible. If a State does not meet its target for putting welfare recipients to work, it is penalized. If a State exceeds the target, it is rewarded through a funding bonus.

Work First, unlike the Republican proposal, does not use the block grant approach. As a former Governor, I very much understand the attraction of block grants for Governors and their States. Quite often it can be a better approach.

But the notion that somehow block grants are, in and of themselves, the answer to every problem we have with the current welfare program is disingenuous. Particularly when the Republican block grant proposal asks States to do more with less.

If States are deprived of the funding necessary to do the job the Federal Government is sending to them through a block grant, all of the flexibility in the world will not enable the States to do the job—let alone do it better.

Under the Republican proposal, all States are held to their fiscal year 1994 cash assistance level of Federal funding for the next 5 years. How can rapidly growing States like Nevada possibly provide for their increasing number of people in need based on yesterday's funding levels? And into the next 5 years?

And how does the block grant proposal help States face economic recessions? Economic slowdowns impact welfare assistance programs immediately. Working families lose their jobs through no fault of their own, and it can be a long time before a job is available again. These people need help. And yet Nevada and the other States are expected to provide for these people on an already inadequate level of Federal funding.

Work First also recognizes that the inability to pay for child care is a major hurdle for the many single mothers with children who want to work. It is also a problem for low-income working couples who are at risk of losing their jobs because they cannot afford to pay child care on the wages they receive.

Earlier this year, I observed a welfare eligibility determination interview which involved a young woman, who was working, and married with two young children. Both she and her husband had jobs paying above the minimum wage, yet they could not provide a living wage for their family of four.

Her employer kept her work hours to no more than 20 hours per week, so she was ineligible for job provided health care benefits. One of her children had a preexisting medical condition, so medical care was a necessity. The cost of child care for the two children was making it impossible for both her and her husband to continue to work, and still have enough earned income left to live on. Here is a couple trying to make it on their own, and they cannot.

Work First recognizes the vital importance of child care assistance to help welfare recipients get off welfare and get to work. It also recognizes that the many working poor, like the family I just described, also need child care help—for awhile—to enable them to stay in the work force.

The Republican welfare reform proposal, however, deals with this issue by repealing child care assistance programs which today serve approximately 640,000 children. There is no guarantee that any State will provide funds to implement a child care assistance program.

If it is truly our goal to get people into the workforce permanently, then we must give these people the help—for a limited time—that will enable them to get there. Repealing the very programs that provide this assistance is not the answer.

This June, I introduced my Child Support Enforcement Act legislation modified from my bill last Congress to help further strengthen our ability to get dead beat parents to responsibly provide for their children. I am pleased Work First includes many of the same provisions.

No one who shares the responsibility for bringing children into this world should be allowed to shirk that responsibility later by refusing to admit paternity or by failing to pay child support.

We all lament the increasing number of unwed teenage girls who have children. This situation is particularly disheartening when these young mothers

are themselves mere children. But too often in the past, our public policies to try to stem this increase have focused solely on the mother and ignored the responsibility of the father. Those fathers, who many times have already walked away before their children are even born, must face the reality of their parental and financial responsibilities.

Although Nevada is the fastest growing State in the Nation, its population is comparatively small with about 1.6 million people. Yet its State Child Support Enforcement Program had 66,385 cases in fiscal year 1994, and collected $62.7 million of child support. Unfortunately, the total owed was almost $352 million, leaving an uncollected balance of almost $290 million. Already by April this year, Nevada's caseload had grown to over 69,000 cases.

These cases represent only those children whose families are receiving Aid to Families with Dependent Children, or who are using the services of the county district attorney offices to enforce child support. The many Nevadans using private attorneys are not included. This scenario is repeated in every State across the country.

The facts are simple. Nationally, one in four children live in a single-parent household. But one of the most startling statistics is that only half of these single parents have sought and obtained child support orders.

This means 50 percent of these single mothers either have been unable to track down the father, have not pursued support, or are unaware of their legal child support enforcement rights.

Of the parents who have sought out and obtained child support, only half receive the full amount to which they are entitled. This means 25 percent of the single parents who have child support orders actually receive nothing at all.

These facts should concern us. It is all too true that many single parents must seek public welfare assistance in order to be able to support their children. When we taxpayers are asked to lend a helping hand to these children, we should be assured every effort is being made to require absent deadbeat parents meet their financial responsibilities to those same children. Public assistance should not be the escape valve relied upon by those parents who want to walk away from their children.

My child support enforcement legislation and Work First provide the means to help shut that escape valve. Both provide States the authority to withhold or suspend occupational and professional licenses; Work First also includes drivers' licenses. Both allow the denial of passports to noncustodial parents for nonpayment of child support. Both provide for the reporting of child support arrearages to credit bureaus. Both require custodial parents cooperate with paternity establishment and enforcement of child support as a condition of receiving cash assistance. The authority to collect child support from Federal employees and members of the Armed Services is enhanced by both measures. Full faith and credit of child support orders is improved, and States are required to adopt laws to void fraudulent transfers by a person owing child support.

Work First also allows States to prohibit noncustodial parents—the parents who owe the child support—from receiving food stamp assistance. So much of our efforts to establish and collect child support fall on the custodial parent—the parent who cares for the children and tries to make ends meet. This provision provides another way to find noncustodial parents and ensure they meet their child support obligations.

We must give our courts and law enforcement agencies the tools they need to crack down on delinquent parents. The goal is not to drive those who want to meet their obligations to their children away, but rather to make sure those ignoring their children understand that society will not tolerate their irresponsible behavior.

We must assure taxpayers who lend the helping hand to impoverished single mothers and their children that every effort is being made to get deadbeat parents to pay up. We must ensure the children receive adequate and consistent child support, so they are able to have the opportunity to become successful, productive, and healthy adults. For many single parent families, if they could receive the child support payments they are entitled to, it would make the difference between being able to maintain their financial independence, and having to seek welfare assistance.

I do support the Republican welfare reform requirement that all food stamp recipients, both the custodial and the noncustodial parent, participate in child support enforcement efforts as a condition of food stamp eligibility. This requirement to participate in child support enforcement efforts needs to be extended to all welfare and public assistance programs.

During my visits with Nevada eligibility workers, over and over again I heard about problems with the Food Stamp Program eligibility criteria. Work First deals with those problems. People eligible for food stamps, without children, are required to work or get training to work as a condition of receiving benefits.

Although the Food Stamp Program is criticized, it has provided the most basic safety net—food—for those in need, particularly in times of recession. The Republican proposal, however, would give States the irrevocable option to put their food stamp funds into a block grant. This option requires States spend 80 percent of these funds on food assistance. The other 20 percent is left to the States to use as they wish. Again States are held to the higher of either their fiscal year 1994, or the average of their fiscal year 1992–94 expenditures as their funding level under the block grant approach. How can this option possibly provide a dependable minimal safety net for those who are most vulnerable to economic downturns? food stamp funds should go for food; that is too basic a human need to play with.

Good as Work First is, there are some problem areas of the current welfare system that it does not address. I will be proposing a welfare fraud amendment to prohibit welfare recipients who commit welfare fraud from being unjustly enriched because of that fraud. There are times when an individual, whose benefits are reduced because of an act of fraud, games the system by using his reduced monthly income to generate additional benefits from other assistance programs. When welfare recipients are overpaid benefits, we need to allow the welfare system to intercept Federal income tax refunds to recover such benefit amounts.

We need a welfare system that does not allow people to think that receiving welfare assistance is an option they can choose to take when it is convenient. We all read in the Washington Post of the young, unmarried, working woman who made a conscious decision to have a child, voluntarily left her job, and then applied for and received welfare assistance. Her rationale was that she had worked, and now the system owed her support while she stayed home to care for the child for its first 3 years.

Millions of single mothers get up every morning, get their children ready for school or child care, and go off to work, and we should expect no less from those receiving welfare assistance. No one should ever think welfare assistance is going to be there for them because they voluntarily leave their jobs, or decide to have a child and want to stay home to care for it.

Americans are a compassionate people. They are always there to help people who are genuinely in need. They care deeply about our country's children. The outpouring from the hearts of Americans across this country in response to the Oklahoma Federal building bombing verified that compassionate nature a thousand fold.

But most Americans are a hard-working lot, too. The vast majority of Americans are out there every day going to work—doing their best to provide for their families on their own. And many of these hard-working Americans are single mothers who are the sole breadwinner for their children, who pay for their own child care, and who struggle to make it by themselves. It should come as no surprise when these hard-working people feel a bit

taken advantage of when they see able-bodied people relying on the welfare assistance program.

The welfare system must be substantially changed. On that we all agree. We all agree too that there will always be people who will need the safety net welfare assistance provides at some time in their lives. But the net should be there only for a limited time, so people get back on their feet and permanently into the workforce.

Work First will change the welfare system. It lets hard-working Americans know that we recognize their frustration with those who abuse the welfare system. It lets Americans in need know that conditional, time-limited assistance is there to help them if they meet their responsibilities to get to work as soon as possible. And it does this compassionately by protecting our most vulnerable citizens. Work First may not have all the answers, but it will get us well down the road to a more fair welfare assistance system.

Mr. BIDEN. Mr. President, I am pleased that the Senate is finally debating welfare reform. And, I want to take a few minutes to discuss my views on the matter.

It is obvious to almost everyone—including those on welfare—that the current welfare system is broken.

Too many welfare recipients spend far too long on welfare and do far too little in exchange for their benefits. Many of those who manage to get off the welfare rolls only end up back on them after a short period of time. And, for some, generations have made welfare their way of life.

This is unacceptable. And, I believe that trying to fix the problem through patchwork solutions is no longer an option—it will only fall short of what needs to be done. Instead, we need to end the current welfare system—scrap it and start over. And, the new program must have as its fundamental premise one basic thing: work.

Back in 1987, I proposed a work requirement for all welfare recipients. And, many of those ideas were embodied in the Family Support Act of 1988—the bipartisan legislation crafted by Senator MOYNIHAN. It was a good first step. But, it is evident today that the 1988 law did not go far enough.

It is time—it is long past time, really—for us to require welfare recipients to work for their benefits.

We must make it unmistakably clear that welfare recipients have an obligation to make every effort to end their dependency. Citizenship is more than just a bundle of benefits. It is also a set of responsibilities. And, the primary responsibility is to provide for yourself and your family by working.

Now, when I say "work," let me be clear about what I mean. I mean work. I do not mean participation in bureaucratic programs. I do not mean participation in "work activities." I mean real work. I mean a job.

And, if a private sector job cannot be found, welfare recipients should still be required to work, giving back to the communities where they live by doing community service work.

In short, the new rule of the game must be this: In exchange for a welfare check, you do something for your benefits. You work. The government will help with child care and some job training, if needed. But, all adults on welfare should be working. The culture of welfare must be replaced with the culture of work.

Let me be specific.

First, we should require all welfare recipients to sign a contract in which they agree to work in exchange for their benefits. Those who refuse to sign should not get benefits.

Then, welfare recipients should have to look for a job immediately. They should have up to 6 months to find a job in the private sector. Six months, period.

Those who refuse to look for work should not get benefits. And, those welfare recipients who are not working at the end of 6 months should work in a public sector job or do community service work—or give up their welfare benefits.

No more free lunches. No more free rides.

And, Mr. President, there should be no more permanent claim on public aid. Working for a welfare check—and everyone should work for their check—must be temporary. Welfare recipients must eventually work for a paycheck.

Do not get me wrong. Temporary assistance is the right and humane thing to do. We should not abandon welfare entirely. All Americans must be secure in the knowledge that if something unexpected happens to them—the death of a spouse, the loss of a job, the burning down of their house—that help will be there.

But, welfare must no longer be a way of life. We do no favors—including for the welfare recipients themselves—by keeping people on welfare indefinitely. We must get people off of welfare—and keep them off. Welfare dependency must be replaced with self-sufficiency and personal responsibility.

So, we should limit adults to 5 years of welfare, returning the welfare system to its original intent—a system of temporary assistance.

Mr. President, a mandatory work requirement and a 5-year time limit sound tough. And, they are. It is time for some tough measures.

But, in the process we must be realistic. If welfare is truly to become a two-way street—if our goal is to move welfare recipients into work and not just out onto the streets—then we cannot ignore the issue of child care.

For a family living in poverty, the costs of child care can eat up almost 25 percent of their income. Expecting welfare recipients to work—demanding that they work—will not work without child care. The work simply will not pay. Welfare recipients will either go to work and leave their children alone—or not go to work at all. No one—no matter how poor—should be asked to choose between their job and their children. Not only is child care the right thing to do—but, without it, welfare reform will fail.

In creating a new welfare system, we must recognize this reality by making sure that child care is available for the children on welfare when their mothers are working. In addition, we must recognize that many of those who leave welfare only to return later do so because they cannot afford child care. We should allow States to provide 2 years of child care assistance for those who have left welfare. And, we should make all low income working families eligible for child care assistance—regardless of whether they had ever been on welfare.

Mr. President, let there be no doubt. We must be strict with the adult recipients of welfare. But, at the same time, we must be compassionate toward the children.

Two-thirds of those on welfare are children—and we should not blame them or punish them for being born into poverty. More than one in every five children in America today is born poor. That's one poor child born every 40 seconds. And they were given no choice in the matter. Abandoning these children—and they are all of our children—is tantamount to abandoning our future.

That is why I believe we must guarantee child care. And, that is why we should, while limiting adults to 5 years of welfare, keep the safety net for children.

If a parent is kicked off of welfare, the children—the innocent children—should continue to receive assistance for food, housing, and clothing. But, that assistance should be provided for the children through a voucher to a third party—not cash to the parents. In other words, adults should not be able to live off of their children's benefits.

The point here is that we should provide nothing for adults who do not work, but we should protect the children who are not to blame.

Finally, in all of this talk and debate about welfare mothers, let us not forget that there are two adults involved in creating a child. Those who bring children into the world should support their children—and that includes the deadbeat parents, who are mostly dads.

They should be forced to pay child support, and tough child support enforcement must be a part of any welfare reform effort. Getting tough on the deadbeat dads must be as high a priority as getting tough on the welfare mothers. Remember, every dollar not paid in child support is another dollar the Government may have to pay in welfare benefits.

Since 1992, when I was appointed to a Senate Democratic task force on child support enforcement, I have argued that fathers who do not work and do not pay child support should be required to take a job—just as welfare mothers should be required to work. Absent parents who have failed to pay child support should be given a simple choice. They could start paying what they owe their children. Or, they could take a community service job in order to earn the money they owe their children. Or, they could go to jail. But, what they should no longer be able to do is to abandon their children.

Mr. President, I am absolutely committed to passing a tough welfare reform measure that emphasizes work and personal responsibility—but protects children in the process and maintains a safety net for all Americans who need temporary help.

In evaluating the options, I believe that Senator DASCHLE's proposal—the Work First Act—comes closest to meeting my goals. The Work First plan strikes an appropriate balance. It requires work and imposes a 5-year time limit. It guarantees child care and a temporary safety net for all Americans. It is tough on both welfare mothers and deadbeat dads.

I believe that the Daschle proposal is real welfare reform. And, I urge my colleagues to join me in voting for this important, significant, and long overdue overhaul of our welfare system.

Mr. HARKIN. Mr. President, as we continue the debate on welfare reform I would like to begin by restating some things that I talked about before we recessed in August.

I believe it is important for people to understand that there is agreement on one issue here—the need to reform the welfare system. We may have differences of opinion about the best way to accomplish it, but on the central issue, there is agreement.

There is not a single member in this Chamber who believes that welfare system is a success. It is failing the taxpayers and it is failing the people who rely on it.

I had great hopes that we would be debating welfare reform legislation that enjoyed broad bipartisan support. In fact, I had written to the two leaders asking that a bipartisan task force be appointed to find our common ground.

Mr. President, neither party has cornered the market on good ideas and sound solutions. Only by having voices from all segments of the political spectrum, can we arrive at sound legislation developed by using common sense.

Unfortunately, the Dole amendment was negotiated behind closed doors within the Republican caucus. The result is legislation that is strong on ideology, and short on true reform. Without changes, I fear the Dole-Packwood proposal may well replace one failed, dependency inducing welfare system with many varieties of the same.

Unfortunately, I vividly recall the last prolonged economic downturn that gripped Iowa during the farm depression and accompanying deep recession in agricultural States and communities. The economy began to sour in 1981 and did not truly begin to turn about for the State until about 1987. That experience has forever changed the economic landscape of Iowa. Good jobs are gone and will never return.

Those were very difficult years, but contributions provided by a partnership with the Federal Government allowed my State and others in the Midwest to recover. One of the most serious shortcomings of the Dole amendment is that it severs this important partnership.

Mr. President, today, we are debating an alternative that has been proposed by the Democratic leadership. Unlike the pending Dole amendment, the Daschle Work First Act will, in fact, truly reform the welfare system. And in the process, will reduce the deficit by $20 billion.

The Work First Act abolishes the current giveaway welfare system and replaces it with a conditional, transitional benefit. Let me repeat this since many seem to misunderstand—a conditional, transitional benefit.

This proposal is not tinkering as some suggest. It is true, comprehensive, real reform of an obsolete, failed system.

Welfare as a way of life will no longer exist. There will be no more unconditional handouts. Parents will be required to responsibility from day one and must do something in return for the welfare check. Failure to do so, will have consequences.

The Democratic leadership proposal starts with the following goal—to get welfare recipients employed and off of welfare. And then develops a comprehensive plan to make it happen.

You can't accomplish the goal unless you do certain things. That's just common sense. First, you have to take care of the kids. Second, you have to make sure that people have the skills and education necessary to get and keep jobs. Finally, there is no free ride, no more government hand outs.

We will provide a hand-up. But individuals on welfare must accept responsibility from day one and grab on to that helping hand. If not, then there will be no check.

A central element of the Daschle bill is the requirement that all families on welfare must negotiate and sign a contract that spells out what they will do to get off of welfare. Failure to meet the terms of the contract will result in the termination of the cash grant.

A binding contract, like that included in the Daschle bill, is currently in place in Iowa. And it works.

Over the past 22 months I have met with a number of individuals about the Iowa Family Investment Program. Time after time I hear welfare recipients say that no one ever asked them about their goals. No one sat down and talked with them about what it takes to get off of welfare.

Welfare recipients rightfully assumed that no one cared if they stayed on welfare indefinitely. That was the message of this obsolete system which kept welfare moms at home, while most other moms were employed outside the home.

There is a new message being delivered in Iowa now. Welfare is a transitional program and people must be working to get off the system.

And the welfare picture is changing in Iowa. More families are working and earning income. There are fewer families on welfare. And the State is spending less for cash grants.

But we can't get from here to there without recognizing the magnitude of the problems facing most of the families on welfare. No skills. No education. No one to take care of the kids.

At a hearing on the Iowa welfare reform program, Governor Terry Brandstad said, "There has been much recognition that welfare reform requires up-front investments with long-term results. * * *"

Iowa has begun to make those investments, in partnership with the Federal Government. And those investments are beginning to yield fruit in the form of reduced expenditures for AFDC grants.

The Work First bill also recognizes that child care is the linchpin to successful welfare reform. We cannot require welfare recipients to work, if there is no place to put the kids. Placing children in harm's way in order to make the parents work in unacceptable. The Daschle bill recognizes this reality.

Instead of simply slashing welfare and dumping all of the responsibility and all of the bills on to States and local taxpayers, the Daschle plan represents real reform and real change.

Like the Iowa plan, Work First demands responsibility from day one. And it ends the something-for-nothing system of today with one that truly turns welfare into work.

It is built on the concepts of accountability, responsibility, opportunity, and common sense. It will liberate families from the welfare trap.

And it will strengthen families and help today's welfare recipients finally walk off the dead end of dependence and on the road to self-sufficiency.

The Daschle Work First bill is a pragmatic, common welfare reform proposal and should be adopted. I urge my colleagues to vote for the amendment.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, first let me commend the distinguished Senator from Virginia for his excellent

statement and the support he has provided this legislation. His input and his participation has been invaluable on this issue, as it has been on so many others. I am very grateful for that.

Let me reiterate my gratitude as well for the assistance and leadership provided by the distinguished senior Senator from New York, and the Senators from Maryland, Louisiana, and so many other Senators who have had a vital role to play in bringing us to this point. As we have said now for the last couple of days, our intent in offering this amendment is to hold out the hand of partnership to Republicans in bringing forth a proposal that Democrats as well as Republicans could support to bring about meaningful welfare reform. That is our goal.

There are four fundamental aspects of that goal that we view to be very important. First and foremost, we expect, we want, we propose real reform.

Second, we recognize that real reform is not possible without an appreciation of the need to provide more opportunities for work than are provided today.

Third, we must protect children. We understand that we cannot provide opportunities for work, we cannot truly engage in any kind of effort to encourage people to leave their homes, we cannot ask a mother to be separated from her children, without also ensuring that her children are going to be cared for.

Finally, all of us must recognize that South Dakota is different from New York, is different from Michigan. There ought to be, first, flexibility, and, second, the realization that the last thing we want—given that this Senate has put itself on record in opposition to additional unfunded mandates—is to ask States to do things without adequately ensuring that the funding is there to get them done right.

Those are the four goals: Real reform, work, children, and flexibility through an opportunity to sensitize people to the needs and the resources necessary in the States themselves.

We have had a good debate in the last couple of days about many of these goals and how they relate to each other. The reality is different than the rhetoric we have heard on many occasions during this debate.

First, there is a fundamental difference between our approach and the Republican approach with regard to work. The Work First plan fundamentally redefines welfare as we know it by putting a great deal of emphasis on ensuring that the skills can be provided, but ensuring as well that we have the resources to do the job.

The Republican plan, on the other hand, simply boxes up the problem and ships the current system to the States. It tells the States, "You do it. You find a way to ensure that we can come up with some magical solution to all these goals, but we are not going to allow you the resources adequate to get the job done." Boxing up the plan and sending it out is no solution. Providing the necessary infrastructure, providing the resources, and ensuring a partnership between the Federal Government and the States truly is.

Second, we recognize, as I said in articulating the goals of our amendment, that we need to ensure that mothers have the capacity to work, that young mothers in particular have the resources—and from that the confidence—that they will need to go out and seek jobs, to go out and obtain the skills, to go out and get the counseling, to go out and get the education to ensure that at some point in their lives they can be productive citizens with the full expectation that they are doing this in concert with those of us who want to work with them to see that the job gets done right.

We recognize that if we are going to reach this goal of putting people to work, if we are going to ask a mother to leave the home, if we are going to ask a young mother in particular to leave her children, then, my heavens, how long does it take for every Member of this Chamber to realize as well that child care is the linchpin to making that happen? Protecting children is what this is all about; if we do not protect children, if we do not ensure that the children are cared for, there is no way they are going to leave home.

So it seems to me this is exactly what we have to produce in this Chamber prior to the time we finish our work on welfare reform: A realization that protecting children, caring for those kids as mothers leave for work, is an essential element of whatever welfare reform we pass.

The Republican plan ignores 9 million children. It has been aptly described as the "Home Alone" bill, because there simply are not the resources, the infrastructure, the mechanism, the will on the part of many on the Republican side of the aisle to address this issue in a meaningful way.

We simply cannot be willing to leave child care as the only aspect of our need to address the cares of children. We must also recognize, as the distinguished ranking member of the Finance Committee has said on so many occasions, that we must address the problem of teenage pregnancy. While we do not have all the answers to teenage pregnancy, we must recognize that there is a need there. We must try to address the problem in a meaningful way. There is a responsibility for us to care in whatever way we can, ensuring that teen parents get some guidance, ensuring that teen mothers are given an opportunity to work through the challenges they face as young mothers. We do that in the Work First proposal.

We do not claim to have all the answers to teen pregnancy. No one does. No one can possibly tell you, unequivocally, here is how we are going to stop teenage pregnancies. But we can say that teen mothers have to begin taking responsibility. We can say that we have some initial steps in providing them with an infrastructure and with a mechanism by which they can be productive mothers first, workers second, or students third. This amendment does that. This amendment addresses the realization that unless we begin to put the pieces together in working with teenage pregnancy, recognizing we do not have the answers, we are never going to solve the problem at all.

The Republicans have used quite a bit of their time to say that, somehow, this is a plan run out of Washington. Nothing could be further from the truth. The truth is that the Work First plan is specifically designed to give States the flexibility that they need to do whatever it takes in their States, to recognize that in South Dakota we have a different set of circumstances than we might have in Florida or California.

You heard the charge that somehow our plan is weaker on work than the one proposed on the other side, but the truth is the Work First plan is stronger than the current Dole bill as it has been proposed. Our amendment requires community service after 6 months. The Republican plan calls for no work until after 2 years. Our amendment provides for resources to help mothers go to work. The Republican plan is $16.5 underfunded. They say our plan may have too many exemptions from the time limit. The truth is that both plans have exemptions. The Republican plan has a 15-percent exemption, arbitrarily set.

As I said last night, if we use every one of the criteria specified in our amendment, including mothers who have young children, disabled, those people who work in high-unemployment areas, if we have in some way used up all of that 15 percent and still find young mothers who have children, are we then to say to them, "I'm sorry, we have arbitrarily set the line at 15 percent. You happen to be in the 16th percentile. You have to go to work?" I do not think anyone wants to say that. That is why we believe using selective criteria makes a lot more sense, why giving States the flexibility makes a lot more sense. So, indeed, that is what we have attempted to do, to recognize that States need flexibility, but to recognize, too, that there are certain categories of people who simply may not be required, because of the extreme circumstances in which they find themselves, to fit the neat, defined descriptions that we have laid out in this amendment concerning the time limit.

So, Mr. President, the Work First proposal is real reform. The Work First amendment goes beyond rhetoric and meets the reality of reform. The Work

First amendment does what we say is important if indeed we are going to redefine welfare. It provides the opportunity for work. The Work First amendment provides for child care and child protection in ways that are essential to the well-being of the future of this country.

Mr. President, the Work First amendment recognizes that we are not going to do a thing unless States have the resources, and unless we share those resources in a meaningful way, giving maximum flexibility to the States to decide how to use them.

Maybe that is why the U.S. Conference of Mayors has endorsed one welfare reform proposal. They have endorsed Work First because they are the ones who are going to be charged with the responsibility of carrying out what we do here. So the mayors understand all of this. They have said, on a bipartisan basis: We want the Work First plan. Local officials have also endorsed one plan. Local officials have indicated they, too, understand the consequences of no funding, understand the importance of child care, understand the importance of providing maximum flexibility, understand the importance of funding and real work. And they, too, support the Work First proposal.

Organizations of all kinds have come forward to say this is the kind of legislation they want us to pass. The Democratic Governors have said again, as late as this morning: This is what we want; this is what we need. This will do the job.

Mr. President, it has been a good debate. I am hopeful that, as so many have expressed on the Senate floor in the last couple of days, we truly can find bipartisan solutions to the challenges we face in passing meaningful welfare reform. This is our best good-faith effort to accomplish meaningful reform, to reach out to our Republican colleagues and say join us, to reach out across the board to Democratic and Republican Governors alike and say join us, to reach out to all of those people currently on AFDC who want to find ways out of the boxes they are in and say join us. We are providing new opportunities, new solutions, and even new hope for people who need it badly.

Let us hope as a result of the passage of this amendment this afternoon that we can begin our work in earnest to ensure that the reality of welfare reform can be realized at some point in the not too distant future.

I yield the floor.

Mr. LOTT. Mr. President, may I inquire about how the time is divided at this point?

The PRESIDING OFFICER. At this point, all time has expired. But 15 minutes of time has been set aside at 3:45 for the majority leader under a previous unanimous-consent agreement.

Mr. LOTT. Mr. President, while the distinguished majority leader is on his way, I understand I can take a couple of minutes of his time to make a brief statement.

I ask unanimous consent that I be allowed to do that.

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

Mr. LOTT. Mr. President, our time for debate on this amendment is running out. So I will keep these remarks brief and to the point.

I urge my colleagues to vote against the Daschle-Breaux substitute. I do not question the good motives behind it. I consider it a thoughtful attempt to break out of the welfare status quo—something which all of us want to accomplish.

But I do not believe it does the job, at least not the way the American people want it done.

For starters, it retains authority and decisionmaking about welfare right here in Washington. And it does so at a time when the States are seizing the initiative with far-reaching experiments and demonstration projects. Instead of fostering that process, by returning both authority and resources to State and local taxpayers, the Daschle-Breaux amendment would retain the whole mechanism of Federal micromanagement.

The substitute amendment talks a good fight on two fronts: with regard to work requirements and a time limit for receipt of welfare. But in both cases, there are so many provisos and loopholes and conditions and exceptions that we couldn't expect significant progress over the status quo.

We have had work requirements on paper before, with impressive participation rates mandated by various times certain. What we need now is sufficient flexibility for the States to reach those goals in their own ways. The substitute amendment does not give it to them.

Nor does it offer hope of turning the tide against illegitimacy. That may be its most important shortcoming. There is already a national consensus that illegitimacy is the key factor that drives the growth of welfare. It is the single most powerful force pushing women and children into poverty.

A welfare bill that does not frontally address that issue—that does not make reducing illegitimacy rates a central goal—is simply not credible as welfare reform.

Another touchstone of true welfare reform is whether a bill removes or retains the entitlement status of welfare. It seems to me that the Daschle-Breaux substitute merely replaces the current AFDC entitlement with a new, or newly designated, entitlement, supposedly time limited.

That is not even incremental change, and it cannot get us where the Nation needs to go in modernizing, streamlining, and reforming our programs of public assistance.

I hope that our colleagues who, for one reason or another, plan to vote for the substitute amendment will, thereafter, keep an open mind and open options about the Republican welfare bill this amendment seeks to replace.

It is a large package of very comprehensive welfare reform. But I think it can significantly improve our present system and move us toward genuine welfare reform. It points the way toward the radical change that is needed.

I urge my colleagues to vote against Daschle-Breaux and let us move toward the adoption of the Dole welfare reform package.

I yield the floor.

Mr. PRESSLER. Mr. President, I ask unanimous consent to proceed for 2 minutes.

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

Mr. PRESSLER. Mr. President, I rise in support of the Dole approach on the welfare bill. We must restore workfare to our welfare program. The system of welfare that we have in this country was set up in the early 1960's. I remember well the war on poverty, and the intentions were good. But the result has been our inner cities have had generational welfare. The same thing has happened on our Indian reservations. We all want to help people who need help. But we must restore the principle of workfare. That is what the Dole bill does.

Also, we must turn over to our States more of this responsibility, because the States can judge who deserves welfare better. We now have all these Washington bureaucrats with the entitlement programs, situated in Washington, DC, making judgments on who should be on welfare in South Dakota or California. Under this new legislation, under this reform, there will be workfare and the States will decide who gets welfare. That will save the taxpayers money. But more importantly, it will reform our welfare program so we will have a real welfare program that helps the people who need it and requires people to work who are able to work. It is time for reform in welfare.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized under the previous unanimous consent agreement.

Mr. DOLE. Mr. President, I want to thank all my colleagues for their work, and my friend from New York, Senator MOYNIHAN, chairman of our committee, Senator PACKWOOD, the Senator from Pennsylvania, Senator SANTORUM, who spent a lot of work on the floor just in the past few days and who has done a great job helping us a lot in the conferences that we have had in an effort to resolve some of the differences on our side.

I am prepared to say I think most of the differences have been resolved on

our side because we have tried to base our bill on three principles: Creating a real work requirement, returning authority to the States, and restraining welfare spending. These principles are key to reaching our goal of dramatic reform that provides work, hope, and opportunity to Americans in need.

The amendment before us proposed by the Democratic leader fails to meet these principles. The Democrats call it Work First, but in fact, it is "weak first"—weak on work, weak on limiting welfare dependency, weak on State innovation, weak on savings, weak on real reform.

REAL WORK REQUIREMENT

Let me just say, any bill that comes before us that is going to pass the Congress and, hopefully, any bill signed by the President is going to have a real work requirement in it which requires able-bodied welfare recipients to find a job, not stay at home and not stay in a training program forever, because when it comes to escaping poverty we know the old American work ethic is true. Work works. And States, not the Federal Government, must provide the work requirements. However, we must hold them accountable.

Our bill requires—and even there are some on our side who think our bill does not go far enough, but our bill requires 50 percent of all welfare recipients to engage in work in fiscal year 2000. And that is a fairly high barrier to cross when you consider the young people and elderly and disabled unable to work.

Our colleagues on the other side put a number of loopholes ahead of real work. The Federal Government would exempt 25 percent of all welfare participants and only 50 percent of the remaining 75 percent of the welfare caseload would be expected to work by fiscal year 2000. The bottom line is the Democrats' plan requires only 37 percent of able-bodied recipients to work in fiscal year 2000.

By comparison, the Republican plan requires 50 percent of all welfare recipients to work in fiscal year 2000. We leave the business of exemptions to the people who know best, the closest to the problem. That is the States, the Governors, the State legislators.

We believe States should design and run their own work program. And one thing is certain about welfare reform. No Federal bureaucrat will ever come up with a blanket program which works equally well in all 50 States. Through block grants to States and not waivers, the Federal Government can provide resources to fight poverty without imposing the rules and regulations that ban innovation.

I am reminded of a statement by the distinguished Governor of Wisconsin, Governor Thompson, when he was speaking with seven or eight of our colleagues in my office here, oh, maybe 4 or 5 weeks ago, and some were insisting that we continue to add strings. Whether they are conservative strings, they are strings. And the Governor said, I think maybe in a little bit of frustration, that he was also an elected official; he was elected by the same kind of people we are, and that nobody in the State of Wisconsin was going to go without food or medical care.

We have to give the Governors credit for some integrity and ability and a willingness to do the right thing when it comes to welfare. And I think that is generally the case, whether it is a Democrat or Republican Governor, a Democrat or Republican State legislature; they are closer to the people.

We have not tried this. There probably will be some horror stories. There always are going to be a few cases where maybe a few things will go awry, but they go awry now.

We give the States broad latitude to adopt the programs to meet the varied needs of their low-income citizens. The other bill does not allow States to take over welfare programs. It replaces one set of Federal rules and regulations with new ones, and States that want to innovate must continue to come to Washington, ask for a waiver, wait, wait, wait, and finally get a waiver. We do not think that should be necessary. We believe States ought to be able to innovate; there ought to be a lot of flexibility. And I tell you that we have confidence in the Governors, again, in both parties.

Local welfare administrators and caseworkers must get recipients off welfare and into the workplace. To encourage results, the Republican bill imposes a State penalty for failure to meet participation rates. There would be a 5-percent reduction in the State's annual grant. Under the Democrats' bill, a first-time State failure to meet the participation rate would simply require the HHS Secretary to make recommendations to the States for improving them.

The local welfare administrators and caseworkers need to focus on getting welfare recipients into the mainstream and not focus on unnecessary Federal bureaucracy and regulations. Therefore, the Republican bill delivers welfare dollars to the States directly from the Treasury and reduces the Federal welfare bureaucracy.

Able-bodied recipients must work to support themselves and their families. To accomplish this, we require recipients to work as soon as the State determines that they are work ready or within 2 years, whichever is earlier. Moreover, our bill imposes a real 5-year lifetime limit on receiving welfare benefits.

Our colleagues on the other side have a work ready provision with many exemptions. Moreover, their bill fails to impose real lifetime limits on welfare benefits by offering even more loopholes. For example, a welfare recipient who has three children while on welfare can get up to 7 years of benefits before reaching the 5-year limit. Even then, that recipient would still remain on the welfare rolls entitled to certain benefits and receiving vouchers, without a time limit, in place of cash benefits.

The Democrat bill even provides exceptions to these weak time limits, turning major cities into welfare magnets. If a welfare recipient lives in an area with an unemployment rate exceeding 8 percent, none of the time spent on welfare counts toward the so-called 5-year limit. That would turn cities that have relatively high unemployment rates like New York, Los Angeles, Washington, Philadelphia, Detroit, and many others into time-limit-free zones.

But I think the most important thing is that we want to return authority to the States. And we believe there is an opportunity to do that. We want to give the States the flexibility. The Governors want that. Republican Governors want that, and I think many Democratic Governors want that. And that is why the majority of the Nation's Governors on the Republican side want that.

I noticed Governor Wilson yesterday disagreed with our bill. He was not at the Governors' meeting. Had he been there, I think he might have endorsed it. I have written him a letter to explain the bill so he will better understand it because he has it all confused with some of the others. But I think 28 or 30 of the Governors, with the exception of Governor Wilson, support our bill, and we believe it is a step in the right direction.

I hope that after the bill of the distinguished leader on the other side, Senator DASCHLE, is disposed of, we can then start debate and finish action on this bill no later than 5 o'clock Wednesday. We believe there will be amendments on each side. We have some amendments we cannot work out. The ones we cannot work out we will bring up and have a vote and determine what happens. So it seems to me that we are on the right track.

The Republican leadership plan eliminates the individual entitlement and replaces it with a capped block grant of $16.8 billion a year.

I would say, finally, the Democrat plan proposes to replace AFDC with a bigger, more expensive package of entitlements costing the taxpayers over $14 billion more than AFDC over the next 7 years, including subsidies to families with incomes as high as $45,000 per year.

The Republican bill no longer will continue the burdensome rules and requirements that accompany the old jobs program. The Work Opportunity Act repeals the jobs program and lets the States design real work programs.

The Democrat plan keeps many provisions of AFDC and the jobs program

as a Federal entitlement and renames it the "Work First Employment Block Grant."

RESTRAIN WELFARE SPENDING

No program with an unlimited budget will ever be made to work effectively and efficiently. Therefore we must put a cap on welfare spending.

The Republican bill saves $70 billion over 7 years. The Democrat bill saves only $21.6 billion over the same period of time.

Mr. President, because it is weak on work, weak on limiting welfare dependency, weak on State innovation, weak on savings, weak on real reform, the Democrat bill fails the test to real reform. I urge my colleagues to vote against it.

So I think overall, although I know there is a desire of everybody in this body to do something about welfare, we know it has failed. Notwithstanding the best efforts of many to make it work, it has not worked, and it is time that we take a hard look at dramatic reform. That is precisely what we intend to do. The Work Opportunity Act of 1995, in my view, is a step in that direction.

I will indicate to my colleagues that following the vote on the Democratic substitute, we will ask consent at that time that all amendments that people might offer, they notify the managers today and then, if we can get the consent, those amendments would have to be offered by 2 o'clock tomorrow.

I have had a discussion about this with the Democratic leader, Senator DASCHLE. I have not made the request yet, but I do not believe he disagrees with our intent. Our intent is to move as quickly as we can to complete action, giving everybody all the time they want for debate, offer the amendments they wish to offer, but, hopefully, conclude action on next Wednesday afternoon.

I would say that initially we had about 70 amendments on this side of the aisle. In my view, that would have probably boiled down to about 10 or 12 amendments that may require rollcall votes. I am not certain the number of amendments on the other side. But it is my hope that we can reach some agreement so it would not be necessary to file cloture, that we go ahead and debate the bill, then finish the bill at the earliest possible time and go on to something else.

I yield back the remainder of my time.

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

The PRESIDING OFFICER (Mr. FAIRCLOTH). Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

VOTE ON AMENDMENT NO. 2282, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the Daschle amendment No. 2282, as modified.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. I announce that the Senator From Alaska [Mr. MURKOWSKI] is necessarily absent.

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

The result was announced—45 yeas, 54 nays, as follows:

[Rollcall Vote No. 400 Leg.]

YEAS—45

Akaka	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Bradley	Harkin	Moynihan
Breaux	Heflin	Murray
Bryan	Hollings	Nunn
Bumpers	Inouye	Pell
Byrd	Johnston	Pryor
Conrad	Kennedy	Reid
Daschle	Kerrey	Robb
Dodd	Kerry	Rockefeller
Dorgan	Kohl	Sarbanes
Exon	Lautenberg	Simon
Feingold	Leahy	Wellstone

NAYS—54

Abraham	Faircloth	Mack
Ashcroft	Frist	McCain
Baucus	Gorton	McConnell
Bennett	Gramm	Nickles
Bond	Grams	Packwood
Brown	Grassley	Pressler
Burns	Gregg	Roth
Campbell	Hatch	Santorum
Chafee	Hatfield	Shelby
Coats	Helms	Simpson
Cochran	Hutchison	Smith
Cohen	Inhofe	Snowe
Coverdell	Jeffords	Specter
Craig	Kassebaum	Stevens
D'Amato	Kempthorne	Thomas
DeWine	Kyl	Thompson
Dole	Lott	Thurmond
Domenici	Lugar	Warner

NOT VOTING—1

Murkowski

So, the amendment (No. 2282), as modified, was rejected.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOLE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the Dole amendment No. 2280, as modified.

Mr. DOLE. Mr. President, I ask unanimous consent that the Senator from Oregon, Senator PACKWOOD, be recognized for 10 minutes.

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

ANNOUNCEMENT OF INTENT TO RESIGN FROM THE SENATE

Mr. PACKWOOD. I thank the Chair and the majority leader.

I think many of you are aware of why I am here today. I am aware of the dishonor that has befallen me in the last 3 years, and I do not want to visit further that dishonor on the Senate. I respect this institution and my colleagues too much for that.

For 27 years, I have worked alongside BOB DOLE, TED STEVENS, and a few others from that era, and most of all with MARK HATFIELD, who is not just a colleague but a friend of almost 50 years and who I met when I was a teenage Young Republican. He was a bright, young, yet unelected legislator, who turned out to be my teacher, mentor, and friend.

There have been many successes in these 27 years, some failures, some frustrations. Let me remember a few, if I could have your indulgence. Hell's Canyon, that great gash in the Earth that is the boundary between Idaho and Oregon with the Snake River running through it, the deepest gorge in the United States. In the late 1960's, early 1970's, for about 6 years, we had a battle on trying to stop a dam from being built in the gorge and at the same time to create a national recreation area. There is humor I see in this, and I smile at some of the newspaper stories I have seen recently about business lobbyists writing legislation.

I want you to picture this trip. We are on a raft trip in the river. I had been invited by environmentalists, most of whom I did not know. I had not seen the gorge before. They wanted me to see it and become involved in the saving of it. One night around the campfire, I believe it was Brock Evans who, I think, is now with the Audubon Society, then with the Sierra Club—we had a highway map of Oregon and Washington, and he takes out a marking pen, and he says, "I think this is where the boundary is." He draws it. Somebody said, "What about those minerals in Idaho." So he crosses it out and draws that up here. That became the boundaries.

The humor was—realizing this is drawn with a marking pen—that when you take it to the legislative counsel's office, if he says here—do you know how many miles that is? If he would say, "Where are these boundaries?" I would have to smile and say, "You will have to call Brock."

There was truck deregulation, an arcane subject that is probably saving consumers more money than anything in deregulation that we have done. Abortion, early on, was a lonely fight. I remember in 1970, 1971, when I introduced the first national abortion legislation, I could get no cosponsor in the Senate. There was only one nibble in the House from Pete McCloskey, who

did not quite come on as a sponsor. There was a nibble 2 years before Roe versus Wade. Those were lonely days. That is not a fight that is even yet secure.

Israel, and my trips there, the golden domes, the fight that so many of us had made year after year to keep that bastion of our heritage safe and free, and to this date not guaranteed.

Tax reform in 1986. We were up against the verge of failure. The House had passed a middling bill. I was chairman of the Finance Committee. Every day we were voting away $15 or $20 billion in more loopholes.

I finally just adjourned the committee and said, "We are done." I remember Bill Armstrong saying, "We are done for the day?" And I said, "No, we are done for the session, we will have no more sessions."

Bill Diefenderfer, my counsel, and I went to the Irish Times for our two famous pitchers of beer. Those were the days I drank. I quit drinking years ago. I know why they call it courage—by the time we finished a second pitcher we drafted out on the napkin an outline and really said, OK, they want tax reform, we will give them tax reform.

Here is an example where this body can move when it wants to move. From the time that committee first saw the bill until they passed it in 12 days, PAT MOYNIHAN was a critical player. The six of us met every morning at 8:30 before the meeting. It passed the Senate within a month. So when people say this body cannot move, this body can move.

Maybe some of the best advice I had came from BILL ROTH, successor to John Williams, years ago, when he used the expression—we were having a debate in those days about the filibuster and cloture and how many votes. In those days I was in favor of lowering the number. I am not sure, even though we are in the majority I would favor that now, from two-thirds to 60 votes. John Williams said we make more mistakes in haste than we lose opportunities in delay.

If something should pass, it will pass. It may take 4 or 5 years. That is not a long time in the history of the Republic. Too often in haste we pass things and have to repent.

So for whatever advice I have I hope we would not make things too easy in this body and slip through—I say that as a member of the majority.

Tuition tax credits, a failure. PAT MOYNIHAN and I introduced the first bill in 1977, and have been introducing it ever since. Its day may come. It may be here.

One of the great moments of humor—you have to picture this situation—was in the Carter administration. They were terribly opposed to this tuition tax credit bill. Secretary Califano testified against it twice in the Ways and Means Committee. Came to a Finance Committee hearing and Assistant Secretary for Legislative Affairs Dick Warden came to testify. He had previously been with the United Auto Workers and was hired on as a lobbyist, basically for Health and Human Services—HEW as it was called then.

Thirty seconds into his testimony, Senator MOYNIHAN leans forward and said, "Mr. Warden, why are you here? Why are you here?"

Mr. Warden goes, "Why, I am the Assistant Secretary for Legislative Affairs for the Department of Health, Education and Welfare, and I am here representing the Secretary, the administration."

PAT goes, "No, no, Mr. Warden, I did not do the emphasis right. Why are 'you' here? Secretary Califano testified twice in opposition to this bill in the House. In this committee, where there is a more favorable climate, where is the Secretary today?"

Mr. Warden goes, "Why, I think he is in Cleveland speaking."

PAT goes, "Well, where is the Under Secretary? Why is he not here today representing the administration? Mr. Warden, why?"

"I am not sure."

And PAT's voice rising, saying, "Where is the Assistant Secretary for Education? Mr. Warden, I was in the Kennedy administration when that position was created and I can say that man has utterly nothing to do at all. He could be here testifying today. Mr. Warden, I will tell you where they are. They are up on the eighth floor of their building, cowering under their desks, afraid to come and testify on the most important piece of education legislation introduced in this century, and Mr. Warden that is why you are here. Now, please go on."

Poor old Mr. Warden barely went on.

I had more humor in education from PAT than probably anybody here.

Friendships beyond count. The camaraderie is unbelievable. I look at JOHN CHAFEE sitting back here, my squash partner. His secretary, about every 3 months, kicks out our squash matches. Over 15 years, 202 to 199. His secretary not only kicks out the matches, but the games and the scores within the match. JOHN every now and then presents it to me, back we go, back and forth, back and forth, and evenly matched as you can be.

Some here—Senator BYRD would, Senator EXON would—some in my age group will remember General MacArthur's final speech at West Point: Duty, honor, country.

It is my duty to resign. It is the honorable thing to do for this country, for this Senate.

So I now announce that I will resign from the Senate, and I leave this institution not with malice but with love, good luck, Godspeed.

Mr. HATFIELD addressed the Chair.

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

Mr. HATFIELD. Mr. President, the political nightmare that has faced my colleague now for almost 3 years is coming to an end.

I think in an ordeal of this type we tend to focus on the negative or the causes for leading to resignation. As he has briefly reflected on the many accomplishments that he made during his service not only here in the Senate but services he rendered to the State of Oregon as a political leader, as a legislator, I like to accentuate the positive.

I must say in my many years of teaching political science I never had a more brilliant student than Senator PACKWOOD. Came to the university as a freshman and he immediately established himself as one who is knowledgeable about politics and is willing to engage in politics and to invite other people to be involved in politics.

I had been in the State legislature for about 6 years and had known his father who was one of the chief lobbyists in the legislature representing the utilities industry. If Fred Packwood told you something, you knew it was true and you knew it was prudent. He established himself as one of the outstanding lobbyists in that legislature. I knew his mother.

Therefore, I speak even though there may be only but 10 years separating our ages, as sort of a long friend, perhaps partially a mentor, and most of all, someone whose friendship I cherish.

Mr. President, when young BOB PACKWOOD became engaged in political action leading to his political career as an elective officer, he launched a whole new style of campaigning in my State, best described as a slogan "People for Packwood." And he did not have to pay a high price to some kind of a public relations firm to come up with that kind of a focus that epitomized his whole style of campaigning. He thought it out. He demonstrated, again, a brilliant mind in his political activities.

We were going through one of those wrestling matches in the Republican Party that we are still going through and perhaps we will always go through, and that is the wrestling between the so-called liberal wing and the conservative wing. At that particular time the so-called party machinery was pretty much in the hands of conservatives in our State, and the moderates felt that they were not being well represented within the party structure. So Senator PACKWOOD, at that time, organized what was called the Dorchester Conference. And in the Dorchester Conference he invited many Republicans who represented the middle, the center, and said we have to epitomize the pluralism of our party, both in our heritage and in our practice in current time. And he launched that forum which is still going on in my State after all these years, almost 30 years.

So I say to my colleague that you have your footprints, you have your imprint of legislation in the political life of our State, and your record can never be changed on that basis of your contribution.

I would like to come, then, to that very dramatic moment when Senator PACKWOOD decided that he would venture forth as a Republican candidate against the impregnable, the undefeated Senator Wayne Morse, for the U.S. Senate. He was a sacrificial lamb. He was one who was going to fill out the ballot because we wanted to have a Republican candidate in every position on that ballot.

I remember that campaign very well because I had known Senator Morse as a Republican. I had campaigned for Senator Morse as a Republican. I knew Senator Morse's great abilities, and I still respect the contribution that former Senator Morse made to this country, particularly in areas of peace and war.

But I remember, too, that when Senator PACKWOOD suggested a debate with Senator Morse—and we all know, for those of us who remember him, he could make you believe black was white and white was black. In terms of his eloquence and his tenacity as a debater, he was without peer in the U.S. Senate, from those comments made not just by Republican Members, but by Democratic Members alike. And so Senator PACKWOOD not only suggested but challenged him to a debate.

That is not terribly dramatic, in a sense. But Senator PACKWOOD said, "And we will only have 2 minutes to answer a question." Any of us who were friends and knew Senator Morse, he could not tell you what the weather was outside in 2 minutes, because he would attack the subject from its historic context, he would attack the subject from its social context, from its political, from its economic—he would give you the whole ball of wax, so to speak, and an hour and a half later you got the answer.

And that was a very dramatic debate because it was televised. But the television people did not just put the television camera on the face. They realized that what was happening here was a defeat in the making, because on the sides of the podium, Senator Morse's hands began to shake with uncertainty, realizing he was being cut off before he ever got to the second sentence of an answer. And it was probably one of the most historic if not the most historic political debate in my State's history.

At that point the pundits were all saying: Aha, this young man coming along challenging this veteran and sage of Oregon politics, having been both a Republican and a Democrat and being elected to the U.S. Senate as a Republican and as a Democrat both. And that launched Senator PACKWOOD's career here in the Senate.

He has many credits in his record. It does not mean that Senator PACKWOOD and I have agreed on every issue. He is pro-choice. I am pro-life. That has divided us in terms of an issue, but not in terms of a friendship. He has respected my position. I have respected his position. And that was, again, one of the characteristics of Senator PACKWOOD throughout his political life in my State and in the U.S. Senate. He was not a prisoner to dogma. He looked at the issue, he would make his assessment, and he would take his position.

I want to say with all due respect to all of my colleagues that I serve with today and those I have served with over almost the 30 years that I have been here, I have known no colleague that is his peer in taking a complex issue such as a tax package, dissecting it, analyzing it, and explaining it so that the average citizen out there watching the proceedings could understand. He has demonstrated that time and time again. I not only give him that accolade; he has certainly been a role model for me to be more brief than I have a tendency to be, having grown up in a profession that had a 50-minute lecture.

So I just want to say to my dear colleague, I wanted to take just a few moments to focus on a record that cannot be expunged, and that in the total man, and the total person, and the total picture I hope we will be not only considerate of that record and recognize that record, but also recognize that he is a fellow human being. Even though the media and the public often treats us as objects, we are human beings with emotions and with feelings. And I want to say, as a fellow human being, I rise to give these few remarks with a sad heart, for I hurt with Senator PACKWOOD in this particular moment. I count it a privilege to not only have him as a friend for this length of time, but I look forward to many more years of friendship.

In closing, I want to say this lady sitting next to Senator PACKWOOD, Elaine Franklin, has been his right arm through battles and victories and disappointments. And when I was looking at a rather dismal situation in my last election, she took her leave time and her accumulated vacation and came out to the State of Oregon and engaged full time in my campaign for reelection. Even though that was a close election, I have to pay tribute to Elaine Franklin for her role in helping to make it a victory. I think that is part, again, of the person picking key people, able people, as the Senator did in Elaine Franklin.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. DOLE. Mr. President, I will just take a minute or two. I think Senator MCCAIN wanted to say a word.

I think the BOB PACKWOOD we heard today is the BOB PACKWOOD that many of us have known over the years. I remember in 1968, BOB PACKWOOD calling me. We were both running for the Senate for the first time. He called me, I think, late at night or early in the morning. We talked about each winning, about coming to the U.S. Senate. I came from the House. He came from State political office. We ended up on the same committee, the Finance Committee—a very important committee. It had a number of outstanding chairmen—Senator Long was there for a long time, and I was there for a short time; then Senator Bentsen, Senator MOYNIHAN, and Senator PACKWOOD.

I want to underscore what the senior Senator from Oregon just stated. I do not know of anybody who is a quicker study and can explain in detail so that I can understand it, and others can understand it—whether it is Medicare, Medicaid, welfare, capital gains, whatever it is—anything in the jurisdiction of the Finance Committee. I believe my colleagues on either side of the aisle will acknowledge that BOB PACKWOOD has no peer.

I can think of many, many times when he was able to bring us together. I am not talking about bringing together Republicans, but Democrats and Republicans, because of his explanations and illustration of forceful arguments. And he knew the issue. We have served together, not always agreeing on every issue, but serving together over the years and have been good friends over the years.

I know some may be pleased today, and some may not be pleased. But I believe that Senator PACKWOOD when he said duty, honor, and country meant precisely that. He has great respect for the Senate and has always had great respect for the Senate.

As soon as there was this report from the Ethics Committee yesterday there were all kinds of questions and speculation about what will happen now.

I believe Senator PACKWOOD has made the right decision. I believe that a protracted debate in the Senate may not have changed anything. I must say I think it is very severe punishment. I remember one case here where a Senator, charged with certain things, came to the Senate floor 6 months after it was reported by the Ethics Committee, but not after a trial and not after conviction on three counts.

Having said that, I think Senator PACKWOOD has made the correct decision. It is not easy. It has not been easy. It is always easy when you are criticizing, but it is not as easy when you are taking it. We all know that. We have been on both sides.

But I must say that I have watched Senator PACKWOOD the last 24 hours and wondered myself how he was able to carry on. But then, again, I know BOB PACKWOOD. This is not the end of BOB PACKWOOD's career. He will continue to make a difference in the lives

of many, many Americans. He only cited a few things. We can cite pages and pages of legislation that bears his name or bears his name along with colleagues on the other side, bipartisan, nonpartisan, in some cases partisan. He is a hard worker—nobody ever suggested otherwise—loyal to his party, loyal to his constituents, and loyal to his leaders.

So I would just say that obviously he deserves some time to get everything in order. It takes a little while around here to do things. I am not certain. He did not state an effective date. But I guess my colleagues would say some reasonable time would be allowed—even by the sharpest critics.

I look at the legislative record of Senator PACKWOOD and add it all up. And I think about the many times he stood on this floor in this place, right here, offering amendments or debating amendments that affected somebody somewhere, some child or children or homeless, or whatever it might be, whatever the issue might be.

I would just say he has been an outstanding legislator, an outstanding U.S. Senator, and someone whose legacy will be around for a long, long time, and a friend of mine.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to speak briefly about our colleague, and my friend, BOB PACKWOOD. I will not comment about the circumstances that have compelled Senator PACKWOOD to resign his office. I will not speak about the merits of the case against Senator PACKWOOD. I can neither reproach the Ethics Committee nor endorse their decision. I was spared the burden of adjudicating this matter and it would not be fair for me to criticize the result of their 3-year investigation. I know the members of the committee, and I know them to be decent and principled Senators who would not take their responsibilities in this matter lightly.

But BOB PACKWOOD is my friend. I am proud to call him my friend. And I cannot bring myself to say that his departure from the Senate is welcome. I surely know less about the case against the Senator than do the members of the Ethics Committee, and I know that they would not reach their decision absent their confidence that the decision was just. But I cannot accept it with anything other than profound regret.

Nor can I comfort myself with an appreciation that the Senate has in this moment comprehended something about relationships between men and women that, heretofore, male Senators are supposed to have failed to comprehend. I did not feel that was the case prior to the Ethics Committee's ruling, and I do not think we deserve to be congratulated for suddenly evolving into more sensitive beings.

I cannot claim that I have treated every human being I have encountered in my life fairly or generously. But I am confident that whether I have treated a person well or ill it had nothing to do with their gender, and I resent assumptions that all men in this institution require an object lesson made of BOB PACKWOOD so that we might learn to treat one half of humanity with dignity.

Thus, I cannot quietly or publicly, genuinely or falsely say that BOB PACKWOOD's departure was the necessary price for us to become better people. We could all become better people, but I seriously doubt the Senate's loss of BOB PACKWOOD will advance us toward that goal.

Mr. President, let me also ask my colleagues to spare a little consideration for the whole of BOB PACKWOOD's life and career in this institution before we lapse into self-congratulation. And let us also recall Biblical injunctions concerning forgiveness and understanding. No matter what our views of this matter are, we can all recognize that this is a sad—a profoundly sad moment—for BOB PACKWOOD and for the Senate. Let us not congratulate nor celebrate a thing today. This a moment for grieving.

BOB PACKWOOD is a man of great industry, intellect, and what used to be called civic-mindedness. He is a patriot, a devoted servant of his country. The Almanac of American Politics accurately described him as one of the most "legislatively accomplished of senators with a distinctive and consistent set of principles he has backed for a quarter century."

Every Member of this body knows the extent of his accomplishments. They are vast even when compared to the records of other senior Members of the Senate. On so many of the issues before the Finance Committee which he so ably chaired, BOB PACKWOOD was considered the committee's leading expert. He has been for many years one of the Senate's most effective advocates for less regulation, freer trade, a simpler and less burdensome tax code.

I know that it pains him greatly to leave the Senate now that we are seriously addressing two problems to which he has devoted his considerable energy and ability for years—welfare reform and saving Medicare. Both of these urgent and complex tasks will be far more difficult to resolve absent BOB PACKWOOD'S leadership.

But his broad intellect and keen sense of service would not allow BOB PACKWOOD to limit his work to only those issues before the Finance Committee. They led him to participate centrally in the debates over all the major issues of our time. From the environment to foreign policy, BOB PACKWOOD was a statesman—a distinguished statesman.

BOB is right. There is life after the Senate. And as he builds a satisfying, challenging, and interesting new life—which I am confident he will do—Bob can look back at his 27 years of Senate service with enormous pride and satisfaction. He has contributed more than most to the welfare of his countrymen. He will have his regrets, as will we all. But he cannot but feel that his country is a better place for his service to it.

I commend him greatly for that service; I grieve for him today; I regret this moment's arrival; I wish him good fortune, and say again, without reservation: I am proud to call BOB PACKWOOD my friend.

Mr. SIMPSON addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. SIMPSON. Mr. President, BOB PACKWOOD will soon be absent from us. He is also my friend. He will always be my friend. He was chairman of the Republican Senatorial Campaign Committee and helped to recruit me for this Senate post early in the year 1978. He has been loyal, steadfast, and true. And I trust that I was able to return that to him in earnest friendship.

I have prepared some notes. Many of you know me well, and when I really have something to say, I write it down in my own way, no staff, no winging it, which has sometimes put me in a lot of trouble. But I just want to share a few things that come from down deep inside, and they are brief. They may match some of the things said by my dear friend MARK HATFIELD and dear friend JOHN MCCAIN.

This remarkable career of BOB PACKWOOD's public service will now end. The political story of his life will close on its final chapter. But other aspects of his life will go on. And we must not, we cannot, and we should not forget the extraordinary accomplishments and successes of this superior legislator simply because of the maelstrom of negatives that have poured forth from some who have chosen to act as judge, jury, and executioner, at so many levels of our society.

He was the man who always fought so hard for women and their rights. No one can challenge that statement. He was the man who worked doggedly for civil rights and fairness and empowerment for the lesser people of society. He was the man, often the only man, who carried the banner for women's reproductive rights when others were unwilling to unfurl it. He was the man who fought for job equity and the crashing in of the glass ceiling for women in this country. Every single thoughtful, activist women's group was once on his side "through thick or thin," at least until recent times. Then many of them consciously and callously abandoned him, not willing to consider even a shred of evidence portraying "his side" of the story.

Now, please make no mistake here. I am not defending what BOB PACKWOOD did or did not do. I do not know the circumstances of all of that, only what I

have read and heard. And having practiced law in real life for 18 years, it is my experience to pay guarded attention to what I read or hear. Justice, freedom, and due process depend on various rules of procedure and process. There are few of such rules in the Senate or in the court of public opinion.

The Ethics Committee of the Senate was established partly to avoid the travesty of a trial by the media. That mission has now been seriously thwarted and twisted.

None of this recent crisis needed to have come to pass. I was serving as assistant leader of our party during a late night session in the month of November 1993. In the Chamber, we were debating and having a great public discussion of the issue of exercising the Senate's power of subpoena of one's most intimate, personal recollections, one's own diary.

Late that night BOB PACKWOOD appeared before Senator BOB DOLE and myself in BOB's office with his written resignation in his hand, signed by him and to be effective at 2 a.m. the following early morning, just hours away, 3 hours away. That apparently was not enough, for that very next morning the Ethics Committee delivered certain files, records, and pleadings to the Justice Department for "further proceedings" as to possible criminal matters, while the committee had made no previous public reference as to any such criminal conduct.

BOB PACKWOOD at that moment of time said that he then had no choice but to remain in the Senate in order to fight the charges from the firmest of battlegrounds.

I remain terribly disturbed about the entire process. These are not personal reflections upon members or any particular member of the Ethics Committee, I assure you. Oh, yes, yes, I know, we should brush all this past brooding aside because the feeding frenzy is now on and the waters are now blood flecked and teeming with scissor-teethed piranha.

Where I personally get in a lot of trouble in life is because of a simple philosophy ingrained in me by a tough grandfather who practiced law and a dear and marvelous father who practiced law, who taught me the power and worth of that craft, and two stalwart sons who come now after me and are practicing the very special profession of law. The best original advice was, "If anyone goes to jail, be sure it's your client."

I liked that advice. I cherished that advice. But I learned a more important thing then, and it will always be so, that there are always two sides, always, always. We have only heard one. There is such a thing as due process and fairness. That has not yet been completed.

There are some stirring words in our Nation's founding documents and in all laws that take their breath of life from those documents and what comes from them requires—no, certainly, it demands—that we must be able to confront our accusers; that we be able to review and examine all papers and documents and witnesses that the "prosecution" may deem relevant in the case. We know that the process of selecting evidence that is "relevant" or "not relevant" does not rest with the parties but with an unbiased finder of fact. We cherish the law that any accuser must at some point, in some proceedings somewhere within the system of justice within this country, be required to raise their right hand and swear to God or make other affirmation that what they are telling is the truth, the whole truth and nothing but the truth, and that person then, after affirming such an oath, is to be subjected to cross-examination based upon the rules of evidence and due process.

It is my understanding that 6 of the 19 accusers of Senator PACKWOOD have not yet been identified in the media and do not wish even at this time to be publicly identified. Apparently, they are to remain "unidentified" even to the extent of retaining that status as the committee releases the record of the proceedings to date.

Senator PACKWOOD indicates that a number of witnesses have come forward on his behalf because they have read about it or suddenly learned of the complaints against him on television or in the press. Additional witnesses are not going to be able to come forth as long as complainants remain unidentified. Perhaps there is yet some forum for Senator BOB PACKWOOD to state "his side." That will be his choice, not mine.

So BOB PACKWOOD is leaving our midst. We know not what the future will hold for him, but he is a fighter. He has fought for women and their rights. He has fought for the lesser in our society and for their rights. He is a true civil libertarian and his public life should not be judged in parts but in sum total. He has conquered an affliction that surely contributed to his downfall, alcoholism. These last recent years have obviously been nightmarish for him and obviously also for his accusers.

That is so true. But the Good Book speaks of judgment and justice and truth and forbearance and tolerance and forgiveness, and we might draw on some of those timeless strengths and attributes in judging this man.

Very few of us in public service have had a life unexamined, but now that will be so to ever more degree. But how far back in life do we then go? As I have said several times before, the AL SIMPSON who was on Federal probation at the age of 18 is not the same AL SIMPSON standing here. The AL SIMPSON who was thrown in the clink at age 20 for clubbing a guy around on the streets of Laramie is not the same AL SIMPSON standing here, although sometimes the feelings are still burning down there.

[Laughter.]

How far back do we go? Anyone here want to go back in their life to 1969 to see what you were up to? Check with me. Come in. Let us have a visit about that.

So if we in the Senate really are to receive the same treatment, for this is what the public is always demanding of us, that we should expect the same treatment—no more and no less—than our fellow men and women, then, pray tell me why the statute of limitations in any jurisdiction in America is no longer than 6 years for offenses far more serious in nature than the ones charged against our brother from Oregon.

That may be very difficult for some to understand, but it is the truth. The statute of limitations is limited to 6 years in the most lenient of jurisdictions and is an average of 3 years in most other jurisdictions, and yet they have plumbed the scraps of life of BOB PACKWOOD back to the year 1969. Where does it all end?

That would be a good question to ask ourselves, and many surely will not do it in any public forum. But when we return to the comfort and solace of our own homes this night, visiting with loved ones and friends and reflect upon the sadness and tragedy of Senator BOB PACKWOOD and of the victims—and I mean that—remember what can be asked and inquired of the accusers can also be the nature of an inquiry to the accused, which is this: How would you feel if this were happening to you?

That is not a diversion. That is not a clever phrase. That is not corny. It is not naive. It is not uncaring. It is not unresponsive. It is not the mumbling of a bald, emaciated 64-year-old Senator from Wyoming who "just does not get it." I have heard all of that guff before. It is just something we should not forget in life as we are pushed forward in the undertow of the immeasurable tide of the information age of a free society. The print and electronic media is now playing all of the varied roles heretofore to be performed only by administrative and court tribunals.

There was a reason for the Ethics Committee. It was to avoid a "public hanging." It was to avoid "frontier justice." It was to avoid "vigilante justice," if you will. That is one of the reasons why it was created. Something has surely gone awry. It will be up to those of us remaining in the Senate to set the course anew.

And to my friend BOB PACKWOOD, God bless you, Godspeed. You are loved by many. Thank you.

[Applause in the galleries.]

The PRESIDING OFFICER. The gallery will suspend. The Sergeant at Arms is noted to restore order if there are outbreaks in the galleries.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I am not going to review the bidding of why we are here this afternoon, but I do want to express my sentiments toward BOB PACKWOOD, for whom I have the greatest respect and affection.

As Senator PACKWOOD mentioned, we have played 400 squash matches over the past 12 years. Four hundred times we met at the squash club to play, and in the game of squash—many may not know how it works, but you are very dependent upon your opponent for calling whether a shot was fair or not. In those 400 matches, never once—never once—did I have the slightest inclination or reason to say that what the call that BOB PACKWOOD made was other than perfect.

Never once did I have any sense of questioning it, because I had total reliance on him, and I still have that total reliance and affection and respect for him.

BOB PACKWOOD has one of the finest minds that I have seen since I have been in the Senate. We have served together in the Finance Committee for 18 years, and it is BOB PACKWOOD who is responsible for the Republican Party having as many Senators as we do here.

When I first came to the Senate, there were 37 Republicans, and BOB PACKWOOD was in the leadership at that time and conceived the idea of having retreats on the Eastern Shore where Republicans would get together and come up with plans for the future. It is BOB PACKWOOD who came up with the idea of what is now the Republican Senatorial Campaign Committee, with the Republican Senatorial Trust that he formed. When I ran for office, I received a small amount of money from the Republicans in the Senate, a very modest amount. But BOB PACKWOOD really conceived the machinery that we have now, and the result of the tremendous funding that Republican candidates at present are receiving.

Many have talked about his legislative achievements, but to my mind, the greatest single achievement in BOB PACKWOOD in legislative affairs was the 1986 tax bill. That bill was absolutely stalled, was going nowhere. It had come from the House, not much of a bill. It came over here. We argued with it. Everybody came up with suggestions on how to reduce expenditures or how to have greater tax breaks. We all competed with each other, took care of everybody in sight as the deficit rose and rose in our calculations.

Then BOB PACKWOOD said, "That's it." It was he who came up with the final program that we had. It was the 1986 tax bill. It was a Packwood tax bill that I and many others unanimously voted in the committee. I will never forget that evening. PAT MOYNIHAN was there. Senator DOLE was there. When we finished that vote, a unanimous vote, everybody stood and applauded the chairman of the committee for the tremendous feat that he had accomplished.

So we will miss him. We will miss a fine brain in this Senate. We will miss him pacing across down in the well as matters were debated and coming up and getting at his desk. Back and forth. I will miss that distinctive walk he had, bent forward slightly as he charges over here. I will miss that so much because we were very close friends and will remain close friends, and I will greatly miss him, as we all will.

Thank you, Mr. President.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, I have not prepared any remarks for this occasion, and I would be the first to assert that I am not especially prepared.

Accordingly, to be brief, perhaps the more intense for that reason, to say that in 18 years that we have shared this committee, as the Senator from Rhode Island just said, they have been years of perfect trust between us and, on my part, profound admiration.

And just a moment's good cheer. The Senator from Rhode Island will remember in those intense days leading up to the 1986 legislation, we would meet each morning in Senator PACKWOOD's office about 7:30 for coffee and plan the day's strategy. If you would like to know something about the Tax Code as it then was, it fell to me each morning to read the service, as it were. I would find the previous day an advertisement in the Wall Street Journal that said: "Buy oxen, antelope"—I do not know—"cattle, llamas * * * guaranteed losses."

And they would guarantee your losses and you could not but make money on the Tax Code. It was a scandal and the country knew it. It is all gone now—thanks to you, and thanks for so much else. There is just one line, perhaps of help in the years ahead, of Dr. Johnson, who said, "How small, of all the ills that human hearts endure, that part which laws or kings can cause or cure."

This last spring Liz and I—your dear Liz—went to Ephesus, where John took Mary after the crucifixion. We saw Mary's house and the site where John is buried in a basilica. We saw where the Apostle Paul preached, and I can think of only his lines from I Corinthians: 13. "Now abideth faith, hope, and charity, these three; but the greatest of these is charity."

The Greek—he was writing in Greek—was "agape," and in English we translate it "love."

Mr. President, I yield the floor.

Mrs. FEINSTEIN. Mr. President, I did not know Senator PACKWOOD well, but I have watched him. I heard him on CNN last evening. I have heard him on other shows. I have listened to him, as the leader and the Senator from Wyoming have pointed out, explain complicated issues in a vital and easily understood way. I have listened as the heads of various women's organizations have indicated their respect for him and for his long record of help.

I recognize that service in this institution is not easy, that people are held to a standard, and after all, we are just mere reflections of everyone around us. We are complete with moles and warts and our own problems. So this is not a happy day for me. I do not believe it is a happy day for the U.S. Senate.

I do believe it is a day of some courage and bravery on the part of Senator PACKWOOD, because even those of us who did not know him well know of his love for this body—you could see it, it is palpable, it is there—and his respect for this body as an institution. I really think that kind of performance goes beyond any party label, and it goes beyond any trial and tribulation.

My father used to always say to me, "Dianne, do not let a man be known for the last thing he does. Let him be known for the best thing he does."

I think that is a legacy that hopefully is being written here this afternoon. This is a sad day in a chapter of history of the U.S. Senate, but it says one thing: We do have our failings, and we do make our mistakes. But it is a sign of a wise man, and even a giant man, who stands and does what has to be done and goes on to fight another day.

I thank you, Senator PACKWOOD, for a long and distinguished service to the U.S. Senate.

Mr. SPECTER. Mr. President, this is a very sad day for many reasons. I think we are losing an outstanding Senator at a time when the Senate and the country needs his expertise very badly. I join my many colleagues and express my sentiment about the friendship which I have enjoyed with Senator PACKWOOD. I think that the Senate, the country, Senator PACKWOOD, and the people who have registered complaints about him would have been better served had there been public hearings. This is a view that I have always held and expressed with my vote in favor of those public hearings.

I understand the business of the Senate. But I believe that we could have found the time here with many of the quorum calls, or perhaps on weekends, or perhaps evenings, to have heard this matter. I believe that America was entitled to full disclosure. I believe the people who came forward with complaints were entitled to be heard, and I think Senator PACKWOOD was entitled to have a defense.

I think that I, as a "juror," a Senator, who had to pass on the issues, would have been prepared and better

off had that been done. I have always been opposed to plea bargains of any sort. I understand the kind of pain that would have been involved had we gone through those hearings. But I think it would have served the institution well and all of the parties well. I have had one other very painful experience with Senator PACKWOOD when I got six stitches under my left eye a decade ago. But I consider this day much more painful.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. STEVENS. Mr. President, because of other matters, I have not been able to be on the floor during the statements that have been made. I want to comment about my friend from Oregon and his decision. I think it takes courage to face the facts, and Senator PACKWOOD has. But like Senator DOLE, as I have walked through the building and through the Hall, I have been thinking of the good times we have had together. When we came here, particularly to the Senate, we had already met each other. As a matter of fact, I met BOB PACKWOOD at a picnic President Eisenhower had at his farm at Gettysburg, and one of the photographs that I cherish is a photograph of Senator PACKWOOD, John Tower, and myself standing there outside of the Eisenhower home.

We have had a long history of our friendship and acquaintance. I am saddened that this day has come. But I want to really reflect on the good days, as I said, the days of sharing with each other our family lifestyle when we first came to Washington. Neither of us had a great deal of money. We did a lot of entertaining in our homes with one another.

It is a time of change now, of great change. But change does not erase the memories of good friendships, and it is not a time to abandon those memories, as far as I am concerned.

I also remember the time when Senator PACKWOOD flew up to Alaska in a Lear jet with me back in the days when Lear jets were not that safe, as I later found out in 1978. It was a long, hard trip to fly to Alaska in a chartered plane, because we had stayed here on the floor of the Senate too long and had an obligation to make a speech in Alaska and we did go up in a chartered plane.

These memories come back in flashes, I think, to those of us as we sit and listen to developments that are hard to understand, hard to comprehend, and difficult to deal with.

But, Bob, I want you to know that I do cherish those memories. You have been a good Senator. I will not repeat the words that have been said on the floor about the things we have worked on here together.

I know there is a group of Alaska Native people in my office waiting for me now that, had it not been for the help of Senator PACKWOOD, Senator MOYNIHAN and others, they would have suffered severe losses that would not have been recognized under the tax laws, where other people had recognition of their net operating losses. Native people, because of the strange hiatus in the Federal law, had not received the recognition they should have had about the ability to recover those losses through the sale of them to other people.

It was the work of Senator PACKWOOD, Senator MOYNIHAN, and I remember Congressman Rostenkowski and others that recognized that inequity. It did lead to a tax loss. We admit that. But that loss would have been there in any event but for the Federal law that they helped us change.

So times pass, and I find my heart heavy with the decision made by Senator PACKWOOD, but again in the position I hold now as chairman of the Rules Committee, I say that I spent the day trying to figure out what we would do to handle a case of this magnitude and of this complexity had he not made the decision.

So I think in the final analysis, the record should show that Senator PACKWOOD has saved the taxpayers of this country a great deal of money and saved the Senate a great deal of delay in a period of great change, where we need to spend our time and devote our efforts to trying to find solutions for the problems that really confront this country, very deep problems. Problems, I think, that the leadership Senator PACKWOOD has given in the field of welfare, Medicare, and tax reform will continue. The dynamics of his suggestions will be carried out. The inertia of the Packwood move through the Finance Committee will continue, and strangely enough it will continue for years to come without his being there. Thank you.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECESS UNTIL 6 P.M.

Mr. DOLE. Mr. President, I move the Senate stand in recess until 6 p.m.

The motion was agreed to, and at 5:36 p.m. the Senate recessed until 6 p.m.; whereupon the Senate reassembled when called to order by the Presiding Officer (Mr. BENNETT).

FAMILY SELF-SUFFICIENCY ACT

The Senate continued with the consideration of the bill.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2465 TO AMENDMENT NO. 2280

(Purpose: To provide that funds are expended in accordance with State laws and procedures relating to the expenditure of State revenues)

Mr. BROWN. Mr. President, I rise to offer an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Colorado [Mr. BROWN], for himself, Mr. MOYNIHAN, Mr. SIMPSON, Mr. MURKOWSKI, Mr. KOHL, Mr. CAMPBELL, and Mr. FEINGOLD, proposes an amendment numbered 2465.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. . EXPENDITURE OF FEDERAL FUNDS IN ACCORDANCE WITH LAWS AND PROCEDURES APPLICABLE TO EXPENDITURE OF STATE FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds received by a State under the provisions of law specified in subsection (b) shall be expended only in accordance with the laws and procedures applicable to expenditures of the State's own revenues, including appropriation by the State legislature, consistent with the terms and conditions required under such provisions of law.

(b) PROVISIONS OF LAW.—The provisions of law specified in this subsection are the following:

(1) Part A of title IV of the Social Security Act (relating to block grants for temporary assistance to needy families).

(2) Section 25 of the Food Stamp Act of 1977 (relating to the optional State food assistance block grant).

(3) Subtitles B and C of title VII of this Act (relating to workforce development).

(4) The Child Care and Development Block Grant Act of 1990 (relating to block grants for child care).

Mr. BROWN. Mr. President, I asked the bulk of the amendment be read, as it just was, for a very simple purpose. It is a straightforward amendment. It is very basic. It simply calls for the amount that is block granted under this bill to be spent in a manner in accordance with the laws and procedures for expenditures of the States' own revenues. That may not sound like a revolutionary or even controversial suggestion, but it is terribly important.

The core and essence of this welfare reform is centered around the suggestion that States and communities can do a better job in deciding how their funds are expended on welfare programs assisting the poor than can a centrally planned government, than can a government thousands of miles

away from the action. It is the heart, at least in part, of what this welfare reform is all about—the suggestion that money can be spent better by local levels than it can be by the Federal level.

Why would I raise this issue? The facts are that in six of our States it makes a difference. In 44 of our States the money is expended, as is provided under the State's own laws, generally in the same manner that the State's own expenditures are allocated. But in six of our States a practice has been followed where the Governor alone decides where block grant money is spent.

If we believe that the States are better able to decide how that money is spent, then I think we have to be concerned about the situation in the absence of this amendment. Literally, unless this amendment is adopted, we will see six of our States where the Governor is allowed to both appropriate the money, in effect decide where it is to be spent, and administer that money; that is, distribute the money and, as we will explore later on, even have a strong voice in conducting the audit of how that money is spent.

Literally, what we are doing, then, in those six States is giving into the hands of one person the ability to appropriate, the ability to administer, and some significant control over the audit of what they have appropriated and administered. This is contrary to the very foundation of this country. It is contrary to the very theme of our Constitution. It is contrary to those philosophers who thought of our system and brought it to fruition.

Mr. President, any in this Chamber who have read the very significant book of Senator BYRD, the distinguished Senator from West Virginia, cannot help but note not only his musings about the history of our system, but the intricacies of the Roman system. One of the lessons is the understanding that there needs to be a division of power.

I want to quote from some of our historical documents because I think Members will find it interesting. In our own Federalist Papers, Madison said it best. It is in No. 47, where he says clearly:

> There can be no liberty where the legislative and executive powers are united in the same person or body or magistrates.

Unless we adopt this amendment, you are going to have that power, both legislative and executive powers, combined in one person in six of our States.

In No. 47 of the Federalist Papers, Madison says this:

> The accumulation of all powers, legislative, executive and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

That tyranny he talked about he goes on to talk about in further depth when he says:

> From these facts by which Montesquieu was guided, it may clearly be inferred that in saying, "There can be no liberty where the legislative and executive powers are united in the same person, or body of magistrates."

Mr. President, that is the core of the concern of this amendment. This amendment will simply provide, in those six States where they do not now have it, that they will follow the normal legislative process. If we do not adopt this, what we will in effect be doing is saying that the elected representatives of the people and the legislative branch will be ignored and their priorities bypassed when it comes to welfare reform under these block grants. We in this body have long recognized the difference between block grants and others where we have allocated the money ourselves. In categorical programs it has been normal to send the money back to the States, but it has been sent back to the States with guidelines from the Federal Government, including elected legislators, making the decisions on its allocation.

The prime difference between block grants and the categorical grants is the level of government which designs the program. Under our block grants, the States design the programs. For categorical grants, most of the programs are designed and established at the Federal level. The State is to administer the grant in accordance with Federal directives.

Mr. President, it makes sense that when we move to block grants, that we allow the State legislative process to be part of this.

This amendment is offered, not only by myself but by Senator MOYNIHAN, Senator SIMPSON, Senator MURKOWSKI, Senator KOHL, Senator CAMPBELL, and Senator FEINGOLD.

I believe the provisions of this measure are broad and they are bipartisan. I think they unite the interests of this Congress, an interest that we ought to have special recognition of. Would Senators literally want to abdicate the legislative responsibility to a chief executive? Chief executives are responsible, are important members of our governmental functions, but they should not have combined with them the legislative powers.

In addition to this, I want to draw the Members' special attention to another factor in this bill. Under section 408 of the Dole amendment, it requires States to conduct an annual audit of expenditures under the Federal temporary assistance—AFDC, that is—block grant. The auditor is required to be independent of the administering State agency and approved by the U.S. Treasury Secretary and the chief executive officer of the State.

Literally, what we are doing, then, is we are allocating money to the States which, in some cases in effect, will be legislated or appropriated by a chief executive, administered by that chief executive, and audited by someone that chief executive approves of. Or, put a different way, no one of which the chief executive does not approve can audit those funds.

This is untenable. I understand why some Governors may like this power, but I suspect, on reflection, many Governors will not like that power because what it gives them a special burden. Some may say this is in line with what we have done in the past. But let me assure this body that it is not fully in line. Under the General Revenue Sharing Act of 1972, Public Law 92-512, section 123(a) addressed this. In subsection 4 it said this:

> It will provide for the expenditure of amounts received under subtitle A only in accordance with the laws and procedures applicable to the expenditures of its own revenues.

In other words, the State government would have the ability to appropriate those moneys under the same procedures that they follow now for their own revenues. That is what we are asking in this amendment. It is consistent with the provision that Congress enacted in 1972 for general revenue sharing.

In 1977 the Advisory Committee on Intergovernmental Relations reported:

> The commission recommends that the State legislatures take a much more active role in State decisionmaking relating to the receipt and expenditures of Federal grants to the States.

Specifically, the Commission recommends that the legislatures take action to provide for: inclusion of anticipated in Federal grants in appropriation or authorization bills; prohibition of receipt of expenditures of Federal grants above the amount appropriated without the approval of the legislature. The recommendation goes on.

But whether it is in the 1972 General Revenue Sharing Act or the 1977 report of the Advisory Commission, or the 1980 report of the U.S. Comptroller General that dealt with the same subject, the theme is consistent. It was also a theme of provisions in the 1981 Omnibus Reconciliation Act, in the 1982 Job Training Act, and in the 1984 U.S. Comptroller General's report to Congress. There the subject was addressed, with this specific language—the public's opportunity to influence State decisions for programs supported with block grant funds has been enhanced through the combined effects of multiple public participation opportunities offered by the States, the increased activity of State elected officials, and the increased activity of interest groups at the State level. This increase is related to the expanded public input opportunities established both in response to the Federal requirements as well as to the greater discretion available to the States.

Mr. President, it is clear from following the background that this Congress

and independent advisory groups have recognized the value over and over again of having elected State officials set the priorities.

Mr. President, this amendment is straightforward. And it is basic. What it suggests is that we as a Congress ought to make sure that the appropriating function is performed by the State legislatures or at least with regard to the general standard of appropriation that is followed by the States themselves.

It is endorsed by the National Conference of State Legislators. It is endorsed by the National Speakers Conference. It is endorsed by the American Legislative Exchange Council.

Mr. President, I ask unanimous consent to have printed in the RECORD the letters from and resolutions of these three bodies.

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

NATIONAL CONFERENCE OF STATE LEGISLATURES,
Washington, DC, August 4, 1995.

Hon. HANK BROWN,
U.S. Senate, Washington, DC.

DEAR SENATOR BROWN: The National Conference of State Legislatures is greatly appreciative of the leadership you have provided on a variety of federalism and intergovernmental relations issues. Most recently, you were able to include language in H.R. 4 that reaffirmed the state legislature's role in expending federal block grant funds. With the Senate about to undertake debate on the Republican leadership's welfare reform package, S. 1120, we wish to call upon you again to ensure that state legislative policymaking and fiscal authority is in no way compromised regarding any and all block grants included in S. 1120.

As reported from the Senate Finance Committee, H.R. 4 specifically stated that family assistance block grant funds received by the state would be expended in accordance with the laws and procedures applicable to expenditure of the state's own revenues. NCSL strongly encourages you to pursue insertion of similar language in S. 1120, making it applicable to all of the various block grants and consolidations being considered, and stands ready to assist you. Your language clearly reaffirms the roles that state lawmakers play in appropriating funds. We are concerned that giving governors direct control over funds, even if it is optional with food stamps, could well violate state laws and practices. Your H.R. 4 language guarantees that there will be an open, deliberative process in expending any block grant monies. It does not change the governor's role regarding the state's policymaking process and it certainly ensures that the state legislature will be involved.

Thank you again for the leadership on and commitment you bring to these issues. NCSL is prepared to work closely with you as floor deliberations on S. 1120 proceed. Please have your staff contact Sheri Steisel (624-8693) or Michael Bird (624-8686) for further assistance.

Sincerely,

JAMES J. LACK,
State Senator, New York and President, NCSL.

RESOLUTION SUPPORTING STATE AUTHORITY IN WELFARE REFORM

Whereas, the 10th Amendment to the Constitution of the United States reserves all powers not prohibited to the states nor delegated to the United States to the states or to the people respectively, and;

Whereas, the Constitution of the United States neither prohibits power over welfare to the states, nor delegates power over welfare to the United States, and;

Whereas, through the years the United States has assumed powers over welfare that are inconsistent with the distribution of powers between the United States, the states, or the people respectively under the United States Constitution, and;

Whereas, restoration of the Constitutional distribution of powers between the United States, the states or the people respectively should proceed at an expeditious pace to restore the consistency of governing relationships with the nation's fundamental law, and;

Whereas, the welfare programs of the United States have been largely unsuccessful, enormously expensive and even counter-productive to the welfare of recipients, and;

Whereas, the states are laboratories of democracy in which different policy approaches are tried, and the most successful policies are copied by states whose policy approaches are less successful, and;

Whereas, restoration of state authority with respect to welfare is consistent with the fundamental democratic principle that government should be as close as possible to the people, and;

Whereas, the United States Senate Finance Committee has reported H.R. 4 which contains language that would allow states to expend federal welfare funds "in any manner that is reasonably calculated to accomplish the purpose" of the bill, and;

Whereas, as reported by the United States Senate Finance Committee, H.R. 4 contains language requiring that federal funding for welfare be "expended only in accordance with the laws and procedures applicable to expenditures of the State's own revenues, including appropriation by the State legislature," and;

Whereas, the above reference clauses in H.R. 4 represent an important step toward restoration of state authority with respect to welfare;

Now therefore be it *resolved*, That the Board of Directors of the American Legislative Exchange Council urges the United States Senate to include the above reference clauses in any welfare reform bill which it adopts.

RESOLVING TO PRESERVE STATE LEGISLATIVE AUTHORITY AND OVERSIGHT OF FEDERAL BLOCK GRANT FUNDS

Whereas, the National Speakers Conference represents the bipartisan and collective sentiment of the nation's Speakers of the House; and

Whereas, the National Speakers Conference seeks to strengthen and preserve state legislatures' traditional appropriations authority and oversight of all state expenditures; and

Whereas, the National Speakers Conference recognizes that this authority is enshrined in our national and state constitutions and is fundamental to the system of checks and balances that defines the separation of power among the three branches of our government; and

Whereas, the National Speakers Conference believes that the appropriation and administration of block grants require the full participation of both the legislative and executive branches to develop and implement effective policy; and

Whereas, the National Speakers Conference believes the most effective means of ensuring the full participation of the legislative and executive branches of government is through the budget appropriation and approval process;

Now, therefore be it resolved by the National Speakers Conference, that the various Speakers of the House attending the National Speakers Conference in a bipartisan vote urge the United States Congress to support the premise that all federal block grants received by the various states be expended only in accordance with the laws and procedures applicable to expenditures of the state's own revenues, including appropriation by the state legislatures; and

Be it further resolved, that the Conference endorses the bipartisan amendment proposed by Senators Hank Brown of Colorado, Daniel Patrick Moynihan of New York, Herb Kohl of Wisconsin, Frank Murkowski of Alaska and Alan Simpson of Wyoming to the welfare reform bill; and

Be it further resolved, that the National Speakers Conference request the United States and the United States House of Representatives in any block grant legislation that is enacted to ensure that the legislative appropriating authority is protected; and

Be it further resolved, that copies of this resolution be transmitted to the Congressional delegations of the various states by the Speakers of the House of those respective states.

Approved this first day of September Nineteen Hundred and Ninety-Five in Santa Fe, New Mexico.

Mr. BROWN. Mr. President, I will reserve the remainder of my time.

Let me simply close with this thought. As we give to the States an enormous grant of new authority and new responsibility, an ability literally to appropriate the funds and allocate the funds that have been taken by the Federal Government, I think it is incumbent upon us to make sure that is done wisely, and it is done well. To suggest that we are going to concentrate in the hands of one person, the Governor, the ability to both appropriate and administer and have a control over the audit is unacceptable.

This amendment gives the States the ability to preside over this money just as they do with their own money that they raise.

I urge the adoption of the amendment.

Mr. MOYNIHAN. Mr. President, may I thank the Senator from Colorado for offering this amendment which appears to this Senator, and I believe to most Senators on either side of the aisle, as appropriate, and necessary because there are principles involved.

I am sure the Senator from Colorado agrees that constitutional government is a division of powers, and always contemplates that resources will be revenues. These are revenues to State governments that will be allocated in accordance with agreements in the legislative branch and the executive branch.

That is the intent of the Senator's amendment.

Mr. BROWN. It is precisely that intent and more consistently constitutional, I believe.

Mr. MOYNIHAN. It seems to me, precisely that. By constitutional proviso the Congress guarantees to the States a republican form of government. I am not sure whether this would fall under that admonition or injunction.

Mr. BROWN. Many of us were hopeful that admonition for a republican form of government meant just that. But unfortunately, apparently it was not.

Mr. MOYNIHAN. I insist that republican be with a small "r," and at the time when Thomas Jefferson assumed to run the democratic Republican Party. But we will not get into that detail.

I would simply indicate that it would be my disposition, absent any contrary information, to accept the amendment. If the Senator wishes a vote, of course that is his right. But I will defer to the Senator from Colorado in this regard.

Mr. BROWN. Mr. President, I would be happy to have it accepted. I am advised there are Members who have concerns about this.

Mr. MOYNIHAN. So they would wish to speak and perhaps to be heard. Very well. I do believe we are at a point where we may be reaching an agreement on tomorrow's schedule, Mr. President.

Mr. President, I see the distinguished Senator from Nevada is on the floor.

I yield the floor.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, will the Chair inform the Senator from Nevada what the parliamentary status now is on the Senate floor?

The PRESIDING OFFICER. The Senator from Colorado is on a second-degree amendment.

Mr. REID. There is no time agreement?

The PRESIDING OFFICER. There is no time agreement.

Mr. REID. Mr. President, I ask unanimous consent that the remarks I make appear elsewhere in the RECORD so as not to interfere with the debate on this amendment.

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

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, I wonder if we might be able to get the yeas and nays on the Brown amendment. We will set that vote for tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

Mr. DOLE. Mr. President, if we could ask for the yeas and nays on the Brown amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. We will have an agreement to have that vote tomorrow morning at 9:30 unless it can be accepted. I understand there is no objection on the Democratic side.

Mr. MOYNIHAN. Not to my knowledge.

Mr. DOLE. There may be an objection.

We are still looking for additional amendments to be taken up this evening. We have agreed to amendments on either side. I know the distinguished manager on the other side does not wish to offer his amendment this evening. We can lay it down. I think that would take an hour, or 45 minutes, tomorrow.

Mr. MOYNIHAN. If it is agreeable, an hour and 30 minutes equally divided.

Mr. DOLE. I have no objection to that.

Mr. MOYNIHAN. Will the Senator from Nevada be generous enough to let us proceed with these technical matters for just a moment?

The PRESIDING OFFICER. Does the Senator from Nevada yield for that purpose?

Mr. REID. I do.

AMENDMENT NO. 2466 TO AMENDMENT NO. 2280

(Purpose: To provide a substitute amendment)

Mr. MOYNIHAN. Mr. President, I send an amendment to the desk in the second degree and I ask for its consideration.

The PRESIDING OFFICER. Without objection, the pending amendment of the Senator from Colorado is temporarily set aside, and the clerk will report.

The legislative clerk read as follows:

The Senator from New York (Mr. MOYNIHAN) proposes an amendment numbered 2466 to amendment No. 2280.

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

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

(The text of the amendment appears in today's RECORD under "Amendments Submitted.")

Mr. MOYNIHAN. Mr. President, in accordance with the agreement, such as it will be reached between leaders, I yield the floor with the understanding that we will take this matter up tomorrow.

Mr. DASCHLE. Will the Senator from Nevada yield?

Mr. REID. I am happy to yield.

Mr. DASCHLE. Just for clarification of the schedule this evening, it is the leader's intention to take up the Moynihan amendment tomorrow and have other amendments offered if we can have them laid down tonight but no additional amendments would be voted upon tonight?

Mr. DOLE. That is correct. I know Members are going to want to be leaving fairly early tomorrow afternoon. It is not going to be possible unless they are willing to come to the floor tonight and debate the amendments and have the votes tomorrow morning. We are searching on our side if we can ask the leader to search on his side.

Mr. DASCHLE. If the Senator from Nevada will yield, let me urge my colleagues. We have been polling our Members and have been told that we have about 130 amendments. If we have that many amendments, there is no reason why tonight we cannot have a good debate on some of these amendments. I would like to see a couple of them offered and debated tonight. The ranking member is here and prepared to work with any of our Members on this side. So I hope we can do that. If we have that many amendments, there is no reason why at 6 o'clock tonight we do not have more of an opportunity to discuss some of these important matters.

So I really urge all of our Democratic colleagues to cooperate in good faith and to come to the floor. This is a good time to be offering the amendments, and we will accommodate Senators as they come to the floor.

Mr. DOLE. If the Senator from Nevada will yield further, I make the same request. This is normally the late evening, Thursday evening, and we have not announced any votes this evening but we are prepared to do that if we can have the cooperation of Members, if they just come to the floor, debate the amendment, with the exception of the amendment of the Senator from New York, and then we can agree to vote on those tomorrow morning.

Following the votes, we would take up the amendment of the Senator from New York [Mr. MOYNIHAN], with 1½ hours equally divided for debate. So we will put out a hotline on this side, and this is the time to offer amendments. We had 70-some on our list. You have, say, 150. If there are 200 amendments out there, there ought to be somebody willing to come to the floor at 6:20 on a Thursday evening—it is not even dark outside—and offer some amendments. We are prepared to do business. I know the Presiding Officer is very pleased to be here, and we will do our best. I thank my colleague.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

SENATOR BRYAN'S WORK ON THE ETHICS COMMITTEE

Mr. REID. The first criminal jury trial that I had involved a burglary case. As I recall, the jury trial took about 3 or 4 days. The reason I remember the case so clearly is that I was the attorney representing the defendant, the person charged with the crime. The prosecutor of that case was RICHARD BRYAN, then a young deputy district attorney in Clark County, NV. It was a

good case. We had two young lawyers who had a real good battle in the courtroom.

Senator RICHARD BRYAN was an outstanding lawyer. He was the first public defender in the history of the State of Nevada. He and I took the Nevada bar together in 1963. We were the only two freshmen elected to the Nevada State Legislature in 1969.

Not only did he have a successful and distinguished career as a private attorney, but he also served in the Nevada State Legislature as an assemblyman and as a Nevada State senator. He served as attorney general of the State of Nevada. He was elected twice to be Governor of the State of Nevada and has been elected twice to be a U.S. Senator from the State of Nevada.

The reason I mention this is I think, in the events that have taken place today, those six members of the Ethics Committee who have toiled months and months have been kind of forgotten about. This was a job not sought by Senator RICHARD BRYAN, who was chairman of the Ethics Committee. In fact, he took the job at his peril. He was running for reelection when then majority leader George Mitchell asked him to do his duty as a U.S. Senator and accept this task, this ordeal, to be chairman of the Senate Ethics Committee.

I have never talked to Senator BRYAN about the facts of the case that has been before this body today. But I know RICHARD BRYAN. I know him well. He and I have been friends for 30-odd years or more. And I know how this case has weighed on him. I see it in his face. I see it in his demeanor. As I have indicated, I have never discussed the case with him. But I know Senator BRYAN well, I repeat. I know that his obligation was to be fair to the victims, to be fair to the accused and to this institution and, of course, the oath that he took as a Senator.

The time that he spent on this case could have been spent working on other issues, could have been spent with his family and his friends, but he spent not minutes, not hours, not days, not weeks but months on this case.

When the elections took place last fall, Senator BRYAN became the ranking member of the Ethics Committee, and Senator MITCH MCCONNELL became chairman of the Ethics Committee.

Mr. President, I think that we, as Members of the Senate, should all acknowledge the work done by the Ethics Committee. I am speaking of my friend, Senator BRYAN. I am doing that because I know him so well. I know the time that he spent. I know his background. I know what a good person he is and how fair he tries to be with everybody in everything that he does.

Now, I can speak with more authority and certainty about Senator BRYAN than I can the other five members of the Ethics Committee, but these other five individuals coming from their varied backgrounds and experiences led to this Ethics Committee that had a sense of duty. It was bipartisan in nature, and being bipartisan in nature reached a conclusion in this most difficult case. Senators MIKULSKI and DORGAN on the Democratic side and Chairman MCCONNELL, Senators CRAIG and SMITH are also to be given appreciation by this Senator and I hope the rest of this body for the time that they spent on this very thankless job.

Mr. President, I, of course, have talked in detail about Senator BRYAN and the person that he is. If I knew the other five members as well as I knew Senator BRYAN, I am sure that I could say the same things about them and the difficulty they had in arriving at the decision they did. I am sure that if I had spent the time with them as I have with Senator BRYAN, I could tell by their demeanor, I could tell by the looks on their faces the consternation and the difficulty they had in doing the work that they did on this case.

Mr. President, there is no way to compliment and applaud these gentlemen and the lady who serve on this committee in an adequate fashion, but I, I hope on behalf of the entire Senate and the people of this country, express to them my appreciation and our appreciation for doing what they did in this case, that is, working the long, hard, tireless hours they did and arriving at a decision that only they could arrive at.

Mr. President, in 1882, a member of the very small Nevada Supreme Court—there were three members of the supreme court in 1882—in a case cited at 106 U.S. 154, Justice Bradley said in that case these words that I think apply to what has taken place here today: "The event is always a great teacher."

Mr. President, the event that has taken place today has been a great teacher for us all and will be in the future.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

FAMILY SELF-SUFFICIENCY ACT

The Senate continued with the consideration of the bill.

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

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

Mr. DEWINE. Mr. President, I rise today to discuss three amendments that I intend to propose later in regard to this bill we are engaged today, this week, and probably into the next week with one of the most fundamental reforms of the welfare system in over a generation. It really is a debate of great historic importance to not only the people who are on welfare, but to all Americans.

The millions of Americans who are trapped in the cycle of welfare dependency need a way out. As we work on this bill, I believe that we have to make absolutely sure that as we do this, we do, in fact, give them a way out and not just put them into another revolving door.

The purpose of the first amendment that I will offer will be to make sure that the States tackle the underlying problem of the welfare system. Quite frankly, Mr. President, too often welfare ends up being quicksand for people instead of a ladder of real opportunity.

The underlying bill that we are working on will certainly help change that and helps change it by creating a work requirement that will help boost welfare clients into the economic mainstream of work and opportunity.

We need to help people get off welfare. One very important way we can do this is by helping them avoid getting on welfare in the first place, and that is one thing that sometimes we miss in this whole debate about welfare. We do need to worry about how to get people off welfare. But if we can take action as a society that keeps them from ever going on welfare, that is a great accomplishment as well. It will not only do society a lot of good, but it will be very important to the individual who we are talking about.

So this brings me to the specific proposal contained in my first amendment.

This amendment would give States credit for making real reductions in their welfare caseload, not illusory reductions based on just ordinary turnover.

What am I talking about? Since 1988, 14 million Americans have gone off welfare—14 million. Yet, during that same period, there has been a 30 percent net increase in the welfare caseload. What this tells us is there are a lot of people going on, a lot of people going off, but we are getting more people coming on than are going off.

So we have to make absolutely sure that we keep our eye on the ball and, really, the ball that we are trying to keep our eye on is the objective of keeping people out of the culture of welfare dependency.

Under the bill, States will have to meet a work requirement, and that is good. But I think this policy will have an unintended side effect, a side effect that I believe my amendment will help cure.

If there is a work requirement, States certainly will have an incentive to try to meet that requirement. If States face the threat of losing Federal funding for failing to meet the work requirement, I am afraid that they could easily fall into the trap of judging their

welfare policies solely—solely, Mr. President—by the criterion of whether or not they help meet just that work requirement.

I believe that what we have to remember is that the work requirement is not an end in and of itself. Our goal must be to break the cycle of welfare dependency, and we have found that helping people stay off AFDC, never going on, through tools used by the Government—job training, job search assistance, rent subsidies, transportation assistance, and other similar measures—is a cheaper way of doing this than simply waiting for the person to fall off the economic cliff and become a full-fledged welfare client. It just makes common sense. If we as a society can intervene early, it is going to be cost-effective and it is going to work and it is going to make the difference in people's lives.

Under the bill as written, States are really given no incentive to make these efforts to help people. If anything under the bill, there really is a disincentive to do this. If a State takes an active, aggressive, successful effort to help people stay off welfare, then the really tough welfare cases will make up an increasingly larger proportion of the remaining welfare caseload, and that will make the work requirement much tougher for a State to meet.

Under this bill as written, there is incentive really to wait to help people, to wait, to wait until they are actually on welfare. Then the States can get credit for getting people off welfare. That really does not seem to me to be the right way to do it or the right incentive.

If States divert people from the welfare system by helping them stay off welfare in the first place, then the people who stay on welfare will tend to be more hardcore, more hard-to-reach welfare clients, and that will make it more difficult for States to meet the work requirement.

That, Mr. President, really is exactly the opposite of what we should be trying to do. My amendment would eliminate this truly perverse incentive. My amendment would lower the work requirement that States have to reach by the very same amount that the States have reduced their welfare caseload.

Helping citizens stay off welfare is just as important as making welfare clients work, just as important as moving people off welfare. Indeed, the reason we want to make welfare clients work in the first place is, of course, to help them get off welfare. But—and this is a very important provision in my amendment—we cannot allow this new incentive that I propose for caseload reduction to become an incentive for the States to ignore poverty.

Under my amendment, States will be given no credit for caseload reductions achieved by the changing of eligibility standards. Ignoring the problem of poverty, Mr. President, will certainly not make it go away. Arbitrarily kicking people off of relief is not a solution to welfare dependency, and States should not—I repeat, not—get credit for changing their eligibility to meet this objective.

Welfare reform block grants are designed to give States the flexibility they need to meet their responsibilities. They have to have more flexibility. But they must not become an opportunity for the States to ignore their responsibilities. States do need to be rewarded for solving the problem. Giving States credit for real reductions in caseload will provide this reward.

I believe this amendment will, in fact, yield another benefit. It will enable States to target their resources on the more difficult welfare cases: The at-risk people who need very intensive training and counseling if they are ever going to get off welfare.

It will not do us any good as a society to pat ourselves on the back because people are leaving AFDC, if at the very same time an even greater number of people are getting on the welfare rolls, and if the ones getting on are an even tougher group than the ones who got off.

The American people demand a much more fundamental and far-reaching solution. They demand real reductions in the number of people who need welfare.

Reducing the number of people on welfare is certainly going to be a very tall order. Since 1988, only half a dozen States or so have really managed to reduce their caseload. One of them, Wisconsin, has managed a very significant reduction. It is going to be tough, but it is absolutely necessary.

This issue simply must be faced, and it will be faced with all the creativity at the disposal of the 50 States, 50 laboratories of democracy.

How are States going to do it? There are probably as many ways of doing it as there are States. I think that is one of the positive things about the underlying bill.

There is no single best answer. That is the key reason why we need to give the States the flexibility to experiment. In Wisconsin, for example, the Work First Program, with its tough work requirement, has reduced applications to the welfare system. That is a promising approach. We have to do other things, such as reduce the number of out-of-wedlock births and get rid of the disincentives to marriage.

The bottom line is this, Mr. President: We have to solve the problem and not ignore it. States should be encouraged to take action. But they should be encouraged to take action early to keep people off of welfare, to help them before they drop into the welfare pit. I believe this is the compassionate thing to do. I believe it is the cost-effective thing to do.

My staff and I, Mr. President, have spent a considerable amount of time talking to the people who run Ohio's welfare operation, both at the county levels and at the State level. One of the problems that they have continued to talk to me about is just what I have talked about, and that is, that what we really need to do is keep people off of welfare. We do not want to be in the situation that I used to find years and years ago when I was practicing law and when I was county prosecuting attorney, where we would have situations where people were having problems, where people needed help—either job training, or education, or just a little help to tide them over—and they could not get that help. What the welfare department would have to tell them is, wait until you get the eviction notice, wait until they start putting your clothes and everything else out on the street, then we can help you, then you can get on welfare. And once you get on welfare, all these things will happen and you will get all these benefits. Our director, in the State of Ohio, of welfare, Arnold Tompkins, makes an analogy to a light. He says you go up with the switch or down, and you are either on welfare or you are not. If you are on it, you get all these benefits. If you are not, you do not get the benefits. We have a difficult time giving people some help to stay off of welfare.

I think what we must make sure we are doing when we pass this bill—which is a very, very good bill, and one of the reasons it is a good bill, it has a realistic work requirement in it. One of the things we have to make sure we are doing is allowing the States the flexibility and giving them some incentive to try to take the actions early on which will prevent someone actually from ever going on welfare. We must make sure that we, as we write this bill, give the States credit for having done that.

Let me turn to the second amendment that I intend to propose. It has to do with a rainy day fund. This amendment is a very simple one. It is a recognition of economic realities. When a State faces a recession, a number of things happen. One of them is that the welfare caseload goes up. The other thing that always happens is the revenues going into the State go down.

It is as simple as that. When States are in the middle of a serious recession, they are reluctant to borrow from a loan fund because they are, frankly, afraid they will be unable to pay the money back. I do not blame them. I believe that we need an unemployment contingency grant fund to make sure that when a recession hits, the Federal Government will remain a partner in the process of taking care of the welfare population. You will notice I say "partner."

It should be just as clear, Mr. President, that this rainy day fund must not become a back door to the re-Federalization of welfare. The threshold

for disbursements from this fund, I believe, has to be tough. And the threshold in my amendment is, in fact, tough. It has been described as follows: A State, under my amendment, will not qualify if it has a "cold." It will only qualify if it has "pneumonia."

It is my hope that this amendment will not be controversial. I believe it is a necessary precaution for the inevitable downturns in the economic cycle. Under this amendment, the State has to meet two conditions to qualify for aid from this fund. First, it has to maintain its welfare effort at the fiscal year 1994 level. And unemployment has to be two percentage points higher than in the previous year. States will then have to match these Federal funds at the same rate as the matching formula for Medicaid. And they will have to maintain their own effort. This is a tough requirement, but I believe it is fair, and I believe that it will be of immense help to the States.

Mr. President, we need this rainy day fund, and we need to make sure that it is not abused.

Let me turn to the third amendment I intend to offer. It has to do with a subject that has troubled me in this country for many, many years, and that is the issue of child support and child support enforcement. When I discuss this issue, I again have to go back, in my own mind, at least, to my experience as a county prosecuting attorney. One of my jobs, of course, was to try to enforce the child support enforcement laws. Mr. President, the third amendment really is an attempt to make it easier for States to crack down on deadbeat parents. We are all aware that one of the key cost causes of our social breakdown is the failure for parents to be responsible for their own children. The family ought to be the school for citizenship—preparing the children for responsible and productive lives. When the parents do not do that, it is very difficult for society to step in and fill the gap.

We need to reconnect parenthood and responsibility. We need to help States locate these deadbeats, establish support orders for the children, and enforce the orders.

My amendment attempts to address this problem in two ways. First, it provides for a more timely sharing of information with the States. Today, the Federal Parent Locator Service, in the U.S. Department of Health and Human Services, gives the States banking and asset information about potential deadbeats on an annual basis, only once a year.

Mr. President, talk to the people who have to track down these deadbeats, and they will tell you and other Members of the Senate how difficult that process is. As I mentioned, I used to do this when I was a county prosecutor. If you have to wait a whole year to get information about a deadbeat, there is a pretty good chance that that deadbeat is going to flee your jurisdiction. The information that you get may be up to a year old—or even more—and will simply not be information that will do any good.

My amendment is simple. It would change that reporting requirement from an annual basis to a quarterly basis.

Mr. President, these child support enforcers are involved in a very difficult but a very important job. I believe that we should cut—by 75 percent—the amount of time they have to wait for this very important information.

Mr. President, I look forward to the debate on these and the other amendments offered by my colleagues. I believe that we have a great opportunity in this year's welfare reform bill—an opportunity to change the direction of welfare and to really change the direction of this country.

Mr. President, I yield the floor.

Mr. NICKLES. Mr. President, first, I would like to compliment my friend and colleague from Ohio, Senator DEWINE, for an excellent statement. His experience as a Congressman, his experience as Lieutenant Governor of the State of Ohio, as well as a Senator, gives him a perspective that may be better than most because he has been involved in administering these programs. I think he has had some very constructive, positive ideas that are really invaluable. I hope our colleagues will pay attention. I compliment my friend for his remarks.

I would also like to say at this time that we requested a list of amendments, and the numbers were floating around, whether there was 50 amendments, 60 amendments, or 70 amendments.

We are very willing to take up those amendments, see if we can incorporate those amendments into the substitute bill that will be offered tomorrow, or have people offer their amendments. They can debate them. We will set aside the amendment and vote on the amendment tomorrow.

If colleagues have amendments that they would like to be considered and disposed of, and frankly I think we are going to be more favorably disposed tonight than we will be later on Friday and certainly on Monday and Tuesday. I encourage colleagues if they have amendments to please bring those to the floor and we will try to assist in any way we can as far as disposing of them.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I understand there is a pending amendment. I ask unanimous consent that the amendment be set aside.

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

AMENDMENT NO. 2469 TO AMENDMENT NO. 2280

(Purpose: To provide additional funding to States to accommodate any growth in the number of people in poverty)

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN] proposes an amendment numbered 2469 to amendment No. 2280.

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

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

The amendment is as follows:

Beginning on page 17, line 16, strike all through page 21, line 3, and insert the following:

"(3) SUPPLEMENTAL GRANT AMOUNT FOR POVERTY POPULATION INCREASES IN CERTAIN STATES.—

"(A) IN GENERAL.—The amount of the grant payable under paragraph (1) to a qualifying State for each of fiscal years 1997, 1998, 1999, and 2000 shall be increased by the supplemental grant amount for such State.

"(B) QUALIFYING STATE.—For purposes of this paragraph, the term 'qualifying State', with respect to any fiscal year, means a State that had an increase in the number of poor people as determined by the Secretary under subparagraph (D) for the most recent fiscal year for which information is available.

"(C) SUPPLEMENTAL GRANT AMOUNT.—For purposes of this paragraph, the supplemental grant amount for a State, with respect to any fiscal year, is an amount which bears the same ratio to the total amount appropriated under paragraph (4)(B) for such fiscal year as the increase in the number of poor people as so determined for such State bears to the total increase of poor people as so determined for all States.

"(D) REQUIREMENT THAT DATA RELATING TO THE INCIDENCE OF POVERTY IN THE UNITED STATES BE PUBLISHED.—

"(i) IN GENERAL.—The Secretary shall, to the extent feasible, produce and publish for each State, county, and local unit of general purpose government for which data have been compiled in the then most recent census of population under section 141(a) of title 13, United States Code, and for each school district, data relating to the incidence of poverty. Such data may be produced by means of sampling, estimation, or any other method that the Secretary determines will produce current, comprehensive, and reliable data.

"(ii) CONTENT; FREQUENCY.—Data under this subparagraph—

"(I) shall include—

"(aa) for each school district, the number of children age 5 to 17, inclusive, in families below the poverty level; and

"(bb) for each State and county referred to in clause (i), the number of individuals age 65 or older below the poverty level; and

"(II) shall be published—

"(aa) for each State, annually beginning in 1996;

"(bb) for each county and local unit of general purpose government referred to in clause (i), in 1996 and at least every second year thereafter; and

"(ccb) for each school district, in 1998 and at least every second year thereafter.

"(iii) AUTHORITY TO AGGREGATE.—

"(I) IN GENERAL.—If reliable data could not otherwise be produced, the Secretary may, for purposes of clause (ii)(I)(aa), aggregate school districts, but only to the extent necessary to achieve reliability.

"(II) INFORMATION RELATING TO USE OF AUTHORITY.—Any data produced under this clause shall be appropriately identified and shall be accompanied by a detailed explanation as to how and why aggregation was used (including the measures taken to minimize any such aggregation).

"(iv) REPORT TO BE SUBMITTED WHENEVER DATA IS NOT TIMELY PUBLISHED.—If the Secretary is unable to produce and publish the data required under this subparagraph for any county, local unit of general purpose government, or school district in any year specified in clause (ii)(II), a report shall be submitted by the Secretary to the President of the Senate and the Speaker of the House of Representatives, not later than 90 days before the start of the following year, enumerating each government or school district excluded and giving the reasons for the exclusion.

"(v) CRITERIA RELATING TO POVERTY.—In carrying out this subparagraph, the Secretary shall use the same criteria relating to poverty as were used in the then most recent census of population under section 141(a) of title 13, United States Code (subject to such periodic adjustments as may be necessary to compensate for inflation and other similar factors).

"(vi) CONSULTATION.—The Secretary shall consult with the Secretary of Education in carrying out the requirements of this subparagraph relating to school districts.

"(vii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subparagraph $1,500,000 for each of fiscal years 1996 through 2000.

Mrs. FEINSTEIN. Mr. President, I rise today to offer an amendment that would provide additional funding to States to accommodate growth which may occur in their welfare caseloads.

Legislation which provides the basis for this amendment is included in the welfare reform bill already passed by the House of Representatives entitled "H.R. 4, the Personal Responsibility Act."

Title 1 of that bill includes a supplemental grant to adjust for population increases. In the House version, the grant is $100 million annually for each of fiscal years 1997, 1998, 1999, and the year 2000.

In the Dole bill, the supplemental grant is $877 million over 5 years. The House supplemental grant is distributed to States based on each State's proportion of the total growth. However, the Dole bill handles this formula in a very complicated manner which only benefits 19 out of the 50 States.

Frankly, by providing zero funding for growth, it does in the State of California. I have got to make that very clear.

The amendment I am proposing today takes the same approach, as the legislation that passed the House of Representatives, with respect to growth, and would apply it to the Dole bill. California, which is projected to experience a significant growth in its poor population over the next 5 years, under the present draft of the Dole bill, would receive zero—zero.

There is no additional cost associated with this amendment. In fact, there is some reason to believe that this method of accommodating growth equitably and objectively among all States might result in some cost savings when compared to the underlying bill. In any event, the authorization of appropriations, for the supplemental grant for each of the fiscal years, remains the same as in the Dole bill, and distribution of the additional funds is capped by those amounts which total $877 million over 5 years.

I would add another point. All States will be held harmless under this legislation. That is to say, no State's grant will be reduced if the State experiences a decline in its poor population. But each and every State which experiences an increase in its poor population will receive a corresponding increase in its Federal grant to help them carry out the mandates of this legislation.

Let me briefly contrast this with the approach in the underlying bill. As I said, only 19 States, meet the definition for use of this money under the language of the Dole bill, and that is irrespective of their actual growth of in poor youngsters. And, it excludes many States that will experience growth in their caseloads.

Under the Dole bill, 19 States receive automatic additional funding, 2.5 percent of the fiscal year 1996 grant in each of the years 1997 to the year 2000 if, first, their State's welfare spending is less than the national average level of State spending and, second, population growth is greater than the average national population growth.

In addition, for reasons which are unclear, certain States are deemed as qualifying if their level of State welfare spending is less than 35 percent of the national average level of State welfare spending per poor person in fiscal year 1996. As I understand it, only two States qualify. Mississippi and Arkansas are the only two States that would qualify under that portion of the drafting.

This formula penalizes States which have traditionally had higher levels of State welfare spending. So, in other words, if you have been a high benefit State, you are actually penalized by the bill. And, it rewards States, irrespective of their projected, or actual, population growth or decline.

I must say I am astonished that many States which are projected to have significant increases in their poor populations do not meet the definition required by the Dole bill. It leads me to conclude that this supplemental grant is not necessarily to accommodate growth at all.

Federal taxpayers are being asked to spend almost $1 billion over 5 years in the name of growth. But, in fact, the result is that States which, until now, have spent less than the average in assisting the poor will now be subsidized. So, until now, they have not spent much, and, now, they are going to be subsidized by the taxpayers of all 50 States. What kind of a bill is that?

Let me take a moment to review for you what some of the benefit levels have been from some of the States who will be beneficiaries of this so-called growth fund. In Mississippi the maximum monthly AFDC benefit for one-parent families with two children has been $120. That is $120 in combined Federal-State AFDC grants. In Alabama, the combined maximum has been $164. In Texas, the maximum benefit has been $188. In Tennessee, $185. Louisiana, $190. Arkansas, $204. Kentucky, $228.

Let us look at one or two States with similar benefit levels. In Indiana, the monthly benefit is $288. In Missouri, it is $292. But even though these levels are similar to other States, they will receive nothing, zero, zip—nothing—to accommodate any increase in their poor populations. Why? Who would draw this kind of growth formula?

Let us look now at some high growth States. Let us see what they get—Washington, for example. While the Bureau of the Census projects a general population growth of almost 10 percent, the Dole bill provides zero funding for growth. Idaho is projected to experience a general increase in its population of almost 11 percent, Mr. President. Is it a growth State under the Dole bill? The answer is no. Finally, let us take a look at California, the most populous State in the Nation and one which is projected to grow by 6.25 percent over the next 5 years. It, too, receives no additional funds to meet the anticipated growth in caseload.

Clearly, the growth fund in the underlying bill is, as I have said, not a true growth fund. It is a fund for some other reason, but I do not think anyone in this body should call it a growth fund. I believe this is a fundamental flaw in the Dole bill, as compared to the House version of the welfare reform bill.

None of us in this body knows what the future holds for our States—whether it is economic recession in a rust belt State, regional downturn in a sunbelt State, natural disaster in any part of our country, or even Federal base closures. What we do know is there will be unanticipated regional economic conditions and corresponding fluctuations in the incidence of poverty. Any State is susceptible to these circumstances. This amendment, the amendment I am proposing, simply

uses the same approach as in the House bill, applies it to the $877 million, and says that you receive additional funding for growth proportionate to your numbers published by the Bureau of the Census. If your poor population goes up, you will get the corresponding proportional share of that fund.

This, to me, is the fair way of doing it. No gimmicks, you use the census figures. If you are a growth State, you get extra funding to carry out the mandate. Frankly, most of the States, the overwhelming number of States, are projected to benefit, and also States with no growth, or actual declines in population, are held harmless. And, finally again, it costs no more money.

You will have proposals before you that use a little sleight of hand. Some will reduce the base funding level currently in the Dole bill and then add to it. This amendment does not alter the initial grant in the Dole bill. This takes the initial grant level, applies the poverty data supplied by the Bureau of the Census, and simply says, as the House in its wisdom did, that that data is used objectively to determine any additional funds which are provided to each and every State. So, Mr. President, your State would benefit from that. My State would benefit from that for sure. That is what this amendment does.

Let me conclude on this amendment by saying that this is not a matter of "winners" and "losers." It is a matter of accuracy and fairness involving the distribution of Federal funds. I think it is very difficult for anyone to argue against that.

I ask unanimous consent that the amendment be temporarily set aside.

Mr. NICKLES. If the Senator from California will yield, I appreciate her amendment, and I want to thank her for coming to the floor and offering her amendment. I see other colleagues, as well as the Senator from Illinois. I again urge other Senators, if they have amendments, I think we will be lot more receptive and also it will expedite the consideration of those amendments for tomorrow or on Monday.

I do not know that this—as a matter of fact, I doubt that allocation amendments are the ones that will be readily agreed upon because some States win and some States lose. Allocation formulas are always contested in almost any type of bill like this, whether it is a highway bill or a welfare bill or other allocations. The allocation formula the Senator is proposing under her amendment would be identical to the one now currently in the House bill.

Mrs. FEINSTEIN. It is the same basis. That is correct.

Mr. NICKLES. The amendment is directed toward States that have increases in welfare population.

Mrs. FEINSTEIN. That is correct any and all States.

Mr. NICKLES. Welfare population being defined as welfare children, or just total welfare population of the States.

Mrs. FEINSTEIN. It is defined as increase in poor populations measured by current census data.

Mr. NICKLES. The information that the Senator handed out, the distribution formula that she is recommending and the impact on the States is on actually the second page of the handout but recorded as page 4.

Is that correct?

Mrs. FEINSTEIN. I did not bring those with me because we are making charts, and we were called, and we came down before the charts were ready, I am afraid.

Mr. NICKLES. I have a couple of charts. I want to make sure. I will confer with my colleague and friend.

Mrs. FEINSTEIN. There are four charts. If I can take a look at them when we finish, I would be happy to.

The Senator is absolutely correct. I know the formula is going to be difficult to change. If it looks like a growth formula, if it is named like a growth formula, it ought to talk and walk like a growth formula. That is all I am saying.

More States are benefited by this. I think 27 States fare better than in the underlying bill are clearly benefited by this, and States which do not experience an increase are held harmless.

Mr. NICKLES. If my colleague will yield further, she has 27 States that would presumably do better under the great portion of the bill, not the entire bill.

Mrs. FEINSTEIN. That is correct.

Mr. NICKLES. The Senator's amendment is allocating the money set aside for growth States, and under her proposed distribution it would increase benefits under that portion of the fund to 27 States as compared to 10 States. In other words, under the Dole proposal.

Mrs. FEINSTEIN. As compared to 19 States. The Dole proposal, as we understand it, benefits only 19 States. My amendment benefits all States. I would be happy to debate it. If I am wrong, I would be happy to admit it. This is our belief. Our formula would benefit 27 States, beyond those in the Dole bill, and would hold everybody else harmless. So nobody would go below what their 1996 level is.

Mr. NICKLES. Let me further try to clarify so I will know and maybe just help us tomorrow when we are considering these amendments.

Under the proposal of the Senator from California, it benefits 27 States. You do not change the amount of money. So you spread it out over a few more States. Senator DOLE's proposal would have additional for the growth States that have large increases in poverty. It would benefit 19 States. So presumably they would do a little bit better. So you are dividing up the same amount of money as compared to your growth proposal. We will have charts to make an analysis or comparison under both proposals.

Mrs. FEINSTEIN. They are not necessarily all of the growth States that are benefited.

Mr. NICKLES. Mr. President, I thank my colleague. Senator DOLE's proposal, I believe, is directed toward States that have significant increases in growth in poverty. And my guess is—I have not studied these charts—but he talks about the growth funds for States that have significant increases in poverty. Yours maybe is a little broader distribution.

I will tell my colleagues that there is a dispute on both sides of the aisle. This is probably not a partisan amendment as such because people wrestle with distribution formulas, and trying to come up with most equitable formula is not always the easiest thing to do, particularly if they have a lot of inequities in past distribution formulas which we have had with different programs.

But I, again, want to thank the Senator from California for offering her amendment and sending it to the desk.

Does the Senator also have another amendment?

Mrs. FEINSTEIN. That is correct, for tonight.

Let me just say what I understand the Dole does in this area. Then if I am wrong, I would be happy to know that.

These funds apply, if two things are met: one, the State's welfare spending is less than the national average of State spending; and, second, population growth is greater than the national population growth. That does not necessarily relate to welfare population growth. That is one problem that I have with it.

AMENDMENT NO. 2470 TO AMENDMENT NO. 2280

(Purpose: To impose a child support obligation on paternal grandparents in cases in which both parents are minors)

Mrs. FEINSTEIN. If I may, I now send the second amendment to the desk and I ask for its consideration

The PRESIDING OFFICER. Without objection, the pending amendment is temporarily set aside, and the clerk will report.

The bill clerk read as follows:

The Senator from California (Mrs. FEINSTEIN) proposes an amendment numbered 2470 to amendment No. 2280.

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

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

The amendment is as follows:

On page 654, between lines 15 and 16, insert the following:

SEC. . ENFORCEMENT OF ORDERS AGAINST PATERNAL GRANDPARENTS IN CASES OF MINOR PARENTS.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 915, 917(a), 923, 965, and 976, is amended by adding at the end the following new paragraph:

"(17) Procedures under which any child support order enforced under this part with respect to a child of minor parents, if the mother of such child is receiving assistance under the State grant under part A, shall be enforceable, jointly and severally, against the paternal grandparents of such child.".

Mrs. FEINSTEIN. Mr. President, as I have listened to the debate, there has been a lot of talk about teenage pregnancy, youngsters impregnating youngsters, walking away from their responsibility, and really young children becoming pregnant, becoming teen mothers often by teen fathers. I have heard many Senators say we must stop this. I believe we have a way to send a major message to a constituency, and it is contained in this amendment.

What this amendment would do is say that every State must have in effect laws and procedures under which a child support order can be enforced, where both parents are minors, and, the mother is a minor receiving Federal assistance for the child, against the paternal grandparents of the child.

So if you are the mother and father of a boy child, and your boy child goes out and impregnates a minor girl who ends up on welfare as a result, you will be liable for a child support order against you as the parents of that young boy.

What I find increasingly is that child support is a growing crisis. This has also been debated—and, frankly, the lack of child support is one of the major causes of children living in poverty in my State; that is, the absence of child support—a parent, usually the father, not always, but usually it is the father that just walks off and does not support his child.

Well, if this is going to be a tough welfare bill, let us address it. Let us say, "Parents, you are responsible for the behavior of your adolescent son. If your adolescent son is going to go out and get a young girl pregnant, you are going to have to pay for the uprearing and the child support of that offspring."

I think the time has come for this kind of amendment. It is strong. It is an amendment that attributes family responsibility. It is an amendment that says parents of minors have responsibilities and one of those responsibilities is to see to it that their sons do not enter into this kind of conduct and then walk away from their responsibility.

So, I would now ask that that amendment be set aside.

I yield the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be set aside.

Mr. NICKLES. Mr. President, while my colleague from California is here, I have not had a chance to totally review her second amendment. I am very interested in this amendment. It is a tough amendment. If I understand it correctly, if my colleague from California will correct me if I misunderstood her statement, but the Senator's amendment would basically, if you have a minor with a child, a single parent—the paternal grandparents would be liable for what expense?

Mrs. FEINSTEIN. For the child support. A court order would be obtained and the parents of the male child would be responsible for the child support of that offspring.

Mr. NICKLES. Let me talk out loud or think out loud. So if you have a teenage mother, if you have in this case an unmarried single mother, and if there is a court order placed against the father for child support, if that is not collectible from the father, then the parents of the father in this case would be liable for the child support?

Mrs. FEINSTEIN. That is correct where the father is also a minor.

Mr. NICKLES. The primary responsibility would still be the father.

Mrs. FEINSTEIN. That is correct.

Mr. NICKLES. But if the father is delinquent, if the father is not available or unable to pay, for whatever reason, unemployed, you name it, then the parents of the absentee father in this case would be liable?

Mrs. FEINSTEIN. That is correct for minor fathers. And I would certainly welcome the Senator from Oklahoma looking at this. If there is any way he thinks it could be made better, I would be delighted.

Mr. NICKLES. I compliment my colleague from California for offering the amendment tonight. I appreciate that. I am interested in the amendment. It looks good from what I have seen. I will study it further and see if we can support it.

Mrs. FEINSTEIN. I thank the Senator.

Mr. SANTORUM. Mr. President, I join with the Senator from Oklahoma. Senator FEINSTEIN's second amendment, I think, is a positive amendment and one that maybe we can work on and get it accepted on both sides. I think it is a good amendment.

I am not as enthusiastic about the first amendment. In defense of Senator HUTCHISON, who really did an outstanding job on this side of the aisle in working on the issue of formulas and trying to bring some compromise into a very difficult issue, nobody is happy with allocations of formulas, as the Senator from Oklahoma said. There are States that win; there are States that lose. What we tried to do is hold at least everybody harmless. We did under the formula that is in the Dole bill and then provided some reasonable amount of money for growth. I guess what is really the bugaboo here is how we determine what growth is and what is fair.

I suggest to you that if the Senator from Texas [Mrs. HUTCHISON], were here, what she would say is what is fair should not be based on what is—a system that you receive money from the State based on how much money you put up, not on how many poor people you have but how much money you are willing to give to the poor people in your State. So if you are a State like California, which is a high-benefit State and puts up a lot of money, you get more Federal dollars. It is a match. The more you put up, the more money you get. And so as a result, States like California and, I would say, Pennsylvania where I am from, which is above average—not as high as California but above-average State as far as welfare dollars—get more money from the Federal Government because we are willing to put up more State dollars to match the Federal funds.

Now, that is an equitable system the way it exists today, but we are changing the system. Effective as a result of this bill's passage there is no more Federal match. There is no more every dollar we put up or every—I think it is roughly 50–50—every dollar we put up, you put up a dollar and we go on together.

What we do now is send a block grant to the States. Every State gets a block grant. What is that? It is an amount of money irrespective of anything else. Irrespective of how much you are contributing, we are going to give you an amount of money that you will be able to spend on AFDC to help mothers with children. It is not dependent anymore on how much money you put up. It is just a block grant.

Now, if we were going to design a block grant program from the start, if we did not have the existing AFDC program in place, how would we distribute that money? Well, let me tell you how it is distributed under the bill. It is distributed based on how much money you got last year.

Think about this. Now we are giving a block grant to take care of a population of children and in most cases mothers and we are basing it on last year's amount of money that the State got, which, of course, from last year, was based on how much the State was willing to pony up to get Federal dollars and match it. It has no relation again to how many more persons but to how much the State was willing to spend.

So what happens, there are many States that are high-benefit States that are getting a lot more money per child than low-benefit States are getting per child. If we were going to design a program today from start—let us say we did not have an AFDC program, we had no poverty assistance program at the Federal level; we were going to start a program today—how would we design a model for helping children?

I suggest that what we would do is exactly what the Senator from California suggested. We should figure out

how many poor people there are in the State, people eligible for welfare, for AFDC, and allocate so many dollars per person on welfare. We would take the number of people on welfare in the country, we would say here is how many dollars per person each State will get for that person on welfare and divide it up among the States. That would be a fair allocation formula. No child in California is worth more than a child in Mississippi or Vermont or Oklahoma.

But that is not what we did. We did not start out and say everybody is going to get the same irrespective. What we did was say children in California actually get more money because the State in the prior legislation, the current AFDC law contributed more so children in California get $200 per month per child and a person in Mississippi may get $50.

Now, what the Senator from California says is that, well, we are subsidizing these bad States like Mississippi that did not contribute a lot of money to help the people in their State.

I hear a lot from the other side of the aisle about we should not be punishing children—except, of course, if they happen to live in a State that is not a high-benefit State in this example because that is exactly what we do with the Feinstein amendment. We punish children who live in low-benefit States that continue to get low benefits under the current program.

What Senator HUTCHISON did was say, look, let us look at, since we now no longer require in this bill any kind of matching State funds—there is no maintenance-of-effort provision in this bill. California can completely pull the plug on every dollar of welfare spending that they are now required to spend to get the Federal match. They do not have to contribute a cent anymore and they get all the money. And they get two or three times as much per child as Mississippi. But now, again, California does not have to spend the money to get that money.

Now, how is it fair to say that California should get, because they are increasing in population, even more money per child than Mississippi which maybe is not growing as fast? If you look at it from the perspective of not what has been but what a fair allocation formula should be now based on a completely new model, you would suggest that States having low-benefit levels that are growing should be the recipients of the increasing growth funds to have their children come up to parity with States like California and Pennsylvania and New York and others.

That is what the Senator from Texas is suggesting. I would also suggest the Senator from California is doing her duty. She represents a mega-State, a State that has been very generous with welfare dollars, and under her allocation formula of the pot, I think California—I think it is about $1.5 billion, money that would be allocated over the next 7 years for these programs. They get roughly half the money in California under this program. It is a big chunk. California is a big State. It has one-eighth of the population of the country but they get about half the increase under this formula allocation.

If I was from California, I would design a program that got me half the money, too. I understand that. But it is not fair when you consider the new rules that we have put in place. No longer do we require match. That is the key here. California does not have to put up a penny to get this money anymore.

What we are saying is because we do not make them put up a penny anymore and because they are getting much more per child than I think any other State, with the possible exception of New York, we are not going to give them even more money because they happen to be growing. We are going to take care of the States that do not get a lot of money and that are growing also.

So that is the basis for this discussion. And so while it may, to the virgin ear on this subject, be a very appealing argument from the Senator from California that this is only fair, I mean we are growing and therefore we deserve more money, I would suggest that if we are looking at it for the sake of the child and not looking at where that child lives but looking at what the Federal Government's obligation is to a child under a new system where State matching dollars are irrelevant, then I would suggest that growth fund should be targeted to those States where the Federal contribution per child is the lowest. And that is what this amendment does.

I speak against my own interest in this case because Pennsylvania is not as high a benefit State as California but it is an above-average benefit State that is not going to receive any growth dollars according to the estimates. We are not going to receive a penny, and we would receive a small amount of increase under the Feinstein bill.

So it would be in my interest for Pennsylvania to vote for, I think it is $6 million. It is not a whole lot of money for Pennsylvania, but it is a little bit of money under the Feinstein amendment. That might be to my benefit, but I do not think it is fair under the new allocation. I think it is fair to focus on the child, not where that child lives, in what State.

As the Senator from Connecticut said earlier in the day, this is a Federal problem and we should have a Federal solution. I did not agree with the second part. It is a Federal problem. We do not need Federal solutions, we need local solutions. But the dollars that come from Washington should be equitable across the country. That is what this growth formula attempts to do, to bring other States with lower benefits up to meet the average.

I know it is going to be a difficult vote. I happen to be from one of those States that does not benefit under the current growth funds but would under the Feinstein growth fund. You would be very tempted, and I know many Members will be, to jump on for your parochial interests.

No. 1, I think it would be very damaging for the long-term interests of this bill. I think it is absolutely unfair when you look at the child, not where the child lives and how much the Federal Government is paying per child. I think that should be the fundamental test of whether this formula is fair.

I know this is going to be a very heated issue. It is one that is going to be talked about tomorrow, and I know the Senator from Texas will be far more eloquent than I have been in defending her formula. I just want to commend the Senator from Texas, Senator HUTCHISON, one more time, for the tremendous work she did in putting together an allocation formula which no one thought could be done. We did not think we would be able to work this one out. This was the issue that was bogging us down.

When it comes to money, everybody gets real tightfisted around here. We were able to work out something which I think is defensible, not only from a political standpoint of folks being able to explain back home, but I think it is very defensible from a fairness perspective of what this bill actually accomplishes.

Mr. President, I yield the floor.

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 2471 TO AMENDMENT NO. 2280

(Purpose: To require States to establish a voucher program for providing assistance to minor children in families that are eligible for but do not receive assistance)

Ms. MOSELEY-BRAUN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Ms. MOSELEY-BRAUN] proposes an amendment numbered 2471 to amendment No. 2280.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

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

"(G) Assess and provide for the needs of a minor child who is eligible for the child voucher program established under subsection (c).

On page 15, between lines 19 and 20, insert the following:

"(d) CHILD VOUCHER PROGRAM.—

"(1) ELIGIBILITY.—

"(A) IN GENERAL.—A State to which a grant is made under section 403 shall establish and operate a voucher program to provide assistance to each minor child who resides with a family that is eligible for but not receiving assistance under the State program as a result of any reason identified by the State, including—

"(i) the time limit imposed under section 405(b);

"(ii) a penalty imposed under section 404(d); or

"(iii) placement on a waiting list established by the State for recipients of assistance under the State program.

"(B) PERIODIC ASSESSMENTS.—The State shall conduct periodic assessments to determine the continued eligibility of a minor child for a voucher under this subsection.

"(2) AMOUNT OF VOUCHER.—

"(A) IN GENERAL.—The amount of a voucher provided under the program established under paragraph (1) shall be equal to—

"(i) the number of minor children in the family multiplied by

"(ii) the per capita assistance amount determined under subparagraph (B).

"(B) PER CAPITA ASSISTANCE AMOUNT.—For purposes of subparagraph (A), the per capita assistance amount is an amount equal to—

"(i) the amount of assistance that would have been provided to a family described in paragraph (1) under the State program; divided by

"(ii) the number of family members in such family.

"(3) USE OF VOUCHER.—A voucher provided under this subsection may be used to obtain—

"(A) housing;

"(B) food;

"(C) transportation;

"(D) child care; and

"(E) any other item or service that the State deems appropriate.

"(4) DELIVERY OF ITEMS OR SERVICES.—A State shall arrange for the delivery of or directly provide the items and services for which a voucher issued under this subsection may be used.

On page 15, line 20, strike "(d)" and insert "(e)".

On page 24, line 24, insert "(including the operation of a child voucher program described in section 402(c))" after "part".

Ms. MOSELEY-BRAUN. Mr. President, I attempted earlier today to speak to this issue in general, and now, I would like to speak to the issue of welfare reform and the legislation before us generally as well as file several amendments.

At the outset, I would like to say that, quite frankly, I am very pleased with the way this process is working. In spite of all the slogans and the political speeches and the hot buttons and the wedge issues, the fact is that because of this debate, we are undertaking a conversation among ourselves as legislators and, again, indeed with the country around the issue of welfare generally, welfare reform and the appropriate response to the challenge our current system poses to this nation.

Mr. President, I submit to you that this is an issue that, as the French would say—there is an old expression—"plus ca change, plus c'est la meme chose," the more things change, the more they remain the same.

Quite frankly, I brought to the attention of the Finance Committee, on which I serve as a member, an article that had appeared in the Chicago History magazine in their spring issue. The article was entitled "Friendless Foundlings and Homeless Half-Orphans." The caption of the article said:

In 19th century Chicago, the debate over the care of needy children raised issues of Government versus private control and institutional versus family care.

The article goes on at great length and, indeed, I have some pictures here from the article that showed the condition of poor children in turn of the century Chicago sleeping in the gutters and the, turned over by their parents to orphanages, unable to be cared for because of the poverty of their parents. The homeless half-orphans title refers to women who during the turn of the century struggled to raise children alone and because of their economic circumstances could not afford to do so and were often called upon, compelled even, to turn their children over to halfway houses and orphanages and others in order to provide just for the basic sustenance of those children.

I raise this not to inflame this debate because I, again, very much appreciate the way and the tenor this debate has taken, certainly this evening, but really to begin talking about my amendment which calls on the States to establish a safety net for children, and to put that amendment in context.

Essentially, the amendment itself says that when all is said and done, if you will, at the end of the day, after the States, under the primary legislation, have made all their rules, that in the final analysis, no child—no child—in America will be left to fend for themselves, will be left without subsistence, will be left homeless, will be left hungry.

Bottom line, this amendment calls on us to make an affirmation of our commitment to provide for the children and to make certain that welfare reform does not become a subterfuge or outlet for punishing kids for the sins of their parents or the misfortune, indeed, of their parents to be born into poverty.

I think it is important for us to talk a little bit about welfare in the context of poverty as an issue, because really that is what it is. Welfare is not a stand-alone problem, it is not something you just say exists over here in a vacuum by itself. Welfare is not, and never has been, anything other than a response to poverty. It is a system, a set of rules that calls on a Federal-State relationship and cooperation, and we can debate, as no doubt we will and will continue to, what that relationship must be. But it, essentially, is a relationship between Government that calls on our national community to care for the welfare of poor children so that we do not have to go back to the friendless foundlings and the homeless half-orphans that plagued so many of our communities at the turn of the century in America.

So welfare reform then should, at a minimum—at a minimum—ask the question, and answer in the affirmative the question: What about the children? We must always have an answer that says that no State, no locality, no community, no part of our national community will allow for children to go homeless and to go hungry.

So this amendment requires the States to establish a child voucher program to provide services to minor children who reside in families that meet the State's income and resource criteria for the temporary assistance to needy family block grant, which is the name of the block grant in the underlying bill, but who are not receiving assistance. The amount of the voucher will be based on a pretime limit, per capita rate, and would be a total amount for each child.

The State would be called on, therefore, even if the parent did not qualify for failure to live up to the rules or for cutbacks or whatever reason, to assure that the children would be entitled to essential services through a voucher system.

The voucher would be paid to a third party that would provide the service. So a child living in a family which no longer qualified for assistance would still be assured of essential services. This amendment would assure that children, are not punished for their parents' behavior.

Let us talk a little bit about welfare for a moment. I think it is important to go back to the big picture issue—welfare as a response to poverty.

Right now, in this country, Mr. President, 22 percent of the children live in poverty. This is higher than in any other industrialized nation. One in every 5 children in America lives in poverty. That means that 15 million children live in poverty—40 million Americans total overall, but 15 million children live in poverty. That, Mr. President, is greater—frankly, it is 40 percent more than it was even in 1970.

To talk about what we mean in terms of poverty, for families of three, the poverty rate is $12,320 a year. A family of four is considered to be poor if they have an income of $14,800 a year. Mr. President, 53 percent of female-headed households in this Nation are poor, and 23 percent of American families overall are headed by women. So this becomes a problem of particular urgency for poor children, and particularly for poor women.

Our child poverty rate here in the United States is two times that of Australia and Canada. Our child poverty rate is four times that of France, Sweden, Germany, and the Netherlands.

And so we can see that child poverty is a particular problem here in the United States. It is a problem that has been addressed somewhat by the existence of what is known as welfare, the AFDC program. Again, AFDC is simply a response to poverty.

I have a chart, Mr. President, of child poverty rates among the industrialized countries. This is the most recent data available. As you can see, here is Finland, Sweden, Denmark, Switzerland. It goes from 2.5 percent up to the United States, which is 21.5 percent. We have a higher rate than Australia, Israel, the United Kingdom, Italy, Germany, France, The Netherlands, Austria, Norway, Belgium, Switzerland, Denmark, Sweden, and Finland.

Child poverty is a particular problem here in the United States. The gap between rich and poor children is greater in our country than in any other industrialized country. Affluent households with children in the United States—the top 10 percent in terms of wealth—are amongst the wealthiest children in the 18 industrialized countries that have been surveyed. Of the poorest, the bottom 10 percent of children in the United States in terms of wealth, we are the third poorest among the 18 industrialized countries surveyed.

So the disparity in the children of the wealthiest in the world and the children among the poorest is greater in this country than in any other industrialized nation.

I have another chart here. This depicts poor households with children. Here is the United States with $10,923. Affluent households average almost $65,536 annually. The length of the bars represent the gap between rich and poor children. As we can see, here in the United States, this gap is greater than anywhere else in the industrialized world.

So, as we approach the issue of welfare reform, we are approaching an issue of dealing with our response to a problem that is unique in the industrialized world and a problem that has been getting worse, not better.

The issue of welfare inflames passions in the United States. Without getting into the passions, I want to talk a little bit about the facts in terms of the AFDC program or what is known as the welfare program. As the Chair is no doubt aware, AFDC has been a response to poverty that has been with us for a while. The system has come under great challenge, and that is really why we are here right now, to debate the direction that we are going to take in terms of reforming this program. What we generally refer to as welfare is Aid to Families with Dependent Children, which was established under the Social Security Act of 1935. States obviously play a major role in operating this program. States define eligibility, the benefit levels, and actually administer the program. So, again, while we will talk further and in greater detail about the level of State involvement, the fact is that the States already make a huge determination about who will participate in the AFDC program.

Mr. President, presently there are some 14 million people receiving AFDC in the country. That is a lot of people. The fact of the matter is that that is about 5.3 percent of our total population. But I think a more stunning and compelling fact is not just that 14 million Americans receive some sort of assistance under the Aid to Families with Dependent Children, but that 9 million of those 14 million people are children; 9 million of those people are children. So we hear the discussion about folks not pulling the wagon and in the wagon having to be pulled and about whose fault all of these problems are and the like. I think it is important that we remain mindful of the fact that fully two-thirds—9 million out of 14 million—who will be the subject of what we do here, are children. Only 5 million of those people receiving AFDC are adults.

Of those 5 million adults, Mr. President, states reported that some 3.6 percent of their caseloads were disabled or incapacitated. That encompasses the people who are not able to work. So, really, of the folks we are talking about in terms of welfare reform, some 4.1 million out of the 14 million are able bodied and able to work. Certainly, we start this debate with the notion that anybody who can work should work, and anybody who can take care of themselves should be able to do so. The question becomes, however, what about the children? What do we do about the children?

I daresay, Mr. President, that right now the way this legislation before us is constructed, the children will lose out. There is no guarantee or commitment by our national community that the children will be protected by the decisions that get made at the State level. On the one hand, I think we can all agree that State flexibility is something that is a positive change, and States ought to be able to make decisions about how they handle their local population.

At the same time, legislation that does not provide a safety net for the children essentially penalizes those children and makes any child living here in the United States really at the mercy of their location or geography. So a child who lives in New York may well find himself in the presence of a benevolent State legislature and Governor and find himself cared for and not having to sleep in the streets, as in the original picture I showed you. A child in New York may benefit, and in another State a child may not. So the children, once again, become victims to fortune and victims to the accident of geography and the accident of their birth and of their address. It seems to me, Mr. President, that that is not a result that we as a national community should allow to happen.

By the way, Mr. President, I ask unanimous consent that a copy of the article "Friendless Foundlings and Homeless Orphans" be printed in the RECORD.

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

[From the Chicago History magazine, Spring, 1995]

FRIENDLESS FOUNDLINGS AND HOMELESS HALF-ORPHANS

(By Joan Gittens)

Editor's note: The debate over the care of dependent children is not new. In the following excerpt, Joan Gittens explores nineteenth-century attitudes towards child care in Illinois and Chicago.

There is perhaps no greater catastrophe for children than when their families, for whatever reason, no longer functions for them. Not only must they contend with emotional upheaval; they are left without caretakers and must look to the broader society for sustenance and protection. If they are fortunate, relatives or friends will step in and fill the gap—if not emotionally, at least on a practical level. The children unlucky enough to have no surrogate parents must look to the society at large to take an interest in their well-being. That this is at best a tenuous situation for a child is demonstrated by the prevalence of the pathetic and mistreated orphan in folk and popular culture.

Yet folklore could scarcely exaggerate life's hazards for children dependent on public bounty in Illinois. Despite the citizenry's occasional intense regard—usually when a particularly brutal story hit the newspapers—dependent children have been generally isolated, remote from public consciousness, and without natural allies. "Their very innocence and inoffensiveness leads to their disregard," wrote one observer bitterly. "They make no loud outcry and menace no one. Since there are so few voices raised in their behalf, it is not surprising that the persons charged with their care should be ignorant of any problems they present, and blind to their real interests."

Besides being easy to ignore, dependent children have historically been costly to the state, requiring years of expense before they could become self-sufficient. How much the issue of their poverty has shaped their prospects the State Board of Charities noted late in the nineteenth century, citing the telling fact that as early as 1795 the territory of Illinois had created an orphans' court to deal with the estates of children who had lost their parents. The children most desperately in need, children without means or property, had no court to watch over their interests. They had instead the overseer of the poor, who could apprentice children from destitute families even over their parents' objections.

Another territorial law underscored the inferior protection accorded to dependent children. The law provided that apprentices and masters could take grievances to a justice of the peace to rule on, thus enforcing on the one hand the master's right to obedience and hard work and on the other the apprentice's right to decent treatment and competent education. The law specifically excluded from protection children apprenticed by the local poor law officials.

The conscious separation of "the state's children" from those with parents continued

in the Poor Law of 1819, the social welfare law passed the year after Illinois attained statehood. But revisions of apprenticeship and poor laws in the next fifteen years reflected a growing sense that the state owed a more even-handed treatment to the vulnerable children who looked to them for support. The Apprenticeship Law of 1926 and the Poor Law of 1833 made it the concern of the state that dependent children's apprenticeships be monitored to some extent by the probate judge, who was charged to keep the bonds of indenture in his office and to investigate indentured children's situations from time to time. The laws also articulated some of the expectations that the children might have: the right to decent treatment, adequate education, a new Bible, and two suits of clothes (suitable to their station in life) at the end of the apprenticeship. Masters still had great discretion to decide what was fit and proper treatment, but there was at least some sense that children dependent on the state had a right to proper care.

The Apprenticeship Law of 1826, in addition to voicing some concerns about the protection of dependent children, gave a further indication of an increasing sense of state responsibility by expanding the definition of children requiring state attention. This law gave wide latitude to the overseer of the poor in indenturing children whom he deemed to be inadequately cared for, like the children of beggars, habitual drunkards, and widows of "bad character." This was the first recognition that the state might need to intercede even in families who had not turned to the overseers of the poor for help. And it was the first articulation that the state had an interest in doing more than warding off imminent starvation, that it also had an interest in the proper rearing of children and an obligation on some level to step in if such proper rearing was not going forward.

This concern about proper child rearing was a nineteenth-century phenomenon all across Western culture, but in the United States it was especially tied to the republican experiment that must have been very much on citizens' minds in 1826, that fiftieth-anniversary year of the Declaration of Independence. The adequate raising of children was a humanitarian concern, but it was also a practical matter for the survival of the noble but risky political enterprise that was the focus of so much anxiety and so much international attention. In the 1840s, the Illinois Supreme Court gave this rationale for the state's presumption to interfere in family life:

The power of chancery to interfere with and control, not only the estates but the persons and custody of all minors within the limits of its jurisdiction, is of very ancient origin, and can not now be questioned. This is a power which must necessarily exist somewhere in every well regulated society, and more especially in a republican government, where each man should be reared and educated under such influences that he may be qualified to exercise the rights of a freeman and take part in the government of the country. It is a duty, then, which the country owes as well to itself, as to the infant, to see that he is not abused, defrauded or neglected, and the infant has a right to this protection.

To some extent the laws dealing with the adult poor reflected increased humanitarian concern as well—Illinois outlawed the practice of auctioning off the destitute to the lowest bidder in 1827, for example—but it is striking that in its increased concern about neglected children, the state paid little or no heed to the rights of poor parents. Earlier poor laws had given the overseer of the poor the right to indenture children without parental consent if the family had become a charge upon the state, even if their poverty was only a temporary catastrophe. The 1826 law expanded the overseer's discretionary powers to decide on the fitness of parents, and while on the one hand that showed an increased concern for the well-being of children, it also reflected a callousness toward the civil rights of poor parents that had always pervaded American poor laws.

This cavalier approach toward destitute families remained characteristic of those engaged in child welfare right through the nineteenth century, a striking anomaly in a society where the sanctity of family ties was a paramount value. It was not until the end of the nineteenth century that some child welfare theorists would begin to argue for the rights of poor parents and to insist that the best care society could offer for children was to support them in their homes rather than removing them.

URBANIZATION AND THE GROWTH OF THE CHILD WELFARE PROBLEM

The growing awareness of children in need was a key characteristic of nineteenth-century social welfare endeavors. In Illinois, as in other areas of the country, this concern had its roots in a mix of philosophical, social, and practical considerations. The years before the Civil War saw an outpouring of reform efforts on all levels, and because of their vulnerability and dependence on adults, children were prime subjects of this heightened humanitarian sense. They appealed further because during the course of the nineteenth century the concept of childhood as a special stage of development grew apace, drawing the attention of everyone from popular novelists to learned theologians.

Nineteenth-century culture celebrated childhood's intuitive goodness and innocence, in contrast to the gloomy assessment of earlier centuries, which had seen children at best as profoundly ignorant and at worst as little bundles of depravity. Another reason for the attention to children's needs was the abiding concern that they be trained to be independent, responsible citizens, not merely for their own sake but for the health of the republic. Finally, attention turned to dependent children because their numbers swelled so markedly with the rapid growth of urban centers during the nineteenth century.

Chicago, a frontier outpost at its incorporation in 1833, grew in the next sixty-seven years to be the second largest city in the United States, an industrial center that attracted immigrants from all over the world. According to the national census, the population of Chicago was 4,470 people in 1840; 298,977 in 1870; and 1,698,575 in 1900. The rapid growth of the city brought great wealth to some, but it brought in its wake much suffering as well. Immigrants who came to the city seeking a better life sometimes found Chicago to be a place of opportunity, but many found themselves enmeshed in a web of poverty, depression, and squalor, and the devastating effects of urban life were particularly visible in children. In 1851 the city charter noted a group that greatly concerned officials: "children who are destitute of proper parental care, wandering about the streets, committing mischief, and growing up in mendicancy, ignorance, idleness, and vice." These children, popularly called "street arabs," were viewed as potential trouble makers and therefore received official attention early.

In addition to these children there were others affected by the disruption of city life. The legislature had made minimal legal provisions for illegitimate children, for example, in the early years of statehood; the presumption was that the mother would keep her baby and the town would support her and her child at subsistence level (and with the most grudging of attitudes) if the father could not be held to account and she could not manage for herself. But in the vast, anonymous city, a desperate mother could simply abandon her baby on the streets without busy neighbors discovering the desertion, as they would inevitably have done in a small town or rural setting. The increase of this phenomenon of deserted children, little "foundlings" as they were called, was a gruesome measure of the hazards that the city could hold in store for young women and their unwanted children.

Orphans as a group grew in number as well. All the dangers of disease were compounded by crowded city life, by filthy tenements and equally filthy and dangerous work places. Children could lose one or both parents to a host of diseases such as cholera, small pox, and tuberculosis. The United States suffered through three cholera epidemics, in 1832 and again in the 1840s and 1850s, and the fact that the disease was waterborne insured that the poor, crowded into tenements and using the foulest of water, were among the hardest hit by the recurring plagues.

"Half-orphans" (the standard term for children who had lost one parent) also claimed the reluctant attention of the state. If the mother died, the children might come to the attention of the larger society because they stood in need of care and nurturing. It was possible that they would turn into some of the little "street arabs" about whom Chicago city officials expressed such concern. But a father's death, on a practical level, was even more catastrophic. Most poor families patched together their meager income from money brought in by fathers, mothers, and children; working men, although they were paid very little, were routinely paid more than women and children, and they made the largest contribution to the family income. Widowed mothers, ill-equipped to provide for their families, might find themselves turning to the city or county for help to support their children. Children were also left "half-orphaned" in fact, although not in law, by their father's desertion of the family. Sometimes this desertion was absolute; but Hull-House resident Julia Lathrop wryly noted "the masculine expedient of temporary disappearance in the face of nonemployment or domestic complexity, or both," contending that "the intermittent husband is a constant factor in the economic problem of many a household."

Natural catastrophes like the Great Fire of 1871 were another cause of dependency in children, and family problems and the stresses of urban life were compounded as well by the labor unrest that characterized the last twenty-five years of the century. In addition, the country experienced a financial panic approximately every twenty years: in 1819, 1837, 1857, 1873 and 1893. In Chicago, the Panic of 1893 was delayed for a time by the Columbian Exposition, but with the close of the exhibition, jobs disappeared and all the severity of that worst of nineteenth-century depressions was visited on the city. The year 1894 was in many ways a terrible time for the poor of Chicago. Compounding the depression was the violence and bitterness of the Pullman Strike, and the ultimate defeat of organized labor in the prolonged struggle. A

small-pox epidemic struck the city; and the winter was one of the worst on record. The dependency rate soared. Families who had never been able to save enough to have a cushion against disaster were utterly destroyed by such compounded misfortune and had to turn to the city and country for help.

THE STATE RESPONSE TO DEPENDENT CHILDREN

Although the vicissitudes of urban life and economic instability throughout the century greatly expanded both the number and types of children in need of help, public officials resisted innovation in dealing with the needs of dependent children, lumping them with the rest of the dependent population rather than addressing their particular needs as did the private organizations that began to flourish in Chicago in the 1850s. In downstate Illinois, dependent children were still primarily indentured through the middle years of the century. An 1854 revision of the apprenticeship law manifested some special attention to children's needs, strengthening their right to basic education and protection by Poor Law officials who were to monitor their treatment and to "defend them from all cruelty, neglect, and breach of contract on the part of their master." An 1874 law further defined the child's rights to proper care, specifically forbidding "underserved or immoderate correction, unwholesome food, insufficient allowance of food, raiment or lodging, want of sufficient care or physic in sickness, want of instruction in their trade." Such bad behavior on the part of the master gave the state sufficient cause to end indentures. These revisions of the original apprenticeship law reflected the state's ambivalence about parental rights. The 1854 revision deleted the clause authorizing the removal of children from parents whom the overseer of the poor deemed unfit. But the 1874 law restored intervention to some degree, allowing the overseers of the poor to apprentice without parental consent any child "who habitually begs for alms."

Although the basic concept of apprenticeship for dependent children was shortly to reappear in social welfare parlance as the innovative notion of "free foster homes," the whole system of formal, legal apprenticeship as a means of caring for dependent children was beginning to die out in nineteenth-century America. In northern Illinois counties, particularly Cook County, poor law officials instead placed children in the poorhouse, and this trend became state-wide by the end of the century. Most often children were in the poorhouse with their mothers, but a few orphans and illegitimate children ended up there as well.

The presence of children in the almshouse was an enduring affront to reformers. In 1853 a Cook County grand jury found the almshouse to be grossly inadequate, noting with disapproval that "the section devoted to women and children is so crowded as to be very offensive." The physical conditions of this particular poorhouse did improve somewhat over time, but those who concerned themselves with child welfare universally accepted the maxim that the poorhouse was no fit place for children. Forty years and much reform agitation later, the situation was not significantly better. Julia Lathrop, who toured the Cook County poorhouse many times as a member of the State Board of Charities, wrote this description of the children there in 1894:

There are usually from fifty to seventy-five children, of whom a large proportion are young children with their mothers, a very few of whom are for adoption. The remainder, perhaps a third, are the residuum of all the orphan asylums and hospitals, children whom no one cares to adopt because they are unattractive or scarred or sickly. These children are sent to the public schools across the street from the poor-farm. Of course they wear hideous clothes, and of course the outside children sometimes jeer at them.

These children, as part of the poorhouse population, were among the most stigmatized and outcast members of nineteenth-century society. Nobody went to the poorhouse if they could help it. These institutions were deliberately set up to be as unattractive as possible, a meager social mechanism intended merely to sustain life in the dependent population. The poor, who could pay with no other currency, were expected to pay with their dignity for their board and room. Lathrop spoke of "the absolute lack of privacy, the monotony and dul[l]ness, the discipline, the enforced cleanliness." Nor was enforced cleanliness always the problem. The poorhouse superintendent in Coles County reported in 1880, apparently without embarrassment, that he could not remember one bath having been taken in his sixteen years in charge. The institution's surroundings reflected his laissez faire approach to hygiene.

It was still possible for poor families to receive some measure of "outdoor relief" in most counties of the state in the mid to late nineteenth century, but such support was very limited. Nineteenth-century economic theory, reinforcing the already parsimonious attitude of Americans, posited that handouts merely increased dependency and led to the "pauperizing" of families, destroying their initiative and drive to do better. Poorhouses were set up to replace most outdoor relief, created with the notion that they must not be too attractive or they would be crowded with shiftless types simply trying to live on the bounty of the town. In reality, authorities need not have feared such a thing. Anyone who could possibly manage it stayed out of the poorhouse. Those who entered were the unfortunate souls who had no one to protect them or find them a tolerable situation in the outside world. Children shared the poorhouse with the chronically sick, the elderly poor, the insane, and the mentally and physically disabled, as well as the "paupers" who simply could not make an economic go of it on the outside. In Cook County, and elsewhere on a less grand scale, the essential misery of the poorhouse was compounded by corruption. The staff jobs were filled by patronage, and those in charge of the various wards were thus unlikely to be much exercised about the humane care of inmates.

One of the most critical voices raised against the abuses of the poorhouse and the presence of children there was that of the Board of State Commissioners of Public Charities, established by the legislature in 1869 to monitor and coordinate the various social welfare efforts throughout the state. The board's power was originally very restricted. "The duties required of the commission are quite onerous," the First Biennial Report stated ruefully. "The powers granted are very limited. The board has unlimited power of inspection, suggestion and recommendation, but no administrative power whatsoever." Still, the State Board could and did register vigorous disapproval, and it made enough impact so that a bill to dissolve the new monitoring agency was introduced into the legislature almost immediately. The bill failed, but hostile legislators were able to limit inspection dramatically at one point by cutting off all travel funds for the commissioners.

Despite such constraints, the State Board fulfilled an important function as the first official agency in the state to collect and tabulate information about the actual living conditions of dependent members of society, including children. For example, the board reported that in 1880 Illinois almshouses housed 386 children; forty were assessed as feebleminded, twenty-four diseased, fourteen defective, and eighty-three had been born in the almshouse. Of that eighty-three, seventy-nine were illegitimate, a fact pointed to by almshouse critics to illustrate their concern about the inadequate separation of the sexes in the institutions. Some poorhouses had schools or arranged that children should attend the public schools in the vicinity; but in many county almshouses, the children did not go to school at all. Still, there was no doubt in anyone's mind that these children were getting an education, a thorough grounding in the seamier side of life.

In 1879 there was a movement in Cook County to get children out of the almshouse and into private child care institutions. This effort revealed the prevailing attitudes of reformers toward the parents of children who were dependent because of poverty. Much negotiation was necessary to settle which orphanages were to take the children, since religious groups insisted that the children's religious affiliations be respected. Yet in all the negotiations, no one considered that the poorhouse mothers might have an opinion about the removal of their children. The private institutions involved required the termination of parental rights before they would take the children. When the mothers in the Cook County poorhouse learned that their children's well-being was to be bought at the expense of their parenthood, they protested vigorously but without success. Some reformers, in fact, expressed the view that the mothers' unwillingness to give up their children demonstrated their lack of affection for their families. But in the end, the mothers succeeded in making an eloquent statement about these high-handed methods. When the officials from the child care institutions arrived to pick up the children, they found that most of them were gone. To prevent their removal to the orphanages, the mothers had managed to find places outside the poorhouse for all but seventeen out of seventy-five children. The Cook County poorhouse had a rule that no parents who refused to give consent to the adoption of their children could enter the poorhouse, but in 1880, the county agent objected to the rule as inhumane and cruel. He refused to enforce the policy, and his stance meant that children began to enter the Cook County poorhouse again, with and without parents, less than a year after the "rescue operation" of 1879.

The concern that children were growing up in such a wretched setting did not disappear, despite the limited success of the Cook County effort, but it took another forty years for the Illinois legislature to close almshouses to children. In 1895 a law provided that orphan children could be removed from the poorhouse and placed in private homes, but only when a private charity or individual would assume the expenses connected with such placement. By 1900 a dozen states, beginning with Michigan in 1869, had ended the practice of putting children in the poorhouse, but Illinois proved more resistant to thoroughgoing reform. Finally, in 1919 the legislature passed a law limiting the time in the poorhouse to thirty days for girls under eighteen and boys under seventeen, after which other arrangements would have to be

made for them. This effectively ended the use of the poorhouse as a child welfare institution. By that time the number of children in Illinois poorhouses had shrunk considerably: to 171 children in 1918 compared to 470 at the peak, 1886.

CHILD CARE INSTITUTIONS UNDER PUBLIC AUSPICES

Although the county poorhouses provided most of the public care of destitute children in nineteenth-century Illinois, no one made much of an argument to counter the accusations leveled against them of pinch-penny meanness and spiritual demoralization. In reality, they existed as the most frankly minimal of offerings for children in need, with a policy set far more by a consciousness of county expenditures than of children's welfare. Noted social welfare thinker Homer Folks remarked in 1900 that "the states of Illinois and Missouri, notwithstanding their large cities have been singularly backward in making public provisions for destitute and neglected children." In fact, Illinois had only two child welfare institutions under public auspices during the nineteenth century, both far more specialized than the catch-all poorhouses provided by most counties. These institutions were the Soldiers' Orphans' Home and, until 1870, the Chicago Reform School.

The Illinois Soldiers' Orphans' Home founded in 1865 in Normal, Illinois, was a state-funded institution for the care of children whose fathers had been killed or disabled in the Civil War. An institution with a limited purpose, the Soldiers' Orphans' Home was meant to close once its original population had been cared for. But in the 1870s the eligibility for care was broadened to include children of all Civil War veterans, an act that established the institution on a more permanent basis. Frequently the children were half-orphans whose mothers simply could not feed them any more. In 1872, for example, 532 out of 642 children had living mothers. In 1879, the superintendent gave this description of the newly arrived children for that year: "The class now entering are, for the most part, young and in particularly destitute circumstances—those whom their mothers have struggled long and hard to keep, but who now find themselves, at the commencement of winter, without the means for support, and know they must either send them away to be cared for elsewhere, or permit them to remain at home to suffer. The state must now take these burdens of care and responsibility where the weary mothers lay them down."

The separation of children from mothers unable to provide for them financially was a tragic constant in nineteenth-century children's institutions. At least at the Soldiers' Orphans' Home there was some connection maintained between children and their families; mothers were not required to terminate their parental rights when they placed their children there, and it was not uncommon for the children in the institution to spend time, sometimes whole summers, with their mothers. The population of the home fluctuated with the season and with the economic climate of the times.

This enlightened aspect of the place, however, was not typical of the administration. The Soldiers' Orphans' Home was often plagued by scandals and investigations, and the treatment of the children was very harsh. The fact that it was a publicly funded institution meant that it was scrutinized fairly intensively by the State Board of Charities, and the board found little to praise in the orphanage. The quality of administrators varied widely, since they were appointed by the governor. The first superintendent, Mrs. Ohr, was a Civil War colonel's widow with small children but no business capacity and a rapacious appetite for elegance, furnished at the expense of the state. In 1869, early in her tenure, both the Springfield Register and the Chicago Times voiced accusations about serious mistreatment of the children. Although Mrs. Ohr and her staff were exonerated, one steward was dismissed on the grounds that he had made sexual advances to a number of little girls in the institution. Mrs. Ohr weathered this upset, kept on because she was "a mother to these orphans," in the words of the investigating committee. But eventually she went too far; a combination of totally ignoring the trustees' instructions, keeping the children from school in order to perform chores around the institutions, and thoroughly profligate spending finally ended her career at the Soldiers' Ophans' Home some twenty years after she had launched it.

The two superintendents who followed Mrs. Ohr were more business-like in their approach, but they had no training in the care of children, orphans or not; they were strictly political appointments. The most difficult regime for the children up to the turn of the century was that of a Republican politician named J. L. Magner, who was nicknamed "the cattle driver" by some of the Bloomington/Normal locals because of his harsh treatment of the children. There was consistent criticism that the children were made to work too hard, at tasks that were sometimes beyond them, and they were often kept home from school to work. One particularly distressing instance of work beyond the children's capacity was the scalding death of a three-year-old child, burned while being bathed by some of the older children of the institution.

Nor were the superintendents and their policies the only difficulty. The building, planned by a board of trustees with a poetical turn, was gracefully adorned with turrets and "crowned with a tasteful observatory." But Frederick Wines, secretary of the State Board of Charities, assessed the building as a thoroughgoing failure on a practical level. There were no closets, no playgrounds, only two bathrooms for over three hundred children, no infirmary, and no private quarters for the superintendent's family. Perhaps worst of all, there was no deep wellspring to supply water. The well went dry after the first year, and water had to be brought in by railroad. The Soldiers' Orphans' Home, beset by scandals and mismanagement, conjured up the worst fears of Illinois citizens about public institutions run badly because of patronage appointments.

The Chicago Reform School, also a public institution, won approval from most critics for efficient management and humane treatment of its inmates. But the school's involvement with pre-delinquent boys ended with the noted O'Connell decision of 1870, and the institution closed shortly after this. With the exception of the inadequate provision of the poorhouse, the responsibility for dependent children in Chicago, from 1871 to the end of the century, was under private auspices.

THE GROWTH OF PRIVATE INSTITUTIONS IN THE 19TH CENTURY

The state's minimal response to dependent children was an obdurate problem in the nineteenth century. An equally disorganizing feature of child welfare in Illinois resulting from state reluctance was the proliferation of private agencies to care for children. These institutions mushroomed in the state (particularly in Chicago) in the last half of the nineteenth century, offering a wide variety of services to children, based in part on their religious and cultural identification and in part on the variety of needs that the complex crises of urban life created. These agencies, originally meant to fill the gap left by the inadequacy of state responses quickly because entrenched in the public life of the city. Their presence contributed to the fragmentation that would plague child welfare efforts in Illinois through the twentieth century, resulting in a lack of coordination that left many dependent children unserved. By the end of the nineteenth century, critics in Illinois and around the country began to see the dominance of private agencies as a negative and talk in terms of a stronger state organization; but in the mid-nineteenth century, the private child welfare institutions were autonomous, both organizationally and financially, not always by their own choosing.

The Chicago Orphan Asylum, founded in 1848 to respond to the crisis of the cholera epidemic of that year, was the first orphanage in Cook County. It was followed in 1849 by the Roman Catholic Orphan Asylum, which aimed to serve Catholic children and keep them out of the Protestant Chicago Orphan Asylum. This carving out of religious turf, begun so early in the history of child care institutions was to be a major factor in the development of orphanages in Chicago. In addition to a competition among religions for the care of children, a strong sense of ethnicity motivated founders of these institutions. Chicago had institutions representing all nationalities; there were German orphanages, Irish orphanages, Swedish, Polish, Lithuanian, and Jewish orphanages, as well as institutions founded by "native Americans" of English stock.

Besides motives of religion and ethnicity, institutions developed to respond to a variety of needs among children. Many of them took in the children of the poor but insisted that parents relinquish their rights to the children before they were accepted. A few, like the Chicago Nursery and Half-Orphan Asylum, were founded to offer support to working mothers who could not keep their children at home, yet wanted to preserve their families. The children lived at the institution, but mothers were expected to visit them regularly and contribute something toward their children's support. The Chicago Home for the Friendless originally took in homeless and battered women as well as children but soon revised its mission to focus only on children. The Chicago Foundling Hospital specialized in caring for the abandoned infants found with such appalling regularity on the streets and brought by the police to the institution for what care and comfort it could offer. The mortality rate in foundling hospitals was always shockingly high; the babies had frequently suffered from exposure, and feeding them adequately and safely, in the days before infant formula and pasteurized milk, posed a major problem. The desertion of infants was a disturbing and highly visible form of child mistreatment, provoking an 1887 law that made such abandonment a crime resulting in automatically terminated parental rights. But not all children left at the foundling hospital were abandoned on the streets. Dr. William Shipman, founder of the hospital, witnessed a poignant scene in which a mother and her little boy said a heartbroken farewell to their baby before placing it in the champagne basket used as a receptacle outside the

foundling hospital. In typical nineteenth century fashion, Shipman sympathized with a mother pushed to such lengths, yet his assistance took the form of only taking the baby, not of investigating ways that the family might stay together.

One development among private institutions that especially reflected the growing awareness of children and their needs was the Illinois Humane Society, which began its child saving work in 1877. By the time the population of Cook County had begun its phenomenal growth, going from 43,383 people in 1850 to 607,524 in 1880. Both the stresses of city life and its anonymity provoked child abuse, according to Oscar Dudley, director of the Illinois Humane Society, who observed that "what is everybody's business is nobody's business"; and thus children could be terribly treated by parents and guardians even though there were laws in effect to protect them. The Humane Society originally began as the Society for the Prevention of Cruelty to Animals, but in 1877, Director Dudley transferred the society's attention to cruelty against children by arresting an abusive guardian. There was, he wrote, "no reason that a child should not be entitled to as much protection under the law as a dumb animal." The Illinois Society for the Prevention of Cruelty to Animals changed its name to the Illinois Humane Society in 1881, recognizing that over two-thirds of its investigations involved cruelty against children rather than animals. Dudley asserted that from 1881, when the Humane Society began to keep records, until the time that he was writing (1893), over ten thousand children had been rescued.

The rescue operations were broadened from cases of abuse to the protection of children exploited by their employers, particularly when children were forced to beg or were entertainers or victims of the infamous padrone system. Dudley reported great success in finding asylums and homes for these children, a situation receiving tacit approval from the state, which did not at this point assume responsibility for neglected or abused children or supervise private child placement activities.

STATE INVOLVEMENT IN THE LATE 19TH CENTURY

The only real state or city involvement with private institutions originally was that the mayor, acting as guardian for dependent children, had the power to place them in child care institutions. The city of Chicago (where most of the children's institutions flourished), the surrounding counties, and the state of Illinois all proved very reluctant to contribute financially to private institutions. The city did give very occasional assistance, in times of real crisis like the cholera epidemics or the Great Fire of 1871, but it was limited in quantity and very episodic. The most the city would do for the Chicago Nursery and Half-Orphan Asylum, for example, was to provide that the city could buy or lease the land upon which the asylum would be built. For the Englewood Infant Nursery, the assistance was even more meager: in 1893 the city provided ten tons of hard coal and burial space for dead babies. For the children who managed to survive, the funding had to come from other sources.

The state did make one major concession in funding when it agreed to provide subsidies for the industrial schools that developed in the last years of the century. The schools were modeled after English institutions made famous by the renowned English reformer Mary Carpenter, who in the 1870s and 1880s enjoyed considerable influence in the United States. The primary point of the schools, reflecting the use of the word "industrial," was to train children to earn their own living in later life, although in fact the training tended to be geared much more toward a traditional agricultural economy than toward anything having to do with industry. Boys learned farming, some shoe and broommaking, woodcarving and academic subjects. Girls were primarily given a common school education and taught domestic skills.

The willingness to fund the industrial schools was traceable to their mission: they were founded to deal with older, predelinquent street children who threatened the public order by begging, consorting with objectional characters, or living in houses of ill-fame. The law establishing industrial schools added that children in the poorhouse were proper subjects for the schools, which meant that in practice there was a mix of younger veterans of the street. The State Board of Charities, which inspected the schools, objected to this mix, but the industrial schools survived this criticism, as well as a series of court challenges ranging from civil liberties concerns to objections that the schools were sectarian institutions and therefore not appropriate recipients of state funds.

The development of the subsidy system, the state funding of private institutions on an amount-per-child basis, was a phenomenon noted by Homer Folks in The Care of the Destitute, Neglected and Dependent Children, his end-of-the-century assessment of child care trends in the United States. Neither Folks nor other observers of current philanthropic trends, groups like the national Conference of Charities and the Illinois State Board of Charities, really approved of such an arrangement. They urged Illinois to move in the direction of states like Kansas and Iowa, which had converted veterans' orphans' homes similar to the Illinois Soldiers' Orphans' Home to state institutions that served all dependent children, regardless of religion, ethnicity, or parental status. These states and others around the country were moving toward a point where the state assumed primary responsibility for dependent children, not by warehousing them in local poorhouses but by placing them in state-run, central institutions from which they were placed out into foster and adoptive homes. This system of central state control was known as the "Michigan Plan," after the first state to enact the policy. Illinois's neighbors Wisconsin and Minnesota, as well as Michigan, had state institutions for dependent children, winning the approval of child welfare theorists who applauded such centralization. It was, they argued, more efficient and economical, providing children with far better, more consistent care than Illinois's system, where a child might be placed with a superb private agency but might also be made to endure the grim inadequacies of the poorhouse.

"The real contest, if such it may be called," wrote Folks in 1900, "will be between the state and the contract or subsidy systems. To put it plainly, the question now being decided is this—is our public administration sufficiently honest and efficient to be entrusted with the management of a system for the care of destitute children, or must we turn that branch of public service over to private charitable corporations, leaving to public officials the functions of paying the bills; and of exercising such supervision over the workings of the plan as may be possible? "Illinois was seen as nonprogressive in its increasing use of the subsidy system, allowing private agencies to dominate the field while the state remained relatively uninvolved in the care and protection of dependent children.

This minimal level of state involvement offended against another philanthropic tenet, the idea that the state should have a monitoring function over all agencies, public and private, as well as keeping in touch with children who had been placed in families. The State Board of Charities did visit the industrial schools, which got public funds, but it was not until the Juvenile Court Act was passed in 1899 that the State Board was given responsibility for inspection of private as well as public agencies for children.

Another significant change from an earlier view, at least among the more "advanced" thinkers, was a rejection of institutions as the best substitute for a child's family. In the nineteenth century, institutions and asylums of all kinds had sprung up, not only in Illinois but all across the United States. Asylums were not intended to be a dumping ground for society's unfortunates, as the county poorhouses were, but were rather supposed to be a specialized environment in which the needs of a particular dependent population could be met most effectively. But it was not long before a set of critics arose who stressed the negative effects of institutions and urged that institutional life should be resorted to only under special circumstances or on a very temporary basis. For special cases, like the handicapped, perhaps institutions could provide resources and training that they would not receive elsewhere, these critics agreed; but for children whose greatest problem was that for one reason or another their families were not functioning, the negative effects of institutions far outweighed the positive aspects.

According to the anti-institutional analysis, the regimentation in institutions was destructive of initiative and individuality. The qualities that brought rewards in an institutional setting—mindless obedience, dependence, obsequiousness—were the very traits that all agreed were destructive to the forming of a healthy, independent adult citizen. Furthermore, institutions by their nature seemed to foster abuse and bad treatment. Exposes and investigations of various institutions featured accusations of physical cruelty and psychological debasement.

Institutions were expensive, physically and psychologically barren, and downright unnatural for children, according to Charles Loring Brace, a minister who worked for the Children's Aid Society of New York. Brace began a program that took the street children of New York City and sought to improve their lives not by placing them in the highly controlled environment of an institution but by resettling them in homes in midwestern and western states such as Illinois. He was convinced that the best solution for children in need of placement was to provide homes in the simplest and most direct way, relying as much as possible on the basic goodness that he believed informed the souls of most Americans, especially those who still lived away from the corrupting city in the virtue-producing agricultural heartland of the nation. The methods of the Children's Aid Society reflected the simplicity of Brace's moral equation. Brace and his associates would arrive in a western town with a trainload of children, and using the medium of the local churches, would call upon citizens to give these needy young people a home. The entire plan of "free foster homes" was really only an updated version of apprenticeship, in which the child agreed to

work in exchange for care and training, except that this child-placing organization, aided by such technological developments as the railroads, reached much farther afield than the overseers of the poor had done in earlier times. Free foster homes differed further in that they were no legal bonds struck at all between the child and his foster family. Brace firmly believed that a child who brought a willing pair of hands to a family would be valued accordingly and could safely count on good treatment in his new home.

This notion proved, not surprisingly, to be overly sanguine, as the Children's Aid Society came to discover when the accusations began to grow in the later years of the century that New York was not really solving children's problems by the use of its "Children West" program but was merely dumping one of its troublesome populations onto other states. At various times the Children's Aid Society conducted surveys and studies of its "alumni," claiming a very high success rate for the program, but critics questioned the quality of these studies, and oppositions to Brace's program continued. The 1899 Illinois Juvenile Court Act forbade any agencies to bring children unaccompanied by their parents or guardians, without the approval of the State Board of Charities. This was partly a protection against the importing of child labor in Illinois, but it was a response as well to organizations like the Children's Aid Society. The law included the provision that any child who became a public charge within five years of arrival in Illinois should be removed to his or her home state.

The notion of placing children in families and the belief that normal family life was a far healthier situation than institutions was firmly entrenched in child welfare thinking by the end of the century. But the earlier, more naive, notion that foster families could be trusted to care for dependent children without supervision had been replaced in philanthropic thinking by a belief that it was important for an outside agency regularly to check on the child and act in his behalf. Coupled with this was the beginning of a move away from "free" foster homes to the belief that boarding homes, foster homes in which a family got payment for keeping the foster child, were most productive of humane treatment. Child welfare theorists and practitioners worried that if a family's greatest inducement to take a foster child was the child's potential economic contribution, there might be a strong incentive for them to over-burden him with work, at the expense of his academic education, which reformers were coming more and more to see as the true and proper occupation of childhood.

One final change in philanthropic theory that saw little reflection in practice but was to bring about a revolution in twentieth-century social welfare was the growing conviction that the best thing that could be done for children was to keep them with their families whenever possible. Students of society came increasingly to regard poverty as a result of faulty economic and social structure rather than of personal failings of feckless or lazy individuals, and they disapproved of the kind of casual invasion of poor families' lives that could demand the sacrifice of parental rights in return for assistance. This belief in the preservation of the family became a basic underpinning of the social welfare faith as it was articulated in the next fifty years, and the state of Illinois, with its experiment in mothers' pension programs, was to be in the forefront of progressive practice in this area.

In the last decade of the nineteenth century, through, the innovations that would make Illinois notable a few years later were nowhere in sight. Surrounded by vigorous neighbors, Illinois was considered conservative in its reluctance to deal with its child welfare functions and in its willingness to relinquish the charge to private agencies. In fact, the state's attitude toward dependent children had changed very little in the course of the nineteenth century. The first laws and provisions for dependent children had reflected a lack of ardor bordering on indifference, and at the end of the century, the state's engagement in child welfare, despite the crisis engendered by rapid growth and economic stress, was tepid at best. The combination of fiscal conservatism and ethnic and religious tensions meant that state action was regarded with suspicion in many quarters and kept efforts fragmented and inadequate to the need. There was also a fear that the patronage and corruption for which Illinois was already famous might make state administration of programs for dependent children less effective than privately run efforts. Ironically, it was in part this very disorganization and inaction that would lead to the founding of the Juvenile Court and bring Illinois, however briefly, within the pale of reformers' approval.

FOR FURTHER READING

The Historical Society Library has numerous pamphlets, annual reports, and other materials from institutions such as the Chicago Nursery and Half-Orphan Asylum, the Chicago Home for the Friendless, and the Chicago Foundlings' Hospital. For a broad historical perspective on the United States's care for needy children, see Joseph Hawes's The Children's Rights Movement: A History of Advocacy and Protection (Boston: Twayne Publishers, 1991) and James Leiby's A History of Social Welfare and Social Welfare and Social Work in the United States (New York: Columbia University Press, 1978). To learn more about child welfare reform between the Progressive era and the New Deal, see Mina Carson's Settlement Folk: Social Thought and the American Settlement Movement, 1885–1930 (Chicago: The University of Chicago Press, 1990) and Robyn Muncy's Creating a Female Dominion in American Reform, 1890–1935 (New York: Oxford University Press, 1991). Marilyn Irvin Holt's The Orphan Trains: Placing Out in America (Lincoln: The University of Nebraska Press, 1992) discusses one nineteenth-century solution to the plight of urban orphans.

Ms. MOSELEY-BRAUN. So, Mr. President, in order to make certain that we do not have this accident of geography become the difference between children sleeping in the streets or children provided for and given sustenance—food and shelter—I have proposed this amendment, which says that the safety net will, in any event, be there for the children. And that child poverty, which is a national issue for us as Americans, will not then become balkanized in terms of the response that is given by the Government, that our national community recognizes that child poverty is a national issue, and child welfare, in the final analysis, has to have at least a national safety net. And that is what this first amendment provides.

Mr. President, with regard to this amendment I understand that these amendments will be taken up tomorrow. Let me say also that there are tables that I ask unanimous consent to have printed in the RECORD showing the number of children who will be denied or who are in jeopardy of being denied assistance by virtue of the operation of the underlying legislation.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

PRELIMINARY ESTIMATE OF THE NUMBER OF CHILDREN DENIED AFDC DUE TO THE 60 MONTH TIME LIMIT IN THE SENATE REPUBLICAN LEADERSHIP PLAN

State	Projected number of children on AFDC in 2005 under current law	Number of children denied AFDC because the family received AFDC for more than 60 months	Percentage of children denied AFDC because the family received AFDC for more than 60 months
Alabama	122,000	37,000	30
Alaska	30,000	8,000	27
Arizona	170,000	46,000	27
Arkansas	63,000	20,000	32
California	2,241,000	807,000	36
Colorado	101,000	28,000	28
Connecticut	136,000	41,000	30
Delaware	28,000	8,000	29
District of Columbia	56,000	21,000	38
Florida	605,000	156,000	26
Georgia	348,000	116,000	33
Hawaii	48,000	15,000	31
Idaho	17,000	4,000	24
Illinois	598,000	203,000	34
Indiana	177,000	56,000	32
Iowa	82,000	25,000	30
Kansas	73,000	22,000	30
Kentucky	187,000	59,000	32
Louisiana	235,000	81,000	34
Maine	55,000	19,000	35
Maryland	185,000	59,000	32
Massachusetts	256,000	82,000	32
Michigan	553,000	217,000	39
Minnesota	155,000	50,000	32
Mississippi	153,000	53,000	35
Missouri	218,000	73,000	33
Montana	28,000	7,000	25
Nebraska	39,000	12,000	31
Nevada	30,000	9,000	30
New Hampshire	24,000	7,000	29
New Jersey	302,000	100,000	33
New Mexico	72,000	19,000	26
New York	917,000	303,000	33
North Carolina	281,000	88,000	31
North Dakota	15,000	5,000	33
Ohio	597,000	171,000	29
Oklahoma	111,000	37,000	33
Oregon	97,000	30,000	31
Pennsylvania	517,000	194,000	38
Rhode Island	52,000	16,000	31
South Carolina	135,000	37,000	27
South Dakota	18,000	6,000	33
Tennessee	246,000	75,000	30
Texas	670,000	185,000	28
Utah	45,000	12,000	27
Vermont	22,000	7,000	32
Virginia	166,000	50,000	30
Washington	237,000	75,000	32
West Virginia	93,000	33,000	35
Wisconsin	205,000	61,000	30
Wyoming	14,000	4,000	29
Territories	173,000	47,000	27
Total	12,000,000	3,900,000	33

HHS/ASPE analysis. States may not sum to total due to rounding.
The analysis shows the impact at full implementation.
It assumes States utilize a 15 percent hardship exemption from the time limit as permitted under the bill.

Child poverty rates among industrialized countries

	Percent
Finland	2.5
Sweden	2.7
Denmark	3.3
Switzerland	3.3
Belgium	3.8
Luxembourg	4.1
Norway	4.6
Austria	4.8
Netherlands	6.2

	Percent
France	6.5
Germany (West)	6.8
Italy	9.6
United Kingdom	9.9
Israel	11.1
Ireland	12.0
Canada	13.5
Australia	14.0
United States	21.5

Ms. MOSELEY-BRAUN. Mr. President, in my State of Illinois, quite frankly, it suggests some 34 percent of the children may be denied AFDC or may be denied subsistence if the family violates the time limitation rule, which would translate, Mr. President, in some 203,000 children being at risk of homelessness, being at risk of hunger.

I do not believe, Mr. President, that we can take the kind of chances to allow our children to once again end up as homeless half-orphans and friendless foundlings. We have to assure our national commitment is to child welfare, and that the safety of our children is a paramount concern and one that will not be abrogated without regard to what we do with regard to this legislation overall. It is for that purpose that I file and submit this first amendment.

UNANIMOUS-CONSENT AGREEMENT

Mr. NICKLES. Mr. President, I make a unanimous consent agreement request. I ask unanimous consent that all amendments to H.R. 4 must be offered by 5 p.m. tomorrow; that if cloture is filed in relation to H.R. 4 or an amendment thereto that the vote not occur on that cloture motion prior to 6 p.m. on Wednesday, September 13; that no amendment be given more than 4 hours equally divided; and the two leaders have up to 10 relevant amendments that would not have to be offered by 5 p.m. tomorrow.

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

Mr. NICKLES. Mr. President, I thank my friend and my colleagues on both sides of the aisle.

I announce that there will be no further rollcall votes until morning. There will be votes tomorrow morning, votes starting at 9:30. We may have as many as three or four amendments we will be voting on, for Senators' information, so we ask them to be prompt. Again, no more votes tonight.

We will stay here for some additional time if Senators have additional amendments they wish to have considered. We will be happy to consider those. We have taken up a lot and we are setting those aside and so I think we are making some good progress on the bill.

Again, no further rollcall votes tonight, and we will have rollcall votes stacked tomorrow morning beginning at 9:30. I thank my friend and colleague from Illinois for allowing me to interrupt.

Ms. MOSELEY-BRAUN. Mr. President, I want to submit all of my amendments at this time. I want to make certain that I have enough time to discuss and file my amendment this evening.

AMENDMENT NO. 2472 TO AMENDMENT NO. 2280

(Purpose: To prohibit a State from imposing a time limit for assistance if the State has failed to provide work activity-related services to an adult individual in a family receiving assistance under the State program)

Ms. MOSELEY-BRAUN. Mr. President, my second amendment speaks to the issue of State responsibility. I call it a State responsibility amendment. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Ms. MOSELEY-BRAUN] proposes an amendment numbered 2472 to amendment No. 2280.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 40, between lines 16 and 17, insert the following:

"(4) FAILURE OF STATE TO PROVIDE WORK-ACTIVITY RELATED SERVICES.—The limitation described in paragraph (1) shall not apply to a family receiving assistance under this part if the State fails to provide the work experience, assistance in finding employment, and other work preparation activities and support services described in section 402(a)(1)(A)(ii) to the adult individual described in paragraph (1).

Ms. MOSELEY-BRAUN. The second amendment I call the State Responsibility Act. Essentially it says that States shall not just knock somebody, a family, off for failing to meet the work requirement unless they have helped them to try and find a job.

It is kind of basic. I will read it:

The limitation described . . . shall not apply to a family receiving assistance under this part if the State fails to provide the work experience, assistance in finding employment, and other work preparation activities.

Mr. President, the underlying legislation, has a cutoff for assistance and rules regarding work. For individuals who do not go to work, they will not receive any support.

That is fine, Mr. President. I think we can all agree again, anybody who can work should work and anybody who has children ought to be responsible in the first instance to take care of them.

However, Mr. President, it is also a reality that there are parts of this country in which frankly there are not the employment opportunities available that people can even take jobs.

The absence of jobs in some areas I think is a major problem and frankly defies some of the suggestions made here that the problem with people receiving public assistance is that they just do not want to work. The fact of the matter is that the problem in very many instances is that there are no jobs for people to work at. Even if they wanted to work there are no jobs.

In fact, in my own State, we have areas of my State in which unemployment ranges from 20 to 40 percent. The statistics indicate that 80 percent, frankly, of African-American males between the ages of 16- and 19-years-old in the city of Chicago are currently unemployed.

Mr. President, 55 percent of the 20- to 24-year-olds are out of work. It is not possible to move recipients into permanent private-sector jobs if there is no effort to provide or create those jobs and if the jobs are not there and if individuals have not been given some assistance in terms of transitioning.

Under the bill that we have before the Senate, the number of people participating in the work/job preparation activities is estimated to increase by over 161 percent by the year 2000. Again, that means that States like Illinois will receive some $444 million less in AFDC funds, but on the other hand be required to increase by 122 percent the number of people participating in work and job preparation activity.

Those numbers just do not fit. Eight into three will not go. The numbers do not add up therefore, I think it really is a real concern that States not be allowed to just kick people off without having done what the bill says they should do in providing people with transition to work.

The text of the legislation says that the State has to outline how they intend to "provide a parent or caretaker in such families with work experience, assistance in finding employment and other work preparation activities and support services that the State find appropriate."

Now, that is fine language. I have no problem with that. But the question becomes what if the State does not do this? What then happens to the families? What then happens to the children?

Again, this amendment simply, I think, seeks to clarify that in the event the State has not done that, has not provided work experience assistance in finding employment or the work for the work preparation activities, that the individual then will not be penalized for circumstances frankly that then are legitimately and, in a way that can be documented, beyond their control.

So that is the second amendment that I submit for consideration of my colleagues.

Mr. NICKLES. I appreciate the Senator offering her amendments tonight. Would the Senator please give us a copy of the amendments? I have a copy of your first amendment and comments or questions I might ask. If the Senator would like to go ahead, if we could have copies of both the second and third amendments, that would help.

Ms. MOSELEY-BRAUN. Absolutely. I thought I had provided the Senator with a copy, but I will give it to him right now.

This is the third amendment and this is the second.

AMENDMENT NO. 2473 TO AMENDMENT NO. 2280

(Purpose: To modify the job opportunities to certain low-income individuals program)

The PRESIDING OFFICER. If there is no objection, the previous amendment will be laid aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Ms. MOSELEY-BRAUN] proposes an amendment numbered 2473 to amendment No. 2280.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 122, between lines 11 and 12, insert the following:

SEC. 111. MODIFICATIONS TO THE JOB OPPORTUNITIES FOR CERTAIN LOW-INCOME INDIVIDUALS PROGRAM.

Section 505 of the Family Support Act of 1988 (42 U.S.C. 1315 note) is amended—

(1) in the heading, by striking **"DEMONSTRATION";**

(2) by striking "demonstration" each place it appears;

(3) in subsection (a), by striking "in each of fiscal years" and all that follows through "10" and inserting "shall enter into agreements with";

(4) in subsection (b)(3), by striking "aid to families with dependent children under part A of title IV of the Social Security Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act in the State in which the individual resides";

(5) in subsection (c)—

(A) in paragraph (1)(C), by striking "aid to families with dependent children under part A of title IV of the Social Security Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act"; and

(B) in paragraph (2), by striking "aid to families with dependent children under title IV of such Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act";

(6) in subsection (d), by striking "job opportunities and basic skills training program (as provided for under title IV of the Social Security Act" and inserting "the State program funded under part A of title IV of the Social Security Act"; and

(7) by striking subsections (e) through (g) and inserting the following:

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of conducting projects under this section, there is authorized to be appropriated an amount not to exceed $25,000,000 for any fiscal year.".

Redesignate the succeeding sections accordingly.

Ms. MOSELEY-BRAUN. Mr. President, I am actually delighted that the Senator from New York is on the floor at this moment, because this next amendment essentially makes permanent a part of the Family Support Act that establishes what is called the Job Opportunities for Low-income Individuals Program.

The JOLI Program—that is what it is called, JOLI, Job Opportunities for Low-income Individuals—is to create job opportunities for AFDC recipients and other low-income individuals. Grants can be made to private, nonprofit corporations to make investments in local business enterprises that will result in the creation of new jobs. This amendment authorizes appropriations for a program that is already in place as a demonstration program. This would make it permanent.

The rationale for the amendment is that the underlying bill does not provide any support at all for job creation. Even though S. 1120 requires some kind of work activity within 24 months, and eligibility for assistance ends after some 60 months, whether the individual has found a job or not. So, there is no question but that we will need to see a great creation of thousands of private-sector jobs in order to absorb the influx of new workers.

So the JOLI Program actually helps. It is working. It helps individuals to become self-sufficient through the development of microenterprises for economic development and other kinds of job training. The really good news about JOLI is that this is not reinventing the wheel. It is already in place. It was authorized under section 505 of the Family Support Act of 1988.

Under a recent evaluation of JOLI, the first 20 JOLI intermediaries—that is, community-based organizations that are the grantees—have assisted some 334 individuals to start or stabilize their own businesses, and it has assisted an additional 535 people to secure employment in jobs paying an average wage of about $8 an hour, which is really quite remarkable. Of the 869 low-income individuals benefiting from the demonstration program, most of them had become economically self-sufficient within a year of their involvement or interaction with the program.

So the JOLI Program addresses the scarcity of jobs in many urban as well as rural communities and recognizes the need to ensure that welfare recipients and other low-income people have access to employment opportunities in the private sector. It utilizes the capacity of community-based organizations and the private sector to develop jobs so individuals who right now are mired in poverty will have some options and have some hope, and will have the ability to take care of themselves and their families.

Again, we are talking about the 5 million people who are adults who are presently receiving public assistance and who will, therefore, hopefully, be given a hand up as opposed to a handout—will be given the ability to work, will be given the ability to care for themselves and their children. I think job creation is an integral part of any honest welfare reform that we undertake to have in this session of the Senate.

AMENDMENT NO. 2474 TO AMENDMENT NO. 2280

(Purpose: To prohibit a State from reserving grant funds for use in subsequent fiscal years if the State has reduced the amount of assistance provided to families under the State program in the preceding fiscal year)

Ms. MOSELEY-BRAUN. Mr. President, I have a last amendment I send to the desk.

The PRESIDING OFFICER. If there is no objection, the pending amendment will be set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Ms. MOSELEY-BRAUN] proposes an amendment numbered 2474 to amendment No. 2280.

Ms. MOSELEY-BRAUN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 25, strike lines 13 through 18, and insert the following:

"(3) AUTHORITY TO RESERVE CERTAIN AMOUNTS FOR ASSISTANCE.—

"(A) IN GENERAL.—A State may reserve amounts paid to the State under this part for any fiscal year for the purpose of providing, without fiscal year limitation, assistance under the State program operated under this part.

"(B) EXCEPTION.—In any fiscal year, a State may not exercise the authority described in subparagraph (A) if the State has reduced the amount of cash assistance provided per family member to families under the State program during the preceding fiscal year.

Ms. MOSELEY-BRAUN. Mr. President, this last amendment—again, this is one of these efforts to keep the worst from happening. Again, we all hope it does not happen, that the States are not less than responsible in their execution of the underlying bill. This amendment is designed to serve as a buttress against what has been characterized as the race to the bottom.

Essentially, if a State decides to cut its cash assistance benefits, to cut the amount that it spends to address the issue of poverty within that State, then that State will be prohibited from carrying forward unused block grant funds.

This is called—I call this the race-to-the-bottom amendment. The notion is, if we send the States this money in a block grant, there is nothing to prohibit that State from saying we do not want to have assistance for poor children. We are not going to address the issue of job creation. We are not going to train people to go back to work. We are not going to provide the children with any assistance. We are just going to further squeeze the amount of resources devoted to the whole issue of

poverty in our State and we are going to take the money we get from the Federal Government and use that to go from year to year to year to year and not maintain our own effort.

If one State does it, then the next State would be incentivized, if you will, to do as much, which will then start—hopefully not, but might well start, if you will—a race to the bottom and a cycle of the States trying to underbid one another in terms of the amount of assistance that they provide for poor people who live in that State.

I think that would be a real tragedy. As a result, this amendment simply says that a State may not carry over funds from one year to the next if they have reduced the amount of benefits that are available for poor children and for poor families in that State.

Again, this stops the States from penalizing poor people in ways that would be inconsistent with the legislation. So it is, in that regard, simply a preventive, protective, prophylactic amendment, if you will.

The other reason for this legislation, just to be real candid in terms of the dollars, frankly, is that this legislation—because of the level of appropriations, it has been estimated that the States will, overall, have to cut. They will not have enough money, frankly, to do what is required of them in the legislation. CBO has already advised that most States will not have the money to provide for the kind of job training, the kinds of transition services—or certainly child care in this legislation. So, that being the case, there should not be any money left over. But in the event there is, I think we should put a buttress and a stop that says we are not going to allow States to engage in this race to the bottom, engage in this effort to see who can be the most punitive with regard to poor people in that State.

So that is the last amendment.

Mr. President, I want, in closing—and I have wanted to give my colleague a chance, so I kind of rushed through a little bit to try to speed up so he would have the opportunity to present his amendment—to talk about this issue in another context.

I had occasion, back in my State, to meet with and work with a task force—members came from all sectors—from the business sector, from the community activist sector, people who were advocates, actual welfare mothers served on the panel—to talk about the issues having to do with our response to poverty. I started my conversation this evening saying welfare is not and has never been anything other than a response to poverty; a response that engenders strong feelings, certainly, but that is what it is. We must not lose sight of the underlying issue as we approach the question of how well the response works.

The point is that I believe we have, when all is said and done—we can talk about differences in philosophy about block grants and whether or not there is too much Federal bureaucracy. Although, frankly, the numbers, by the way, do not support the notion that a whole lot of money that is presently dedicated to the AFDC Program goes into administration on the Federal level.

In fact, most of the administrative expenses take place at the State level. I think it is important that we make that point.

I think it is also important—and I am digressing here—to point out that because most of the administration takes place at the State and local level, it is likely that by operation of this new law, should it pass, the States will in fact be stuck with what has been called a huge unfunded mandate in that they will be called on to administer and to do things that they do not presently have the resources to do. And they are going to have to find the resources to do that from places other than the Federal Government. We will not be there to help out with State efforts to create jobs. We will not be there to help out with child care. We will not be there to help out with the administration of whatever the State response is. That is a fundamental problem I think with the underlying bill.

But the point that I really want to make is one that the Senator from New York I think has eloquently spoken to, and it does go to the fundamental issue of debate in all of this. That is the question of common ground. That is the issue of whether or not we have a commitment as a national community to address the issue of poverty, to address the issue of child welfare, or whether or not we are prepared to balkanize as a country into 50 different welfare systems, into 50 different responses to poverty, into 50 different approaches to child welfare, and whether or not the welfare and the well-being, the possibility of potential for hunger, the possibility of the potential for homelessness of a child in this country will depend on an accident of geography. It is bad enough that a child who is born into poverty suffers the accident of having been born poor. As a friend of mine once said, "It is your own fault for being born to poor parents." I could not disagree with that point.

But the fact of matter is, we have to make sure that the accident of being born to poor parents is not exacerbated by where that took place.

The question is whether or not, as Americans, we will have the foresight to recognize that through this as the very central issue of the nature of our Federal Government, the nature of Federalism and the nature of our Nation and the kind of country that we will have. Will we have a country in which everyone recognizes that the welfare of a child in Oklahoma, in Nevada, or Iowa is as important to the Senator from California and the Senator from Illinois and the Senator from New York as the welfare of a child in his or her own State, or will we have a situation in which by virtue of the balkanization provided by this underlying bill, the only children about whose welfare you or I can have a say about are the children in the State from which we are elected?

I do not think, Mr. President, that is a direction that the American people want to see us fall off to.

As we talk about the devolution in Government, the devolution that we ought to consider to welfare work better, making it work efficiently, giving people opportunity, giving people an opportunity to go to work, giving children the kind of care and the kind of safety net that they need to have so that they will have opportunities, so they possibly will not have to be born to poor children, and their children, whether or not they will have to be born to poor parents, that their children will have a chance to do better.

That is, it seems to me, consistent with the American dream and is consistent with the whole concept of what this Nation is about.

I therefore hope that a direction that this bill takes in the final analysis, when all is said and done, and the amendments are put on it, that we reaffirm and not reject and walk away from our national commitment to address the issue of poverty and to provide for the welfare of all of our children.

Thank you.

Mr. NICKLES. Mr. President, will the Senator yield for a question?

I compliment my colleague, one, for her interest in her State, her constituents, and also for the fact that she has I think four or five amendments, and she was waiting to offer those tonight and discuss those. I have not had a chance to review all of them. I have looked at a couple of them.

I know my colleague from Pennsylvania has an amendment he wishes to offer. We may have other amendments. So I will be very brief. I will review these amendments a little more in detail over the night and talk about them possibly tomorrow.

But the first amendment that the Senator has is a big one. It is an important one. Our colleague should be able to understand it. So I ask this question: I am reading under "eligibility." This is talking about the underlying bill. But also I might mention under the Daschle bill, there was a time limit for welfare payments from the Federal Government, 5 years. Under the amendment of the Senator from Illinois, it says after the 5 years should expire and a welfare recipient still has a dependent child, the State would be mandated to provide a voucher program to provide assistance to the minor child.

Is that correct?

Ms. MOSELEY-BRAUN. That is correct.

Mr. NICKLES. The Senator also mentions that she did not want to have unfunded mandates in one of the other amendments but this would be—correct me, if I am wrong, you do not fund this program. You just mandate that the States after 5 years would have to provide a voucher program to provide assistance even though we do not give them any money?

Ms. MOSELEY-BRAUN. We will not give them the money. In fact, if anything, the welfare of those children in those families, if anything, should have first dibs on the block grants that we at the Federal Government level are providing the money that goes to the States that is calculated to, and the whole idea is to provide for the welfare of minor dependent children.

So if that minor dependent child has a parent who does not comply with the work requirement or misses some other test that is set up, that child will still be provided for first.

So, if anything, I call this the child voucher, but really, if anything, it should be called the Child First Amendment.

Mr. NICKLES. I wanted to make sure, though, that we understood. Because this has a benefit, it would not have been provided under the Daschle substitute.

Ms. MOSELEY-BRAUN. Yes, it would have. This particular safety net for children was provided for in the Daschle substitute.

Mr. NICKLES. I will be happy to review it. I appreciate my colleague.

I just looked at the other amendment. She has one amendment that says you want to have a pilot program and you wanted to authorize $25 million for the job opportunities for certain low-income individuals. Is that correct?

Ms. MOSELEY-BRAUN. That is correct.

Mr. NICKLES. That is a program we have ongoing now.

Ms. MOSELEY-BRAUN. That is correct.

Mr. NICKLES. How much are we appropriating for that program at this point?

Ms. MOSELEY-BRAUN. We are right now at about 5.6. So $5.6 million.

Mr. NICKLES. Just for my colleagues' information, according to CRS, we have 154—I have heard now 155—various employment and training programs. This is one program that you would like to maybe take out of the block grants and increase its funding by fivefold. Is that correct?

Ms. MOSELEY-BRAUN. This is a demonstration. This is not just about training. There is a demonstration program that is already in existence for micro-enterprises development, for a variety of approaches to economic development and job creation for low-income individuals. This already exists. Yet the increase is $5.4 million in fiscal year 1995.

Yes, there is a fivefold increase in the funding for this job training and job creation program for low-income individuals. It is that increase.

But I would point out to my colleague that there is no question—again, in the eyes of what we are with doing here—that there is a suggestion that you cannot do welfare reform and put people to work on the cheap. You are going to have to make investment in those counties, in those States such as Wisconsin where there is a successful welfare reform experiment under way. There is no question that to transition people from welfare to work requires that we give them something to work at, give them skills, training, and micro-enterprise loans to start businesses or whatever. But there is some assistance required to leverage human capability to provide that they get back into the private sector and to get back to work.

There are two counties in Wisconsin in which there have been work to welfare, a work transition pilot program. There is no question but that the investment is made on the front end to give individuals the ability to transfer off of welfare and to transfer from dependency to independency.

The JOLI Program has done that. It has done it successfully. It was initiated as a part of the Family Support Act. It works. It is not like trying something brand new. It has worked.

It seems to me that in light of the fact that job creation is not addressed at all in the underlying legislation—and it is not. There is no ability for creating jobs in the bill without this amendment.

Mr. NICKLES. Will the Senator yield on that?

Ms. MOSELEY-BRAUN. Let me finish my point. In light of that fact that there is no effort to leverage private activities to create jobs, this amendment says let us take something that works and let us expand it so that since the States have to have, since individuals who live in these various States will have to comport and comply with work requirements, let us give the States some assistance in providing job creation and private sector entrepreneurial activity.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I will just make a brief statement, not necessarily continue the colloquy.

I appreciate the commitment of my friend and colleague from Illinois. Just a couple of comments pertaining to this amendment.

This second amendment we have been discussing is rather small. It says we would have a $25 million pilot program to continue a program we already have and quadruple its costs or multiply it by five.

That is directly contrary to what we are trying to do in this bill. As I mentioned before, according to CRS we have 154—I put this in the RECORD earlier today—Federal job training programs, some of which—and I know my colleague from New York is the author and sponsor of some—some of which have probably done some good. A whole lot of them probably have not. And so to think that we have 155 and my colleague from Illinois has picked out one——

Ms. MOSELEY-BRAUN. Will the Senator yield for just a comment?

This is not a job training program. This has nothing to do with job training. The JOLI Program is job creation. It gives poor people the opportunity to access money, equity capital in order to start their own businesses and start their own jobs. It is not job training.

That is why it was distinct from the job training debate. That is a whole other debate. If you take a look at what the Family Support Act language that created the JOLI program you will see that it is not a job training program. This amendment says let us give poor people the opportunity to create their own jobs.

Mr. NICKLES addressed the Chair.

Ms. MOSELEY-BRAUN. If I may just respond to my colleague, since we are in a colloquy, some of the initiatives under JOLI have come from other parts of the world. There has been a famous experiment that started actually in India, I say to the Senator from New York, in which poor people were given tiny loans called microloans to start their own businesses.

So it is not job training, and it is to be distinguished from the job training debate.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. NICKLES. Mr. President, I again appreciate my colleague's initiative, her commitment to her cause. I will just state that this Senator is going to vote against it, and this will probably be one we will have a rollcall vote on tomorrow. It does increase the authorization of this program by fivefold. One may not call it a jobs program. I would have to look and see if it was included on the list according to CRS as a Federal employment and/or job training program. Maybe it is a lending program. I am not sure it belongs—if it is a lending program and financing program, maybe it should or should not be in this bill. I do not know that I want to multiply programs by that kind of multiplier at this point.

The overall scope of this bill says we are going to be saving—if we pass this bill, we are going to be saving $70 billion. Now, we are talking about big money. I will go back to the amendment that our colleague from Illinois

raised before, but I wish to be really brief because I know our colleague from Pennsylvania has an amendment.

But the initial amendment is a very big amendment. And I will have to compare it—and I appreciate her statement that it was in the Daschle substitute, but as I understand it, it is a bill that would basically waive the 5-year requirement or time limit.

President Clinton said that he wanted to have a time limit, and we are talking about Federal payments—have a time limit on how long an individual or family can receive money from the Federal Government. If we are to end welfare as we know it, we are going to have to have some limitations. As I read the first amendment, as long as there is a dependent minor child, you would continue to have assistance.

Now, the assistance from the Federal Government would be terminated after 5 years, cash assistance. Under the Senator's amendment, the State would provide vouchers for supplemental assistance. That is an unfunded mandate. Maybe the States could take it from other savings in the program. I will try to study that a little more. But the essence of it is the family can be on welfare forever if they continue to have children. And that is not the thrust of what we are trying to do in the bill which is to have real incentive to get off welfare, to break the welfare dependency cycle and to make some improvements.

I do appreciate my colleague's introduction of the amendments and her statements and also her dedication to some of the things she is trying to do. But at least as far as this Senator is concerned, I do not think we will be, at least I will not be able to accept the first amendment as well. I will look at the other couple of amendments that our colleague introduced and will consider those. So again I would like to inform my colleagues tomorrow morning at 9:30 my guess is we will have several rollcall votes. And again I thank my colleague from Illinois for introducing her amendments.

Ms. MOSELEY-BRAUN. I wish to thank my colleague from Oklahoma, except I would just say one thing. I do not mind the Senator taking issue with the amendment one way or another, but I think it is real important not to misrepresent what the amendment is about. It is not about keeping families on welfare forever. It is a child-first amendment. It has to do with children. If the State decides to have a shorter time limit than the bill or the family is cut off because the parent will not go to work, then we have to I think maintain some kind of a safety net for that child.

I do not believe the President of the United States or any other Member of this body wants to set up a set of rules that would leave us with 6-year-old children sleeping in streets homeless and hungry. I do not believe anybody wants to do that. But we do not have any guarantee in the underlying legislation, and that is what this amendment seeks to fix.

I yield the floor.

Mr. SANTORUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. I thank the Chair. I rise to offer an amendment. Before I do that, I just want to make a couple of comments about what the Senator from Illinois stated and characterized the Republican leadership bill, which I am very hopeful will be adopted by the Senate. She says that the bill balkanizes welfare reform into 50 separate programs and that this is bad, that everyone should be treated the same.

I happen to believe that that is the problem with this system, that everybody is treated the same and not particularly well, and the balkanization into 50 separate programs is a bad idea. But balkanization into a million individual efforts to help poor people in our society is a good idea. And that is what this bill does.

Sure, it gives a lot of flexibility to the States, but there are many provisions in this bill which tell the States and direct the States and encourage the States to go farther; to go down to the local level and to the community level and make this a program that is a program that talks about communities and neighborhoods helping neighborhoods and friends helping friends. And that is the dynamism that is in this bill that has never been tried from a Federal perspective before.

So, yes, it is balkanization but not to 50 but to 50 times 50 times 50 and more. And that is the excitement about this bill. That is why we are so committed to seeing this happen.

The Senator from Illinois also said that there is nothing in this bill about job creation, and I have heard this over and over and over again. And I feel like a broken record getting up and responding to it. But I will say several things.

The Senator from Illinois said there is nothing about job creation. What she is referring to, I assume the Senator is referring to is that there is no Federal dollars to place people in employment. There is no specific pot of Federal dollars to say we will pay for employment slots and for supervision and for paying their stipend while they are working.

What I would say is that the Governors of the States, the Republican Governors of the States, I believe 29 out of 30 of the Governors have said that this bill is an acceptable bill to them; that they do not need a big pot of money if they can run their own program; that they can do it cheaper and better, put more people to work, get more people off the rolls if they have the flexibility to run their own program without all the tripwires and red-tape that is involved in the Federal system.

That is Governors, as I said before, Republican Governors, who represent 80 percent of the welfare recipients in this country. Republican Governors are from States that represent 80 percent of welfare recipients and they say this is a good deal; they can live with this; they want this. And they can create the jobs to put the people to work as required by this legislation.

I would also say that we eliminate, in the Dole bill we eliminate the provision in current law, which was maintained in the Daschle bill, we eliminate the provision that says if you are a city or State or any other kind of municipality, you can no longer fill a vacancy with a welfare recipient. That is current law. You cannot fill a vacancy with a welfare recipient in a courthouse or school or any other municipality or government entity.

What we say is, if there is a vacancy there and you want to give someone on welfare a chance, you can fill that vacancy with someone. I used the example earlier today, when we talked about this, of folks on a road crew standing there with that sign: "Slow," "Stop." You cannot fill that vacancy, if it occurs, with a welfare recipient.

You can today under the Dole provision. That is creating jobs. You want to talk about creating job slots, that creates a lot of job slots in communities across this country that are illegal today. So we do expand the opportunities for people on welfare to get jobs under this piece of legislation.

Mr. President, one other comment. The Senator from Illinois said that children should not suffer because of being born accidentally into poverty. Unfortunately, in this country and every other country in the world, poverty exists. The difference between other countries and this country is that when you are born into poverty, you are not frozen into poverty by the Government which does not allow you to rise in society.

There are many cultures and civilizations in this world that doom you to the life in which you were born, but we do not have a caste system in this country. We do not have levels of classes in this country. The greatness of this country is that the grandson of a coal miner who lived in a company town outside of Johnstown, PA, can be a U.S. Senator, as I am.

That is the greatness of this country, that we still offer opportunity, and that is what is lacking in the current system. We disincentize people from getting off the welfare roll by providing, as Franklin Roosevelt said, the subtle narcotic to the masses of welfare. We are going to get rid of the subtle narcotic and turn that into Powerade, into a system to give them the energy and the opportunity to move forward and rise.

AMENDMENT NO. 2477 TO AMENDMENT NO. 2280

(Purpose: To eliminate certain welfare benefits with respect to fugitive felons and probation and parole violators, and to facilitate sharing of information with law enforcement officers, and for other purposes)

Mr. SANTORUM. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The pending amendment will be set aside. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM], for himself and Mr. NICKLES, proposes an amendment numbered 2477 to amendment No. 2280.

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

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

The amendment is as follows:

On page 42, line 2, insert ", Social Security number, and photograph (if applicable)" before "of any recipient".

On page 42, between lines 21 and 22, insert the following new subsection:

"(e) DENIAL OF ASSISTANCE FOR ABSENT CHILD.—Each State to which a grant is made under section 403—

"(1) may not use any part of the grant to provide assistance to a family with respect to any minor child who has been, or is expected by the caretaker relative in the family to be, absent from the home for a period of 45 consecutive days or, at the option of the State, such period of not less than 30 and not more than 90 consecutive days as the State may provide for in the State plan;

"(2) at the option of the State, may establish such good cause exceptions to paragraph (1) as the State considers appropriate if such exceptions are provided for in the State plan; and

"(3) shall provide that a caretaker relative shall not be considered an eligible individual for purposes of this part if the caretaker relative fails to notify the State agency of an absence of a minor child from the home for the period specified in or provided for under paragraph (1), by the end of the 5-day period that begins on the date that it becomes clear to the caretaker relative that the minor child will be absent for the period so specified or provided for in paragraph (1).

On page 130, line 8, insert ", Social Security number, and photograph (if applicable)" before "of any recipient".

On page 198, between lines 14 and 15, insert the following new section:

SEC. ___. DISQUALIFICATION OF FLEEING FELONS.

Section 6 of the Food Stamp Act of 1977 (7 U.S.C. 2015), as amended by section 319(a), is further amended by adding at the end the following new subsection:

"(o) No member of a household who is otherwise eligible to participate in the food stamp program shall be eligible to participate in the program as a member of that or any other household during any period during which the individual is—

"(1) fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(2) violating a condition of probation or parole imposed under Federal or State law.".

On page 302 after line 5, add the following new section:

SEC. 504. INFORMATION REPORTING.

(a) TITLE IV OF THE SOCIAL SECURITY ACT.—Section 405 of the Social Security Act, as added by section 101(b), is amended by adding at the end the following new subsection:

"(f) STATE REQUIRED TO PROVIDE CERTAIN INFORMATION.—Each State to which a grant is made under section 403 shall, at least 4 times annually and upon request of the Immigration and Naturalization Service, furnish the Immigration and Naturalization Service with the name and address of, and other identifying information on, any individual who the State knows is unlawfully in the United States.".

(b) SSI.—Section 1631(e) of such Act (42 U.S.C. 1383(e)) is amended—

(1) by redesignating the paragraphs (6) and (7) inserted by sections 206(d)(2) and 206(f)(1) of the Social Security Independence and Programs Improvement Act of 1994 (Public Law 103-296; 108 Stat. 1514, 1515) as paragraphs (7) and (8), respectively; and

(2) by adding at the end the following new paragraph:

"(9) Notwithstanding any other provision of law, the Commissioner shall, at least 4 times annually and upon request of the Immigration and Naturalization Service (hereafter in this paragraph referred to as the 'Service'), furnish the Service with the name and address of, and other identifying information on, any individual who the Commissioner knows is unlawfully in the United States, and shall ensure that each agreement entered into under section 1616(a) with a State provides that the State shall furnish such information at such times with respect to any individual who the State knows is unlawfully in the United States.".

(c) HOUSING PROGRAMS.—Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), as amended by section 1004, is further amended by adding at the end the following new section:

"SEC. 28. PROVISION OF INFORMATION TO LAW ENFORCEMENT AND OTHER AGENCIES.

"(a) NOTICE TO IMMIGRATION AND NATURALIZATION SERVICE OF ILLEGAL ALIENS.—Notwithstanding any other provision of law, the Secretary shall, at least 4 times annually and upon request of the Immigration and Naturalization Service (hereafter in this subsection referred to as the 'Service'), furnish the Service with the name and address of, and other identifying information on, any individual who the Secretary knows is unlawfully in the United States, and shall ensure that each contract for assistance entered into under section 6 or 8 of this Act with a public housing agency provides that the public housing agency shall furnish such information at such times with respect to any individual who the public housing agency knows is unlawfully in the United States.".

At the appropriate place, insert the following new section:

SEC. ___. ELIMINATION OF HOUSING ASSISTANCE WITH RESPECT TO FUGITIVE FELONS AND PROBATION AND PAROLE VIOLATORS.

(a) ELIGIBILITY FOR ASSISTANCE.—The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended—

(1) in section 6(l)—

(A) in paragraph (5), by striking "and" at the end;

(B) in paragraph (6), by striking the period at the end and inserting "; and"; and

(C) by inserting immediately after paragraph (6) the following new paragraph:

"(7) provide that it shall be cause for immediate termination of the tenancy of a public housing tenant if such tenant—

"(A) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(2) is violating a condition of probation or parole imposed under Federal or State law."; and

(2) in section 8(d)(1)(B)—

(A) in clause (iii), by striking "and" at the end;

(B) in clause (iv), by striking the period at the end and inserting "; and"; and

(C) by adding after clause (iv) the following new clause:

"(v) it shall be cause for termination of the tenancy of a tenant if such tenant—

"(I) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(II) is violating a condition of probation or parole imposed under Federal or State law;".

(b) PROVISION OF INFORMATION TO LAW ENFORCEMENT AGENCIES.—Section 28 of the United States Housing Act of 1937, as added by section 504(c) of this Act, is amended by adding at the end the following new subsection:

"(b) EXCHANGE OF INFORMATION WITH LAW ENFORCEMENT AGENCIES.—Notwithstanding any other provision of law, each public housing agency that enters into a contract for assistance under section 6 or 8 of this Act with the Secretary shall furnish any Federal, State, or local law enforcement officer, upon the request of the officer, with the current address, Social Security number, and photograph (if applicable) of any recipient of assistance under this Act, if the officer—

"(1) furnishes the public housing agency with the name of the recipient; and

"(2) notifies the agency that—

"(A) such recipient—

"(i) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(ii) is violating a condition of probation or parole imposed under Federal or State law; or

"(iii) has information that is necessary for the officer to conduct the officer's official duties;

"(B) the location or apprehension of the recipient is within such officer's official duties; and

"(C) the request is made in the proper exercise of the officer's official duties.".

Mr. SANTORUM. Mr. President, the amendment that I sent to the desk I hope is going to be a noncontroversial amendment. I believe it is one that should get broad support, hopefully unanimous support, of this body. It is an amendment that is very similar in nature to one that was adopted in the House of Representatives on their bill offered by Representative BLUTE of Massachusetts having to do with fugitive felons who receive welfare.

Yes, that is right. There are people who are fleeing the law, felons in which warrants are out for their arrest, who are hiding from the law on the welfare rolls. You say, "How does that happen?" Someone has been convicted of a felony and has escaped or violated parole or has been issued a warrant for their arrest on a felony charge and is eluding the law. While eluding the law, they sign up for welfare to support their eluding the law.

You say, "Well, how can this happen?" It is very easy to happen, because in most States in this country, if you are on the welfare rolls and the police department wants to find out if you are on the welfare rolls and they have a felony warrant for your arrest, the welfare department cannot tell the police department that you are receiving benefits. Why? Because your rights to privacy are protected. If you are on the welfare rolls, you have a right of privacy.

You may be a murderer. In fact, one of the reasons I offered this amendment is just last year in Pittsburgh—I have a July 29, 1994, article about a man who was on the welfare rolls. When they found this guy in Philadelphia, they found him and searched him, obviously, and they found a welfare card with his photo on it, his correct name. He did not even bother to lie about what his name was. He was protected by privacy. You say this must be an odd occurrence. This was a murderer, fleeing the law for years and collecting Government benefits.

In Cleveland, they did a sting operation, and they rounded up a lot of felons at this sting operation and searched them, and they found out that a third of the people they caught in the sting operation that had existing warrants were on welfare.

I visited the police department in Philadelphia and talked to their fugitive task force. They have a fugitive task force in the police department in Philadelphia. They have some 50,000 outstanding fugitive warrants in the city of Philadelphia. Historically, what the police officers have said is anywhere from 65 to 75 percent of the felons they catch are on welfare of some sort, whether it is food stamps or AFDC, SSI, you name it, they are collecting money while eluding the law. Not having to sign up for legitimate work where they might be caught, they can stay home and run around with their buddies at night and collect welfare. So you support them while the Federal Government and the State and local counties try to track them down. This is absurd.

So what we are suggesting is that the welfare offices, when contacted by the police department, must give the police department, if they have a warrant—I am not talking about people just wanting to search who is on the welfare rolls, but if you have a warrant for someone's arrest, a felony warrant, that you can contact the welfare office and say, "Has such and such signed up for welfare?" You can give the name and address. And you will find, at least the police told me, when it comes to receiving welfare benefits, they give the correct address to receive those benefits. They do not lie about what address those benefits go to. So you get the name, the address—we have the name—the address, the Social Security number and a photo because a lot of these folks just have police sketches. You might have what their name is, but you may not have a good photo or it may not be a recent photo.

So what we do is give police a tremendous advantage, at least according to the police departments I have talked to and the research I have done, in tracking down fugitive felons.

As I said before, I do not think this is a controversial measure. I think this is something that can and should be supported by everyone.

There is an additional provision in the bill that deals with another problem on AFDC, and that is the term "when a child is temporarily absent from the home." What happens there? This is a separate issue than the fugitive issue, but it is included in the amendment.

We have situations where you have a mother and children or a child who, unfortunately, may be sent to prison or sent to detention, or whatever the case may be, but be out of the home for a period of years. Under the laws in most States, because the Federal law does not define "temporarily absent," what happens is that mom continues to receive welfare benefits for that child, even though the child has not lived in the home for years or months because they are in jail.

We think that is sort of a silly idea. If the child is being otherwise detained because of incarceration as a runaway, whatever the case may be, we should not continue to pay the mother the benefits for the child who is no longer living there. That, you would think, is pretty much common sense, but under the Federal law today, that is not common sense. So we define what "temporarily absent" is.

Again, I am hopeful this amendment will be agreed to and adopted, but I am going to ask at this point for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. NICKLES. Mr. President, I wish to compliment my colleague from Pennsylvania. I think this is an excellent amendment. It is kind of bothersome to think that there might be thousands of fleeing felons receiving welfare, and maybe because there is a lack of coordination between law enforcement and welfare agencies and offices, they are able to get away with it. I do not doubt my colleague's homework. It is probably quite accurate. To think that that is happening, it needs to be stopped. His amendment would go a long way toward stopping it.

I ask unanimous consent to be added as a cosponsor, and I hope my colleagues support it.

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside.

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

AMENDMENT NO. 2469, AS MODIFIED

Mrs. FEINSTEIN. I want to modify a prior amendment and also introduce two additional amendments. I will try to be brief. I call up amendment No. 2469 and send a modification to the desk. Once the amendment has been modified, I ask unanimous consent that it be laid aside in the previous order of consideration.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 2469), as modified, is as follows:

Beginning on page 18, line 22, strike all through page 22, line 8, and insert the following:

"(3) SUPPLEMENTAL GRANT AMOUNT FOR POVERTY POPULATION INCREASES IN CERTAIN STATES.—

"(A) IN GENERAL.—The amount of the grant payable under paragraph (1) to a qualifying State for each of fiscal years 1997, 1998, 1999, and 2000 shall be increased by the supplemental grant amount for such State.

"(B) QUALIFYING STATE.—For purposes of this paragraph, the term 'qualifying State', with respect to any fiscal year, means a State that had an increase in the number of poor people as determined by the Secretary under subparagraph (D) for the most recent fiscal year for which information is available.

"(C) SUPPLEMENTAL GRANT AMOUNT.—For purposes of this paragraph, the supplemental grant amount for a State, with respect to any fiscal year, is an amount which bears the same ratio to the total amount appropriated under paragraph (4)(B) for such fiscal year as the increase in the number of poor people as so determined for such State bears to the total increase of poor people as so determined for all States.

"(D) REQUIREMENT THAT DATA RELATING TO THE INCIDENCE OF POVERTY IN THE UNITED STATES BE PUBLISHED.—

"(i) IN GENERAL.—The Secretary shall, to the extent feasible, produce and publish for each State, county, and local unit of general purpose government for which data have

been compiled in the then most recent census of population under section 141(a) of title 13, United States Code, and for each school district, data relating to the incidence of poverty. Such data may be produced by means of sampling, estimation, or any other method that the Secretary determines will produce current, comprehensive, and reliable data.

"(ii) CONTENT; FREQUENCY.—Data under this subparagraph—

"(I) shall include—

"(aa) for each school district, the number of children age 5 to 17, inclusive, in families below the poverty level; and

"(bb) for each State and county referred to in clause (i), the number of individuals age 65 or older below the poverty level; and

"(II) shall be published—

"(aa) for each State, annually beginning in 1996;

"(bb) for each county and local unit of general purpose government referred to in clause (i), in 1996 and at least every second year thereafter; and

"(cc) for each school district, in 1998 and at least every second year thereafter.

"(iii) AUTHORITY TO AGGREGATE.—

"(I) IN GENERAL.—If reliable data could not otherwise be produced, the Secretary may, for purposes of clause (ii)(I)(aa), aggregate school districts, but only to the extent necessary to achieve reliability.

"(II) INFORMATION RELATING TO USE OF AUTHORITY.—Any data produced under this clause shall be appropriately identified and shall be accompanied by a detailed explanation as to how and why aggregation was used (including the measures taken to minimize any such aggregation).

"(iv) REPORT TO BE SUBMITTED WHENEVER DATA IS NOT TIMELY PUBLISHED.—If the Secretary is unable to produce and publish the data required under this subparagraph for any county, local unit of general purpose government, or school district in any year specified in clause (ii)(II), a report shall be submitted by the Secretary to the President of the Senate and the Speaker of the House of Representatives, not later than 90 days before the start of the following year, enumerating each government or school district excluded and giving the reasons for the exclusion.

"(v) CRITERIA RELATING TO POVERTY.—In carrying out this subparagraph, the Secretary shall use the same criteria relating to poverty as were used in the then most recent census of population under section 141(a) of title 13, United States Code (subject to such periodic adjustments as may be necessary to compensate for inflation and other similar factors).

"(vi) CONSULTATION.—The Secretary shall consult with the Secretary of Education in carrying out the requirements of this subparagraph relating to school districts.

"(vii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subparagraph $1,500,000 for each of fiscal years 1996 through 2000."

AMENDMENT NO. 2478

(Purpose: To provide equal treatment for naturalized and native-born citizens)

Mrs. FEINSTEIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN] proposes an amendment numbered 2478.

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

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

The amendment is as follows:

On page 274, lines 23 and 24, strike "individual (whether a citizen or national of the United States or an alien)" and insert "alien".

On page 275, line 5, strike "individual" and insert "alien".

On page 275, line 10, strike "individual's" and insert "alien's".

On page 275, line 11, strike "individual" and insert "alien".

On page 275, line 14, strike "individual" and insert "alien".

On page 275, line 20, strike "individual" and insert "alien".

On page 275, line 21, strike "individual" and insert "alien".

On page 276, lines 2 and 3, strike "individual (whether a citizen or national of the United States or an alien)" and insert "alien".

On page 276, line 14, strike "individual" and insert "alien".

On page 278, line 1, strike "**NONCITIZENS**" and insert "**ALIENS**".

On page 278, line 8, strike "a noncitizen" and insert "an alien".

On page 278, line 13, strike "a noncitizen" and insert "an alien".

On page 278, line 16, strike "a noncitizen" and insert "an alien".

On page 278, line 22, strike "a noncitizen" and insert "an alien".

On page 279, line 4, strike "a noncitizen" and insert "an alien".

On page 279, line 6, strike "A noncitizen" and insert "An alien".

On page 279, line 8, strike "noncitizen" and insert "alien".

Mrs. FEINSTEIN. Mr. President, the Dole bill requires that income and resources of an immigrant sponsor be deemed as available to the immigrant when determining eligibility for all federally funded, means-tested programs. This is the case, whether or not the immigrant is a United States citizen. In other words, it creates two classes of citizens. A naturalized citizen, under the Dole bill, could not be eligible for any form of assistance. I believe this is unprecedented and, as I said, creates two classes of American citizens, which will surely be challenged in the courts on constitutional grounds.

So I rise today to offer an amendment to this bill to provide equal treatment for naturalized and native-born U.S. citizens. This amendment is cosponsored by Senators KOHL and SIMON. It is supported by the National Governors Association, the National Conference of State Legislatures, the National Association of Counties, the National League of Cities, the United States Catholic Conference, and the Leadership Conference on Civil Rights, as well as several other organizations.

The amendment simply removes any reference to citizens in all places in the underlying bill that require deeming, and leaves in place the deeming requirements for benefits to legal aliens.

I think the question before the Senate is this: Does the Constitution of the United States of America provide for two distinct classes of United States citizens—those who are naturalized and those who are native-born? I know of only one benefit which is denied by the Constitution to citizens of our country who were not born in this country, and that one thing is the Presidency of the United States. Article II, section 1 of the Constitution expressly states that "no person, except a natural born citizen, or a citizen of the United States at the time of the adoption of the Constitution, shall be eligible to the office of President." That is where the line is drawn for me.

I do not believe that, absent a constitutional amendment, the Constitution gives this body the authority to deny outright any benefits, save that one, to naturalized citizens. Article I of the Constitution does contain one other distinction with regard to naturalized citizens and their qualifications to be Members of Congress. It says, "No person shall be a representative who shall not have attained the age of 25 years and been 7 years a citizen of the United States." That is whether they are native-born or naturalized. It also says, "No person shall be a Senator who shall not have attained the age of 30 years, and been 9 years a citizen of the United States."

I do not believe our forefathers necessarily foresaw the specifics of the debate which is before us today. But I do believe they considered what distinctions should be made between naturalized and native-born citizens. And the result of that consideration is reflected in the Constitution.

The Department of Justice has expressed serious concerns about the constitutionality on the proscription of benefits as applied to naturalized citizens in this bill. In a letter to Senator KENNEDY, dated July 18, a copy of which was also provided to me, Assistant Attorney General, Andrew Fois states:

> The deeming provision, as applied to citizens, would contravene the basic equal protection tenet that "the rights of citizenship of the native born and of the naturalized person are of the same dignity and are coextensive."

The letter goes on to say:

> To the same effect, the provision might be viewed as a classification based on national origin; among citizens otherwise eligible for government assistance, the class excluded by operation of the deeming provision is limited to those born outside the United States. A classification based on national origin, of course, is subject to strict scrutiny under equal protection review, and it is unlikely that the deeming provision could be justified under this standard.

At this time, Mr. President, I ask unanimous consent that the full text of the letter from the Justice Department be printed in the RECORD.

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

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, July 18, 1995.

Hon. EDWARD M. KENNEDY,
U.S. Senate,
Washington, DC.

DEAR SENATOR KENNEDY: This letter follows your question to Attorney General Janet Reno regarding the constitutionality of the deeming provisions in pending immigration legislation at the Senate Judiciary Committee's oversight hearing on June 27.

You have asked for our views regarding the "deeming" provisions of section 204 of S. 269, Senator Simpson's proposed immigration legislation. Our comment here is limited to the question raised by application of section 204 to naturalized citizens.

We have serious concerns about section 204's constitutionality as applied to naturalized citizens. So applied, the deeming provision would operate to deny, or reduce eligibility for, a variety of benefits including student financial assistance and welfare benefits to certain United States citizens because they were born outside the country. This appears to be an unprecedented result. Current federal deeming provisions under various benefits programs operate only as against aliens (see, e.g., 42 U.S.C. §615 (AFDC); 7 U.S.C. 2014(i) (Food Stamps)) and we are not aware of any comparable restrictions on citizen eligibility for federal assistance. As a matter of policy, we think it would be a mistake to begin now to relegate naturalized citizens—who have demonstrated their commitment to our country by undergoing the naturalization process—to a kind of second-class status.

The provision might be defended legally on the grounds that it is an exercise of Congress' plenary authority to regulate immigration and naturalization, or, more specifically, to set the terms under which persons may enter the United States and become citizens. See *Mathews* v. *Diaz*, 426 U.S. 67 (1976); *Toll* v. *Moreno*, 458 U.S. 1, 10–11 (1982). We are not convinced that this defense would prove persuasive. Though Congress undoubtedly has power to impose conditions precedent on entry and naturalization, the provision at issue here would function as a condition subsequent, applying to entrants even after they become citizens. It is not at all clear that Congress' immigration and naturalization power extends this far.

While the rights of citizenship of the native born derive from §1 of the Fourteenth Amendment and the rights of the naturalized citizen derive from satisfying, free of fraud, the requirements set by Congress, the latter, apart from the exception noted [constitutional eligibility for President], becomes a member of the society, possessing all the rights of a native citizen, and standing, in the view of the constitution, on the footing of a native. The constitution does not authorize Congress to enlarge or abridge those rights. The simple power of the national Legislature, is to prescribe a uniform rule of naturalization, and the exercise of this power exhausts it, so far as respects the individual.

Schneider v. *Rusk*, 377 U.S. 163, 166 (1964) (internal quotations omitted) (statutory restriction on length foreign residence applied to naturalized but not native born citizens violates Fifth Amendment equal protection component).

Alternatively, it might be argued in defense of the provision that it classifies not by reference to citizenship at all, but rather on the basis of sponsorship; only those naturalized citizens with sponsors will be affected. Again, we have doubts about whether this characterization of the provision would be accepted. State courts have rejected an analogous position with respect to state deeming provisions, finding that the provisions constitute impermissible discrimination based on alienage despite the fact that they reach only sponsored aliens. See *Barannikov* v. *Town of Greenwich*, 643 A.2d 251, 263–64 (Conn. 1994); *El Souri* v. *Dep't of Social Services*, 414 N.W.2d 679, 682–83 (Mich. 1987). Because the deeming provision in question here, as applied to citizens, is directed at and reaches only naturalized citizens, the same reasoning would compel the conclusion that it constitutes discrimination against naturalized citizens. *Cf. Nyquist* v. *Mauclet*, 432 U.S. 1, 9 (1977) ("The important points are that [the law] is directed at aliens and that only aliens are harmed by it. The fact that the statute is not an absolute bar does not mean that it does not discriminate against the class.") (invalidating state law denying some, but not all, resident aliens financial assistance for higher education).

So understood, the deeming provision, as applied to citizens, would contravene the basic equal protection tenet that "the rights of citizenship of the native born and of the naturalized person are of the same dignity and are coextensive." *Schneider*, 377 U.S. at 165. To the same effect, the provisions might be viewed as a classification based on national origin; among citizens otherwise eligible for government assistance, the class excluded by operation of the deeming provision is limited to those born outside the United States. A classification based on national origin, of course, is subject to strict scrutiny under equal protection review, see *Korematsu* v. *United States*, 323 U.S. 214 (1944), and it is unlikely that the deeming provision could be justified under this standard. See *Barannikova*, 643 A.2d at 265 (invalidating state deeming provision under strict scrutiny); *El Souri*, 414 N.W.2d at 683 (same).

The Office of Management and Budget has advised that there is no objection to the submission of this letter from the standpoint of the Administration's program.

Sincerely,

ANDREW FOIS,
Assistant Attorney General.

Mrs. FEINSTEIN. Mr. President, to a great extent, we are a Nation of immigrants. There are very few of us in this body who could claim not to have been a product, in some way, of immigrants.

My mother was born in St. Petersburg, Russia. She left that country hiding in a hay cart during the revolution. They crossed Siberia on their long journey to California. My grandmother was widowed shortly after arriving in this country, left with four small children. My uncle was a carpenter. My mother did not enjoy good health as a child and was hospitalized for many years. There was no widow's pension then, no AFDC. And I am not one that believes that immigrants should come to the United States to get on the dole. But we do have a naturalization process which, after the designated waiting period, and after meeting certain requirements, immigrants take an oath, they become citizens of the United States, with all of the privileges and benefits accorded to native-born citizens, save the one spelled out in the Constitution that I have read today.

This bill essentially says that even if naturalized—even if a naturalized citizen for 20 years, your sponsor's income will be deemed as yours, and you will not be eligible for Federal benefits.

Even if that sponsor is dying from cancer, and no matter what happens to the naturalized citizen, that naturalized citizen is exempted from coverage under this bill.

I believe that violates the equal protection clause of our Constitution and jeopardizes the fairness of the legislation. So the amendment that I am submitting is essentially equal treatment for naturalized and native-born citizens.

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

Mrs. FEINSTEIN. Yes.

Mr. NICKLES. I will be brief. I think I understand the amendment. The Senator is saying that immigrants to the country should be able to receive welfare benefits just as any other citizen can, is that correct?

Mrs. FEINSTEIN. Only if they have become United States citizens. In other words, the deeming provision does not apply if you are naturalized.

In this bill, the deeming provision extends even to naturalized citizens. Therefore, they would not be eligible.

Mr. NICKLES. If an immigrant comes into the country and goes through the processes to be a naturalized U.S. citizen, they are required now to have a sponsor, a sponsor that states that they will make sure that they will not be a ward of the Government for some period of time.

Does the Senator know what that period would be?

Mrs. FEINSTEIN. I did know and I cannot remember what it was.

Mr. NICKLES. I will review that.

Mrs. FEINSTEIN. This is not just a legal immigrant, but a naturalized citizen too.

We are not talking here about removing that requirement for legal immigrants in this amendment. This is just for naturalized citizens.

Mr. NICKLES. I am happy to have the Senator's amendment. I have not seen it before. I will be happy to review it and we will take it up tomorrow morning.

Mrs. FEINSTEIN. I thank the Senator from Oklahoma very much.

AMENDMENT NO. 2479 TO AMENDMENT NO. 2280

(Purpose: To provide for State and county demonstration programs)

Mrs. FEINSTEIN. I send another amendment to the desk.

The PRESIDING OFFICER. The previous amendment shall be laid aside. The clerk will report.

The bill clerk read as follows:

The Senator from California, [Mrs. FEINSTEIN], proposes an amendment numbered 2479 to amendment No. 2280.

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

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

The amendment is as follows:

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

"SEC. 418. STATE AND COUNTY DEMONSTRATION PROGRAMS.

"(a) NO LIMITATION OF STATE DEMONSTRATION PROJECTS.—Nothing in this part shall be construed as limiting a State's ability to conduct demonstration projects for the purpose of identifying innovative or effective program designs in 1 or more political subdivisions of the State.

"(b) COUNTY WELFARE DEMONSTRATION PROJECT.—

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

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

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

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

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

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

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

"(A) a description of the demonstration project;

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

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

Mrs. FEINSTEIN. Mr. President, throughout the welfare debate it has often been stated that people closest to the problem know how to best deal with it.

In fact, many States assign administration of Federal welfare programs to counties. As a former mayor, and a former county supervisor, that certainly is the case in California.

Many of the innovations and successes currently under discussion have been initiated at the local level. In my earlier remarks on welfare reform, I mentioned several of them—initiatives made by counties to put people to work, to devise programs to really run their programs with efficiency, and appropriate for their local communities.

This amendment affirms that there will be no limitation on the ability of a State to conduct innovative and effective demonstration projects in one or more of its political subdivisions.

It empowers the Secretary of Health and Human Services to jointly negotiate with any county or group of counties having a population greater than 500,000 to conduct a demonstration project where the county would have the authority and duty to administer the operation of the welfare program covered by this bill.

In essence, what it is saying, for large counties, or a group of small counties, like in Wisconsin for example, the Secretary would have the authority to be able to negotiate so that the grant would go directly from Washington to the counties.

What does this mean? It means you take the State out of it. Why do I want to take the State out of it? Because I know what States do. They charge a cost, they set up a bureaucracy, and therefore a portion of the money will end up in the State. The State can often not send that money to the counties, or find a reason not to send it, and even use it for other purposes.

So in this amendment, the State in which the demonstration county is located would pass directly to the county the portion of the grant determined by the State as attributable to the residents of that county.

The duration of the demonstration project is 5 years, after which time the Secretary is directed to report to the Congress on the description, rules, and innovations initiated under the project. Essentially, the block grants of the large counties could go directly to the counties, thereby I believe, based on my experience, it would save money and be more efficiently used.

This was in the bill, my understanding is, as it was originally drafted, and it was removed. We would by this amendment place it back. It is similar to an amendment which was in the prior Daschle bill.

I thank the Chair. I yield the floor.

Mr. FEINGOLD. Mr. President, I ask that the pending amendment temporarily be set aside so I can offer two amendments which I expect will be ultimately accepted.

The PRESIDING OFFICER. Without objection, the amendment will be set aside.

Mr. FEINGOLD. The first relates to a study of the impact of changes on the child care food program on program participation and family day care providers.

I have worked with the majority and minority on the Agriculture Committee on the language of the amendment, and I expect it will be accepted by the floor managers.

Mr. President, This amendment is very simple and it addresses an issue of great concern raised by my constituents in Wisconsin.

A few months ago, the House of Representatives repealed the entitlement status for the Child and Adult Care Food Program and placed its funding in a block grant of other child nutrition programs. The 10,000 family day care home sponsors in the United States worried the program would be swallowed up by the larger, more well-known programs such as the Special Supplemental Food Program for Women, Infants and Children.

The Family Day Home sponsors, who administer aspects of the CACFP knew the House proposal effectively meant the end of this very important program. Mr. President, the CACFP is a relatively small program that affects a very large number of children in this country. In addition to providing reimbursements to providers for meals served to low-income children in child care centers, it provides a blended reimbursement for meals served in all participating family day care homes—those with six children or fewer. Most children in the United States that currently receive day care are cared for in small family day care homes. Even more significantly, according to Congress's Select Panel for the Promotion of Child Health, pre-school age children receive about three-quarters of their nutritional intake from their day care providers. Those two facts emphasize the importance of ensuring children receive nutritious meals while they under the supervision of a family day care home provider.

Early this year, the operator of Wisconsin's smallest non-profit sponsor in my State, Linda Leindecker of Horizon's Unlimited in Green Bay, met with me to discuss her specific concerns about the proposals to modify the program she helps deliver. The CACFP, she pointed out, has greater benefits than might meet the eye. While the clear goal of the program is to enhance the nutritional status of children receiving care by family day care homes, it has many less obvious benefits. Linda pointed out that the program provides a strong incentive for small family day care homes to become licensed by the State. A recent survey of over 1,200 day care homes in Wisconsin found that over 70 percent of those surveyed became licensed because of CACFP benefits. That means children are more likely to be in day care homes that provide a safe and more healthy environment with more nutritious meals than unregulated day care homes. These so-called "underground" homes are not only operating without health or safety standards, but they are also better able to evade compliance with income tax laws as well.

Not only must family day care homes participating in the CACFP comply

with State regulations, they are also subject to random inspections of all their homes by the CACFP sponsors. CACFP care providers must also undergo extensive nutrition education and training programs conducted by sponsors to ensure that the children in participating homes are eating nutritious meals as required by the program. In total, Wisconsin family day care providers are serving nearly 12.5 million healthy breakfasts, lunches, suppers and snacks annually.

Mr. President, the message I have heard loud and clear from Linda and other Family Day Care Home sponsors in Wisconsin is that while the primary benefit of the family day care home portion of the CACFP is the enhanced nutritional status of children in small day care homes, the second most important benefit is the role of this program in creating more licensed and regulated family day care homes. That benefits parents, taxpayers, and children alike.

Mr. President, I am pleased that the Senate Agriculture Committee did not take the drastic approach endorsed by the House. In particular, I am pleased that the Senator from Indiana [Mr. LUGAR] and the Senator from Vermont [Mr. LEAHY] recognized how important CACFP is to this Nation's children by maintaining the identity and entitlement status of the program in S. 904 as approved by the Agriculture Committee

However, the legislation before us, which incorporates the Agriculture Committee's bill S. 904, does make some fundamental changes to the reimbursement structure for family day care homes. The bill establishes an area-wide means test for full reimbursement, tier I, of meals served in family day care and provides a much smaller reimbursement for meals served in homes that do not fall within a qualifying geographic area, tier II. The Democratic alternative to the majority leader's bill also provides for geographic based means testing for CACFP but provides a slightly higher second tier reimbursement.

Wisconsin's day care home sponsors are alarmed by the small tier II home reimbursement and worry that this lower level of reimbursement will eliminate the incentive for family day care homes to become licensed and approved by the State. As some homes drop out of the program and operate underground, even fewer will enter the program at all, making regulated day care less accessible and less affordable to parents of young children. Sponsors are also worried that the nutritional quality of meals served in tier II homes will decline as well. Fifteen cents, they point out, doesn't buy much of a healthy mid-day snack.

I share those concerns, Mr. President. I am concerned that the marginal benefit of day care home participation may no longer justify the cost of being regulated or licensed by the State. If that is the case, I am concerned that not only the quality of day care will decline, but that the quantity of affordable day care will fall as well. While we are debating a bill that proposes to send more low-income parents to work, it is important that there be an adequate supply of safe and affordable day care for their children.

Mr. President, my amendment tries to address those concerns by requiring USDA to study the impact of the changes to CACFP made in this bill on program participation, family day care home licensing and the nutritional quality of meals served in family day care homes. Since the impact of these changes will likely be felt within the first year or two following enactment, my amendment calls for a one-time study of this matter, rather than an annual review.

I think it is critical that Congress have access to the information they need to conduct proper oversight of Federal programs. While the changes made to the CACFP in S. 1120 are intended to maintain program integrity while achieving fiscal responsibility, it is important that Congress find out whether the legislation actually achieves those goals.

That is the intent of my amendment. It is simple and straightforward but it is important.

The second amendment, Mr. President, relates to authority to allow a housing project in Madison, Wisconsin to conduct a demonstration project that waives the current take-one, take-all section 8 requirement that requires a project which accepts a single section 8 resident to take any other section 8 applicant.

The unfortunate result of this policy, Mr. President, is that sometimes it is meant that a project will not accept any section 8 residents at all. This demonstration program would not entail any Federal cost.

I understand that neither the administration nor the authorizing committee has any objection to this amendment and that they support moving in this direction in order to provide greater flexibility for these types of housing programs.

I offer this amendment along with my senior colleague from Wisconsin, Senator KOHL. The amendment would provide an opportunity for Madison, WI, to demonstrate an innovative and emerging strategy in the operation of the Department of Housing and Urban Development assisted housing program by eliminating the take-one, take-all requirement.

That provision requires the manager or owner of multifamily rental housing to make all units available to residents who qualify for section 8 certificates or vouchers under the National Housing Act as long as at least one unit is made available to those residents under the terms of the long-term, 20-year section 8 renter contracts.

The availability of low-income housing is being seriously threatened across this Nation. This is especially true when private property owners are considered who are increasingly choosing to opt out of the HUD section 8 program for a variety of reasons, as their long-term contracts expire.

The situation in this case in Madison is typical of these problems that are being experienced nationwide. HUD itself recognizes this and has actually proposed, Mr. President, that we eliminate the take-one, take-all language.

They project an elimination of the requirement will provide an incentive to attract new multifamily low-income housing developer owners and also retain existing ones.

Local government officials, private institutions, residents and apartment owners in Madison in this case, Mr. President, have agreed to a plan for the Summer Society Circle Apartments that will reduce the concentration of low-income families and densely populated in circumscribed areas.

They believe it will reduce crime and drug and gang activity and stabilize development in neighborhoods by encouraging a mix of low- and moderate-income families. We believe the amendment provides an opportunity to demonstrate that public-private collaborative planning can result in increased, Mr. President, increased availability of quality housing for low- and moderate-income families.

Accordingly, we urge the support of the body. There is no additional cost associated with this demonstration project, which simply allows this community to have greater flexibility in operating in housing projects which meet the needs of the communities.

As I understand the parliamentary situation, it is the desire of the managers to have as many of these amendments offered tonight as possible, and they will be disposed of in due course.

AMENDMENT NO. 2480

(Purpose: To study the impact of amendments to the child and adult care food program on program participation and family day care licensing)

Mr. FEINGOLD. As I said, I expect both of these ultimately to be accepted, and to expedite consideration I now send the first amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 2480 to amendment No. 2280.

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

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

The amendment is as follows:

On page 283, after line 23, insert the following:

(f) STUDY OF IMPACT OF AMENDMENTS ON PROGRAM PARTICIPATION AND FAMILY DAY CARE LICENSING.—

(1) IN GENERAL.—The Secretary of Agriculture, in conjunction with the Secretary of Health and Human Services, shall study the impact of the amendments made by this section on—

(A) the number of family day care homes participating in the child and adult care food program established under section 17 of the National School Lunch Act (42 U.S.C. 1766);

(B) the number of day care home sponsoring organizations participating in the program;

(C) the number of day care homes that are licensed, certified, registered, or approved by each State in accordance with regulations issued by the Secretary;

(D) the rate of growth of the numbers referred to in subparagraphs (A) through (C);

(E) the nutritional adequacy and quality of meals served in family day care homes that—

(i) received reimbursement under the program prior to the amendments made by this section but do not receive reimbursement after the amendments made by this section; or

(ii) received full reimbursement under the program prior to the amendments made by this section but do not receive full reimbursement after the amendments made by this section; and

(F) the proportion of low-income children participating in the program prior to the amendments made by this section and the proportion of low-income children participating in the program after the amendments made by this section.

(2) REQUIRED DATA.—Each State agency participating in the child and adult care food program under section 17 of the National School Lunch Act (42 U.S.C. 1766) shall submit to the Secretary data on—

(A) the number of family day care homes participating in the program on July 31, 1996, and July 31, 1997;

(B) the number of family day care homes licensed, certified, registered, or approved for service on July 31, 1996, and July 31, 1997; and

(C) such other data as the Secretary may require to carry out this subsection.

(3) SUBMISSION OF REPORT.—Not later than 2 years after the effective date of Sec. 423 of this Act, the Secretary shall submit the study required under this subsection to the Committee on Economic and Educational Opportunities of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

Mr. FEINGOLD. Mr. President, I ask the pending amendment be set aside so I may offer my second amendment.

The PRESIDING OFFICER. The pending amendment is set aside.

AMENDMENT NO. 2481

(Purpose: To make an amendment relating to public housing)

Mr. FEINGOLD. I send my second amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD], for himself and Mr. KOHL, proposes an amendment numbered 2481 to amendment No. 2280.

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

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

The amendment is as follows:

At the appropriate place in title X, add the following:

SEC. 10. DEMONSTRATION PROJECT FOR ELIMINATION OF TAKE-ONE-ONE-TAKE-ALL REQUIREMENT.

In order to demonstrate the effects of eliminating the requirement under section 8(t) of the United States Housing Act of 1937, notwithstanding any other provision of law, beginning on the date of enactment of this Act, section 8(t) of such the United States Housing Act of 1937 shall not apply with respect to the multifamily housing project (as such term is defined in section 8(t)(2) of the United States Housing Act of 1937) consisting of the dwelling units located at 2401-2479 Sommerset Circle, in Madison, Wisconsin.

Amend the table of contents accordingly.

Mr. FEINGOLD. Mr. President, I yield the floor.

Mr. MOYNIHAN. Mr. President, I believe the Senator from California wished to speak.

I was mistaken. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, I ask the pending amendment be laid aside.

The PRESIDING OFFICER. The pending amendment will be set aside.

AMENDMENT NO. 2482 TO AMENDMENT NO. 2280

(Purpose: To provide that noncustodial parents who are delinquent in paying child support are ineligible for means-tested Federal benefits)

Mrs. BOXER. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 2482 to amendment No. 2280.

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

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

The amendment is as follows:

On page 712, between lines 9 and 10, insert the following:

SEC. 972. DENIAL OF MEANS-TESTED FEDERAL BENEFITS TO NONCUSTODIAL PARENTS WHO ARE DELINQUENT IN PAYING CHILD SUPPORT.

(A) IN GENERAL.—Notwithstanding any other provision of law, a non-custodial parent who is more than 2 months delinquent in paying child support shall not be eligible to receive any means-tested Federal benefits.

(b) EXCEPTION.—(1) IN GENERAL.—Subsection (a) shall not apply to an unemployed non-custodial parent who is more then 2 months delinquent in paying child support if such parent—

(A) enters into a schedule of repayment for past due child support with the entity that issued the underlying child support order; and

(B) meets all of the terms of repayment specified in the schedule of repayment as enforced by the appropriate disbursing entity.

(2) 2-YEAR EXCLUSION.—(A) A non-custodial parent who becomes delinquent in child support a second time or any subsequent time shall not be eligible to receive any means-tested Federal benefits for a 2-year period beginning on the date that such parent failed to meet such terms.

(B) At the end of that two-year period, paragraph (A) shall once again apply to that individual.

(c) MEANS-TESTED FEDERAL BENEFITS.—For purposes of this section, the term "means-tested Federal benefits" means benefits under any program of assistance, funded in whole or in part, by the Federal Government, for which eligibility for benefits is based on need.

Mrs. BOXER. Mr. President, I believe this amendment is quite straightforward. It basically says that, if a noncustodial parent is delinquent on child support payments and gets into arrears extending beyond 2 months, that individual, that deadbeat dad or deadbeat mom, as the case may be, will not be entitled to means-tested Federal benefits.

I think it is very important that we do this. I do not think we should be in the business of giving benefits to people who are neglecting their children. Many families go on welfare because noncustodial parents are not paying their child support.

What we do in this amendment is we give people a second chance. We say if they agree to sign a schedule and commit themselves to the repayment of the arrears and continue the payments on time, then they can get these benefits. But if they fail again, they will have to wait 2 years before they get a chance at those benefits again.

I hope we will have broad support for this amendment.

Only about 18 percent of all cases result in child support collections across this Nation.

And we have to remember we have 9.5 million children counting on AFDC for support. We could really take people out of poverty quickly if the deadbeat parent, be it a mom or a dad—usually it is a dad but sometimes it is a mom—came through with their child support payments.

This amendment is just another way for us to stand up and be counted and say: Look, you are not going to be entitled to get job training, vocational training, food stamps, SSI, housing assistance, and the other means-tested Federal benefits if you are behind on those child support payments. But we are ready to help you. If you will sign a schedule of payments and you live up to that schedule, we will make an exception.

It is interesting to note that America's children are owed more than $34 billion in unpaid child support. Talk about lowering the cost of welfare, collecting unpaid support would be one of

the quickest ways to do it. Welfare caseloads could be reduced by one-third if families could rely on even $300 a month, or less, of child support. Mr. President, $300 a month would add up to more than $3,000 a year.

So my amendment would crack down on the deadbeat dads or the deadbeat moms, and basically say you have to pay support or you are not going to get the Federal assistance you would otherwise be entitled to.

So, Mr. President, I do not think I need to continue this dialog with my colleagues. I think at this point I can rest on what I have said. I think the Boxer amendment sends a tough message that we will have little tolerance for people who fail to meet their child support commitments. And we should be tough on these people because they jeopardize the health and well-being of their children by failing to pay support, and they are making the taxpayers pay money that they, in fact, owe to these children. So I rest my case on this amendment. I look forward to its being voted upon.

I ask my friend from Oklahoma and my friend from New York, is it necessary to ask for the yeas and nays at this time, because I certainly would like to have a vote on the amendment?

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I will be happy to respond to my colleague from California. Certainly she has a right to request the yeas and nays. I will support that effort.

I have a couple of comments. I had not seen the amendment. I may well support the thrust of it. Others may as well. We are going to have a couple of rollcall votes in the morning and then have some debate over Senator MOYNIHAN's proposal, have the rollcall vote on his, and we may have several other rollcall votes. It will certainly be the Senator's opportunity, if she wishes to ask for the yeas and nays tomorrow. And that will also give her the opportunity to modify the amendment if it would make it more agreeable and more acceptable. That would be my recommendation. But, certainly, if she wishes to ask for the yeas and nays tonight she has that opportunity.

Mrs. BOXER. I thank my friend for his honest answer. I appreciate it. I will withhold because I do believe this is an excellent amendment and if there are small technical problems I will be happy to work with my friends to straighten them out.

So I will withhold, but I look forward to voting on this as soon as I can and I will be back in the morning to debate that, discuss it, at what time my colleague thinks is appropriate.

Mr. NICKLES. I appreciate my colleague from California doing that.

Mr. President, I know of no other Senators having amendments, and my colleague from New York as well. I suggest the absence of a quorum. It will be my intention that the Senate stand in recess until tomorrow morning shortly. But I will withhold for that for the moment. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

(During today's session of the Senate, the following morning business was transacted.)

HONORING LOWELL C. KRUSE AS RECIPIENT OF THE HOPE AWARD

Mr. ASHCROFT. Mr. President, today I would like to congratulate a Missourian who has dedicated his life to helping others. He has spent his entire career in the medical field, not as a doctor, but as someone just as dedicated and just as committed to service. Mr. Kruse is soon to accept the Hope Award, the highest honor bestowed by the Multiple Sclerosis Society. He has served as a hospital administrator, vice president, and president; but throughout, Mr. Kruse has never forgotten those who are less fortunate.

Mr. Kruse was born on February 9, 1944, in the small midwestern town of Lake City, IA. He earned a bachelor's degree in business administration and psychology from Augustana College in Sioux City, SD, and went on to earn his master's degree in hospital administration from the University of Minnesota. Mr. Kruse started his career first as an assistant administrator at the St. Barnabas Hospital in Minneapolis, MN, then became an associate administrator at the Metropolitan Medical Center in Minneapolis where he remained for 7 years serving as the vice president of community operations.

In 1977, Mr. Kruse assumed the responsibilities as president and CEO of the Park Ridge Hospital and Nursing Home in Rochester, NY, and later president and CEO of Upstate Health System, Inc. in Rochester. In 1984, Mr. Kruse returned to his roots in the Midwest, serving as the president and CEO of Heartland Health System in St. Joseph, MO, for the past 10 years.

While Mr. Kruse has continued to strive for success, he has never turned his back on others in his community. In New York, he was a member of the Greater Rochester Area Citizens League Board, the United Way, and the board of directors of the Rochester Area Career Educational Council. In Missouri, he has served as chairman of the St. Joseph Development Corp., as well as chairman of the St. Joseph Chamber of Commerce, and is currently a fellow at the American College of Health Care Executives. These are just a few of the many contributions Mr. Kruse has made to fulfill his commitment and dedication to the communities in which he has lived.

Mr. Kruse has been the recipient of numerous awards for his devotion to community service. In 1970, he was listed as one the outstanding young men in America. In 1976, Mr. Kruse was awarded a Distinguished Service Award and honored as one of 10 outstanding young Minnesotans. In 1992, Mr. Kruse received the Midland Empire Arthritis Center's William E. Hillyard Jr. Humanitarian Award.

Throughout his career, Mr. Kruse has dedicated his life to helping and inspiring those around him. It is clear from his achievements that he is truly committed to making a difference in the lives of many. Mr. Kruse is a great humanitarian who has given his time graciously, caring for those who have been stricken by life threatening diseases. I am grateful for his service and commend him for his dedication to helping others, not just in Missouri, but across America.

MESSAGES FROM THE HOUSE

At 1:02 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1854) making appropriations for the legislative branch for the fiscal year ending September 30, 1996, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MCCAIN (for himself, Mr. FEINGOLD, Mr. THOMPSON, Mr. PELL, and Mr. WELLSTONE):

S. 1219. A bill to reform the financing of Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mrs. BOXER:

S. 1220. A bill to provide that Members of Congress shall not be paid during Federal Government shutdowns; to the Committee on Governmental Affairs.

By Mrs. KASSEBAUM (for herself and Mr. JEFFORDS):

S. 1221. A bill to authorize appropriations for the Legal Services Corporation Act, and for other purposes; to the Committee on Labor and Human Resources.

By Mr. FAIRCLOTH:

S. 1222. A bill to prevent the creation of an international bailout fund within the International Monetary Fund, and for other purposes; to the Committee on Foreign Relations.

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SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI (for herself, Mr. SARBANES, Mr. WARNER, and Mr. ROBB):

S. Res. 167. A resolution congratulating Cal Ripken, Jr. on the occasion of his breaking the Major League Baseball record for the highest total number of consecutive games played; considered and agreed to.

By Mr. LOTT:

S. Con. Res. 26. A concurrent resolution to authorize the Newington-Cropsey Foundation to erect on the Capitol Grounds and present to Congress and the people of the United States a monument dedicated to the Bill of Rights; to the Committee on Rules and Administration.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McCAIN (for himself, Mr. FEINGOLD, Mr. THOMPSON, Mr. PELL, and Mr. WELLSTONE):

S. 1219. A bill to reform the refinancing of Federal elections, and for other purposes; to the Committee on Rules and Administration.

THE CAMPAIGN FINANCE REFORM ACT OF 1995

Mr. McCAIN. Mr. President, I am pleased to join with my colleagues, Senator FEINGOLD and Senator THOMPSON, to introduce the Senate Campaign Finance Reform Act of 1995. This bill, if enacted, would dramatically change American political campaigns.

This legislation is intended to help restore the public's faith in the Congress and the electoral system; to reaffirm that elections are won and lost in a competition of ideas and character, not fundraising. Toward that end, we hope to level the playing field between challengers and incumbents.

Again, I want to note, this bill is about placing ideas over dollars. While my Democrat cosponsors may disagree, I believe that Republicans won majorities in Congress last year because the American people understood and supported our ideas for changing the American Government, not because we excelled at the money chase. We want to make sure that decisions about who governs America—decisions that are so profound in their consequences for current and future generations of Americans—will be made by voters who have a fair understanding of those consequences.

Campaigns, of course, cost money. This bill recognizes that fact. It does not end campaign spending, but limits it in a manner that forces candidates to rely more on their message than their money.

Mr. President, poll after poll reveals the public's loss of faith in the Congress. One of the reasons this has occurred is that the public believes—rightly or wrongly—that special interests control the political and electoral system. In order to limit the ability of special interests to control the process, and to change the perception that money controls politics, we must enact campaign finance reform.

A recent USA Today-CNN Gallup poll revealed that 83 percent of Americans want campaign finance reform enacted. According to the same poll, the only two issues that the public feels are more important than campaign finance reform are balancing the Federal budget and reforming welfare. To the surprise of many, the poll showed that changing Medicare and cutting taxes has less support than did campaign finance reform.

Mr. President, I would like to outline what the bill does:

Spending Limits and Benefits: Senate campaign spending limits would be based on each State's voting-age population, ranging from a high of over $8 million in a large State like California to a low of $1.5 million in a smaller State like Wyoming. Candidates that voluntarily comply with spending limits would receive:

Free Broadcast Time—Candidates would be entitled to 30 minutes of free broadcast time.

Broadcast Discounts—Broadcasters would be required to sell advertising to a complying candidate at 50 percent of the lowest unit rate.

Reduced Postage Rates—Candidates would be able to send up to two pieces of mail to each voting-age resident at the lowest 3d-class nonprofit bulk rate.

New Variable Contribution Limit—If a candidate's opponent does not agree to the spending limits or exceeds the limits, the complying candidate's individual contribution limit is raised from $1,000 to $2,000 and the complying candidate's spending ceiling is raised by 20 percent.

On the issue of Personal Funds: Complying candidates cannot spend more than $250,000 from their personal funds. Candidates who spend more than that amount are considered in violation of this act and therefore qualify for none of this Act's benefits.

Also, candidates are required to raise 60 percent of campaign funds from individuals residing in the candidate's home State.

There is a ban on political action committee contributions. In case a PAC ban is ruled unconstitutional by the Supreme Court, backup limits on PAC contributions are also included. In such an instance, PAC contribution limits would be lowered from $5,000 to the individual contribution limit. Additionally, candidates could receive no more than 20 percent of their contributions from PAC's.

All franked mass mailings banned in year of campaign.

There is a requirement increased disclosure and accountability for those who engage in political advertising.

Bundling is limited.

It requires Full Disclosure of all Soft Money contributions.

There is a ban on personal use of campaign funds, which codifies a recent FEC ruling that prohibits candidates from using campaign funds for personal purposes such as mortgage payments or vacation trips

This bill will affect both parties equally. It does what other bills in the past did not, not benefit just one party. And that is also why it has bipartisan support.

Mr. President, is this a perfect bill? No, it is not. I do not know if it is even possible to write a perfect campaign reform bill. But it is a good bill, that addresses the partisan and nonpartisan concerns that have undermined previous reform attempts. As the Washington Post said, "it would represent a large step forward." Also, as many have noted, we cannot let the perfect be the enemy of the good.

We must take this step. The American people expect us to do at least that much.

Mr. President, I want to make a few additional comments. I note the presence of my friend and colleague from Wisconsin, who is my partner in this effort, Senator FEINGOLD.

Sometimes, residing here in the Nation's capital, as we have to do a great percentage of our time, we have a tendency to not be aware of the hopes and aspirations and frustrations of the American people. Last week there was a CNN poll that showed what the American people want Congress to do and what they expect Congress to do. Mr. President, 88 percent of the American people want Congress to balance the budget; 31 percent believe that they will do it. The next highest on that list is 88 percent want Congress to reform welfare; 47 percent expect them to do it. Next in line is 83 percent of the American people want Congress to reform campaign financing, while only 30 percent of the American people believe that Congress will do it.

The article goes on to say Congress meanwhile has fallen to a 30-percent approval, its lowest level since Republicans won control in January. Analysts say it is largely due to the slowdown in legislation as items have moved to the Senate coupled with an increase in partisan bickering over Medicare and GOP squabbles over welfare reform.

Mr. President, I do not think we should rest easy when the approval of the American people of Congress is as low as 30 percent.

Recently there was a poll done by respected pollsters in this city. I would like to quote three very important items from that poll.

When asked: We need campaign finance reform to make politicians accountable to average voters rather than special interests, voters stated this was very convincing, 59 percent;

somewhat convincing 31 percent; not very convincing, 5 percent; not at all convincing, 4 percent; and do not know, 2 percent.

Mr. President, let me repeat that. When asked: We need campaign finance reform to make politicians accountable to average voters rather than special interests, a total of 59 percent found that argument very convincing, and 31 percent; somewhat convincing, a total of 90 percent of those interviewed.

When asked: We do not need campaign finance reform, the election in November helped clean up a lot of problems in Washington, respondents said their argument was very convincing, 13 percent; somewhat convincing, 19 percent; not very convincing, 22 percent; and not at all convincing, 39 percent.

Reducing the amount special interest groups can contribute to a candidate would be very effective, 54 percent; somewhat effective, 34 percent.

Mr. President, when the respondents were asked: Those who make large campaign contributions get special favors from politicians, respondents said this is one of the things that worries you most, 34 percent; worries you a great deal, 34 percent. Sixty-eight percent of the American people believe that those who make large contributions get special favors from politicians bothers them most or bothers them a great deal.

What I am saying is that we need to reform this business. We must understand that money will always play a role in political campaigns. In an ideal world that would not be the case. We do not live in an ideal world. But there should be accountability.

I am pleased that Senator FEINGOLD and Senator THOMPSON and others are joining in this effort, the first bipartisan effort in over 10 years. This is not a popular issue, Mr. President. It is not one that the Congress would like to address. There are those who are cynical about the real prospects of fundamental campaign finance reform since it has been a high item on the agenda for a long time.

Frankly, I do not know if we will reform campaign financing. But I do know this: If we do not do something in this area, the very high disapproval that the American people have for our activities here in Congress will be reflected at the polls in November of 1996 since the American people have no other recourse. It is not clear to me what that reaction will be, whether it is a search for an independent party or candidate.

About 2 weeks ago was there was a poll taken by the Wall Street Journal and NBC that showed that 6 out of 10 Americans now would support an independent party for a candidate, or whether they would go back to the Democratic Party or they would believe that those on this side of the aisle are making a good effort. But I do know this: If we continue to experience such high disapproval ratings, the American people lose confidence in our ability to carry out their mandates and the repercussions cannot be good for our system of government.

So, Mr. President, I hope we will look at this issue carefully. I hope we will continue to try to work on a bipartisan basis. And I hope that all of those who are interested in this issue will understand that the Senator from Wisconsin and I do not believe that we have come up with a perfect document, there are parts of this bill that I have reservations about, parts of this bill that the Senator from Wisconsin has reservations about. We cannot let perfect be the enemy of the good. And always, if there is one lesson here, it is that this issue must be addressed on a bipartisan basis and from a bipartisan standpoint.

I reserve the remainder of my time and yield such time as he may use to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

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

Mr. President, I especially want to thank the Senator from Arizona. I am pleased to be a part of this effort, to be one of two authors in the McCain-Feingold bill, and am pleased to hear that Senator THOMPSON has joined us.

I have worked with the Senator from Arizona already this year on a number of issues and on a bipartisan basis about our concern about the revolving door. Members of Congress and staff sometimes move rather quickly over to lobbying ventures. We are trying to do something about that.

We worked hard together to try to do something about the great public frustration about pork items being placed on appropriations bills, and are trying to respond in another piece of legislation that is attached to the line-item veto, a bill that could do something about putting extraneous material on emergency spending bills.

I, of course, feel particular good about our recent effort and success on the gift ban which this body enacted just prior to the recess that we just had.

I have to tell you, back home the response to the gift ban was a lot more intense than I expected. People are looking for any sign of hope that things can change here in Washington. Even though the gift ban itself is not something that changes the world or solves all of our problems by any means, there was a feeling I got that people took some heart from that.

Our effort today in introducing this campaign finance reform bill is all about building on that initial success and doing it in an area that is even far more important; as the Senator from Arizona has said, the changing of the way we finance our campaigns. I am very optimistic that a number of Members from both sides of the aisle will join us in this effort soon. That is the indication I am getting from our conversations.

The Senator from Arizona said this is, will be, and will continue to be a bipartisan effort. Senator MCCAIN is speaking to Democrats and I am speaking to Republicans about this. We are not dividing up the Senate because this has to be a product of the Senate.

What we are really asking here is for both political parties to, in effect, sort of mutually disarm this money race in politics and to have a consensus that the Senate and the Congress in this country will all be better off if we stop this horrible trend for outrageous spending in campaigns.

I agree with the Senator from Arizona that this is not the perfect bill or the ideal bill, if there is one. I believe in complete public financing of campaigns. I think it would be better if we did not have any campaign contributions, if it was illegal to ask for campaign contributions. I think everybody would be better off. I suppose that is my ideal world. But I know that cannot pass here.

I introduced my own bill earlier this year, S. 46. I thought it was a good bill but it involved public financing. There are difficulties in getting a majority on that issue. But because campaign finance reform is such an overwhelming priority, I was not only pleased to see some of the ideas of the Senator from Arizona, but I was very surprised to see how far he would come to try to reach a consensus, to try to have a bipartisan bill to solve this problem. I believe it is one of the biggest problems we have in this country. I say the biggest problem we have in terms of our day-to-day operations in trying to solve a particular problem is balancing the Federal budget. That is No. 1.

But if we want to talk about the procedure, if we want to talk about the way this Government is run and why people feel it does not run right, I think the most important issue is changing the way campaigns are financed.

I say this from the point of view of maybe three different groups. The first group, the most important group, is the public at large. The Senator from Arizona says one of the reasons he thinks the Republicans won on November 8 is this issue. I think he is right. I think it is one of the reasons Bill Clinton and some of us won in 1992. It does not mean we earned that support if we do not do campaign finance reform. But I think it is one of the reasons. I think it has been a little bit surprising to people that in a reform Congress that this issue of campaign finance reform has not really come to the fore.

So from the point of view of the public, when they see the hundreds of thousands of dollars poured into the

telecommunications bill or the regulatory reform bill, you name it, this is all happening in this Congress, the money race, the big contributions continue, and it makes people feel that they are disconnected from their elected representatives, that something is going on here, that after the election somebody comes here and they are distracted or disconnected from them, and that the big money in campaigns has a lot to do with it.

So from the point of view of the public, we need this legislation. We also need this legislation from the point of view of people who are challengers. We were all new candidates once for the Senate. We all had to face the reality that people would come to us and say, "Well, you may be qualified, but where are you going to get the money?" That ended up being the first question I was asked any time I went anywhere in Wisconsin or other places trying to figure out if I could run a credible race. How are you going to get the money?

Well, that has to change. Some of us were fortunate enough to win, maybe even without a great deal of money. But I cannot even imagine the thousands and thousands of Americans, good Americans, people who would have been wonderful Senators who did not even consider running because they believe this has become a game for either the wealthy or the well connected.

Finally, there is a third group that this should have great appeal for, and that is the 100 Members of this body. Ask any Senator what they do not like about their job. Most are so delighted to be here and consider it a great honor. The one thing that is the bane of any Senator's existence, if there is one, is this necessity of raising money. For many it is a demeaning process, to be told that if you do not raise $10,000 a week, you are not going to have a chance and you are going to have more opponents. It takes away from time with your family; it takes away from time with your constituents; it takes away from time to actually do the job here in Washington, to understand the issues, to talk to other Senators and to work out solutions. So from the point of view of the Senate and those who seek the Senate and those who elect us, it is time to come together, compromise if necessary, and have a real campaign finance reform bill.

The Senator from Arizona has outlined already the major provisions. Let me just highlight what I consider to be the three core provisions that I think make this bill very unique and not only strong but balanced from a partisan point of view. And these are the three provisions that all have to do with what happens if somebody complies with the incentives and with the limits in the bill in order to get various incentives.

First of all, there is a provision that might be called the more Democrat-supported provision. It was the one in S. 3 last year, the one that passed the Democratic Senate, and that is the voluntary limit. We would place a voluntary limit based on the size of the population in a State of how much can be spent in total in a U.S. Senate election from about $1.5 million in the smaller States to a maximum of about $7 million to $8 million in California. And we know even though that sounds like a lot of money, it does not even compare to the $50 million that was spent in a Senate race in California this past year.

So we provide a voluntary limit, and if you abide by the limit, you get benefits such as reduced television time and an opportunity to mail on a reduced basis to the constituents in your State.

The second idea is what I would call a more Republican idea, an idea that I have always liked, one idea I campaigned on and I believe in it, and that is that you should have to get a majority of your campaign contributions from individuals from your own home State—not from PAC's, not from out-of-State interests, but a majority of the money has to come from the folks for whom you work, the boss—in my case, the 5 million people who live in Wisconsin. I think that is a very important provision to return us to the grassroots politics it has been.

The third major provision has to do with a rising trend that we have all noticed and are all concerned about which makes the public terribly cynical, and that is the proliferation of big money being spent by very wealthy individuals to finance their own campaigns. This bill produces a voluntary limit of approximately $250,000, depending on the size of your State, saying that if you spend over that of your own money, your opponent gets some advantages in terms of raising funds to make it more competitive.

So this combination, doing something about the overall amount that is spent, doing something about obtaining funds from outside of your own home State, and doing something about the unfairness of the system that allows only the very wealthy to be able to just get right in the middle of an election, buy recognition and win an election, these three things I think make for the core of a very effective bill. There are other provisions that are important, but I think these three are the ones that will make this bill work and make the bill pass.

In addition, if a complying candidate is faced by an opponent that is pouring millions of dollars of their own money into their campaign, the complying candidate is granted the ability to raise additional campaign funds beyond the limits under current law.

I support that principle—that is, the idea that we should provide incentives for candidates to limit their personal funding, and the idea that if one candidate is facing someone with such vast resources, the candidate without personal wealth should have access to resources of equal value.

I do have concerns about this particular provision that raises the individual contribution limits and allows the complying candidate to raise hundreds of thousands of extra dollars. I am not sure that furthers the goal of bringing down the overall costs of Senate campaigns—in fact, it may only add fuel to the fire. Providing the complying candidate with greater benefits may be a better alternative to raising the contribution limits. But again I support the principle of finding a way to encourage candidates to voluntarily limit their personal spending.

There are other important provisions in this legislation as well. We eliminate a traditional incumbent advantage—franked mass mailings, in the calendar year of an election. The bill contains another provision I have concerns about, a ban on political action committee contributions including the so-called leadership PAC's.

If such a ban is ruled unlawful, PAC contributions will be limited to no more than 20 percent of a candidate's campaign funds collected and the contribution levels for PAC's will be lowered from 5,000 dollars to whatever the applicable individual contribution limits are.

Some view a PAC ban as a cure-all to our campaign finance problems. I am not so sure of this. First, according to figures released by the Federal Election Commission, PAC contributions have remained at fairly equal levels over the past few election cycles. Aggregate PAC contributions totaled $149 million in 1990, rose to $178 million in 1992 and remained at $178 million in 1994.

During the same period, overall campaign spending has risen from $446 million in 1990 to $724 million in 1994—a 62-percent increase. So even though overall campaign costs have skyrocketed in recent years, the level of PAC contributions has remained relatively constant.

That is why I have very serious doubts that banning political action committees will be very helpful in getting a grip on the rapidly rising levels of overall campaign spending. The Senator from Arizona does however make a compelling point that incumbents by and large are most likely to benefit from PAC's as illustrated by the shift in PAC contributions from the Democratic Party to the Republican Party following the 1994 elections.

Though I question the legality and rationale in banning PAC contributions, I think it is entirely appropriate to limit the amount of PAC contributions a candidate may accept as a percentage of overall fundraising. The backup provision in this bill—the 20 percent aggregate limit on PAC contributions, as well as lowering PAC

contribution limits so they are equal to individual contribution limits—is a good idea, and I would actually support lowering that aggregate threshold, perhaps 10 percent.

The bill also places new disclosure requirements and limits on the tremendous amounts of soft money, that is, the unregulated campaign funds that are poured into Federal campaigns including Presidential elections.

Soft money represents a real problem in our political system and this is clearly one obstacle that Republicans and Democrats should be working together to eliminate. The amount of soft money raised just this year—numbering in the tens of millions of dollars—stands to undermine the reforms of the Presidential Election System that have worked so well for over 20 years now.

Let me say that I was disappointed in the Democratic National Committee's recent fundraising effort that literally sought to sell access to the President in exchange for campaign contributions. I am very pleased that President Clinton, a longtime supporter of campaign finance reform, denounced this effort and distanced himself from it.

This sort of fundraising has occurred while the White House was in control of Democrats and Republicans alike—and let me be clear here—both parties are guilty of this kind of fundraising tactic that only underscores the need for comprehensive reform that includes soft money limits and disclosure.

Finally, the bill will codify a recent ruling by the Federal Election Commission that bars candidates from using campaign funds for personal purposes, such as mortgage payments, country club memberships and vacations.

Most of these provisions were included in S. 46, the campaign finance reform legislation I introduced on the first day of the 104th Congress, and I am delighted that Senator MCCAIN and I were able to come together, roll up our sleeves and produce a comprehensive reform bill that is fair to Democrats and Republicans alike.

The fact is, I do not support everything in this bill. There are provisions I would like to see modified. The legislation I introduced in January called for full public financing for candidates that agree to limit there overall campaign spending. I continue to believe that public financing is the best way to reform a system that has created dramatically unfair elections and caused Members of Congress to spend increasingly more time hosting fundraisers and less time fulfilling their legislative responsibilities.

However, if campaign finance reform is to pass with bipartisan support, a vehicle for such reform must be found that can be supported by Members from both parties and from across political ideologies. I believe that this bill provides that vehicle.

Having a fair and competitive election system is not a Democratic or Republican issue. How we elect our Representatives is a cornerstone of our Democratic political system. As a Nation, we have always put a tremendous value on participation in our Democratic process. We have repeatedly passed laws, even constitutional amendments, to expand the rights of our citizens to vote and express political viewpoints.

Yet here we are with a campaign system in which the average cost of running for a seat in the U.S. Senate is estimated at $4 million. Four million dollars. That is just the average. In 1994, nearly $35 million was spent between the two general election candidates in California alone. Nearly $27 million was spent by the candidates in the Virginia Senate race.

So unless you win the Powerball drawing, or strike oil in your backyard or are an incumbent Member of Congress, you are an automatic longshot to be even considered a credible candidate for the United States Senate.

That is not expanding participation. That is not encouraging democracy. That is sending out a clear message that unless you are well-financed or well-connected, you should not be running for the United States Senate.

Finally, the time consumed raising contributions for re-election efforts is time taken away from legislative responsibilities of incumbents. Members of Congress should not have to choose between those responsibilities or making phone calls to potential contributors.

What we need to do is to return to a simple proposition: That is, money should not determine the outcome of elections. Elections should be decided by issues and ideas, not checkbooks and campaign coffers. That does not mean that campaign contributions have no place in our election system. It simply means that all candidates should have a legitimate and reasonable opportunity to get their message out to the electorate in their States.

I have reached that conclusion, the Senator from Arizona has reached that conclusion, and the majority of this body has reached that conclusion.

Mr. President, we all know that Congress is not held in very high regard by the American people. They are angry, they are cynical and to a large extent they have lost faith in their Government. All of these feelings have sprung from a common belief that is shared by so many of our constituents—a belief that I find deeply troubling—that the Congress simply does not represent them anymore.

They see the television news accounts of Members of Congress relaxing on a beach vacation paid for by lobbyists. They find out that their Representatives are receiving tens of thousands of dollars from this interest group or that interest group, and they have begun to wonder if the average American really has any sort of voice in Washington, DC. They feel alienated, they feel disconnected and soon they become distrustful.

A few weeks ago, thousands of Americans who have been frustrated by both parties' inability to produce meaningful political reform met at the United We Stand America Convention in Dallas.

Politician after politician, from both parties, ranging from the distinguished Senate majority leader to the general chairman of the Democratic National Committee, stood at the lectern in Dallas and railed for campaign finance reform. Why? As one attendee at this convention framed it:

> When I look at a politician, I wonder who really owns him. I do not see them as people with their own ideas. I think the people who are financing them tell them what to think.

That viewpoint, Mr. President—one that I believe is shared by millions and millions of other Americans—is precisely why we are in such need of immediate and meaningful campaign finance reform.

Whether it is showering Members of Congress with free gifts, meals or vacation trips, or funneling huge campaign contributions to incumbent Members, it has become clear in the minds of the American people—and justifiably so—that the key to gaining access and influence on Capitol Hill is money.

And that is what our election system has become all about—money. Candidates are judged first and foremost not on their positions on the issues, not by their experience or capabilities but by their ability to raise the millions of dollars that are needed in today's climate to run an effective congressional campaign.

The bill we are introducing today will return our campaign system to the people we represent. If an individual wants to run for the United States Senate and can prove that their ideas and viewpoints represent a broad base of support, they will have the opportunity to do so.

I have said many times that we should not have a campaign finance system that favors challengers or incumbents, or candidates from either party. The bill we are introducing today represents the comprehensive, bipartisan reform that the American people have been demanding for years.

This bill represents a compromise that can be supported by Senators from across the ideological spectrum. It is not perfect and it includes provisions which I and others might not support standing alone. Each of us has swallowed hard in some areas to put together a responsible, bipartisan proposal. Taken as a whole and on balance, it is a vast improvement over our current system which can be described as unfair at best and chaotic at worst.

Finally and very briefly, the question I am getting is: Why do you think this is going to succeed? This has been tried time and again.

Well, I can understand that sentiment. Campaign finance reform is not even mentioned in the Republican Contract With America. It is not even there. But there is still a strong feeling that this should be done. Even though there is a disconnect between what the Senator from Arizona has said when he points out people believe this should be done but they do not think it can be done, it will not happen, I think there are signs it will happen.

First, this is the first bipartisan effort of its kind for 10 years. That is very important.

Second, I think the gift ban effort showed that there is a willingness on reform issues to cross party lines, to sometimes not agree with the leadership, and to move on a bipartisan basis to change the system.

Third, you cannot help but notice that at the conference in Dallas run by Mr. Perot, even though it may not have been expected, one of the leading topics was the need for campaign finance reform. And in the first speech given at that conference by our former colleague, Senator Boren said that the conference should go on record in favor of the McCain-Feingold bill.

I also noticed that even before we introduced the bill today, we have already had editorial endorsements across the country. It is rare to receive editorial endorsements on a piece of legislation before you even introduce it, but this bill has already merited it. We also understand that at least a notice will go out today that a couple of our colleagues in the House on a bipartisan basis will introduce this same bill in the House. So there is reason to believe that it will not just be an effort in the Senate.

Let me finally say I think the most telling proof that this thing can work is the vote we took in July. I came to the floor of the Senate and simply brought up a sense-of-the-Senate resolution along with Senator MCCAIN that said we ought to consider campaign finance reform during the 104th Congress. I expected that this would just be accepted, that people would say, "Fine. Let's deal with that later." But the majority leader, a person who has enormous respect in this body from every Member, came down to the floor and indicated that he was not sure there could be a bipartisan effort, and he moved to table my amendment to not have campaign finance reform put on the agenda.

Mr. President, he lost that vote. He almost never loses a vote out here. He has a tremendously high success record. But 13 Republicans joined with various Democrats to say on a 57–41 vote that, yes, during the 104th Congress we have to clean up this money mess that is in Washington. We have to stop this race to raise all this money out here that takes us away from our constituents.

I think that is a good sign. It is a sign that both parties want to work together. And all I can say in conclusion is the thing I especially like about working with the Senator from Arizona is he does not just like introducing bills; he likes to win. This is an effort to pass a bill—not talk about it, pass a bill—send it to the President, and to have by January 1, 1997, a whole different way of electing Senators.

So I thank the Senator from Arizona very much, and I look forward to this effort.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER (Mr. COVERDELL). The Chair recognizes the Senator from Arizona.

Mr. McCAIN. Mr. President, I send this legislation to the desk.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

Mr. McCAIN. Thank you, Mr. President. I just want to congratulate the Senator from Wisconsin for a very fine statement. I hope this is the beginning of a process that can be completed. I believe we have clearly stated that we are interested in a bipartisan effort in this area. We are not interested in seeking political advantage or campaign advantage for either party. We are interested in leveling the playing field for incumbents and challengers, which is clearly not the case today. I appreciate the effort of the Senator from Wisconsin and I have grown to appreciate not only his dedication but his tenacity.

Mr. President, I note the presence of the Senator from Maryland in the Chamber, so I will yield back the remainder of my time.

Mr. THOMPSON. Mr. President, I appreciate the opportunity to join my colleagues, Senators MCCAIN and FEINGOLD, in the introduction of the Senate Campaign Finance Reform Act of 1995.

It is well known that the American people have very little faith in their elected representatives. It is a travesty that the commonly held presumption is that Members of Congress are bought and controlled by special interests.

Another problem that affects the reputation and quality of our representative government is that once someone gets elected, they have a significant advantage in subsequent elections.

Congress needs to move away from professionalism and more toward a citizen legislature. It should be more open, instead of more closed. And that's because of the role that money plays. Unless a candidate has access to large sums of money he or she is pretty much cut out of the process. This leaves the field to the professional politicians.

This legislation will do several things. First, it will help level the playing field and help reduce the advantage that incumbents have. And it will bring down the built-in advantage of individual wealth. Second, it will reduce the reliance on private donations.

The new provisions which is the largest step in a new direction is the one that requires that most of a candidate's money must be raised in his or her own State. For myself, I'd probably be in favor of even higher requirements on this.

The most important element in all this is what passage of this legislation would do to improve public confidence. The public is extremely cynical and skeptical of the process of our Congress and our Government. We need to do everything we can to turn that around. Much of the public's concern has to do with the role of money in our process. This would be a step in a downplaying the importance of money in electing our officials and in what is perceived to be its effect on the decisions officials make after their election.

Much of the public perception of the process is justified. We have got to start doing everything we can to enhance the stature and the confidence that people have in the Congress. Otherwise, we are not going to be able to exert the leadership we need to in other legislative areas. Right now we've got feet of clay, and it makes the rest of the body politic weak. Until we do something about these fundamental parts of the political process, Congress is not going to have the strength to sustain itself when we make the tough decisions on fiscal matters, and other important areas such as welfare, tax reform, health care, and crime.

This proposal will help level the playing field, open up the process, and do away with some of the advantages of incumbency. It will reduce the amount of time a candidate and office holder will have to spend on fundraising. It will reduce the role of money and reduce the reliance on private political contributions. And most importantly, it will help renew public confidence.

Mr. WELLSTONE. Mr. President, I am delighted to be an original cosponsor of the bipartisan legislation introduced today by Senators FEINGOLD and MCCAIN, to provide for broad, sweeping reform of the way we conduct and finance congressional elections.

I have been proud to work with my colleagues from Arizona and Wisconsin on a number of political reform issues, and was very pleased to celebrate a major victory with them as allies on the gift ban, passed just before the recess. After several years of struggle and controversy in the face of strong and persistent resistance by certain of my colleagues, including last year's filibuster by our Republican colleagues, it was a major victory for reformers.

And in my conversations with people back in my State, they recognized its importance and said that it gave them renewed hope that we in Congress might respond to growing demands for political reform at the grassroots.

But the gift ban, and the passage of lobbying reform, are only two key elements of the political reform agenda. The more significant reform, in my mind, and the one that will have even more far-reaching consequences for stemming the tide of special interest influence in the political process, is the effort to profoundly reshape the way we finance and conduct political campaigns in this country.

For many years, I and others have pushed forward here in the Senate a number of campaign finance reform bills, only to see them die in the face of near-unanimous Republican opposition, including a sustained filibuster against last year's bill. I hope that as this bill evolves, it will serve as the basis for the grand bipartisan compromise on this issue that has so far eluded us. For that to happen, each side will have to consider giving up certain advantages that many believe the current system now offers. Americans are looking for that kind of cooperation and compromise on political reform. They believe it's long overdue.

On the first day of this Congress, I reintroduced S. 116, my comprehensive campaign reform legislation, which I believe should serve as a model for real, thoroughgoing reform of our campaign finance system. I said at the time that I hoped we would move forward quickly on real reform, despite the persistent opposition of most of my colleagues on the other side of the aisle. That bill has been bottled up by the Governmental Affairs Committee, which has thus far refused to even hold hearings on campaign reform.

There have been a number of other campaign reform bills introduced this year, including the version of last year's comprehensive bill introduced by Minority Leader DASCHLE. None of them have received serious consideration by the committees on jurisdiction either. I hope that additional elements of my bill will be incorporated into the final version of this bill if it moves forward.

This bill is not perfect. Some of its provisions I don't support. But even with its warts, I have decided to be an original cosponsor in the hope that it might provide a vehicle for real, bipartisan reform efforts this year. It does provide many of the central elements of any significant reform plan. Its enactment would go a long way toward restoring integrity to our political process.

Perhaps most important, it would impose strict limits on the amounts that candidates could spend in their campaigns. That is critical if we are to address the huge amount of big money that pours into campaigns, often from well-heeled special interests. As with my bill, and others, the formula would be based on the voting age population in each State. Candidates who agree to abide by the limit would receive free broadcast time, reduced postage rates, and broadcast discounts as incentives for them to participate.

It also contains tough new provisions to ban special interests from bundling contributions, bans contributions from political action committees—with backup limits should the ban be found unconstitutional by the courts—bans incumbent use of taxpayer-paid mass mailings in an election year, imposes tough new limits on so-called soft money contributions that can be used to circumvent Federal financing rules, and prohibits the personal use of campaign funds.

Finally, it places a premium on contributions from a Member's own home State, in an effort to ensure that Senators are more accountable to those who elected them than to big-money special interests. It requires that a substantial majority of funds come from one's State, and that would be another big step toward reform. While it is true that this specific provision has often been seen historically as being harder on Democrats than Republicans, I believe this is an important principle that should be preserved in some form as this bill moves forward.

As I have said, there are some real problems with this bill, and both of its primary sponsors have acknowledged that. I will only identify a few. For example, if a noncomplying candidate refuses to abide by spending limits, the bill allows an increase in contribution limits for the complying candidate, as a deterrent to nonparticipation. I am very troubled by this provision, because I think it could, in some circumstances, increase individual contribution limits, rather than decrease them, as I would prefer. Last year I offered several amendments to reduce substantially individual contribution limits. I continue to believe that this is the way to go, coupled with other incentives. I hope that we will ultimately provide for another way to offer carrots, and wield sticks, to encourage candidates to comply with spending limits.

In addition, the bill provides for a limit on personal funds spent in a campaign to $250,000. I believe this is much too high, which is why I offered an amendment last Congress, approved overwhelmingly by the Senate, to cut this limit down to $25,000. I believe that is where the limit should be set, and I intend to work with my colleagues to reduce that limit.

In short, while this measure is not as comprehensive as earlier versions of campaign legislation which I have authored or supported in the past, it would go a very long way toward real reform. I think that as the bill moves forward, it can be improved upon, and I intend to work to do that. But I commend Senators FEINGOLD and MCCAIN for their effort, and I hope the introduction of this bill will help to move us as soon as possible toward a major overhaul of the campaign finance system, which has eluded us for so many years.

By Mrs. BOXER:

S. 1220. A bill to provide that Members of Congress shall not be paid during Federal Government shutdowns; to the Committee on Governmental Affairs.

FEDERAL GOVERNMENT SHUTDOWN LEGISLATION

• Mrs. BOXER. Mr. President, today I am introducing legislation that I believe is fair and necessary.

This bill says that if the Congress fails to do its work and cannot reach agreement on the Federal budget—and the Federal Government cannot pay its bills—Members of Congress will not receive pay.

Americans are being told every day that we may come to a train wreck over the budget. Certainly, we have major differences among Members of Congress and the President over what our national priorities should be. Some in Congress favor a huge tax cut for the rich paid for by crippling the Medicare system. I think that is cruel and unfair, and I am going to fight it. But even if we cannot agree on priorities, all Members of Congress should agree that we must pass the budget on time and enable the Government to continue operating.

I believe this legislation is important for two key reasons:

First, it will help avert the predicted Government shutdown because—with their personal paychecks on the line—Members will understand the fear and uncertainty now being felt by the millions of Americans who rely on Government services—from small businesses with Federal contracts to farmers to veterans to senior citizens to those who hold U.S. Government bonds.

Second, it codifies a principle that all other workers in America live by: If you don't do your job, you shouldn't get paid. One of Congress' most important functions is to pass the Nation's budget. If we fail in that critically important task, it simply makes sense that our pay should be docked.

This legislation would require that pay for Members of Congress be docked if either there is a lapse in appropriations for any Federal department or agency or the Federal debt ceiling is reached.

I am very pleased that a companion measure is being introduced in the House of Representatives today by Congressman DICK DURBIN.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 1220

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

SECTION 1. PAY OF MEMBERS OF CONGRESS DURING GOVERNMENT SHUTDOWNS.

No Member of Congress may receive basic pay for any period in which—

(1) there is a lapse in appropriations for any Federal agency or department as a result of a failure to enact a regular appropriations bill or continuing resolution; or

(2) the Federal Government is unable to make payments or meet obligations because the public debt limit under section 3101 of title 31, United States Code has been reached.

SEC. 2. RETROACTIVE PAY PROHIBITED.

No pay forfeited in accordance with section 1 may be paid retroactively.●

By Mrs. KASSEBAUM (for herself and Mr. JEFFORDS):

S. 1221. A bill to authorize appropriations for the Legal Services Corporation Act, and for other purposes; to the Committee on Labor and Human Resources.

LEGAL SERVICES REAUTHORIZATION LEGISLATION

● Mrs. KASSEBAUM. Mr. President, I introduce legislation along with Senator JEFFORDS to reauthorize the Legal Services Corporation [LSC] Act.

Through this federally established corporation, thousands of low income Americans have access to our legal system. Clients seek assistance with landlord-tenant disputes, domestic violence cases, writing of wills, and other civil matters. Sometimes the cases need to be litigated, but frequently, the clients simply need legal counseling.

Regrettably, Legal Services has been plagued with controversy over the last decade. Critics have charged, with some validity, that Legal Services attorneys have acted as advocates for political causes, such as welfare reform and state redistricting cases. As a result, LSC has not been reauthorized since 1977.

Today, I am introducing a Senate companion bill to H.R. 1806, legislation introduced by Representatives MCCOLLUM and STENHOLM in the House of Representatives. I want to give Representatives MCCOLLUM and STENHOLM credit for their hard work in putting this bill together, and for their dedication to assuring that low income Americans retain access to our legal system.

The legislation being introduced today addresses the concerns that have been expressed over the past several years by limiting the types of activities that Legal Services attorneys can handle. For instance, under the bill, Legal Services attorneys cannot represent tenants being evicted from public housing projects for drug dealing. In addition, attorneys will not be representing incarcerated individuals on prisoner rights cases.

The legislation also has new accountability provisions. Lawyers will be required to keep time sheets so federal auditors can monitor the types of cases being handled. New litigation safeguards will be implemented to protect against the filing of frivolous class action law suits. And we will require LSC grantees to bid competitively for their LSC contracts.

Mr. President, Legal Services is an important program. I urge my colleagues to support the legislation being introduced today, and ask unanimous consent that the full text of the bill be printed in the RECORD.

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

S. 1221

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCE.

(a) SHORT TITLE.—This Act may be cited as the "Legal Services Reform Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

Sec. 1. Short title; table of contents; reference.
Sec. 2. Findings.
Sec. 3. Authorization of appropriations.
Sec. 4. Prohibition on redistricting activity.
Sec. 5. Protection against theft and fraud.
Sec. 6. Solicitation.
Sec. 7. Procedural safeguards for litigation.
Sec. 8. Lobbying and rulemaking.
Sec. 9. Timekeeping.
Sec. 10. Authority of local governing boards.
Sec. 11. Regulation of nonpublic resources.
Sec. 12. Certain eviction proceedings.
Sec. 13. Implementation of competition.
Sec. 14. Research and attorneys' fees.
Sec. 15. Abortion.
Sec. 16. Class actions.
Sec. 17. Aliens.
Sec. 18. Training.
Sec. 19. Copayments.
Sec. 20. Fee-generating cases.
Sec. 21. Welfare reform.
Sec. 22. Prisoner litigation.
Sec. 23. Appointment of Corporation president.
Sec. 24. Evasion.
Sec. 25. Pay for officers and employees of the Corporation.
Sec. 26. Location of principal office.
Sec. 27. Definition.

(c) REFERENCE.—Whenever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to section or other provision of the Legal Services Corporation Act (42 U.S.C. 2996 and following).

SEC. 2. FINDINGS.

Section 1001 (42 U.S.C. 2996) is amended to read as follows:

"FINDINGS

"SEC. 1001. The Congress finds the following:

"(1) There is a need to encourage equal access to the system of justice in the United States for individuals seeking redress of grievances.

"(2) There is a need to encourage the provision of high quality legal assistance for those who would otherwise be unable to afford legal counsel.

"(3) Encouraging the provision of legal assistance to those who face an economic barrier to legal counsel will serve the ends of justice consistent with the purposes of the Legal Services Corporation Act.

"(4) It is not the purpose of the Legal Services Corporation Act to meet all the legal needs of all potentially eligible clients, but instead to be a catalyst to encourage the legal profession and others to meet their responsibilities to the poor and to maximize access of the poor to justice.

"(5) For many citizens the availability of legal services has reaffirmed faith in our government of laws.

"(6) To preserve its strength, the legal services program must be made completely free from the influence of political pressures and completely free of lobbying and political activity.

"(7) There are over 2,000 non-profit organizations advocating on behalf of the poor throughout the United States and it is not appropriate for funds regulated under the Legal Services Corporation Act to be expended lobbying for or against positions taken by those groups.

"(8) Attorneys providing legal assistance must protect the best interests of their clients in keeping with the Code of Professional Responsibility, the Canon of Ethics, and the high standards of the legal profession.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Subsection (a) of section 1010 (42 U.S.C. 2996i) is amended to read as follows:

"(a) There are authorized to be appropriated for the purposes of carrying out the activities of the Corporation—

"(1) $278,000,000 for fiscal year 1996,

"(2) $278,000,000 for fiscal year 1997

"(3) $278,000,000 for fiscal year 1998,

"(4) $278,000,000 for fiscal year 1999, and

"(5) $278,000,000 for fiscal year 2000.".

SEC. 4. PROHIBITION ON REDISTRICTING ACTIVITY.

Section 1007(b) (42 U.S.C. 2996f(b)) is amended—

(1) in paragraph (9), by striking "or" after the semicolon;

(2) in paragraph (10), by striking the period and inserting "; or"; and

(3) by adding at the end the following:

"(11) to—

"(A) advocate or oppose, or contribute or make available any funds, personnel, or equipment for use in advocating or opposing, any plan or proposal, or

"(B) represent any party or participate in any other way in litigation,

that is intended to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census.".

SEC. 5. PROTECTION AGAINST THEFT AND FRAUD.

Section 1005 (42 U.S.C. 2996d) is amended by adding at the end the following:

"(h) For purposes of sections 286, 287, 641, 1001, and 1002 of title 18, United States Code, the Corporation shall be considered to be a department or agency of the United States Government.

"(i) For purposes of sections 3729 through 3733 of title 31, United States Code, the term "United States Government" shall include the Corporation, except that actions that are authorized by section 3730(b) of such title to be brought by persons may not be brought against the Corporation, any recipient, subrecipient, grantee, or contractor of the Corporation, or any employee thereof.

"(j) For purposes of section 1516 of title 18, United States Code—

"(1) the term 'Federal auditor' shall include any auditor employed or retained on a contractual basis by the Corporation,

"(2) the term 'contract' shall include any grant or contract made by the Corporation, and

"(3) the term 'person', as used in subsection (a) of such section, shall include any grantee or contractor receiving financial assistance under section 1006(a)(1).

"(k) Funds provided by the Corporation under section 1006 shall be deemed to be Federal appropriations when used by a contractor, grantee, subcontractor, or subgrantee of the Corporation.

"(1) For purposes of section 666 of title 18, United States Code, funds provided by the Corporation shall be deemed to be benefits under a Federal program involving a grant or contract.".

SEC. 6. SOLICITATION.

Section 1007 (42 U.S.C. 2996f) is amended by adding at the end the following:

"(i) Any recipient, and any employee of a recipient, who has given in-person unsolicited advice to a nonattorney that such nonattorney should obtain counsel or take legal action shall not accept employment resulting from that advice, or refer that nonattorney to another recipient or employee of a recipient, except that—

"(1) an attorney may accept employment by a close friend, relative, former client (if the advice given is germane to the previous employment by the client), or person whom the attorney reasonably believes to be a client because the attorney is currently handling an active legal matter or case for that specific person;

"(2) an attorney may accept employment that results from the attorney's participation in activities designed to educate nonattorneys to recognize legal problems, to make intelligent selection of counsel, or to utilize available legal services if such activities are conducted or sponsored by a qualified legal assistance organization;

"(3) without affecting that attorney's right to accept employment, an attorney may speak publicly or write for publication on legal topics so long as such attorney does not emphasize the attorney's own professional experience or reputation and does not undertake to give individual advice in such speech or publication; and

"(4) if success in asserting rights or defenses of a client in litigation in the nature of class action is dependent upon the joinder of others, an attorney may accept, but shall not seek, employment from those contacted for the purpose of obtaining that joinder.".

SEC. 7. PROCEDURAL SAFEGUARDS FOR LITIGATION.

Section 1007 (42 U.S.C. 2996f), as amended by section 6 of this Act, is further amended by adding at the end the following:

"(j)(1) No recipient or employee of a recipient may file a complaint or otherwise pursue litigation against a defendant unless—

"(A) all plaintiffs have been specifically identified, by name, in any complaint filed for purposes of litigation, except to the extent that a court of competent jurisdiction has granted leave to protect the identity of any plaintiff; and

"(B) a statement or statements of facts written in English and, if necessary, in a language which the plaintiffs understand, which enumerate the particular facts known to the plaintiffs on which the complaint is based, have been signed by the plaintiffs (including named plaintiffs in a class action), are kept on file by the recipient, and are made available to any Federal department or agency that is auditing the activities of the Corporation or any recipient, and to any auditor receiving Federal funds to conduct such auditing, including any auditor or monitor of the Corporation.

Other parties shall have access to the statement of facts referred to in subparagraph (B) only through the discovery process after litigation has begun.

"(2) No recipient or employee of a recipient may engage in precomplaint settlement negotiations with a prospective defendant unless—

"(A) all plaintiffs have been specifically identified, except to the extent that a court of competent jurisdiction has granted leave to protect the identity of any plaintiff; and

"(B) a statement or statements of facts written in English and, if necessary, in a language which the plaintiffs understand, which enumerate the particular facts known to the plaintiffs on which the complaint will be based if such negotiations fail, have been signed by all plaintiffs (including named plaintiffs in a class action), are kept on file by the recipient, and are made available to all prospective defendants or such defendants' counsel, to any Federal department or agency that is auditing the activities of the Corporation or any such recipient, and to any auditor receiving Federal funds to conduct such auditing, including any auditor or monitor of the Corporation.

"(3)(A) Subject to subparagraph (B), any Federal district court of competent jurisdiction, after notice to potential parties to litigation referred to in paragraph (1) or to negotiations described in paragraph (2) and after an opportunity for a hearing, may enjoin the disclosure of the identity of any potential plaintiff pending the outcome of such litigation or negotiations, upon the establishment of reasonable cause to believe that such an injunction is necessary to prevent probable, serious harm to such potential plaintiff.

"(B) Notwithstanding subparagraph (A), the court shall, in a case in which subparagraph (A) applies, order the disclosure of the identity of any potential plaintiff to counsel for potential defendants upon the condition that counsel for potential defendants not disclose the identity of such potential plaintiff (other than to investigators or paralegals hired by such counsel), unless authorized in writing by such potential plaintiff's counsel or the court.

"(C) In a case in which paragraph (1) applies, counsel for potential defendants and the recipient or employee counsel of the recipient may execute an agreement, in lieu of seeking a court order under subparagraph (A), government disclosure of the identity of any potential plaintiff.

"(D) The court may punish as a contempt of court any violation of an order of the court under subparagraph (A) or (B) or of an agreement under subparagraph (C).

"(4) Any funds received from a defendant by a recipient on behalf of a class of eligible clients shall be placed in an escrow account until the funds may be paid to such clients. Any such funds which are not disbursed to clients within one year of the date on which such funds were received shall be returned to the defendant.".

SEC. 8. LOBBYING.

Section 1007(a)(5) (42 U.S.C. 2996f(a)(5)) is amended to read as follows:

"(5) ensure that no funds made available to recipients are used at any time, directly or indirectly—

"(A) to influence the issuance, amendment, or revocation of any executive order or similar promulgation by any Federal, State or local agency, or to undertake to influence the passage or defeat of any legislation by the Congress of the United States, or by any State or local legislative body, or State proposals made by initiative petition or referendum, except to the extent that a governmental agency, a legislative body, a committee, or a member thereof is considering a measure directly affecting the recipient or the Corporation;

"(B) to pay for any publicity or propaganda intended or designed to support or defeat legislation pending before the Congress or State or local legislative bodies or intended or designed to influence any decision by a Federal, State, or local agency;

"(C) to pay for any personal service, advertisement, telegram, telephone communications, letter, printed or written matter, or other device, intended or designed to influence any decision by a Federal, State, or local agency, except when legal assistance is provided by an employee of a recipient to an eligible client on a particular application, claim, or case, which directly involves the client's legal rights or responsibilities and which does not involve the issuance, amendment, or revocation of any agency promulgation described in subparagraph (A);

"(D) to pay for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or any other device intended or designed to influence any Member of Congress or any other Federal, State, or local elected official—

"(i) to favor or oppose any referendum, initiative, constitutional amendment, or any similar procedures of the Congress, any State legislature, any local council, or any similar governing body acting in a legislative capacity,

"(ii) to favor or oppose an authorization or appropriation directly affecting the authority, function, or funding of the recipient or the Corporation, or

"(iii) to influence the conduct of oversight proceedings of a recipient or the Corporation; or

"(E) to pay for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or any other device intended or designed to influence any Member of Congress or any other Federal, State, or local elected official to favor or oppose any Act, bill, resolution, or similar legislation;

and ensure that no funds made available to recipients are used to pay for any administrative or related costs associated with an activity prohibited in subparagraph (A), (B), (C), (D), or (E);".

SEC. 9. TIMEKEEPING.

Section 1008(b) (42 U.S.C. 2996g(b)) is amended—

(1) by inserting "(1)" after "(b)"; and

(2) by adding at the end the following:

"(2) The Corporation shall require each recipient to maintain records of time spent on the cases or matters with respect to which that recipient is engaged in activities. Pursuant to such requirements, each employee of such recipient who is an attorney or paralegal shall record, by the name of the case or matter, at the time such employee engages in an activity regarding such case or matter, the type (as defined by the Corporation) of case or matter, the time spent on the activity, and the source of funds to be charged for the activity.".

SEC. 10. AUTHORITY OF LOCAL GOVERNING BOARDS.

Section 1007(c) (42 U.S.C. 2996f(c)) is amended—

(1) by striking "(1)" and "(2)" and inserting "(A)" and "(B)", respectively;

(2) by inserting "(1)" after "(c)"; and

(3) by adding at the end the following:

"(2) The board of directors of any nonprofit organization that is—

"(A) chartered under the laws of one of the States, a purpose of which is furnishing legal assistance to eligible clients, and

"(B) receiving funds made available by or through the Corporation,

shall set specific priorities pursuant to section 1007(a)(2)(C) for the types of matters and cases to which the staff of the nonprofit organization shall devote its time and resources. The staff of such organization shall not undertake cases or matters other than in accordance with the specific priorities set by its board of directors, except in emergency situations defined by such board. The staff of such organization shall report, to the board of directors of the organization on a quarterly basis and to the Corporation on an annual basis, all cases undertaken other than in accordance with such priorities. The Corporation shall promulgate a suggested list of priorities which boards of directors may use in setting priorities under this paragraph.".

SEC. 11. REGULATION OF NONPUBLIC RESOURCES.

Section 1010(c) (42 U.S.C. 2996i(c)) is amended to read as follows:

"(c)(1) Any non-Federal funds received by the Corporation, and any funds received by any recipient from any source other than the Corporation, shall be accounted for and reported as receipts and disbursements separate and distinct from Corporation funds. Any funds so received, including funds derived from Interest on Lawyers Trust Accounts, may not be expended by recipients for any purpose prohibited by this title or the Legal Services Reform Act of 1995. The Corporation shall not accept any non-Federal funds, and any recipient shall not accept funds from any source other than the Corporation, unless the Corporation or the recipient, as the case may be, notifies in writing the source of such funds that the funds may not be expended for any purpose prohibited by this title or the Legal Services Reform Act of 1995.

"(2) Paragraph (1) shall not prevent recipients from—

"(A) receiving Indian tribal funds (including funds from private nonprofit organizations for the benefit of Indians or Indian tribes) and expending them in accordance with the specific purposes for which they are provided; or

"(B) using funds received from a source other than the Corporation to provide legal assistance to a client who is not an eligible client if such funds are used for the specific purposes for which such funds were received, except that such funds may not be expended by recipients for any purpose prohibited by this title or the Legal Services Reform Act of 1995 (other than any requirement regarding the eligibility of clients).".

SEC. 12. CERTAIN EVICTION PROCEEDINGS.

Section 1007 (42. U.S.C. 2996f), as amended by sections 6 and 7 of this Act, is further amended by adding at the end the following:

"(k)(1) No funds made available by or through the Corporation may be used for defending a person in a proceeding to evict that person from a public housing project if the person has been charged with the illegal sale or distribution of a controlled substance and if the eviction proceeding is brought by a public housing agency because the illegal drug activity of that person threatens the health or safety of other tenants residing in the public housing project or employees of the public housing agency.

"(2) As used in this subsection—

"(A) the term 'controlled substance' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

"(B) the terms 'public housing project' and 'public housing agency' have the meanings given those terms in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).".

SEC. 13. IMPLEMENTATION OF COMPETITION.

(a) IN GENERAL.—Section 1007 (42 U.S.C. 2996f), as amended by sections 6, 7, and 12 of this Act, is further amended by adding at the end the following:

"(l)(1) All grants and contracts awarded by the Corporation for the provision or support of legal assistance to eligible clients under this title shall be awarded under a competitive bidding system.

"(2) Rights under sections 1007(a)(9) and 1011 shall not apply to the termination or denial of financial assistance under this title as a result of the competitive award of any grant or contract under paragraph (1), and the expiration of any grant or contract under this title as a result of such competitive award shall not be treated as a termination or denial of refunding under section 1007(a)(9) or 1011.

"(3) For purposes of this subsection, the term 'competitive bidding' means a system established by regulations issued by the Corporation which provide for the award of grants and contracts on the basis of merit to persons, organizations, and entities described in section 1006(a) who apply for such awards in competition with others under promulgated criteria. The Corporation shall ensure that the system incorporates the following:

"(A) The competitive bidding system shall commence no later than one year after the date of enactment of this provision and all previously awarded grants and contracts shall be set aside and subjected to this system within one year thereafter.

"(B) All awards of grants and contracts made under this system shall be subject to periodic review and renewed with the opportunity for others to compete for the award, and in no event shall any award be granted for a period longer than 5 years.

"(C) Timely notice for the submission of applications for awards shall be published in periodicals of local and State bar associations and in at least one daily newspaper of general circulation in the area to be served by the award recipient.

"(D) The selection criteria shall include but not be limited to the demonstration of a full understanding of the basic legal needs of the eligible clients to be served and a demonstration of the capability of serving those needs; the reputations of the principals of the applicant; the quality, feasibility, and cost effectiveness of plans submitted by the applicant for the delivery of legal assistance to the eligible clients to be served; a demonstration of willingness to abide by the restrictions placed on those awarded grants and contracts by the Corporation; and, if an applicant has previously received an award from the Corporation, the experiences of the Corporation with the applicant.

"(E) No previous recipient of an award of a grant or contract may be given any preference.

"(m)(1) The Corporation shall define service areas and funds available for each service area shall be on a per capita basis pursuant to the number of poor people determined by the Bureau of the Census to be within that area. Funds for a service area may be distributed by the Corporation to one or more recipients as defined in section 1006(a).

"(2) The amount of the grants from the Corporation and of the contracts entered into by the Corporation under section 1006(a)(1) shall be an equal figure per poor person for all geographic areas, based on the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code, regardless of the level of funding for any such geographic area before the enactment of the Legal Services Reform Act of 1995.

"(3) Beginning with the fiscal year beginning after the results of the most recent decennial census have been reported to the President under section 141(b) of title 13, United States Code, funding of geographic areas served by recipients shall be redetermined, in accordance with paragraph (2), based on the per capita poverty population in each such geographic area under that decennial census.".

(b) REQUIREMENTS OF RECIPIENTS.—Section 1007(c) (42 U.S.C. 2996f(c)), as amended by section 10 of this Act, is further amended by adding at the end the following:

"(3) Funds appropriated for the Corporation may not be used by the Corporation in making grants or entering into contracts for legal assistance unless the Corporation ensures that the recipient is either—

"(A) a private attorney or attorneys,

"(B) State and local governments or substate regional planning and coordination agencies which are composed of substate areas whose governing board is controlled by locally elected officials, or

"(C) a qualified nonprofit organization chartered under the laws of one of the States—

"(i) a purpose of which is furnishing legal assistance to eligible clients, and

"(ii) the majority of the board of directors or other governing body of which is comprised of attorneys who are admitted to practice in one of the States and are approved to serve on such board or body by the governing bodies of State, county, or municipal bar associations the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance.

The approval described in subparagraph (B)(ii) may be given to more than one group of directors.".

SEC. 14. POWERS, RESEARCH, AND ATTORNEYS' FEES.

(a) POWERS.—Section 1006(a)(1)(A)(ii) is amended to read as follows:

"(ii) State and local governments or substate regional planning and coordination agencies which are composed of substate areas whose governing board is controlled by locally elected officials,".

(b) RESEARCH.—Section 1006(a) (42 U.S.C. 2996e(a)) is amended by inserting "and" at the end of paragraph (1), by striking "; and" at the end of paragraph (2) and inserting a period, and by striking paragraph (3).

(c) ATTORNEYS' FEES.—Section 1006 (42 U.S.C. 2996e(f)) is amended by striking subsection (f) and inserting the following:

"(f)(1) A recipient, or any client of such recipient, may not claim or collect attorneys' fees from nongovernmental parties to litigation initiated by such client with the assistance of such recipient.

"(2) The Corporation shall create a fund to pay defendants or clients under paragraphs (3). In addition to any other amounts appropriated to the Corporation, there is authorized to be appropriated to such fund for each fiscal year such sums as may be necessary.

"(3) If a Federal court has found an action commenced by a plaintiff with the assistance of a recipient involves a violation of Rule 11 of the Federal Rules of Civil Procedure, or if the president of the Corporation finds that an action commenced by a plaintiff with the assistance of a recipient in any court involves a violation of the standards of Rule 11, or was commenced for the purpose of retaliation or harassment, the president of the Corporation shall, upon application by the defendant, award from the Fund all reasonable costs and attorneys' fees incurred by the defendant in defending the action.

"(g)(1) The Board, within 90 days after the date of the enactment of the Legal Services Reform Act of 1995, shall issue regulations to provide for the distribution of attorneys' fees received by a recipient, in accordance with paragraph (2).

"(2) Such fees shall be transferred to the Corporation and the Corporation shall distribute such fees among its grantees for the direct delivery of legal assistance, except that, subject to approval by the Corporation—

"(A) a recipient shall not be required to transfer fees or other compensation received as a result of a mandated court appointment;

"(B) a recipient may retain reasonable costs customarily allowed in litigation against an unsuccessful party; and

"(C) a recipient may retain the actual cost of bringing the action, including the proportion of the compensation of each attorney involved in the action which is attributable to that action.".

SEC. 15. ABORTION.

(a) PROHIBITION.—Section 1007 (42 U.S.C. 2996f), as amended by sections 6, 7, 12, and 13 of this Act, is further amended by adding at the end the following:

"(n) No funds made available to any recipient from any source may be used to participate in any litigation with respect to abortion.".

(b) CONFORMING AMENDMENT.—Section 1007(b) (42 U.S.C. 2996f(b)), as amended by section 4, is amended by striking paragraph (8) and redesignating paragraphs (9), (10), and (11) as paragraphs (8), (9), and (10), respectively.

SEC. 16. CLASS ACTIONS.

Section 1006(d)(5) (42 U.S.C. 2996e(d)(5)) is amended—

(1) by striking "No" and inserting "(A) Subject to subparagraph (B), no"; and

(2) by adding at the end the following:

"(B) No recipient or employee of a recipient may bring a class action suit against the Federal Government or any State or local government unless—

"(i) the governing body of the recipient has expressly approved the filing of such an action;

"(ii) the class relief which is the subject of such an action is sought for the primary benefit of individuals who are eligible for legal assistance under this title; and

"(iii) before filing such an action, the project director of the recipient determines that the government entity is not likely to change the policy or practice in question, that the policy or practice will continue to adversely affect eligible clients, that the recipient has given notice of its intention to seek class relief, and that responsible efforts to resolve without litigation the adverse effects of the policy or practice have not been successful or would be adverse to the interest of the clients.".

SEC. 17. RESTRICTIONS ON USE OF FUNDS FOR LEGAL ASSISTANCE TO ALIENS.

Section 1007 (42 U.S.C. 2996f), as amended by sections 6, 7, 12, 13, and 15 of this Act, is further amended by adding at the end the following:

"(o) No funds made available to any recipient from any source may be expended to provide legal assistance for or on behalf of any alien unless the alien is present in the United States and is—

"(1) an alien lawfully admitted for permanent residence as defined in section 101(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

"(2) an alien who is either married to a United States citizen or is a parent or an unmarried child under the age of 21 years of such a citizen and who has filed an application for adjustment of status to permanent resident under the Immigration and Nationality Act, and such application has not been rejected;

"(3) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157, relating to refugee admissions) or who has been granted asylum by the Attorney General under such Act;

"(4) an alien who is lawfully present in the United States as a result of the Attorney General's withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h)); or

"(5) an alien to whom section 305 of the Immigration Reform and Control Act of 1986 applies, but only to the extent that the legal assistance provided is that described in that section.

An alien who is lawfully present in the United States as a result of being granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 11553(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic natural calamity shall be deemed to be an alien described in paragraph (3).".

SEC. 18. TRAINING.

Section 1007(b)(6) (42 U.S.C. 2996f(b)(6)) is amended to read as follows:

"(6) to support or conduct training programs for the purpose of advocating particular public policies or encouraging political activities, labor or antilabor activities, boycotts, picketing, strikes, or demonstrations, including the dissemination of information about such policies or activities, except that this paragraph shall not be construed to prohibit the training of attorneys or paralegal personnel necessary to prepare them to provide adequate legal assistance to eligible clients, to advise any eligible client as to the nature of the legislative process, or to inform any eligible client of the client's rights under any statute, order, or regulation;".

SEC. 19. COPAYMENTS.

Section 1007 (42 U.S.C. 2996f), as amended by sections 6, 7, 12, 13, 15, and 17 of this Act, is further amended by adding at the end the following:

"(p) The Corporation shall undertake one or more demonstration projects in order to study the feasibility of using client copayments to assist in setting the service priorities of its programs. Based on these projects and such other information as it considers appropriate, the Corporation may adopt a permanent system of client copayments for some or all of its programs of legal assistance.".

SEC. 20. FEE-GENERATING CASES.

(a) REPRESENTATION IN FEE-GENERATING CASE.—Paragraph (1) of section 1007(b) (42 U.S.C. 2996f(b)) is amended to read as follows:

"(1) to provide legal assistance with respect to any fee-generating case, except that this paragraph does not preclude representation of otherwise eligible clients in cases in which the client seeks benefits under titles II or XVI of the Social Security Act;".

(b) DEFINITION.—Section 1007(b) is amended by adding at the end the following:

"For purposes of paragraph (1), the term 'fee-generating case' means any case which if undertaken on behalf of an eligible client by an attorney in private practice may reasonably be expected to result in a fee for legal services from an award to a client from public funds, from the opposing party, or from any other source.".

SEC. 21. WELFARE REFORM.

Section 1007(b) (42 U.S.C. 2996f(b)), as amended by section 15(b), is amended—

(1) by striking "or" at the end of paragraph (9),

(2) by striking the period at the end of paragraph (10) and inserting a semicolon, and

(3) by adding after paragraph (10) the following:

"(11) to provide legal representation for any person or participate in any other way in litigation, lobbying, or rulemaking involving efforts to reform a State or Federal welfare system, except that this paragraph does not preclude a recipient from representing an individual client who seeking specific relief from a welfare agency where such relief does not involve an effort to amend or otherwise challenge existing law; or".

SEC. 22. PRISONER LITIGATION.

Section 1007(b) (42 U.S.C. 2996f(b)), as amended by section 21, is amended by adding after paragraph (11) the following:

"(12) to provide legal representation in litigation on behalf of a local, State, or Federal prisoner.".

SEC. 23. APPOINTMENT OR CORPORATION PRESIDENT.

Section 1005 (42 U.S.C. 2996d) is amended in subsection (a)—

(1) by striking "The Board shall" and inserting "The President, by and with the advice and consent of the Senate, shall";

(2) by adding "who shall serve at the pleasure of the President" after "the president of the Corporation,";

(3) by striking "as the Board" and inserting "as the President"; and

(4) by striking "by the Board" and inserting "by the President".

SEC. 24. EVASION.

The Legal Services Corporation Act is amended—

(1) by redesignating sections 1013 and 1014 as sections 1014 and 1015, respectively; and

(2) by inserting after section 1012 the following new section:

"EVASION

"SEC. 1013. Any attempt, such as the creation or use of 'alternative corporations', to avoid or otherwise evade the provisions of this title or the Legal Services Reform Act of 1995 is prohibited.".

SEC. 25. PAY FOR OFFICERS AND EMPLOYEES OF THE CORPORATION.

Section 1005(d) (42 U.S.C. 2996d(d)) is amended—

(1) by striking "V" and inserting "III"; and

(2) by striking "5316" and inserting "3514".

SEC. 26. LOCATION OF PRINCIPAL OFFICE.

Section 1003(b) (42 U.S.C. 2996b(b)) is amended by striking "District of Columbia" and inserting "Washington D.C. metropolitan area".

SEC. 27. DEFINITION.

As used in section 1009(d) of Legal Services Corporation Act, the term "attorney client privilege" protects only a communication

made in confidence to an attorney by a client for the purpose of seeking legal advice. Claims of such privilege and claims of confidentiality do not, except to the extent provided by court order, protect from disclosure to any Federal department or agency that is auditing the activities of the Legal Services Corporation or any recipient (as defined in section 1002 of the Legal Services Corporation Act), or to any auditor receiving Federal funds to conduct such auditing, including any auditor or monitor of the Corporation, the names of plaintiffs that are a matter of public record or documents which have been seen by third parties, including all financial books and records. The Corporation shall not disclose any such information, except to the Inspector General of the Corporation, to Federal or State law enforcement, judicial, or other officials, or to officials of appropriate bar associations for the purpose of conducting investigations of violations of rules of professional conduct.●

By Mr. FAIRCLOTH:

S. 1222. A bill to prevent the creation of an international bailout fund within the International Monetary Fund, and for other purposes; to the Committee on Foreign Relations.

INTERNATIONAL MONETARY FUND LEGISLATION

● Mr. FAIRCLOTH. Mr. President, I have spoken on a number of occasions in opposition to the United States bailout of Mexico. To date, the United States has provided $12.5 billion for Mexico to prop up the Mexican peso. I remain skeptical that the United States will ever have this money repaid.

The Banking Committee held hearings approximately 2 months ago in which a number of Mexican citizens, some of them prominent political opposition leaders, said that we would never be repaid.

What is particularly bothersome about the Mexico debacle is that the United States taxpayer is guaranteeing repayment to investors in Mexican bonds who at the time were earning extraordinary returns, some 30 percent to 40 percent on Mexico bonds. These investors were aware of the risks.

As a reponse to this crisis, the administration, along with the International Monetary Fund [IMF], is now considering the establishment of an international fund to bail out other countries that find themselves in the same position as Mexico. The administration calls this an Emergency Financing Mechanism—but the truth is that it's another bailout on an international scale.

The most troubling aspect of this is that the new fund will create a moral hazard for other countries. What will stop a country from pursuing reckless economic policies, from going deeper into debt—knowing that if they fail, the newly created fund stands ready for a bailout. What will prevent investors from investing in the most risky Government bonds—with full knowledge that the IMF stands ready for an emergency bailout.

I think this is a bad idea, and I think the United States and the International Monetary Fund [IMF] should abandon further discussions about its creation.

Unfortunately, I am not sure this administration will back away from this proposal. For this reason, I am introducing legislation today that will stop the creation of any new international bailout fund.

The bill will prevent any funds from being used, directly or indirectly, for the creation of this new international fund.

Mr. President, our own country is going into debt approximately $800 million a day. We simply cannot afford to be bailing out foreign countries that have pursued poor economic policies. It is bad enough that we have spent $12.5 billion on Mexico. After this, we should say no more to Mexico, and no more to any other country.

If the United States keeps up this spending pattern, who is going to bail out this country? We sent a troubling signal to the world that we were not going to get our economic house in order when the Senate refused to pass a balanced budget amendment, and the dollar declined as a result. I know for certain that we will never balance the budget if we continue policies like bailing out Mexico.

Mr. President, in conclusion, if the United States is serious about balancing our budget—and about avoiding other debacles like Mexico, we will move quickly to stop the creation of this new fund. I would urge the Senate to move forward on this legislation.●

ADDITIONAL COSPONSORS

S. 356

At the request of Mr. SHELBY, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 356, a bill to amend title 4, United States Code, to declare English as the official language of the Government of the United States.

S. 434

At the request of Mr. KOHL, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 434, a bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals who are subject to Federal limitations on hours of service.

S. 490

At the request of Mr. GRASSLEY, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 490, a bill to amend the Clean Air Act to exempt agriculture-related facilities from certain permitting requirements, and for other purposes.

S. 772

At the request of Mrs. HUTCHISON, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 772, a bill to provide for an assessment of the violence broadcast on television, and for other purposes.

S. 955

At the request of Mr. HATCH, the name of the Senator from New Jersey [Mr. BRADLEY] was added as a cosponsor of S. 955, a bill to clarify the scope of coverage and amount of payment under the medicare program of items and services associated with the use in the furnishing of inpatient hospital services of certain medical devices approved for investigational use.

S. 1000

At the request of Mr. BURNS, the names of the Senator from Texas [Mrs. HUTCHISON], the Senator from Colorado [Mr. BROWN], and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of S. 1000, a bill to amend the Internal Revenue Code of 1986 to provide that the depreciation rules which apply for regular tax purposes shall also apply for alternative minimum tax purposes, to allow a portion of the tentative minimum tax to be offset by the minimum tax credit, and for other purposes.

S. 1009

At the request of Mr. D'AMATO, the name of the Senator from Nevada [Mr. BRYAN] was added as a cosponsor of S. 1009, a bill to prohibit the fraudulent production, sale, transportation, or possession of fictitious items purporting to be valid financial instruments of the United States, foreign governments, States, political subdivisions, or private organizations, to increase the penalties for counterfeiting violations, and for other purposes.

S. 1025

At the request of Mr. INHOFE, his name was withdrawn as a cosponsor of S. 1025, a bill to provide for the exchange of certain federally owned lands and mineral interests therein, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the name of the Senator from Oregon [Mr. HATFIELD] was added as a cosponsor of S. 1028, a bill to provide increased access to health care benefits, to provide increased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

SENATE RESOLUTION 133

At the request of Mr. HELMS, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of Senate Resolution 133, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that, because the United Nations Convention on the Rights of the Child could undermine the rights of the family, the President should not sign and transmit it to the Senate.

SENATE RESOLUTION 149

At the request of Mr. AKAKA, the name of the Senator from Utah [Mr.

HATCH] was added as a cosponsor of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

SENATE CONCURRENT RESOLUTION 26—RELATIVE TO A MONUMENT DEDICATED TO THE BILL OF RIGHTS

Mr. LOTT submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 26

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. AUTHORIZATION.

The Newington-Cropsey Foundation is authorized to erect on the Capitol Grounds and present to Congress and the people of the United States a monument dedicated to the Bill of Rights (referred to as the "monument"). The monument shall be erected without expense to the United States.

SEC. 2. DESIGN AND REVIEW.

The design and plans for the monument shall be subject to review and approval by the Architect of the Capitol. The monument shall be erected on a site to be determined by the Architect of the Capitol, subject to the approval of the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives and in consultation with the Newington-Cropsey Foundation.

SEC. 3. ACCEPTANCE OF MONUMENT.

After the completion of the monument according to the approved plans and specifications, the monument shall be accepted by the Congress on behalf of the people of the United States for permanent placement on the Capitol Grounds.

Mr. LOTT. Mr. President, I rise today to recognize the work of Greg Wyatt, the sculptor-in-residence at the Cathedral of St. John the Divine.

Mr. Wyatt is exhibiting his sculpture, the bill of rights "Eagle", in the Russell Senate Office Building September 5–9, 1995.

By this exhibition of his craft, Mr. Wyatt expresses the freedoms we are guaranteed by the Bill of Rights through a work of art for all Americans.

As president of the Cathedral of St. John's fantasy fountain fund, Mr. Wyatt also contributes by instructing talented apprentices in appreciation for the renaissance tradition. Studio apprenticeship leads to the development and promotion of the arts, which benefits every American citizen.

Our Bill of Rights is an historic living document that should be the focus of our continuous study and appreciation, for it outlines the most fundamental freedoms and protections we enjoy as Americans.

The "Eagle" that Mr. Wyatt is presenting is a tribute to those freedoms and to the strength of a nation built on individual rights. As we return in September to begin the remainder of the year's work, I urge my colleagues to take time to view this work of art and reflect upon all that it represents.

The exhibit is made possible by the Newington-Cropsey Foundation, an organization which works for the preservation of 19th century art and culture of New York's Hudson River Valley.

Organized to preserve the paintings and historic studio of Jasper Francis Cropsey, the foundation has donated numerous works to significant institutions including the White House, the U.S. Department of State, the Metropolitan Museum of Art, Yale University, Princeton University, and other domestic and international fixtures.

Following the "Eagle" exhibit, the Newington-Cropsey Foundation has offered the sculpture for permanent placement on the Capitol Grounds.

At this time I would like to submit a resolution that will accept this gift from the Newington-Cropsey Foundation and urge that the Senate pass it expeditiously.

SENATE RESOLUTION 167—CONGRATULATING CAL RIPKEN, JR.

Ms. MIKULSKI (for herself, Mr. SARBANES, Mr. WARNER, and Mr. ROBB) submitted the following resolution; which was considered and agreed to:

S. RES. 167

Whereas on May 30, 1982, Cal Ripken, Jr. became the regular starting shortstop for the Baltimore Orioles baseball club;

Whereas Cal Ripken, Jr. has not missed a single day of work in the intervening 14 years;

Whereas on September 6, 1995, Cal Ripken, Jr. played in his 2,131st consecutive Major League Baseball game, breaking the longstanding record held by the great Lou Gehrig;

Whereas Cal Ripken, Jr. has been a first-rate role model for the young people of Baltimore, the State of Maryland, and the United States;

Whereas Cal Ripken, Jr. has been named by America's baseball fans to 13 American League All-Star teams;

Whereas Cal Ripken, Jr. was named the American League's Most Valuable Player for the 1983 and 1991 seasons;

Whereas Cal Ripken, Jr. was a member of the 1983 World Series Champion Baltimore Orioles baseball team;

Whereas Cal Ripken, Jr. was named the Most Valuable Player in the 1991 All-Star game;

Whereas Cal Ripken, Jr. has twice been awarded baseball's most prestigious award for excellence in fielding, the Gold Glove Award, for the 1991 and 1992 seasons;

Whereas in the distinguished career of Cal Ripken, Jr., he has demonstrated an extraordinary work ethic, and dedication to his profession, his family, and his fans; and

Whereas the humility, hard work, desire, and commitment of Cal Ripken, Jr. have made him one of the best-loved and the most enduring figures in the history of the game of baseball: Now, therefore, be it

Resolved, That the United States Senate congratulates Cal Ripken, Jr. for his outstanding achievement in becoming the first player in the history of Major League Baseball to compete in 2,131 consecutive games.

AMENDMENTS SUBMITTED

THE FAMILY SELF-SUFFICIENCY ACT OF 1995

BROWN (AND OTHERS) AMENDMENT NO. 2465

Mr. BROWN (for himself, Mr. MOYNIHAN, Mr. SIMPSON, Mr. MURKOWSKI, Mr. KOHL, Mr. CAMPBELL, Mr. FEINGOLD, Mr. BYRD, and Mr. HELMS) proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence; as follows:

At the appropriate place, insert the following:

SEC. . EXPENDITURE OF FEDERAL FUNDS IN ACCORDANCE WITH LAWS AND PROCEDURES APPLICABLE TO EXPENDITURE OF STATE FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds received by a State under the provisions of law specified in subsection (b) shall be expended only in accordance with the laws and procedures applicable to expenditures of the State's own revenues, including appropriation by the State legislature, consistent with the terms and conditions required under such provisions of law.

(b) PROVISIONS OF LAW.—The provisions of law specified in this subsection are the following:

(1) Part A of title IV of the Social Security Act (relating to block grants for temporary assistance to needy families).

(2) Section 25 of the Food Stamp Act of 1977 (relating to the optional State food assistance block grant).

(3) Subtitles B and C of title VII of this Act (relating to workforce development).

(4) The Child Care and Development Block Grant Act of 1990 (relating to block grants for child care).

MOYNIHAN AMENDMENT NO. 2466

Mr. MOYNIHAN proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Family Support Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to Social Security Act.

TITLE I—STRENGTHENING THE JOBS PROGRAM

Sec. 101. Increase in required JOBS participation rates.
Sec. 102. Promoting work.
Sec. 103. Funding for the JOBS program and child care.
Sec. 104. Evaluation of the JOBS program.

TITLE II—AID TO FAMILIES WITH DEPENDENT CHILDREN

Subtitle A—Requirements for Teenage Parents

Sec. 201. Case management for parents under age 20.

Sec. 202. Participation in educational activity.
Sec. 203. Living arrangement requirements.
Subtitle B—State Flexibility
PART I—ESTABLISHMENT OF INTERAGENCY WELFARE REVIEW BOARD
Sec. 211. Interagency Welfare Review Board.
Sec. 212. Waiver application.
Sec. 213. Review and approval of applications.
Sec. 214. Definition of State.
PART II—ADDITIONAL PROVISIONS CONCERNING WAIVERS
Sec. 221. Schedule for consideration of waiver applications.
Sec. 222. State authority to establish certain AFDC rules.
Sec. 223. Waiver authority for the JOBS program.
TITLE III—CHILD SUPPORT ENFORCEMENT
Sec. 300. Short title.
Subtitle A—Improvements to the Child Support Collection System
PART I—ELIGIBILITY AND OTHER MATTERS CONCERNING TITLE IV-D PROGRAM CLIENTS
Sec. 301. Cooperation requirement and good cause exception.
Sec. 302. State obligation to provide paternity establishment and child support enforcement services.
Sec. 303. Distribution of payments.
Sec. 304. Rights to notification and hearings.
Sec. 305. Privacy safeguards.
PART II—PROGRAM ADMINISTRATION AND FUNDING
Sec. 311. Federal matching payments.
Sec. 312. Performance-based incentives and penalties.
Sec. 313. Federal and State reviews and audits.
Sec. 314. Required reporting procedures.
Sec. 315. Automated data processing requirements.
Sec. 316. Director of CSE program; staffing study.
Sec. 317. Funding for secretarial assistance to State programs.
Sec. 318. Data collection and reports by the Secretary.
PART III—LOCATE AND CASE TRACKING
Sec. 321. Central State and case registry.
Sec. 322. Centralized collection and disbursement of support payments.
Sec. 323. Amendments concerning income withholding.
Sec. 324. Locator information from interstate networks.
Sec. 325. Expanded Federal parent locator service.
Sec. 326. Use of social security numbers.
PART IV—STREAMLINING AND UNIFORMITY OF PROCEDURES
Sec. 331. Adoption of uniform State laws.
Sec. 332. Improvements to full faith and credit for child support orders.
Sec. 333. State laws providing expedited procedures.
PART V—PATERNITY ESTABLISHMENT
Sec. 341. State laws concerning paternity establishment.
Sec. 342. Outreach for voluntary paternity establishment.
PART VI—ESTABLISHMENT AND MODIFICATION OF SUPPORT ORDERS
Sec. 351. National Child Support Guidelines Commission.
Sec. 352. Simplified process for review and adjustment of child support orders.
PART VII—ENFORCEMENT OF SUPPORT ORDERS
Sec. 361. Federal income tax refund offset.
Sec. 362. Internal Revenue Service collection of arrearages.
Sec. 363. Authority to collect support from Federal employees.
Sec. 364. Enforcement of child support obligations of members of the Armed Forces.
Sec. 365. Voiding of fraudulent transfers.
Sec. 366. State law authorizing suspension of licenses.
Sec. 367. Reporting arrearages to credit bureaus.
Sec. 368. Extended statute of limitation for collection of arrearages.
Sec. 369. Charges for arrearages.
Sec. 370. Denial of passports for nonpayment of child support.
PART VIII—MEDICAL SUPPORT
Sec. 381. Technical correction to ERISA definition of medical child support order.
PART IX—ACCESS AND VISITATION PROGRAMS
Sec. 391. Grants to States for access and visitation programs.
Subtitle B—Effect of Enactment
Sec. 395. Effective dates.
Sec. 396. Severability.
TITLE IV—SUPPLEMENTAL SECURITY INCOME
Sec. 401. Revised regulations applicable to the determination of disability in individuals under the age of 18.
Sec. 402. Directory of services.
Sec. 403. Use of standardized tests and their equivalent.
Sec. 404. Graduated benefits for additional children.
Sec. 405. Treatment requirements for disabled individuals under the age of 18.
Sec. 406. Special accounts for individuals under the age of 18.
Sec. 407. Continuing disability reviews for individuals under the age of 18.
Sec. 408. Coordination of services for SSI children.
TITLE V—MISCELLANEOUS PROVISIONS
Sec. 501. Uniform alien eligibility criteria for public assistance programs.
Sec. 502. Deeming of sponsor's income and resources to an alien under the supplemental security income, aid to families with dependent children, and food stamp programs.
Sec. 503. Adjustment to thrifty food plan.
Sec. 504. Failure to comply with other welfare and public assistance programs.

SEC. 2. REFERENCES TO SOCIAL SECURITY ACT.

Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Social Security Act (42 U.S.C. 301 et seq.).

TITLE I—STRENGTHENING THE JOBS PROGRAM

SEC. 101. INCREASE IN REQUIRED JOBS PARTICIPATION RATES.

(a) IN GENERAL.—Section 403(*l*)(3) (42 U.S.C. 603(*l*)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (v), by striking "and";

(B) in clause (vi), by striking the period and inserting "or 1996;"; and

(C) by adding at the end the following new clauses:

"(vii) 30 percent if such year is 1997;

"(viii) 35 percent if such year is 1998;

"(ix) 40 percent if such year is 1999;

"(x) 45 percent if such year is 2000; and

"(xi) 50 percent if such year is 2001 or any year thereafter."; and

(2) in subparagraph (B)—

(A) in clause (ii)(IV), by striking "fiscal years 1994 and 1995" and inserting "any fiscal year beginning after fiscal year 1993"; and

(B) in clause (iii), by striking subclauses (I) and (II) and inserting the following:

"(I) the average monthly number of individuals required or allowed by the State to participate in the program under part F who have participated in such program in months in the computation period (including individuals who combine employment and participation in such program for an average of 20 hours a week in that month in such period), plus the number of individuals who are employed for an average of 20 hours a week in that month in such period, divided by

"(II) the average monthly number of individuals required to participate under the program under part F in such period (other than individuals described in subparagraph (C)(iii)(I) or (D) of section 402(a)(19) with respect to whom the State has exercised its option to require their participation), minus the average monthly number of individuals who are being sanctioned in such period pursuant to section 402(a)(19)(G).".

(b) CONFORMING AMENDMENTS.—The Family Support Act of 1988 (42 U.S.C. 1305 note) is amended by striking section 204(b)(2).

SEC. 102. PROMOTING WORK.

(a) INCREASED EMPLOYMENT AND JOB RETENTION.—Section 481(a) (42 U.S.C. 681(a)) is amended to read as follows:

"SEC. 481. (a) PURPOSE.—It is the purpose of this part to assist each State in providing such services as the State determines to be necessary to—

"(1) enable individuals receiving assistance under part A to enter employment as quickly as possible;

"(2) increase job retention; and

"(3) ensure that needy families with children obtain the education, training, and employment that will help them avoid long-term welfare dependence.".

(b) STATE AGENCY RESPONSIBILITIES.—Section 482(a)(2) (42 U.S.C. 682(a)(2)) is amended—

(1) by striking "(2) The" and inserting "(2)(A) The"; and

(2) by adding at the end the following new subparagraphs:

"(B) The State agency shall establish procedures to—

"(i) encourage the placement of participants in jobs as quickly as possible, including using performance measures that reward staff performance, or such other management practice as the State may choose; and

"(ii) assist participants in retaining employment after they are hired.

"(C) The Secretary shall provide technical assistance and training to States to assist the States in implementing effective management practices and strategies in order to achieve the purpose of this part.".

(c) SERVICES AND ACTIVITIES UNDER THE JOBS PROGRAM.—Section 482(d)(1)(A)(i) (42 U.S.C. 682(d)(1)(A)(i)) is amended—

(1) in the matter preceding subclause (I), by striking "shall" and inserting "may"; and

(2) in subclause (I), by striking "(as appropriate)" and all that follows through the semicolon and inserting a semicolon.

(d) JOB PLACEMENT VOUCHER PROGRAM.—

(1) ADDITION OF PROGRAM.—Section 482 (42 U.S.C. 682) is amended—

(A) in subsection (d)(1)(A)(ii)—

(i) in subclause (III), by striking "and" at the end;

(ii) in subclause (IV), by striking the period and inserting "; and"; and

(iii) by adding at the end the following new subclause:

"(V) a job placement voucher program as described in subsection (h).";

(B) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(C) by inserting after subsection (g), the following subsection:

"(h) JOB PLACEMENT VOUCHER PROGRAM.—(1) The State agency may establish and operate a job placement voucher program for individuals participating in the program under this part.

"(2) A State that elects to operate a job placement voucher program under this subsection—

"(i) shall establish eligibility requirements for participation in the job placement voucher program; and

"(ii) may establish other requirements for such voucher program as the State deems appropriate.

"(3) A job placement voucher program operated by a State under this subsection shall include the following requirements:

"(A) The State shall identify, maintain, and make available to an individual applying for or receiving assistance under part A a list of State-approved job placement organizations that offer services in the area where the individual resides and a description of the job placement and support services each such organization provides. Such organizations may be publicly or privately owned and operated.

"(B)(i) An individual determined to be eligible for assistance under part A shall, at the time the individual becomes eligible for such assistance—

"(I) receive the list and description described in subparagraph (A);

"(II) agree, in exchange for job placement and support services, to—

"(aa) execute, within a period of time permitted by the State, a contract with a State-approved job placement organization which provides that the organization shall attempt to find employment for the individual; and

"(bb) comply with the terms of the contract; and

"(III) receive a job placement voucher (in an amount to be determined by the State) for payment to a State-approved job placement organization.

"(ii) The State shall impose the sanctions provided for in section 402(a)(19)(G) on any individual who does not fulfill the terms of a contract executed with a State-approved job placement organization.

"(C) At the time an individual executes a contract with a State-approved job placement organization, the individual shall provide the organization with the job placement voucher that the individual received pursuant to subparagraph (B).

"(D)(i) A State-approved job placement organization may redeem for payment from the State not more than 25 percent of the value of a job placement voucher upon the initial receipt of the voucher for payment of costs incurred in finding and placing an individual in an employment position. The remaining value of such voucher shall not be redeemed for payment from the State until the State-approved job placement organization—

"(I) finds an employment position (as determined by the State) for the individual who provided the voucher; and

"(II) certifies to the State that the individual remains employed with the employer that the organization originally placed the individual with for the greater of—

"(aa) 6 continuous months; or

"(bb) a period determined by the State.

"(ii) A State may modify, on a case-by-case basis, the requirement of clause (i)(II) under such terms and conditions as the State deems appropriate.

"(E)(i) The State shall establish performance-based standards to evaluate the success of the State job placement voucher program operated under this subsection in achieving employment for individuals participating in such voucher program. Such standards shall take into account the economic conditions of the State in determining the rate of success.

"(ii) The State shall, not less than once a fiscal year, evaluate the job placement voucher program operated under this subsection in accordance with the performance-based standards established under clause (i).

"(iii) The State shall submit a report containing the results of an evaluation conducted under clause (ii) to the Secretary and a description of the performance-based standards used to conduct the evaluation in such form and under such conditions as the Secretary shall require. The Secretary shall review each report submitted under this clause and may require the State to revise the performance-based standards if the Secretary determines that the State is not achieving an adequate rate of success for such State.".

(2) CONFORMING AMENDMENTS.—Title IV (42 U.S.C. 681 et seq.) is amended—

(A) in section 403(*l*) (42 U.S.C. 603(*l*))—

(i) in paragraph (1)(A), by striking "482(i)(2)" and inserting "482(j)(2)"; and

(ii) in paragraph (4)(A)(i), by inserting "a job placement voucher program," after "on-the-job training,"; and

(B) in section 431(a)(6) (42 U.S.C. 629a(a)(6))—

(i) by striking "482(i)(5)" and inserting "482(j)(5)"; and

(ii) by striking "482(i)(7)(A)" and inserting "482(j)(7)(A)".

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall be effective with respect to calendar quarters beginning with the second calendar quarter beginning after the date of the enactment of this Act.

(e) ELIMINATION OF REQUIREMENT TO PROVIDE EDUCATIONAL ACTIVITIES TO INDIVIDUALS AGE 20 OR OLDER; PERMITTING STATES TO PROVIDE EMPLOYMENT SERVICES FOR NON-CUSTODIAL PARENTS.—Section 482(d) (42 U.S.C. 682(d)) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2); and

(3) in paragraph (2), as so redesignated—

(A) by striking "up to 5"; and

(B) by striking the second sentence.

(f) INCREASE IN PERIOD IN WHICH EARNED INCOME DISREGARD MAY APPLY UNDER WORK SUPPLEMENTATION PROGRAM.—Section 482(e) (42 U.S.C. 682(e)) is amended in paragraphs (2)(G) and (4), by striking "9 months" and inserting "12 months".

(g) STATE FLEXIBILITY FOR THE JOB SEARCH PROGRAM.—Section 482(g) (42 U.S.C. 682(g)) is amended—

(1) in paragraph (2)—

(A) by inserting ", and subject to paragraph (3)," after "section 402(a)(19)(B)(i)"; and

(B) by striking "applies)—" and all that follows through the period at the end and inserting "applies) at such time or times as the State agency may determine."; and

(2) in paragraph (3), by inserting ", not including any period of job search that occurred at the same time that the individual was participating in another activity under this part" after "12 months".

SEC. 103. FUNDING FOR THE JOBS PROGRAM AND CHILD CARE.

(a) FUNDING FOR THE JOBS PROGRAM.—

(1) INCREASE IN FUNDING.—Section 403(k)(3) (42 U.S.C. 603(k)(3)) is amended—

(A) in subparagraph (E), by striking "and"; and

(B) by striking subparagraph (F) and inserting the following:

"(F) $1,200,000,000 in the case of the fiscal year 1996,

"(G) $1,300,000,000 in the case of the fiscal year 1997,

"(H) $1,600,000,000 in the case of the fiscal year 1998,

"(I) $1,900,000,000 in the case of the fiscal year 1999,

"(J) $2,200,000,000 in the case of the fiscal year 2000, and

"(K) $2,500,000,000 in the case of the fiscal year 2001, and each succeeding fiscal year,".

(2) APPLICABLE PERCENTAGES.—

(A) IN GENERAL.—Section 403(*l*)(1) (42 U.S.C. 603(*l*)(1)) is amended—

(i) by striking "(l)(1)(A) In lieu" and inserting "(l)(1) In lieu"; and

(ii) by striking "(including expenditures" and all that follows through subparagraph (B), and inserting "an amount equal to the greater of—

"(A) 70 percent; or

"(B) the Federal medical assistance percentage (as defined in section 1118 in the case of any State to which section 1108 applies, or as defined in section 1905(b) in the case of any other State) plus ten percentage points, in the case of expenditures made by a State in operating such a program for in a fiscal year.".

(B) CONFORMING AMENDMENTS.—Section 403(*l*) (42 U.S.C. 603(*l*)) is amended—

(i) in paragraph (2)(A), by striking "paragraph (1)(A)" and inserting "paragraph (1)"; and

(ii) in paragraph (3)(C), by striking "paragraph (1)(A)" and inserting "paragraph (1)".

(b) FUNDING FOR CHILD CARE.—

(1) FUNDING FOR JOBS AND TRANSITIONAL CHILD CARE.—

(A) IN GENERAL.—Section 402(g)(3)(A) (42 U.S.C. 602(g)(3)(A)) is amended to read as follows:

"(3)(A) In the case of amounts expended for child care pursuant to clause (i) or (ii) of paragraph (1)(A), the applicable rate for purposes of section 403(a) shall be the greater of—

"(i) 70 percent; or

"(ii) the Federal medical assistance percentage (as defined in section 1118 in the case of any State to which section 1108 applies, or as defined in section 1905(b) in the case of any other State) plus ten percentage points.".

(B) EXTENSION OF THE TRANSITIONAL CHILD CARE PROGRAM.—Section 304(b) of the Family Support Act of 1988 (42 U.S.C. 602 note) is amended—

(i) by striking "(1)"; and

(ii) by striking paragraph (2).

(2) FUNDING FOR AT-RISK CHILD CARE.—Section 403(n)(1)(A) (42 U.S.C. 603(n)(1)(A)) is amended to read as follows:

"(A) 70 percent, or, if higher, the Federal medical assistance percentage (as defined in section 1118 in the case of any State to which section 1108 applies, or as defined in section

1905(b) in the case of any other State) plus ten percentage points, of the expenditures by the State in providing child care services pursuant to section 402(i), and in administering the provision of such child care services, for any fiscal year; and".

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) APPLICABLE PERCENTAGES.—The amendments made by subsections (a)(2) and (b) shall take effect on October 1, 1996.

SEC. 104. EVALUATION OF THE JOBS PROGRAM.

(a) EVALUATION OBJECTIVES AND DEVELOPMENT.—

(1) OBJECTIVES.—The Secretary shall develop and implement a plan for evaluating the programs operated by the States under part F of title IV of the Social Security Act (42 U.S.C. 681 et seq.). Such plan shall be designed to develop information to—

(A) assess the impacts of such programs with respect to—

(i) cost effectiveness;

(ii) the level of earnings achieved;

(iii) welfare receipt;

(iv) job retention;

(v) the effects on children; and

(vi) such other factors as the Secretary may determine;

(B) provide guidance to the Secretary in making any necessary changes and improvements in the performance standards required by section 487 of such Act (42 U.S.C. 687); and

(C) enable the Secretary to provide technical assistance to the States to assist them in improving such programs and in meeting such standards.

(2) DEVELOPMENT OF PLAN.—The plan described in paragraph (1) shall be developed by the Secretary in consultation with representatives of the States.

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

(1) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(2) STATE.—The term "State" means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal years 1996 through 2000 for the purpose of carrying out the provisions of this section. Any sums so appropriated shall remain available until expended.

TITLE II—AID TO FAMILIES WITH DEPENDENT CHILDREN

Subtitle A—Requirements for Teenage Parents

SEC. 201. CASE MANAGEMENT FOR PARENTS UNDER AGE 20.

(a) IN GENERAL.—Section 482(b) (42 U.S.C. 682(b)) is amended by adding at the end the following new paragraph:

"(4) CASE MANAGER.—The State agency shall—

"(A) assign a case manager to each custodial parent receiving aid under part A who is under age 20;

"(B) provide that case managers will have the training necessary (taking into consideration the recommendations of appropriate professional organizations) to enable them to carry out their responsibilities and will be assigned a caseload the size of which permits effective case management; and

"(C) provide that the case manager will be responsible for—

"(i) assisting such parent in obtaining appropriate services, including at a minimum, parenting education, family planning services, education and vocational training, and child care and transportation services,

"(ii) making the determinations required to implement the provision of section 402(a)(43),

"(iii) monitoring such parent's compliance with all program requirements, and, where appropriate, providing incentives and applying sanctions, and

"(iv) providing general guidance, encouragement, and support to assist such parent in his or her role as a parent and in achieving self-sufficiency.".

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1996.

SEC. 202. PARTICIPATION IN EDUCATIONAL ACTIVITY.

(a) IN GENERAL.—Section 402(a)(19)(E) (42 U.S.C. 602(a)(19)(E)) is amended to read as follows:

"(E) that the State agency shall—

"(i) in the case of a custodial parent who has not attained 20 years of age, has not successfully completed a high school education (or its equivalent), and is required to participate in the program (including an individual who would otherwise be exempt from participation in the program solely by reason of subparagraph (C)(iii)), require such parent to—

"(I) attend school,

"(II) participate in a program that combines classroom and job training, or

"(III) work toward attainment of a high school education (or its equivalent);

"(ii) in the case of custodial parent who has not attained 20 years of age, but has successfully completed a high school education (or its equivalent), and is required to participate in the program (including an individual who would otherwise be exempt from participation in the program solely by reason of subparagraph (C)(iii)), require such parent to participate in a JOBS activity (including a work activity) approved by the State;

"(iii) establish criteria in accordance with regulations of the Secretary under which a custodial parent described in clauses (i) and (ii) who has not attained 20 years of age may be exempted from the requirements under such clause but the number of such parents exempted from such requirements shall not exceed 50 percent in fiscal year 2000 or any fiscal year thereafter; and

"(iv) at the option of the State, some or all custodial parents who are under age 20 (and pregnant women under age 20) who are receiving aid under this part will be required to participate in a program of monetary incentives and penalties, consistent with subsection (j);".

(b) STATE OPTION TO PROVIDE ADDITIONAL INCENTIVES AND PENALTIES TO ENCOURAGE TEENAGE PARENTS TO COMPLETE HIGH SCHOOL—Section 402 (42 U.S.C. 602) is amended by adding at the end the following new subsection:

"(j)(1) If a State chooses to conduct a program of monetary incentives and penalties to encourage custodial parents (and pregnant women) who are under age 20 to complete their high school (or equivalent) education, and participate in parenting activities, the State shall amend its State plan—

"(A) to specify the one or more political subdivisions in which the State will conduct the program (or other clearly defined geographic area or areas), and

"(B) to describe its program in detail.

"(2) A program under this subsection—

"(A) may, at the option of the State, include all such parents who are under age 21;

"(B) may, at the option of the State, require full-time participation in secondary school or equivalent educational activities, or participation in a course or program leading to a skills certificate found appropriate by the State agency or parenting education activities (or any combination of such activities and secondary education);

"(C) shall require that the case manager assigned to the custodial parent pursuant to paragraph (3) or (4) of section 482(b) will review the needs of such parent and will assure that, either in the initial development or revision of the parent's employability plan, there will be included a description of the services that will be provided to the parent and the way in which the case manager and service providers will coordinate with the educational or skills training activities in which the custodial parent is participating;

"(D) shall provide monetary incentives for more than minimally acceptable performance of required educational activities; and

"(E) shall provide penalties which may be those required by subsection (a)(19)(G) or, with the approval of the Secretary, other monetary penalties that the State finds will better achieve the objectives of the program.

"(3) When a monetary incentive is payable because of the more than minimally acceptable performance of required educational activities by a custodial parent, the incentive shall be paid directly to such parent, regardless of whether the State agency makes payment of aid under the State plan directly to such parent.

"(4)(A) For purposes of this part, monetary incentives paid under this subsection shall be considered aid to families with dependent children.

"(B) For purposes of any other Federal or federally assisted program based on need, no monetary incentive paid under this subsection shall be considered income in determining a family's eligibility for or amount of benefits under such program, and if aid is reduced by reason of a penalty under this subsection, such other program shall treat the family involved as if no such penalty has been applied.

"(5) The State agency shall from time to time provide such information as the Secretary may request, and otherwise cooperate with the Secretary, in order to permit evaluation of the effectiveness on a broad basis of the State's program conducted under this subsection.".

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1996.

SEC. 203. LIVING ARRANGEMENT REQUIREMENTS.

(a) IN GENERAL.—Section 402(a)(43) (42 U.S.C. 602(a)(43)) is amended—

(1) in the matter preceding subparagraph (A), by striking "at the option of the State,",

(2) in subparagraph (A), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively,

(3) by striking "(A) subject to subparagraph (B)," and inserting "(A)(i) subject to clause (ii),",

(4) in subclause (II) of subparagraph (A)(i), as redesignated—

(A) by striking "(where possible)", and

(B) by striking "or other adult relative" and inserting "other adult relative, or other adult supervising the living arrangement", and

(5) by striking subparagraph (B) and inserting the following:

"(ii) clause (i) does not apply in any case in which the State agency—

"(I) determines that the physical or emotional health or safety of such individual or such dependent child would be jeopardized if such individual and such dependent child lived in the same residence with such individual's own parent or legal guardian; or

"(II) otherwise determines in accordance with regulations issued by the Secretary that there is good cause for waiving such clause; and

"(B) if an individual is not residing in an alternative adult-supervised living arrangement that is approved by the State agency, the State agency (in consultation with the child welfare agency) is required to assist the individual in locating an appropriate living arrangement;".

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1997.

Subtitle B—State Flexibility

PART I—ESTABLISHMENT OF INTERAGENCY WELFARE REVIEW BOARD

SEC. 211. INTERAGENCY WELFARE REVIEW BOARD.

(a) ESTABLISHMENT AND PURPOSE.—In order to facilitate the consideration of welfare program requirement waiver requests that involve more than 1 Federal department or agency, there is established an Interagency Welfare Review Board (hereafter in this part referred to as the "Board").

(b) MEMBERSHIP.—The Board shall consist of the following members:

(1) The Secretary of Agriculture (or the designee of the Secretary).

(2) The Secretary of Health and Human Services (or the designee of the Secretary).

(3) The Secretary of Housing and Urban Development (or the designee of the Secretary).

(4) The Secretary of Labor (or the designee of the Secretary).

(5) The Secretary of Education (or the designee of the Secretary).

(6) Such other individuals as the President determines appropriate.

(c) CHAIRPERSON.—The President shall appoint 1 member of the Board to serve as Chairperson of the Board.

(d) VACANCIES.—A vacancy in the position of Chairperson shall be filled in the manner in which the original appointment was made.

(e) NO ADDITIONAL COMPENSATION.—The members of the Board may not be provided additional pay, allowances, or benefits by reason of their service on the Board.

(f) POWERS.—

(1) ASSISTANCE OF OTHER FEDERAL ENTITIES.—A member of the Board shall detail to the Chairperson, on a nonreimbursable basis, such officers and employees of the department or agency headed by the member, and shall make available to the Chairperson such assistance as the Chairperson may require to carry out the activities of the Board.

(2) USE OF UNITED STATES MAILS.—The Chairperson may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(g) DUTIES.—

(1) IN GENERAL.—The Board shall act as the central organization for coordinating the review of applications submitted under section 212 by States for waivers from the requirements of eligible Federal low-income assistance programs that involve more than 1 department or agency of the Federal Government.

(2) DUTY TO PROVIDE TECHNICAL ASSISTANCE.—The Board shall provide assistance and technical advice to entities submitting applications under section 212 and implementing an assistance plan under an application approved under section 213.

SEC. 212. WAIVER APPLICATION.

Any State that is receiving or is eligible to receive funds or other assistance under eligible Federal low-income assistance programs involving more than 1 Federal department or agency and desires a waiver authorized by law from the Federal requirements with respect to such programs may submit to the Board an application for such waiver. The application shall be submitted in the form and manner prescribed by the Board.

SEC. 213. REVIEW AND APPROVAL OF APPLICATIONS.

(a) REVIEW OF APPLICATIONS.—The Board shall review a waiver application submitted under section 212 and issue an advisory opinion with respect to such waiver application. Final decisions with respect to the waiver application shall be made by the Secretaries of the departments or agencies that have responsibility for administering the programs with respect to which the waiver is sought.

(b) ACTION ON APPLICATION.—The Board shall establish a schedule for the consideration of a waiver application submitted under section 212, to assure that the State will receive a final decision from the Secretaries described in subsection (a) on the waiver application not later than 90 days after the date the completed application is received by the Board.

SEC. 214. DEFINITION OF STATE.

(a) IN GENERAL.—For purposes of this part, the term "State" means any of the 50 States, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands.

(b) INDIAN TRIBES.—In the case of an eligible Federal low-income assistance program under which aid or assistance is provided with respect to an Indian tribe, the Indian tribal organization is deemed to be a State for purposes of this part.

PART II—ADDITIONAL PROVISIONS CONCERNING WAIVERS

SEC. 221. SCHEDULE FOR CONSIDERATION OF WAIVER APPLICATIONS.

Section 1115 (42 U.S.C. 1315) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking "(a) In" and inserting "(a)(1) In"; and

(3) by adding at the end the following new paragraph:

"(2) Not later than 90 days after the date a completed application from a State for a waiver under paragraph (1) is received by the Secretary, the Secretary shall approve or disapprove such application. In considering an application for a waiver, there shall be a presumption for approval in the case of a request for a waiver that is similar in substance and scale to one that the Secretary has previously approved.".

SEC. 222. STATE AUTHORITY TO ESTABLISH CERTAIN AFDC RULES.

(a) IN GENERAL.—Section 1115 (42 U.S.C. 1315) is amended by adding at the end the following new subsection:

"(e)(1) Any State having an approved plan under part A of title IV may, without receiving a waiver from the Secretary pursuant to this section or otherwise, establish any of the program changes described in paragraph (2) for purposes of providing aid or assistance under part A of such title.

"(2) The program changes described in this paragraph are the following:

"(A) Income and resource requirements other than those specified in section 402(a)(7) in order to test the effect of such requirements on an individual's effort to obtain employment.

"(B) Requirements relating to the disregard of income other than those specified in section 402(a)(8).

"(C) Standards for defining unemployment other than those prescribed by the Secretary pursuant to section 407(a).

"(D) Rules for the eligibility for aid or assistance under part A of title IV of an unemployed parent without regard to section 407(b)(1)(A)(iii).

"(3)(A) The Secretary shall evaluate a sufficient number of the program changes described in paragraph (2) which are established by a State in order to determine the impact of such changes on the receipt of aid to families with dependent children program under part A of title IV in such State, earnings achieved, costs to the Federal and State governments, and such other factors as the Secretary may determine.

"(B) Any State chosen by the Secretary for an evaluation under subparagraph (A) shall cooperate with such evaluation.

"(C) There are authorized to be appropriated such sums as may be necessary for the purpose of conducting evaluations under this paragraph.

"(4) The authority provided by paragraphs (1) and (2) of this subsection shall expire 5 years after the date on which this subsection takes effect.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 1996.

SEC. 223. WAIVER AUTHORITY FOR THE JOBS PROGRAM.

Section 1115(a) (42 U.S.C. 1315(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "part A or D of title IV" and inserting "part A, D, or F of title IV";

(2) in paragraph (1), by inserting "482," after "454,"; and

(3) in paragraph (2), by inserting "402(g)," after "section 3,".

TITLE III—CHILD SUPPORT ENFORCEMENT

SEC. 300. SHORT TITLE.

This title may be cited as the "Interstate Child Support Responsibility Act of 1995".

Subtitle A—Improvements to the Child Support Collection System

PART I—ELIGIBILITY AND OTHER MATTERS CONCERNING TITLE IV-D PROGRAM CLIENTS

SEC. 301. COOPERATION REQUIREMENT AND GOOD CAUSE EXCEPTION.

(a) CHILD SUPPORT ENFORCEMENT REQUIREMENTS.—Section 454 is amended—

(1) by striking "and" at the end of paragraph (23);

(2) by striking the period at the end of paragraph (24) and inserting "; and"; and

(3) by adding after paragraph (24) the following new paragraph:

"(25) provide that the State agency administering the plan under this part—

"(A) will make the determination specified under paragraph (4), as to whether an individual is cooperating with efforts to establish paternity and secure support (or has good cause not to cooperate with such efforts) for purposes of the requirements of sections 402(a)(26) and 1912;

"(B) will advise individuals, both orally and in writing, of the grounds for good cause exceptions to the requirement to cooperate with such efforts;

"(C) will take the best interests of the child into consideration in making the determination whether such individual has good cause not to cooperate with such efforts;

"(D)(i) will make the initial determination as to whether an individual is cooperating (or has good cause not to cooperate) with efforts to establish paternity within 10 days after such individual is referred to such State agency by the State agency administering the program under part A of title XIX;

"(ii) will make redeterminations as to cooperation or good cause at appropriate intervals; and

"(iii) will promptly notify the individual, and the State agencies administering such programs, of each such determination and redetermination;

"(E) with respect to any child born on or after the date 10 months after the date of the enactment of this provision—

"(i) will not determine (or redetermine) the mother of such child to be cooperating with efforts to establish paternity unless the mother furnishes—

"(I) the name of the putative father (or fathers); and

"(II) sufficient additional information to enable the State agency, if reasonable efforts were made, to verify the identity of the person named as the putative father (including such information as the putative father's present address, telephone number, date of birth, past or present place of employment, school previously or currently attended, and names and addresses of parents, friends, or relatives able to provide location information, or other information that could enable service of process on such person); and

"(ii) in the case of a caretaker who is not the mother and who is receiving payments for the child under part A, will determine (or redetermine) such caretaker to be reasonably cooperating with efforts to establish paternity under regulations prescribed by the Secretary; and

"(F)(i) (where a custodial parent who was initially determined not to be cooperating (or to have good cause not to cooperate) is later determined to be cooperating or to have good cause not to cooperate) will immediately notify the State agencies administering the programs under part A of title XIX that this eligibility condition has been met; and

"(ii) (where a custodial parent was initially determined to be cooperating (or to have good cause not to cooperate)) will not later determine such individual not to be cooperating (or not to have good cause not to cooperate) until such individual has been afforded an opportunity for a hearing.".

(b) AFDC AMENDMENTS.—

(1) Section 402(a)(11) is amended by striking "furnishing of" and inserting "application for".

(2) Section 402(a)(26) is amended—

(A) in each of subparagraphs (A) and (B), by redesignating clauses (i) and (ii) as subclauses (I) and (II);

(B) by indenting and redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iv), respectively;

(C) in clause (ii), as redesignated—

(i) by striking "is claimed, or in obtaining any other payments or property due such applicant or such child," and inserting "is claimed;"; and

(ii) by striking "unless" and all that follows through "aid is claimed; and";

(D) by adding after clause (ii) the following new clause:

"(iii) to cooperate with the State in obtaining any other payments or property due such applicant or such child; and";

(E) in the matter preceding clause (i), as redesignated, to read as follows:

"(26) provide—

"(A) that, as a condition of eligibility for aid, each applicant or recipient will be required (subject to subparagraph (C))—";

(F) in subparagraph (A)(iv), as redesignated, by striking ", unless such individual" and all that follows through "individuals involved";

(G) by adding at the end the following new subparagraphs:

"(B) that the State agency will immediately refer each applicant requiring paternity establishment services to the State agency administering the program under part D;

"(C) that an individual will not be required to cooperate with the State, as provided under subparagraph (A), if the individual is found to have good cause for refusing to cooperate, as determined in accordance with standards prescribed by the Secretary, which standards shall take into consideration the best interests of the child on whose behalf aid is claimed—

"(i) to the satisfaction of the State agency administering the program under part D, as determined in accordance with section 454(25), with respect to the requirements under clauses (i) and (ii) of subparagraph (A); and

"(ii) to the satisfaction of the State agency administering the program under this part, with respect to the requirements under clauses (iii) and (iv) of subparagraph (A);

"(D) that (except as provided in subparagraph (E)) an applicant requiring paternity establishment services (other than an individual eligible for emergency assistance as defined in section 406(e)) shall not be eligible for any aid under this part until such applicant—

"(i) has furnished to the agency administering the State plan under part D the information specified in section 454(25)(E); or

"(ii) has been determined by such agency to have good cause not to cooperate;

"(E) that the provisions of subparagraph (D) shall not apply—

"(i) if the State agency specified in such subparagraph has not, within 10 days after such individual was referred to such agency, provided the notification required by section 454(25)(D)(iii), until such notification is received; and

"(ii) if such individual appeals a determination that the individual lacks good cause for noncooperation, until after such determination is affirmed after notice and opportunity for a hearing; and"; and

(H)(i) by relocating and redesignating as subparagraph (F) the text at the end of subparagraph (A)(ii) beginning with "that, if the relative" and all that follows through the semicolon;

(ii) in subparagraph (F), as so redesignated and relocated, by striking "subparagraphs (A) and (B) of this paragraph" and inserting "subparagraph (A)"; and

(iii) by striking "and" at the end of subparagraph (a)(ii).

(c) MEDICAID AMENDMENTS.—Section 1912(a) is amended—

(1) in paragraph (1)(B), by inserting "(except as provided in paragraph (2))" after "to cooperate with the State";

(2) in subparagraphs (B) and (C) of paragraph (1) by striking ", unless" and all that follows and inserting a semicolon; and

(3) by redesignating paragraph (2) as paragraph (5), and inserting after paragraph (1) the following new paragraphs:

"(2) provide that the State agency will immediately refer each applicant or recipient requiring paternity establishment services to the State agency administering the program under part D of title IV;

"(3) provide that an individual will not be required to cooperate with the State, as provided under paragraph (1), if the individual is found to have good cause for refusing to cooperate, as determined in accordance with standards prescribed by the Secretary, which standards shall take into consideration the best interests of the individuals involved—

"(A) to the satisfaction of the State agency administering the program under part D, as determined in accordance with section 454(25), with respect to the requirements to cooperate with efforts to establish paternity and to obtain support (including medical support) from a parent; and

"(B) to the satisfaction of the State agency administering the program under this title, with respect to other requirements to cooperate under paragraph (1);

"(4) provide that (except as provided in paragraph (5)) an applicant requiring paternity establishment services (other than an individual eligible for emergency assistance as defined in section 406(e), or presumptively eligible pursuant to section 1920) shall not be eligible for medical assistance under this title until such applicant—

"(i) has furnished to the agency administering the State plan under part D of title IV the information specified in section 454(25)(E); or

"(ii) has been determined by such agency to have good cause not to cooperate; and

"(5) provide that the provisions of paragraph (4) shall not apply with respect to an applicant—

"(i) if such agency has not, within 10 days after such individual was referred to such agency, provided the notification required by section 454(25)(D)(iii), until such notification is received); and

"(ii) if such individual appeals a determination that the individual lacks good cause for noncooperation, until after such determination is affirmed after notice and opportunity for a hearing.".

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to applications filed in or after the first calendar quarter beginning 10 months or more after the date of the enactment of this Act (or such earlier quarter as the State may select) for aid under part A of title IV of the Social Security Act or for medical assistance under title XIX of such Act.

SEC. 302. STATE OBLIGATION TO PROVIDE PATERNITY ESTABLISHMENT AND CHILD SUPPORT ENFORCEMENT SERVICES.

(a) STATE LAW REQUIREMENTS.—Section 466(a) (42 U.S.C. 666(a)) is amended by adding at the end the following new paragraph:

"(12) Procedures under which—

"(A) every child support order established or modified in the State on or after October 1, 1998, is recorded in the central case registry established in accordance with section 454A(e); and

"(B) child support payments are collected through the centralized collections unit established in accordance with section 454B—

"(i) on and after October 1, 1998, under each order subject to wage withholding under section 466(b); and

"(ii) on and after October 1, 1999, under each other order required to be recorded in

such central case registry under this paragraph or section 454A(e)—

"(I) if requested by either party subject to such order, or

"(II) at the option of the State, regardless of whether application is made for services under this part.".

(b) STATE PLAN REQUIREMENTS.—Section 454 (42 U.S.C. 654) is amended—

(1) by striking paragraph (4) and inserting the following new paragraph:

"(4) provide that such State will undertake to provide appropriate services under this part to—

"(A) each child with respect to whom an assignment is effective under section 402(a)(26), 471(a)(17), or 1912 (except in cases in which the State agency determines, in accordance with paragraph (25), that it is against the best interests of the child to do so); and

"(B) each child not described in subparagraph (A)—

"(i) with respect to whom an individual applies for such services; or

"(ii) on and after October 1, 1998, with respect to whom a support order is recorded in the central State case registry established under section 454A, if application is made for services under this part;"; and

(2) in paragraph (6)—

(A) by striking "(6) provide that" and all that follows through subparagraph (A) and inserting the following:

"(6) provide that—

"(A) services under the State plan shall be made available to nonresidents on the same terms as to residents;";

(B) in subparagraph (B)—

(i) by inserting "on individuals not receiving assistance under part A" after "such services shall be imposed"; and

(ii) by inserting "but no fees or costs shall be imposed on any absent or custodial parent or other individual for inclusion in the central State registry maintained pursuant to section 454A(e)"; and

(C) in each of subparagraphs (B), (C), (D), and (E), by indenting such subparagraph and aligning its left margin with the left margin of subparagraph (A); and

(D) in each of subparagraphs (B), (C), and (D), by striking the final comma and inserting a semicolon.

(c) CONFORMING AMENDMENTS.—

(1) PATERNITY ESTABLISHMENT PERCENTAGE.—Section 452(g)(2)(A) (42 U.S.C. 652(g)(2)(A)) is amended by striking "454(6)" each place it appears and inserting "454(4)(A)(ii)".

(2) STATE PLAN.—Section 454(23) (42 U.S.C. 654(23)) is amended, effective October 1, 1998, by striking "information as to any application fees for such services and".

(3) PROCEDURES TO IMPROVE ENFORCEMENT.—Section 466(a)(3)(B) (42 U.S.C. 666(a)(3)(B)) is amended by striking "in the case of overdue support which a State has agreed to collect under section 454(6)" and inserting "in any other case".

(4) DEFINITION OF OVERDUE SUPPORT.—Section 466(e) (42 U.S.C. 666(e)) is amended by striking "or (6)".

SEC. 303. DISTRIBUTION OF PAYMENTS.

(a) DISTRIBUTIONS THROUGH STATE CHILD SUPPORT ENFORCEMENT AGENCY TO FORMER ASSISTANCE RECIPIENTS.—Section 454(5) (42 U.S.C. 654(5)) is amended—

(1) in subparagraph (A)—

(A) by inserting "except as otherwise specifically provided in section 464 or 466(a)(3)," after "is effective,"; and

(B) by striking "except that" and all that follows through the semicolon; and

(2) in subparagraph (B), by striking ", except" and all that follows through "medical assistance".

(b) DISTRIBUTION TO A FAMILY CURRENTLY RECEIVING AFDC.—Section 457 (42 U.S.C. 657) is amended—

(1) by striking subsection (a) and redesignating subsection (b) as subsection (a);

(2) in subsection (a), as redesignated—

(A) in the matter preceding paragraph (2), to read as follows:

"(a) IN THE CASE OF A FAMILY RECEIVING AFDC.—Amounts collected under this part during any month as support of a child who is receiving assistance under part A (or a parent or caretaker relative of such a child) shall (except in the case of a State exercising the option under subsection (b)) be distributed as follows:

"(1) an amount equal to the amount that will be disregarded pursuant to section 402(a)(8)(A)(vi) shall be taken from each of—

"(A) the amounts received in a month which represent payments for that month; and

"(B) the amounts received in a month which represent payments for a prior month which were made by the absent parent in that prior month;

and shall be paid to the family without affecting its eligibility for assistance or decreasing any amount otherwise payable as assistance to such family during such month;";

(B) in paragraph (4), by striking "or (B)" and all that follows through the period and inserting "; then (B) from any remainder, amounts equal to arrearages of such support obligations assigned, pursuant to part A, to any other State or States shall be paid to such other State or States and used to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing); and then (C) any remainder shall be paid to the family."; and

(3) by inserting after subsection (a), as redesignated, the following new subsection:

"(b) ALTERNATIVE DISTRIBUTION IN CASE OF FAMILY RECEIVING AFDC.—In the case of a State electing the option under this subsection, amounts collected as described in subsection (a) shall be distributed as follows:

"(1) an amount equal to the amount that will be disregarded pursuant to section 402(a)(8)(A)(vi) shall be taken from each of—

"(A) the amounts received in a month which represent payments for that month; and

"(B) the amounts received in a month which represent payments for a prior month which were made by the absent parent in that prior month;

and shall be paid to the family without affecting its eligibility for assistance or decreasing any amount otherwise payable as assistance to such family during such month;

"(2) second, from any remainder, amounts equal to the balance of support owed for the current month shall be paid to the family;

"(3) third, from any remainder, amounts equal to arrearages of such support obligations assigned, pursuant to part A, to the State making the collection shall be retained and used by such State to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing);

"(4) fourth, from any remainder, amounts equal to arrearages of such support obligations assigned, pursuant to part A, to any other State or States shall be paid to such other State or States and used to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing); and

"(5) fifth, any remainder shall be paid to the family.".

(c) DISTRIBUTION TO A FAMILY NOT RECEIVING AFDC.—

(1) IN GENERAL.—Section 457(c) (42 U.S.C. 657(c)) is amended to read as follows:

"(c) DISTRIBUTIONS IN CASE OF FAMILY NOT RECEIVING AFDC.—Amounts collected by a State agency under this part during any month as support of a child who is not receiving assistance under part A (or of a parent or caretaker relative of such a child) shall (subject to the remaining provisions of this section) be distributed as follows:

"(1) first, amounts equal to the total of such support owed for such month shall be paid to the family;

"(2) second, from any remainder, amounts equal to arrearages of such support obligations for months during which such child did not receive assistance under part A shall be paid to the family;

"(3) third, from any remainder, amounts equal to arrearages of such support obligations assigned to the State making the collection pursuant to part A shall be retained and used by such State to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing); and

"(4) fourth, from any remainder, amounts equal to arrearages of such support obligations assigned to any other State pursuant to part A shall be paid to such other State or States, and used to pay such arrearages, in the order in which such arrearages accrued (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing).".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall become effective on October 1, 1999.

(d) DISTRIBUTION TO A CHILD RECEIVING ASSISTANCE UNDER TITLE IV-E.—Section 457(d) (42 U.S.C. 657(d)) is amended, in the matter preceding paragraph (1), by striking "Notwithstanding the preceding provisions of this section, amounts" and inserting the following:

"(d) DISTRIBUTIONS IN CASE OF A CHILD RECEIVING ASSISTANCE UNDER TITLE IV-E.—Amounts".

(e) REGULATIONS.—The Secretary of Health and Human Services shall promulgate regulations—

(1) under part D of title IV of the Social Security Act, establishing a uniform nationwide standard for allocation of child support collections from an obligor owing support to more than 1 family; and

(2) under part A of such title, establishing standards applicable to States electing the alternative formula under section 457(b) of such Act for distribution of collections on behalf of families receiving Aid to Families with Dependent Children, designed to minimize irregular monthly payments to such families.

(f) CLERICAL AMENDMENTS.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (11)—

(A) by striking "(11)" and inserting "(11)(A)"; and

(B) by inserting after the semicolon "and"; and

(2) by redesignating paragraph (12) as subparagraph (B) of paragraph (11).

SEC. 304. RIGHTS TO NOTIFICATION AND HEARINGS.

(a) IN GENERAL.—Section 454 (42 U.S.C. 654), as amended by section 302(f), is amended by

inserting after paragraph (11) the following new paragraph:

"(12) establish procedures to provide that—

"(A) individuals who are applying for or receiving services under this part—

"(i) receive notice of all proceedings in which support obligations might be established or modified; and

"(ii) receive a copy of any order establishing or modifying a child support obligation, or (in the case of a petition for modification) a notice of determination that there should be no change in the amount of the child support award, within 14 days after issuance of such order or determination;

"(B) individuals applying for or receiving services under this part have access to a fair hearing or other formal complaint procedure that meets standards established by the Secretary and ensures prompt consideration and resolution of complaints (but the resort to such procedure shall not stay the enforcement of any support order); and

"(C) the State may not provide to any noncustodial parent of a child representation relating to the establishment or modification of an order for the payment of child support with respect to that child, unless the State makes provision for such representation outside the State agency;".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective on October 1, 1997.

SEC. 305. PRIVACY SAFEGUARDS.

(a) STATE PLAN REQUIREMENT.—Section 454 (42 U.S.C. 454), as amended by section 301(a), is amended—

(1) by striking "and" at the end of paragraph (24);

(2) by striking the period at the end of paragraph (25) and inserting "; and"; and

(3) by adding after paragraph (25) the following:

"(26) provide that the State will have in effect safeguards applicable to all sensitive and confidential information handled by the State agency designed to protect the privacy rights of the parties, including—

"(A) safeguards against unauthorized use or disclosure of information relating to proceedings or actions to establish paternity, or to establish or enforce support;

"(B) prohibitions on the release of information on the whereabouts of 1 party to another party against whom a protective order with respect to the former party has been entered; and

"(C) prohibitions on the release of information on the whereabouts of 1 party to another party if the State has reason to believe that the release of the information may result in physical or emotional harm to the former party.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective on October 1, 1997.

PART II—PROGRAM ADMINISTRATION AND FUNDING

SEC. 311. FEDERAL MATCHING PAYMENTS.

(a) INCREASED BASE MATCHING RATE.—Section 455(a)(2) (42 U.S.C. 655(a)(2)) is amended to read as follows:

"(2) The applicable percent for a quarter for purposes of paragraph (1)(A) is—

"(A) for fiscal years 1997 and 1998, 66 percent, and

"(B) for fiscal year 1999 and succeeding fiscal years, 75 percent.".

(b) MAINTENANCE OF EFFORT.—Section 455 (42 U.S.C. 655) is amended—

(1) in subsection (a)(1), in the matter preceding subparagraph (A), by striking "From" and inserting "Subject to subsection (c), from"; and

(2) by inserting after subsection (b) the following new subsection:

"(c) Notwithstanding the provisions of subsection (a), total expenditures for the State program under this part for fiscal year 1997 and each succeeding fiscal year (excluding 1-time capital expenditures for automation), reduced by the percentage specified for such fiscal year under subsection (a)(2) shall not be less than such total expenditures for fiscal year 1996, reduced by 66 percent.".

SEC. 312. PERFORMANCE-BASED INCENTIVES AND PENALTIES.

(a) INCENTIVE ADJUSTMENTS TO FEDERAL MATCHING RATE.—Section 458 (42 U.S.C. 658) is amended to read as follows:

"INCENTIVE ADJUSTMENTS TO MATCHING RATE

"SEC. 458. (a) INCENTIVE ADJUSTMENT.—

"(1) IN GENERAL.—In order to encourage and reward State child support enforcement programs which perform in an effective manner, the Federal matching rate for payments to a State under section 455(a)(1)(A), for each fiscal year beginning on or after October 1, 1998, shall be increased by a factor reflecting the sum of the applicable incentive adjustments (if any) determined in accordance with regulations under this section with respect to Statewide paternity establishment and to overall performance in child support enforcement.

"(2) STANDARDS.—

"(A) IN GENERAL.—The Secretary shall specify in regulations—

"(i) the levels of accomplishment, and rates of improvement as alternatives to such levels, which States must attain to qualify for incentive adjustments under this section; and

"(ii) the amounts of incentive adjustment that shall be awarded to States achieving specified accomplishment or improvement levels, which amounts shall be graduated, ranging up to—

"(I) 5 percentage points, in connection with Statewide paternity establishment; and

"(II) 10 percentage points, in connection with overall performance in child support enforcement.

"(B) LIMITATION.—In setting performance standards pursuant to subparagraph (A)(i) and adjustment amounts pursuant to subparagraph (A)(ii), the Secretary shall ensure that the aggregate number of percentage point increases as incentive adjustments to all States do not exceed such aggregate increases as assumed by the Secretary in estimates of the cost of this section as of June 1995, unless the aggregate performance of all States exceeds the projected aggregate performance of all States in such cost estimates.

"(3) DETERMINATION OF INCENTIVE ADJUSTMENT.—The Secretary shall determine the amount (if any) of incentive adjustment due each State on the basis of the data submitted by the State pursuant to section 454(15)(B) concerning the levels of accomplishment (and rates of improvement) with respect to performance indicators specified by the Secretary pursuant to this section.

"(4) FISCAL YEAR SUBJECT TO INCENTIVE ADJUSTMENT.—The total percentage point increase determined pursuant to this section with respect to a State program in a fiscal year shall apply as an adjustment to the applicable percent under section 455(a)(2) for payments to such State for the succeeding fiscal year.

"(5) RECYCLING OF INCENTIVE ADJUSTMENT.—A State shall expend in the State program under this part all funds paid to the State by the Federal Government as a result of an incentive adjustment under this section.

"(b) MEANING OF TERMS.—

"(1) STATEWIDE PATERNITY ESTABLISHMENT PERCENTAGE.—

"(A) IN GENERAL.—For purposes of this section, the term 'Statewide paternity establishment percentage' means, with respect to a fiscal year, the ratio (expressed as a percentage) of—

"(i) the total number of out-of-wedlock children in the State under 1 year of age for whom paternity is established or acknowledged during the fiscal year, to

"(ii) the total number of children requiring paternity establishment born in the State during such fiscal year.

"(B) ALTERNATIVE MEASUREMENT.—The Secretary shall develop an alternate method of measurement for the Statewide paternity establishment percentage for any State that does not record the out-of-wedlock status of children on birth certificates.

"(2) OVERALL PERFORMANCE IN CHILD SUPPORT ENFORCEMENT.—The term 'overall performance in child support enforcement' means a measure or measures of the effectiveness of the State agency in a fiscal year which takes into account factors including—

"(A) the percentage of cases requiring a child support order in which such an order was established;

"(B) the percentage of cases in which child support is being paid;

"(C) the ratio of child support collected to child support due; and

"(D) the cost-effectiveness of the State program, as determined in accordance with standards established by the Secretary in regulations.".

(b) ADJUSTMENT OF PAYMENTS UNDER PART D OF TITLE IV.—Section 455(a)(2) (42 U.S.C. 655(a)(2)), as amended by section 311(a), is amended—

(1) by striking the period at the end of subparagraph (C) and inserting a comma; and

(2) by adding after and below subparagraph (C), flush with the left margin of the paragraph, the following:

"increased by the incentive adjustment factor (if any) determined by the Secretary pursuant to section 458.".

(c) CONFORMING AMENDMENTS.—Section 454(22) (42 U.S.C. 654(22)) is amended—

(1) by striking "incentive payments" the first place it appears and inserting "incentive adjustments"; and

(2) by striking "any such incentive payments made to the State for such period" and inserting "any increases in Federal payments to the State resulting from such incentive adjustments".

(d) CALCULATION OF IV-D PATERNITY ESTABLISHMENT PERCENTAGE.—

(1) OVERALL PERFORMANCE.—Section 452(g)(1) (42 U.S.C. 652(g)(1)) is amended in the matter preceding subparagraph (A) by inserting "its overall performance in child support enforcement is satisfactory (as defined in section 458(b) and regulations of the Secretary), and" after "1994,".

(2) DEFINITION.—Section 452(g)(2)(A) (42 U.S.C. 652(g)(2)(A)) is amended, in the matter preceding clause (i)—

(A) by striking "paternity establishment percentage" and inserting "IV-D paternity establishment percentage"; and

(B) by striking "(or all States, as the case may be)".

(3) MODIFICATION OF REQUIREMENTS.—Section 452(g)(3) (42 U.S.C. 652(g)(3)) is amended—

(A) by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;

(B) in subparagraph (A), as redesignated, by striking "the percentage of children born out-of-wedlock in the State" and inserting "the percentage of children in the State who are born out of wedlock or for whom support has not been established"; and

(C) in subparagraph (B), as redesignated—

(i) by inserting "and overall performance in child support enforcement" after "paternity establishment percentages"; and

(ii) by inserting "and securing support" before the period.

(e) REDUCTION OF PAYMENTS UNDER PART D OF TITLE IV.—

(1) NEW REQUIREMENTS.—Section 455 (42 U.S.C. 655) is amended—

(A) by redesignating subsection (e) as subsection (f); and

(B) by inserting after subsection (d) the following new subsection:

"(e)(1) Notwithstanding any other provision of law, if the Secretary finds, with respect to a State program under this part in a fiscal year beginning on or after October 1, 1997—

"(A)(i) on the basis of data submitted by a State pursuant to section 454(15)(B), that the State program in such fiscal year failed to achieve the IV-D paternity establishment percentage (as defined in section 452(g)(2)(A)) or the appropriate level of overall performance in child support enforcement (as defined in section 458(b)(2)), or to meet other performance measures that may be established by the Secretary, or

"(ii) on the basis of an audit or audits of such State data conducted pursuant to section 452(a)(4)(C), that the State data submitted pursuant to section 454(15)(B) is incomplete or unreliable; and

"(B) that, with respect to the succeeding fiscal year—

"(i) the State failed to take sufficient corrective action to achieve the appropriate performance levels as described in subparagraph (A)(i) of this paragraph, or

"(ii) the data submitted by the State pursuant to section 454(15)(B) is incomplete or unreliable,

the amounts otherwise payable to the State under this part for quarters following the end of such succeeding fiscal year, prior to quarters following the end of the first quarter throughout which the State program is in compliance with such performance requirement, shall be reduced by the percentage specified in paragraph (2).

"(2) The reductions required under paragraph (1) shall be—

"(A) not less than 3 nor more than 5 percent, or

"(B) not less than 5 nor more than 7 percent, if the finding is the second consecutive finding made pursuant to paragraph (1), or

"(C) not less than 7 nor more than 10 percent, if the finding is the third or a subsequent consecutive such finding.

"(3) For purposes of this subsection, section 402(a)(27), and section 452(a)(4), a State which is determined as a result of an audit to have submitted incomplete or unreliable data pursuant to section 454(15)(B), shall be determined to have submitted adequate data if the Secretary determines that the extent of the incompleteness or unreliability of the data is of a technical nature which does not adversely affect the determination of the level of the State's performance.".

(2) CONFORMING AMENDMENTS.—

(A) PAYMENTS TO STATES.—Section 403 (42 U.S.C. 603) is amended by striking subsection (h).

(B) DUTIES OF SECRETARY.—Subsections (d)(3)(A), (g)(1), and (g)(3)(A) of section 452 (42 U.S.C. 652) are each amended by striking "403(h)" and inserting "455(e)".

(f) EFFECTIVE DATES.—

(1) INCENTIVE ADJUSTMENTS.—

(A) IN GENERAL.—The amendments made by subsections (a), (b), and (c) shall become effective on October 1, 1997, except to the extent provided in subparagraph (B).

(B) EXCEPTION.—Section 458 of the Social Security Act, as in effect prior to the enactment of this section, shall be effective for purposes of incentive payments to States for fiscal years prior to fiscal year 1999.

(2) PENALTY REDUCTIONS.—

(A) IN GENERAL.—The amendments made by subsection (d) shall become effective with respect to calendar quarters beginning on and after the date of the enactment of this Act.

(B) REDUCTIONS.—The amendments made by subsection (e) shall become effective with respect to calendar quarters beginning on and after the date which is 1 year after the date of the enactment of this Act.

SEC. 313. FEDERAL AND STATE REVIEWS AND AUDITS.

(a) STATE AGENCY ACTIVITIES.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (14)—

(A) by striking "(14)" and inserting "(14)(A)"; and

(B) by inserting after the semicolon "and";

(2) by redesignating paragraph (15) as subparagraph (B) of paragraph (14); and

(3) by inserting after paragraph (14) the following new paragraph:

"(15) provide for—

"(A) a process for annual reviews of and reports to the Secretary on the State program under this part—

"(i) which shall include such information as may be necessary to measure State compliance with Federal requirements for expedited procedures and timely case processing, using such standards and procedures as are required by the Secretary; and

"(ii) under which the State agency will determine the extent to which such program is in conformity with applicable requirements with respect to the operation of State programs under this part (including the status of complaints filed under the procedure required under paragraph (12)(B)); and

"(B) a process of extracting from the State automated data processing system and transmitting to the Secretary data and calculations concerning the levels of accomplishment (and rates of improvement) with respect to applicable performance indicators (including IV-D paternity establishment percentages and overall performance in child support enforcement) to the extent necessary for purposes of sections 452(g) and 458.".

(b) FEDERAL ACTIVITIES.—Section 452(a)(4) (42 U.S.C. 652(a)(4)) is amended to read as follows:

"(4)(A) review data and calculations transmitted by State agencies pursuant to section 454(15)(B) on State program accomplishments with respect to performance indicators for purposes of section 452(g) and 458, and determine the amount (if any) of penalty reductions pursuant to section 455(e) to be applied to the State;

"(B) review annual reports by State agencies pursuant to section 454(15)(A) on State program conformity with Federal requirements; evaluate any elements of a State program in which significant deficiencies are indicated by such report on the status of complaints under the State procedure under section 454(12)(B); and, as appropriate, provide to the State agency comments, recommendations for additional or alternative corrective actions, and technical assistance; and

"(C) conduct audits, in accordance with the government auditing standards of the United States Comptroller General—

"(i) at least once every 3 years (or more frequently, in the case of a State which fails to meet requirements of this part, or of regulations implementing such requirements, concerning performance standards and reliability of program data) to assess the completeness, reliability, and security of the data, and the accuracy of the reporting systems, used for the calculations of performance indicators specified in subsection (g) and section 458;

"(ii) of the adequacy of financial management of the State program, including assessments of—

"(I) whether Federal and other funds made available to carry out the State program under this part are being appropriately expended, and are properly and fully accounted for; and

"(II) whether collections and disbursements of support payments and program income are carried out correctly and are properly and fully accounted for; and

"(iii) for such other purposes as the Secretary may find necessary;".

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to calendar quarters beginning on or after the date which is 1 year after the enactment of this section.

SEC. 314. REQUIRED REPORTING PROCEDURES.

(a) ESTABLISHMENT.—Section 452(a)(5) (42 U.S.C. 652(a)(5)) is amended by inserting ", and establish procedures to be followed by States for collecting and reporting information required to be provided under this part, and establish uniform definitions (including those necessary to enable the measurement of State compliance with the requirements of this part relating to expedited processes and timely case processing) to be applied in following such procedures" before the semicolon.

(b) STATE PLAN REQUIREMENT.—Section 454 (42 U.S.C. 654), as amended by sections 301(a) and 305(a), is amended—

(1) by striking "and" at the end of paragraph (25);

(2) by striking the period at the end of paragraph (26) and inserting "; and"; and

(3) by adding after paragraph (26) the following:

"(27) provide that the State shall use the definitions established under section 452(a)(5) in collecting and reporting information as required under this part.".

SEC. 315. AUTOMATED DATA PROCESSING REQUIREMENTS.

(a) REVISED REQUIREMENTS.—

(1) STATE PLAN.—Section 454(16) (42 U.S.C. 654(16)) is amended—

(A) by striking ", at the option of the State,";

(B) by inserting "and operation by the State agency" after "for the establishment";

(C) by inserting "meeting the requirements of section 454A" after "information retrieval system";

(D) by striking "in the State and localities thereof, so as (A)" and inserting "so as";

(E) by striking "(i)"; and

(F) by striking "(including, but not limited to," and all that follows and to the semicolon.

(2) AUTOMATED DATA PROCESSING.—Part D of title IV (42 U.S.C. 651-669) is amended by inserting after section 454 the following new section:

"AUTOMATED DATA PROCESSING

"SEC. 454A. (a) IN GENERAL.—In order to meet the requirements of this section, for purposes of the requirement of section 454(16), a State agency shall have in operation a single statewide automated data processing and information retrieval system which has the capability to perform the tasks specified in this section, and performs such tasks with the frequency and in the manner specified in this part or in regulations or guidelines of the Secretary.

"(b) PROGRAM MANAGEMENT.—The automated system required under this section shall perform such functions as the Secretary may specify relating to management of the program under this part, including—

"(1) controlling and accounting for use of Federal, State, and local funds to carry out such program; and

"(2) maintaining the data necessary to meet Federal reporting requirements on a timely basis.

"(c) CALCULATION OF PERFORMANCE INDICATORS.—In order to enable the Secretary to determine the incentive and penalty adjustments required by sections 452(g) and 458, the State agency shall—

"(1) use the automated system—

"(A) to maintain the requisite data on State performance with respect to paternity establishment and child support enforcement in the State; and

"(B) to calculate the IV-D paternity establishment percentage and overall performance in child support enforcement for the State for each fiscal year; and

"(2) have in place systems controls to ensure the completeness, and reliability of, and ready access to, the data described in paragraph (1)(A), and the accuracy of the calculations described in paragraph (1)(B).

"(d) INFORMATION INTEGRITY AND SECURITY.—The State agency shall have in effect safeguards on the integrity, accuracy, and completeness of, access to, and use of data in the automated system required under this section, which shall include the following (in addition to such other safeguards as the Secretary specifies in regulations):

"(1) POLICIES RESTRICTING ACCESS.—Written policies concerning access to data by State agency personnel, and sharing of data with other persons, which—

"(A) permit access to and use of data only to the extent necessary to carry out program responsibilities;

"(B) specify the data which may be used for particular program purposes, and the personnel permitted access to such data; and

"(C) ensure that data obtained or disclosed for a limited program purpose is not used or redisclosed for another, impermissible purpose.

"(2) SYSTEMS CONTROLS.—Systems controls (such as passwords or blocking of fields) to ensure strict adherence to the policies specified under paragraph (1).

"(3) MONITORING OF ACCESS.—Routine monitoring of access to and use of the automated system, through methods such as audit trails and feedback mechanisms, to guard against and promptly identify unauthorized access or use.

"(4) TRAINING AND INFORMATION.—The State agency shall have in effect procedures to ensure that all personnel (including State and local agency staff and contractors) who may have access to or be required to use sensitive or confidential program data are fully informed of applicable requirements and penalties, and are adequately trained in security procedures.

"(5) PENALTIES.—The State agency shall have in effect administrative penalties (up to and including dismissal from employment) for unauthorized access to, or disclosure or use of, confidential data.".

(3) REGULATIONS.—Section 452 (42 U.S.C. 652) is amended by adding at the end the following new subsection:

"(j) The Secretary shall prescribe final regulations for implementation of the requirements of section 454A not later than 2 years after the date of the enactment of this subsection.".

(4) IMPLEMENTATION TIMETABLE.—Section 454(24) (42 U.S.C. 654(24)), as amended by sections 301(a), 305(a)(2) and 314(b)(1), is amended to read as follows:

"(24) provide that the State will have in effect an automated data processing and information retrieval system—

"(A) by October 1, 1996, meeting all requirements of this part which were enacted on or before the date of the enactment of the Family Support Act of 1988; and

"(B) by October 1, 1999, meeting all requirements of this part enacted on or before the date of the enactment of the Interstate Child Support Responsibility Act of 1995 (but this provision shall not be construed to alter earlier deadlines specified for elements of such system), except that such deadline shall be extended by 1 day for each day (if any) by which the Secretary fails to meet the deadline imposed by section 452(j);".

(b) SPECIAL FEDERAL MATCHING RATE FOR DEVELOPMENT COSTS OF AUTOMATED SYSTEMS.—Section 455(a) (42 U.S.C. 655(a)) is amended—

(1) in paragraph (1)(B)—

(A) by striking "90 percent" and inserting "the percent specified in paragraph (3)";

(B) by striking "so much of"; and

(C) by striking "which the Secretary" and all that follows through "thereof"; and

(2) by adding at the end the following new paragraph:

"(3)(A) The Secretary shall pay to each State, for each quarter in fiscal years 1996 through 2001, the percentage specified in subparagraph (B) of so much of State expenditures described in paragraph (1)(B) as the Secretary finds are for a system meeting the requirements specified in section 454(16) and 454A, subject to subparagraph (C).

"(B) The percentage specified in this subparagraph, for purposes of subparagraph (A), is the higher of—

"(i) 80 percent, or

"(ii) the percentage otherwise applicable to Federal payments to the State under paragraph (1)(A) (as adjusted pursuant to section 458).

"(C)(i) The Secretary may not pay more than $260,000,000 in the aggregate under this paragraph for fiscal years 1996, 1997, 1998, 1999, 2000, and 2001.

"(ii) The total amount payable to a State under this paragraph for fiscal years 1996, 1997, 1998, 1999, 2000, and 2001 shall not exceed the limitation determined for the State by the Secretary in regulations.

"(iii) The regulations referred to in clause (ii) shall prescribe a formula for allocating the amount specified in clause (iii) among States with plans approved under this part, which shall take into account—

"(I) the relative size of State caseloads under this part; and

"(II) the level of automation needed to meet the automated data processing requirements of this part.".

(c) CONFORMING AMENDMENT.—Section 123(c) of the Family Support Act of 1988 (102 Stat. 2352; Public Law 100-485) is repealed.

SEC. 316. DIRECTOR OF CSE PROGRAM; STAFFING STUDY.

(a) REPORTING TO SECRETARY.—Section 452(a) (42 U.S.C. 652(a)) is amended in the matter preceding paragraph (1) by striking "directly".

(b) STAFFING STUDIES.—

(1) SCOPE.—The Secretary of Health and Human Services (in this subsection referred to as the "Secretary") shall, directly or by contract, conduct studies of the staffing of each State child support enforcement program under part D of title IV of the Social Security Act. Such studies shall—

(A) include a review of the staffing needs created by requirements for automated data processing, maintenance of a central case registry and centralized collections of child support, and of changes in these needs resulting from changes in such requirements; and

(B) examine and report on effective staffing practices used by the States and on recommended staffing procedures.

(2) FREQUENCY OF STUDIES.—The Secretary shall complete the first staffing study required under paragraph (1) not later than October 1, 1997, and may conduct additional studies subsequently at appropriate intervals.

(3) REPORT TO THE CONGRESS.—The Secretary shall submit a report to the Congress stating the findings and conclusions of each study conducted under this subsection.

SEC. 317. FUNDING FOR SECRETARIAL ASSISTANCE TO STATE PROGRAMS.

Section 452 (42 U.S.C. 652), as amended by section 315(a)(3), is amended by adding at the end the following new subsection:

"(k)(1) There shall be available to the Secretary, from amounts appropriated for fiscal year 1996 and each succeeding fiscal year for payments to States under this part, the amount specified in paragraph (2) for the costs to the Secretary for—

"(A) information dissemination and technical assistance to States, training of State and Federal staff, staffing studies, and related activities needed to improve programs (including technical assistance concerning State automated systems);

"(B) research, demonstration, and special projects of regional or national significance relating to the operation of State programs under this part; and

"(C) operation of the Federal Parent Locator Service under section 453, to the extent such costs are not recovered through user fees.

"(2) The amount specified in this paragraph for a fiscal year is the amount equal to a percentage of the reduction in Federal payments to States under part A on account of child support (including arrearages) collected in the preceding fiscal year on behalf of children receiving aid under such part A in such preceding fiscal year (as determined on the basis of the most recent reliable data available to the Secretary as of the end of the third calendar quarter following the end of such preceding fiscal year), equal to—

"(A) 1 percent, for the activities specified in subparagraphs (A) and (B) of paragraph (1); and

"(B) 2 percent, for the activities specified in subparagraph (C) of paragraph (1).".

SEC. 318. DATA COLLECTION AND REPORTS BY THE SECRETARY.

(a) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 452(a)(10)(A) (42 U.S.C. 652(a)(10)(A)) is amended—

(A) by striking "this part;" and inserting "this part, including—"; and

(B) by adding at the end the following indented clauses:

"(i) the total amount of child support payments collected as a result of services furnished during such fiscal year to individuals receiving services under this part;

"(ii) the cost to the States and to the Federal Government of furnishing such services to those individuals; and

"(iii) the number of cases involving families—

"(I) who became ineligible for aid under part A during a month in such fiscal year; and

"(II) with respect to whom a child support payment was received in the same month;".

(2) CERTAIN DATA.—Section 452(a)(10)(C) (42 U.S.C. 652(a)(10)(C)) is amended—

(A) in the matter preceding clause (i), by striking "with the data required under each clause being separately stated for cases" and all that follows through "part:" and inserting "separately stated for cases where the child is receiving aid to families with dependent children (or foster care maintenance payments under part E), or formerly received such aid or payments and the State is continuing to collect support assigned to it under section 402(a)(26), 471(a)(17), or 1912, and all other cases under this part—";

(B) in each of clauses (i) and (ii), by striking ", and the total amount of such obligations";

(C) in clause (iii), by striking "described in" and all that follows through the semicolon and inserting "in which support was collected during the fiscal year;";

(D) by striking clause (iv); and

(E) by redesignating clause (v) as clause (vii), and inserting after clause (iii) the following new clauses:

"(iv) the total amount of support collected during such fiscal year and distributed as current support;

"(v) the total amount of support collected during such fiscal year and distributed as arrearages;

"(vi) the total amount of support due and unpaid for all fiscal years; and".

(3) USE OF FEDERAL COURTS.—Section 452(a)(10)(G) (42 U.S.C. 652(a)(10)(G)) is amended by striking "on the use of Federal courts and".

(4) ADDITIONAL INFORMATION NOT NECESSARY.—Section 452(a)(10) (42 U.S.C. 652(a)(10)) is amended by striking all that follows subparagraph (I).

(b) DATA COLLECTION AND REPORTING.—Section 469 (42 U.S.C. 669) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) The Secretary shall collect and maintain, on a fiscal year basis, up-to-date statistics, by State, with respect to services to establish paternity and services to establish child support obligations, the data specified in subsection (b), separately stated, in the case of each such service, with respect to—

"(1) families (or dependent children) receiving aid under plans approved under part A (or E); and

"(2) families not receiving such aid.

"(b) The data referred to in subsection (a) are—

"(1) the number of cases in the caseload of the State agency administering the plan under this part in which such service is needed; and

"(2) the number of such cases in which the service has been provided."; and

(2) in subsection (c), by striking "(a)(2)" and inserting "(b)(2)".

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to fiscal year 1996 and succeeding fiscal years.

PART III—LOCATE AND CASE TRACKING

SEC. 321. CENTRAL STATE AND CASE REGISTRY.

Section 454A, as added by section 315(a)(2), is amended by adding at the end the following new subsections:

"(e) CENTRAL CASE REGISTRY.—

"(1) IN GENERAL.—The automated system required under this section shall perform the functions, in accordance with the provisions of this subsection, of a single central registry containing records with respect to each case in which services are being provided by the State agency (including, on and after October 1, 1998, each order specified in section 466(a)(12)), using such standardized data elements (such as names, social security numbers or other uniform identification numbers, dates of birth, and case identification numbers), and containing such other information (such as information on case status) as the Secretary may require.

"(2) PAYMENT RECORDS.—Each case record in the central registry shall include a record of—

"(A) the amount of monthly (or other periodic) support owed under the support order, and other amounts due or overdue (including arrearages, interest or late payment penalties, and fees);

"(B) all child support and related amounts collected (including such amounts as fees, late payment penalties, and interest on arrearages);

"(C) the distribution of such amounts collected; and

"(D) the birth date of the child for whom the child support order is entered.

"(3) UPDATING AND MONITORING.—The State agency shall promptly establish and maintain, and regularly monitor, case records in the registry required by this subsection, on the basis of—

"(A) information on administrative actions and administrative and judicial proceedings and orders relating to paternity and support;

"(B) information obtained from matches with Federal, State, or local data sources;

"(C) information on support collections and distributions; and

"(D) any other relevant information.

"(f) DATA MATCHES AND OTHER DISCLOSURES OF INFORMATION.—The automated system required under this section shall have the capacity, and be used by the State agency, to extract data at such times, and in such standardized format or formats, as may be required by the Secretary, and to share and match data with, and receive data from, other data bases and data matching services, in order to obtain (or provide) information necessary to enable the State agency (or Secretary or other State or Federal agencies) to carry out responsibilities under this part. Data matching activities of the State agency shall include at least the following:

"(1) DATA BANK OF CHILD SUPPORT ORDERS.—Furnishing to the Data Bank of Child Support Orders established under section 453(h) (and updating as necessary, with information, including notice of expiration of orders) minimal information specified by the Secretary on each child support case in the central case registry.

"(2) FEDERAL PARENT LOCATOR SERVICE.—Exchanging data with the Federal Parent Locator Service for the purposes specified in section 453.

"(3) AFDC AND MEDICAID AGENCIES.—Exchanging data with State agencies (of the State and of other States) administering the programs under part A and title XIX, as necessary for the performance of State agency responsibilities under this part and under such programs.

"(4) INTRA- AND INTERSTATE DATA MATCHES.—Exchanging data with other agencies of the State, agencies of other States, and interstate information networks, as necessary and appropriate to carry out (or assist other States to carry out) the purposes of this part.".

SEC. 322. CENTRALIZED COLLECTION AND DISBURSEMENT OF SUPPORT PAYMENTS.

(a) STATE PLAN REQUIREMENT.—Section 454 (42 U.S.C. 654), as amended by sections 301(a), 305(a) and 314(b), is amended—

(1) by striking "and" at the end of paragraph (26);

(2) by striking the period at the end of paragraph (27) and inserting "; and"; and

(3) by adding after paragraph (27) the following new paragraph:

"(28) provide that the State agency, on and after October 1, 1998—

"(A) will operate a centralized, automated unit for the collection and disbursement of child support under orders being enforced under this part, in accordance with section 454B; and

"(B) will have sufficient State staff (consisting of State employees), and, at State option, contractors reporting directly to the State agency to monitor and enforce support collections through such centralized unit, including carrying out the automated data processing responsibilities specified in section 454A(g) and to impose, as appropriate in particular cases, the administrative enforcement remedies specified in section 466(c)(1).".

(b) ESTABLISHMENT OF CENTRALIZED COLLECTION UNIT.—Part D of title IV (42 U.S.C. 651–669) is amended by adding after section 454A the following new section:

"CENTRALIZED COLLECTION AND DISBURSEMENT OF SUPPORT PAYMENTS

"SEC. 454B. (a) IN GENERAL.—In order to meet the requirement of section 454(28), the State agency must operate a single, centralized, automated unit for the collection and disbursement of support payments, coordinated with the automated data system required under section 454A, in accordance with the provisions of this section, which shall be—

"(1) operated directly by the State agency (or by 2 or more State agencies under a regional cooperative agreement), or by a single contractor responsible directly to the State agency; and

"(2) used for the collection and disbursement (including interstate collection and disbursement) of payments under support orders in all cases being enforced by the State pursuant to section 454(4).

"(b) REQUIRED PROCEDURES.—The centralized collections unit shall use automated procedures, electronic processes, and computer-driven technology to the maximum extent feasible, efficient, and economical, for the collection and disbursement of support payments, including procedures—

"(1) for receipt of payments from parents, employers, and other States, and for disbursements to custodial parents and other obligees, the State agency, and the State agencies of other States;

"(2) for accurate identification of payments;

"(3) to ensure prompt disbursement of the custodial parent's share of any payment; and

"(4) to furnish to either parent, upon request, timely information on the current status of support payments.".

(c) USE OF AUTOMATED SYSTEM.—Section 454A, as added by section 315(a)(2) and as amended by section 321, is amended by adding at the end the following new subsection:

"(g) CENTRALIZED COLLECTION AND DISTRIBUTION OF SUPPORT PAYMENTS.—The automated system required under this section shall be used, to the maximum extent feasible, to assist and facilitate collections and

disbursement of support payments through the centralized collections unit operated pursuant to section 454B, through the performance of functions including at a minimum—

"(1) generation of orders and notices to employers (and other debtors) for the withholding of wages (and other income)—

"(A) within 2 working days after receipt (from the directory of New Hires established under section 453(i) or any other source) of notice of and the income source subject to such withholding; and

"(B) using uniform formats directed by the Secretary;

"(2) ongoing monitoring to promptly identify failures to make timely payment; and

"(3) automatic use of enforcement mechanisms (including mechanisms authorized pursuant to section 466(c)) where payments are not timely made.".

(d) EFFECTIVE DATE.—The amendments made by this section shall become effective on October 1, 1998.

SEC. 323. AMENDMENTS CONCERNING INCOME WITHHOLDING.

(a) MANDATORY INCOME WITHHOLDING.—

(1) FROM WAGES.—Section 466(a)(1) (42 U.S.C. 666(a)(1)) is amended to read as follows:

"(1)(A) Procedures described in subsection (b) for the withholding from income of amounts payable as support in cases subject to enforcement under the State plan.

"(B) Procedures under which all child support orders issued (or modified) before October 1, 1996, and which are not otherwise subject to withholding under subsection (b), shall become subject to withholding from wages as provided in subsection (b) if arrearages occur, without the need for a judicial or administrative hearing.".

(2) REPEAL OF CERTAIN PROVISIONS CONCERNING ARREARAGES.—Section 466(a)(8) (42 U.S.C. 666(a)(8)) is repealed.

(3) PROCEDURES DESCRIBED.—Section 466(b) (42 U.S.C. 666(b)) is amended—

(A) in the matter preceding paragraph (1), by striking "subsection (a)(1)" and inserting "subsection (a)(1)(A)";

(B) in paragraph (5), by striking "a public agency" and all that follows through the period and inserting "the State through the centralized collections unit established pursuant to section 454B, in accordance with the requirements of such section 454B.";

(C) in paragraph (6)(A)(i)—

(i) by inserting ", in accordance with timetables established by the Secretary," after "must be required"; and

(ii) by striking "to the appropriate agency" and all that follows through the period and inserting "to the State centralized collections unit within 5 working days after the date such amount would (but for this subsection) have been paid or credited to the employee, for distribution in accordance with this part.";

(D) in paragraph (6)(A)(ii), by inserting "be in a standard format prescribed by the Secretary, and" after "shall"; and

(E) in paragraph (6)(D) to read as follows:

"(D) Provision must be made for the imposition of a fine against any employer who—

"(i) discharges from employment, refuses to employ, or takes disciplinary action against any absent parent subject to wage withholding required by this subsection because of the existence of such withholding and the obligations or additional obligations which it imposes upon the employer; or

"(ii) fails to withhold support from wages, or to pay such amounts to the State centralized collections unit in accordance with this subsection.".

(b) CONFORMING AMENDMENT.—Section 466(c) (42 U.S.C. 666(c)) is repealed.

(c) DEFINITION OF TERMS.—The Secretary of Health and Human Services shall promulgate regulations providing definitions, for purposes of part D of title IV of the Social Security Act, for the term "income" and for such other terms relating to income withholding under section 466(b) of such Act as the Secretary may find it necessary or advisable to define.

SEC. 324. LOCATOR INFORMATION FROM INTERSTATE NETWORKS.

Section 466(a) (42 U.S.C. 666(a)), as amended by section 323(a)(2), is amended by inserting after paragraph (7) the following new paragraph:

"(8) Procedures ensuring that the State will neither provide funding for, nor use for any purpose (including any purpose unrelated to the purposes of this part), any automated interstate network or system used to locate individuals—

"(A) for purposes relating to the use of motor vehicles; or

"(B) providing information for law enforcement purposes (where child support enforcement agencies are otherwise allowed access by State and Federal law),

unless all Federal and State agencies administering programs under this part (including the entities established under section 453) have access to information in such system or network to the same extent as any other user of such system or network.".

SEC. 325. EXPANDED FEDERAL PARENT LOCATOR SERVICE.

(a) EXPANDED AUTHORITY TO LOCATE INDIVIDUALS AND ASSETS.—Section 453 (42 U.S.C. 653) is amended—

(1) in subsection (a), by striking "information as to the whereabouts" and all that follows through the period and inserting ", for the purpose of establishing parentage, establishing, setting the amount of, modifying, or enforcing child support obligations—

"(1) information on, or facilitating the discovery of, the location of any individual—

"(A) who is under an obligation to pay child support;

"(B) against whom such an obligation is sought; or

"(C) to whom such an obligation is owed,

including such individual's social security number (or numbers), most recent residential address, and the name, address, and employer identification number of such individual's employer; and

"(2) information on the individual's wages (or other income) from, and benefits of, employment (including rights to or enrollment in group health care coverage); and

"(3) information on the type, status, location, and amount of any assets of, or debts owed by or to, any such individual.";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "social security" and all that follows through "absent parent" and inserting "information specified in subsection (a)"; and

(B) in paragraph (2), by inserting before the period ", or from any consumer reporting agency (as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f))"; and

(3) in subsection (e)(1), by inserting before the period ", or by consumer reporting agencies".

(b) REIMBURSEMENT FOR DATA FROM FEDERAL AGENCIES.—Section 453(e)(2) (42 U.S.C. 653(e)(2)) is amended in the fourth sentence by inserting before the period "in an amount which the Secretary determines to be reasonable payment for the data exchange (which amount shall not include payment for the costs of obtaining, compiling, or maintaining the data)".

(c) ACCESS TO CONSUMER REPORTS UNDER FAIR CREDIT REPORTING ACT.—

(1) IN GENERAL.—Section 608 of the Fair Credit Reporting Act (15 U.S.C. 1681f) is amended—

(A) by striking ", limited to" and inserting "to a governmental agency (including the entire consumer report, in the case of a Federal, State, or local agency administering a program under part D of title IV of the Social Security Act, and limited to"; and

(B) by striking "employment, to a governmental agency" and inserting "employment, in the case of any other governmental agency)".

(2) REIMBURSEMENT FOR REPORTS BY STATE AGENCIES AND CREDIT BUREAUS.—Section 453 (42 U.S.C. 653) is amended by adding at the end the following new subsection:

"(g) The Secretary is authorized to reimburse to State agencies and consumer credit reporting agencies the costs incurred by such entities in furnishing information requested by the Secretary pursuant to this section in an amount which the Secretary determines to be reasonable payment for the data exchange (which amount shall not include payment for the costs of obtaining, compiling, or maintaining the data).".

(d) TECHNICAL AMENDMENTS.—

(1) Sections 452(a)(9), 453(a), 453(b), 463(a), and 463(e) (42 U.S.C. 652(a)(9), 653(a), 653(b), 663(a), and 663(e)) are each amended by inserting "Federal" before "Parent" each place it appears.

(2) Section 453 (42 U.S.C. 653) is amended in the heading by inserting "FEDERAL" before "PARENT".

(e) NEW COMPONENTS.—Section 453 (42 U.S.C. 653), as amended by subsection (c)(2), is amended by adding at the end the following new subsections:

"(h) DATA BANK OF CHILD SUPPORT ORDERS.—

"(1) IN GENERAL.—Not later than October 1, 1998, in order to assist States in administering their State plans under this part and parts A, F, and G, and for the other purposes specified in this section, the Secretary shall establish and maintain in the Federal Parent Locator Service an automated registry to be known as the Data Bank of Child Support Orders, which shall contain abstracts of child support orders and other information described in paragraph (2) on each case in each State central case registry maintained pursuant to section 454A(e), as furnished (and regularly updated), pursuant to section 454A(f), by State agencies administering programs under this part.

"(2) CASE INFORMATION.—The information referred to in paragraph (1), as specified by the Secretary, shall include sufficient information (including names, social security numbers or other uniform identification numbers, and State case identification numbers) to identify the individuals who owe or are owed support (or with respect to or on behalf of whom support obligations are sought to be established), and the State or States which have established or modified, or are enforcing or seeking to establish, such an order.

"(i) DIRECTORY OF NEW HIRES.—

"(1) IN GENERAL.—Not later than October 1, 1998, in order to assist States in administering their State plans under this part and parts A, F, and G, and for the other purposes specified in this section, the Secretary shall establish and maintain in the Federal Parent

Locator Service an automated directory to be known as the directory of New Hires, containing—

"(A) information supplied by employers on each newly hired individual, in accordance with paragraph (2); and

"(B) information supplied by State agencies administering State unemployment compensation laws, in accordance with paragraph (3).

"(2) EMPLOYER INFORMATION.—

"(A) INFORMATION REQUIRED.—Subject to subparagraph (D), each employer shall furnish to the Secretary, for inclusion in the directory under this subsection, not later than 10 days after the date (on or after October 1, 1998) on which the employer hires a new employee (as defined in subparagraph (C)), a report containing the name, date of birth, and social security number of such employee, and the employer identification number of the employer.

"(B) REPORTING METHOD AND FORMAT.—The Secretary shall provide for transmission of the reports required under subparagraph (A) using formats and methods which minimize the burden on employers, which shall include—

"(i) automated or electronic transmission of such reports;

"(ii) transmission by regular mail; and

"(iii) transmission of a copy of the form required for purposes of compliance with section 3402 of the Internal Revenue Code of 1986.

"(C) EMPLOYEE DEFINED.—For purposes of this paragraph, the term 'employee' means any individual subject to the requirement of section 3402(f)(2) of the Internal Revenue Code of 1986.

"(D) PAPERWORK REDUCTION REQUIREMENT.—As required by the information resources management policies published by the Director of the Office of Management and Budget pursuant to section 3504(b)(1) of title 44, United States Code, the Secretary, in order to minimize the cost and reporting burden on employers, shall not require reporting pursuant to this paragraph if an alternative reporting mechanism can be developed that either relies on existing Federal or State reporting or enables the Secretary to collect the needed information in a more cost-effective and equally expeditious manner, taking into account the reporting costs on employers.

"(E) CIVIL MONEY PENALTY ON NONCOMPLYING EMPLOYERS.—

"(i) IN GENERAL.—Any employer that fails to make a timely report in accordance with this paragraph with respect to an individual shall be subject to a civil money penalty, for each calendar year in which the failure occurs, of the lesser of $500 or 1 percent of the wages or other compensation paid by such employer to such individual during such calendar year.

"(ii) APPLICATION OF SECTION 1128A.—Subject to clause (iii), the provisions of section 1128A (other than subsections (a) and (b) thereof) shall apply to a civil money penalty under clause (i) in the same manner as they apply to a civil money penalty or proceeding under section 1128A(a).

"(iii) COSTS TO SECRETARY.—Any employer with respect to whom a penalty under this subparagraph is upheld after an administrative hearing shall be liable to pay all costs of the Secretary with respect to such hearing.

"(3) EMPLOYMENT SECURITY INFORMATION.—

"(A) REPORTING REQUIREMENT.—Each State agency administering a State unemployment compensation law approved by the Secretary of Labor under the Federal Unemployment Tax Act shall furnish to the Secretary extracts of the reports to the Secretary of Labor concerning the wages and unemployment compensation paid to individuals required under section 303(a)(6), in accordance with subparagraph (B).

"(B) MANNER OF COMPLIANCE.—The extracts required under subparagraph (A) shall be furnished to the Secretary on a quarterly basis, with respect to calendar quarters beginning on and after October 1, 1996, by such dates, in such format, and containing such information as required by that Secretary in regulations.

"(j) DATA MATCHES AND OTHER DISCLOSURES.—

"(1) VERIFICATION BY SOCIAL SECURITY ADMINISTRATION.—

"(A) TRANSMISSION OF DATA.—The Secretary shall transmit data on individuals and employers in the registries maintained under this section to the Social Security Administration to the extent necessary for verification in accordance with subparagraph (B).

"(B) VERIFICATION.—The Commissioner of Social Security shall verify the accuracy of, correct or supply to the extent necessary and feasible, and report to the Secretary, the following information in data supplied by the Secretary pursuant to subparagraph (A):

"(i) the name, social security number, and birth date of each individual; and

"(ii) the employer identification number of each employer.

"(2) CHILD SUPPORT LOCATOR MATCHES.—For the purpose of locating individuals for purposes of paternity establishment and establishment and enforcement of child support, the Secretary shall—

"(A) match data in the directory of New Hires against the child support order abstracts in the Data Bank of Child Support Orders not less than every 2 working days; and

"(B) report information obtained from a match established under subparagraph (A) to concerned State agencies operating programs under this part not later than 2 working days after such match.

"(3) DATA MATCHES AND DISCLOSURES OF DATA IN ALL REGISTRIES FOR TITLE IV PROGRAM PURPOSES.—The Secretary shall—

"(A) perform matches of data in each component of the Federal Parent Locator Service maintained under this section against data in each other such component (other than the matches required pursuant to paragraph (1)), and report information resulting from such matches to State agencies operating programs under this part and parts A, F, and G; and

"(B) disclose data in such registries to such State agencies,

to the extent, and with the frequency, that the Secretary determines to be effective in assisting such States to carry out their responsibilities under such programs.

"(k) FEES.—

"(1) FOR SSA VERIFICATION.—The Secretary shall reimburse the Commissioner of Social Security, at a rate negotiated between the Secretary and the Commissioner, the costs incurred by the Commissioner in performing the verification services specified in subsection (j).

"(2) FOR INFORMATION FROM SESAS.—The Secretary shall reimburse costs incurred by State employment security agencies in furnishing data as required by subsection (i)(3), at rates which the Secretary determines to be reasonable (which rates shall not include payment for the costs of obtaining, compiling, or maintaining such data).

"(3) FOR INFORMATION FURNISHED TO STATE AND FEDERAL AGENCIES.—State and Federal agencies receiving data or information from the Secretary pursuant to this section shall reimburse the costs incurred by the Secretary in furnishing such data or information, at rates which the Secretary determines to be reasonable (which rates shall include payment for the costs of obtaining, verifying, maintaining, and matching such data or information).

"(l) RESTRICTION ON DISCLOSURE AND USE.—Data in the Federal Parent Locator Service, and information resulting from matches using such data, shall not be used or disclosed except as specifically provided in this section.

"(m) RETENTION OF DATA.—Data in the Federal Parent Locator Service, and data resulting from matches performed pursuant to this section, shall be retained for such period (determined by the Secretary) as appropriate for the data uses specified in this section.

"(n) INFORMATION INTEGRITY AND SECURITY.—The Secretary shall establish and implement safeguards with respect to the entities established under this section designed to—

"(1) ensure the accuracy and completeness of information in the Federal Parent Locator Service; and

"(2) restrict access to confidential information in the Federal Parent Locator Service to authorized persons, and restrict use of such information to authorized purposes.

"(o) LIMIT ON LIABILITY.—The Secretary shall not be liable to either a State or an individual for inaccurate information provided to a component of the Federal Parent Locator Service and disclosed by the Secretary in accordance with this section.".

(f) CONFORMING AMENDMENTS.—

(1) TO PART D OF TITLE IV OF THE SOCIAL SECURITY ACT.—Section 454(8)(B) (42 U.S.C. 654(8)(B)) is amended to read as follows:

"(B) the Federal Parent Locator Service established under section 453;".

(2) TO FEDERAL UNEMPLOYMENT TAX ACT.—Section 3304(16) of the Internal Revenue Code of 1986 (relating to approval of State laws) is amended—

(A) by striking "Secretary of Health, Education, and Welfare" each place it appears and inserting "Secretary of Health and Human Services";

(B) in subparagraph (B), by striking "such information" and all that follows through the semicolon and inserting "information furnished under subparagraph (A) or (B) is used only for the purposes authorized under such subparagraph;";

(C) by striking "and" at the end of subparagraph (A);

(D) by redesignating subparagraph (B) as subparagraph (C); and

(E) by inserting after subparagraph (A) the following new subparagraph:

"(B) wage and unemployment compensation information contained in the records of such agency shall be furnished to the Secretary of Health and Human Services (in accordance with regulations promulgated by such Secretary) as necessary for the purposes of the directory of New Hires established under section 453(i) of the Social Security Act, and".

(3) TO STATE GRANT PROGRAM UNDER TITLE III OF THE SOCIAL SECURITY ACT.—Section 303(a) (42 U.S.C. 503(a)) is amended—

(A) by striking "and" at the end of paragraph (8);

(B) by striking the period at the end of paragraph (9) and inserting "; and"; and

(C) by adding after paragraph (9) the following new paragraph:

"(10) The making of quarterly electronic reports, at such dates, in such format, and

containing such information, as required by the Secretary under section 453(i)(3), and compliance with such provisions as such Secretary may find necessary to ensure the correctness and verification of such reports.".

SEC. 326. USE OF SOCIAL SECURITY NUMBERS.

(a) STATE LAW REQUIREMENT.—Section 466(a) (42 U.S.C. 666(a)), as amended by section 302(a), is amended by adding at the end the following new paragraph:

"(13) Procedures requiring the recording of social security numbers—

"(A) of both parties on marriage licenses and divorce decrees;

"(B) of both parents, on birth records and child support and paternity orders; and

"(C) on all applications for motor vehicle licenses and professional licenses.".

(b) CLARIFICATION OF FEDERAL POLICY.—Section 205(c)(2)(C)(ii) (42 U.S.C. 405(c)(2)(C)(ii)) is amended by striking the third sentence and inserting "This clause shall not be considered to authorize disclosure of such numbers except as provided in the preceding sentence.".

PART IV—STREAMLINING AND UNIFORMITY OF PROCEDURES

SEC. 331. ADOPTION OF UNIFORM STATE LAWS.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a) and 326(a), is amended by adding at the end the following new paragraph:

"(14)(A) Procedures under which the State adopts in its entirety (with the modifications and additions specified in this paragraph) not later than January 1, 1997, and uses on and after such date, the Uniform Interstate Family Support Act, as approved by the National Conference of Commissioners on Uniform State Laws in August 1992.

"(B) The State law adopted pursuant to subparagraph (A) shall be applied to any case—

"(i) involving an order established or modified in one State and for which a subsequent modification is sought in another State; or

"(ii) in which interstate activity is required to enforce an order.

"(C) The State law adopted pursuant to subparagraph (A) of this paragraph shall contain the following provision in lieu of section 611(a)(1) of the Uniform Interstate Family Support Act described in such subparagraph (A):

"'(1) the following requirements are met:

"'(i) the child, the individual obligee, and the obligor—

"'(I) do not reside in the issuing State; and

"'(II) either reside in this State or are subject to the jurisdiction of this State pursuant to section 201; and

"'(ii) in any case where another State is exercising or seeks to exercise jurisdiction to modify the order, the conditions of section 204 are met to the same extent as required for proceedings to establish orders; or'.

"(D) The State law adopted pursuant to subparagraph (A) shall recognize as valid, for purposes of any proceeding subject to such State law, service of process upon persons in the State (and proof of such service) by any means acceptable in another State which is the initiating or responding State in such proceeding.".

SEC. 332. IMPROVEMENTS TO FULL FAITH AND CREDIT FOR CHILD SUPPORT ORDERS.

Section 1738B of title 28, United States Code, is amended—

(1) in subsection (a)(2), by striking "subsection (e)" and inserting "subsections (e), (f), and (i)";

(2) in subsection (b), by inserting after the first undesignated paragraph the following:

"'child's home State' means the State in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than 6 months old, the State in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the 6-month period.";

(3) in subsection (c), by inserting "by a court of a State" before "is made";

(4) in subsection (c)(1), by inserting "and subsections (e), (f), and (g)" after "located";

(5) in subsection (d)—

(A) by inserting "individual" before "contestant"; and

(B) by striking "subsection (e)" and inserting "subsections (e) and (f)";

(6) in subsection (e), by striking "make a modification of a child support order with respect to a child that is made" and inserting "modify a child support order issued";

(7) in subsection (e)(1), by inserting "pursuant to subsection (i)" before the semicolon;

(8) in subsection (e)(2)—

(A) by inserting "individual" before "contestant" each place such term appears; and

(B) by striking "to that court's making the modification and assuming" and inserting "with the State of continuing, exclusive jurisdiction for a court of another State to modify the order and assume";

(9) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(10) by inserting after subsection (e) the following new subsection:

"(f) RECOGNITION OF CHILD SUPPORT ORDERS.—If 1 or more child support orders have been issued in this or another State with regard to an obligor and a child, a court shall apply the following rules in determining which order to recognize for purposes of continuing, exclusive jurisdiction and enforcement:

"(1) If only 1 court has issued a child support order, the order of that court must be recognized.

"(2) If 2 or more courts have issued child support orders for the same obligor and child, and only 1 of the courts would have continuing, exclusive jurisdiction under this section, the order of that court must be recognized.

"(3) If 2 or more courts have issued child support orders for the same obligor and child, and only 1 of the courts would have continuing, exclusive jurisdiction under this section, an order issued by a court in the current home State of the child must be recognized, but if an order has not been issued in the current home State of the child, the order most recently issued must be recognized.

"(4) If 2 or more courts have issued child support orders for the same obligor and child, and none of the courts would have continuing, exclusive jurisdiction under this section, a court may issue a child support order, which must be recognized.

"(5) The court that has issued an order recognized under this subsection is the court having continuing, exclusive jurisdiction.";

(11) in subsection (g) (as so redesignated)—

(A) by striking "PRIOR" and inserting "MODIFIED"; and

(B) by striking "subsection (e)" and inserting "subsections (e) and (f)";

(12) in subsection (h) (as so redesignated)—

(A) in paragraph (2), by inserting "including the duration of current payments and other obligations of support" before the comma; and

(B) in paragraph (3), by inserting "arrears under" after "enforce"; and

(13) by adding at the end the following new subsection:

"(i) REGISTRATION FOR MODIFICATION.—If there is no individual contestant or child residing in the issuing State, the party or support enforcement agency seeking to modify, or to modify and enforce, a child support order issued in another State shall register that order in a State with jurisdiction over the nonmovant for the purpose of modification.".

SEC. 333. STATE LAWS PROVIDING EXPEDITED PROCEDURES.

(a) STATE LAW REQUIREMENTS.—Section 466 (42 U.S.C. 666), as amended by section 323(b), is amended—

(1) in subsection (a)(2), in the first sentence, to read as follows: "Expedited administrative and judicial procedures (including the procedures specified in subsection (c)) for establishing paternity and for establishing, modifying, and enforcing support obligations."; and

(2) by adding after subsection (b) the following new subsection:

"(c) The procedures specified in this subsection are the following:

"(1) Procedures which give the State agency the authority (and recognize and enforce the authority of State agencies of other States), without the necessity of obtaining an order from any other judicial or administrative tribunal (but subject to due process safeguards, including (as appropriate) requirements for notice, opportunity to contest the action, and opportunity for an appeal on the record to an independent administrative or judicial tribunal), to take the following actions relating to establishment or enforcement of orders:

"(A) To order genetic testing for the purpose of paternity establishment as provided in section 466(a)(5).

"(B) To enter a default order, upon a showing of service of process and any additional showing required by State law—

"(i) establishing paternity, in the case of any putative father who refuses to submit to genetic testing; and

"(ii) establishing or modifying a support obligation, in the case of a parent (or other obligor or obligee) who fails to respond to notice to appear at a proceeding for such purpose.

"(C) To subpoena any financial or other information needed to establish, modify, or enforce an order, and to sanction failure to respond to any such subpoena.

"(D) To require all entities in the State (including for-profit, nonprofit, and governmental employers) to provide promptly, in response to a request by the State agency of that or any other State administering a program under this part, information on the employment, compensation, and benefits of any individual employed by such entity as an employee or contractor, and to sanction failure to respond to any such request.

"(E) To obtain access, subject to safeguards on privacy and information security, to the following records (including automated access, in the case of records maintained in automated data bases):

"(i) Records of other State and local government agencies, including—

"(I) vital statistics (including records of marriage, birth, and divorce);

"(II) State and local tax and revenue records (including information on residence address, employer, income and assets);

"(III) records concerning real and titled personal property;

"(IV) records of occupational and professional licenses, and records concerning the ownership and control of corporations, partnerships, and other business entities;

"(V) employment security records;

"(VI) records of agencies administering public assistance programs;

"(VII) records of the motor vehicle department; and

"(VIII) corrections records.

"(ii) Certain records held by private entities, including—

"(I) customer records of public utilities and cable television companies; and

"(II) information (including information on assets and liabilities) on individuals who owe or are owed support (or against or with respect to whom a support obligation is sought) held by financial institutions (subject to limitations on liability of such entities arising from affording such access).

"(F) To order income withholding in accordance with subsection (a)(1) and (b) of section 466.

"(G) In cases where support is subject to an assignment under section 402(a)(26), 471(a)(17), or 1912, or to a requirement to pay through the centralized collections unit under section 454B) upon providing notice to obligor and obligee, to direct the obligor or other payor to change the payee to the appropriate government entity.

"(H) For the purpose of securing overdue support—

"(i) to intercept and seize any periodic or lump-sum payment to the obligor by or through a State or local government agency, including—

"(I) unemployment compensation, workers' compensation, and other benefits;

"(II) judgments and settlements in cases under the jurisdiction of the State or local government; and

"(III) lottery winnings;

"(ii) to attach and seize assets of the obligor held by financial institutions;

"(iii) to attach public and private retirement funds in appropriate cases, as determined by the Secretary; and

"(iv) to impose liens in accordance with paragraph (a)(4) and, in appropriate cases, to force sale of property and distribution of proceeds.

"(I) For the purpose of securing overdue support, to increase the amount of monthly support payments to include amounts for arrearages (subject to such conditions or restrictions as the State may provide).

"(J) To suspend drivers' licenses of individuals owing past-due support, in accordance with subsection (a)(16).

"(2) The expedited procedures required under subsection (a)(2) shall include the following rules and authority, applicable with respect to all proceedings to establish paternity or to establish, modify, or enforce support orders:

"(A) Procedures under which—

"(i) the parties to any paternity or child support proceedings are required (subject to privacy safeguards) to file with the tribunal before entry of an order, and to update as appropriate, information on location and identity (including social security number, residential and mailing addresses, telephone number, driver's license number, and name, address, and telephone number of employer); and

"(ii) in any subsequent child support enforcement action between the same parties, the tribunal shall be authorized, upon sufficient showing that diligent effort has been made to ascertain such party's current location, to deem due process requirements for notice and service of process to be met, with respect to such party, by delivery to the most recent residential or employer address so filed pursuant to clause (i).

"(B) Procedures under which—

"(i) the State agency and any administrative or judicial tribunal with authority to hear child support and paternity cases exerts statewide jurisdiction over the parties, and orders issued in such cases have statewide effect; and

"(ii) in the case of a State in which orders in such cases are issued by local jurisdictions, a case may be transferred between jurisdictions in the State without need for any additional filing by the petitioner, or service of process upon the respondent, to retain jurisdiction over the parties.".

(b) EXCEPTIONS FROM STATE LAW REQUIREMENTS.—Section 466(d) (42 U.S.C. 666(d)) is amended—

(1) by striking "(d) If" and inserting "(d)(1) Subject to paragraph (2), if"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary shall not grant an exemption from the requirements of—

"(A) subsection (a)(5) (concerning procedures for paternity establishment);

"(B) subsection (a)(10) (concerning modification of orders);

"(C) subsection (a)(12) (concerning recording of orders in the central State case registry);

"(D) subsection (a)(13) (concerning recording of social security numbers);

"(E) subsection (a)(14) (concerning interstate enforcement); or

"(F) subsection (c) (concerning expedited procedures), other than paragraph (1)(A) thereof (concerning establishment or modification of support amount).".

(c) AUTOMATION OF STATE AGENCY FUNCTIONS.—Section 454A, as added by section 315(a)(2) and as amended by sections 321 and 322(c), is amended by adding at the end the following new subsection:

"(h) EXPEDITED ADMINISTRATIVE PROCEDURES.—The automated system required under this section shall be used, to the maximum extent feasible, to implement any expedited administrative procedures required under section 466(c).".

PART V—PATERNITY ESTABLISHMENT

SEC. 341. STATE LAWS CONCERNING PATERNITY ESTABLISHMENT.

(a) STATE LAWS REQUIRED.—Section 466(a)(5) (42 U.S.C. 666(a)(5)) is amended—

(1) in subparagraph (B)—

(A) by striking "(B)" and inserting "(B)(i)";

(B) in clause (i), as redesignated, by inserting before the period ", where such request is supported by a sworn statement—

"(I) by such party alleging paternity setting forth facts establishing a reasonable possibility of the requisite sexual contact of the parties; or

"(II) by such party denying paternity setting forth facts establishing a reasonable possibility of the nonexistence of sexual contact of the parties;"; and

(C) by inserting after clause (i) (as redesignated) the following new clause:

"(ii) Procedures which require the State agency, in any case in which such agency orders genetic testing—

"(I) to pay the costs of such tests, subject to recoupment (where the State so elects) from the putative father if paternity is established; and

"(II) to obtain additional testing in any case where an original test result is disputed, upon request and advance payment by the disputing party.";

(2) by striking subparagraphs (C), (D), (E), and (F) and inserting the following:

"(C)(i) Procedures for a simple civil process for voluntarily acknowledging paternity under which the State must provide that, before a mother and a putative father can sign an acknowledgment of paternity, the putative father and the mother must be given notice, orally, in writing, and in a language that each can understand, of the alternatives to, the legal consequences of, and the rights (including, if 1 parent is a minor, any rights afforded due to minority status) and responsibilities that arise from, signing the acknowledgment.

"(ii) Such procedures must include a hospital-based program for the voluntary acknowledgment of paternity focusing on the period immediately before or after the birth of a child.

"(iii) Such procedures must require the State agency responsible for maintaining birth records to offer voluntary paternity establishment services.

"(iv) The Secretary shall prescribe regulations governing voluntary paternity establishment services offered by hospitals and birth record agencies. The Secretary shall prescribe regulations specifying the types of other entities that may offer voluntary paternity establishment services, and governing the provision of such services, which shall include a requirement that such an entity must use the same notice provisions used by, the same materials used by, provide the personnel providing such services with the same training provided by, and evaluate the provision of such services in the same manner as, voluntary paternity establishment programs of hospitals and birth record agencies.

"(D)(i) Procedures under which a signed acknowledgment of paternity is considered a legal finding of paternity, subject to the right of any signatory to rescind the acknowledgment within 60 days.

"(ii)(I) Procedures under which, after the 60-day period referred to in clause (i), a signed acknowledgment of paternity may be challenged in court only on the basis of fraud, duress, or material mistake of fact, with the burden of proof upon the challenger, and under which the legal responsibilities (including child support obligations) of any signatory arising from the acknowledgment may not be suspended during the challenge, except for good cause shown.

"(II) Procedures under which, after the 60-day period referred to in clause (i), a minor who signs an acknowledgment of paternity other than in the presence of a parent or court-appointed guardian ad litem may rescind the acknowledgment in a judicial or administrative proceeding, until the earlier of—

"(aa) attaining the age of majority; or

"(bb) the date of the first judicial or administrative proceeding brought (after the signing) to establish a child support obligation, visitation rights, or custody rights with respect to the child whose paternity is the subject of the acknowledgment, and at which the minor is represented by a parent, guardian ad litem, or attorney.

"(E) Procedures under which no judicial or administrative proceedings are required or permitted to ratify an unchallenged acknowledgment of paternity.

"(F) Procedures requiring—

"(i) that the State admit into evidence, for purposes of establishing paternity, results of any genetic test that is—

"(I) of a type generally acknowledged, by accreditation bodies designated by the Secretary, as reliable evidence of paternity; and

"(II) performed by a laboratory approved by such an accreditation body;

"(ii) that any objection to genetic testing results must be made in writing not later than a specified number of days before any hearing at which such results may be introduced into evidence (or, at State option, not later than a specified number of days after receipt of such results); and

"(iii) that, if no objection is made, the test results are admissible as evidence of paternity without the need for foundation testimony or other proof of authenticity or accuracy."; and

(3) by adding after subparagraph (H) the following new subparagraphs:

"(I) Procedures providing that the parties to an action to establish paternity are not entitled to a jury trial.

"(J) Procedures which require that a temporary order be issued, upon motion by a party, requiring the provision of child support pending an administrative or judicial determination of parentage, where there is clear and convincing evidence of paternity (on the basis of genetic tests or other evidence).

"(K) Procedures under which bills for pregnancy, childbirth, and genetic testing are admissible as evidence without requiring third-party foundation testimony, and shall constitute prima facie evidence of amounts incurred for such services and testing on behalf of the child.

"(L) At the option of the State, procedures under which the tribunal establishing paternity and support has discretion to waive rights to all or part of amounts owed to the State (but not to the mother) for costs related to pregnancy, childbirth, and genetic testing and for public assistance paid to the family where the father cooperates or acknowledges paternity before or after genetic testing.

"(M) Procedures ensuring that the putative father has a reasonable opportunity to initiate a paternity action.".

(b) TECHNICAL AMENDMENT.—Section 468 (42 U.S.C. 668) is amended by striking "a simple civil process for voluntarily acknowledging paternity and".

SEC. 342. OUTREACH FOR VOLUNTARY PATERNITY ESTABLISHMENT.

(a) STATE PLAN REQUIREMENT.—Section 454(23) (42 U.S.C. 654(23)) is amended—

(1) by striking "(23)" and inserting "(23)(A)";

(2) by inserting "and" after the semicolon; and

(3) by adding at the end the following new subparagraph:

"(B) publicize the availability and encourage the use of procedures for voluntary establishment of paternity and child support through a variety of means, which—

"(i) include distribution of written materials at health care facilities (including hospitals and clinics), and other locations such as schools;

"(ii) may include pre-natal programs to educate expectant couples on individual and joint rights and responsibilities with respect to paternity (and may require all expectant recipients of assistance under part A to participate in such pre-natal programs, as an element of cooperation with efforts to establish paternity and child support);

"(iii) include, with respect to each child discharged from a hospital after birth for whom paternity or child support has not been established, reasonable follow-up efforts, providing—

"(I) in the case of a child for whom paternity has not been established, information on the benefits of and procedures for establishing paternity; and

"(II) in the case of a child for whom paternity has been established but child support has not been established, information on the benefits of and procedures for establishing a child support order, and an application for child support services;".

(b) ENHANCED FEDERAL MATCHING.—Section 455(a)(1)(C) (42 U.S.C. 655(a)(1)(C)) is amended—

(1) by inserting "(i)" before "laboratory costs", and

(2) by inserting before the semicolon ", and (ii) costs of outreach programs designed to encourage voluntary acknowledgment of paternity".

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall become effective October 1, 1997.

(2) EXCEPTION.—The amendments made by subsection (b) shall be effective with respect to calendar quarters beginning on and after October 1, 1996.

PART VI—ESTABLISHMENT AND MODIFICATION OF SUPPORT ORDERS

SEC. 351. NATIONAL CHILD SUPPORT GUIDELINES COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the "National Child Support Guidelines Commission" (in this section referred to as the "Commission").

(b) GENERAL DUTIES.—

(1) IN GENERAL.—The Commission shall determine—

(A) whether it is appropriate to develop a national child support guideline for consideration by the Congress or for adoption by individual States; or

(B) based on a study of various guideline models, the benefits and deficiencies of such models, and any needed improvements.

(2) DEVELOPMENT OF MODELS.—If the Commission determines under paragraph (1)(A) that a national child support guideline is needed or under paragraph (1)(B) that improvements to guideline models are needed, the Commission shall develop such national guideline or improvements.

(c) MATTERS FOR CONSIDERATION BY THE COMMISSION.—In making the recommendations concerning guidelines required under subsection (b), the Commission shall consider—

(1) the adequacy of State child support guidelines established pursuant to section 467 of the Social Security Act;

(2) matters generally applicable to all support orders, including—

(A) the feasibility of adopting uniform terms in all child support orders;

(B) how to define income and under what circumstances income should be imputed; and

(C) tax treatment of child support payments;

(3) the appropriate treatment of cases in which either or both parents have financial obligations to more than 1 family, including the effect (if any) to be given to—

(A) the income of either parent's spouse; and

(B) the financial responsibilities of either parent for other children or stepchildren;

(4) the appropriate treatment of expenses for child care (including care of the children of either parent, and work-related or job-training-related child care);

(5) the appropriate treatment of expenses for health care (including uninsured health care) and other extraordinary expenses for children with special needs;

(6) the appropriate duration of support by 1 or both parents, including

(A) support (including shared support) for post-secondary or vocational education; and

(B) support for disabled adult children;

(7) procedures to automatically adjust child support orders periodically to address changed economic circumstances, including changes in the consumer price index or either parent's income and expenses in particular cases;

(8) procedures to help non-custodial parents address grievances regarding visitation and custody orders to prevent such parents from withholding child support payments until such grievances are resolved; and

(9) whether, or to what extent, support levels should be adjusted in cases in which custody is shared or in which the noncustodial parent has extended visitation rights.

(d) MEMBERSHIP.—

(1) NUMBER; APPOINTMENT.—

(A) IN GENERAL.—The Commission shall be composed of 12 individuals appointed jointly by the Secretary of Health and Human Services and the Congress, not later than January 15, 1997, of which—

(i) 2 shall be appointed by the Chairman of the Committee on Finance of the Senate, and 1 shall be appointed by the ranking minority member of the Committee;

(ii) 2 shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives, and 1 shall be appointed by the ranking minority member of the Committee; and

(iii) 6 shall be appointed by the Secretary of Health and Human Services.

(B) QUALIFICATIONS OF MEMBERS.—Members of the Commission shall have expertise and experience in the evaluation and development of child support guidelines. At least 1 member shall represent advocacy groups for custodial parents, at least 1 member shall represent advocacy groups for noncustodial parents, and at least 1 member shall be the director of a State program under part D of title IV of the Social Security Act.

(2) TERMS OF OFFICE.—Each member shall be appointed for a term of 2 years. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(e) COMMISSION POWERS, COMPENSATION, ACCESS TO INFORMATION, AND SUPERVISION.—The first sentence of subparagraph (C), the first and third sentences of subparagraph (D), subparagraph (F) (except with respect to the conduct of medical studies), clauses (ii) and (iii) of subparagraph (G), and subparagraph (H) of section 1886(e)(6) of the Social Security Act shall apply to the Commission in the same manner in which such provisions apply to the Prospective Payment Assessment Commission.

(f) REPORT.—Not later than 2 years after the appointment of members, the Commission shall submit to the President, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate, a recommended national child support guideline and a final assessment of issues relating to such a proposed national child support guideline.

(g) TERMINATION.—The Commission shall terminate 6 months after the submission of the report described in subsection (e).

SEC. 352. SIMPLIFIED PROCESS FOR REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS.

Section 466(a)(10) (42 U.S.C. 666(a)(10)) is amended to read as follows:

"(10)(A)(i) Procedures under which—

"(I) every 3 years, at the request of either parent subject to a child support order, the

State shall review and, as appropriate, adjust the order in accordance with the guidelines established under section 467(a) if the amount of the child support award under the order differs from the amount that would be awarded in accordance with such guidelines, without a requirement for any other change in circumstances; and

"(II) upon request at any time of either parent subject to a child support order, the State shall review and, as appropriate, adjust the order in accordance with the guidelines established under section 467(a) based on a substantial change in the circumstances of either such parent.

"(ii) Such procedures shall require both parents subject to a child support order to be notified of their rights and responsibilities provided for under clause (i) at the time the order is issued and in the annual information exchange form provided under subparagraph (B).

"(B) Procedures under which each child support order issued or modified in the State after the effective date of this subparagraph shall require the parents subject to the order to provide each other with a complete statement of their respective financial condition annually on a form which shall be provided by the State. The Secretary shall establish regulations for the enforcement of such exchange of information.".

PART VII—ENFORCEMENT OF SUPPORT ORDERS

SEC. 361. FEDERAL INCOME TAX REFUND OFFSET.

(a) CHANGED ORDER OF REFUND DISTRIBUTION UNDER INTERNAL REVENUE CODE.—Section 6402(c) of the Internal Revenue Code of 1986 (relating to offset of past-due support against overpayments) is amended—

(1) by striking "The amount" and inserting "(1) IN GENERAL.—The amount";

(2) by striking "paid to the State. A reduction" and inserting "paid to the State".

"(2) PRIORITIES FOR OFFSET.—A reduction";

(3) by striking "has been assigned" and inserting "has not been assigned"; and

(4) by striking "and shall be applied" and all that follows and inserting "and shall thereafter be applied to satisfy any past-due support that has been so assigned.".

(b) ELIMINATION OF DISPARITIES IN TREATMENT OF ASSIGNED AND NON-ASSIGNED ARREARAGES.—

(1) IN GENERAL.—Section 464(a) (42 U.S.C. 664(a)) is amended—

(A) in paragraph (1)—

(i) in the first sentence, by striking "which has been assigned to such State pursuant to section 402(a)(26) or section 471(a)(17)"; and

(ii) in the second sentence, by striking "in accordance with section 457 (b)(4) or (d)(3)" and inserting "as provided in paragraph (2)";

(B) in paragraph (2), to read as follows:

"(2) The State agency shall distribute amounts paid by the Secretary of the Treasury pursuant to paragraph (1)—

"(A) in accordance with subsection (a)(4) or (d)(3) of section 457, in the case of past-due support assigned to a State pursuant to section 402(a)(26) or section 471(a)(17); and

"(B) to or on behalf of the child to whom the support was owed, in the case of past-due support not so assigned.";

(C) in paragraph (3)—

(i) by striking "or (2)" each place it appears; and

(ii) in subparagraph (B), by striking "under paragraph (2)" and inserting "on account of past-due support described in paragraph (2)(B)".

(2) NOTICES OF PAST-DUE SUPPORT.—Section 464(b) (42 U.S.C. 664(b)) is amended—

(A) by striking "(b)(1)" and inserting "(b)"; and

(B) by striking paragraph (2).

(3) DEFINITION OF PAST-DUE SUPPORT.—Section 464(c) (42 U.S.C. 664(c)) is amended—

(A) by striking "(c)(1) Except as provided in paragraph (2), as" and inserting "(c) As"; and

(B) by striking paragraphs (2) and (3).

(c) TREATMENT OF LUMP-SUM TAX REFUND UNDER AFDC.—

(1) EXEMPTION FROM LUMP-SUM RULE.—Section 402(a)(17) (42 U.S.C. 602(a)(17)) is amended by inserting before the semicolon at the end the following: ", but this paragraph shall not apply to income received by a family that is attributable to a child support obligation owed with respect to a member of the family and that is paid to the family from amounts withheld from a Federal income tax refund otherwise payable to the person owing such obligation, to the extent that such income is placed in a qualified asset account (as defined in section 406(i)) the total amounts in which, after such placement, does not exceed $10,000".

(2) QUALIFIED ASSET ACCOUNT DEFINED.—Section 406 (42 U.S.C. 606) is amended by adding at the end the following new subsection:

"(i)(1) The term 'qualified asset account' means a mechanism approved by the State (such as individual retirement accounts, escrow accounts, or savings bonds) that allows savings of a family receiving aid to families with dependent children to be used for qualified distributions.

"(2) The term 'qualified distribution' means a distribution from a qualified asset account for expenses directly related to 1 or more of the following purposes:

"(A) The attendance of a member of the family at any education or training program.

"(B) The improvement of the employability (including self-employment) of a member of the family (such as through the purchase of an automobile).

"(C) The purchase of a home for the family.

"(D) A change of the family residence.".

(d) EFFECTIVE DATE.—The amendments made by this section shall become effective October 1, 1999.

SEC. 362. INTERNAL REVENUE SERVICE COLLECTION OF ARREARAGES.

(a) AMENDMENT TO INTERNAL REVENUE CODE.—Section 6305(a) of the Internal Revenue Code of 1986 (relating to collection of certain liability) is amended—

(1) in paragraph (1), by inserting "except as provided in paragraph (5)" after "collected";

(2) by striking "and" at the end of paragraph (3);

(3) by striking the period at the end of paragraph (4) and inserting ", and";

(4) by adding at the end the following new paragraph:

"(5) no additional fee may be assessed for adjustments to an amount previously certified pursuant to such section 452(b) with respect to the same obligor."; and

(5) by striking "Secretary of Health, Education, and Welfare" each place it appears and inserting "Secretary of Health and Human Services".

(b) EFFECTIVE DATE.—The amendments made by this section shall become effective October 1, 1997.

SEC. 363. AUTHORITY TO COLLECT SUPPORT FROM FEDERAL EMPLOYEES.

(a) CONSOLIDATION AND STREAMLINING OF AUTHORITIES.—Section 459 (42 U.S.C. 659) is amended—

(1) in the heading, by inserting "INCOME WITHHOLDING," before "GARNISHMENT";

(2) in subsection (a)—

(A) by striking "section 207" and inserting "section 207 and section 5301 of title 38, United States Code"; and

(B) by striking "to legal process" and all that follows through the period and inserting "to withholding in accordance with State law pursuant to subsections (a)(1) and (b) of section 466 and regulations of the Secretary thereunder, and to any other legal process brought, by a State agency administering a program under this part or by an individual obligee, to enforce the legal obligation of such individual to provide child support or alimony.";

(3) by striking subsection (b) and inserting the following new subsection:

"(b) Except as otherwise provided herein, each entity specified in subsection (a) shall be subject, with respect to notice to withhold income pursuant to subsection (a)(1) or (b) of section 466, or to any other order or process to enforce support obligations against an individual (if such order or process contains or is accompanied by sufficient data to permit prompt identification of the individual and the moneys involved), to the same requirements as would apply if such entity were a private person.";

(4) by striking subsections (c) and (d) and inserting the following new subsections:

"(c)(1) The head of each agency subject to the requirements of this section shall—

"(A) designate an agent or agents to receive orders and accept service of process; and

"(B) publish—

"(i) in the appendix of such regulations;

"(ii) in each subsequent republication of such regulations; and

"(iii) annually in the Federal Register,

the designation of such agent or agents, identified by title of position, mailing address, and telephone number.

"(2) Whenever an agent designated pursuant to paragraph (1) receives notice pursuant to subsection (a)(1) or (b) of section 466, or is effectively served with any order, process, or interrogatories, with respect to an individual's child support or alimony payment obligations, such agent shall—

"(A) as soon as possible (but not later than 15 days) thereafter, send written notice of such notice or service (together with a copy thereof) to such individual at his duty station or last-known home address;

"(B) not later than 30 days (or such longer period as may be prescribed by applicable State law) after receipt of a notice pursuant to subsection (a)(1) or (b) of section 466, comply with all applicable provisions of such section 466; and

"(C) not later than 30 days (or such longer period as may be prescribed by applicable State law) after effective service of any other such order, process, or interrogatories, respond thereto.

"(d) In the event that a governmental entity receives notice or is served with process, as provided in this section, concerning amounts owed by an individual to more than 1 person—

"(1) support collection under section 466(b) must be given priority over any other process, as provided in section 466(b)(7);

"(2) allocation of moneys due or payable to an individual among claimants under section 466(b) shall be governed by the provisions of such section 466(b) and regulations thereunder; and

"(3) such moneys as remain after compliance with subparagraphs (A) and (B) shall be available to satisfy any other such processes on a first-come, first-served basis, with any

such process being satisfied out of such moneys as remain after the satisfaction of all such processes which have been previously served.";

(5) in subsection (f)—

(A) by striking "(f)" and inserting "(f)(1)"; and

(B) by adding at the end the following new paragraph:

"(2) No Federal employee whose duties include taking actions necessary to comply with the requirements of subsection (a) with regard to any individual shall be subject under any law to any disciplinary action or civil or criminal liability or penalty for, or on account of, any disclosure of information made by him in connection with the carrying out of such duties."; and

(6) by adding at the end the following new subsections:

"(g) Authority to promulgate regulations for the implementation of the provisions of this section shall, insofar as the provisions of this section are applicable to moneys due from (or payable by)—

"(1) the executive branch of the Federal Government (including in such branch, for the purposes of this subsection, the territories and possessions of the United States, the United States Postal Service, the Postal Rate Commission, any wholly owned Federal corporation created by an Act of Congress, and the government of the District of Columbia), be vested in the President (or the President's designee);

"(2) the legislative branch of the Federal Government, be vested jointly in the President pro tempore of the Senate and the Speaker of the House of Representatives (or their designees); and

"(3) the judicial branch of the Federal Government, be vested in the Chief Justice of the United States (or the Chief Justice's designee).

"(h) Subject to subsection (i), moneys paid or payable to an individual which are considered to be based upon remuneration for employment, for purposes of this section—

"(1) consist of—

"(A) compensation paid or payable for personal services of such individual, whether such compensation is denominated as wages, salary, commission, bonus, pay, allowances, or otherwise (including severance pay, sick pay, and incentive pay);

"(B) periodic benefits (including a periodic benefit as defined in section 228(h)(3)) or other payments—

"(i) under the insurance system established by title II;

"(ii) under any other system or fund established by the United States which provides for the payment of pensions, retirement or retired pay, annuities, dependents' or survivors' benefits, or similar amounts payable on account of personal services performed by the individual or any other individual;

"(iii) as compensation for death under any Federal program;

"(iv) under any Federal program established to provide 'black lung' benefits; or

"(v) by the Secretary of Veterans Affairs as pension, or as compensation for a service-connected disability or death (except any compensation paid by such Secretary to a former member of the Armed Forces who is in receipt of retired or retainer pay if such former member has waived a portion of his retired pay in order to receive such compensation); and

"(C) worker's compensation benefits paid under Federal or State law; but

"(2) do not include any payment—

"(A) by way of reimbursement or otherwise, to defray expenses incurred by such individual in carrying out duties associated with his employment; or

"(B) as allowances for members of the uniformed services payable pursuant to chapter 7 of title 37, United States Code, as prescribed by the Secretaries concerned (defined by section 101(5) of such title) as necessary for the efficient performance of duty.

"(i) In determining the amount of any moneys due from, or payable by, the United States to any individual, there shall be excluded amounts which—

"(1) are owed by such individual to the United States;

"(2) are required by law to be, and are, deducted from the remuneration or other payment involved, including Federal employment taxes, and fines and forfeitures ordered by court-martial;

"(3) are properly withheld for Federal, State, or local income tax purposes, if the withholding of such amounts is authorized or required by law and if amounts withheld are not greater than would be the case if such individual claimed all the dependents that the individual was entitled to (the withholding of additional amounts pursuant to section 3402(i) of the Internal Revenue Code of 1986 may be permitted only when such individual presents evidence of a tax obligation which supports the additional withholding);

"(4) are deducted as health insurance premiums;

"(5) are deducted as normal retirement contributions (not including amounts deducted for supplementary coverage); or

"(6) are deducted as normal life insurance premiums from salary or other remuneration for employment (not including amounts deducted for supplementary coverage).

"(j) For purposes of this section—".

(b) TRANSFER OF SUBSECTIONS.—Subsections (a) through (d) of section 462 (42 U.S.C. 662), are transferred and redesignated as paragraphs (1) through (4), respectively, of section 459(j) (as added by subsection (a)(6)), and the left margin of each of such paragraphs (1) through (4) is indented 2 ems to the right of the left margin of subsection (j) (as added by subsection (a)(6)).

(c) CONFORMING AMENDMENTS.—

(1) TO PART D OF TITLE IV.—Sections 461 and 462 (42 U.S.C. 661) are repealed.

(2) TO TITLE 5, UNITED STATES CODE.—Section 5520a of title 5, United States Code, is amended, in subsections (h)(2) and (i), by striking "sections 459, 461, and 462 of the Social Security Act (42 U.S.C. 659, 661, and 662)" each place it appears and inserting "section 459 of the Social Security Act (42 U.S.C. 659)".

(d) MILITARY RETIRED AND RETAINER PAY.—Section 1408 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking "and";

(ii) in subparagraph (C), by striking the period and inserting "; and"; and

(iii) by adding at the end the following new subparagraph:

"(D) any administrative or judicial tribunal of a State competent to enter orders for support or maintenance (including a State agency administering a State program under part D of title IV of the Social Security Act).";

(B) in paragraph (2), by inserting "or a court order for the payment of child support not included in or accompanied by such a decree or settlement," before "which—";

(2) in subsection (d)—

(A) in the heading, by inserting "(OR FOR BENEFIT OF)" after "CONCERNED"; and

(B) in paragraph (1), in the first sentence, by inserting "(or for the benefit of such spouse or former spouse to a State central collections unit or other public payee designated by a State, in accordance with part D of title IV of the Social Security Act, as directed by court order, or as otherwise directed in accordance with such part D)" before "in an amount sufficient"; and

(3) by adding at the end the following new subsection:

"(j) RELATIONSHIP TO OTHER LAWS.—In any case involving a child support order against a member who has never been married to the other parent of the child, the provisions of this section shall not apply, and the case shall be subject to the provisions of section 459 of the Social Security Act.".

(e) EFFECTIVE DATE.—The amendments made by this section shall become effective 6 months after the date of the enactment of this Act.

SEC. 364. ENFORCEMENT OF CHILD SUPPORT OBLIGATIONS OF MEMBERS OF THE ARMED FORCES.

(a) AVAILABILITY OF LOCATOR INFORMATION.—

(1) MAINTENANCE OF ADDRESS INFORMATION.—The Secretary of Defense shall establish a centralized personnel locator service that includes the address of each member of the Armed Forces under the jurisdiction of the Secretary. Upon request of the Secretary of Transportation, addresses for members of the Coast Guard shall be included in the centralized personnel locator service.

(2) TYPE OF ADDRESS.—

(A) RESIDENTIAL ADDRESS.—Except as provided in subparagraph (B), the address for a member of the Armed Forces shown in the locator service shall be the residential address of that member.

(B) DUTY ADDRESS.—The address for a member of the Armed Forces shown in the locator service shall be the duty address of that member in the case of a member—

(i) who is permanently assigned overseas, to a vessel, or to a routinely deployable unit; or

(ii) with respect to whom the Secretary concerned makes a determination that the member's residential address should not be disclosed due to national security or safety concerns.

(3) UPDATING OF LOCATOR INFORMATION.—Not later than 30 days after a member listed in the locator service establishes a new residential address (or a new duty address, in the case of a member covered by paragraph (2)(B)), the Secretary concerned shall update the locator service to indicate the new address of the member.

(4) AVAILABILITY OF INFORMATION.—The Secretary of Defense shall make information regarding the address of a member of the Armed Forces listed in the locator service available, on request, to the Federal Parent Locator Service.

(b) FACILITATING GRANTING OF LEAVE FOR ATTENDANCE AT HEARINGS.—

(1) REGULATIONS.—The Secretary of each military department, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall prescribe regulations to facilitate the granting of leave to a member of the Armed Forces under the jurisdiction of that Secretary in a case in which—

(A) the leave is needed for the member to attend a hearing described in paragraph (2);

(B) the member is not serving in or with a unit deployed in a contingency operation (as defined in section 101 of title 10, United States Code); and

(C) the exigencies of military service (as determined by the Secretary concerned) do not otherwise require that such leave not be granted.

(2) COVERED HEARINGS.—Paragraph (1) applies to a hearing that is conducted by a court or pursuant to an administrative process established under State law, in connection with a civil action—

(A) to determine whether a member of the Armed Forces is a natural parent of a child; or

(B) to determine an obligation of a member of the Armed Forces to provide child support.

(3) DEFINITIONS.—For purposes of this subsection:

(A) The term "court" has the meaning given that term in section 1408(a) of title 10, United States Code.

(B) The term "child support" has the meaning given such term in section 462 of the Social Security Act (42 U.S.C. 662).

(c) PAYMENT OF MILITARY RETIRED PAY IN COMPLIANCE WITH CHILD SUPPORT ORDERS.—Section 1408 of title 10, United States Code, as amended by section 363(d)(3), is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively;

(2) by inserting after subsection (h) the following new subsection:

"(i) CERTIFICATION DATE.—It is not necessary that the date of a certification of the authenticity or completeness of a copy of a court order or an order of an administrative process established under State law for child support received by the Secretary concerned for the purposes of this section be recent in relation to the date of receipt by the Secretary."; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting after the first sentence the following: "In the case of a spouse or former spouse who, pursuant to section 402(a)(26) of the Social Security Act (42 U.S.C. 602(26)), assigns to a State the rights of the spouse or former spouse to receive support, the Secretary concerned may make the child support payments referred to in the preceding sentence to that State in amounts consistent with that assignment of rights."; and

(B) by adding at the end the following new paragraph:

"(6) In the case of a court order or an order of an administrative process established under State law for which effective service is made on the Secretary concerned on or after the date of the enactment of this paragraph and which provides for payments from the disposable retired pay of a member to satisfy the amount of child support set forth in the order, the authority provided in paragraph (1) to make payments from the disposable retired pay of a member to satisfy the amount of child support set forth in a court order or an order of an administrative process established under State law shall apply to payment of any amount of child support arrearages set forth in that order as well as to amounts of child support that currently become due.".

SEC. 365. VOIDING OF FRAUDULENT TRANSFERS.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a), 326(a), and 331, is amended by adding at the end the following new paragraph:

"(15) Procedures under which—

"(A) the State has in effect—

"(i) the Uniform Fraudulent Conveyance Act of 1981,

"(ii) the Uniform Fraudulent Transfer Act of 1984, or

"(iii) another law, specifying indicia of fraud which create a prima facie case that a debtor transferred income or property to avoid payment to a child support creditor, which the Secretary finds affords comparable rights to child support creditors; and

"(B) in any case in which the State knows of a transfer by a child support debtor with respect to which such a prima facie case is established, the State must—

"(i) seek to void such transfer; or

"(ii) obtain a settlement in the best interests of the child support creditor.".

SEC. 366. STATE LAW AUTHORIZING SUSPENSION OF LICENSES.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a), 326(a), 331, and 365, is amended by adding at the end the following new paragraph:

"(16) Procedures under which the State has (and uses in appropriate cases) authority (subject to appropriate due process safeguards) to withhold or suspend, or to restrict the use of driver's licenses, professional and occupational licenses, and recreational licenses of individuals owing overdue child support or failing, after receiving appropriate notice, to comply with subpoenas or warrants relating to paternity or child support proceedings.".

SEC. 367. REPORTING ARREARAGES TO CREDIT BUREAUS.

Section 466(a)(7) (42 U.S.C. 666(a)(7)) is amended to read as follows:

"(7)(A) Procedures (subject to safeguards pursuant to subparagraph (B)) requiring the State to report periodically to consumer reporting agencies (as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) the name of any absent parent who is delinquent in the payment of support, and the amount of overdue support owed by such parent.

"(B) Procedures ensuring that, in carrying out subparagraph (A), information with respect to an absent parent is reported—

"(i) only after such parent has been afforded all due process required under State law, including notice and a reasonable opportunity to contest the accuracy of such information; and

"(ii) only to an entity that has furnished evidence satisfactory to the State that the entity is a consumer reporting agency.".

SEC. 368. EXTENDED STATUTE OF LIMITATION FOR COLLECTION OF ARREARAGES.

(a) IN GENERAL.—Section 466(a)(9) (42 U.S.C. 666(a)(9)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) by striking "(9)" and inserting "(9)(A)"; and

(3) by adding at the end the following new subparagraph:

"(B) Procedures under which the statute of limitations on any arrearages of child support extends at least until the child owed such support is 30 years of age.".

(b) APPLICATION OF REQUIREMENT.—The amendment made by this section shall not be interpreted to require any State law to revive any payment obligation which had lapsed prior to the effective date of such State law.

SEC. 369. CHARGES FOR ARREARAGES.

(a) STATE LAW REQUIREMENT.—Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a), 326(a), 331, 365, and 367, is amended by adding at the end the following new paragraph:

"(17) Procedures providing for the calculation and collection of interest or penalties for arrearages of child support, and for distribution of such interest or penalties collected for the benefit of the child (except where the right to support has been assigned to the State).".

(b) REGULATIONS.—The Secretary of Health and Human Services shall establish by regulation a rule to resolve choice of law conflicts arising in the implementation of the amendment made by subsection (a).

(c) CONFORMING AMENDMENT.—Section 454(21) (42 U.S.C. 654(21)) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to arrearages accruing on or after October 1, 1998.

SEC. 370. DENIAL OF PASSPORTS FOR NONPAYMENT OF CHILD SUPPORT.

(a) HHS CERTIFICATION PROCEDURE.—

(1) SECRETARIAL RESPONSIBILITY.—Section 452 (42 U.S.C. 652), as amended by sections 315(a)(3) and 317, is amended by adding at the end the following new subsection:

"(l)(1) If the Secretary receives a certification by a State agency in accordance with the requirements of section 454(29) that an individual owes arrearages of child support in an amount exceeding $5,000 or in an amount exceeding 24 months' worth of child support, the Secretary shall transmit such certification to the Secretary of State for action (with respect to denial, revocation, or limitation of passports) pursuant to section 370(b) of the Interstate Child Support Responsibility Act of 1995.

"(2) The Secretary shall not be liable to an individual for any action with respect to a certification by a State agency under this section.".

(2) STATE CSE AGENCY RESPONSIBILITY.—Section 454 (42 U.S.C. 654), as amended by sections 301(a), 305(a), 314(b), and 322(a), is amended—

(A) by striking "and" at the end of paragraph (27);

(B) by striking the period at the end of paragraph (28) and inserting "; and"; and

(C) by adding after paragraph (28) the following new paragraph:

"(29) provide that the State agency will have in effect a procedure (which may be combined with the procedure for tax refund offset under section 464) for certifying to the Secretary, for purposes of the procedure under section 452(l) (concerning denial of passports) determinations that individuals owe arrearages of child support in an amount exceeding $5,000 or in an amount exceeding 24 months' worth of child support, under which procedure—

"(A) each individual concerned is afforded notice of such determination and the consequences thereof, and an opportunity to contest the determination; and

"(B) the certification by the State agency is furnished to the Secretary in such format, and accompanied by such supporting documentation, as the Secretary may require.".

(b) STATE DEPARTMENT PROCEDURE FOR DENIAL OF PASSPORTS.—

(1) IN GENERAL.—The Secretary of State, upon certification by the Secretary of Health and Human Services, in accordance with section 452(l) of the Social Security Act, that an individual owes arrearages of child support in excess of $5,000 or in an amount exceeding 24 months' worth of child support, shall refuse to issue a passport to such individual, and may revoke, restrict, or limit a passport issued previously to such individual.

(2) LIMIT ON LIABILITY.—The Secretary of State shall not be liable to an individual for any action with respect to a certification by a State agency under this section.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall become effective October 1, 1996.

PART VIII—MEDICAL SUPPORT

SEC. 381. TECHNICAL CORRECTION TO ERISA DEFINITION OF MEDICAL CHILD SUPPORT ORDER.

(a) IN GENERAL.—Section 609(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1169(a)(2)(B)) is amended—

(1) by striking "issued by a court of competent jurisdiction";

(2) in clause (ii) by striking the period and inserting a comma; and

(3) by adding after clause (ii), the following flush left language:

"if such judgment, decree, or order (I) is issued by a court of competent jurisdiction or (II) is issued by an administrative adjudicator and has the force and effect of law under applicable State law.".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall become effective on the date of the enactment of this Act.

(2) PLAN AMENDMENTS NOT REQUIRED UNTIL JANUARY 1, 1996.—

(A) IN GENERAL.—Any amendment to a plan required to be made by an amendment made by this section shall not be required to be made before the first plan year beginning on or after January 1, 1996, if—

(i) during the period after the date before the date of the enactment of this Act and before such first plan year, the plan is operated in accordance with the requirements of the amendments made by this section; and

(ii) such plan amendment applies retroactively to the period after the date before the date of the enactment of this Act and before such first plan year.

(B) NO FAILURE FOR COMPLIANCE WITH THIS PARAGRAPH.—A plan shall not be treated as failing to be operated in accordance with the provisions of the plan merely because it operates in accordance with this paragraph.

PART IX—ACCESS AND VISITATION PROGRAMS

SEC. 391. GRANTS TO STATES FOR ACCESS AND VISITATION PROGRAMS.

Part D of title IV is amended by adding at the end the following new section:

"GRANTS TO STATES FOR ACCESS AND VISITATION PROGRAMS

"SEC. 469A. (a) PURPOSES; AUTHORIZATION OF APPROPRIATIONS.—For purposes of enabling States to establish and administer programs to support and facilitate absent parents' access to and visitation of their children, by means of activities including mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision, and neutral drop-off and pickup), and development of guidelines for visitation and alternative custody arrangements, there are authorized to be appropriated $5,000,000 for each of fiscal years 1996 and 1997, and $10,000,000 for each succeeding fiscal year.

"(b) PAYMENTS TO STATES.—

"(1) IN GENERAL.—Each State shall be entitled to payment under this section for each fiscal year in an amount equal to its allotment under subsection (c) for such fiscal year, to be used for payment of 90 percent of State expenditures for the purposes specified in subsection (a).

"(2) SUPPLEMENTARY USE.—Payments under this section shall be used by a State to supplement (and not to substitute for) expenditures by the State, for activities specified in subsection (a), at a level at least equal to the level of such expenditures for fiscal year 1994.

"(c) ALLOTMENTS TO STATES.—

"(1) IN GENERAL.—For purposes of subsection (b), each State shall be entitled (subject to paragraph (2)) to an amount for each fiscal year bearing the same ratio to the amount authorized to be appropriated pursuant to subsection (a) for such fiscal year as the number of children in the State living with only 1 biological parent bears to the total number of such children in all States.

"(2) MINIMUM ALLOTMENT.—Allotments to States under paragraph (1) shall be adjusted as necessary to ensure that no State is allotted less than $50,000 for fiscal year 1996 or 1997, or $100,000 for any succeeding fiscal year.

"(d) FEDERAL ADMINISTRATION.—The program under this section shall be administered by the Administration for Children and Families.

"(e) STATE PROGRAM ADMINISTRATION.—

"(1) IN GENERAL.—Each State may administer the program under this section directly or through grants to or contracts with courts, local public agencies, or nonprofit private entities.

"(2) STATEWIDE PLAN PERMISSIBLE.—State programs under this section may, but need not, be statewide.

"(3) EVALUATION.—States administering programs under this section shall monitor, evaluate, and report on such programs in accordance with requirements established by the Secretary.".

Subtitle B—Effect of Enactment

SEC. 395. EFFECTIVE DATES.

(a) IN GENERAL.—Except as otherwise specifically provided (but subject to subsections (b) and (c))—

(1) provisions of subtitle A requiring enactment or amendment of State laws under section 466 of the Social Security Act, or revision of State plans under section 454 of such Act, shall be effective with respect to periods beginning on and after October 1, 1996; and

(2) all other provisions of subtitle A shall become effective upon the date of the enactment of this Act.

(b) GRACE PERIOD FOR STATE LAW CHANGES.—The provisions of subtitle A shall become effective with respect to a State on the later of—

(1) the date specified in subtitle A, or

(2) the effective date of laws enacted by the legislature of such State implementing such provisions,

but in no event later than the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

(c) GRACE PERIOD FOR STATE CONSTITUTIONAL AMENDMENT.—A State shall not be found out of compliance with any requirement enacted by subtitle A if it is unable to comply without amending the State constitution until the earlier of—

(1) the date which is 1 year after the effective date of the necessary State constitutional amendment, or

(2) the date which is 5 years after the date of the enactment of this Act.

SEC. 396. SEVERABILITY.

If any provision of subtitle A or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of subtitle A which can be given effect without regard to the invalid provision or application, and to this end the provisions of subtitle A shall be severable.

TITLE IV—SUPPLEMENTAL SECURITY INCOME

SEC. 401. REVISED REGULATIONS APPLICABLE TO THE DETERMINATION OF DISABILITY IN INDIVIDUALS UNDER THE AGE OF 18.

(a) REGULATIONS APPLICABLE TO THE DETERMINATION OF DISABILITY IN INDIVIDUALS UNDER THE AGE OF 18.—

(1) IN GENERAL.—The Commissioner of Social Security (hereafter in this section referred to as the "Commissioner") is directed to issue revised regulations applicable to the determination of disability in individuals under the age of 18 for purposes of establishing eligibility for supplemental security income benefits under title XVI of the Social Security Act that ensure that such eligibility is limited to those individuals whose impairments are sufficiently severe as to meet the statutory definition of disability contained in section 1614(a)(3)(A) of such Act (42 U.S.C. 1382c(a)(3)(A)).

(2) SPECIFIC REQUIREMENTS.—

(A) IN GENERAL.—The regulations described in paragraph (1) shall provide that an individual under the age of 18 may be determined to be under a disability only if the individual's impairment or combination of impairments is so severe as to cause, at minimum—

(i) a marked limitation in at least 2 domains of functioning or development; or

(ii) an extreme limitation in at least 1 such domain.

(B) DOMAIN DEFINED.—As used in subparagraph (A), the term "domain" refers to a broad but, to the maximum extent practicable, discrete area of function or development that can be identified in infancy and traced through an individual's maturation. Subject to subparagraph (C), the Commissioner shall specify domains and describe the age-appropriate activities and behaviors that characterize each domain. Under no circumstance may the Commissioner specify a domain of maladaptive behavior or consider the limitations caused by such behavior in more than 1 domain.

(C) LIMITATION ON NUMBER OF DOMAINS.—For the purpose of making individualized functional assessments in individuals under the age of 18, the Commissioner shall specify a set of domains consisting of fewer domains than the number in use for such purpose on the date of the enactment of this Act.

(3) DEADLINE.—The Commissioner shall issue the regulations required by this subsection not later than the last day of the ninth month that begins after the date of the enactment of this Act.

(b) DISABILITY REVIEW REQUIRED FOR CERTAIN RECIPIENTS.—

(1) IN GENERAL.—During the period that begins on the effective date of the regulations required by subsection (a) and that ends 2 years after such date, the Commissioner shall redetermine the eligibility for supplemental security income benefits under title XVI of the Social Security Act by reason of disability of each individual receiving such benefits on the basis of a finding of disability made before the effective date of such regulations. The provisions of section 1614(a)(4) of such Act (42 U.S.C. 1382c(a)(4)) shall not apply to redeterminations conducted pursuant to this paragraph. The Commissioner shall except from the requirement of this paragraph any individual whose impairment or combination of impairments was determined to be disabling in accordance with regulations that were not subject to revision pursuant to subsection (a).

(2) NOTICE.—In any case in which the Commissioner initiates a review under this subsection, the Commissioner shall notify the

individual whose case is to be reviewed in the same manner as required under section 221(i)(4) of the Social Security Act (42 U.S.C. 421(i)(4)).

SEC. 402. DIRECTORY OF SERVICES.

Section 1631 (42 U.S.C. 1383) is amended by redesignating the second subsection (n) (relating to notice requirements) as subsection (o) and by adding at the end the following new subsection:

"Directory of Services

"(p) For the purpose of expanding the information base available to members of the public who contact the Social Security Administration, the Commissioner of Social Security shall establish a directory of services for disabled children that are available within the area served by each Social Security Administration office. Each such directory shall include the names of service providers, along with each provider's address and telephone number, and shall be accessible electronically by all agency personnel who provide direct service to the public.".

SEC. 403. USE OF STANDARDIZED TESTS AND THEIR EQUIVALENT.

Section 1614(a)(3)(H) (42 U.S.C. 1382c(a)(3)(H)) is amended—

(1) by inserting "(i)" after "(H)"; and

(2) by adding after and below the end the following:

"(ii) In making any determination under this title with respect to the disability of an individual who is under the age of 18, the Commissioner shall use—

"(I) standardized tests that provide measures of childhood development or functioning, or

"(II) criteria of childhood development or function that are equivalent to the findings of a standardized test,

whenever such tests or criteria are available and the Commissioner determines their use to be appropriate.".

SEC. 404. GRADUATED BENEFITS FOR ADDITIONAL CHILDREN.

(a) IN GENERAL.—Section 1611(b) of the Social Security Act (42 U.S.C. 1382(b)) is amended by adding at the end the following new paragraph:

"(3)(A) The benefit under this title for each eligible blind or disabled individual as determined pursuant to section 1611(a)(1) who—

"(i) is a child under the age of 18,

"(ii) lives in the same household as 1 or more persons who are also eligible blind or disabled children under the age of 18, and

"(iii) does not live in a group or foster home,

shall be equal to the applicable percentage of the amount in section 1611(b)(1), reduced by the amount of any income of such child, including income deemed to such child under section 1614(f)(2).

"(B) For purposes of this paragraph, the applicable percentage shall be determined under the following table:

"If the household has:	The applicable percentage for each eligible child is:
2 eligible children	90 percent
3 eligible children	80 percent
4 eligible children	70 percent
5 eligible children	65 percent
6 eligible children	60 percent
7 eligible children	55 percent
8 eligible children	50 percent
9 eligible children or more	45 percent

"(C) For purposes of this paragraph, the applicable household size shall be determined by the number of eligible blind and disabled children under the age of 18 in such household whose countable income and resources do not exceed the limits specified in section 1611(a)(1).".

(b) PRESERVATION OF MEDICAID ELIGIBILITY.—Section 1634 (42 U.S.C. 1383c) is amended by adding at the end the following new subsection:

"(f) Any child under the age of 18 who would be eligible for a payment under this title but for the limitation on payment amount imposed by section 1611(b)(3) shall be deemed receiving such benefit for purposes of establishing such child's eligibility for medical assistance under a State plan approved under title XIX of this Act.".

(c) CONFORMING AMENDMENT.—Section 1618(e) (42 U.S.C. 1382g(e)) is amended by adding at the end the following new paragraph:

"(3) In determining whether the requirements of paragraph (1) of this subsection are met, the difference between the benefit amounts authorized by section 1611(b)(1) and the benefits authorized after the application of section 1611(b)(3) shall be disregarded.

"(4) For purposes of determining compliance with section 1618(b), decreases or increases in a State's expenditures in a 12-month period due solely to reductions in amounts of benefits paid pursuant to section 1611(b)(3) shall be disregarded.".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect—

(1) on the date of the enactment of this Act, with respect to payments made on the basis of determinations of eligibility made on or after such date, and

(2) 180 days after the date of the enactment of this Act, with respect to payments made for months beginning after such date on the basis of determinations of eligibility made before the date of the enactment of this Act.

SEC. 405. TREATMENT REQUIREMENTS FOR DISABLED INDIVIDUALS UNDER THE AGE OF 18.

(a) IN GENERAL.—Section 1631(a)(2) (42 U.S.C. 1383(a)(2)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E)(i) Not later than 3 months after the Commissioner determines that an individual under the age of 18 is eligible for benefits under this title by reason of disability (and periodically thereafter, as the Commissioner may require), the representative payee of such individual shall file with the State agency that makes disability determinations on behalf of the Commissioner of Social Security in the State in which such individual resides, a copy of the treatment plan required by clause (ii).

"(ii) The treatment plan required by this clause shall be developed by the individual's treating physician or other medical provider, or if approved by the Commissioner, other service provider, and shall describe the services that such physician or provider determines is appropriate for the treatment of such individual's impairment or combination of impairments. Such plan shall be in such form and contain such information as the Commissioner may prescribe.

"(iii) The representative payee of any individual described in clause (i) shall provide evidence of adherence to the treatment plan described in clause (ii) at the time of any redetermination of eligibility conducted pursuant to section 1614(a)(3)(G)(ii), and at such other time as the Commissioner may prescribe.

"(iv) The failure of a representative payee to comply without good cause with the requirements of clause (i) or (iii) shall constitute misuse of benefits to which subparagraph (A)(iii) (but not subparagraph (F)) shall apply. In providing for an alternative representative payee as required by subparagraph (A)(iii), the Commissioner shall give preference to the State agency that administers the State plan approved under title XIX for the State in which the individual described in clause (i) resides or any other State agency designated by the State for such responsibility, unless the Commissioner determines that selection of another organization or person would be appropriate. Any such State agency that serves as a representative payee shall be a 'qualified organization' for purposes of subparagraph (D) of this paragraph.

"(v) This subparagraph shall not apply to the representative payee of any individual with respect to whom the Commissioner determines such application would be inappropriate or unnecessary. In making such determinations, the Commissioner shall take into consideration the nature of the individual's impairment (or combination of impairments) and the availability of treatment for such impairment (or impairments). Section 1631(c) shall not apply to a finding by the Commissioner that the requirements of this subparagraph should not apply to an individual's representative payee.".

(b) ACCESS TO MEDICAID RECORDS.—

(1) REQUIREMENT TO FURNISH INFORMATION.—Section 1902(a) (42 U.S.C. 1396a(a)) is amended—

(A) by striking "and" at the end of paragraph (61);

(B) by striking the period at the end of paragraph (62) and inserting "; and"; and

(C) by adding after paragraph (62) the following new paragraph:

"(63) provide that the State agency that administers the plan described in this section shall make available to the Commissioner of Social Security such information as the Commissioner may request in connection with the verification of information furnished to the Commissioner by a representative payee pursuant to section 1631(a)(2)(E)(iii).".

(2) REIMBURSEMENT OF STATE COSTS.—Section 1633 (42 U.S.C. 1383b) is amended by adding at the end the following new subsection:

"(d) The Commissioner of Social Security shall reimburse a State for the costs of providing information pursuant to section 1902(a)(63) from funds available for carrying out this title.".

(c) REPORT TO THE CONGRESS.—Not later than the last day of the thirty-sixth month beginning after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the implementation of this section.

(d) EFFECTIVE DATE.—This section shall take effect on the first day of the twelfth month that begins after the date of the enactment of this Act.

SEC. 406. SPECIAL ACCOUNTS FOR INDIVIDUALS UNDER THE AGE OF 18.

(a) REQUIREMENT TO ESTABLISH ACCOUNT.—Section 1631(a)(2) (42 U.S.C. 1383(a)(2)), as amended by section 405(a), is amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively; and

(2) by inserting after subparagraph (E) the following new subparagraph:

"(F)(i)(I) Each representative payee of an eligible individual under the age of 18 who is

eligible for the payment of benefits described in subclause (II) shall establish on behalf of such individual an account in a financial institution into which such benefits shall be paid, and shall thereafter maintain such account for use in accordance with clause (ii).

"(II) Benefits described in this subclause are past-due monthly benefits under this title (which, for purposes of this subclause, include State supplementary payments made by the Commissioner pursuant to an agreement under section 1616 or section 212(b) of Public Law 93-66) in an amount (after any withholding by the Commissioner for reimbursement to a State for interim assistance under subsection (g)) that exceeds the product of—

"(aa) 6, and

"(bb) the maximum monthly benefit payable under this title to an eligible individual.

"(ii)(I) A representative payee may use funds in the account established under clause (i) to pay for allowable expenses described in subclause (II).

"(II) An allowable expense described in this subclause is an expense for—

"(aa) education or job skills training;

"(bb) personal needs assistance;

"(cc) special equipment;

"(dd) housing modification;

"(ee) medical treatment;

"(ff) therapy or rehabilitation; or

"(gg) any other item or service that the Commissioner determines to be appropriate; provided that such expense benefits such individual and, in the case of an expense described in division (cc), (dd), (ff), or (gg), is related to the impairment (or combination of impairments) of such individual.

"(III) The use of funds from an account established under clause (i) in any manner not authorized by this clause—

"(aa) by a representative payee shall constitute misuse of benefits for all purposes of this paragraph, and any representative payee who knowingly misuses benefits from such an account shall be liable to the Commissioner in an amount equal to the total amount of such misused benefits; and

"(bb) by an eligible individual who is his or her own representative payee shall be considered an overpayment subject to recovery under subsection (b).

"(IV) This clause shall continue to apply to funds in the account after the child has reached age 18, regardless of whether benefits are paid directly to the beneficiary or through a representative payee.

"(iii) The representative payee may deposit into the account established pursuant to clause (i)—

"(I) past-due benefits payable to the eligible individual in an amount less than that specified in clause (i)(II), and

"(II) any other funds representing an underpayment under this title to such individual, provided that the amount of such underpayment is equal to or exceeds the maximum monthly benefit payable under this title to an eligible individual.

"(iv) The Commissioner of Social Security shall establish a system for accountability monitoring whereby such representative payee shall report, at such time and in such manner as the Commissioner shall require, on activity respecting funds in the account established pursuant to clause (i).".

(b) EXCLUSION FROM RESOURCES.—Section 1613(a) (42 U.S.C. 1382b(a)) is amended—

(1) in paragraph (9), by striking "; and" and inserting a semicolon;

(2) in the first paragraph (10), by striking the period and inserting a semicolon;

(3) by redesignating the second paragraph (10) as paragraph (11), and by striking the period and inserting "; and"; and

(4) by adding at the end the following:

"(12) the assets and accrued interest or other earnings of any account established and maintained in accordance with section 1631(a)(2)(F).".

(c) EXCLUSION FROM INCOME.—Section 1612(b) (42 U.S.C. 1382a(b)) is amended—

(1) by striking "and" at the end of paragraph (19);

(2) by striking the period at the end of paragraph (20) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(21) the interest or other earnings on any account established and maintained in accordance with section 1631(a)(2)(F).".

(d) CONFORMING AMENDMENT.—Section 1631(a)(2)(E)(iv) of the Act (as added by section 405(a)) is amended by striking "subparagraph (F)" and inserting "subparagraph (G)".

(e) EFFECTIVE DATE.—This section shall take effect on the date which is 180 days after the date of the enactment of this Act.

SEC. 407. CONTINUING DISABILITY REVIEWS FOR INDIVIDUALS UNDER THE AGE OF 18.

(a) IN GENERAL.—Section 1614(a)(3) (42 U.S.C. 1382c(a)(3)) is amended by redesignating subparagraph (H) as subparagraph (I) and by inserting after subparagraph (G) the following new subparagraph—

"(H)(i)(I) Except as provided in subclauses (II), (III), and (IV), the Commissioner of Social Security shall redetermine the eligibility for benefits under this title by reason of disability of each individual under the age of 18 at least once every 3 years.

"(II) In any case in which the Commissioner does not expect improvement in the condition of such an individual, the redetermination of eligibility for such benefits shall be made at such times as the Commissioner determines to be appropriate.

"(III) In any case in which the Commissioner determines that the condition of such an individual may be expected to improve within 3 years, such redetermination shall be made at more frequent intervals.

"(IV) The Commissioner shall redetermine the eligibility for benefits under this title by reason of disability of each individual whose low birth weight is a contributing factor material to the Commissioner's determination that the individual is disabled. Such redetermination shall be made not later than 18 months after such individual was initially determined to be eligible for such benefits on the basis, in whole or in part, of low birth weight.

"(ii) The Commissioner shall determine the most cost-effective means for complying with the requirements of this subparagraph.

"(iii) The provisions of paragraph (4) shall apply to all redeterminations required by this subparagraph.".

(b) CONFORMING AMENDMENT.—Section 208(a) of the Social Security Independence and Program Improvements Act of 1994 is amended by striking "100,000" and inserting "80,000 adult".

SEC. 408. COORDINATION OF SERVICES FOR SSI CHILDREN.

(a) IN GENERAL.—Section 505(a) (42 U.S.C. 705(a)) is amended—

(1) in paragraph 5—

(A) by striking "and" at the end of subparagraph (E);

(B) by striking the period at the end of subparagraph (F) and inserting "; and"; and

(C) by inserting after subparagraph (F) the following new subparagraph:

"(G) the agency administering the State's program under this title shall be responsible for developing a care coordination plan for each child receiving benefits under title XVI on the basis of disability to assure that such child has access to available medical and other support services, that services are provided in an efficient and effective manner, and that gaps in the provision of services are identified."; and

(2) by adding at the end the following new subsection:

"(c) For purposes of subsection (a)(5)(G), the Secretary, the Secretary of Education, and the Commissioner of Social Security shall take such steps as may be necessary, through issuance of regulations, guidelines, or such other means as they may determine, to assure that, where appropriate, the State agency administering title XIX, the State Department of Mental Health, the State Disability Determination Service that makes determinations under title II, the State Vocational Rehabilitation agency, the State Developmental Disabilities Council, and the State Department of Education—

"(1) assist the agency administering the State's program under this title in the development of the child's care coordination plan;

"(2) participate in the planning and delivery of the services specified in the care coordination plan; and

"(3) assist such agency in providing to the Secretary for each fiscal year information on—

"(A) the number of children receiving benefits under title XVI who were referred to such agency for services,

"(B) the number of such children who were referred who were served,

"(C) the services provided (including intensity of services, duration of services, types of providers, and costs of services),

"(D) the number of children referred to other agencies or departments for services, and

"(E) the number of care coordination plans developed during such fiscal year.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 1995.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. UNIFORM ALIEN ELIGIBILITY CRITERIA FOR PUBLIC ASSISTANCE PROGRAMS.

(a) FEDERAL AND FEDERALLY-ASSISTED PROGRAMS.—

(1) PROGRAM ELIGIBILITY CRITERIA.—

(A) AID TO FAMILIES WITH DEPENDENT CHILDREN.—Section 402(a)(33) (42 U.S.C. 602(a)(33)) is amended by striking "(A) a citizen" and all that follows through "of such Act);" and inserting the following:

"(A) a citizen or national of the United States, or

"(B) a qualified alien, as defined in section 1101(a)(10), provided that such alien is not disqualified from receiving aid under a State plan approved under this part pursuant to section 210(f) or 245A(h) of the Immigration and Nationality Act or any other provision of law;".

(B) SUPPLEMENTAL SECURITY INCOME.—Section 1614(a)(1)(B)(i) (42 U.S.C. 1382c(a)(1)(B)(i) is amended to read as follows:

"(B)(i) is a resident of the United States, and is either—

"(I) a citizen or national of the United States, or

"(II) a qualified alien, as defined in section 1101(a)(10), or".

(C) MEDICAID.—

(i) IN GENERAL.—Section 1903(v) (42 U.S.C. 1396b(v)) is amended—

(I) in paragraph (1), to read as follows:

"(v)(1) Notwithstanding the preceding provisions of this section—

"(A) no payment may be made to a State under this section for medical assistance furnished to an individual who is disqualified from receiving such assistance pursuant to section 210(f) or 245A(h) of the Immigration and Nationality Act (8 U.S.C. 1160(f), 1255a(h)) or any other provision of law; and

"(B) except as provided in paragraph (2), no such payment may be made for medical assistance furnished to an individual who is not—

"(i) a citizen or national of the United States; or

"(ii) a qualified alien, as defined in section 1101(a)(10)."; and

(II) in paragraph (2)—

(aa) by striking "paragraph (1)" and inserting "paragraph (1)(B)"; and

(bb) by striking "alien" each place it appears and inserting "individual".

(ii) CONFORMING AMENDMENTS.—Section 1902 (42 U.S.C. 1396a) is amended—

(I) in subsection (a), in the last sentence by striking "alien" and all that follows through "1903(v)." and inserting "individual who is not (A) a citizen or national of the United States, or (B) a qualified alien, as defined in section 1101(a)(10), only in accordance with section 1903(v)."; and

(II) in subsection (b)(33), by inserting "or national" after "citizen".

(2) DEFINITION OF QUALIFIED ALIEN.—Section 1101(a) (42 U.S.C. 1301(a)) is amended by adding at the end the following new paragraph:

"(10) The term 'qualified alien' means an alien—

"(A) who is lawfully admitted for permanent residence within the meaning of section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

"(B) who is admitted as a refugee pursuant to section 207 of such Act (8 U.S.C. 1157);

"(C) who is granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158);

"(D) whose deportation is withheld pursuant to section 243(h) of such Act (8 U.S.C. 1253(h));

"(E) whose deportation is suspended pursuant to section 244 of such Act (8 U.S.C. 1254);

"(F) who was granted conditional entry pursuant to section 203(a)(7) of such Act (8 U.S.C. 1153(a)(7)), as in effect prior to April 1, 1980;

"(G) who is lawfully admitted for temporary residence pursuant to section 210 or 245A of such Act (8 U.S.C. 1160, 1255a);

"(H) who is within a class of aliens lawfully present within the United States pursuant to any other provision of such Act, provided that—

"(i) the Attorney General determines that the continued presence of such class of aliens serves a humanitarian or other compelling public interest; and

"(ii) the Secretary of Health and Human Services determines that such interest would be further served by treating each alien within such class as a 'qualified alien' for purposes of this Act; or

"(I) who is the spouse or unmarried child under 21 years of age of a citizen of the United States, or the parent of such a citizen if the citizen is 21 years of age or older, and with respect to whom an application for adjustment to lawful permanent residence is pending.".

(3) CONFORMING AMENDMENT.—Section 244A(f)(1) of the Immigration and Nationality Act (8 U.S.C. 1254a(f)(1)) is amended by inserting "and shall not be considered to be a 'qualified alien' within the meaning of section 1101(a)(10) of the Social Security Act" after "color or law".

(4) EFFECTIVE DATE.—The amendments made by this subsection are effective with respect to benefits payable on the basis of any application filed after the date of the enactment of this Act.

(b) STATE AND LOCAL PROGRAMS.—A State or political subdivision therein may provide that an alien is not eligible for any program of assistance based on need that is furnished by such State or political subdivision unless such alien is a "qualified alien" within the meaning of section 1101(a)(10) of the Social Security Act (as added by subsection (a)(2) of this section).

SEC. 502. DEEMING OF SPONSOR'S INCOME AND RESOURCES TO AN ALIEN UNDER THE SUPPLEMENTAL SECURITY INCOME, AID TO FAMILIES WITH DEPENDENT CHILDREN, AND FOOD STAMP PROGRAMS.

(a) LENGTH OF DEEMING PERIOD.—

(1) MAKING THE SSI 5-YEAR PERIOD PERMANENT.—Subsection (b) of section 7 of the Unemployment Compensation Amendments of 1993 (Public Law 103-152) is repealed.

(2) INCREASING THE AFDC PERIOD FROM 3 TO 5 YEARS.—Section 415 (42 U.S.C. 615) is amended in subsections (a), (c)(1), and (d) by striking "three years" each place it appears and inserting "5 years".

(3) INCREASING THE FOOD STAMP PERIOD FROM 3 TO 5 YEARS.—Section 5(i) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)) is amended by striking "three years" each place it appears and inserting "5 years".

(b) INAPPLICABILITY IN THE CASE OF ANY ALIEN WHOSE SPONSOR RECEIVES SSI OR AFDC BENEFITS.—

(1) SSI.—Section 1621(f) (42 U.S.C. 1382j(f)) is amended by adding at the end the following new paragraph:

"(3) The provisions of this section shall not apply to any alien for any month for which such alien's sponsor receives a benefit under this title (which includes, for purposes of this paragraph, the program of federally administered State supplementary payments made pursuant to section 1616(a) or section 212(b) of Public Law 93-66 (42 U.S.C. 1382 note)) or under the program of aid to families with dependent children under part A of title IV.".

(2) AFDC.—Section 415(f) (42 U.S.C. 615(f)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(B) by striking "(f)" and inserting "(f)(1)"; and

(C) by adding at the end the following new paragraph:

"(2) The provisions of this section shall not apply to any alien for any month for which such alien's sponsor receives a benefit under the program authorized under this part, or the program of supplemental security income authorized under title XVI (which includes, for purposes of this paragraph, the program of federally administered State supplementary payments made pursuant to section 1616(a) or section 212(b) of Public Law 93-66 (42 U.S.C. 1382 note)).".

(3) FOOD STAMPS.—Section 5(i)(2)(E) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(2)(E)) is amended—

(A) by striking "(E)" and inserting "(E)(i)"; and

(B) by adding at the end the following new clause:

"(ii) The provisions of this subsection shall not apply to any alien for any month for which such alien's sponsor receives a benefit under the program of aid to families with dependent children under part A of title IV of the Social Security Act or the program of supplemental security income under title XVI of such Act (which includes, for purposes of this paragraph, the program of federally administered State supplementary payments made pursuant to section 1616(a) of such Act or section 212(b) of Public Law 93-66 (42 U.S.C. 1382 note)).".

(c) INEQUITABLE CIRCUMSTANCES.—

(1) SSI.—Section 1621 (42 U.S.C. 1382j) is amended by adding at the end the following new subsection:

"(g) The Commissioner may, pursuant to regulations promulgated after consultation with the Secretary of Agriculture, alter or suspend the application of this section in any case in which the Secretary determines that such application would be inequitable under the circumstances."

(2) AFDC.—Section 415 (42 U.S.C. 615) is amended by adding at the end the following new subsection:

"(g) The Secretary may, pursuant to regulations promulgated after consultation with the Secretary of Agriculture, alter or suspend the application of this section in any case in which the Secretary determines that such application would be inequitable under the circumstances."

(3) FOOD STAMPS.—Section 5(i)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(2)) is amended by adding at the end the following new subparagraph:

"(F) The Secretary may, pursuant to regulations promulgated after consultation with the Secretary of Health and Human Services, alter or suspend the application of this section in any case in which the Secretary determines that such application would be inequitable under the circumstances.".

(d) FOOD STAMPS EXEMPTION FOR BLIND OR DISABLED ALIENS.—Section 5(i)(2)(E) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(2)(E)), as amended by subsection (a)(2)(C), is amended by adding at the end the following new clause:

"(iii) The provisions of this subsection shall not apply with respect to any individual for any month for which such individual receives a benefit under the program of supplemental security income authorized by title XVI of the Social Security Act by reason of blindness, as determined under section 1614(a)(2) of such Act, or disability, as determined under section 1614(a)(3) of such Act, provided that such blindness or disability commenced after the date of such individual's admission into the United States for permanent residence.".

(e) STATE AND LOCAL PROGRAMS.—A State or political subdivision therein may provide that an alien is not eligible for any program of assistance based on need that is furnished by such State or political subdivision for any month if such alien has been determined to be ineligible for such month for benefits under—

(A) the program of aid to families with dependent children authorized by part A of title IV of the Social Security Act, as a result of the application of section 415 of such Act;

(B) the program of supplemental security income authorized by title XVI of the Social Security Act, as a result of the application of section 1621 of such Act; or

(C) the Food Stamp Act of 1977, as a result of the application of section 5(i) of such Act.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) through (d) shall be effective with respect to benefits under the program of aid to families with dependent children under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the program

of supplemental security income under title XVI of such Act (42 U.S.C. 1381 et seq.), and the program under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), payable for months beginning after September 30, 1995, on the basis of—

(A) an application filed after such date, or

(B) an application filed on or before such date by or on behalf of an individual subject to the provisions of section 1621(a) or 415(a) of the Social Security Act (42 U.S.C. 1382j(a), 615(a)) or section 5(i)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(1)) (as the case may be) on such date.

(2) STATE AND LOCAL PROGRAMS.—Subsection (e) shall be effective on October 1, 1995.

SEC. 503. ADJUSTMENT TO THRIFTY FOOD PLAN.

The second sentence of section 3(o) of the Food Stamp Act (7 U.S.C. 2012(o)) is amended—

(1) by striking "shall (1) make" and inserting the following: "shall—

"(1) make";

(2) by striking "scale, (2) make" and inserting "scale;

"(2) make";

(3) by striking "Alaska, (3) make" and inserting the following: "Alaska;

"(3) make"; and

(4) by striking "Columbia, (4) through" and all that follows through the end of the subsection and inserting the following: "Columbia; and

"(4) on October 1, 1995, and each October 1 thereafter, adjust the cost of the diet to reflect the cost of the diet, in the preceding June, and round the result to the nearest lower dollar increment for each household size.".

SEC. 504. FAILURE TO COMPLY WITH OTHER WELFARE AND PUBLIC ASSISTANCE PROGRAMS.

Section 8 of the Food Stamp Act of 1977 (7 U.S.C. 2017) is amended by striking subsection (d) and inserting the following:

"(d) REDUCTION OF PUBLIC ASSISTANCE BENEFITS.—If the benefits of a household are reduced under a Federal, State, or local law relating to welfare or a public assistance program for the failure to perform an action required under the law or program, for the duration of the reduction the household may not receive an increased allotment as the result of a decrease in the income of the household to the extent that the decrease is the result of the reduction.".

HATFIELD (AND OTHERS) AMENDMENT NO. 2467

(Ordered to lie on the table.)

Mr. HATFIELD (for himself, Mr. DODD, and Mr. GLENN) submitted an amendment intended to be proposed by them to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

In section 714(d)(1)(K), strike "and".

In section 714(d)(1)(L), strike the semicolon and insert ", and".

In section 714(d)(1), insert after subparagraph (L) the following:

"(M) representatives of secondary school students involved in workforce education activities carried out under this title and parents of such students;".

In section 716(b)(6) strike "and".

In section 716(b)(7) strike the period and insert "; and".

In section 716(b), add at the end the following:

(8) with respect to secondary education activities—

(A) establishing effective procedures, including an expedited appeals procedure, by which secondary school teachers, secondary school students involved in workforce education activities carried out under this title, parents of such students, and residents of substate areas will be able to directly participate in State and local decisions that influence the character of secondary education activities carried out under this title that affect their interests;

(B) providing technical assistance, and designing the procedures described in subparagraph (A), to ensure that the individuals described in subparagraph (A) obtain access to the information needed to use such procedures; and

(C) subject to subsection (h), carrying out the secondary education activities, and implementing the procedures described in subparagraph (A), so as to implement the programs, activities, and procedures for the involvement of parents described in section 1118 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6319) in accordance with the requirements of such section.

In section 716, add at the following:

(h) PARENTAL INVOLVEMENT.—

(1) COMPARABLE REQUIREMENTS.—For purposes of implementing the requirements of section 1118 of the Elementary and Secondary Education Act (20 U.S.C. 6319) with respect to secondary education activities as required in subsection (b)(8)(C), a reference in such section 1118—

(A) to a local educational agency shall refer to an eligible entity, as defined in subsection (a)(2) of section 727;

(B) to part A of title I of such Act (20 U.S.C. 6311 et seq.) shall refer to this subtitle;

(C) to a plan developed under section 1112 of such Act (20 U.S.C. 6312) shall refer to a local application developed under such section 727;

(D) to the process of school review and improvement under section 1116 of such Act (20 U.S.C. 6317) shall refer to the performance improvement process described in subsection (b)(4) of such section 727;

(E) to an allocation under part A of title I of such Act shall refer to the funds received by an eligible entity under this subtitle;

(F) to the profiles, results, and interpretation described in section 1118(c)(4)(B) of such Act (20 U.S.C. 6319(c)(4)(B)) shall refer to information on the progress of secondary school students participating in workforce education activities carried out under this subtitle, and interpretation of the information; and

(G) to State content or student performance standards shall refer to the State benchmarks of the State.

(2) NONCOMPARABLE REQUIREMENTS.—For purposes of carrying out the requirements of such section 1118 as described in paragraph (1), the requirements of such section relating to a schoolwide program plan developed under section 1114(b) of such Act (20 U.S.C. 6314(b)) or to section 1111(b)(8) of such Act (20 U.S.C. 6311(b)(8)), and the provisions of section 1118(e)(4) of such Act (20 U.S.C. 6319(e)(4)), shall not apply.

In section 728(a)(2)(A), strike "and veterans" and insert "veterans, secondary school students (including such students who are at-risk youth) involved in workforce education activities carried out under this title, and parents of such students".

In section 728(b)(2)(B)(iv), strike "and".

In section 728(b)(2)(B)(v), strike the period and insert "; and ".

In section 728(b)(2)(B), add at the end the following:

"(vi) representatives of secondary school students involved in workforce education activities carried out under this title and parents of such students.".

In section 728(b)(4)(A)(iii), strike "participation" and all that follows and insert "participation, in the development and continuous improvement of the workforce development activities carried out in the substate area—

"(I) of business, industry, and labor; and

"(II) with regard to workforce education activities, of secondary school teachers, secondary school students involved in workforce education activities carried out under this title, and parents of such students;".

SIMON AMENDMENT NO. 2468

(Ordered to lie on the table.)

Mr. SIMON submitted an amendment intended to be proposed by him to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

On page 17, line 22, strike "amount (if any) determined under subparagraph (B)" and insert "amount determined under subparagraphs (B) and (C)".

On page 18, between lines 15 and 16, insert the following:

"(C) AMOUNT DETERMINED.—The amount determined under this subparagraph is the amount which bears the same ratio to $240,000,000 (or, $240,000,000 reduced by the amount, if any, available for such fiscal year in accordance with section ___09(c) of the Community Works Progress Act, whichever is lesser) as the amount otherwise determined for such State under subparagraph (A) (without regard to the reduction determined under this subparagraph) bears to $16,795,323,000.

On page 18, line 16, strike "(C)" and insert "(D)".

On page 18, line 21, strike "subparagraph (B)" and insert "subparagraphs (B) and (C)".

On page 22, strike lines 10 through 17, and insert the following:

"(A) IN GENERAL.—There are authorized to be appropriated and there are appropriated $16,795,323,000 for each fiscal year described in paragraph (1)—

"(i) $16,555,323,000 of which shall be for the purpose of paying—

"(I) grants to States under paragraph (1)(A); and

"(II) tribal family assistance grants under paragraph (1)(B); and

"(ii) $240,000,000 of which shall be for the purpose of paying grants beginning with fiscal years after fiscal year 1996 to States for the operation of community works progress programs in accordance with the Community Works Progress Act.

Notwithstanding any other provision of this part, the amount appropriated in accordance with clause (ii) shall be paid to States in accordance with the requirements of the Community Works Progress Act and shall not be subject to any requirements of this part.

On page 36, line 7, insert "(including participation in a community works progress program under the Community Works Progress Act)" after "programs".

At the appropriate place, insert the following new title:

TITLE ___—COMMUNITY WORKS PROGRESS ACT

SEC. ___00. SHORT TITLE.

This title may be cited as the "Community Works Progress Act".

SEC. ___01. ESTABLISHMENT.

In the case of any fiscal year after fiscal year 1996, the Secretary of Labor (hereafter referred to in this title as the "Secretary") shall award grants to 4 States for the establishment of community works progress programs.

SEC. ___02. DEFINITIONS.

For purposes of this title:

(1) COMMUNITY WORKS PROGRESS PROGRAM.—The terms "community works progress program" and "program" mean a program designated by a State under which the State will select governmental and nonprofit entities to conduct community works progress projects which serve a significant public purpose in fields such as health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, and child care.

(2) COMMUNITY WORKS PROGRESS PROJECT.—The terms "community works progress project" and "project" mean an activity conducted by a governmental or nonprofit entity that results in a specific, identifiable service or product that, but for this title, would not otherwise be done with existing funds and that supplements but does not supplant existing services.

(3) NONPROFIT ENTITY.—The term "nonprofit entity" means an organization—

(A) described in section 501(c) of the Internal Revenue Code of 1986; and

(B) exempt from taxation under section 501(a) of such Code.

SEC. ___03. APPLICATIONS BY STATES.

(a) IN GENERAL.—Each State desiring to conduct, or to continue to conduct, a community works progress program under this title shall submit an annual application to the Secretary at such time and in such manner as the Secretary shall require. Such application shall include—

(1) identification of the State agency or agencies that will administer the program and be the grant recipient of funds for the State, and

(2) a detailed description of the geographic area in which the project is to be carried out, including such demographic and economic data as are necessary to enable the Secretary to consider the factors required by subsection (b).

(b) CONSIDERATION OF APPLICATIONS.—

(1) IN GENERAL.—In reviewing all applications received from States desiring to conduct or continue to conduct a community works progress program under this title, the Secretary shall consider—

(A) the unemployment rate for the area in which each project will be conducted,

(B) the proportion of the population receiving public assistance in each area in which a project will be conducted,

(C) the per capita income for each area in which a project will be conducted,

(D) the degree of involvement and commitment demonstrated by public officials in each area in which projects will be conducted,

(E) the likelihood that projects will be successful,

(F) the contribution that projects are likely to make toward improving the quality of life of residents of the area in which projects will be conducted,

(G) geographic distribution,

(H) the extent to which projects will encourage team approaches to work on real, identifiable needs,

(I) the extent to which private and community agencies will be involved in projects, and

(J) such other criteria as the Secretary deems appropriate.

(2) INDIAN TRIBES AND URBANIZED AREAS.—

(A) IN GENERAL.—The Secretary shall ensure that—

(i) one grant under this title shall be awarded to a State that will conduct a community works progress project that will serve one or more Indian tribes; and

(ii) one grant under this title shall be awarded to a State that will implement a community works progress project in a city that is within an Urbanized Area (as defined by the Bureau of the Census).

(B) INDIAN TRIBE.—For purposes of this paragraph, the term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C.A. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(c) MODIFICATION TO APPLICATIONS.—If changes in labor market conditions, costs, or other factors require substantial deviation from the terms of an application approved by the Secretary, the State shall submit a modification of such application to the Secretary.

SEC. ___04. PROJECT SELECTION BOARD.

(a) ESTABLISHMENT.—Each State that receives a grant under this title shall establish a Project Selection Board (hereafter referred to as the "Board") in the geographic area or areas identified by the State under section ___03(b)(2).

(b) MEMBERSHIP.—

(1) IN GENERAL.—Each Board shall be composed of 13 members who shall reside in the geographic area identified by the State under section ___03(b)(2). Subject to paragraph (2), the members of the Board shall be appointed by the Governor of the State in consultation with local elected officials in the geographic area.

(2) REPRESENTATIVES OF BUSINESS AND LABOR ORGANIZATIONS.—The Board—

(A) shall have at least one member who is an officer of a recognized labor organization; and

(B) shall have at least one member who is a representative of the business community.

(c) DUTIES OF THE BOARD.—The Board shall—

(1) recommend appropriate projects to the Governor;

(2) select a manager to coordinate and supervise all approved projects; and

(3) periodically report to the Governor on the project activities in a manner to be determined by the Governor.

(d) VETO OF A PROJECT.—One member of the Board who is described in subparagraph (A) of subsection (b)(2) and one member of the Board who is described in subparagraph (B) of such subsection shall have the authority to veto any proposed project. The Governor shall determine which Board members shall have the veto authority described under this subsection.

(e) TERMS AND COMPENSATION OF MEMBERS.—The Governor shall establish the terms for Board members and specify procedures for the filling vacancies and the removal of such members. Any compensation or reimbursement for expenses paid to Board members shall be paid by the State, as determined by the Governor.

SEC. ___05. PARTICIPATION IN PROJECTS.

To be eligible to participate in projects under this title, an individual shall be—

(1) receiving, eligible to receive, or have exhausted unemployment compensation under an unemployment compensation law of a State or of the United States,

(2) receiving, eligible to receive, or at risk of becoming eligible to receive, assistance under a State program funded under part A of title IV of the Social Security Act,

(3) a noncustodial parent of a child who is receiving assistance under a State program funded under part A of title IV of the Social Security Act,

(4) a noncustodial parent who is not employed, or

(5) an individual who—

(A) is not receiving unemployment compensation under an unemployment compensation law of a State or of the United States;

(B) if under the age of 20 years, has graduated from high school or is continuing studies toward a high school equivalency degree;

(C) has resided in the geographic area in which the project is located for a period of at least 60 consecutive days prior to the awarding of the project grant by the Secretary; and

(D) is a citizen of the United States.

SEC. ___06. HOURS AND COMPENSATION.

(a) DETERMINATION OF COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), project participants in a community works progress project shall be paid the applicable Federal or State minimum wage, whichever is greater.

(2) EXCEPTIONS.—If a participant in a community works progress project is—

(A) eligible for benefits under a State program funded under part A of title IV of the Social Security Act and such benefits exceed the amount described in paragraph (1), such participant shall be paid an amount that exceeds by 10 percent of the amount of such benefits; or

(B) eligible for benefits under an unemployment compensation law of a State or the United States such benefits exceed the amount described in paragraph (1), such participant shall be paid an amount that exceeds by 10 percent the amount of such benefits.

(b) WORK REQUIREMENTS RELATED TO PARTICIPATION.—

(1) IN GENERAL.—

(A) MAXIMUM HOURS.—In order to assure that each individual participating in a project will have time to seek alternative employment or to participate in an alternative employability enhancement activity, no individual may work as a participant in a project under this title for more than 32 hours per week.

(B) REQUIRED JOB SEARCH ACTIVITY.—Individuals participating in a project who are not receiving assistance under a State program funded under part A of title IV of the Social Security Act or unemployment compensation under an unemployment compensation law of a State or of the United States shall be required to participate in job search activities on a weekly basis.

(c) COMPENSATION FOR PARTICIPANTS.—

(1) PAYMENTS OF ASSISTANCE UNDER A STATE PROGRAM FUNDED UNDER PART A OF TITLE IV AND UNEMPLOYMENT COMPENSATION.—Any State agency responsible for making a payment of benefits to a participant in a project under a State program funded under part A of title IV of the Social Security Act or under an unemployment compensation law of a State or of the United States may transfer such payment to the governmental or nonprofit entity conducting such project and such payment shall be made by such entity

to such participant in conjunction with any payment of compensation made under subsection (a).

(2) TREATMENT OF COMPENSATION OR BENEFITS UNDER OTHER PROGRAMS.—

(A) HIGHER EDUCATION ACT OF 1965.—In determining any grant, loan, or other form of assistance for an individual under any program under the Higher Education Act of 1965, the Secretary of Education shall not take into consideration the compensation and benefits received by such individual under this section for participation in a project.

(B) RELATIONSHIP TO OTHER FEDERAL BENEFITS.—Notwithstanding any other provision of law, any compensation or benefits received by an individual under this section for participation in a community works progress project shall be excluded from any determination of income for the purposes of determining eligibility for benefits under a State program funded under part A of title IV, title XVI, and title XIX of the Social Security Act, or any other Federal or federally assisted program which is based on need.

(3) SUPPORTIVE SERVICES.—Each participant in a project conducted under this title shall be eligible to receive, out of grant funds awarded to the State agency administering such project, assistance to meet necessary costs of transportation, child care, vision testing, eyeglasses, uniforms and other work materials.

SEC. ___07. ADDITIONAL PROGRAM REQUIREMENTS.

(a) NONDUPLICATION AND NONDISPLACEMENT.—(1) NONDUPLICATION.—

(A) IN GENERAL.—Amounts from a grant provided under this title shall be used only for a project that does not duplicate, and is in addition to, an activity otherwise available in the State or unit of general local government in which the project is carried out.

(B) NONPROFIT ENTITY.—Amounts from a grant provided to a State under this title shall not be provided to a nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency in which such entity resides, unless the requirements of paragraph (2) are met.

(2) NONDISPLACEMENT.—

(A) IN GENERAL.—A governmental or nonprofit entity shall not displace any employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such entity of a participant in a project funded by a grant under this title.

(B) LIMITATION ON SERVICES.—

(i) DUPLICATION OF SERVICES.—A participant in a project funded by a grant under this title shall not perform any services or duties or engage in activities that would otherwise be performed by any employee as part of the assigned duties of such employee.

(ii) SUPPLANTATION OF HIRING.—A participant in a project funded by a grant under this title shall not perform any services or duties or engage in activities that will supplant the hiring of other workers.

(iii) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant in a project funded by a grant under this title shall not perform services or duties that have been performed by or were assigned to any presently employed worker, employee who recently resigned or was discharged, employee who is subject to a reduction in force, employee who is on leave (terminal, temporary, vacation, emergency, or sick), or employee who is on strike or who is being locked out.

(b) FAILURE TO MEET REQUIREMENTS.—The Secretary may suspend or terminate payments under this title for a project if the Secretary determines that the governmental or nonprofit entity conducting such project has materially failed to comply with this title, the application submitted under this title, or any other terms and conditions of a grant under this title agreed to by the State agency administering the project and the Secretary.

(c) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—Each State conducting a community works progress program or programs under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants in any project conducted under such program, labor organizations, and other interested individuals concerning such program, including grievances regarding proposed placements of such participants in projects conducted under such program.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance under this paragraph shall be filed not later than 6 months after the date of the alleged occurrence of the event that is the subject of the grievance.

(d) TESTING AND EDUCATION REQUIREMENTS.—

(1) TESTING.—Each participant in a project shall be tested for basic reading and writing competence prior to employment under such project.

(2) EDUCATION REQUIREMENT.—

(A) FAILURE TO SATISFACTORILY COMPLETE TEST.—Participants who fail to complete satisfactorily the basic competency test required in paragraph (1) shall be furnished counseling and instruction.

(B) LIMITED-ENGLISH.—Participants with limited-English speaking ability may be furnished such instruction as the governmental or nonprofit entity conducting the project deems appropriate.

(e) COMPLETION OF PROJECTS.—

(1) IN GENERAL.—A governmental or nonprofit entity conducting a project or projects under this title shall complete such project or projects within the 2-year period beginning on a date determined appropriate by such entity, the State agency administering the project, and the Secretary.

(2) MODIFICATION.—The period referred to in paragraph (1) may be modified in the discretion of the Secretary upon application by the State in which a project is being conducted.

SEC. ___08. EVALUATIONS AND REPORTS.

(a) BY THE STATE.—Each State conducting a community works progress program or programs under this title shall conduct ongoing evaluations of the effectiveness of such program (including the effectiveness of such program in meeting the goals and objectives described in the application approved by the Secretary) and, for each year in which such program is conducted, shall submit an annual report to the Secretary concerning the results of such evaluations at such time, and in such manner, as the Secretary shall require. The report shall incorporate information from annual reports submitted to the State by governmental and nonprofit entities conducting projects under the program. The report shall include an analysis of the effect of such projects on the economic condition of the area, including its effect on welfare dependency, the local crime rate, general business activity (including business revenues and tax receipts), and business and community leaders' evaluation of the projects' success. Up to 2 percent of the amount granted to a State may be used to conduct the evaluations required under this subsection.

(b) BY THE SECRETARY.—The Secretary shall submit an annual report to the Congress concerning the effectiveness of the community works progress programs conducted under this title. Such report shall analyze the reports received by the Secretary under subsection (a).

SEC. ___09. FUNDING.

(a) IN GENERAL.—There are available for making grants under this title for a fiscal year such amounts as are appropriated for the fiscal year under section 403(a)(2)(A) of the Social Security Act (42 U.S.C. 603(a)(2)(A)).

(b) LIMITATIONS ON COSTS.—

(1) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the amount of each grant awarded to a State may be used for administrative expenses.

(2) COMPENSATION AND SUPPORTIVE SERVICES.—Not less than 70 percent of the amount of each grant awarded to a State may be used to provide compensation and supportive services to project participants.

(3) WAIVER OF COST LIMITATIONS.—The limitations under paragraphs (1) and (2) may be waived for good cause, as determined appropriate by the Secretary.

(c) AMOUNTS REMAINING AVAILABLE FOR STATE FAMILY ASSISTANCE GRANTS.—Any amounts appropriated for making grants under this title for a fiscal year under section 403(a)(4)(A)(i) of the Social Security Act (42 U.S.C. 603(a)(2)(A), (4)(A)(i)) that are not paid as grants to States in accordance with this title in such fiscal year shall be available for making State family assistance grants for such fiscal year in accordance with subsection (a)(1) of such section.

SEC. ___10. EVALUATION.

Not later than October 1, 2000, the Secretary shall submit to the Congress a comprehensive evaluation of the effectiveness of community works progress programs in reducing welfare dependency, crime, and teenage pregnancy in the geographic areas in which such programs are conducted.

FEINSTEIN AMENDMENTS NOS. 2469–2470

Mrs. FEINSTEIN proposed two amendments to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

AMENDMENT NO. 2469

Beginning on page 17, line 16, strike all through page 21, line 3, and insert the following:

"(3) SUPPLEMENTAL GRANT AMOUNT FOR POVERTY POPULATION INCREASES IN CERTAIN STATES.—

"(A) IN GENERAL.—The amount of the grant payable under paragraph (1) to a qualifying State for each of fiscal years 1997, 1998, 1999, and 2000 shall be increased by the supplemental grant amount for such State.

"(B) QUALIFYING STATE.—For purposes of this paragraph, the term 'qualifying State', with respect to any fiscal year, means a State that had an increase in the number of poor people as determined by the Secretary under subparagraph (D) for the most recent fiscal year for which information is available.

"(C) SUPPLEMENTAL GRANT AMOUNT.—For purposes of this paragraph, the supplemental grant amount for a State, with respect to any fiscal year, is an amount which bears the same ratio to the total amount appropriated under paragraph (4)(B) for such fiscal year as the increase in the number of poor people as so determined for such State bears

to the total increase of poor people as so determined for all States.

"(D) REQUIREMENT THAT DATA RELATING TO THE INCIDENCE OF POVERTY IN THE UNITED STATES BE PUBLISHED.—

"(i) IN GENERAL.—The Secretary shall, to the extent feasible, produce and publish for each State, county, and local unit of general purpose government for which data have been compiled in the then most recent census of population under section 141(a) of title 13, United States Code, and for each school district, data relating to the incidence of poverty. Such data may be produced by means of sampling, estimation, or any other method that the Secretary determines will produce current, comprehensive, and reliable data.

"(ii) CONTENT; FREQUENCY.—Data under this subparagraph—

"(I) shall include—

"(aa) for each school district, the number of children age 5 to 17, inclusive, in families below the poverty level; and

"(bb) for each State and county referred to in clause (i), the number of individuals age 65 or older below the poverty level; and

"(II) shall be published—

"(aa) for each State, annually beginning in 1996;

"(bb) for each county and local unit of general purpose government referred to in clause (i), in 1996 and at least every second year thereafter; and

"(cc) for each school district, in 1998 and at least every second year thereafter.

"(iii) AUTHORITY TO AGGREGATE.—

"(I) IN GENERAL.—If reliable data could not otherwise be produced, the Secretary may, for purposes of clause (ii)(I)(aa), aggregate school districts, but only to the extent necessary to achieve reliability.

"(II) INFORMATION RELATING TO USE OF AUTHORITY.—Any data produced under this clause shall be appropriately identified and shall be accompanied by a detailed explanation as to how and why aggregation was used (including the measures taken to minimize any such aggregation).

"(iv) REPORT TO BE SUBMITTED WHENEVER DATA IS NOT TIMELY PUBLISHED.—If the Secretary is unable to produce and publish the data required under this subparagraph for any county, local unit of general purpose government, or school district in any year specified in clause (ii)(II), a report shall be submitted by the Secretary to the President of the Senate and the Speaker of the House of Representatives, not later than 90 days before the start of the following year, enumerating each government or school district excluded and giving the reasons for the exclusion.

"(v) CRITERIA RELATING TO POVERTY.—In carrying out this subparagraph, the Secretary shall use the same criteria relating to poverty as were used in the then most recent census of population under section 141(a) of title 13, United States Code (subject to such periodic adjustments as may be necessary to compensate for inflation and other similar factors).

"(vi) CONSULTATION.—The Secretary shall consult with the Secretary of Education in carrying out the requirements of this subparagraph relating to school districts.

"(vii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subparagraph $1,500,000 for each of fiscal years 1996 through 2000.

AMENDMENT NO. 2470

On page 654, between lines 15 and 16, insert the following:

SEC. ___. ENFORCEMENT OF ORDERS AGAINST PATERNAL GRANDPARENTS IN CASES OF MINOR PARENTS.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 915, 917(a), 923, 965, 969, and 976, is amended by adding at the end the following new paragraph:

"(17) Procedures under which any child support order enforced under this part with respect to a child of minor parents, if the mother of such child is receiving assistance under the State grant under part A, shall be enforceable, jointly and severally, against the paternal grandparents of such child.".

MOSELEY-BRAUN AMENDMENTS NOS. 2471–2474

Ms. MOSELEY-BRAUN proposed four amendments to amendment No. 2280 proposed by Mr. DOLE to the bill, H.R. 4, supra, as follows:

AMENDMENT NO. 2471

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

"(G) Assess and provide for the needs of a minor child who is eligible for the child voucher program established under subsection (c).

On page 15, between lines 19 and 20, insert the following:

"(d) CHILD VOUCHER PROGRAM.—

"(1) ELIGIBILITY.—

"(A) IN GENERAL.—A State to which a grant is made under section 403 shall establish and operate a voucher program to provide assistance to each minor child who resides with a family that is eligible for but not receiving assistance under the State program as a result of any reason identified by the State, including—

"(i) the time limit imposed under section 405(b);

"(ii) a penalty imposed under section 404(d); or

"(iii) placement on a waiting list established by the State for recipients of assistance under the State program.

"(B) PERIODIC ASSESSMENTS.—The State shall conduct periodic assessments to determine the continued eligibility of a minor child for a voucher under this subsection.

"(2) AMOUNT OF VOUCHER.—

"(A) IN GENERAL.—The amount of a voucher provided under the program established under paragraph (1) shall be equal to—

"(i) the number of minor children in the family; multiplied by

"(ii) the per capita assistance amount determined under subparagraph (B).

"(B) PER CAPITA ASSISTANCE AMOUNT.—For purposes of subparagraph (A), the per capita assistance amount is an amount equal to—

"(i) the amount of assistance that would have been provided to a family described in paragraph (1) under the State program; divided by

"(ii) the number of family members in such family.

"(3) USE OF VOUCHER.—A voucher provided under this subsection may be used to obtain—

"(A) housing;

"(B) food;

"(C) transportation;

"(D) child care; and

"(E) any other item or service that the State deems appropriate.

"(4) DELIVERY OF ITEMS OR SERVICES.—A State shall arrange for the delivery of or directly provide the items and services for which a voucher issued under this subsection may be used.

On page 15, line 20, strike "(d)" and insert "(e)".

On page 24, line 24, insert "(including the operation of a child voucher program described in section 402(c))" after "part".

AMENDMENT NO. 2472

On page 40, between lines 16 and 17, insert the following:

"(4) FAILURE OF STATE TO PROVIDE WORK-ACTIVITY RELATED SERVICES.—The limitation described in paragraph (1) shall not apply to a family receiving assistance under this part if the State fails to provide the work experience, assistance in finding employment, and other work preparation activities and support services described in section 402(a)(1)(A)(ii) to the adult individual described in paragraph (1).

AMENDMENT NO. 2473

On page 122, between lines 11 and 12, insert the following:

SEC. 111. MODIFICATIONS TO THE JOB OPPORTUNITIES FOR CERTAIN LOW-INCOME INDIVIDUALS PROGRAM.

Section 505 of the Family Support Act of 1988 (42 U.S.C. 1315 note) is amended—

(1) in the heading, by striking "demonstration";

(2) by striking "demonstration" each place it appears;

(3) in subsection (a), by striking "in each of fiscal years" and all that follows through "10" and inserting "shall enter into agreements with";

(4) in subsection (b)(3), by striking "aid to families with dependent children under part A of title IV of the Social Security Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act in the State in which the individual resides";

(5) in subsection (c)—

(A) in paragraph (1)(C), by striking "aid to families with dependent children under part A of title IV of the Social Security Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act";

(B) in paragraph (2), by striking "aid to families with dependent children under title IV of such Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act";

(6) in subsection (d), by striking "job opportunities and basic skills training program (as provided for under title IV of the Social Security Act" and inserting "the State program funded under part A of title IV of the Social Security Act"; and

(7) by striking subsections (e) through (g) and inserting the following:

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of conducting projects under this section, there is authorized to be appropriated an amount not to exceed $25,000,000 for any fiscal year.".

Redesignate the succeeding sections accordingly.

AMENDMENT NO. 2474

On page 25, strike lines 13 through 18, and insert the following:

"(3) AUTHORITY TO RESERVE CERTAIN AMOUNTS FOR ASSISTANCE.—

"(A) IN GENERAL.—A State may reserve amounts paid to the State under this part for any fiscal year for the purpose of providing, without fiscal year limitation, assistance under the State program operated under this part.

"(B) EXCEPTION.—In any fiscal year, a State may not exercise the authority described in subparagraph (A) if the State has reduced the amount of cash assistance provided per family member to families under

the State program during the preceding fiscal year.

PELL AMENDMENT NO. 2475

(Ordered to lie on the table.)

Mr. PELL submitted an amendment intended to be proposed by him to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

On page 439, strike lines 10 through 15.

On page 439, line 16, strike "C)" and insert "(B)".

On page 440, between lines 14 and 15, insert the following new subsection:

(d) COVERAGE OF STATES.—Notwithstanding any other provision of this subtitle, prior to July 1, 1998, the Secretary shall ensure that all States have at least 1 Job Corps center in the State.

ABRAHAM (AND LIEBERMAN) AMENDMENT NO. 2476

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by them to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

At the appropriate place in the bill, add the following new section:

SEC. . SENSE OF THE SENATE REGARDING ENTERPRISE ZONES.

(a) FINDINGS.—The Senate finds that—

(1) Many of the Nation's urban centers are places with high levels of poverty, high rates of welfare dependency, high crime rates, poor schools, and joblessness;

(2) Federal tax incentives and regulatory reforms can encourage economic growth, job creation and small business formation in many urban centers;

(3) Encouraging private sector investment in America's economically distressed urban and rural areas is essential to breaking the cycle of poverty and the related ills of crime, drug abuse, illiteracy, welfare dependency, and unemployment;

(4) The empowerment zones enacted in 1993 should be enhanced by providing incentives to increase enterpreneurial growth, capital formation, job creation educational opportunities, and homeownership in the designated communities and zones;

(b) SENSE OF THE SENATE.—Therefore, it is the Sense of the Senate that the Congress should adopt enterprise zone legislation in the 104th Congress, and that such enterprise zone legislation provide the following incentives and provisions:

(1) Federal tax incentives that expand access to capital, increase the formation and expansion of small businesses, and promote commercial revitalization;

(2) Regulatory reforms that allow localities to petition Federal agencies, subject to the relevant agencies' approval, for waivers or modifications of regulations to improve job creation, small business formation and expansion, community development, or economic revitalization objectives of the enterprise zones;

(3) Homeownership incentives and grants to encourage resident management of public housing and home ownership of public housing;

(4) School reform pilot projects in certain designated enterprise zones to provide low-income parents with new and expanded educational options for their children's elementary and secondary schooling.

SANTORUM (AND NICKLES) AMENDMENT NO. 2477

Mr. SANTORUM (for himself and Mr. NICKLES) proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

On page 42, line 2, insert ", Social Security number, and photograph (if applicable)" before "of any recipient".

On page 42, between lines 21 and 22, insert the following new subsection:

"(e) DENIAL OF ASSISTANCE FOR ABSENT CHILD.—Each State to which a grant is made under section 403—

"(1) may not use any part of the grant to provide assistance to a family with respect to any minor child who has been, or is expected by the caretaker relative in the family to be, absent from the home for a period of 45 consecutive days or, at the option of the State, such period of not less than 30 and not more than 90 consecutive days as the State may provide for in the State plan;

"(2) at the option of the State, may establish such good cause exceptions to paragraph (1) as the State considers appropriate if such exceptions are provided for in the State plan; and

"(3) shall provide that a caretaker relative shall not be considered an eligible individual for purposes of this part if the caretaker relative fails to notify the State agency of an absence of a minor child from the home for the period specified in or provided for under paragraph (1), by the end of the 5-day period that begins on the date that it becomes clear to the caretaker relative that the minor child will be absent for the period so specified or provided for in paragraph (1).

On page 130, line 8, insert ", Social Security number, and photograph (if applicable)" before "of any recipient".

On page 198, between lines 14 and 15, insert the following new section:

SEC. ___. DISQUALIFICATION OF FLEEING FELONS.

Section 6 of the Food Stamp Act of 1977 (7 U.S.C. 2015), as amended by section 319(a), is further amended by adding at the end the following new subsection:

"(o) No member of a household who is otherwise eligible to participate in the food stamp program shall be eligible to participate in the program as a member of that or any other household during any period during which the individual is—

"(1) fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(2) violating a condition of probation or parole imposed under Federal or State law.".

On page 302 after line 5, add the following new section:

SEC. 504. INFORMATION REPORTING.

(a) TITLE IV OF THE SOCIAL SECURITY ACT.—Section 405 of the Social Security Act, as added by section 101(b), is amended by adding at the end the following new subsection:

"(f) STATE REQUIRED TO PROVIDE CERTAIN INFORMATION.—Each State to which a grant is made under section 403 shall, at least 4 times annually and upon request of the Immigration and Naturalization Service, furnish the Immigration and Naturalization Service with the name and address of, and other identifying information on, any individual who the State knows is unlawfully in the United States.".

(b) SSI.—Section 1631(e) of such Act (42 U.S.C. 1383(e)) is amended—

(1) by redesignating the paragraphs (6) and (7) inserted by sections 206(d)(2) and 206(f)(1) of the Social Security Independence and Programs Improvement Act of 1994 (Public Law 103-296; 108 Stat. 1514, 1515) as paragraphs (7) and (8), respectively; and

(2) by adding at the end the following new paragraph:

"(9) Notwithstanding any other provision of law, the Commissioner shall, at least 4 times annually and upon request of the Immigration and Naturalization Service (hereafter in this paragraph referred to as the 'Service'), furnish the Service with the name and address of, and other identifying information on, any individual who the Commissioner knows is unlawfully in the United States, and shall ensure that each agreement entered into under section 1616(a) with a State provides that the State shall furnish such information at such times with respect to any individual who the State knows is unlawfully in the United States.".

(c) HOUSING PROGRAMS.—Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), as amended by section 1004, is further amended by adding at the end the following new section:

"SEC. 28. PROVISION OF INFORMATION TO LAW ENFORCEMENT AND OTHER AGENCIES.

"(a) NOTICE TO IMMIGRATION AND NATURALIZATION SERVICE OF ILLEGAL ALIENS.—Notwithstanding any other provision of law, the Secretary shall, at least 4 times annually and upon request of the Immigration and Naturalization Service (hereafter in this subsection referred to as the 'Service'), furnish the Service with the name and address of, and other identifying information on, any individual who the Secretary knows is unlawfully in the United States, and shall ensure that each contract for assistance entered into under section 6 or 8 of this Act with a public housing agency provides that the public housing agency shall furnish such information at such times with respect to any individual who the public housing agency knows is unlawfully in the United States.".

At the appropriate place, insert the following new section:

SEC. ___. ELIMINATION OF HOUSING ASSISTANCE WITH RESPECT TO FUGITIVE FELONS AND PROBATION AND PAROLE VIOLATORS.

(a) ELIGIBILITY FOR ASSISTANCE.—The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended—

(1) in section 6(*l*)—

(A) in paragraph (5), by striking "and" at the end;

(B) in paragraph (6), by striking the period at the end and inserting "; and"; and

(C) by inserting immediately after paragraph (6) the following new paragraph:

"(7) provide that it shall be cause for immediate termination of the tenancy of a public housing tenant if such tenant—

"(A) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(2) is violating a condition of probation or parole imposed under Federal or State law."; and

(2) in section 8(d)(1)(B)—

(A) in clause (iii), by striking "and" at the end;

(B) in clause (iv), by striking the period at the end and inserting "; and"; and

(C) by adding after clause (iv) the following new clause:

"(v) it shall be cause for termination of the tenancy of a tenant if such tenant—

"(I) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(II) is violating a condition of probation or parole imposed under Federal or State law;".

(b) PROVISION OF INFORMATION TO LAW ENFORCEMENT AGENCIES.—Section 28 of the United States Housing Act of 1937, as added by section 504(c) of this Act, is amended by adding at the end the following new subsection:

"(b) EXCHANGE OF INFORMATION WITH LAW ENFORCEMENT AGENCIES.—Notwithstanding any other provision of law, each public housing agency that enters into a contract for assistance under section 6 or 8 of this Act with the Secretary shall furnish any Federal, State, or local law enforcement officer, upon the request of the officer, with the current address, Social Security number, and photograph (if applicable) of any recipient of assistance under this Act, if the officer—

"(1) furnishes the public housing agency with the name of the recipient; and

"(2) notifies the agency that—

"(A) such recipient—

"(i) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(ii) is violating a condition of probation or parole imposed under Federal or State law; or

"(iii) has information that is necessary for the officer to conduct the officer's official duties;

"(B) the location or apprehension of the recipient is within such officer's official duties; and

"(C) the request is made in the proper exercise of the officer's official duties.".

FEINSTEIN AMENDMENTS NOS. 2478–2479

Mrs. FEINSTEIN proposed two amendments to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

AMENDMENT NO. 2478

On page 274, lines 23 and 24, strike "individual (whether a citizen or national of the United States or an alien)" and insert "alien".

On page 275, line 5, strike "individual" and insert "alien".

On page 275, line 10, strike "individual's" and insert "alien's".

On page 275, line 11, strike "individual" and insert "alien".

On page 275, line 14, strike "individual" and insert "alien".

On page 275, line 20, strike "individual" and insert "alien".

On page 275, line 21, strike "individual" and insert "alien".

On page 276, lines 2 and 3, strike "individual (whether a citizen or national of the United States or an alien)" and insert "alien".

On page 276, line 14, strike "individual" and insert "alien".

On page 278, line 1, strike "**NONCITIZENS**" and insert "**ALIENS**".

On page 278, line 8, strike "a noncitizen" and insert "an alien".

On page 278, line 13, strike "a noncitizen" and insert "an alien".

On page 278, line 16, strike "a noncitizen" and insert "an alien".

On page 278, line 22, strike "a noncitizen" and insert "an alien".

On page 279, line 4, strike "a noncitizen" and insert "an alien".

On page 279, line 6, strike "A noncitizen" and insert "An alien".

On page 279, line 8, strike "noncitizen" and insert "alien".

AMENDMENT NO. 2479

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

"SEC. 413. STATE AND COUNTY DEMONSTRATION PROGRAMS.

"(a) NO LIMITATION OF STATE DEMONSTRATION PROJECTS.—Nothing in this part shall be construed as limiting a State's ability to conduct demonstration projects for the purpose of identifying innovative or effective program designs in 1 or more political subdivisions of the State.

"(b) COUNTY WELFARE DEMONSTRATION PROJECT.—

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

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

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

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

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

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

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

"(A) a description of the demonstration project;

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

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

FEINGOLD AMENDMENT NO. 2480

Mr. FEINGOLD proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

AMENDMENT NO. 2480

On page 283, after 23, insert the following:

(f) STUDY OF IMPACT OF AMENDMENTS ON PROGRAM PARTICIPATION AND FAMILY DAY CARE LICENSING.—

(1) IN GENERAL.—The Secretary of Agriculture, in conjunction with the Secretary of Health and Human Services, shall study the impact of the amendments made by this section on—

(A) the number of family day care homes participating in the child and adult care food program established under section 17 of the National School Lunch Act (42 U.S.C. 1766);

(B) the number of day care home sponsoring organizations participating in the program;

(C) the number of day care homes that are licensed, certified, registered, or approved by each State in accordance with regulations issued by the Secretary;

(D) the rate of growth of the numbers referred to in subparagraphs (A) through (C);

(E) the nutritional adequacy and quality of meals served in family day care homes that—

(i) received reimbursement under the program prior to the amendments made by this section but do not receive reimbursement after the amendments made by this section; or

(ii) received full reimbursement under the program prior to the amendments made by this section but do not receive full reimbursement after the amendments made by this section; and

(F) the proportion of low-income children participating in the program prior to the amendments made by this section and the proportion of low-income children participating in the program after the amendments made by this section.

(2) REQUIRED DATA.—Each State agency participating in the child and adult care food program under section 17 of the National School Lunch Act (42 U.S.C. 1766) shall submit to the Secretary data on—

(A) the number of family day care homes participating in the program on July 31, 1996, and July 31, 1997;

(B) the number of family day care homes licensed, certified, registered, or approved for service on July 31, 1996, and July 31, 1997; and

(C) such other data as the Secretary may require to carry out this subsection.

(3) SUBMISSION OF REPORT.—Not later than 2 years after the effective date of section 423 of this Act, the Secretary shall submit the study required under this subsection to the Committee on Economic and Educational Opportunities of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

FEINGOLD (AND KOHL) AMENDMENT NO. 2481

Mr. FEINGOLD (for himself and Mr. KOHL) proposed an amendment to

amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

At the appropriate place in title X add the following:

SEC. 10. DEMONSTRATION PROJECT FOR ELIMINATION OF TAKE-ONE-TAKE-ALL REQUIREMENT.

In order to demonstrate the effects of eliminating the requirement under section 8(t) of the United States Housing Act of 1937, notwithstanding any other provision of law, beginning on the date of enactment of this Act, section 8(t) of such the United States Housing Act of 1937 shall not apply with respect to the multifamily housing project (as such term is defined in section 8(t)(2) of the United States Housing Act of 1937) consisting of the dwelling units located at 2401-2479 Somerset Circle, in Madison, Wisconsin.

Amend the table of contents accordingly.

BOXER AMENDMENT NO. 2482

Mrs. BOXER proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

AMENDMENT NO. 2482

On page 712, between lines 9 and 10, insert the following:

SEC. 972. DENIAL OF MEANS-TESTED FEDERAL BENEFITS TO NONCUSTODIAL PARENTS WHO ARE DELINQUENT IN PAYING CHILD SUPPORT.

(a) IN GENERAL.—Notwithstanding any other provision of law, a non-custodial parent who is more than 2 months delinquent in paying child support shall not be eligible to receive any means-tested Federal benefits.

(b) EXCEPTION.—

(1) IN GENERAL.—Subsection (a) shall not apply to an unemployed non-custodial parent who is more than 2 months delinquent in paying child support if such parent—

(A) enters into a schedule of repayment for past due child support with the entity that issued the underlying child support order; and

(B) meets all of the terms of repayment specified in the schedule of repayment as enforced by the appropriate disbursing entity.

(2) 2-YEAR EXCLUSION.—(A) A non-custodial parent who becomes delinquent in child support a second time or any subsequent time shall not be eligible to receive any means-tested Federal benefits for a 2-year period beginning on the date that such parent failed to meet such terms.

(B) At the end of that two-year period, paragraph (A) shall once again apply to that individual.

(c) MEANS-TESTED FEDERAL BENEFITS.—For purposes of this section, the term "means-tested Federal benefits" means benefits under any program of assistance, funded in whole or in part, by the Federal Government, for which eligibility for benefits is based on need.

NOTICES OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will hold a hearing on Wednesday, September 13, 1995, beginning at 9 a.m., in room 485 of the Russell Senate Office Building. The purpose of the hearing is to consider the nomination of Paul N. Homan to be Special Trustee in the Office of the Special Trustee for American Indians in the Department of the Interior.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

SUBCOMMITTEE ON ENERGY PRODUCTION AND REGULATION

Mr. NICKLES. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy Production and Regulation to consider S. 1014, to improve the management of royalties from Federal and Outer Continental Shelf oil and gas leases, and for other purposes, and S. 1012, to extend time for construction of certain FERC-licensed hydro projects.

The hearing will take place Thursday, September 14, 1995, at 3 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those wishing to testify or who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information regarding S. 1014, please call Michael Poling at (202) 224-8276 or Judy Brown at 224-7556, and regarding S. 1012, please call Howard Useem at (202) 224-6567 or Judy Brown at 224-7556.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GRAMS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, September 7, at 10 a.m. for a markup on the following agenda:

Legislation:

S. 929, the Department of Commerce Dismantling Act.

S. 177 to repeal the Ramspeck Act.

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the nomination of Harris Wofford to be Chief Executive Officer of the Corporation for National and Community Service, during the session of the Senate on Thursday, September 7, 1995, at 9:30 a.m.

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

SUBCOMMITTEE ON THE CONSTITUTION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution of the Committee on the Judiciary, be authorized to hold a hearing during the session of the Senate on Thursday, September 7, 1995, at 10 a.m. to consider an overview of affirmative action.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 7, 1995, at 2 p.m.

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

SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND GOVERNMENT INFORMATION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Technology, and Government Information for the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, September 7, 1995, at 2 p.m. in SH-216 to hold a hearing on the Ruby Ridge Incident.

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

ADDITIONAL STATEMENTS

POSITION ON VOTES

• Mr. AKAKA. Mr. President, on September 5 and 6, 1995, I missed several votes because I was attending a memorial service in Hawaii. Were I present on September 5, I would have voted "aye" on rollcall vote No. 397, final passage of S. 1087, the Department of Defense appropriations bill.

On September 6, I missed rollcall votes No. 398 and No. 399. Were I present, I would have voted "aye" on rollcall vote No. 398, the Nunn amendment pertaining to our Nation's missile defense policy. I would have also voted "aye" on rollcall vote No. 399, final passage of the Department of Defense authorization bill.•

RECOGNIZING RICHARD TISSIERE

• Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to Richard Tissiere, an outstanding New Jerseyan, who is being honored this week for his dedication and service to the labor movement.

Mr. President, Richard Tissiere has had a long and successful career as a labor leader in my State of New Jersey. Currently he is president and business manager for the Laborers' Union Local 472 of the AFL-CIO.

Mr. Tissiere's contributions to the union began when he joined the local in 1952. He worked as a laborer, shop steward, and foreman, and he continued to serve the local when he was elected in 1964 to Local 472's executive board. The local recognized his talents and commitment when he was elected president in 1976, and when he was chosen as union business manager in 1983. Finally, in 1990, he was acknowledged for his devotion to the labor movement when he was appointed to the New Jersey AFL-CIO Executive Board as its vice president.

Mr. Tissiere has also undertaken other projects that have benefited the labor movement in New Jersey. He has been actively involved as a charter member for the New Jersey Alliance for Action and the Project Build Labor Management Committee. For his accomplishments with the Alliance for Action, he was honored as a recipient of the alliance's Eagle Award.

In recognition of Mr. Tissiere's work to improve the labor movement, he was appointed to serve on Senator BRADLEY's Labor Advisory Committee. While serving on the committee, he was able to display his leadership and push forward a positive agenda for both the committee and the labor movement. In 1991, Mr. Tissiere was further recognized by the Governor's office when he was presented with the Peter J. McGuire Labor Excellence Award, one of the Governor's annual Pride of New Jersey awards.

Not only has Mr. Tissiere made outstanding contributions to the labor movement, but he has actively contributed his time and effort to many public service endeavors. He served in the U.S. Navy, and has provided assistance to the Ironbound Boys and Girls Club in Newark, where he served on the board of advisers. He continues his contributions to his community by serving as an active member on the Task Force for Women in Construction.

Mr. President, I extend my sincerest congratulations to Richard Tissiere for his many contributions to the labor movement in New Jersey, and wish him all the best in his future endeavors.•

ETHICS COMMITTEE'S RESOLUTION REGARDING SENATOR PACKWOOD

• Ms. MIKULSKI. Mr. President, yesterday, I voted to support the Ethics Committee's resolution recommending that Senator PACKWOOD be expelled from the U.S. Senate.

Expulsion meets the criteria I set forth for myself in evaluating this case when I was appointed to the Ethics Committee almost 3 years ago. That criteria is straightforward.

First, that the victims' complaints be taken serious and given value. That the women who came forward be given a fair shake, and, that they be treated with respect and with dignity. And, second, that we clearly demonstrate that the Senate could demonstrate that it could police its own. And that the Ethics Committee would process this with honor and bring honor to the U.S. Senate.

I believe the committee resolution meets these criteria. The committee of which I am a member carefully reviewed the evidence and found substantial credible evidence that Senator PACKWOOD's conduct was an abuse of his position, an abuse of power and that he brought dishonor upon the U.S. Senate.

Senator PACKWOOD has shown a flagrant disregard for the victims, the Senate, and for the citizens of Oregon. His conduct is a systematic abuse of women, power, and this institution.

He has made at least 18 unwanted, unwelcome sexual advances on women. He intentionally obstructed the committee's inquiry by tampering with his diary. He asked lobbyists for jobs for his wife to reduce his alimony payments. His offenses taken cumulatively, and even individually, are unacceptable.

By any standard, in any workplace in the United States of America, he would have been fired for this. I voted to fire Senator PACKWOOD from the U.S. Senate.

For me the past 34 months have been extraordinary. When then Majority Leader GEORGE MITCHELL asked me to serve on the Ethics Committee, I knew that I would be the only woman on the Ethics Committee.

I was willing to assume that role. I knew it was a special responsibility and a special duty. I knew I had a duty to the Senate. I knew I had a duty to the victims and I knew I had a duty to the women of America.

I wanted to be sure that I was a voice for women. Not only for the victims whose voices I wanted to be heard, I also wanted to be a voice for women in how they are treated in a workplace.

I wanted to be a voice for women who are victims in situations of sexual assault where often they themselves are doubly victimized. First, by the assailant and then by the very process of prosecution.

I also wanted to be sure that I was a voice that women's concerns would not be minimized, trivialized, or disregarded. I believe that I worked to fulfill that responsibility. I articulated this throughout the ethics process on the Packwood matter.

I articulated this to the men of the committee and those men have stepped up and honored that responsibility. I want to thank the men of the Ethics Committee for the role that they played in giving value, worth, and voice and a fair shake to the women who came forward on this the very first case in the U.S. Senate involving victims.

I also want to thank the women of Oregon for their patience. For it is those women who stood by the Ethics Committee in these 34 months and placed their trust in the institutional processes of the U.S. Senate.

I think when our vote was taken yesterday that the Senate showed that we could police our own. So, now the work of the Ethics Committee has been completed.

This is a sad day for the Senate, but I am glad that Senator PACKWOOD has written his own final chapter and ended his Senate career with dignity.•

ORDERS FOR FRIDAY, SEPTEMBER 8, 1995

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 9:15 a.m. on Friday, September 8, 1995, and that following the prayer the Journal of proceedings be deemed approved to date and the time for the two leaders be reserved for their use later in the day; that the Senate then immediately resume consideration of H.R. 4, the welfare reform bill, and that Senator SANTORUM be recognized for up to five minutes for debate in relationship to his amendment; further, that at the hour of 9:30 a.m. the Senate proceed to a vote on or in relation to the Brown amendment, numbered 2465, to be immediately followed by a vote on or in relation to the Santorum amendment numbered 2477.

I further ask unanimous consent further that when the Senate resumes consideration of the Moynihan amendment, numbered 2466, there be 90 minutes of debate equally divided between the two managers; and I further ask unanimous consent that the majority leader will have until the beginning of the first rollcall vote on Friday to modify his amendment.

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

PROGRAM

Mr. NICKLES. For the information of all Senators, the Senate will resume consideration of welfare reform bill tomorrow morning with two consecutive rollcall votes beginning at 9:30 a.m.

Senators should also expect further rollcall votes throughout Friday's session of the Senate.

Also, as a reminder, under the previous consent agreement all Senators will have until 5 p.m. tomorrow to offer their amendments to the welfare reform bill.

RECESS UNTIL 9:15 A.M. TOMORROW

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess as under the previous order.

Mr. MOYNIHAN. Mr. President, may I simply express my thanks to the Senator from Oklahoma for his careful conclusion of the day and for his preparations for tomorrow.

There being no objection, the Senate at 9:17 p.m. recessed until tomorrow, Friday, September 8, 1995, at 9:15 a.m.

HOUSE OF REPRESENTATIVES—*Thursday, September 7, 1995*

The House met at 10 a.m.

PRAYER

The Reverend Dr. Robert F. Browning, pastor of First Baptist Church, Somerset, KY, offered the following prayer:

Father, You have been so good to us and we thank You for many blessings today. Thank You for trusting us to make decisions. Help us to be wise. Thank You for giving us responsibility. Help us to be industrious. Thank You for allowing us to be leaders in this great country. Help us to follow You as we lead Your people. Thank You for giving us families along our journey. Help us to be faithful to them. Thank You, most of all, for Your abiding presence, gracious love, strengthening arm, and forgiving Spirit. May we be humble recipients and bold ambassadors. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Texas, Ms. EDDIE BERNICE JOHNSON, come forward and lead the House in the Pledge of Allegiance.

Ms. EDDIE BERNICE JOHNSON of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will recognize 15 Members on each side for 1-minutes.

REQUEST FOR LIMITATION OF TIME FOR FURTHER CONSIDERATION OF H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. MURTHA. Mr. Speaker, I ask unanimous consent on the defense bill today that we have a limitation of 5 hours on the bill and all amendments thereto.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. SANDERS. Yes, Mr. Speaker, I object. We are talking about $244 billion. I think we need more debate than 5 hours.

Mr. MURTHA. How about 6 hours?

The SPEAKER. Objection is heard.

Mr. SANDERS. I think it is something that should be discussed perhaps in a little while when people get together. I do not have an objection to a time limit. But I cannot agree to a certain time limit now.

The SPEAKER. The Chair seeks to accommodate Members, and this has been an interesting colloquy. The Chair thinks if the gentlemen can get together, the Chair will be glad to recognize someone at an appropriate moment.

WELCOME TO REV. DR. ROBERT F. BROWNING

(Mr. ROGERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS. Mr. Speaker, the Reverend Bob Browning, who offered today's opening prayer as the guest House Chaplain, is my hometown pastor, friend, and personal counselor.

He is the pastor of the First Baptist Church in Somerset, KY, a church of some 2,000 members.

Although a young man, Brother Browning has packed into his years an impressive career in service to God and his people.

He just last year finished two 1-year terms as president of the Kentucky Baptist Convention, a sure sign of the esteem felt for Brother Browning by his peers and religious leaders throughout Kentucky.

But, no wonder to us, his home church members, we have watched his leadership abilities grow and develop since he came to us in 1982 following pastorships at three other Kentucky churches and receiving his doctorate degree at Southern Baptist Theological Seminary in Louisville.

In addition to various responsibilities with the State association, he has been called upon by the entire community. He serves on everything from the YMCA board to the county solid waste advisory committee. He is a trustee at Cumberland College. He has worked as a volunteer in Africa, Brazil, and Russia.

Brother Bob and his wife Jackie are the parents of three wonderful children: Jason, Amy, and Joshua. Jason is a marine, based in California.

Brother Bob is a wonderful preacher. But his greatest gift is his ability to counsel, one on one. I can personally testify to the warm and caring love he imparts to those who are so fortunate to be in his care. He has been of enormous importance to me and my family in recent months, especially.

Welcome Brother Browning to the people's House, your House.

LET US CONTINUE TO SUPPORT THE B-2

(Mr. DICKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKS. Mr. Speaker, today the House will take up the Defense appropriations bill, and one of the most important amendments will be on the B-2 bomber. Ever since 1980, when Secretary Harold Brown announced that we would build a stealth bomber, I have felt that this was the most important technological breakthrough in modern military history.

In the Gulf war, the F-117, a stealth attack aircraft, was able to penetrate the most difficult targets and knock out surface-to-air missiles and radars without losing pilots and doing it in a matter of hours. Other airplanes that were not stealthy were unable to penetrate without a large number of support aircraft.

The B-2 gives us a plane that can carry eight times as much as the F-117 and five times as far. In a world where we are going to have a smaller U.S. military, having worldwide reach, being able to stop mobile divisions coming from North Korea, say, into South Korea or into the gulf, is a revolutionary capability. Let us continue to support the B-2.

HOW TO PROTECT OUR CHILDREN'S FUTURE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Mr. Speaker, a lot has changed over the last 9 months of the Republican controlled Congress.

As Members of Congress went home for their August recess, they listened to their constituents. Their constituents continued to ring the bell that was heard loudly last November by voters around this country when they decided to change the makeup of the U.S. Congress. They said that they wanted a smaller, less costly, less intrusive government, and they reiterated their demands over August.

As we look to the fall with a lot of confusion, a lot of activity, let me make it perfectly clear that Republicans in Congress are going to balance the budget over the next 7 years to save the future for our children; that we are going to strengthen, preserve, and protect Medicare for our senior citizens; that we are going to reform welfare, where we reward work and take away the incentives for illegitimacy today; and, last, our fourth objective is to reduce the tax load on middle-income Americans and provide incentives to have a strong, healthy economy so that we ensure that we actually balance the budget over the next 7 years.

This is what we must do to protect our children's future.

THE B–2 BOMBER IS COST-EFFECTIVE

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, today I rise in strong support of continuing the B–2 program. The B–2 bomber protects our sons and daughters and grandsons and granddaughters, the women and men of the military looking out for this Nation.

When we send our people to battle, we want to send them with the best equipment we have available and we want to send them in as small a number as possible to save lives. This is what the B–2 will do. The B–2 can replace many of the fighter planes in a very stealth way. It will cost more per individual plane, but when we compare the fact that it can replace 70 some planes on each mission, it is worth it. It is cost effective.

Mr. Speaker, at least seven former Secretaries of Defense have noted the B–2 bomber is the most cost-effective means of rapidly projecting force over great distances.

KEEP THE B–2 BOMBER

(Mr. MCKEON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCKEON. Mr. Speaker, today we will hold an important vote on the future of our Nation's bomber force.

With this in mind, I would like to outline excerpts from a recent report by the Congressional Research Service on the B–2 bomber. This is a neutral organization that does not advocate or oppose defense programs. Members opposed to modernizing our bomber fleet will discuss what they view as alternatives to the B–2. Listen to what the report says about these alternatives:

Alternative No. 1—Tactical aircraft. Tactical aircraft are manpower intensive and require large numbers of tanker aircraft and nearby, properly equipped military bases or carriers from which to operate.

Alternative No. 2.—Cruise missiles. Cruise missiles are expensive—up to 70 times more costly than bomber-delivered direct-attack weapons—and offer comparatively little firepower.

Alternative No. 3.—Theater ballistic missiles—Theater-based ballistic missiles have very limited range and are also more costly than bomber-delivered direct-attack weapons. Of course, the fourth alternative is to do nothing and fly 1950's-era B–52's until they are 70 years old, which has been suggested by officials within our Defense Department. Last month, we witnessed a potential consequence of this mentality when an engine dropped from a B–52 in flight during a routine exercise.

We should not let this happen to the men and women of our Armed Forces. Vote no on the Obey-Dellums-Kasich amendment.

CUTTING MEDICARE TO PAY FOR TAX BREAKS

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, 9 months ago the American public gave to the Republicans the opportunity to control this House of Representatives and the Senate. At that time the Republicans announced that they wanted to give very wealthy income taxpayers a huge tax break. How are they going to pay for it under the budget rules?

They are going to cut 270 billion dollars' worth of benefits out of the Medicare Program, $270 billion. They are going to take away from all the senior citizens the right to choose their doctor. They are going to charge them more. These burdens will fall not only on the senior citizens but on their families, who will feel compelled to have to dig down in their pockets to take care of these people. This is unfair.

But the most unfair thing about all of this, Mr. Speaker, is this: In 2 weeks, we will be voting on the Committee on Ways and Means on this program, and this is the only copy of it that we have, this blank piece of paper. This stealth attack is unconscionable.

SCARE TACTICS REGARDING MEDICARE

(Mr. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, I listened with great interest to my good friend from Florida who precedes me here in the well, and, Mr. Speaker, we see yet another example of Medi-Scare. You see, if you do not want to solve a problem, you try to scare the H-E-double-hockey-sticks out of the American people. Scare them into an action; scare them into senseless fear.

But the fact remains this: Medicare goes bankrupt in 7 years if we do nothing. To the seniors who age into the program in 7 years, I ask, what do you do when there is no program there? For the seniors who are living under the program now, I ask, what happens when it goes bankrupt?

We are willing to work with our friends in the new minority to come up with a plan to save this vital program. We want to enlarge options; we want to have this program viable. But the one thing we do not need is more fear tactics. The one thing we need is constructive consistent work together to solve this vital problem confronting this Nation.

MEDICARE CUTS

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, the Republican plan to cut $270 billion from Medicare to pay for a tax cut for the wealthy will cost seniors $1,000 more a year and will mean that they will lose their choice of doctors. Amazingly, Republicans now say they are only following the Medicare trustees instructions and trying to save the program from insolvency.

But, yesterday, the Medicare trustees, themselves, spoke out on the Republican plan. In an editorial published in the Los Angeles Times, the trustees called the Republican Medicare cuts excessive and said those cuts would seriously hurt seniors.

And, contrary to Republican claims, the Medicare trustees say that the trust fund is not in a sudden crisis, but has actually improved over the past few years. As the trustees said yesterday: "The only thing that has really changed is the political needs of those who are hoping to use major Medicare cuts for other purposes." As we know, those other purposes are tax cuts for the wealthy.

LIMITATION OF TIME FOR FURTHER CONSIDERATION OF H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. MURTHA. Mr. Speaker, I ask unanimous consent that further consideration of the bill H.R. 2126 in the Committee of the Whole pursuant to House Resolution 205 continue for a period not to exceed 5 hours—excluding time consumed by recorded votes and proceedings incidental thereto.

The Speaker pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SUPPORT THE B-2

(Mr. SALMON asked and was given permission to address the House for 1 minute.)

Mr. SALMON. Mr. Speaker, I rise this morning in strong support of the B-2 stealth bomber, and in strong opposition to the Dellums/Kasich amendment to be offered later today to eliminate funding for future bombers.

In today's uncertain world, we will be lucky to have a day's warning before a conflict erupts. With our forward presence constantly shrinking, the B-2 provides us with the ability to rapidly project power deep within well-protected enemy territory.

Further, while the premium on surprise and quick strike ability is increasing, the premium placed on the lives of our service men and women remains paramount. With stealth and precision-guided munitions, one B-2 with a crew of two is as effective as 75 conventional aircraft which place 132 air crew at risk. And the B-2 can do this without being staged on the dangerous front lines of a conflict.

The options that the B-2 provides are vital to the future of our Nation's power projection capabilities. It is currently the only bomber in production, and the only one planned. If the Dellums/Kasich amendment passes later today, we will lose these capabilities along with the ability to rapidly produce them in the future. If this amendment passes, by the year 2030, we will be sending our pilots into combat in 70 year old B-52's. This would be the same as sending our fighter pilots into Desert Storm in wooden and cloth biplanes.

And, the B-2 fits under the budget cap that was approved in the House earlier this year.

I urge a "no" vote on the Dellums-Kasich amendment when it is offered later today. Please join me in voting to maintain our nation's critical power projection capabilities.

ILLEGAL IMMIGRATION

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, illegal immigration is at an all-time high: 4 million illegal immigrants in America. A study now shows that many of them actually end up with food stamps, free health care, free education, free housing, while the Congress of the United States continues to cut money for American citizens. Unbelievable.

I say, ladies and gentlemen, it is time to put American military troops on our border. They are falling out of chairs without arm rests overseas and we have got millions of illegal immigrants, many of them running over our borders with back packs full of cocaine and heroin. Beam me up. Whoever created this immigration policy is in fact smoking dope.

THE B-52 BOMBER

(Mr. WATTS of Oklahoma asked and was given permission to address the House for 1 minute.)

Mr. WATTS of Oklahoma. Mr. Speaker, President Reagan said, "If we are forced to fight, we must have the means and the determination to prevail or we will not have what it takes to secure the peace." This then, is the B-2 Bomber's reason for existence.

The chairman and members of the National Security Committee have clearly supported the B-2. Numerous studies indicate that the United States will require more than 20 B-2 bombers to support the U.S. national military strategy and that makes the B-2 a critical part of our war fighting arsenal and will play a unique role in each and every air and land battle that lies ahead.

The aging fleet of B-52 and B-1 bombers will see their performance decline in the next 5 to 10 years and can never perform the stealth mission of the B-2. In fact, there are no new bombers on the drawing board for the next 20 years. Bottomline: The B-2 is an installment on Congress' promise to revitalize our national security posture.

I challenge each of you to think about the direction of this world. The notion that we are safe—or war is less likely—should be dismissed. The reality is their names may have changed but they are still there—ballistic missiles, chemical weapons, and nuclear weapons. We must have the ability to counter that threat. The time is now—I urge your vote of support for the B-2.

□ 1020

ELEMENTARY SCHOOL STUDENTS ON THE MAJORITY'S HIT LIST

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, next Monday I will visit an elementary school, Franklin Elementary School, which is in my district in Houston. This is a school which demonstrates the need for a Federal role in education.

The schools in my district are not wealthy. They rely on Federal education dollars to supplement the State and local funding that they receive. Because of the funding problems that are all too common around the country, not just in Texas, the State and local money just is not enough to provide these children the education, the facilities, and resources these children deserve.

And yet, these kids, their parents, and their teachers kept plugging away. In 1994, the percentage of the students passing a State exam was 35 to 59 percent. In 1995, the percentage rose to 75 to 89 percent. How did this happen? With a dedicated principal, hard-working teachers, involved parents, and extra work on Saturdays, the students did it.

This is an inner-city school that receives chapter I funds. This is a school in which 98 percent of the students receive subsidized breakfast or lunch. In response to their commitment and success, the majority is cutting their funding. And I would like to say: "Welcome back, kids. Along with the seniors, you are on the majority's hit list."

AMERICA MUST PLAN FOR THE 21ST CENTURY

(Mr. SCARBOROUGH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCARBOROUGH. Mr. Speaker, I have been hearing a lot about Medicare and the B-2 bomber. Actually, the two are related, because it seems that some Members continue to stick their head in the sand and deny basic facts.

First of all, if we do nothing on Medicare, in 7 years the trustees say that Medicare goes bankrupt. Something has to be done. We cannot ignore it. We have to face the 21st century with the facts.

The same is true with the B-2 bomber. If we do nothing on the B-2 bomber, if we go along with the Dellums-Kasich amendment, then we are sticking our head in the sand. By the year 2010, the B-52 heavy bombers that we have protecting this country will be over 50 years old.

We cannot sit back and do nothing anymore. We have to plan for the 21st century, not only in Medicare but also in protecting the shores and senior citizens and the young and the old alike.

Mr. Speaker, I urge all my colleagues to oppose the Dellums-Kasich amendment and support the B-2 bomber.

BIPARTISAN EFFORT IS NEEDED TO ADDRESS QUESTIONS OF ETHICS

(Mr. DOGGETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOGGETT. Mr. Speaker, to resolve so many of the problems of this country, it is essential that Republicans and Democrats come together in a bipartisan fashion. We have seen in this session how this can work.

We have seen a 50-year-old lobbying law adjusted. We have seen a gift ban rule to ban gifts to Members of the Senate approved. And yesterday in a dramatic action, we saw Republicans

join Democrats to actually vote to expel a Member.

But for some reason there is a line down the rotunda, and none of that bipartisanship is happening on this side of the Capitol. At the same time that action was being taken, this body was rejecting, on a party line basis, doing anything about gifts for Members of Congress.

Mr. Speaker, today also is the first anniversary, 1 year ago a complaint concerning GOPAC and the Speaker was made to the Committee on Standards of Official Conduct and we have done nothing but dillydallied.

It is time our Republican Members joined us and put a hand on the broom to sweep clean the questions of integrity concerning this House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HOBSON). It should be noted that Members should not refer to disciplinary actions in either House.

RESTORING HOPE AND OPPORTUNITY

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, the Republican majority has been diligently working to keep our promises to the American people. This fall we will complete work on our balanced budget plan, save Medicare from bankruptcy, and allow working families and businesses to keep more of what they earn.

For too long, Washington's solution to America's problems was always new spending and new taxes. As a result, our national debt now exceeds $4.9 trillion and the average American family pays more in taxes than it spends on clothing, food, and shelter combined.

This fall offers our best chance to honestly balance the budget, cut exorbitant taxes, and ensure that our children have a bright future that is free of debt and full of hope.

The choices are simple we can either spend now and worry later or we can move forward with an agenda that forces the Federal Government to live within its means, saves the American dream for our children, and lays the foundation for a generation of economic growth and prosperity.

Mr. Speaker, there are no legitimate excuses for continuing to spend money that we do not have. It is time for Congress to quit avoiding the tough choices and restore some sanity to the Federal budget.

AMERICA NEEDS THE B-2 BOMBER

(Mr. TORRES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TORRES. Mr. Speaker, the current debate over the B-2 bomber marks a turning point for the preservation of U.S. air power. It has been said that the history of U.S. military power is characterized by technological achievements that produced globally dominating weapons systems. I would maintain that the B-2 bomber is just such a technological achievement. If we examine the core competencies of each of our branch of services, it would be evident that independent strategic bombardment has clearly become the unique core competency of our new U.S. Air Force. Indeed, the United States is no longer just a maritime power—we are an aerospace power, and this strategic air power is vital to our national security.

The President of this United States must continue to have the leverage to deter an aggressor by threatening to destroy most of its economic infrastructure with an immediate, devastating strike. If such a strike were necessary, it could be done with B-2's with minimum support, minimum risk, minimum collateral damage, and without U.S. ground force fatalities.

The B-2 has global range, high subsonic speed and an extremely low radar signature. It combines the most modern avionics with the ability to deliver precision weapons in all weather conditions. Having created this devastating capability I would urge my colleagues not to abandon it without truly understanding the facts. We must project our legacy in air power into the future—to do this we need the B-2 bomber.

MEDICARE IS GOING BROKE

(Mr. BURR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURR. Mr. Speaker, Medicare is going broke. Not maybe. Not way down the road. If this Congress does not address this crisis, our Medicare system will be out of money by the year 2002.

This is not an issue for partisan bickering. This is not an issue where business-as-usual is appropriate. The pending insolvency of Medicare threatens the availability of health care to more than 32 million of America's senior citizens.

The Medicare crisis was defined in April by the Medicare Board of Trustees—including Secretaries Reich, Shalala, and Rubin. In their report on the status of the Medicare Program, they indicate that "the Medicare program is clearly unsustainable in its present form" and they "strongly recommend that the crisis presented by the financial condition of the Medicare trust funds be urgently addressed."

Mr. Speaker, we owe it to our senior citizens to face this Medicare crisis head on. It is the responsibility of Congress to fulfill our commitment to this country's seniors and initiate Medicare reform making this program financially sound now and in the years to come.

THE CRUEL HOAX OF MEDICARE'S INSOLVENCY

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, I rise simply to correct this terrible hoax that the Republicans are playing on the American people, that somehow the Medicare Program is bankrupt or insolvent.

In fact, the trustee's report that came out this year showed dramatically that Medicare has never had more money available and, in fact, the life of the program is at least 7 years beyond this year. That is a longer period of time before Medicare goes insolvent than any other period of time that the trustees have reported on in the last few years.

The fact of the matter is that we cannot keep this Medicare Program with a huge pot of money, because if we did that, providers and others would want to raid the program to take advantage of that pot of money. Congress has historically kept the amount of money simply for a few years going in order to protect the program, and it is a cruel hoax on the American people to suggest that Medicare is going insolvent.

What the Republicans are doing is raiding the Medicare trust fund in order to finance a tax cut. It is that simply. They do not want to tell the truth about what is happening here. It is a huge tax cut for the richest Americans.

REPUBLICANS' VICTORY MESSAGE STILL RINGS LOUD AND CLEAR

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, a lot has changed in Washington over the past 9 months, and the message that sent Republicans to victory last November is still ringing loud and clear.

Americans are not talking about how we balance the budget, but whether or not we will do so. People are also talking about how we save Medicare, not whether or not we will do so.

Our mission this fall is clear. We will pass a budget that brings us into balance by 2002. We will enact meaningful welfare reform that emphasizes work, families, and hope for the future. We will save Medicare from bankruptcy. We will reduce the size of this overbloated government that is taking away our freedoms.

Government has grown quite large. After World War II, we spent 12 percent of our GDP, our gross domestic product, for government spending. Now, we spend almost 22 percent of GDP. We have done this not by taxes, but by borrowing. We must balance the budget if we care about our kids and our grandkids having a good future.

TO PRESIDENT CHIRAC: STOP THE TESTING NOW

(Mr. UNDERWOOD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Speaker, on Tuesday at 12:30 p.m. local time in Mururoa, the French Government exploded an underground nuclear weapon in the first of eight proposed tests that President Chirac contends are in France's vital national interests. It was also the 205th nuclear blast that France exploded, but yet they claim they still need more computer data.

Tuesday's explosion was detected by seismic monitoring stations as far as away as Australia, but France has yet to get the message. Testing half a world away from home displays an arrogance that is unbecoming of a civilized nation.

President Chirac has hinted that France may cut the testing program short. The gentleman from American Samoa [Mr. FALEOMAVAEGA], our distinguished colleague, made his contribution by being detained by French test authorities last week.

President Chirac, listen to the gentleman from American Samoa [Mr. FALEOMAVAEGA] and all peoples of the Pacific. Stop the testing now.

KEEP GOING

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, most of the Members of this House have spent the last few weeks traveling our districts and meeting with our constituents. In my town meetings, and in a very successful Medicare conference, my central coast California constituents seemed to be worried that this Congress will be bogged down and not complete the change we started the first 100 days.

They want Medicare to be safe for future generations. They know we must end failed spending policies. They know that we can and must balance the budget and give our children a future free of debt and full of opportunity.

Mr. Speaker, the American people are on to something and my constituents understand that after 40 years of liberals defending the status quo, that the new majority of this Congress is changing the system that created the debt and rewarded inefficiency. They want solutions. They want action and they want it now.

CONGRATULATIONS TO CAL RIPKEN ON HIS 2,131ST CONSECUTIVE GAME

(Mr. CARDIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, on behalf of all the Members of this House, and all baseball fans around the Nation, let me offer our collective congratulations to Cal Ripken, Jr., of the Baltimore Orioles. Last night at Camden Yards in the Third Congressional District of Maryland, Cal played his 2,131st consecutive game, one more than the immortal Lou Gehrig, and did it with the same grace and dignity that has marked his remarkable career.

Mr. Speaker, there was not a dry eye in Camden Yards when Cal Ripken spoke after the game and gave credit to his family and the baseball fans for this remarkable accomplishment.

Thank you, Cal, for being such a great role model for young and old alike.

MEMBERS MUST FULFILL THEIR DUTIES

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, as I spent August back home with family and neighbors, I had time to reflect upon why I am here. It's easy to get caught up in inside-the-beltway activities and small battles and forget why our constituents sent us here.

I will tell Members why my constituents sent me here. They sent me here to balance the budget and scale back big Government. They sent me here to save and strengthen Medicare. They sent me here to change the destructive welfare system. And they sent me here to relieve them of their overly heavy tax burden.

These are simple things. We can do this, and we should do this now. This was in our job description when we were sent here, and if we don't fulfill those duties, our employers will find someone who will.

MEDICARE'S PROBLEMS SHOULD BE SOLVED INDEPENDENT OF TAX CUTS

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, it is quite telling on how excited my Republican colleagues get when democrats tell the truth about their plan to cut Medicare by $270 billion. I am sure in their districts they got the same reaction that I got in mine when people learned that those cuts in Medicare were not going to be recycled to improve or extend the longevity of the Medicare Program, but rather much of that money was going to be taken away for the first time in history from the Medicare Program to pay for tax cuts for some of the wealthiest people in this country.

My constituents understood the need to make adjustments in Medicare. What they could not understand was a plan to raid that system, to make the problems worse, and for the first time in history take money away from Medicare for other purposes in terms of the budget.

Medicare ought to be solved within the Medicare system, independent of the drive to pay for tax cuts for the wealthy, to pay for tax cuts for the richest families in this country, while stealing the money from the elderly who need health care that they can afford.

MEDICARE

(Mr. BONO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONO. Mr. Speaker, when I was home in my district last week, I met with constituents to get their input on Medicare. The most consistent question they had was, "Didn't Congress know about the Medicare problem last year or 2 years ago?" I said yes. But, they refused to confront it.

I urge my colleagues to listen to their constituents and listen to the professionals—the doctors, nurses, hospital administrators, and, of course, our seniors. We cannot propose a solution without their recommendations.

In my district, I have set up a task force to come up with some answers and help find the right solution. Let us not be so arrogant that we think we alone can solve this problem without seeking the advice of the people we represent.

My constituents realize that a 30-year-old Government program needs to be reformed and brought into the 21st century. Politicians using scare tactics and acting like demagogs won't accomplish anything. Let's be responsible and confront the issue. And, solve it.

OPPOSITION TO THE DEFENSE APPROPRIATIONS BILL

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, I rise in strong opposition to the Defense appropriations bill, especially given the priorities currently being established in Congress.

Now that the cold war is over, why do we continue to spend $100 billion a year to defend Europe and Asia against a nonexistent enemy, while at the same time this Congress proposes major cutbacks in Medicare and Medicaid?

Why are we continuing to fund the absurd star wars program, but make disastrous cuts in student loans and education, the future of America?

Why are we expanding the B-2 program at over $1 billion a plane, when the Pentagon has not even asked for any more planes, but we are cutting back on school nutrition programs and child care?

Why are we not cutting the CIA and the other intelligence programs now that the Soviet Union does not exist, but instead are cutting back on Head Start?

CONGRESS MUST BALANCE THE BUDGET AND STRENGTHEN MEDICARE

(Mr. ALLARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLARD. Mr. Speaker, in the next few weeks, after decades of fiscal irresponsibility, Congress will at last face up to its fundamental duty to balance the Federal budget. Not since 1969 have Federal expenses matched Federal revenues. Since then, we have compiled a national debt that bears down on our economy like a lead weight, the new Republican Congress is owning up to its commitment to balance the budget as a matter of moral obligation to future generations.

In addition, we are serious about saving the Medicare system. This is not a partisan issue—the President's own Cabinet Secretaries tell us the system is going bankrupt. Republicans find that unacceptable, Mr. Speaker, and our plan will strengthen and preserve Medicare for the sake of America's seniors.

Years ago, Ronald Reagan asked, "If not us, who? If not now, when?" Mr. Reagan's questions still resonate today. For the sake of our children and our parents, we will balance the budget and strengthen Medicare.

□ 1040

SUPPORT FOR U.N. CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN [CEDAW]

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, today women from around the globe are meeting in Beijing.

The U.N. Fourth World Conference on Women, despite all of its problems, is turning out to be a testament to the will and determination of women who seek to create a better world for one-half of the world's population. Women today, in Beijing, are taking a stand for women.

Today, in these Chambers, I am asking my colleagues in the House of Representatives to take a stand for women. Today, I am introducing a resolution to urge the Senate to ratify the U.N. Convention on the Elimination of All Forms of Discrimination Against Women, also known as CEDAW.

I hope that the next century will be the first century in the history of humanity where women are not faced with Government sanctioned discrimination. My resolution will be a step in that direction.

I look forward to the Congress of the United States approving my resolution.

WHY I SUPPORT THE B-2 PROGRAM

(Mr. ENSIGN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENSIGN. Mr. Speaker, I rise today in strong opposition to the B-2 amendment. Like my colleagues I have taken a hard look at the B-2 program. In fact, I have gone out of my way to find a reason to vote against the B-2. I came to Washington to cut the deficit and eliminate wasteful programs. I voted against the space station because in my opinion the program did not make sense in the current budget environment.

The same cannot be said for the B-2. The truth is, that I have been unable to find a compelling reason to justify halting this program at 20 planes. The B-2, with its unprecedented combination of stealth, range, and payload is precisely the kind of technologically advanced weapon in which the Congress should invest.

A single B-2 has the ability to complete a mission that would require many more conventional aircraft. This in turn puts far fewer lives at risk. During the Gulf War the stealthy F-117 flew only 2 percent of the missions but hit 40 percent of the targets. The stealthy B-2 has a far greater capability than the F-117. We must keep our technological edge as we move toward the 21st century. The B-2 stealth bomber is the weapon that can meet future challenges.

REPUBLICANS' MEDICARE PLAN DOES NOT MAKE SENSE

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Last month, Mr. Speaker, I listened to Ohioans in the 13th Congressional District in a town meeting in Newton Falls, at county fairs in Medina County, Portage County, at a supermarket in Sheffield Lake. People could not believe the Republicans' plan to cut $270 million in Medicare and at the same time turn around and give tax breaks to the wealthiest Americans of the same amount. I say to my colleagues, if you make $300,000 a year, you save $20,000 a year of your taxes under the Republican plan, while, as a Medicare beneficiary, it will cost you $1,000 a year. If you are paying right now as a Medicare beneficiary a premium of about $46 a month, under the Republican plan you will pay somewhere in the vicinity of $110 a month.

Mr. Speaker, that extra $60 or $70 may not sound like much per month to a Member of Congress. But if my colleagues are making $10,000 or $12,000 a year, and they are retired, on Social Security, paying that extra several hundred dollars, $700 or $800 a year, for medical care is an absolute back breaker, and it does not make sense, Mr. Speaker, to make Medicare beneficiaries pay a thousand dollars more a year, all so they can give tax breaks to the wealthy.

Mr. Speaker, it does not make sense.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. BALLENGER. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on International Relations, the Committee on the Judiciary, the Committee on National Security, the Committee on Resources, the Committee on Science, the Committee on Small Business, the Committee on Transportation and Infrastructure, and the Committee on Veterans' Affairs.

Mr. Speaker, it is my understanding that the minority has been consulted and that there is no objection to these requests.

Mr. WISE. Reserving the right to object, Mr. Speaker, the gentleman is correct. The Democrat leadership has been consulted and has no objections to these requests.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. HOBSON). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MOTION TO GO TO CONFERENCE ON S. 4, THE SEPARATE ENROLLMENT AND LINE-ITEM VETO ACT OF 1995

Mr. CLINGER. Mr. Speaker, pursuant to clause 1 of rule XX, and by direction of the Committee on Government Reform and Oversight and the Committee on Rules, I offer a privileged motion and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. CLINGER moves that the House insist on its amendment to the bill S. 4 and agree to a conference with the Senate thereon.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. CLINGER] is recognized for 1 hour.

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

Mr. Speaker, on February 6 of this year the House passed H.R. 2, to give the President the line-item veto. The Senate followed suit in adopting S. 4, a separate enrollment version of item veto which was both considerably weaker than the House language and which posed substantial administrative burdens.

The disparity between our approaches was obvious, and so for the past several months Representatives of the House and Senate have been meeting informally to sort out the differences between our bills. The meetings have helped to identify areas for compromise and have focused attention on areas of remaining concern, such as the bills' target tax benefit language and en bloc voting provisions.

Because of these informal and bipartisan discussions, it now appears that agreement on the line-item veto is well within reach. House and Senate leaders have agreed that a formal conference is now warranted, and we are prepared to act. But to progress further and achieve a final agreement, the House must agree to a conference. My motion will allow us to move forward through a conference to resolve our few remaining differences and send to the President the bill he has been seeking—the strongest possible line-item veto.

I urge the motion's adoption.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the privileged motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. CLINGER].

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. WISE

Mr. WISE. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. WISE moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendments to the bill S. 4 be instructed to insist upon the inclusion of provisions within the scope of conference making the bill applicable to current and subsequent fiscal year appropriation measures.

The SPEAKER pro tempore. The gentleman from West Virginia [Mr. WISE] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia [Mr. WISE].

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

Mr. Speaker, I offer this motion on behalf of the ranking member, the gentlewoman from Illinois [Mrs. COLLINS], and the other Democrats on the committee. I would hope that it would be noncontroversial.

Mr. Speaker, my motion does one thing and one thing only. It instructs the House conferees to insist upon an agreement giving the President line-item veto authority over current fiscal year appropriations, not just appropriations that are enacted after the enactment of the line-item veto. In other words, if my colleagues believe in the line-item veto, that they want it to apply as early as possible, that is the purpose of this motion to instruct.

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

Mr. CLINGER. Mr. Speaker, I yield 15 minutes of my time to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. Speaker, pending that I would just indicate that, as chairman of the Committee on Government Reform and Oversight, we are pleased to accept the motion offered by the minority to instruct. The motion simply urges conferees to extend the full effect of the line-item veto to the President insofar as the scope of the conference will allow, and it is an eminently reasonable suggestion which fulfills the spirit of the line-item veto legislation.

Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Speaker, I also rise in support of the motion.

Mr. Speaker, the report from my constituents during the month of August was very clear: Get on with the task of balancing the budget and downsizing government.

One tool that is going to be critical in the effort to reduce wasteful spending is the line-item veto. I have long supported a line-item veto for the President and have repeatedly introduced legislation to provide for this provision.

Both Houses have passed a line-item veto and it is time to go to conference and get this enacted into law.

I do not care whether the President is a Republican or a Democrat, we should give him a line-item veto, and we should do it now.

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

Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. CLINGER], the chairman of the Committee on Government Reform and Oversight, for yielding me half of his time. I applaud the chairman for the outstanding work that he and his committee have done to bring the line-item veto bill to this point, along with the gentleman from Florida [Mr. GOSS] and other members of the Committee on Rules who have worked so diligently and so long on this very important issue. I agree with Chairman CLINGER that the gentleman's motion to instruct be accepted.

However, Mr. Speaker, it must not go unnoticed that we are at an historic moment right now, one which some of us have awaited for over 125 years. I recall 17 years ago when I came here with the gentleman from Pennsylvania [Mr. CLINGER] it was the first bill that I introduced in the Congress, and having waited all these years, it is going to be so gratifying to see this bill finally become law.

It is going to mean something to another person that I have such great respect for, and that is the man on whose birthday we passed this line-item veto back on February 6. His name is Ronald Wilson Reagan, one of the greatest Presidents this country has ever known, and, once this passes both bodies and is signed into law by the President, no one will be happier than that former great President.

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

Mr. WISE. Mr. Speaker, I ask unanimous consent to allow the ranking member, the gentlewoman from Illinois [Mrs. COLLINS], to control the balance of my time.

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

There was no objection.

Mrs. COLLINS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my motion does one thing, and one thing only. It instructs the House conferees to insist upon an agreement giving the President line-item veto authority over current fiscal year appropriations, not just appropriations that are enacted after the enactment of the line-item veto.

At the outset, I would like to take this opportunity to thank my colleague, the chairman of the Committee on Government Reform and Oversight, for his support for my motion. Although we disagree over the need to give the President line-item veto authority at all, his willingness to give the President this authority over 1996 appropriations, if applicable, demonstrates his fairness and his commitment to the line-item veto as an instrument of fiscal policy.

In fact, the policy of the House-passed bills is to cover current year appropriations, and my motion simply

ensures that this will continue to be the policy of the House. As a result of the passage of the amendment offered by the gentleman from Wisconsin [Mr. OBEY], the President would have 10 days after the bill's date of enactment to line-item veto any unobligated funds from previously enacted appropriations for the current 1995 fiscal year.

My motion simply updates the intent of this amendment by instructing the conferees to make the line-item veto applicable to any current year appropriation, which may be fiscal year 1996 by the time the line-item veto conference is concluded.

The Obey amendment, which was adopted on February 3 of this year, received support from both sides of the aisle.

In accepting the amendment for the majority, the distinguished chairman of the Committee on Government Reform and Oversight and manager of this bill, said "it is an excellent addition to what we are trying to do here, which is to get at those elements of pork, wherever they may exist and wherever they exist every year."

Some have suggested that after receiving publicity for passing the line-item veto, some Republican proponents of this legislation wanted to deny President Clinton use of the line-item veto against upcoming fiscal year appropriations which they have written.

Again, the debate from earlier this year makes it clear that this was not their stated intent at the time.

During the floor debate, the distinguished chairman of the Rules Committee, and a manager of the bill, made this very clear and forceful statement, and I quote:

> Well, here we are. We get a Democratic President, and here is Solomon up here fighting for the same line-item veto for that Democratic President. I think this is something that a chief executive in government, regardless of political party, should have, just as 43 Governors of States have it. * * *.

The gentleman from New York went on to say, "I guess I have enough confidence in any President, regardless of political party, to use this new tool selectively and judiciously."

In his closing arguments, the Speaker also went out of his way to make it very clear that he had no interest in playing partisan politics with this issue. This is what the Speaker said at that time:

> For those who think that this city has to always break down into partisanship, you have a Republican majority giving to a Democratic President this year without any gimmicks an increased power over spending, which we think is an important step for America, and therefore it is an important step on a bipartisan basis to do it for the President of the United States without regard to party or ideology.

The record is clear on both points. There was every intention to give the President line-item veto authority over current year appropriations, including those passed prior to the enactment of this bill, and not to deny the President this authority for partisan political reasons.

Mr. Speaker, I personally do not support the line-item veto bill, but if it is the answer to the country's spending problems that its proponents say it is, then this President should have it to deal with appropriations that may soon become law.

Once Congress cedes the line-item veto authority to a President, it is unlikely that it will every get it back. In the future, there will always be Presidents to whom the Congress may not want to give the line-item veto authority, but they will not have that choice. To deny the President line-item veto authority over fiscal year 1996 appropriations is to admit that the line-item veto is a mistake.

Today, I ask all proponents of this measure, to demonstrate again that their purpose is serious, fiscal reform. Vote for my motion to instruct the conferees to insist that the bill continue to apply to current appropriations, including, if applicable, those 1996 appropriations measures that soon will be enacted.

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

Mr. CLINGER. Mr. Speaker, I yield myself 30 seconds in order to recognize the enormous role that the chairman of the Committee on Rules has played in this whole effort. As he said, starting 17 years ago he has been in the forefront of the effort to bring to fruition the line-item veto, and I commend him for his commitment to this goal over these many years.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts [Mr. BLUTE], another leader in this effort, who has done a superb job and, hopefully, will be a member of the conference and bring this thing home.

Mr. BLUTE. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, today the House is taking action to provide the President an important tool necessary to reduce Government spending. As we move to go to conference on the line-item veto, we take a major step toward eliminating wasteful projects which are often buried in public laws without the benefit of public scrutiny.

On February 6 this House passed H.R. 2 by the overwhelming and bipartisan vote of 294 to 134. The Senate unfortunately disregarded that version and went on to pass a somewhat cumbersome line-item veto which would split larger bills into hundreds of pieces when they went to the President's desk.

Separate enrollment, as the other body calls its version, would create many problems, not the least of which would be giving the President writer's cramp from signing the thousands of bills Congress would be forced to send him.

The House, on the other hand, produced a strong, workable bill which preserves the balance of power between the legislative and executive branches while providing the President with more flexibility by allowing a reduction of spending items. I am confident that in working together with the Senate we can come up with a fine compromise.

By the end of this fiscal year, the Federal debt is estimated to be more than $4.9 trillion. In fact, appropriately on Friday, October 13, of this year, the Federal debt will reach the incredible level of $5 trillion. That means a child born today is immediately saddled with an expense of more than $187,000 over their lifetime just to pay the interest on their debt. While it will not in and of itself balance the budget, the line-item veto will be an important tool the President can use as this country moves toward that goal in 2002.

By moving forward on the line-item veto today, we are poised to deliver a long-overdue instrument of fiscal discipline not only to the President, but to the entire system of government here in Washington. Because we have kept our promise to swiftly maneuver the line-item veto through Congress, the days are numbered for wasteful projects rolled into omnibus spending bills.

This is truly an historic day because common sense is finally coming to our National Capital. I want to commend the gentleman from Pennsylvania [Mr. CLINGER] for his tremendous leadership on this issue as well as the gentleman from New York [Mr. SOLOMON], the gentleman from Florida [Mr. GOSS], and many Members of this Congress on both sides of the aisle who think this is a very, very important tool for the President to have.

□ 1100

Mrs. COLLINS of Illinois. Mr. Speaker. I yield 5 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Speaker, I rise in support of the motion to go to conference and the motion offered by the gentlewoman from Illinois [Mrs. COLLINS] to instruct conferees to H.R. 2, the line-item veto bill. I am pleased, frankly, that we are finally naming conferees, although I am disappointed that it has taken so long. I would like to give some credit to my colleague, the gentleman from Utah [Mr. ORTON], for prodding us to this point in the process.

Mr. Speaker, 8 months ago, February 6, the House passed H.R. 2; the Senate passed its version of the bill on March 23. We did it with great fanfare. In fact, the date that was chosen, February 6, was not fortuitous; it is the birthday of Ronald Reagan. My friend, the gentleman from New York [Mr. SOLOMON],

the distinguished chairman of the Committee on Rules, said this was one of the proudest days of his life. The Republican leadership took particular pride in the fact that they were willing to give a Democratic President this substantial accession of power.

The Speaker himself said during the debate:

For those who think that this city always has to break down into partisanship, you have a Republican majority giving to a Democratic President this year without any gimmicks an increased power over spending.

The distinguished chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON], said:

A few years ago when we started pushing for this legislative line-item veto, there were a few doubting Democrats who said, "Solomon, it is easy for you to support the line-item veto when your party controls the White House, but we bet you will not be so gung ho when we have a Democratic President."

Well, here we are. We get a Democratic President, and here is the gentleman from New York [Mr. SOLOMON] up here fighting for the same line-item veto for that Democratic President.

So in view of all of the fanfare, what has been the fate of this bill? Almost 150 days after the House and Senate have passed it in different versions, and significantly different versions, that is part of the problem, we are finally getting around to appointing conferees. What happened to the gung ho enthusiasm, to the bipartisan spirit? One has to wonder whether the Republican leadership is no longer so sure that it wants to give these broad powers to a Democratic President. One has to wonder whether they are concerned, afraid that this might give the President too much leverage during the upcoming budget battle. Whatever the reasons may be, I hope we can finally go back to that bipartisan spirit, that enthusiasm that was expressed on February 6.

Mr. Speaker, I still have constitutional questions about this bill. As the gentleman from New York [Mr. SOLOMON] knows, every time we brought it up, I have been out here with an alternative that I think is a more workable alternative that would clearly pass constitutional review. However, I finally came around to voting for this, because I think it will help restore credibility in the congressional spending process if we give the President some additional power to cull out wasteful spending and to send it back here for final review.

Mr. Speaker, the question I am raising today is whether we are going to match our rhetoric with action today, and I hope the conferees will not just take their appointment, but move quickly to resolve differences between the House and Senate bill. I think we have to move to the House bill. I think the Senate has come up with an unworkable proposal as well as an unconstitutional proposal.

Let me take just one final moment to urge support for the motion of the gentlewoman from Illinois [Mrs. COLLINS] and to commend the gentlewoman for bringing forward this particular motion. This should not be controversial. All they do is make clear that H.R. 2 applies to fiscal year 1996 spending bills, even if these bills become law before H.R. 2 is finally enacted.

As a result of the delay in passing H.R. 2, the line-item veto bill, it could be interpreted to exclude fiscal year 1996 spending measures from its coverage. It was never the intent of the House, I do not believe when we passed the bill, to exclude fiscal year 1996 spending bills. In fact, when H.R. 2 was considered by the House, we passed the Obey amendment. The Obey amendment gave the President the authority to veto items in fiscal year 1995 appropriation bills within 10 days after passage of H.R. 2, even if H.R. 2 was enacted.

So I do not think that the Collins amendment should be controversial. If we are true to our intent here, true to our purpose, we will make this part of the instruction, and I hope it will come back, the conference report itself, will come back with the Collins provisions incorporated.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume to briefly thank both my former office neighbor, the gentlewoman from Illinois [Mrs. COLLINS], who is also a Chicago Bears fan along with me, and it looks like they were going to be coming back strong this year, and the gentleman from South Carolina [Mr. SPRATT] for quoting my previous remarks. Yes, I did back in 1979 support the line-item veto for a President called Jimmy Carter, and I supported it later on for a President called Ronald Wilson Reagan, and I supported it later on for a President called George Bush, and I still support it for a President called Bill Clinton, because it is the right thing to do.

Mr. Speaker, I would just say to the gentleman, that he wants us to get back on a bipartisan basis. We are doing that right here, because we are supporting the motion to instruct offered by the gentlewoman from Illinois [Mrs. COLLINS]. We want to make this bipartisan. I intend, as one of the conferees, to make sure that we are going to lean toward the House-passed bill, because much of what the gentleman from South Carolina said is true: There are constitutional problems with the Senate version. Plus, from a practical point of view, it is just totally unworkable, if we are going to have a real meaningful line-item veto that a President can use effectively.

So I look forward to working with those Members, the gentleman from Pennsylvania [Mr. CLINGER], the gentleman from Massachusetts [Mr. BLUTE], the gentleman from Florida [Mr. GOSS], and others who will be conferees to make sure that we get a meaningful line-item veto finally, once and for all.

Mr. Speaker, having said that, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS], another leader on this issue and one of the most fiscally responsible Members of this body, a member of the Committee on Rules, who has led the fight for fiscal responsibility since the day he set foot on this floor.

Mr. GOSS. Mr. Speaker, I rise obviously in very strong support of the House-passed version of the line-item veto. I would point out that taking this up today as we start out the fall session is a promise kept. We said we would do it, we are doing it. I certainly commend the gentlewoman from Illinois [Mrs. COLLINS] and the gentleman from West Virginia [Mr. WISE] for carrying her motion to resolution which we agree with, as we have said, to instruct conferees. I think it is a useful addition.

I would point out that by a vote of 294 to 134 in early February, this House acted, I think, very decisively to grant line-item veto authority to the President. We really are committed to establishing this tool to root out unnecessary or wasteful spending where we can identify it, and we can, and unfair tax breaks as well, where we can identify them. Our colleagues in the other body obviously have come up with a markedly different approach to the line-item veto, as we all know, their so-called separate enrollment process, and I frankly think that is a very cumbersome and complex process, and I do not think it can be effective, but we will discuss that in conference. We are going to have our work cut out for us over there.

Preliminary discussions, however, make me a little optimistic that we are going to be able to make some progress. I think we are beginning to see some wisdom from people on the other side in understanding our position on this and why we think it is going to work better.

I commend particularly the gentleman from Pennsylvania [Mr. CLINGER], the gentleman from Massachusetts [Mr. BLUTE], as well as the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, for their efforts of really keeping this on the front burner as we have gone along, even at a time, frankly, when some thought the differences between the House and the other body were going to be too great to overcome. We are back at it, and I think that is right where we should be.

Mr. Speaker, this motion to instruct conferees reflects a spirit of bipartisan cooperation, as the gentleman from New York [Mr. SOLOMON] has just reiterated, by urging the conference to move expeditiously so that the line-

item veto can begin to work as soon as possible on appropriations measures. This language restates our commitment to implementing the line-item veto expeditiously, as we have promised we would do.

I was down in the district as we all were on this recent break, and I can count on two questions coming up any time I get a gathering of more than two or three people in my district. One of those questions is where is the line-item veto, the other question by them is what about the notch.

Mr. Speaker, let us today support this motion and get on with our work in conference.

Mrs. COLLINS of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. LEWIS].

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague yielding, and I rise frankly just to suggest to my colleagues a word of caution that I raised with my friend, the gentleman from New York [Mr. SOLOMON], 17 years ago when we were freshmen, about this matter. I agree very strongly with those who are concerned about our deficit and the importance of moving toward a balanced budget.

Having said that, I feel very strongly about local government and State running a lot more than the Federal Government, but there are reasons to have a Federal Government, including our national defense. From time to time in the history of this country we have tended to be penny-wise and pound-foolish in that area. As peace looms on the horizon, many an administration becomes very cautious about spending money in this area. I would rue the day that a President, for example, chose to use the line-item veto to strike the B-2, for example, so critical to our future ability to project peace in the world. So a word of caution, my friends, as we move forward with the steamroller that seems to be heading toward either a direct line or a cliff.

Mrs. COLLINS of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I rise in support of the motion, and I compliment the gentlewoman from Illinois for putting forth this motion.

Mr. Speaker, I think it is time that this body get on with the work that the American people want us to do, and that is to accomplish the line-item veto legislation. When this legislation was first introduced in January, and it is a piece of legislation that I have supported both in this Congress and in the last Congress, I cautioned my constituents, saying that I feared what we would see is we would see quick action in the House, perhaps separate action by the Senate, and then there would be serious delay in getting the two bodies together, and unfortunately that is clearly what has happened up to this point.

But now it is time for us to get to work. Let us do the work that the American people want us to do, let us sit down as conferees, get the differences between the two houses ironed out and give the President the authority to get rid of pork barrel spending and special interest tax breaks.

Mrs. COLLINS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to take just this moment to thank the ranking member of the Committee on Government Reform and Oversight, the chairman, for his assistance in this matter and for the spirit of cooperation that he has always dealt with the minority on this particular matter. He has done so repeatedly, and he has always been there to discuss these very important issues with us.

I want to also thank the chairman of the Committee on Rules who, I am glad to say, is still a very avid fan of the Chicago Bears and, along with him, I too hope that we are successful this term.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Speaker, I want to thank the gentlewoman from Illinois, the ranking member. We may not always agree, but we are always very civil and she has always been very cooperative in accomplishing what needs to be accomplished.

Mr. Speaker, I would just point out again that this measure did have broad bipartisan support when it came before the House in February. I am pleased that we come out of this motion today again united, with bipartisan support, in moving forward and trying to address the issues with the other body.

Mr. ORTON. Mr. Speaker, I rise in strong support of the motion to instruct conferees, which seeks to apply line-item veto legislation to all fiscal year 1996 spending bills.

I am pleased to see House leadership appoint conferees today for H.R. 2, the line-item veto legislation. This move is long overdue. On February 6, the House approved H.R. 2, the line-item veto bill, by the overwhelming majority of 294 to 134. Line-item veto was a key component of the Contract With America. The Senate passed a line-item veto bill in March. However, it is almost 6 months later, and we are finally getting around to appointing conferees.

As a strong supporter of line-item veto, I became increasingly distressed this summer to hear statements from leadership that line-item veto was dead for the year. In an effort to increase pressure to revive this bill this year, I attempted to offer an amendment to each of the five remaining appropriations bills to apply the provisions of H.R. 2 to those individual appropriations bills. My concern was that even if we passed line-item veto this year, a delayed agreement would mean that over $500 billion in fiscal year 1996 spending would not be subject to line-item veto.

When I was denied the opportunity to offer this amendment, I then introduced a House resolution on the last day before recess calling on House leadership to appoint conferees. This resolution was cosponsored by 66 Members of the House. My resolution also stated the sense of the House that we should not send appropriations conference reports to the President unless we took steps to apply line-item veto to such conference reports.

The motion to instruct conferees goes to the heart of this issue. The motion instructs conferees to insist that line-item veto be applicable to any current or subsequent fiscal year appropriations bills—which would include all 1996 spending bills. It is my understanding that leadership will accept this motion. I applaud this constructive move, and again, support the action we are taking today to begin the conference process on line-item veto.

Finally, I would like to acknowledge that finding an agreement between the House and Senate will not be an easy chore. While there is a clear majority in both the House and Senate in favor of some form of line-item veto or enhanced rescission, there are honest disagreements over the best form of such legislation.

However, I have never understood why the potential difficulty of reaching agreement should prevent us from even trying. That is why I have pushed so hard to begin the process. It is my hope that we can move expeditiously to reach an agreement and send a line-item veto bill to the President for his signature into law.

However, the appointment of conferees and the motion to instruct still provide no assurance that line-item veto will apply to 1996 spending bills. Therefore, I reiterate my call to apply line-item veto provisions to each spending bill that we send to the President this year—and to urge that we make every effort to make sure that every dollar of discretionary spending is subject to the fiscal scrutiny of Presidential authority to veto individual items of pork barrel or unnecessary spending. If we can do so, we can help restore taxpayer faith that their tax dollars are spent wisely.

Mr. CLINGER. Mr. Speaker, I yield back the balance of my time.

Mrs. COLLINS of Illinois. Mr. Speaker, I move the previous question on the motion to instruct.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HOBSON). The question is on the motion to instruct offered by the gentleman from West Virginia [Mr. WISE].

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. CLINGER, SOLOMON, BUNNING, DREIER, BLUTE, and Mrs. COLLINS of Illinois and Mr. SABO and Mr. BEILENSON.

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 2126, making

appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

PROCEDURE FOR CONSIDERATION OF CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that further consideration of the bill H.R. 2126 in the Committee of the Whole pursuant to House Resolution 205 shall also be governed by the following order:

Before consideration of any other amendment it shall be in order to consider the following amendments—identified by their designation in the CONGRESSIONAL RECORD pursuant to clause 6 of rule XXIII—each of which may be considered only in the order specified, may be offered only by the Member—or one of the Members—specified, may amend portions of the bill not yet read for amendment, may amend portions of the bill previously amended, shall be considered as read, shall be debatable as specified, shall not be subject to amendment except as specified, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole, and shall not otherwise be in order during further consideration of the bill for amendment: One of the amendments numbered 10, 11, 18, 34, or 56, by Representative KASICH or Representative OBEY, to be debatable for 60 minutes, with 10 minutes controlled by Representative KASICH, 10 minutes controlled by Representative DELLUMS, 10 minutes controlled by Representative OBEY, 15 minutes controlled by Representative DICKS, and 15 minutes controlled by Representative YOUNG of Florida; one or more of the amendments numbered 37, 58, 59, or 61, by Representative OBEY, to be debatable in the aggregate for not more than 20 minutes equally divided and controlled by the proponent and an opponent; and one of the amendments numbered 3 or 15, by Representative DORNAN, together with the amendment numbered 48 as a substitute therefor, by Representative DELAURO, to be jointly debatable for 30 minutes equally divided and controlled by Representatives DORNAN and DELAURO.

□ 1115

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 205 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2126.

□ 1116

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2126) making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, with Mr. SENSENBRENNER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Monday, July 31, 1995, the amendment offered by the gentlewoman from Oregon [Ms. FURSE] had been disposed of and title III was open for amendment at any point.

Pursuant to the order of the House of today, further consideration of the bill for amendment in Committee of the Whole may not exceed 5 hours, exclusive of time consumed by recorded votes and proceedings incidental thereto.

Before consideration of any other amendment it shall be in order to consider the following amendments—identified by their designation in the CONGRESSIONAL RECORD pursuant to clause 6 of rule XXIII—each of which may be considered only in the order specified, may be offered only by the Member—or one of the Members—specified, may amend portions of the bill not yet read for amendment, may amend portions of the bill previously amended, shall be considered as read, shall be debatable as specified, shall not be subject to amendment except as specified, shall not be subject to a demand for division of the question in the House or in the Committee of the Whole, and shall not otherwise be in order during further consideration of the bill for amendment: One of the amendments numbered 10, 11, 18, 34, or 56, by Representative KASICH or Representative OBEY, to be debatable for 60 minutes, with 10 minutes controlled by Representative KASICH, 10 minutes controlled by Representative DELLUMS, 10 minutes controlled by Representative OBEY, 15 minutes controlled by Representative DICKS, and 15 minutes controlled by Representative YOUNG of Florida; one or more of the amendments numbered 37, 58, 59, or 61, by Representative OBEY, to be debatable in the aggregate for not more than 20 minutes equally divided and controlled by the proponent and an opponent; and one of the amendments numbered 3 or 15, by Representative DORNAN, together with the amendment numbered 48 as a substitute therefor, by Representative DELAURO, to be jointly debatable for 30 minutes equally divided and controlled by the Representatives DORNAN and DELAURO.

Are there any amendments to title III?

AMENDMENT OFFERED BY MR. KASICH

Mr. KASICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KASICH: Page 23, line 17, strike "$7,162,603,000" and insert "$6,669,603,000".

The CHAIRMAN. Pursuant to the unanimous-consent agreement previously agreed to, the gentleman from Ohio [Mr. KASICH] will be recognized for 10 minutes, the gentleman from California [Mr. DELLUMS] will be recognized for 10 minutes, the gentleman from Wisconsin [Mr. OBEY] will be recognized for 10 minutes, the gentleman from Washington [Mr. DICKS] will be recognized for 15 minutes, and the gentleman from Florida [Mr. YOUNG] will be recognized for 15 minutes.

The Chair recognizes the gentleman from Ohio [Mr. KASICH].

Mr. KASICH. Mr. Chairman, I yield myself 4 minutes.

Well, we have been through this so many times now, it is kind of hard to bring additional facts to the table, but it seems as though every day we turn around in regard to the B-2 bomber there is another interesting development.

In this morning's Wall Street Journal, the head of the Air Force procurement program, the Air Force general in charge of the procurement programs for the Air Force, so Members of Congress, if you are concerned about the C-17, if you are concerned about any of the acquisition programs of the Air Force, General Muellner, said despite the wishes of many in Congress, quote, the Air Force cannot afford to buy more than 20 B-2 stealth bombers. The bottom line is the budget will not support it, he said. I really believe that.

I mean when we have no one in the Pentagon that wants this airplane, when we have the General Accounting Office talking about the performance problems and performance issues associated with the aircraft, when the cost of the airplane is not affordable, and I ask Members how they can go home and defend the billion dollar airplane while at the same time we are trying to squeeze savings out of this Federal budget, and at a time when the mission of this airplane, which was to invade the Soviet Union in the middle of the nuclear war is over, how the heck can we go forward and tell the Pentagon to buy more?

I will say to my Republican colleagues one of the many criticisms that I have encountered over the break is how is it that we want to squeeze

down funding for certain programs but yet we want the Pentagon to spend $7 billion more than what they have asked for. Now, some people say that generals do not tell the truth any more, that they are all political. Well, it is interesting, in the last administration the generals' words were good. Now the generals are all political.

Mr. Chairman, I would submit to Members that as one who has questioned aggressively the brass in the Pentagon and the civilians in the Pentagon, I have never yet seen the Pentagon come to Capitol Hill and ask for less spending. It blows my mind that the Pentagon could come and ask for less spending and we keep telling them we know better.

When the general in charge of acquisition for all the major weapon systems for the Air Force says we do not want the plane, we cannot afford the plane, folks, it is time to come to the floor and make a big chop out of the stack of wood labeled corporate welfare and adopt this amendment and abide by the agreement we made several years ago to limit this plane at 20.

The issue that if you have the B–2 you will not need these other planes to carry out the mission is an argument that is also beyond my understanding for this reason. No one is suggesting we retire the F–15's or the F–16's. No one is suggesting that that whole list of aircraft that are supposed to be used will not be used or be retired. In fact, there are additional costs associated with the B–2, including the cost of forward funding, protecting the planes, additional tankers.

Mr. Chairman, the simple fact of the matter is, in a nutshell, and it is kind of hard to lay much more out there, if the guys in the Pentagon, if the guys in the field who are running the military of the United States do not want this plane, if the Pentagon does not want it, if the mission has evaporated, if we are in tough budget times, now is the time to live up to the deal and limit the acquisition to 20. Support the Kasich-Dellums-Obey amendment.

Mr. DICKS. Mr. Chairman, I yield myself 1 minute.

I want to speak against the amendment. On January 4, 1995, seven former Secretaries of Defense, Mel Laird, Jim Schlesinger, Donald Rumsfeld, Harold Brown, Caspar Weinberger, Frank Carlucci, and Dick Cheney wrote the President of the United States a letter and said in their experience that stopping the B–2 at 20 was a serious mistake in judgment.

I think those seven former Secretaries of Defense, six of which were Republicans, and Harold Brown, who was the man who started this program, should be given serious consideration by this Congress. This line is open now. If we could procure the planes now, we can save the taxpayers a considerable amount of money.

Mr. Chairman, this is the most important defense issue that we are going to consider in this decade. The F–117 stealth attack aircraft worked effectively in the gulf. It showed that we could operate autonomously without support aircraft. The B–2 is a bigger and better version of that aircraft.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes and 30 seconds.

Members, I find this whole debate absolutely mind boggling. For the last month, the Congress has passed appropriation bill after appropriation bill and we have cut education, we have cut student loans, we have cut low-income heating assistance programs for poverty-ridden senior citizens, we have cut science budgets, we have cut virtually everything you can think of on the domestic side of the ledger, and yet some of the same people who enthusiastically embraced those cuts are now saying, oh, but we have to have more spending on this turkey of a B–2 bomber.

We are now being asked to spend money to buy more B–2's than the Pentagon itself is asking for, more than the President is asking for, and we are told that because some former Secretaries of Defense would like us to buy some of these toys, that we ought to do it. I would suggest the right people to ask are not former Secretaries of Defense but the former Directors of the Office of Management and Budget, because I will bet you, if you ask any of them, they will tell you that we simply cannot afford this plane, either militarily or fiscally.

Now, we can get into all of the discussions we want about whether or not this money would be better spent on the domestic side of the ledger than the defense side of the ledger. Let us say it is not going to be. I would submit that we still have to face the fact, and this Congress must face the fact, that we cannot afford to buy the items that we are already promising to buy in the Pentagon budget. We cannot afford to buy the items that we are listing in the Pentagon budget unless we eliminate the additional purchases of the B–2 plus one other major weapon system at least.

Mr. Chairman, while in the near years, the congressional Republican budget would be higher than the President's budget on defense, after 7 years this budget is lower than the President's budget, and we simply do not have the room in the defense budget to buy every little item we would like to buy.

□ 1130

I just want to put this in context for those who think we can afford this. We have some tough choices we have to make. The cost of one of these bombers would pay for the cost of tuition for every single student at the University of Wisconsin for the next 11 years. That is all. The cost of these bombers, which is highly disputable to begin with, because we have three different estimates of what they are likely to cost, but no matter how we slice it, we cannot afford the cost when measured against domestic priorities, we cannot afford the cost when measured against other military priorities, and we ought to pass this amendment and turn down this ridiculous spending today.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. LEWIS], a member of the Committee on Appropriations.

Mr. LEWIS of California. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I first want to express my deep appreciation to my colleagues who have worked so hard on this matter, a very critical issue to America's future ability to not just defend itself, but to represent freedom and peace in the free world. I especially want to stress my appreciation to my colleague, the gentleman from California [BUCK MCKEON] who has taken the lead on this work from our perspective, and has done a fantastic job of finding out where the votes really are.

The issue before us will close the B–2 line forever, Mr. Chairman. That is the heart of my concern. I strongly oppose this effort. The advent of stealth has revolutionized the way we think about air warfare, an important facet of our Nation's defense. The B–2 is far and away the most advanced weapon system this world has ever seen. The value of this new stealth capability was evident in the gulf war with the F–117. The F–117 production line is already closed. The B–2 bomber takes this technology one major step further.

The B–2 can fly six times farther than the F–117, carry eight times more precision payload, and destroys targets with greater accuracy than any other aircraft that the world has ever seen. For example, a force with 30 B–2's loaded with modern weapons could have engaged as many targets on the first day of the Persian Gulf war as the 1,263 aircraft that were used. This is an amazing fact. The B–2 will save lives as well as money. It will conserve resources in the long run and will create a capability that the U.S. military forces alone will have, and that we desperately will need.

This body has always followed the philosophy that U.S. soldiers, sailors, and airmen must be sent in harm's way fully prepared and equipped for victory. Now is not the time to reverse that philosophy. The citizens of our Nation will not stand for more Scott O'Gradys.

As we continue to close bases around the world, we need the power projection which the B–2 gives us. The B–2 can be almost anywhere in the world in 12 hours.

Several opponents have cited a severely flawed GAO study, stating that the B–2 can't operate in a rainstorm or is not as stealthy as

reported. I was pleased to see Secretary Kaminski strongly refute each point in that study. We heard that the draft was not even reviewed by the GAO's chief scientist before it was leaked to the press.

Secretary Kaminski stated in his rebuttal:

The radar is performing in rain as expected during this stage of its development. There is no indication that the radar's performance while flying through rain will not fully meet requirements.

Testing to date has not identified any areas that will prevent the B-2 from meeting its operational stealth requirements.

The detectability and survivability testing completed to date has been entirely successful in confirming expected B-2 performance.

Even General Horner who was in charge of air operations during the Persian Gulf war states that the "delivered B-2 aircraft have demonstrated, without qualification, that the B-2 is a superb weapon system—performing even better than expected."

As a member of the Intelligence Committee and the Appropriations Subcommittee that handles Defense, I could never in good conscience vote to close the only bomber production line in this country, especially one as advanced as the B-2.

Proponents of this amendment state that we can't afford to keep the only bomber production line in this Nation open. Let me assure you, for our sons and daughters, our grandchildren and great-grandchildren, for pilots like Scott O'Grady, we can't afford not to. Vote "no" on the Obey-Dellums-Kasich amendment.

Mr. KASICH. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa [Mr. GANSKE].

Mr. GANSKE. Mr. Chairman, let us look at the cold hard facts.

The budget resolution conference report contains significantly less money for defense than the House Defense authorization bill that was passed earlier. The House appropriations ceiling for defense has since been adjusted accordingly. The result is that the B-2 is now even less affordable.

Simply put, the enormous outyear "tail" of the B-2 was not budgeted to begin with, and now there is even less money than was believed available at the time of the B-2 authorization vote. The fiscal arguments against the B-2 are now stronger than ever.

The results of the heavy bomber industrial capabilities study have been released. It contradicts assertions that new B-2's are needed to keep a bomber industrial base alive. The study states that, first, there is no distinct bomber industry and that bomber production efficiently shifts between prime contractors over the years, and second, a restart of the production line, if necessary, would not be costly nor present any technical difficulty.

Finally, the General Accounting Office has completed a report on the current status of the B-2 cost, development, and production efforts which is highly critical of the program.

The report states the aircraft has not passed most of its basic tests, is not as "stealthy" as advertised, and its new, next-generation terrain following/terrain avoidance radar cannot distinguish the difference between a rain cloud and a mountain. Furthermore, the GAO warns of persistent technical and production problems that will directly translate into cost growth. Indeed, B-2 proponents found it necessary to write into the Defense authorization bill a repeal of the cost cap—a cap of $44.4 billion on the original 20 aircraft.

The case against additional procurement is clear. Support sound fiscal policy. Support sound defense spending. Support the Kasich amendment.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to my classmate and good friend, the distinguished gentleman from Missouri, Mr. IKE SKELTON, one of the truly outstanding defense experts in the House of Representatives.

Mr. SKELTON. Mr. Chairman, I speak today to keep this House of Representatives from making a mistake. This House made a mistake in the past. In 1939 it sent a message when it failed to spend those dollars necessary to upgrade the harbor at Guam, telling the Japanese Empire that we would not defend the Pacific.

If we turn down additional B-2's and adopt this amendment, we will be sending a message that deterrence does not count. We will be sending a message that we will not take the best advantage of our technological superiority and put it into the defense of our wonderful Nation.

Mr. Chairman, I oppose this amendment. Today's debate will shape the future not only of our United States Air Force, but of our national defense. It is a debate affecting American air doctrine and a debate about our ability to meet the basic requirements of our national military strategy. Additional B-2's are important for modernizing our aging fleet, and it is aging; maintaining our technological edge, for which America has always been in the forefront; and maintaining within the Air Force an ability to project force against an enemy from a great distance.

Our Nation's strategic position is unique. The national military strategy requires our Armed Forces to prepare for nearly two simultaneous major regional contingencies, and we should keep in mind that we came within a gnat's eyelash, a gnat's eyelash, of conflict three times last year: in Haiti, in North Korea, and again with Saddam Hussein.

Mr. Chairman, an effective long range bomber force is essential to meet the requirements of our strategy. We must continue this line. Over the past 70 years, air power has lifted from our soldiers and sailors the burden of maintaining peace, alone; this is an additional weapons system of deterrence.

The gulf war ushered in a new chapter of air power. As the deep strike mission complemented our air forces at sea and on the ground, a new level of performance was reached. In the first 48 hours of Desert Storm, American air power crippled Iraqi air defense, wrecked major command centers, destroyed military communications, prevented Saddam Hussein from broadcasting by radio or television. This was done by the stealth technology. What this B-2 does is add stealth technology to long-range capability. It is a necessary step for our country.

The CHAIRMAN. The Chair notes that the gentleman from Florida [Mr. YOUNG], as manager of the bill, has the right to close on this amendment.

Mr. OBEY. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I note the applause for the last speaker, and I certainly share the House's affection for him, but let us stop the hyperbole and look at the realities. We are told by the last speaker that if we do not fund the B-2 that we are not interested in deterrence. What a line of baloney. What a line of baloney.

This chart demonstrates what has happened to Russian military budgets, in red, since 1989 versus what has happened to the United States defense budget. As we can see in the blue, the United States budget has dropped in minor ways. The former Soviet Union budget has dropped precipitously. The Russian military budget has been cut by some 70 percent. As we can see, the U.S. military budget cuts are markedly less than that. So much for the idea that we are not engaging in deterrence.

People will say, "Well, but you have some of those rogue states out there. We have to be prepared to deal with them." OK. Let us take a look at the potential enemies list. If we take a look at what the United States spends as a portion of the world's military budget, and then if we take a look at what all of the rogue states spend—down here on the chart—excluding for the moment China and Russia, we have the lion's share of military expenditures in comparison to that tiny little sliver for the rogue states, and if we add into it every dime being spent by China or by Russia, it demonstrates that the United States still has overwhelming superiority, not just in military quality but in military budgets.

These two charts would show the United States dominance in terms of military spending and would show a clear and substantial excess of United States defense spending over Russian spending. To argue that that demonstrates that we are not providing military deterrence is patently laughable. If we want to argue the specifics of the B-2, go ahead, but do not for 1 minute suggest that the United States security is threatened by not buying that flying turkey. The only thing that is threatened are the corporate budgets of the people who build that plane.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Chairman, it is not a question of really dollars; it is do we want to defend this country or do we not? The question is, do we want an aircraft that is capable, or do we not? The B-52, which they say can be extended way out there, cannot be. That airplane helped get me out of Vietnam when I came within 2,500 feet of us, scared the Vietnamese to death, and ended the war. However, they are old.

I got a chance to fly one at Seymour Johnson in Goldsboro, NC, when I came back from the very outfit that had bombed Hanoi, and I will tell the Members, when I flew that airplane it scared me to death, because I looked at it and the skin is all wrinkled, the airplane is old. They are hard to maintain. You did not know if they are hard to maintain. You did not know if they were going to fly. Just recently, this picture illustrates what happened to one of our B-52's. Members may have read about it in the paper. Two of the engines fell off of the thing. That is how old they are. Not only that, but they damaged the wing, which we can see there on the left, and damaged one of the other engines. They could not even jettison their fuel, which newer aircraft can. They could not land immediately. They had to fly around until they got some of their fuel out in a bad airplane.

You are asking us to extend the life of this aircraft 30 more years. That is absolutely ludicrous, asking our military to fly in a piece of junk, and that is about what the B-52's are today. For 30 more years, risking the lives of our men, our servicemen, is against the will of the Nation, I believe.

It is time to buy new aircraft and it is time to keep the B-2 line open. It is a superb airplane. It can do the job. It has been proven that it gives our military and added capability that is immeasurable, and it is a program we cannot do without.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. FROST], one of our leaders.

Mr. FROST. Mr. Chairman, I rise in opposition to the amendment being offered by the gentleman from Ohio [Mr. KASICH].

The B-2 is an essential component of our overall national defense capability. We live in an increasingly dangerous world, and a significant bomber capability is needed to ensure military preparedness and to protect our national interests.

The events of the last few years since the wall came down in Berlin and the Soviet empire began crumbling have vividly demonstrated that the world continues to be one where hazards abound. The Persian Gulf war certainly emphasized the point that the U.S. can never let down her guard, and that threats to our security interests may pop up at any time throughout the world.

The B-2 is an incredibly powerful and effective aircraft. Just one B-2 plane is needed to carry out a military mission that would normally require an entire squadron of planes. Thus, for a given military operation, only 2 pilots' lives will be put at risk when the B-2 bomber is used.

It's imperative that we maintain all aspects of our military readiness in order to respond to threats. And maintaining readiness requires that we continue to modernize our bomber fleet with the best, most up-to-date equipment we can. The B-2 is a quality aircraft that provides stealthiness, long-range flying capability, and the ability to deliver large payments, on target.

Mr. Chairman, the B-2 provides our Nation with important security. I urge my colleagues to reject the Kasich amendment, and support the B-2 bomber.

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Mr. DICKS. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from California [Mr. FAZIO], the chairman of the Democratic Caucus in the House of Representatives and one of the most knowledgeable Members on defense matters in this House.

Mr. FAZIO of California. Mr. Chairman, despite the comments of my colleague from New York, let me proceed briefly in opposition to the Dellums-Kasich amendment.

I rise in opposition to the Dellums-Kasich amendment to the Defense appropriations bill, and I urge my colleagues to support continued long-lead funding for the B-2 stealth bomber.

We live in uncertain times. Although we cannot predict the course of international events, we can ensure that we have, at our disposal, the resources to protect our vital, national security interests.

Recent events in Bosnia provide just one example of our continued need to maintain a flexible, advanced fighting force.

The B-2 stealth bomber is an integral component of the fighting force of the future. It is the tactical component of our commitment to military readiness.

But it is more than that.

With the aid of a revolutionary design, the B-2 is ready to strike for freedom at a moment's notice, across vast distances, with deadly accuracy.

As we bring our troops home from forward bases overseas, we are compelled to consider our ability to initiate military operations from American soil. The B-2's long-range capabilities make this necessity a reality.

While evading the world's most advanced air defense systems, the B-2 can hit its targets with precision, and return safely home.

Most importantly, our mission can be accomplished without placing the lives of tens of thousands of U.S. soldiers in jeopardy.

The B-2 allows us to react quickly, and with resolve, to regional or multi-regional conflicts around the globe.

From a technical standpoint, the B-2 represents an unparalleled achievement.

In the past, we augmented our fighting forces with a entire battalion of escorts, radar jammers, and suppressors.

"The B-2," according to former Air Force Chief of Staff Gen. Merrill A. McPeak, "offers a much more satisfying and elegant solution: avoid detection, and tip the scales back in favor of flexibility and offensive punch."

In light of our renewed commitment to fiscal responsibility and deficit reduction, some have questioned our ability to continue investing in this program. We are right to reassess our priorities, and subject the defense budget to the same careful scrutiny we bring to other segments of the Federal budget.

But, for the sake of short-term fiscal expediency, we should not sacrifice our long-term national security interests. The B-2 program is the capstone of a $45 billion investment.

If we back down now, we will undercut this Nation's advanced technology base and risk tying our hands in the event of future conflict.

I would also like to point out that the B-2 represents a way for us to leverage our resources. Just one B-2 can pack the same punch as a much larger conventional force—some estimates suggest a force as large as 75 aircraft.

Finally, Mr. Chairman, I realize that while Republicans continue to make devastating cuts in education and other important programs, it is difficult to support more B-2's.

But I caution my colleagues to remember that if the B-2 is defeated, that will only mean more wasted money on Star Wars and larger unwarranted defense budgets in the future.

So, I would ask my colleagues to support the B-2 and defeat the Dellums-Kasich amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, there have been two major studies, one by Rand and one by Jasper Welch. I even asked Colin Powell, "What did you recommend to Dick Cheney?" He answered 50. The numbers in the two studies are somewhere between 40 and 60 B-2's are what are required to give our Nation a deterrent force for the next 30 years.

The idea that we are going to rely on planes that are today on the average 35 years old I think is a serious mistake

in judgment. Stealth is a revolutionary technology. When combined with precision-guided munitions and its range, it gives us a whole new kind of capability.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. MCKEON].

Mr. MCKEON. Mr. Chairman, I appreciate the gentleman yielding me the time.

Mr. Chairman, today we will hear a lot of facts and figures from proponents and opponents of the B-2 program. However, I believe that we should look back in history when we consider whether to continue production of the B-2.

Let me first go back 3 months ago when Capt. Scott O'Grady was shot down in a mission over Bosnia. As we remember, our whole Nation was focused on the fate of this young pilot, and we did not even know his name or anything else about him at the time.

The fact today is that the American people are unwilling to accept large war casualties, and I support them in that. In order to minimize American casualties, we need to ensure that our military forces are equipped with the means necessary to defend U.S. interests in an environment where many nations possess deadly offensive weapons.

Let me go back a little further in history. Every time, as the gentleman from Missouri [Mr. SKELTON] pointed out, that we have redirected defense spending to nondefense programs, we have had to eventually build up our military forces. I realize this money for the B-2 can be used on a number of other programs but can proponents of those other programs guarantee to me, to this body and to the American people that the United States will not need a bomber force in the future?

We have 15 years invested in this and over $40 billion, and now when they can build the planes cheaper, when the production line is there, we are talking about cutting it. That just does not make sense. I do not think that they can guarantee that, and the real issue is, if B-2 production is capped, our ability to produce modern bomber aircraft will vanish quickly. History has demonstrated that it will again be necessary to produce these aircraft, which will then require a massive expenditure in the future.

I have been to the floor. I have seen where these planes are made. I have talked to the people that are building these planes. To lose this capability and this ability is something that we should not even be talking about here today. It is important for us for our future. I urge support of this bill and opposition to the Obey-Dellums-Kasich amendment.

Mr. DICKS. Mr. Chairman, I yield myself 30 seconds. I want to compliment the gentleman for his statement. He has become one of the most knowledgeable Members about the B-2.

There is one other item that I would like to mention. B-2's and F-117's save American lives. When we send a bomber or that F-117 in harm's way, they are going to come back because they are stealthy.

Captain O'Grady got shot down in an F-16, and the French Mirage was shot down. Why? Because they are not stealthy airplanes. We in this Congress have a responsibility to put the young men and women serving in our military in the best airplanes we have got.

Mr. KASICH. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. KOLBE], a distinguished member of both the Committee on the Budget and the Committee on Appropriations.

Mr. KOLBE. Mr. Chairman, let me first congratulate Chairman YOUNG and the ranking member, Mr. MURTHA, for writing a responsible spending bill that improves quality of life for our troops, but recognizes that we must pick carefully among competing programs to select those that yield the best results for our national security interests. Our resources are not unlimited, and this bill acknowledges that reality.

It is in that spirit that I rise in support of the Kasich amendment to eliminate funding earmarked for production of additional B-2 bombers. Set aside the fact that Air Force Chief of Staff, General Fogleman, has concerns about the fiscal ramifications of producing more B-2's. And set aside the DOD commissioned study by the Analytical Sciences Corp. that concluded that the United States does not need to keep producing Stealth bombers to preserve bomber-manufacturing capabilities. But do not set aside the basic issue—and that is status of our strategic nuclear force structure and our ability to project nuclear force. That is the proper focus of this debate.

Our nuclear triad depends not just on the B-2, of which we will have 20 by fiscal year 2000, but on our *Ohio*-class strategic submarines, land-based ICBM's, and B-52 bombers. Will our nuclear posture crumble without additional B-2 procurement? The answer is clearly, decisively, "no."

This is a time we are making difficult choices in all Federal agencies and programs. We must also look to our defense establishment for budgetary savings—but only when it is entirely consistent with our national security interests. Military leadership has told Congress that additional procurement of the B-2 is a luxury we cannot afford in future fiscal years, I am not willing to sacrifice other badly needed weapons systems which will become available in future years, nor sacrifice continued readiness on the altar of additional B-2 procurement.

I urge my colleagues to support the Kasich amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Mississippi [Mr. WICKER].

Mr. WICKER. Mr. Chairman, I rise in opposition to the Kasich amendment, and I want to respond to some of the arguments that have been made.

The statement has been made that we are cutting everything else except defense. Well, I think the American people want us to find budget savings. I think they want us to balance the budget. We spend a lot of money on worthwhile projects in this Federal Government, but not all of them are absolutely essential to our survival as a nation.

National defense, on the other hand, is a constitutional responsibility that only the Federal Government has. Providing for the common defense is right there in the preamble to the Constitution, and if the U.S. Congress does not provide those funds, they will not be provided by anyone else.

When 7 former Secretaries of Defense write to the President of the U.S. and say that the B-2 bomber is central to meeting the challenge to U.S. security over the next decades, then we as a Congress ought to sit up and take notice of that.

I urge Members to defeat the Kasich amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minute to the gentleman from Louisiana [Mr. LIVINGSTON], the very distinguished chairman of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Chairman, I appreciate my friend from Florida, the distinguished chairman of the subcommittee, yielding me the time.

The gentleman from Ohio has asked how we can defend spending money on the B-2's. It is very simple. The B-52's are 35 years old now. We have to plan for the threat 30 years out. They will be 65, 70 years old by the time a far envelope threat might arise.

The 117's did a great job. They were stealthy. They worked in Desert Storm. But they are fighter planes. They cannot deliver the munitions. The B-1's are not stealthy. They cannot perform the mission of the B-2's.

The B-2's can perform, they can be there, they can project American power anywhere in the world from the continental United States. They do not have to be based all over the world. We have pulled back our troops, we have pulled back our Navy, we have pulled back our Air Force. We are becoming more and more isolated and internalized. The B-2's can project power, awesome power, quickly and silently and deadly, in the areas to which we might need to project American presence in the future.

It is silly to cut off our own hands at this time. We should not do it. We sill not be able to project that force if we do not continue the line on the B-2's. I

urge defeat of the Kasich-Dellums amendment.

Mr. Chairman, I submit for the RECORD a letter from General Horner.

SHALIMAR, FL, *August 23, 1995.*

Hon. BOB LIVINGSTON,
House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: This year, as we celebrate the Fiftieth Anniversary of World War II, I am struck by the similarities between the challenges America faced fifty years ago, and those we face today.

Having just won a great and very costly victory, the nation rushed to demobilize and draw down its armed forces. But our relief was short-lived and we soon faced a new, largely undefined military threat. The post cold war draw down of our military forces has been accomplished in like fashion—without sufficient critical debate.

Today, some argue that the international environment allows us to safely abandon military forces in favor of other investments. While this is not an unfamiliar argument, others suspect that we have already gone too far in dismantling our defenses. They are wary of our hasty reductions, for they remember Korea well and how America paid for its lack of military strength with the lives of our men and women. And they remember Desert Storm, where our well trained and properly equipped forces brought a swift victory with a minimum of casualties.

We are now searching for a new national security policy—much as we did after World War II. It took years to define the Containment and Deterrence policies that dictated our decisions about building military forces and led the Free World safely through a forty year struggle. The radical change in the world security environment since the end of the cold war, has been accompanied with an equal change in military affairs. The world has become uncertain, even more dangerous as the nuclear secrets, which the superpowers guarded so carefully in the past are bought, stolen or discovered by an alarming number of nations around the globe.

The revolution in military affairs created by new technologies was displayed over Iraq in 1991. Surveillance of the battlefield by AWACS, Joint STARS, and satellites is now augmented by a host of Unmanned Aerial Vehicles. The computing power needed to make sense of all the information being gathered is rapidly growing, decreasing in cost, and increasing in availability. The newest Joint STARS aircraft uses commercial computers giving it eight times the power at lower cost than the ones used in Desert Storm. All of this is now coupled with communications of astounding capacity. This means we know more, are able to make better decisions, and implement them in seconds rather than days as required in the past.

So what good is all of this surveillance, computing and communications if you can't hit the target? That's the other lesson of the Gulf War—the importance of stealth and precision guided munitions in modern warfare. There is no doubt about the potential offered by stealth, precision guided munitions and information technologies. We must build a force with these capabilities and that is precisely why we need B-2 bombers.

In battle, commanders will know where they need to strike rapidly and accurately to speed victory and protect American lives. The B-2 provides that capability. It can hit targets anywhere throughout the region of conflict with low cost weapons and survive. We saw how the O'Grady shot down in Bosnia drove our air power out of the area until we deployed aircraft to jam and attack ground-based radar and anti-aircraft missiles. The B-2 will not have to wait until a protective armada of support aircraft suppresses enemy air defenses. It carries programmable precision munitions costing significantly less than the long range stand-off weapons carried by other platforms. Because the B-2 can safely release its weapons over the target, its munitions don't need the guidance and propulsion system used by costly standoff weapons to achieve the same level of safety for our military forces. Cost of munitions is important. In fact, during the Gulf War, we were told to quit using the Tomahawk standoff missile because it was too expensive—over a million dollars a shot.

The utility and effectiveness of the B-2 in terms of range, payload, limiting collateral damage, cost of operations and survival of our military men and women are clear and understandable. It is exactly the right military capability needed to fight the next war. So why the reluctance to build that force?

Sticker shock. At over a half a billion dollars each, the B-2 seems unaffordable. But the fact is, the B-2 is actually a bargain. For one thing, the very expensive research and development costs to develop such a superior weapon have already been paid. Even more important, the B-2 does more than any other combat system. Compare it with a half dozen F-117s—the superstars of Desert Storm—which cost about as much as one B-2. But, with the B-2 you get eight times the payload and five times the range. And the B-2 requires much less expensive support to safely perform its mission. Consider that each time we send out a B-52 force with the expensive standoff munitions required to survive, we could send a comparable force of 15 B-2s—the resulting savings would pay for a brand new B-2.

The bottom line is that the price tag of military capabilities have gone up, and we had better spend our money wisely or we will pay for our mistakes. And we will pay in a currency far more precious than mere dollars—the lives of our military men and women.

How many B-2s do we need? No one knows for sure, but we are certain that the currently contracted force, which will yield slightly over a dozen operational aircraft, is too few. By any measure 20 B-2s are not enough. Unless we expand that plan, we will not achieve the potential of these revolutionary new capabilities—stealth, precision munitions and information technologies. We will not be able to achieve increased military capabilities with greater efficiency, less cost and reduced danger to U.S. forces. The current plan is simply too few.

As we develop clarity in our new national defense policies and strategies, we can more accurately define the exact numbers of modern systems required. That is precisely why we need to keep our options open now. A force of 40 or more B-2s is a reasonable estimate. It is obvious we will need to replace our aged fleet of B-52s as they become more and more costly to maintain and less survivable over the modern battlefield. To ignore the B-2 today, and end up building a new bomber after we find ourselves in the same position as when the Korean war started, will cost added tens of billions and take tens of years. Even if we have the money, we surely won't have the time.

We can debate whether or not we need our military forces in this post cold war world. To me a more reasonable discussion would be how the Washington Redskins are going to win next year's super bowl. But if we decide we will need military forces, and if we study recent history, we must conclude the B-2 will be a vital element of that force. When we look at all the factors—cost of targets destroyed, adaptability to the new way wars will be fought by the United States, and our desire to limit the suffering of non-belligerents and our own causalities—then the B-2 is the answer and a bargain to boot. We must keep the B-2 line open at a minimum rate as we define our security policies for the future and build the military forces required.

And we must seize the opportunity brought to us by America's technological genius. We can have a stronger, smaller and more efficient means to winning the next inevitable conflict—no matter when, where or how quickly it arises. That is exactly what the B-2 can do for us.

The B-2 presents us with an opportunity to ensure that future conflicts look like Desert Storm rather than the Korean War. Can we—in good conscience—do otherwise?

Sincerely,

CHARLES A. HORNER,
General, USAF (Ret.).

Mr. DICKS. Mr. Chairman, I yield 1 minute to our distinguished colleague, the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON].

Ms. EDDIE BERNICE JOHNSON of Texas. It is rather rare that I come to speak on any issue from this well, but listening to this debate, Mr. Chairman, I cannot sit idly by and allow us one more time to start to plan something and tear it down in order to start again. We cannot sacrifice the defense of our Nation. We simply must do things in a way that they must be done in this day.

Back when Desert Storm came about, 1,200 planes were sent. If we had the B-2, we could have only sent 32. We would have saved lives. This investment saves dollars because it is the most cost-effective measure of defending our shores the way we have the military organized this day.

The other thing, we cannot continue to ask companies to organize to produce and then change and tear down that capability.

Mr. Chairman, I rise in opposition to the Dellums-Kasich amendment and in support of the B-2.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. DIXON], a long time member of the Defense Appropriations Subcommittee and a person who is extremely knowledgeable about this particular program.

Mr. DIXON. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise in opposition to the Kasich amendment and in support of the funding for further production of the B-2 bomber included in H.R. 2126.

I recognize that this is not an easy issue for many members, particularly for those of us who opposed the severe reductions in domestic spending included in previous appropriations bills.

I would be less than candid if I said that I was comfortable with the status of our national priorities as represented in House spending bills.

However, we cannot afford to be caught up in a zero-sum budget game that pits our national security needs against our domestic needs.

Let's be clear: If we cut the funding contained in this bill for the B-2, that money will not go to educate our children, or to train our unemployed. Cutting funds for the B-2 will not translate into increased spending for other important programs.

What it may do is unnecessarily harm the Nation's military preparedness; further erode the economies of areas already suffering from defense downsizing; and undermine potential technological advancements possible with a strong Stealth industrial base.

If we have learned anything in the short period which we refer to as "post cold war," it is that there is little we do know about the military contingencies we may face in the future.

We have essentially traded in an ERA where we knew who the enemy was and what the Nation's military might be called on to do, for an era of increasing complexity and changing dynamics.

Opponents and supporters of the B-2 will continue to argue about swing strategies, fighting two simultaneous conflicts at once, and the value of long range bombers over precision guided munitions. But as we debate these issues our ability to continue production of a technologically advanced bomber grinds to a halt.

Should we take a chance and lose the capability to quickly respond to unforeseen challenges?

We know that in the B-2 we have a bomber with: Revolutionary stealth technology; precision weapons capability; long range; large payload; and a bomber that is the only weapons system available to respond anywhere from the United States on the first day of conflict.

We also know that the bomber's industrial base—the only heavy bomber production line still active—is rapidly facing a final shutdown.

And we know that by 2010, any surviving B-52's will be 50 years old and probably retired, and that the B-1B will be 23 years old.

The B-2 is not cheap. But the costs of being unprepared in an increasingly dangerous world pale in comparison. In the midst of so much uncertainty in the world, can we really afford to close the B-2 industrial base in the hope that we may not need it later? I think not.

For those of us representing regions whose economies have been driven by the defense and aerospace industry, there are certainly other factors motivating our support for the B-2.

Thirty years ago, the State of California was the cradle of the aerospace industry.

Southern California has provided the core of this technological effort with a skilled and motivated work force of highly dedicated men and women.

In a very short time, we have seen a major erosion of this industrial base, as California's aerospace industry has suffered a major decline: 133,000 direct aerospace jobs lost between 1988-93; 37,000 more will be gone by 1996; and 200,000 additional indirect jobs lost in the service industries supporting the aerospace work force.

Today, the only remaining combat aircraft in production in the region is the B-2 Stealth bomber.

The B-2 program has been essential to California's high technology aerospace industry. Thousands of subcontractors have been involved in development of this technology.

The B-2 industrial base in California and throughout the nation Needs to be sustained. Not only for the sake of continued production of the bomber, but also for potential advances in technology that only a strong industrial base—and the men and women it employs—can support.

If we take together what we don't know about the future military threats the Nation may face, and what we do know about the vast capabilities of the B-2, it seems to me that we cannot afford to take a chance on the erosion of our bomber industrial base. I urge the defeat of this amendment.

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Mr. OBEY Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. ROEMER].

Mr. ROEMER. Mr. Chairman, let me begin by saluting the gentleman from Ohio [Mr. KASICH], who I have worked with a number of times in support of deficit-reduction measures in a bipartisan way. And though I oppose the gentleman from Washington [Mr. DICKS], I do not think there is a Member of Congress who knows more about the technology and the minutia involved than the gentleman from Washington.

Mr. Chairman, with that in mind, we are saying as 535 Members of Congress today, since the Senate did not put this in their bill, we have the opportunity to save the taxpayers one-half billion dollars, and $20 billion over the course of the next 10 years, by voting for the Kasich-Dellums amendment.

We are also saying that we are going to look at every corner of deficit reduction in Federal spending, but not in defense and not on the B-2 bomber. That is exempt. We are saying to the Secretary of Defense, we know more than you do about the B-2 bomber. You do not want it, Mr. Secretary, but we are going to make you buy 20 more.

Please vote for the Kasich-Dellums amendment.

Mr. DELLUMS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, some of my colleagues are concerned, the gentleman from Washington [Mr. DICKS], that this gentleman is maintaining 10 minutes. I am going to take the 10 minutes, because to tell the truth at any given time, it is still the truth.

Mr. Chairman, let us start off remembering where we ended in August. We ended in August talking about balancing the budget and we cut programs and wreaked havoc and extended pain to millions of American people in this country.

We cut programs for the children in this country; our future. We cut programs that affected the farmers; the people who feed us in this country. We cut programs for the veterans, for the senior citizens, for urban, rural, and suburban America.

So, we come back from the August break; now we are on the defense appropriations bill. The first amendment, B-2. And, suddenly, all these people who were willing to inflict pain on the American people cannot inflict pain upon the Pentagon. I hear the sizzle of pork and I will talk about it, but I will also talk about the substance, Mr. Chairman, and members of the committee.

One of my colleagues said we should be talking about what is essential and I will argue that the B-2 is not essential, it is not needed, it is not affordable, and there are alternatives.

Mr. Chairman, one of my colleagues from California said, Well, the rationale for buying 20 more B-2's is the money will not go for domestic programs. Hogwash. This program will cost us minimally $31.5 billion, not million. $31.5 billion. We are only going to appropriate a measly $500 million this year, but that is the camel's nose under the tent. So, we will not be able to argue next year, the year after that, the year after that, and the year after that, Mr. Chairman, for priorities that speak to the highest and the best of our people in this country who are suffering.

B-2 bomber. Mr. Chairman, we already spent $44 billion for the first 20. It will cost us $19.7 billion in production. Add that together and that is in excess of $63 billion. Operation and maintenance is $11.7 billion for the next 20. Multiply that twice for the first 20 and the second 20 and we are up to 80-some billion to maintain 40 aircraft.

It will cost $65 billion for 40. That is not a billion-dollar plane. That is a 1.5-billion Batmobile we do not need.

Mr. Chairman, members of the committee, these costs are conservative. I have been here nearly 25 years and not one program has ever gone as the contractor said it would go. Mr. Chairman, $31.5 will be cheap for the next 20.

Second, they say seven Secretaries have indicated their support for the B-2. The important point is the present

Secretary charged with the significant national defense concerns of this Nation says we do not need it. And, incidentally, he was the father of B–2.

Secretary Cheney sends a letter out to the majority leader in this Congress and said, I had to acquiesce to 20 B–2's because the Congress said do it. That is fallacious and I can document it, Mr. Chairman.

From Department of Defense Press Release numbered 29–92 in January 29, 1992, so check it out, it is objective, here is what Secretary Cheney said:

> We can now afford to be more deliberate in the pace at which we modernize our armed forces. And the emergence of democratically inspired reformers in the republics of the former Soviet Union presents an historic opportunity to make further reductions in the world's strategic arsenal, as the President proposed last night in his State of the Union address.
>
> Secretary Cheney said he will therefore stop the Air Force's B–2 stealth bomber program after the 20th aircraft is produced.

January 1992, before the Congress of the United States even got the budget. That is the facts.

Mr. Chairman, the gentleman from Washington [Mr. DICKS] argues that if we had had B–2, the gentleman would not have been shot down in the F–16, or he spoke to the Mirage. Mr. Chairman, let us talk about facts. The F–16 and the Mirage are fighter aircraft. Do my colleagues know what the response to the F–16 and the Mirage on a stealthy basis is? It is the F–22, not the B–2. Does my colleague think somebody is going to fly this big B–2 around?

Mr. Chairman, members of the committee, the B–2 bomber at this point cannot even tell if it is flying in the rain or flying in the mountain range. It cannot be flown in the daytime. It can be seen. Stealth does not mean invisible. There are several ways to detect a plane. One of them is infrared, the other is optical. You can see it. You can detect it with infrared. That is real, Mr. Chairman.

Next point: Where on this Earth do we need to fly more than 20 B–2 bombers? Against a Third World country? We talk about integrated air defenses. Mr. Chairman, there is not one nation in the world at this point with an integrated air defense. Not one. No one tells you that.

The closest that the world ever came to that was the Soviet Union and the Warsaw Pact. Integrated air defense means comprehensive, interrelated, and synergistic. If my colleagues do not understand those words, look them up in a dictionary and find out.

A B–1 bomber can fly against any air defense that exists in the world today. There are no crackpots on this earth, there is no Third World country on this Earth, neither can the Soviet Union or the United States at this moment, given the incredible financial problems that plague this Nation and plague this world, that have the capacity to develop an integrated air defense.

Next point: One B–2 bomber is equivalent to 75 tactical aircraft. Mr. Chairman, those 75 aircraft already exist in the inventory. We paid for them. None of these 20 B–2 bombers are programmed in next year's budget, or the year after that, or the year after that. So that whole chart business is phony and was supplied by the contractor anyway and ought to be dismissed for self-interest.

Let us talk about the jobs. Mr. Chairman, Members of the committee, we already lost 20-some-thousand in the B–2, and there are 8,000 people working. They have not built all but 20 yet. There are 7 more to deliver, so people have got to work on it. Because not one B–2 looks like the next B–2, because they keep changing it each time, 18 of the 20 will have to be retrofit and standardized. Somebody has got to do the work.

Finally, in the contract, the contractor must maintain depot maintenance into the year 2005. Somebodys got to do the work.

Mr. Chairman, I understand jobs, but to the tune of $31.5 billion to build a plane that the Pentagon says they do not want, they do not need, and there are alternatives, is a sham. It is a shame. You give me $31.5 billion; I will put a hell of a lot more than 8,000 people to work; $31.5 billion is an incredible amount money.

Mr. Chairman, the people that are charged with the responsibility of fighting the war, this is not talking about them. Charged with putting their lives on the line, and not speaking "Will the gentleman yield about it," they do not want this plane.

Mr. Chairman, for those budget people who argue, well, this will not go to the deficit, the only way that can be true is you have got to have a tradeoff. If the people who are the proponents of B–2 and are also budget cutters, because they go home and tell their community that, why do they not tell them they are prepared to cut all of these other programs? Cut the F–22, cut all the C–17's and what have you. But look at their voting record. They are going to back up to the voting record and they are going to vote for all those programs as well.

Mr. Chairman, I urge my colleagues to defeat this turkey. It is not needed.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. DELAY], the distinguished majority whip.

Mr. DELAY. Mr. Chairman, we have kept our promises to the American people. We have made the hard cuts in spending, while we are maintaining a strong defense for our Nation. Keeping our Nation strong means having a vision into the future defense of this country and having the ability and the technology to carry out our Nation's objectives.

We have heard many arguments for and against the B–2. We have heard about the cost benefits and the strategic benefits. We have heard about capabilities, performance, and jobs. But the B–2 is about people. It is about our men and women who serve this country in uniform. It is about giving them the equipment and technology to defend and protect our Nation and its principles in time of conflict.

We have that technology today. Here it is. Technology that allows our Department of Defense to risk the fewest American lives in time of conflict. The B–2 stands ready as a system designed to protect this Nation from threat of war and minimize the loss of life. Let us face it, that is what we are really talking about here is lives.

Is it a difficult choice? Of course, it is. Most likely, one of the most difficult votes a Member will have to cast this year. But this is a vote which carries with it a vision for the future; the future of this Nation's defense posture and the task of keeping America strong.

Someone once said: A task without a vision is drudgery. A vision without a task is a dream. A task with a vision is victory.

Mr. Chairman, I say to my colleagues today that the B–2 is that vision, the keystone in keeping our Nation's defense strong. The American people sent us here to make changes. Those who believe in the status quo never thought we could make serious cuts while keeping our military strong. Let us send a message back to the American people. Vote against this cutting amendment.

□ 1215

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from southern California [Ms. HARMAN], a member of the Committee on National Security.

Ms. HARMAN. Mr. Chairman, I am often a supporter of the initiatives offered by the sponsors of this amendment—and always an admirer—but on this issue of striking the B–2 funding, I rise in strong opposition.

In my view, the B–2 saves lives, saves money, and saves a critical asset—our bomber industrial base.

As a mother of two draft-age children, my first question about any defense acquisition program is, "Will it saves lives?" The answer is a resounding yes.

Many arguments have been made in favor of this incredible aircraft, but I want to emphasize one:

We can afford to buy more B–2's and we should. Within the budget resolution profile, money is available as we: First, retire the expensive, aging B–52 fleet, second, buy the cheaper munitions the B–2 uses, and, third, reap savings from acquisition reform.

Much of the argument against more B–2's assumes the B–52 will remain combat capable through the year 2030. The last B–52H was produced in the

early 1960's, so the aircraft will be almost 70 years old in 2030.

If the B–52 were a person at that time, it would be collecting Social Security. Do we want to send our sons and daughters to war in a 70-year-old bomber? I don't think so. I think we want to use the most survivable aircraft possible, an aircraft we have in production right now—the B–2.

The cost of the aircraft is a concern to us all. But it is half the cost its opponents estimate.

The B–2 saves us money by using cheaper weapons. The old B–52 and the B–1 use expensive guided missiles and bombs to fly in from standoff orbits. Since the B–2 can go right to even the most heavily defended target, it can use cheaper laser and gravity bombs, which cost about one one-hundredth the cost of the B–52's weapons.

The new Deputy Defense Secretary testified this May 18 before the Senate Armed Services Committee that:

> If I do not have any carriers available for 15 days and I do not have any tactical aircraft in theater and I do not have any means to get tactical aircraft in theater and we have to continue with this MRC scenario, then I am going to need a lot more bombers than I have in the current force.

That means B–2's.

We can find further savings in acquisition reform. Last year, Secretary Perry testified that as much as $30 billion could be saved by downsizing and procurement reform over 5 years. Those savings would kick in just when they are needed most. They would provide more than enough funds for the B–2 within the budget resolution profile.

As the mother of the lockbox, no Member is more committed to deficit reduction than I am. But this is not the way to get smart, prudent deficit reduction.

Mr. Chairman, as a parent, I am convinced that we must field and fully fund the most effective and survivable weapons systems. The most precious resource this country has is our children. Today, in this House, let us choose the best defense for our children and the men and women who will defend them. Vote against the Kasich-Dellums amendment. We need the B–2.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, as a cosponsor I rise in support of the Dellums-Kasich amendment. There are only three problems with the B–2 bomber. First, it does not work. It cannot tell the difference between a rain cloud and a mountain. Second, it costs a fortune, $2.2 billion per airplane. Third, we do not need it. What we have been told by the Pentagon, the people who beg us for military expenditures, is do not put any more money into this airplane, we do not need it, and yet today we find that the wind beneath the wings of the B–2 bomber is not national security, it is the clout of defense contractors which stand to bank billions of dollars if Congress will approve this unnecessary boondoggle.

Mr. Chairman, at a time when this Congress is cutting Medicare, Medicaid, education, and health care, it is unconscionable that we would spend up to $30 billion for an airplane that does not work, that costs $2.2 billion a copy, and one that military experts tell us is totally unnecessary.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. MURTHA], the ranking Democrat member of the Subcommittee on National Security, and our former longtime chairman.

Mr. MURTHA. Mr. Chairman, let me talk about the practical aspects of the B–2 bomber.

One of the things that we try to make decisions on is which weapon system will be the most important to the national security depending on the threat to the Nation. The most effective weapon system we can buy is the one that deters war, that is never used in a war, and I think the B–2, with the amount of money we have available to us, it is certainly not the time to stop it. For instance, if we had less money, it would be a tougher decision, but, with the amount of money that the Committee on the Budget allocated to the defense subcommittee, it certainly would be a mistake for us to cut out the B–2 at this stage.

Mr. Chairman, what I recommend to the Members, and I have been involved in the B–2 for years; as a matter of fact, I was willing to jump over the B–1 and go with the B–2 because of the technology, because of the ability of the B–2 to penetrate defense systems: Now, even though we do not have the threat now, what we want is an airplane that will deter an enemy from attacking us, and I think the B–2 is that airplane.

So, Mr. Chairman, I would ask the Members of Congress to allow us to go forward, to go to conference. Hopefully we will have a good allocation in conference and we will be able to continue the B–2. The big expense for the B–2 comes next year. But I am confident that, as the threat continues, as the threat changes, this Subcommittee on Defense will make the appropriate decision on the B–2, and I think at this point the Members should feel confident to vote for this with the amount of money available.

Mr. Chairman, I ask the Members to strongly support the B–2 as we move forward to conference.

Mr. KASICH. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Ohio [Mr. KASICH] is recognized for 2 minutes.

Mr. KASICH. Mr. Chairman, the debate is about the future.

Do my colleagues know what this is? Tomahawk missile. I say to my colleagues, "If you launch this either from a ship or from the B–52, which the generals and the Pentagon want to maintain along with 95 B–1's and 20 B–2's, you know what? Your pilot is not in danger." See, it is about the future.

The Vice Chairman of the Joint Chiefs has a big platform outside of this office. That platform can be used to replace the aircraft carrier. We can land C–17's on this platform. See, it is about the future.

The B–2; that is a 1970's–1980's plane.

F–22? Uses elements of stealth, but also uses maneuverability and speed. See, it is about the future, it is about effectiveness.

And who can we go to learn about effectiveness? Do my colleagues know who we go to if we do not want to trust the Chairman of the Joint Chiefs that does not want the plane, or the Vice Chairman of the Joint Chiefs? Do my colleagues know who we go to? The commanders in the field who have to carry out the mission. Not one single ground commander, not one single CINC, the commanders in charge of our troops in the field, not one of them want to buy B–2 bombers, not one of them.

Do my colleagues know why? Because they are looking for an effective and efficient defense to protect our soldiers in the future, and, as the general in charge of acquisition in the Air Force said, "If you buy the B–2, you prevent us from being able to buy the things that we really need to secure the defense of this Nation."

See, this debate really is about the future. It really is about what is the most effective way to meet the threat in this world, and, when we got the Vice Chairman of the Joint Chiefs, who has taken the Navy on himself, arguing about more effective and efficient ways to project power, who has written letter after letter and made speech after speech saying, "End this system at 20," my colleagues coming to the House floor, we have got to vote for the most efficient, effective defense.

Vote for the Kasich-Dellums amendment. Make the commonsense choice.

Mr. DICKS. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Texas [Mr. WILSON] in support of the B–2, a senior member of the Subcommittee on National Security.

Mr. WILSON. Mr. Chairman, I just want to say that the current events in the world are absolute proof to us that we must always maintain the very highest degree of technology and the very most effective forces for our armed services. Now is not the time to take a step back. Now is the time to take a step forward. The B–2 is in my opinion absolutely essential and in many ways enhances the fighting capability of our forces.

Mr. DICKS. Mr. Chairman, I yield myself my remaining minute and a half.

Mr. Chairman, the gentleman from Ohio [Mr. KASICH] just stepped on a landmine. What he forgot to tell us with the standoff cruise missile is that it costs $1.2 million a copy. That is a lot of money compared to $20,000 for the JDAMS.

Second, a standoff cruise missile has no capability against mobile targets. Rand did a study. Three B-2s interdicting Saddam's division moving into Kuwait with the sensor-fused weapon, a smart submunition, knocked out 46 percent of the mechanized vehicles in that division. The B-2 also, with the block 30 upgrade, will have an ability to go after the launchers for the Scud missiles. We might have been able to prevent the war, as the gentleman from Pennsylvania [Mr. MURTHA] said.

Conventional deterrence is in our grasp if we have an adequate number of B-2's. Every expert, Rand, Colin Powell, Jasper Welch, say the right number is somewhere between 40 and 60. Let us not end this program now. The line is open. We should buy these bombers. We can get 20 additional B-2's for $15.3 billion. We can retire other planes in order to make room for life-cycle costs.

The B-2 is the right weapons system for the future. It will save American lives. Our kids will not get shot down like Captain O'Grady got shot down, and this is the most important issue. To kill this program I think would be a tragedy for the American people and a tragedy for our future military capability. If we have to come back, we are going to have to spend $10 billion just to reopen the production line.

We must keep the B-2 line open. The weapons for the B-2 are very cheap. This is a revolutionary conventional capability.

Mr. OBEY. Mr. Chairman, I yield 40 seconds to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Chairman, I rise in strong support of the Kasich-Dellums amendment.

We should not spend money we don't have on planes we do not need. Twenty more B-2 bombers will not help our children, our sick, our elderly, or national security. Buying more will not make our world a safer place.

President Eisenhower warned us of this day. He said: "every gun that is made, every warship launched, every rocket fired signifies a theft from those who hunger and are not fed, those who are cold and are not clothed."

This is the choice we make today. The time must come for a great nation to have the courage, the raw courage, not to spend millions and billions of dollars on weapons of mass destruction.

The time has come. Look in our hearts. Gather the courage to do what is right. Say "no" to more B-2's. Say "yes" to our children, our people, our future.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HUNTER], a distinguished member of the Committee on National Security.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from Florida [Mr. YOUNG] for yielding me this time. My colleagues, we are close to this vote, and what we are doing today is going down the path that we commenced after Vietnam because during Vietnam we lost 2,200 aircraft, mostly to SAM missiles. We lost aircraft that had pilots from every congressional district in this Nation.

The smartest people in this country got together at our request, Congress and the President, and we asked, "Is there any way to avoid radar so we can protect our pilots?" Then, lo and behold, the great American technological base came up with stealth, with the ability to avoid radar.

Now probably radar, the invention of radar, was the greatest military invention of this century. I would say the ability to avoid radar is probably the second greatest invention of this century.

If we do not go with the B-2 bomber, we are going to see pilots go down just like Mr. O'Grady went down. Do not reject this technology. Protect our pilots.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 1 minute, 20 seconds exactly.

Mr. OBEY. Mr. Chairman, the gentleman from Washington [Mr. DICKS] says that the studies show that we need to have 40 B-2 bombers rather than 20. That is not true. The major study done, the Kaminski study which reviewed 17 other studies, indicated that the best buy for the United States was not 40 B-2's, but 20. Everybody knows it.

Second, if we are talking about tradeoffs, just from the cost of the additional two B-2 bombers he wants to buy this year we could help 1,100,000 more kids under chapter 1, we could help 600,000 or 6 million families to receive low-income heating assistance, which we just cut out of the budget. We would still have enough left to provide summer youth jobs for 300,000 kids.

□ 1230

You talk about comparative defense expenditures. The red lines on this chart indicate the Soviet Union has reduced its budget by 70 percent, its military budget. Our budget has hardly moved in comparison to that. There is no question of where the major threats come from.

Mr. Chairman, if you take a look at how our budget compares to potential enemies, we are spending militarily about 2.5 times as much as all of them combined, including all of the rogue states that are talked about. This is a flying turkey. It will primarily benefit defense contractors, not the defense posture of the United States. We ought to pass this amendment and save the money.

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Chairman, on behalf of every young man and woman, I urge a "no" vote on this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Florida is recognized for 3 minutes.

Mr. YOUNG of Florida. Mr. Chairman, all of us hope and pray that in the future that the gentleman from Ohio [Mr. KASICH] referred to, Americans never have to go to war again, whether on the ground or in the air or under the sea or on the sea. But the way the world looks, it does not look like that is going to be a real choice.

Mr. Chairman, while we were on recess, there were major bombing campaigns taking place in which the United States is by far the major player in Bosnia and Herzegovina. We do not know when or where we may be called upon to deploy military forces. If and when we do, I believe this Congress under our constitutional mandate has the responsibility to provide those people that we send to war the best training possible and the best equipment possible and the best technology possible to let them accomplish their mission, do their job, and give themselves a little protection while they are doing it.

This type of stealthy technology may not be ready to fly today. It is in a development process still, as every other airplane program has been and every future airplane program will be. But when this airplane flies, it will give our troops protection from the air that they would love to have. If you do not believe it, check with anybody who served in Desert Shield-Desert Storm when the F-117 stealthy airplane flew into Baghdad and disrupted Saddam's ability to conduct the war, and they did so without any casualty, without any loss of aircraft, because of the technology that we had invested in.

Mr. Chairman, on the question of the F-117 and the technology, the gentleman from Washington [Mr. DICKS] wants me to remind everyone about the former Secretaries of Defense who supported the B-2. They also supported the F-117, except to a point about 10 years ago when the Department of Defense decided they did not need any more F-117's, and in fact they suggested we cancel the program. It was our subcommittee and this Congress who decided that, regardless of their objection, we would not terminate the F-117 program. Where is there a better success story today?

The Congress was right. We filled out the squadrons of the F–117's. We gave the pilots who flew those airplanes the technology to do an effective job against Saddam Hussein and to protect their lives while they were doing it.

So again, join me; hope and pray that we never have to send an American into combat again. But today, Americans are flying combat missions in Bosnia and Herzegovina, so we cannot guarantee that they never have to go again. But if they do, let us have our conscience clear, that we did the best job that we could to make sure they had the technology necessary, the training, and the ability to do their job as they protect their lives.

Ms. FURSE. Mr. Chairman, I am outraged at the way defense contractors make public policy around here. I thought we Members of Congress were sent here to think for ourselves but, unfortunately, I have learned otherwise.

The July 31 issue of Defense Week details contributions by Northrup Grumman's political action committee and the June vote for more B–2's. Northrup donated $167,850 to House Members between January and June 30 and 96 percent of the money went to Members who voted for the extra B–2's.

In June alone, Northrup donated $75,200 to House Members. Of that $75,200, 97 percent went to 47 Members who voted for more B–2's.

Is the B–2 being promoted because it is an absolute necessity for our Nation's defense—or could it be because a contractor has deep pockets?

I want to quote DOD Deputy Secretary White who told us last month, "The Department cannot support procurement of additional B–2's," and "The Department loses approximately $3 billion per year in purchasing power for higher priority programs."

The Department of Defense doesn't want more B–2's, the B–2 has difficulty distinguishing between a raincloud and a mountain, and we cannot afford to spend $31 billion on 20 more of them.

It only makes people more cynical about Washington to see money talk and carry out the contractors' wishes. I hope my colleagues won't vote to throw $31 billion at a plane we don't need.

[From Defense Week, July 31, 1995]

NORTHROP GRUMMAN'S '95 CONTRIBUTIONS SEEM TIMED FOR B–2 ACTION

(By Tony Capaccio)

Illustrating the synergy between legislation and campaign contributions, of $167,850 the Northrop Grumman Corp. political action committee (PAC) donated to House lawmakers between January and June 30, all but $7,400 went to members voting last month to provide additional B–2 funding.

In June alone, the corporate PAC donated $75,200 to House lawmakers, of which $73,200 went to 47 members who voted June 13 to defeat an amendment stripping $553 million in added B–2 money.

It was added to the fiscal 1996 defense authorization.

Another vote to cut the funding is scheduled for later this week as the House debates the fiscal 1996 $244.1 billion appropriations bill.

The dollars and cents aspect is just one—and totally legal—facet of the aggressive Northrop Grumman Corp. campaign to keep open its B–2 production line. Spokesman Tony Cantalio declined to discuss any aspect of Northrop's contributions policy after Defense Week posed written questions.

Detailing which B–2 supporters received Northrop Grumman contributions this year in no way is meant to imply that their votes were "bought," only that the corporation is not bashful about assisting members who acknowledge and agree with its point of view.

In fact, a handful of members who received contributions voted against added funding. They include: Reps. Paul McHale (D–Pa.) $1,000; Patrick Flanagan (D–Ill.), $500; Rick Lazio (R–N.Y.) $850; and Reps. Frank Pallone (D–N.J.), Jack Quinn (R–N.Y.) and Frank Riggs (R–Calif.), who received $500 each this year.

But coming as they have in the course of the B–2 debate, the donations no doubt assure access and give Northrop Grumman officials an advantage in getting their story heard. Where once 40,00 workers nationwide assembled B–2 parts and aircraft at the height of production in 1992, according to spokesman Ed Smith, now 16,500 workers are directly employed as the last four of 20 bombers on order are in final assembly.

Aspects of the Northrop Grumman B–2 campaign and political contributions were detailed in a report released last month by the Center for Responsive Politics, a liberal, Washington, D.C.-based public interest group.

The group's campaign figures went to April 30. Defense Week reviewed donations made in May and June. The June donations were made primarily in three clusters, on June 2, June 26 and June 29. The House vote was June 13.

The Northrop Grumman donations consist mainly of $500 amounts. The largest figures have gone to members of the congressional B–2 "core" support group: Reps. Ike Skelton (D-Mo.), Norman Dicks (D-Wash.), Duncan Hunter (R-Calif.), Jane Harman (D-Calif.), Jerry Lewis (R-Calif.), Buck McKeon (R-Calif.) and House Majority Leader Dick Armey (R-Texas).

The maximum PAC donation each could receive under campaign spending laws is $5,000 per election and primary.

Armey, for example, received the maximum donation on March 9. During the June debate he praised the bomber—still only 50 percent through its testing—as a "flying miracle." House Speaker Newt Gingrich (R-Ga.) did not vote last month but will likely support the bomber when the debate begins this week. Northrop Grumman on June 26 donated $1,000 for his 1996 primary, adding to a $2,000 St. Patrick's Day contribution.

Since its merger with Grumman, Northrop has more clout with the New York delegation and has adjusted its contribution patterns accordingly.

New York Reps. Gary Ackerman (D), Ben Gilman (R), Gerry Solomon (R) and Maurice Hinchey (D) co-authored a June 7 "Dear Colleague" soliciting B–2 support. They wrote that New York, "with over 225 of its companies having supported B–2 production at various times since 1987, will lose significant economic activity" if production ends.

Ackerman had received a $500 contribution in March. Solomon and Hinchey received $1,000 and $500 donations respectively on May 16. Gilman received a $750 contribution June 2.

B–2 supporters who received the largest Northrop Grumman donations in June either before or after the vote were:

McKeon, who received $500 on June 2 and $4,000 June 26. He told Defense Week earlier this year that one of his primary reasons for seeking a seat on the House National Security Committee was to fight for retention of the B–2 production line.

Harman, a debate floor manager, who received $5,000 June 28.

Vic Fazio (D-Calif.), who made a floor speech defending additional funding, received $500 on June 2 and $4,500 June 26.

Rep. Jerry Lewis (R-Calif.), a key B–2 supporter organizing this week's floor debate and who issued a stinging rebuttal to the recent critical General Accounting Office draft report, received $4,500 on June 26.

Rep. Randy Cunningham (R-Calif.) had received $3,500 between January and May from Northrop Grumman, took in another $500 on June 2 and $1,500 June 26.

Members who voted to retain added B–2 funding and received their first Northrop Grumman contributions after the vote included: Joe McDade (R-Pa.), $2,000 on June 14; Robert Walker (R-Pa.), $1,000; Reps. Henry Bonilla (D-Texas), $1,000; Wayne Allard (R-Col.), $1,000; Bob Matsui (D-Calif.), $500; Michael Forbes (R-N.Y.), $500; John Doolittle (R-Calif.), $500; Helen Chenoweth (R-Idaho), $500; Gary Franks (R-Ct.), $500, and Alan Mollohan (D-W.V.), $500.

Charles Wilson (D-Texas), who did not vote on June 13, received a $5,000 contribution 11 days earlier.

Mr. CASTLE. Mr. Chairman, I rise in support of the Kasich-Dellums-Obey amendment to cut $493 million from advanced Air Force procurement for additional B–2 bomber funding.

My opposition to additional B–2 funding is based largely on the great fiscal constraints facing our Nation and the reality that these budget limits may eventually require that we revise our adherence to the current two-war strategy. The most pressing problem facing the Federal Government is the $5 trillion national debt and the need to balance the budget. Given the pressing need to reduce the deficit, it will be very hard to maintain current defense spending, much less increase it significantly. Therefore, I believe it will be very difficult to properly fund our current strategy to fight two major wars simultaneously. I agree we would need closer to 30–40 B–2's for this strategy,but given a lack of an imminent global challenge from a competing superpower, let alone a likely scenario under which we would have to fight two major concurrent wars, I cannot at this time support additional funding.

I am also swayed by two 1995 studies commissioned by the Department of Defense at the direction of Congress, which found that there are other, more cost-effective options for improving U.S. military capabilities than buying additional B–2's at this time. According to these credible reports, the currently planned bomber force can meet military requirements for fighting two major regional conflicts through a mix of B–52's, B–1's, and B–2's. It would be more cost effective to buy additional precision-guided munitions for the bomber force and to upgrade B–1's than to build more than 20 B–2;s.

Lastly, my opposition to additional B–2 funding is not based on the supposition that we

may never need to use them. Indeed, we might. It rests more in part on the notion that we need a better understanding of the military capabilities of the different blocks, or types, of B–2's. The recent General Accounting Office report on the B–2 claiming unsolved technical shortcomings concerns me greatly. And while Pentagon Acquisition Chief Paul Kaminski rebutted the report, he did not advocate the purchase of more B–2's.

While we might be able to afford the additional funds the Appropriations Committee has proposed this year, as we move down the road to the year 2002, and toward a balanced budget, agreeing to further funds to procure twenty more B–2's—at a potential total cost of close to $40 billion—will most certainly be a budget buster. Funding more B–2's this year could lead us unwillingly toward procurement of further B–2's in future defense budgets that cannot support them without cuts in funding for the operation and maintenance of our troops and other weapons systems. Funding more B–2's while we are trying to balance the budget could also result in unfair cuts in other areas of the budget as well.

Although I am a strong support supporter of a robust and fully well-rounded defense posture, at this time of fiscal restraint, I find it hard to justify such an expenditure. The billions of dollars required to sustain such an effort is not a necessity and is not affordable.

I have great respect for those who support the B–2. To be sure, it is an awesome aircraft that I am sure will contribute greatly to our defense needs. But given the aforementioned factors that are weighting on me, at this time I cannot support additional funding.

Mr. CONYERS. Mr. Chairman, I rise in strong support of the amendment being offered by my distinguished colleagues Mr. DELLUMS and Mr. KASICH. My comments today are straightforward: The B–2 is no longer needed, it does not work property, and the scarce American dollars that fund it should be better spent.

The B–2 bomber belongs in a museum. It was designed as a long-range bomber to attack the Soviet Union after a nuclear war. It is nothing short of a travesty that the threat to our wallets has not subsided along with the demise of our cold war adversary. The proposed 20 additional B–2's will cost an astounding $31 billion according to the Air Force. The 20 planes already being built are expected to cost $44 billion, but this years Defense authorization bill lifted the cap in the expectation they will cost even more. This all for a plane that the Air Force now says it does not even want.

I rise to tell you the taxpayers of Detroit do not want this plane either. They want their star schools funding back because they would rather put computers in a classroom than in a flying turkey. The taxpayers also want their low-income home energy assistance back. And most of all, they want their jobs back but they will not even get that because the cuts in job training made last month will keep the 14,000 eligible Michigan job-seekers from receiving training.

According to the General Accounting Office, the B–2 has failed many of its basic tests and although I know we are talking about a bomber and not a weather plane, it is important to mention that it cannot tell the difference between a raincloud and a mountain. That does not sound like a plane that costs $2.2 billion apiece.

Many people think that every weapon is worth voting for just because it will create jobs. But a Congressional Research Service study I commissioned a few years ago found that money spent in education, transportation, or construction would create far more jobs than money spent on defense. The jobs argument makes even less sense for the B–2 because out of the jobs cut in aircraft manufacturing since 1989, 90 percent of them are not needed to build the additional bombers and therefore will not come back. Moreover, the recent heavy bomber industrial capabilities study done for the Pentagon noted that the bomber industry is not a unique industrial base that we need to keep warm in the remote event we ever needed to build bombers in the future.

I urge you to support this crucial amendment in the name of economic security, political responsibility, and just plain reality.

Mr. PORTMAN. Mr. Chairman, I wish to express my support for the Kasich-Dellums amendment to remove $493 million for advanced procurement for additional B–2 bombers from the national security appropriations bill for fiscal year 1996. I feel this amendment represents a sound policy, in terms of both national security and fiscal responsibility.

I recognize that real threats to the national security of the United States exist in the post-cold-war world, and I believe we must provide the armed services with the resources they need to protect American citizens and the U.S. role in world affairs. Today, however, military challenges are very different than they were just a few years ago. We must tailor our military force to meet those challenges, and we must do so within very strict budget constraints.

An independent study recently determined, and the Air Force confirmed, that additional B–2 bombers are not wanted or needed in order to develop a force necessary to meet the challenges of today's world. The Air Force has higher priority programs that may be crowded out by the purchase of additional B–2's—programs such as improving the B–1 and purchasing more smart weapons that can perform many of the functions of the B–2 in a more cost-effective manner. And for instances where the B–2 is clearly the only suitable aircraft, we can rely on the 20 B–2's already purchased by the Air Force and currently under production.

It seems clear to me that the purchase of additional B–2's at this time is unwise policy. As we in Congress strive to change the face of Government spending practices and reduce the deficit, actual costs of this program must be scrutinized. It is true that the bill before us today includes just under $500 million for additional B–2's. The total cost of these planes, however, could exceed $20 billion. The defense authorization bill that this body passed earlier this year removed the spending cap for additional B–2's—as well as for the 20 already purchased—leaving the final purchase price dangling high above us, at a level no one yet knows.

In light of the budget crisis facing this Nation, and in light of projected defense funding shortfalls in the tens of billions of dollars over the next several years, I urge my colleagues to prove to the American people that this Congress is serious about bringing Federal spending under control by supporting the Kasich-Dellums amendment.

Mr. MARKEY. Mr. Chairman, the B–2 bomber truly is an extraordinary aircraft. After 14 years of flunking a whole series of Air Force performance tests, this year the B–2 has evaded detection by Republican budget-cutting radar, overcome Pentagon efforts to end further procurement, and out-maneuvered taxpayer groups working for a balanced budget.

This "Airborne Edsel," however, does seem to have difficulty handling more tangible obstacles like rainclouds and mountainsides. According to a report prepared by the General Accounting Office, the B–2's radar cannot distinguish rain from other obstacles and has fallen short of meeting some of its most important mission requirements. The GAO report indicates that software problems have delayed flight tests, changes in the plane's mission will further increase costs, and the contractor—after 9 years of production—is still delivering B–2's that don't meet Air Force mission requirements.

Originally designed to drop nuclear bombs on the Soviet Union, the B–2 is the plane that time forgot. The cold war's over, Chechnya—not world conquest—preoccupies Russian military thinkers, and the Air Force now places a higher priority on other weapons systems. Still, the call for more B–2's persists.

The Nation's top military officials oppose further procurement of B–2 bombers, including: The Secretary of Defense, Chairman of the Joint Chiefs of Staff, the Secretary of the Air Force, and the Air Force Chief of Staff.

An Air Force budget paper makes it crystal clear: "Given the current threat, there is no military requirement for additional B–2's." Let's make the Stealth bomber truly invisible by eliminating funding for more bombers.

Mr. LUTHER. Mr. Chairman, I support the Kasich-Dellums-Obey amendment to the 1996 military appropriations bill.

The arguments surrounding B–2 bombers are well known—in fact, we in this body considered the same amendment almost 7 weeks ago. We know that the Pentagon does not want and cannot afford any more B–2's beyond the 20 already being built. We know that B–2 bombers are being promoted not for the national security of our country, but rather for financial and economic reasons, many of which are parochial in nature.

My colleagues, let there be no question about it—this amendment strikes at the heart of our challenge in this Congress. We were elected amidst a growing national consensus that Federal spending has gotten out of control, burdening our children with a nearly $5 trillion national debt and threatening the future of our Nation. Along with most of my other first-term colleagues, I feel I have a responsibility to the people who sent me here to make wise spending decisions that are in our national interest, even if it means voting against some financial benefit to my district. There are those in my district who will be affected by restricting B–2 spending, but these are the decisions that haven't been made in the past but that we were sent here to make.

Many of us who voted for the recent spending rescissions bill did so not because we relished in cutting the affected programs, but rather because we are deeply concerned about the future of this country. And to vote against future commitments to education, Head Start, child nutrition and school lunches, and summer youth programs—in short, against investing in our children and our future—because of our deficit, and then to turn right around and see $493 million added to a weapons system even the Pentagon does not want—to me that is a great injustice.

This amendment is not about jeopardizing national security; it's about whether we have the courage to save our country from financial disaster while trying to maintain other, key strategic investments in America that create opportunities for our children and future competitiveness for our Nation. Voting for this amendment to cap B–2 production may not be the easy thing to do, but it is the right thing to do. I therefore strongly urge my colleagues to support the Kasich-Dellums-Obey amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. KASICH].

The question was taken; and the Chairman announced that the noes appear to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 210, noes 213, not voting 12, as follows:

[Roll No. 639]

AYES—210

Abercrombie
Andrews
Archer
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Becerra
Beilenson
Bereuter
Bilbray
Blute
Bonior
Brown (OH)
Brownback
Bryant (TN)
Bunn
Burr
Camp
Cardin
Castle
Chabot
Christensen
Clay
Clayton
Clement
Coble
Coburn
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cremeans
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dickey
Dingell
Doggett
Doyle
Duncan
Durbin
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Flake
Flanagan
Foglietta
Foley
Ford
Frank (MA)
Franks (NJ)
Furse
Ganske
Gejdenson
Gekas
Gibbons
Goodlatte
Goodling
Gordon
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Heineman
Hilliard
Hoekstra
Houghton
Hutchinson
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kingston
Kleczka
Klink
Klug
Kolbe
LaFalce
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Markey
Martini
Mascara
McCarthy
McDermott
McHale
McInnis
McNulty
Meehan
Menendez
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Moran
Myrick
Nadler
Neal
Ney
Nussle
Oberstar
Obey
Olver
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Porter
Portman
Poshard
Pryce
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Riggs
Rivers
Roemer
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shadegg
Shays
Shuster
Skaggs
Slaughter
Smith (MI)
Smith (WA)
Stark
Stenholm
Stockman
Stokes
Studds
Stupak
Tanner
Torkildsen
Towns
Upton
Velazquez
Vento
Wamp
Watt (NC)
Waxman
Weldon (PA)
White
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOES—213

Ackerman
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Barr
Bartlett
Bateman
Bentsen
Berman
Bevill
Bilirakis
Bliley
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Bryant (TX)
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Chambliss
Chapman
Chenoweth
Chrysler
Clinger
Clyburn
Coleman
Collins (GA)
Combest
Cooley
Cramer
Crane
Crapo
Cubin
Cunningham
Davis
de la Garza
DeLay
Diaz-Balart
Dicks
Dixon
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Filner
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gephardt
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Gonzalez
Goss
Graham
Green
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Herger
Hilleary
Hinchey
Hobson
Hoke
Holden
Horn
Hostettler
Hoyer
Hunter
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones
Kelly
Kim
King
Knollenberg
LaHood
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manton
Manzullo
Martinez
Matsui
McCollum
McCrery
McHugh
McIntosh
McKeon
Meek
Metcalf
Meyers
Mica
Mollohan
Montgomery
Moorhead
Murtha
Myers
Nethercutt
Neumann
Norwood
Ortiz
Oxley
Packard
Paxon
Peterson (FL)
Pickett
Pombo
Pomeroy
Quillen
Richardson
Roberts
Rogers
Rohrabacher
Rose
Royce
Salmon
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Shaw
Skeen
Skelton
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stearns
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torres
Torricelli
Traficant
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Ward
Waters
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Allard
Bishop
Cox
Maloney
McDade
McKinney
Moakley
Morella
Reynolds
Sisisky
Tucker
Waldholtz

□ 1254

The Clerk announced the following pair:

On this vote:

Mrs. Waldholtz for, with Mr. Cox of California against.

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ALLARD. Mr. Chairman, on rollcall No. 639, had I been present I would have voted "no." My pager failed to go off because of a battery failure.

The CHAIRMAN. Pursuant to the order of the House of today, the next order of business is the consideration of one or more of the amendments numbered 37, 58, 59, or 60 offered by the gentleman from Wisconsin [Mr. OBEY].

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment, No. 37.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY: Page 28, line 11, strike "$13,110,335,000" and insert "$12,110,335,000".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Wisconsin [Mr. OBEY] and a Member opposed will each be recognized for 10 minutes.

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

Mr. OBEY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I am going to lose big for a number of reasons, I believe. No. 1, the F–22, which I am trying to delay, is largely built in the home State of the Speaker. Second, there are contracts for this program in 48 States. Under those circumstances, I have infinite confidence in the capacity of this House to make the wrong decision.

Nonetheless, Mr. Chairman, I want to urge every single Member, especially those who just voted to keep the B–2, I want to urge them to remember that having just voted to keep the B–2, they have no rational choice if they are serious about retaining the B–2 in the budget. They have no rational choice but to vote to delay the F–22, because if they do not, there simply will not be room in the defense budget for the B–2 or a lot of other things.

□ 1300

Mr. Chairman, I would especially urge us all to take a look at the votes

of those who vote both for the B-2 and the F-22, because they are clearly not serious about sticking to the budget resolution.

This amendment would cut $1 billion out of the $2.3 billion being appropriated for the F-22. It would delay that program by 5 years.

Why do I do that? It is very simple. The F-22 is meant to replace the F-15. This F-15 is the finest fighter aircraft in the world, and right now we have more than 700 of them. The GAO has told us that the F-15 will be fully capable at least to the year 2015, yet the Air Force wants to spend over $70 billion to buy 442 F-22's. The GAO is urging that we have a 7-year delay.

This amendment simply says, "Let us have a 5-year delay in that program". It seems to me it is eminently sensible. We will be told that there are new threats out there to our air superiority, because other countries have some fighters that are roughly comparable to the F-15. I would ask Members to remember that some of the countries who have them are Switzerland, Israel, France, Britain, Italy, Argentina, Brazil, hardly countries that represent a threat to us. For the few countries who do, such as Iraq and North Korea, I would suggest they learned in Desert Storm that merely having a few capable aircraft does not at all mean that you can match our military superiority by the time that we take into account our training, our superior manpower, and our additional complementary weapons systems such as the AWACS.

What I would say, Mr. Chairman, is very simple. If we want to save money, if we want to listen to the GAO on how to do so, if we want to avoid buying an airplane probably a decade sooner than we have to do it, we will vote for this amendment. This amendment does not kill the F-22 Program. All it does is delay it for 5 years: it saves $1 billion. It seems to me, given the crunch in both the defense budget and the rest of the budget, it makes eminently good sense. I urge Members to support the amendment.

The CHAIRMAN. Who seeks time in opposition to the amendment?

Mr. YOUNG of Florida. Mr. Chairman, I seek time in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida [Mr. YOUNG] is recognized for 10 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I have a good friend back home in my district, his name is Bob Schultz. He went ashore with the Marine Corps, the 2d Marine Division, in Tarawa more than 50 years ago. As we have talked about that many, many times, he keeps coming back to the fact that when an American goes ashore on an amphibious landing, what he hopes for is that our troops control the air and not the enemy, so they might have a good chance of surviving the amphibious landing.

One of the Marine Corps commandants, P.X. Kelly, made the same point in testimony before our subcommittee, that the first thing that a Marine wants is for an American force to control the air. The F-22 is going to be an air superiority fighter.

The gentleman from Wisconsin [Mr. OBEY] is correct; the F-15 is an outstanding aircraft. The F-16, the F-15, the F-18 are all good airplanes. However, as the future gets closer and closer, those airplanes get older and older. The technology is not as good today as it will be when the F-22 comes on board. If we take the $1 billion the gentleman from Wisconsin is talking about from this program, we do not cancel the program, we do not stop the F-22, we still going to have the F-22, and the gentleman from Wisconsin concedes that. What we are going to do is add billions of dollars to the cost, because the longer that we drag out the program, the more the program costs.

Members do not have to take my word for it. Look back at every aircraft production program we have had. Every time we delay it or drag it out, it costs more money; we all understand we are going to have the F-22 so how do we get it the most cost-effective way? That is to provide the money now, as the Air Force wants to do, rather than dragging it out for 5 years and adding to the cost and getting nothing for that additional cost.

Mr. OBEY. Mr. Chairman, I yield 4½ minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I just want to respond to the statement made by the gentleman from Florida [Mr. YOUNG] for whom I have a great deal of respect.

The fact of the matter is that this airplane is designed for the wrong threat. It is the wrong design. We have a situation where this plane was designed to combat the future Soviet air threat. It was designed to combat the serious investment that the Russians were threatening to make in their air defense system. The F-22 is not a plane that can defend against the kinds of attacks that Sean O'Grady faced when he ended up being shot out of the sky, because of the threats posed by SAM missiles.

If we are truly interested in protecting American pilots, the F-22 is simply not the aircraft we ought to build. The truth of the matter is that if we are going to be concerned about the air threat to this country, the F-16 is the plane that needs to be dealt with. The F-16 is a low technology plane. We own hundreds. It is also a very old aircraft. Sometime, according to the Air Force's own estimate, within the next 5 or 6 years, we are going to have to start replacing them by the hundreds. We do not ever have a design for the replacement of the F-16.

What we have done is gone out and taken a design that was conceived to protect the American people from the Soviet air attack, and we have twisted and cajoled that design into an airplane that is supposed to defend us against the kinds of attacks that we are seeing in Bosnia, in Iran or potentially Iraq, or other countries that potentially threaten the United States today. It is simply not the kind of threat that the F-22 is designed to protect us from.

Therefore, rather than spend good money after bad, that is the argument that the gentleman from Florida [Mr. YOUNG] put forth. That is we have already sunk money into the production. But that does not mean we should continue to spend good money after bad. It means we ought to design a plane that deals with the very real threat that we face as a country in the future.

The first and foremost priority is the replacement of the F-16. The second priority is the high end fighter. The high end fighter must be able to achieve success in attacks coming from ground launched missiles and from air launched missiles. That is not what the F-22 is designed to achieve, so why in God's name are we going to spend $74 billion, after we have just voted to spend an additional $30 billion on the B-2, why would we possibly spend another $74 billion on a design that is not going to meet the real threat we face in the world today?

I think we ought to protect our pilots. I think we have to have a strong national defense. However, I think we ought to take the time to make certain that if we are going to spend $74 billion of the U.S. taxpayers' funds, we spend it on the kind of plane we need. That is simply not what is being accomplished by voting for the F-22.

I would hope that the Congress of the United States does not simply follow in lockstep simply because the dollars have already been appropriated to get this thing to a point where it is close to production. Rather, we would make a fundamental assessment of what the real needs are. The gentleman from Wisconsin [Mr. OBEY] pointed out we simply do not have the money in the budget to fund both the B-2 bomber and the F-22. I talked to senior people in the Air Force just this morning and they said they simply do not have the funds necessary to accomplish both.

If we have to make a choice, the fact of the matter is that we need to vote against the B-2 aircraft, and we ought to redesign the F-22. Let's make it into the kind of aircraft that meets the types of threats we are going to face in the future, and use the funds we have to increase the capability of the F-15 for the next few years. That will accomplish the goals that I think the gentleman from Florida [Mr. YOUNG] is

looking to accomplish. The alternative is simply throwing good money after bad, which is what will happen if we build the F-22 as we see it today.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] has 2 minutes remaining, and the gentleman from Florida [Mr. YOUNG] has 8 minutes remaining and the right to close.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. BONILLA], a distinguished member of the Subcommittee on National Security of the Committee on Appropriations.

Mr. BONILLA. Mr. Chairman, I rise in strong opposition to this amendment.

Mr. Chairman, the F-22 is about preserving our freedom and liberty well into the next century, this is about air-supremacy.

My colleagues we must never forget that the price of freedom is not cheap. Americans have paid the price on the beaches of Normandy and Okinawa, in the desert heat of North Africa and the frigid cold of Korea, in the jungles of New Guinea and Vietnam. The price we have paid has been very high. Let no one say we cannot afford the F-22. We cannot afford not to have the F-22. An unwise and ill-conceived budget cut today will be paid for with American blood tomorrow. This is a cost none of us should be willing to pay.

The F-22 is a revolutionary weapon. It will guarantee our future security and deter aggression. It will save American lives. The choice should be crystal clear. Air superiority will play a role in America's future security. Air superiority is essential to project American power and minimize casualties. Air superiority will keep the peace. The F-22 is needed. The F-22 is our fighter of the future. We need it.

The amendment's supporters have done a good job presenting their case. They have chosen the right words, the correct arguments, and the proper phrases to demonstrate why we should stop funding the F-22. However, ultimately their words, their arguments, and their phrases fail. We cannot win wars with words, we cannot deter aggression with arguments, and we cannot live securely protected by phrases. We need a strong military; we need the best weapons. We need the F-22. My colleagues please join me in voting for peace, in voting for America's future, please join me in rejecting this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Georgia [Mr. BARR].

Mr. BARR. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, we heard a few moments ago about a GAO report that the F-15 fighter will suffice to maintain air superiority for this great land of ours well into the 21st century. I would challenge GAO, in the year 2015, if they think the F-15, as great a fighter as it is today, will maintain air superiority against the advances in technology that will in fact have come about for our adversaries and potential adversaries, I challenge them to ride in those F-15's in combat missions in the year 2015. I do not think we will find any takers. We will not find any takers because, as magnificent an aircraft as the F-15 is, and I have flown in them, it will not be adequate, neither through its air frame nor through its electronic countermeasures, to sustain air superiority into the year 2015.

We need the F-22, this country needs the F-22, our friends overseas need the F-22. If we stop or delay production, we will pay more for getting less in the years to come. It makes good economic sense. We need it. Vote for it.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the other distinguished gentleman from Georgia [Mr. CHAMBLISS].

Mr. CHAMBLISS. Mr. Chairman, I rise in strong opposition to the amendment offered by my colleague, the gentleman from Wisconsin. By slowing the development of the F-22 we unnecessarily put this Nation's national security at risk. We send the wrong message to the men and women who will be protected by this system in the future, and we will add significant costs to the taxpayer.

As a Member of this body and a first term member of the Committee on National Security, I have taken on a responsibility to this Chamber to assess and respond to the risks posed to the people of this country. To that end, I have come to learn in vivid detail the threats that remain, even in the wake of the cold war. In this critical year when we reevaluate our defense priorities, Members are asked to consider our present state of readiness and to put in place the systems that will ensure our future dominance. Mr. Chairman, the future is the F-22.

Mr. Chairman, I ask that our colleagues send a message to the American people that we will protect your freedom at a price that we can afford. Send the message to our brave servicemembers that "We are committed to your safety, and we will equip you with the most advanced weapons available." I urge the rejection of this amendment.

Mr. OBEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] is recognized for his remaining 2 minutes.

Mr. OBEY. Mr. Chairman, we are told this amendment to cut $1 billion is going to cost money. The fact is the amendment saves $1 billion. The fact is that the GAO, the General Accounting Office, says we ought to delay the purchase of these planes for 7 years. All this amendment does is delay it for 5.

We have heard a couple of speakers from Georgia, where this baby is going to be built, tell us that our friends abroad, our foreign friends, need the F-22. I find that argument ironic, because one of the arguments being used by the supporters of the F-22 is that they are saying "Well, we have to build the F-22 because we have sold so many F-16's to our allies around the world that we now have to buy the F-22 to stay ahead of the threat from our own allies, because we sold too many planes abroad."

□ 1315

I find that argument coming back and meeting itself. I also find it interesting that the president of Lockheed, the company who is going to build this, has already been saying that he is going to be selling this baby at the Paris Air Show next year.

That tells me this is in the budget for purposes of promoting military sales, to increase the profitability of military contractors, and they have been careful to subcontract this baby over 48 States in the Union. That does not tell me much at all about the need for this in order to maintain U.S. air superiority.

Very clearly we have a huge lead and we have a huge domination over every other military force in the world, and we will continue to do so until well into the next century. There is absolutely no reason to refuse to save $1 billion.

We ought to take the advice of the GAO, delay this program. If you do not do that, you do not understand the rest of the content of the budget. No one who voted to preserve the B-2 can afford to vote to keep this F-22 on purchase schedule, because if you do, there will simply not be any room for it and the vote you just cast did not mean anything.

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to the gentleman from Washington [Mr. DICKS], a member of the subcommittee.

The CHAIRMAN. The gentleman from Washington is recognized for 4 minutes.

Mr. DICKS. I appreciate the gentleman yielding me the time.

Mr. Chairman, I am somewhat surprised that we are on the floor today attacking the F-22 Advanced Tactical Fighter Program. The Air Force has said that this is the most sophisticated and yet the best program that it has managed in many, many years.

I have had Darleen Druyun, the Assistant Secretary of the Air Force, up to the office. She feels, as the contractors also feel, that this program is moving along very, very smoothly. The one thing they are concerned about is, if Congress makes a major reduction in the funding profile for this, that you will have a delay, a major delay, in the contract, and it has already stretched out too far as far as I am concerned.

I believe that you could move this program forward more rapidly. People say, "Well, we don't have enough money to do this." Well, I would take issue with that.

This year and last year, I asked our very able staff on the Defense Subcommittee how much did we cut out just in every line item, going through this budget as we do in enormous detail, and the same number came up, and that is about $3.5 billion. The low-priority items are cut out by the Defense Subcommittee when doing our oversight responsibility.

I believe with that, and if we supplemented the C–17 with a nondevelopmental aircraft, we could not only fund the F–22 but we could also fund the B–2. I also think we have got to make priority decisions. Any administration has to decide what are the most important things for the future.

The Air Force has determined in its judgment that the F–22 is its most important priority. Sometimes I disagree with their priorities, as we noted in the previous vote, but I think this is a program that is going forward very well. It is a model of stealth technology and high technology. It is the kind of weapon that we are going to need in the future.

There are a lot of other systems, by the way, that I would rate as much lower priority, and if we have to make some hard tough decisions down the road, we ought to look at those systems that are basically nonstealthy. The F–22 of course is stealthy and is the best technology for the future.

I would say let us stay with this program, let us keep it moving ahead. I would urge my colleagues to reject the amendment of the gentleman from Wisconsin.

Mrs. KENNELLY. Mr. Chairman, while I respectfully understand the concerns of my colleague and the ranking member of the Appropriations Committee, I rise in opposition to this amendment.

I am pleased that the committee has appropriated research and development funds in fiscal year 1996 for the F–22 advanced tactical fighter. In fact, the committee reports that additional funding will enable the Air Force to maintain original production and capability schedules—resulting in an overall savings of $350–400 million over the life of this program.

The F–22 will serve as our Nation's next generation premier fighter replacing the successful F–16. It will be designed to have both air-to-air and air-to-ground fighter capabilities and operate at supersonic, super-cruise conditions for significant periods of time. The F–22 advanced tactical fighter will be more survivable and stealthier than any fighter jet currently before us.

Earlier this year, this aircraft sucessfully passed its preliminary design review, which, as many of you know, signals the near completion of its design. With the growth of advanced surface-to-air and air-to-air missiles, with the increase in technological development in military forces around the world, the need for the F–22 becomes clearer each day. Furthermore, as we continue to reduce our military forces and shift defense dollars, the need for a fighter that requires less maintenance, less support, and less manpower grows stronger.

The F–22 represents only 3 percent of the Pentagon's research, development, and procurement accounts. This is a very small investment that will provide dominance in the skies. Reliance on air superiority has taken us through several conflicts in recent years and it is improbable that we could ever win a war without it. Our decision today has that kind of potential impact. I urge my colleagues to oppose the Obey amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 126, noes 293, not voting 15, as follows:

[Roll No. 640]

AYES—126

Abercrombie
Ackerman
Andrews
Barcia
Barrett (WI)
Becerra
Bellenson
Berman
Bonior
Borski
Brown (CA)
Brown (OH)
Camp
Cardin
Clay
Clayton
Collins (IL)
Collins (MI)
Condit
Conyers
Cooley
Coyne
Cremeans
Danner
DeFazio
Dellums
Dixon
Doyle
Duncan
Durbin
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Fox
Frank (MA)
Franks (NJ)
Furse
Gephardt
Gutierrez
Hilliard
Hinchey
Hoekstra
Hoke
Jefferson
Johnson (SD)
Johnston
Kanjorski
Kennedy (MA)
Kildee
Kleczka
Klug
Lewis (GA)
Lincoln
LoBiondo
Lofgren
Lowey
Luther
Markey
Matsui
McDermott
McHale
McInnis
Meehan
Menendez
Mfume
Miller (CA)
Minge
Mink
Moran
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Payne (NJ)
Pelosi
Peterson (MN)
Petri
Poshard
Rahall
Ramstad
Rangel
Rivers
Rohrabacher
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Sensenbrenner
Serrano
Shays
Slaughter
Stark
Stokes
Studds
Stupak
Thornton
Torres
Upton
Velázquez
Vento
Volkmer
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—293

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Costello
Cramer
Crane
Crapo
Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
Longley
Lucas
Manton
Manzullo
Martinez
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
McNulty
Meek
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Ortiz
Orton
Packard
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Reed
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Ros-Lehtinen
Rose
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shuster
Skaggs
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)
Tejeda
Thomas
Thompson
Thornberry
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)

Weldon (PA)	Wicker	Young (AK)
Weller	Wilson	Young (FL)
White	Wise	Zeliff
Whitfield	Wolf	

NOT VOTING—15

Bishop	McKinney	Reynolds
Cox	Moakley	Sisisky
Dingell	Morella	Towns
Gilman	Nussle	Tucker
Maloney	Oxley	Waldholtz

□ 1339

Mr. NEAL and Mr. SCOTT changed their vote from "aye" to "no."

Messrs. CAMP, VOLKMER, FOX of Pennsylvania, HILLIARD, CREMEANS, and BEILENSON changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. NUSSLE. Mr. Speaker, on Thursday, September 7, my vote was not recorded on roll call vote No. 640. Had my vote been recorded, I would have voted "aye."

The CHAIRMAN. Pursuant to the unanimous-consent agreement of today, the gentleman from Wisconsin [Mr. OBEY] is entitled to offer amendment 58, amendment 59, or amendment 61 at this time. Does the gentleman from Wisconsin wish to offer any of these amendments?

Mr. OBEY. Mr. Chairman, I can read the handwriting on the wall. I will not be offering the amendments.

The CHAIRMAN. Pursuant to the unanimous-consent agreement of today, it is now in order for the gentleman from California [Mr. DORNAN] to offer amendment No. 3 or amendment No. 15 and, if offered, the gentlewoman from Connecticut [Ms. DELAURO] to offer amendment No. 48 as a substitute therefor.

AMENDMENT NO. 15 OFFERED BY MR. DORNAN

Mr. DORNAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. DORNAN: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds made available in this Act may be used to administer any policy that permits the performance of abortions at medical treatment or other facilities of the Department of Defense, except when it is made known to the Federal official having authority to obligate or expend such funds that the life of the mother would be endangered if the fetus were carried to term.

AMENDMENT NO. 48 OFFERED BY MS. DELAURO AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. DORNAN

Ms. DELAURO. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The CHAIRMAN. The Clerk will designate the amendment offered as a substitute for the amendment.

The text of the amendment offered as a substitute for the amendment is as follows:

Amendment No. 48 offered by Ms. DELAURO as a substitute for the amendment offered by Mr. DORNAN: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds made available in this Act may be used to administer any policy that permits the performance of abortions at medical treatment or other facilities of the Department of Defense, except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the life of the mother would be endangered if the fetus were carried to term; or

(2) in the case of a medical treatment or other facility of the Department of Defense located outside the United States, any cost incurred by the United States in connection with such procedure will be reimbursed from private funds.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California [Mr. DORNAN] and the gentlewoman from Connecticut [Ms. DELAURO] each will be recognized for 15 minutes on the amendment and on the substitute.

The Chair recognizes the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I yield myself such time as I may consume.

Today's debate is very simple, Mr. Chairman. In fact, we had this exact same debate on June 15 of this year when the House considered the Defense authorization bill. I had inserted language in that bill to restore the Reagan-Bush policy which prohibited federally funded, overseas military treatment facilities from providing abortions. When the gentlewoman from Connecticut [Ms. DELAURO] offered an amendment to strike that provision, it was defeated by a bipartisan vote of 196 to 230. Today's vote is no different. I repeat, Mr. Chairman. Today's vote is virtually identical to the one we had during debate over the DOD authorization bill.

I understand the gentlewoman from Connecticut [Ms. DELAURO] is going to once again attempt to gut my amendment. The DeLauro substitute would codify the proabortion executive memorandum issued by Clinton on his first working day in office, January 22, 1993. Roe versus Wade anniversary. It was on that day that Clinton overturned the Reagan-Bush policy which prohibited federally funded, overseas military hospitals from being used as abortion centers. So if you voted "no" on DeLauro during debate over the DOD authorization bill, then you should vote "no" on today's DeLauro substitute.

Mr. Chairman, taxpayers who oppose abortion should not be forced to subsidize it. But that is exactly what is occurring when we permit abortions to be performed in military medical facilities. Supporters of the DeLauro substitute will tell you that no Federal money is involved because the procedure is paid for by the woman. What they do not tell you is that military hospitals are federally funded facilities paid for with U.S. tax dollars.

Everything in these facilities, from the electricity to the equipment, even the building itself, is taxpayer financed. And while there has been strong reluctance among military doctors to perform any abortions, the Pentagon has made it clear that they intend to find a way to implement the policy—possibly by hiring civilian ob/gyns to perform the abortion. This raises additional objections regarding the use of taxpayer money to subsidize abortions in the military.

Supporters of the DeLauro substitute will also argue that President Clinton's pro-abortion executive memorandum was intended to ensure that servicewomen, military spouses, and dependents have access to abortion comparable with that of women in the United States. They also argue that Western nations have strict limits on obtaining abortions and that their medical facilities are unsafe and unsanitary. This, Mr. Chairman, is untrue. First, the military must respect the laws of host nations regarding abortion—this includes laws restricting or prohibiting abortion. Second, women seeking an abortion can go where they have been going for years—local facilities, such as those in Germany, which are comparable to United States abortuaries and they kill the fetuses at less expense.

Mr. Chairman, military hospitals are intended to be places that nurture, heal, and protect all patients—born and preborn. I urge my colleagues to vote down the DeLauro substitute and vote in favor of the Dornan amendment that I am offering.

My amendment would restore the Reagan-Bush policy prohibiting the use of funds to administer any policy that permits the performance of abortions at medical treatment or other facilities of the Department of Defense—except when the life of the mother would be in danger. Its enactment would not only save precious lives, it would disassociate taxpayers from the killing business. And while we have already included similar language in the DOD authorization bill, there are no guarantees that Clinton will sign that bill into law. So my amendment today is nothing more than an insurance policy for taxpayers. It would ensure that in fiscal year 1996, American tax dollars are not used in any way to subsidize abortion in the military. So again, I ask my colleagues who voted "no" on the DeLauro amendment to the DOD authorization bill to once again vote "no" on today's DeLauro substitute. Let's return our military medical facilities to the status of institutions dedicated exclusively to healing. Mr. Chairman, I've just returned from visiting our military folks in Slovenia, Croatia, Macedonia, and Albania, and at our bases at Naples, Aviano, and Brindisi and when I brought this abortion issue up everyone—every single military man and woman said, "Please, no money for abortion!" Please vote "no" on DeLauro and vote "yes" on Dornan. Mr. Chairman, I reserve the balance of my time.

□ 1345

Ms. DELAURO. Mr. Chairman, I yield myself 3 minutes, 5 seconds.

Mr. Chairman, I offer this bipartisan substitute amendment on behalf of myself, the gentlewoman from Colorado [Mrs. SCHROEDER], the gentleman from Massachusetts [Mr. TORKILDSEN], the gentlewoman from California [Ms. HARMAN], and the gentleman from Kentucky [Mr. WARD]. Our substitute amendment restores equal access to safe medical treatment for military servicewomen and military dependents who are stationed overseas. It corrects language in the Dornan amendment which would ban the Department of Defense from using funds in the bill to administer any policy that permits abortions to be performed at medical facilities except when the life of the mother is in danger.

Mr. Chairman, the Dornan amendment is an assault on the woman's right to choose. It jeopardizes access to safe medical care for millions of women who rely on military hospitals overseas. Women who joined the military to protect our rights should not have to check their constitutional rights at the border.

The Dornan amendment offered today mirrors language in the Defense authorization bill that denies access to legal abortion services for all women utilizing medical facilities outside the United States. This is an outrage. Women and their families have a constitutional right to these services, and their constitutional rights should not be thrown aside while they are under the care of military hospitals.

Let me emphasize several points about our substitute amendment.

First of all, the substitute amendment would not allow Federal funds to be used to pay for abortions, not allow Federal funds. The Dornan amendment overturns current policy that allows women to use their own funds.

Let me repeat that. They use their own funds to pay for abortions in overseas military hospitals. These patients are charged the full reimbursement rate for same-day surgery, more than the cost, more than the cost of abortion services at private facilities in this country, in order to ensure that there is no Federal funding involved.

Second, the substitute protects current policy under which no medical providers are forced to perform abortions due to the conscience clause that exists in the military services. No medical personnel would be forced to participate in or perform these services. It preserves the conscience clause.

Third, this is not a new policy. Privately funded abortions were allowed at military facilities from 1973 to 1988, including all, but a few, months of the Reagan administration, and they have been permitted again since President Clinton's executive order of January 19, 1993. The ban that existed from October 1988 to January 1993 was the exception.

The Dornan amendment is a direct attack on the rights of the American women who virtually work in serving our country valiantly and have put their lives on the line for this country ever single day. It is a backward step, and we must not allow it to move forward.

I urge my colleagues to ensure that our female military personnel and their military dependents have access to safe and legal medical care. Vote for our substitute and defeat the Dornan amendment.

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

Mr. DORNAN. Mr. Chairman, I yield 2½ minutes to the gentleman from Florida [Mr. WELDON], an Army doctor still active in the Reserve and still actively practicing his profession of delivering babies.

Mr. WELDON of Florida. Mr. Chairman, I rise in opposition to the DeLauro amendment and speak in support of the Dornan amendment.

Mr. Chairman, prior to coming here to the Congress I was practicing medicine in Florida, and prior to practicing medicine in Florida I was in the Army, in the Army Medical Corps. Indeed I was in the Army during the early years of the 1980's when Reagan administration policies went into effect where we were not allowed to provide abortion services in military facilities, and, as a physician, I can say that we like the policy.

Most physicians do not like to get involved with the business of abortion, and that is because the vast majority of physicians become physicians because they want to be healers. They respect human life, and they recognize that performing abortion is a direct contradiction to that principle, a value that actually drew them into medicine. Indeed most physicians still take a Hippocratic Oath where they are asked to do no harm, but performing an abortion is a direct contradiction of that, as well as it is a direct contradiction of the very principle upon which our Nation was founded when Thomas Jefferson said that we are endowed by a Creator with inalienable rights to include the right to life. As a former Army physician, Mr. Chairman, I can tell my colleagues that we very much appreciated the support that we received from the Reagan administration in this area in that we did not have to involve ourselves.

A significant percentage of the American people are very strongly opposed to abortion. They feel that it is morally wrong to use taxpayer funding, even if it is indirect, to support this practice I think is very wrong, and I rise in support of the gentleman from California's position and in opposition to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I thank the gentlewoman from Connecticut [Ms. DELAURO] for yielding this time to me. I hope everyone votes for her amendment.

Let me tell my colleagues first of all DOD has a conscience clause. DOD has a parental-consent clause that they vigorously enforce. There have been only about 10 abortions that people paid for with their own money in the entire time this was in practice.

When we send people overseas, this is not voluntary. We order them to go overseas, and no one else would tolerate what the Dornan amendment is trying to do. If we said, "When you go overseas, you can no longer have your free speech, thank you very much; when you go overseas, you can no longer have your freedom of religion, we don't want you practicing religion that would offend anybody, we don't want you to have the right to assemble with different groups, we don't want you * * *," people would go crazy. They would say this is our front line of defense defending our rights, and, no matter whether we agree with what they say, or who they assemble with, or what their religion is, we do not want to have that enforced on them just because they are offshore defending our wonderful rights.

Well, that is what my colleagues are doing today. They are doing that to women if they vote for Dornan. Vote "no" on Dornan, and vote for the DeLauro substitute.

When we station military personnel overseas, we do not ask them to give up their rights to free speech, to exercise their religion, to assemble. We don't require them to give up their legal protections against illegal searches and seizures. They still have the right to a speedy and public trial, a right to an attorney. The Dornan amendment asks military women and dependents to give up their legally protected right to choose.

This bill does not force anyone to be involved in an abortion against their will. Currently, active duty women stationed overseas are guaranteed the same rights that they would have if they were stationed stateside because they are allowed to pay the costs of an abortion in a military hospital out of their own pocket. Currently, no DOD funds can be used to fund abortions unless the life of the mother is in danger. Currently, no medical personnel are required to perform an abortion if they object to doing so, unless the life of the mother is at risk. Currently, the DOD cannot perform abortions in countries where that procedure is illegal.

The ban on privately paid abortions for military women overseas strips women of the very rights they were recruited to protect. The ban on abortions at military hospitals is unfair, dangerous, and discriminatory to military personnel. The ban doesn't even allow for abortions in cases where the fetus is so malformed that it will not survive birth.

I urge you to oppose the Dornan amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

Ms. HARMAN. Mr. Chairman, imagine, if you will, a female captain serving with distinction in the Air Force at Kunsan Air Base, Korea. Brutally raped off-base, she receives medical and psychological treatment there, and may even receive more sophisticated OB/GYN treatment at the United States medical facility at Osan or at Yakota Air Base, Japan.

If, however, she discovers later that she is pregnant as the result of the rape, she will be unable to terminate the pregnancy at the Air Force hospital at Osan or Yakota if the Dornan amendment is adopted. And she'd be endangering her life if she went to a substandard local off-base facility.

In fact, this woman would be treated as a second-class citizen—forced to travel on her own back to the United States to obtain the kind of medical procedure guaranteed under our Constitution to all other American women.

For women, the Dornan amendment makes wearing a uniform a liability. That, indeed, may be the recruiting poster designed by the gentleman from California. "Abandon your rights, all ye women who enter."

I strongly support the amendment of my colleague from Connecticut to affirm current policy. Under current policy, neither Federal funds are used nor are health professionals required to perform abortions. Under current policy, expenses are borne entirely by the servicewoman or dependent.

This is a matter of fairness and equal access to medical facilities. Servicewomen and military dependents stationed overseas don't want or expect special treatment or special rights, only the ability to exercise rights guaranteed by Roe versus Wade, at medical facilities convenient to their post.

Remember the female captain stationed in Korea or another country far from the United States. The free exercise of her constitutional rights should not be inversely related to her distance from America's shores.

Vote for the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in support of the DeLauro amendment, which strikes language that bars military women and dependents overseas from purchasing abortion services with their own money. I urge my colleagues to support this amendment and to reject the Dornan amendment.

The Dornan amendment goes much further than simply limiting the use of Government funds. It actually bars military women and dependents from using their own money to pay for abortion services at military bases, just as they would use their own funds to pay for those services if they were in the United States.

The Dornan amendment also puts the health of our military women at risk. Many of these women are stationed in countries where there is no access to safe and legal abortions outside of the military hospitals. A woman forced to seek an abortion to local facilities, or forced to wait to travel to acquire safe abortion services, faces tremendous health risks.

It is unimaginable to me and to the American people that we would reward American servicewomen who have volunteered to serve this Nation by violating their constitutional right to a safe abortion. I urge you to support the DeLauro amendment and to reject the Dornan amendment.

□ 1400

Ms. DELAURO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Chairman, I rise in strong opposition to the Dornan amendment and in strong support of the DeLauro substitute.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, I rise in support of the DeLauro amendment.

Mr. Chairman, the Dornan amendment makes women in the military second-class citizens. Our military personnel should not have to risk their health nor sacrifice their civil rights when they serve their country. A ban on women getting abortions in military facilities overseas, even if they pay for it themselves, is discriminatory, and it prohibits women from exercising their legal rights simply because they are stationed overseas. Women stationed overseas are often situated in areas where local facilities are inadequate or they are unavailable.

The DeLauro amendment protects military women's health. We should do no less, Mr. Chairman. We should vote for this DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, I rise in support of the substitute offered by the gentlewoman from Connecticut, and ask unanimous consent to revise and extend my remarks.

Today, after all the pious speeches about the honor and bravery and sacrifice of Americans who wear the uniform of this great Nation overseas, we have reached one of those defining moments of truth.

The question is, Should brave Americans ready to lay down their lives in the defense of our Nation have the same fundamental rights as all other citizens? Can a woman in the service of her country go to a hospital and pay her own money for a legal and constitutionally protected abortion in a safe and clean American hospital?

It is time to show the voters what we really think of our American servicewomen. Do we genuinely respect and honor them enough to allow them the same rights any civilian has? Or are all our statements of respect and gratitude to our servicewomen just more cheap rhetoric for use during campaign season or when we want the taxpayers to buy a weapons system the Pentagon says it doesn't need?

Let's honor our servicewomen with more than just hollow rhetoric; let's respect their fundamental rights. Vote "yes" on the DeLauro substitute.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. TORKILDSEN], a cosponsor of the amendment.

Mr. TORKILDSEN. Mr. Chairman, I rise today with regret that this House is once again using important debate time reserved for national security concerns to address the socially divisive issue of abortion. We have been through this same debate several times in committee and on the floor. In fact, the Senate addressed this question and voted to delete the restriction in the Armed Services Committee. I urge my colleagues to do the same by supporting the DeLauro amendment.

The language in this bill relegates our servicewomen and the wives of servicemen to the status of second-class citizens. It also represents congressional tampering at its worst. A women's right to choose is the law of the land—whether we agree or not. Congress has no right to deny a basic law to women simply because they are stationed abroad. The DeLauro amendment would apply current law to the military. Only private money could be used for abortion services, and no Federal money could be used. As a Hyde amendment supporter, I agree with that policy.

I urge my colleagues to reject the social agenda embodied in this language. Support current military policy—vote for the DeLauro amendment.

Mr. DORNAN. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, my good friend, the last speaker, said we were wasting precious national security time. Mr. Chairman, we lost 618,000 American lives in the Civil War between the States; we lost about 312,000 precious lives in World War II. Together that does not equal 1 million. We kill 1.5 million American babies in their mothers' wombs every year. The death toll, since the fraudulent, based-on-a-lie Roe versus Wade decision, we have killed about 35 million babies.

Mr. Chairman, this is an excellent use of time.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Mr. Chairman, I thank the gentlewoman for yielding time to me.

Mr. Chairman, we need to be clear about a number of matters with regard to this amendment. The first and most important is no Federal funds will be used to provide these services. The substitute that is being offered by the gentlewoman from Connecticut relates only to the use of private funds. No medical providers will be forced to perform this procedure. No one will be forced to perform this procedure. All branches of the military have conscience clause provisions that permit medical personnel who have moral, religious, or ethical objections to this procedure to opt not to perform it. The substitute preserves this clause.

Mr. Chairman, this will keep military servicewomen and military dependents out of back alleys by allowing them access to safe, legal, and comprehensive reproductive services. I urge support of the DeLauro amendment.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to my distinguished colleague, the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Chairman, I rise in strong support of the Dornan amendment to the Department of Defense authorization bill.

As my colleague from California has accurately pointed out, we have already had this debate and the proponents of forcing taxpayers to pay for overseas abortions came out on the losing end.

The facts today are no different than they were 2½ months ago. There is no reason why the American people—most of whom oppose abortion on demand—should be compelled to pay for abortions overseas and no reason for the U.S. Government to sponsor these abortions.

The Dornan language merely goes back to the more rationale and humane policy that was in place during the Reagan-Bush years. That policy prohibited federally funded, overseas military treatment facilities from providing abortions. Moreover, that policy allowed DOD medical facilities to do what they are supported to do—provide the services necessary to heal the sick and injured.

I urge my colleagues to support the Dornan amendment.

Mrs. DELAURO. Mr. Chairman, I yield myself 5 seconds.

Mr. Chairman, I would just like to reiterate that there are no public funds involved in this effort. It is the funds, private funds, of the women who serve in our military who serve overseas, no public funding.

Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Chairman, I rise today in support of the DeLauro amendment to allow women in the armed services access to safe abortions abroad at their own expense.

I respect my colleagues on both sides of the aisle who oppose abortion for moral or religious reasons. But this summer I have witnessed an unprecedented move by moderate Republicans to join with their conservative colleagues in an all-out attack on women's reproductive rights. Members who for years have professed to support the rights to choose have voted to deny entire groups of women—like federal employees—access to safe abortions. Time and time again they have sacrificed women's constitutional rights for political, not moral ambitions.

Allowing military women to pay for their own abortions abroad is not a radical idea. The DeLauro amendment will simply continue to permit women who are voluntarily serving our country to practice the right to choose and to pay for that right themselves.

Please do not continue to sacrifice women's constitutional rights in the Republican fight to maintain control of Congress. Women don't deserve to be the losers in the political battle between Democrats and Republicans in Washington.

Mr. DORNAN. Mr. Chairman, I yield 2½ minutes to the gentleman from Indiana [Mr. HOSTETTLER], my distinguished colleague from the Subcommittee on Military Personnel.

Mr. HOSTETTLER. Mr. Chairman, I rise in strong support of the Dornan amendment and in opposition to the DeLauro amendment. Mr. Chairman, in the Defense authorization bill passed earlier this year this Congress placed limits on the use of U.S. military facilities for the practice of abortion. We now face this very same issue in the context of appropriations.

Those who oppose these limits argue that their position is simply a "matter of fairness." Despite my questioning whether we can have any substantive discussion of fairness without including the preborn, and despite my profound disagreement with the Supreme Court's reasoning in the Roe versus Wade decision, I want to concentrate on what I see as the real issue at hand.

The Supreme Court has told us that we have to allow the killing of preborn children. It has not, however, told us that Government has an obligation to provide this service. The DeLauro amendment, I believe, would obligate the United States to make sure abortion services and facilities are available at U.S. military bases.

There are many reasons why we should not obligate the military to provide facilities and services for abortion. For example, despite the assurances from the other side, I believe it is hard to argue there is no subsidy of abortion by U.S. taxpayers in this case. I believe there is a subsidy, though it may be indirect, because everything in our military medical systems is taxpayer-funded—from the doctor's education and availability, to the electricity powering the facility's equipment, to the very building itself.

In addition, abortion—while declared legal by the Supreme Court—remains a very divisive practice, and allowing abortions to be performed on military installations would bring that discord and dissension right onto our military bases, complete with pickets and the like.

Some would also argue that it is especially offensive to make the military—an institution dedicated to preserving innocent life by deterring aggression—the provider of a procedure that ends innocent life.

While it is offensive, I think that the core principle at issue today—whether the Government is obligated to provide a right—goes beyond the unique circumstances of the military. The freedom of the press guaranteed by the first amendment, for example, does not obligate the Federal Government to provide every interested American with a printing press. Pushing this notion further, I ask, should we allow military facilities to be used for prostitution where it is otherwise legal? I think not.

Congress has the clear responsibility under the Constitution to provide for the rules and regulations of the military. We must not make it the policy of the United States to use its military facilities to destroy an innocent preborn life.

For this reason, Mr. Chairman, I will vote in favor of the Dornan amendment and against the DeLauro amendment. I urge all my colleagues to do the same.

Ms. DELAURO. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, the Federal Government is obligated to honor the constitutional rights of women who serve in the military overseas. The Dornan amendment denies their constitutional rights.

Mr. Chairman, I yield 30 seconds to the gentleman from Texas [Mr. BENTSEN].

Mr. BENTSEN. Mr. Chairman, I rise in strong support of the DeLauro amendment to preserve the right to choose for women who serve our country in the military. And I rise in strong opposition to the Dornan amendment to take away that right.

The Dornan amendment is yet another step in the continuing stealth campaign to take away the right to choose for all women. The anti-choice forces in this House already have voted to take away that right for poor women and for women who work for the Federal Government.

But I find the Dornan amendment to be especially offensive because it takes away the freedom to choose from women who risk their lives to defend all of our freedoms. The Dornan amendment makes a mockery of our Constitution and the right to freedom, fairness, and equality enshrined in it.

Once again, I challenge those who oppose a woman's right to choose to have the courage of her convictions and bring it up for an up-or-down vote.

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Chairman, this is one of the saddest debates that we have on this floor, usually twice a year. Since we did away with the draft we asked for volunteers, and of course in the modern era that means we have many women serving in our military. All we are talking about here is protecting and preserving their constitutional right, as has been enumerated by our Supreme Court, to use medical facilities that are clean and safe overseas should they have the tragic requirement of needing an abortion.

Mr. Chairman, this is not public funding. It is their money. They ought to be safe in the assignment of the taxpayers money.

□ 1415

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Chairman, I rise today in strong support of the DeLauro amendment.

I would like to remind this Congress that the Constitution applies to all Americans, including members of the Armed Forces.

Women soldiers who serve our country overseas have access to a full range of reproductive services. The DeLauro amendment allows them to use their own money in overseas hospitals.

Pass the DeLauro amendment. Protect a military woman's right to choose.

Mr. DELAURO. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Chairman, do you think for a moment that if men could get pregnant that we would be spending a moment here to discuss whether our men in the military would have the right to use their own money to go to military hospitals to have one of the most personal, private operations possible performed on their bodies? The answer is no.

Mr. Chairman, we do not know the circumstance of pregnancy of these women. We do not know the health circumstances that are unique to them, and the reality is this ought to be left to them. They have a constitutional right, let us support it.

Ms. DELAURO. Mr. Chairman, I reserve the balance of my time.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. SMITH] who has just returned from a sterling performance in China.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend for yielding time to me.

This vote poses two simple yet fundamental questions: First, when Congress encounters one of those rare questions on which the Federal judiciary has not mandated a pro-abortion policy, will we have the courage to stand for innocent human life?

Second, is it consistent with the mission of our Armed Forces, a mission that is justifiable only insofar as it is designed to save and protect human lives, to be deeply involved in the enterprise of killing unborn children?

Unfortunately, on January 22, 1993, our military hospitals were turned into abortion mills by the President of the United States when he reversed a well settled pro-life policy. Since then, however, and I am glad to say, many of our courageous military obstetricians and nurses and anesthesiologists around the world have refused. I say again have refused to comply with that death order. They understand that their job is to be healers first and always. They regard it as inconsistent and hypocritical to heal innocent people in one room and kill them in the next. They know a house divided against itself will not stand.

By adopting the Dornan language, this House will take its stand with these healers, these true health professionals, and bear witness to their courage and vision. DOD hospitals and health care facilities will once again be institutions exclusively dedicated to healing.

The DeLauro amendment makes a false distinction based not on what happens in an abortion, not on who does the abortion, but on who provides the cash. This amendment says, in effect, that it is moral to tear a child limb from limb as long as somebody else is paying for it. It pretends that the United States is not really taking sides if it turns its hospitals into abortion mills, provided that they break even. This distinction is based on a fundamental misunderstanding of what is at stake here, of what is at stake in every single abortion.

Mr. Chairman, the law has a teaching function. It teaches by example. If the United States chooses to turn its military hospitals into abortion mills, it sends a powerful message to women and girls that abortion is not only a choice that they are allowed under the Supreme Court's decisions, but an acceptable choice. By taking its hospitals out of the abortion business, the United States can send the opposite message—a message of healing, of compassion, of justice for each person, born and unborn.

Each of us is called upon today to take a stand one way or the other: For life or for death. The DeLauro amendment attempts to tell us that we can be neutral on this question, but this is not one of the questions on which we can remain neutral. I urge my colleagues to choose life. Please vote "no" on the DeLauro amendment and "yes" on the Dornan amendment.

Vote "yes" on the Dornan amendment, "no" on the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I rise in strong support of the DeLauro amendment and opposition to the Dornan amendment. This is a very sensitive question and I certainly respect both sides. My wife and I would not choose abortion for our family. We just had a baby. My wife gave birth at age 41, but I wanted to say something. People who are opposed to abortion do not have a right, in my opinion, to force their beliefs on everybody else.

Mr. Chairman, the thing about the United States is that people have individual rights and individual freedoms. If you do not believe in abortion, then it is your right not to have one. Women in the military ought to be treated like every other citizen. They ought to have the freedom to choose.

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. FARR].

Mr. FARR. Mr. Chairman, I rise in support of the DeLauro substitute amendment and in opposition to the Dornan amendment.

Mr. Chairman and my colleagues, it is patently unfair that American women cannot obtain medical services—medical services that are legal under the American Constitution and American laws—at American medical facilities just because these women are stationed overseas.

Our Government has long advocated the elimination of discrimination and unequal treatment. We have long advocated access to safe and sound medical services. The Dornan amendment is overtly discriminatory; it is overtly unequal and it is overtly unsafe and unsound.

This amendment is not about granting special rights to women stationed overseas. It's about fairness. It's about making sure that American women overseas are not classified as second class citizens by their Government, the Government for which they provide defense from foreign aggression.

I support the DeLauro substitute because I support women as full and equal citizens of this country. To vote otherwise, is to insult the women of America in the worst way possible.

The CHAIRMAN. The gentlewoman from Connecticut [Ms. DELAURO] has 45 seconds remaining.

Ms. DELAURO. Mr. Chairman, I yield myself the balance of my time.

I would like to emphasize that this amendment is not about public funding and its is not about special treatment, it is about fairness. That is what it is about. The substitute amendment preserves the right to choose and it preserves safe health care for American military women.

Women who serve in the military to protect our rights, to protect our liberty, should not have to check those rights, their constitutional rights, at our border when they go overseas to protect us. They deserve good quality and the best medical care and they

have that right under our Constitution. I urge my colleagues to support this bipartisan substitute amendment and to defeat the Dornan amendment.

Mr. DORNAN. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, every consultant who has made it to heaven or is in the other place will tell you that the first thing they learn is do not be a flip-flopper, and here is the list of how 230 people voted before. This is not a mockery to the Constitution. The mockery was aging, retired Harry Blackmun finding a right to kill innocent precious human life in the womb. I hope he has a good lawyer when he meets St. Peter.

Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. HYDE].

The CHAIRMAN. The gentleman from Illinois [Mr. HYDE] is recognized for 1 minute and 15 seconds.

Mr. HYDE. Mr. Chairman, this is more than a legal or a constitutional question, although it certainly is that. It is a moral question. I do not think anybody who claims to be human can be indifferent to the proposition that a tiny, vulnerable, defenseless unborn life is being crushed, is being destroyed, is being exterminated in an abortion and be indifferent to that. That is the one missing factor in all of the reasoned arguments on the proabortion side.

Mr. Chairman, they talk about women's rights, they talk about safe abortion, but they totally forget the invisible element, the unborn child. That is not a nothing. The term safe abortion is an oxymoron. It is terminal for the unborn child.

What is safe about being sucked out of a mother's womb and thrown away with the trash? Abortions are evil. They are not a benign neutral act. They take a human life that has been guaranteed the right to life in our Declaration of Independence as inalienable. Why is that erased in all of our contemplation?

Do not euphemize reproductive rights. There is nothing reproductive about abortion. That is reproductive denial.

Vote for Dornan against DeLauro.

Mrs. VUCANOVICH. Mr. Chairman, the men and women who serve as military doctors in our armed services take an oath to save and defend lives. The majority of doctors in the military do not want to participate in the willful destruction of human life. Despite the great reluctance of doctors to perform abortions—the Pentagon, under the direction of the Clinton administration, is insisting that a way be found to allow abortion on demand at our military facilities. While women seeking an abortion must pay for the procedure—having the procedure take place at a military hospital raises concerns regarding the use of taxpayer money to subsidize abortion-related expenses.

The Dornan language would insure the restoration of a Reagan-Bush policy which stated that overseas U.S. military medical facilities could not be used to perform abortions—except to save the life of the mother. Opponents of the Dornan provision may argue that many nations hosting U.S. military bases may have limits on abortion, making it difficult to obtain this procedure safely. However, the U.S. military is bound to respect the laws of host countries including any restriction on abortions. Furthermore, United States women overseas may continue, as they have for years, to go to Germany and use facilities there that are just as safe as anywhere in the United States.

It is clear that military doctors want nothing to do with aiding the destruction of unborn children and that the majority of the American people do not want their tax dollars to subsidize abortion either directly or indirectly. We have a responsibility to ensure that our military facilities are allowed to be completely dedicated to healing people, not aiding in their destruction. I urge my colleagues to support the Dornan amendment to H.R. 2126.

Ms. PELOSI. Mr. Chairman, I rise today in support of the DeLauro substitute to the Dornan amendment. I oppose the Dornan amendment, which prohibits any funds from being used to perform abortions in military medical facilities except in the case of life endangerment of the mother.

American women are guaranteed the constitutional right to obtain safe and legal abortions. The restrictive language in the Dornan amendment is obvious in its intent to deny that right to women who selflessly serve this country overseas. This is unjust and unreasonable.

The health and safety of women is clearly threatened by the Dornan amendment. Denying women the opportunity to obtain a safe abortion from qualified doctors in a military hospital does not mean they will decide against abortion. Instead, we will see them seeking abortions in an unfamiliar, foreign environment where the opportunity to be treated by a skilled medical professional is not available.

This amendment, as so many others we have seen in the course of this Congress, sacrifices the health, safety, and constitutional rights of women to further a pro-life agenda.

I urge my colleagues to recognize the rights of American servicepeople and their families. Oppose the Dornan amendment and support the DeLauro substitute and women's right to choose.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut [Ms. DELAURO] as a substitute for the amendment offered by the gentleman from California [Mr. DORNAN].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

Pursuant to clause 2(c) of rule XXIII, the Chair may reduce to a minimum of 5 minutes the time for electronic voting, if ordered, on the underlying Dornan amendment without intervening business or debate.

The vote was taken by electronic device, and there were—ayes 194, noes 224, not voting 16, as follows:

[Roll No. 641]

AYES—194

Abercrombie	Frost	Moran
Ackerman	Furse	Nadler
Andrews	Gejdenson	Obey
Baesler	Gephardt	Olver
Baldacci	Geren	Owens
Barrett (WI)	Gibbons	Pallone
Bass	Gilchrest	Pastor
Becerra	Gilman	Payne (NJ)
Beilenson	Gonzalez	Payne (VA)
Bentsen	Gordon	Pelosi
Berman	Green	Peterson (FL)
Boehlert	Greenwood	Petri
Bonior	Gunderson	Pickett
Bono	Gutierrez	Pomeroy
Boucher	Harman	Porter
Brewster	Hastings (FL)	Pryce
Brown (CA)	Hefner	Ramstad
Brown (FL)	Hilliard	Rangel
Brown (OH)	Hinchey	Reed
Bryant (TX)	Horn	Richardson
Cardin	Houghton	Rivers
Castle	Hoyer	Rose
Chapman	Jackson-Lee	Roukema
Clay	Jacobs	Roybal-Allard
Clayton	Jefferson	Rush
Clement	Johnson (CT)	Sabo
Clyburn	Johnson (SD)	Sanders
Coleman	Johnson, E. B.	Sawyer
Collins (IL)	Johnston	Schiff
Collins (MI)	Kelly	Schroeder
Condit	Kennedy (MA)	Schumer
Conyers	Kennedy (RI)	Scott
Coyne	Kennelly	Serrano
Cramer	Kleczka	Shaw
Danner	Klug	Shays
DeFazio	Kolbe	Skaggs
DeLauro	Lantos	Slaughter
Dellums	Leach	Spratt
Deutsch	Levin	Stark
Dicks	Lewis (GA)	Stokes
Dixon	Lincoln	Studds
Doggett	Lofgren	Tanner
Dooley	Longley	Thomas
Dunn	Lowey	Thompson
Durbin	Luther	Thurman
Edwards	Markey	Torkildsen
Ehrlich	Martinez	Torres
Engel	Martini	Torricelli
Eshoo	Matsui	Towns
Evans	McCarthy	Velazquez
Farr	McDermott	Vento
Fattah	McHale	Visclosky
Fawell	McHugh	Waters
Fazio	McInnis	Watt (NC)
Fields (LA)	Meehan	Waxman
Filner	Meek	White
Flake	Menendez	Williams
Foglietta	Meyers	Wise
Foley	Mfume	Woolsey
Ford	Miller (CA)	Wyden
Fowler	Miller (FL)	Wynn
Frank (MA)	Mineta	Yates
Franks (CT)	Minge	Zeliff
Franks (NJ)	Mink	Zimmer
Frelinghuysen	Molinari	

NOES—224

Allard	Bunning	Davis
Archer	Burr	de la Garza
Armey	Burton	Deal
Bachus	Buyer	DeLay
Baker (CA)	Callahan	Diaz-Balart
Baker (LA)	Calvert	Dickey
Ballenger	Camp	Doolittle
Barcia	Canady	Dornan
Barr	Chabot	Doyle
Barrett (NE)	Chambliss	Dreier
Bartlett	Chenoweth	Duncan
Barton	Christensen	Ehlers
Bereuter	Chrysler	Emerson
Bevill	Clinger	English
Bilbray	Coble	Ensign
Bilirakis	Coburn	Everett
Bliley	Collins (GA)	Ewing
Blute	Combest	Fields (TX)
Boehner	Cooley	Flanagan
Bonilla	Costello	Forbes
Borski	Crane	Fox
Browder	Crapo	Frisa
Brownback	Cremeans	Funderburk
Bryant (TN)	Cubin	Gallegly
Bunn	Cunningham	Ganske

Gekas
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Klink
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McIntosh
McKeon
McNulty
Metcalf
Mica
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Thornton
Tiahrt
Traficant
Upton
Volkmer
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—16

Bateman
Bishop
Cox
Dingell
Gillmor
Hunter
Maloney
McKinney
Moakley
Morella
Reynolds
Sisisky
Tucker
Waldholtz
Ward
Wilson

□ 1444

Mr. HORN, Ms. DUNN of Washington, and Mr. THOMAS changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WARD. Mr. Chairman, during rollcall vote No. 641 on H.R. 2126 I was unavoidably detained. Had I been present I would have voted "aye." I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 641.

PERSONAL EXPLANATION

Mr. PETRI. Mr. Chairman, I ask that a statement appear in the RECORD following rollcall 641 indicating that, though I was recorded as voting "aye" it was my intention to vote "no," on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. DORNAN].

The question was taken; and the Chair announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DORNAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 226, noes 191, not voting 17, as follows:

[Roll No. 642]

AYES—226

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bevill
Bilirakis
Bliley
Boehner
Borski
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Forbes
Fox
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Kleczka
Klink
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McIntosh
McKeon
McNulty
Metcalf
Mica
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Tiahrt
Traficant
Upton
Volkmer
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—191

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Beilenson
Bentsen
Berman
Bilbray
Boehlert
Bonilla
Bonior
Bono
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
Cramer
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Dunn
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fawell
Fazio
Fields (LA)
Filner
Foglietta
Foley
Ford
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Green
Greenwood
Gunderson
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Klug
Kolbe
Lantos
Leach
Levin
Lewis (GA)
Lincoln
Lofgren
Longley
Lowey
Luther
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McHale
McHugh
McInnis
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Moran
Nadler
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Pryce
Ramstad
Rangel
Reed
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Tanner
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Ward
Watt (NC)
Waxman
White
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOT VOTING—17

Bishop
Blute
Cox
Dingell
Fattah
Flake
Maloney
McKinney
Moakley
Morella
Petri
Reynolds
Sisisky
Tucker
Waldholtz
Waters
Wilson

□ 1452

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. At the conclusion of the debate on the last amendment, 2 hours and 38 minutes are remaining for debate on further amendments to this bill.

Title III is open to amendment at any point.

AMENDMENT NO. 72 OFFERED BY MR. SCHUMER

Mr. SCHUMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 72 offered by Mr. SCHUMER:

Page 16, line 14, after the dollar amount, insert the following: "(increased by $50,000,000)".

Mr. SCHUMER. Mr. Chairman, I intend to withdraw this amendment, but let me explain to my colleagues as to why. The gentleman from New York [Mr. KING] and I first intended to offer this amendment when the bill was originally scheduled for floor consideration a month ago. During the same week the House voted overwhelmingly to lift the arms embargo in the former Yugoslavia. The amendment was a simple one. It would supply $50 million worth of TOW antitank missiles to the Bosnian Government which it desperately needs to overcome the lopsided advantage of the Bosnian Serbs in tanks and armored vehicles and it was intended simply to demonstrate that Congress was willing to put its money where its mouth was, not only by lifting the embargo but by actually providing the Moslems with some of the weapons they need to defend themselves, weapons they cannot afford to buy after years of devastating aggression against them.

I still believe in that amendment, I still believe the Moslems have the right to defend themselves, and at the proper time the United States as the leader of the free world has the duty to assist them. But, of course, significant events have occurred over the last month and they are transpiring as we speak today. The Bosnian Serbs suffered a dramatic reversal in Crimea, the United Nations and the allies have shown renewed resolve and have taken firm action to halt Serb aggression, and for the first time in a while, perhaps since the beginning of hostilities, it looks like we might be on the verge of meaningful negotiations among the warring parties. As a result, there now exists a bipartisan consensus to delay a vote to override the President's veto of the embargo legislation. Therefore, in light of these circumstances, I intend to withdraw the amendment pending the status and progress of negotiations and events on the ground. Therefore, my colleagues, I say, let us see how events transpire. If need be, we can come back and do this amendment, but I ask unanimous consent that the amendment be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. Are there further amendments to title III?

If not, the Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $4,742,150,000, to remain available for obligation until September 30, 1997.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $8,715,481,000, to remain available for obligation until September 30, 1997: *Provided*, That none of the funds appropriated in this paragraph may be obligated or expended to develop or purchase equipment for an Aegis destroyer variant (commonly known as "Flight IIA") whose initial operating capability is budgeted to be achieved prior to the initial operating capability of the Ship Self-Defense program, nor to develop sensor, processor, or display capabilities which duplicate in any way those being developed in the Ship Self-Defense program: *Provided further*, That funds appropriated in this paragraph for development of the LPD-17 ship may not be obligated unless the baseline design of the ship includes cooperative engagement capability and sufficient own-ship self-defense capability against advanced sea-skimming antiship cruise missiles in the baseline design to achieve an estimated probability of survival from attack by such missiles at a level no less than any other Navy ship: *Provided further*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique requirements of the Special Operations Forces: *Provided further*, That of the funds appropriated in this paragraph, $189,972,000 shall not be obligated or expended until authorized by law.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $13,110,335,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds made available in this paragraph, $50,000,000 shall be only for development of reusable launch vehicle technologies.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $9,029,666,000, to remain available for obligation until September 30, 1997: *Provided*, That not less than $170,000,000 of the funds appropriated in this paragraph shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; $259,341,000, to remain available for obligation until September 30, 1997: *Provided*, That of the funds appropriated in this paragraph, $20,000,000 shall not be obligated or expended until authorized by law.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; $22,587,000, to remain available for obligation until September 30, 1997.

The CHAIRMAN. Are there any amendments to title IV?

If not, the Clerk will designate title V.

The text of title V is as follows:

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE BUSINESS OPERATIONS FUND

For the Defense Business Operations Fund; $1,573,800,000: *Provided*, That of this amount, $695,100,000 shall be available only for the liquidation of prior year accumulated operating losses of the Department of the Navy: *Provided further*, That of the funds appropriated in this paragraph, $695,100,000 shall not be obligated or expended until authorized by law.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App 1744); $974,220,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

The CHAIRMAN. Are there any amendments to title V?

If not, the Clerk will designate title VI.

The text of title VI is as follows:

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; $10,205,158,000, of which $9,917,125,000 shall be for Operation and maintenance, of which $288,033,000, to remain available for obligation until September 30, 1998, shall be for Procurement: *Provided*, That the Department shall continue to competitively contract during fiscal year 1996 for mail service pharmacy for at least two multi-state regions in addition to the ongoing solicitations for Florida, South Carolina, Georgia, Delaware, New Jersey, Pennsylvania, and Hawaii, as well as each base closure area not supported by an at-risk managed care plan; that such services shall be procured independent of any other Department managed care contracts; that one multi-state region shall include the State of Kentucky and that one multi-state region shall include the State of New Mexico: *Provided*, That of the funds appropriated in this paragraph, $40,600,000 shall not be obligated or expended until authorized by law.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $746,698,000, of which $393,850,000 shall be for Operation and maintenance, $299,448,000 shall be for Procurement to remain available until September 30, 1998, and $53,400,000 shall be for Research, development, test and evaluation to remain available until September 30, 1997.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; $688,432,000: *Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: *Provided further*, That of the funds appropriated in this paragraph, $8,000,000 shall not be obligated or expended until authorized by law.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; $178,226,000, of which $177,226,000 shall be for Operation and maintenance, of which not to exceed $400,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which $1,000,000 to remain available until September 30, 1998, shall be for Procurement.

The CHAIRMAN. Are there any amendments to title VI?

If not, the Clerk will designate title VII.

The text of title VII is as follows:

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; $213,900,000.

NATIONAL SECURITY EDUCATION TRUST FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 102-172, Public Law 103-50, Public Law 103-139, and Public Law 103-335, $78,100,000 are rescinded: *Provided*, That the balance of funds in the National Security Education Trust Fund (established pursuant to section 804 of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1904)), other than such amount as is necessary for obligations made before the date of the enactment of this Act, is hereby reduced to zero: *Provided further*, That no outlay may be made from the Fund after the date of the enactment of this Act other than to liquidation of all such obligations made before such date, the Fund shall be closed: *Provided further*, That no obligation may be made from the Fund after the date of the enactment of this Act.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account; $75,683,000.

The CHAIRMAN. Are there any amendments to title VII?

If not, the Clerk will designate title VIII.

The text of title VIII is as follows:

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during a single fiscal year shall be obligated during the last two months of such fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That only for valid Ship Cost Adjustments related to the Shipbuilding and Construction, Navy Appropriation such authority to transfer may be used to transfer funds made available in this or any previous Department of Defense Appropriations Act subject to the same conditions required elsewhere in this paragraph: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds and the "Foreign Currency Fluctuations, Defense" and "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8008. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8009. None of the funds contained in this Act available for the Civilian Health and Medical Program of the Uniformed Services shall be available for payments to physicians and other non-institutional health care providers in excess of the amounts allowed in fiscal year 1995 for similar services, except that: (a) for services for which the Secretary of Defense determines an increase is justified by economic circumstances, the allowable amounts may be increased in accordance with appropriate economic index data similar to that used pursuant to title XVIII of the Social Security Act; and (b) for services the Secretary determines are overpriced based on allowable payments under title XVIII of the Social Security Act, the allowable amounts shall be reduced by not more than 15 percent (except that the reduction may be waived if the Secretary determines that it would impair adequate access to health care services for beneficiaries). The Secretary shall solicit public comment prior to promulgating regulations to implement this section. Such regulations shall include a limitation, similar to that used under title XVIII of the Social Security Act, on the extent to which a provider may bill a beneficiary an actual charge in excess of the allowable amount.

SEC. 8010. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least thirty days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

E–2C aircraft;

AV–8B aircraft remanufacture;

T–45 aircraft.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239.

SEC. 8012. (a) During fiscal year 1996, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 1997 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1997 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1997.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the fifty United States, its territories, and the District of Columbia, 125,000 civilian workyears: *Provided*, That workyears shall be applied as defined in the Federal Personnel Manual: *Provided further*, That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8014. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8015. None of the funds appropriated for the Department of Defense during the current fiscal year and hereafter shall be obligated for the pay of any individual who is initially employed after the date of enactment of this Act as a technician in the administration and training of the Army Reserve and the maintenance and repair of supplies issued to the Army Reserve unless such individual is also a military member of the Army Reserve troop program unit that he or she is employed to support. Those technicians employed by the Army Reserve in areas other than Army Reserve troop program units need only be members of the Selected Reserve.

SEC. 8016. Notwithstanding any other provision of law, during the current fiscal year and hereafter the Secretaries of the Army and Air Force may authorize the retention in an active status until age sixty of any person who would otherwise be removed from an active status and who is employed as a National Guard or Reserve technician in a position in which active status in a reserve component of the Army or Air Force is required as a condition of that employment.

SEC. 8017. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 1415(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided*, That, in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further*, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this subsection applies only to active components of the Army.

SEC. 8018. Funds appropriated for the Department of Defense during the current fiscal year and hereafter shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education.

SEC. 8019. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership.

(TRANSFER OF FUNDS)

SEC. 8020. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred

to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8021. For the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 1996, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P-1 and R-1 budget justification documents as subsequently modified by Congressional action: *Provided*, That the following exception to the above definition shall apply:

For the Military Personnel and the Operation and Maintenance accounts, the term "program, project, and activity" is defined as the appropriations accounts contained in the Department of Defense Appropriations Act: *Provided further*, That at the time the President submits his budget for fiscal year 1997, the Department of Defense shall transmit to the congressional defense committees budget justification document to be known as the "O-1" which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for operation and maintenance in any budget request, or amended budget request, for fiscal year 1997.

SEC. 8022. Of the funds appropriated to the Army, $147,900,000 shall be available only for the Reserve Component Automation System (RCAS): *Provided*, That none of these funds can be expended—

(1) except as approved by the Chief of the National Guard Bureau;

(2) unless RCAS resource management functions are performed by the National Guard Bureau;

(3) to pay the salary of an RCAS program manager who has not been selected and approved by the Chief of the National Guard Bureau and chartered by the Chief of the National Guard Bureau and the Secretary of the Army;

(4) unless the Program Manager (PM) charter makes the PM accountable to the Chief of the National Guard Bureau and fully defines his authority, responsibility, reporting channels and organizational structure;

(5) to pay the salaries of individuals assigned to the RCAS program management office unless such organization is comprised of personnel chosen jointly by the Chiefs of the National Guard Bureau and the Army Reserve;

(6) to pay contracted costs for the acquisition of RCAS unless RCAS is an integrated system consisting of software, hardware, and communications equipment and unless such contract continues to preclude the use of Government furnished equipment, operating systems, and executive applications software; and

(7) unless RCAS performs its own classified information processing:

Provided further, That notwithstanding any other provision of law, none of the funds appropriated shall be available for procurement of computers for the Army Reserve Component which are used to network or expand the capabilities of existing or future information systems or duplicate functions to be provided under the RCAS contract unless the procurement meets the following criteria: (A) at sites scheduled to receive RCAS equipment prior to September 30, 1995, RCAS ADP equipment may be procured and only in the numbers and types allocated by the RCAS program to each site; and at sites scheduled to receive RCAS equipment after September 30, 1995, RCAS ADP equipment or ADP equipment from a list of RCAS compatible equipment approved by the Chief of the National Guard Bureau or his designee, may be procured and only in the numbers and types allocated by the RCAS program to each site; (B) the requesting organizational element has insufficient ADP equipment to perform administrative functions but not to exceed the number of work stations determined by the RCAS program for that site; (C) replacement equipment will not exceed the minimum required to maintain the reliability of existing capabilities; (D) replacement will be justified on the basis of cost and feasibility of repairs and maintenance of present ADP equipment as compared to the cost of replacement; and (E) the procurement under this policy must be approved by the Chief of the National Guard Bureau or his designee, provided that the procurement is a one for one replacement action of existing equipment.

SEC. 8023. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

(TRANSFER OF FUNDS)

SEC. 8024. Notwithstanding any other provision of law, the Department of Defense may transfer prior year, unobligated balances and funds appropriated in this Act to the operation and maintenance appropriations for the purpose of providing military technician and Department of Defense medical personnel pay and medical programs (including CHAMPUS) the same exemption from sequestration set forth in the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508) as that granted the other military personnel accounts: *Provided*, That any transfer made pursuant to any use of the authority provided by this provision shall be limited so that the amounts reprogrammed to the operation and maintenance appropriations do not exceed the amounts sequestered under the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100-119) and by the Budget Enforcement Act of 1990 (Public Law 101-508): *Provided further*, That the authority to make transfers pursuant to this section is in addition to the authority to make transfers under other provisions of this Act: *Provided further*, That the Secretary of Defense may proceed with such transfer after notifying the Appropriations Committees of the House of Representatives and the Senate twenty calendar days in session before any such transfer of funds under this provision.

SEC. 8025. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8026. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8027. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided*, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further*, That the Department of Defense's budget submission for fiscal year 1997 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through

such credits: *Provided further*, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: *Provided further*, That each such Executive Agreement with a NATO member host nation shall be reported to the congressional defense committees thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8028. None of the funds available to the Department of Defense in this Act shall be used to demilitarize or dispose of more than 310,784 unserviceable M1 Garand rifles and M1 Carbines.

SEC. 8029. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8030. None of the funds appropriated by this Act may be used by the Department of Defense to assign a supervisor's title or grade when the number of people he or she supervises is considered as a basis for this determination: *Provided*, That savings that result from this provision are represented as such in future budget proposals.

SEC. 8031. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act: *Provided*, That funds necessary for the care of animals covered by this contract are allowed.

SEC. 8032. None of the funds provided in this Act or any other Act shall be available to conduct bone trauma research at any Army Research Laboratory until the Secretary of the Army certifies that the synthetic compound to be used in the experiments is of such a type that its use will result in a significant medical finding, the research has military application, the research will be conducted in accordance with the standards set by an animal care and use committee, and the research does not duplicate research already conducted by a manufacturer or any other research organization.

SEC. 8033. No more than $50,000 of the funds appropriated or made available in this Act shall be used for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and Senate that such a relocation is required in the best interest of the Government.

SEC. 8034. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under section 331, 332, 333, 3500, or 8500 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

Provided, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8035. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight months after initiation of such study for a multi-function activity.

SEC. 8036. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8037. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8038. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8039. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46-48).

SEC. 8040. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8041. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriation or fund which incurred such obligations.

SEC. 8042. (a) Funds appropriated in this Act to finance activities of Department of Defense (DoD) Federally Funded Research and Development Centers (FFRDCs) may not be obligated or expended for a FFRDC if a member of its Board of Directors or Trustees simultaneously serves on the Board of Directors or Trustees of a profit-making company under contract to the Department of Defense unless the FFRDC has a DoD approved conflict of interest policy for its members.

(b) LIMITATION ON COMPENSATION.—No employee or executive officer of a defense FFRDC may be compensated at a rate exceeding Executive Schedule Level I by that FFRDC.

(c) LIMITATION ON COMPENSATION.—No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC may be compensated for his or her services as a member of such entity except under the same conditions, and to the same extent, as members of the Defense Science Board: *Provided*, That a member of any such entity shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(d) Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1996, not more than $1,252,650,000 may be obligated for financing activities of defense FFRDCs: *Provided*, That in addition to any other reductions required by this section, the total amounts appropriated in titles II, III, and IV of this Act to finance activities carried out by defense FFRDCs and other entities providing consulting services, studies and analyses, systems engineering and technical assistance, and technical engineering and management support are hereby reduced by $90,097,000.

SEC. 8043. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply

to contracts which are in being as of the date of enactment of this Act.

SEC. 8044. None of the unobligated balances available in the National Defense Stockpile Transaction Fund during the current fiscal year may be obligated or expended to finance any grant or contract to conduct research, development, test and evaluation activities for the development or production of advanced materials, unless amounts for such purposes are specifically appropriated in a subsequent appropriations Act.

SEC. 8045. For the purposes of this Act, the term "congressional defense committees" means the Committees on Appropriations of the Senate and the House of Representatives, the subcommittee on National Security of the Committee on Appropriations and the Committee on National Security of the House of Representatives, and the Committee on Armed Services of the Senate.

SEC. 8046. Notwithstanding any other provision of law, during the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8047. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1996. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8048. Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to $2,500, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm: *Provided*, That the amount of an indebtedness previously paid by a member or former member and cancelled under this section shall be refunded to the member.

SEC. 8049. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

SEC. 8050. During the current fiscal year and thereafter, voluntary separation incentives payable under 10 U.S.C. 1175 may be paid in such amounts as are necessary from the assets of the Voluntary Separation Incentive Fund established by section 1175(h)(1).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. Amounts deposited during the current fiscal year to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8052. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided*, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further*, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8053. None of the funds available in this Act may be used to support in any manner, including travel or other related expenses, the "Tailhook Association".

SEC. 8054. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies.

SEC. 8055. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8056. During the current fiscal year and thereafter, annual payments granted under the provisions of section 4416 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-428; 106 Stat. 2714) shall be made from appropriations which are available for the pay of reserve component personnel.

SEC. 8057. Of the funds appropriated or otherwise made available by this Act, not more than $119,200,000 shall be available for payment of the operating costs of NATO Headquarters.

SEC. 8058. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $50,000.

SEC. 8059. During the current fiscal year and thereafter, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102-484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.

SEC. 8060. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Business Operations Fund shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Business Operations Fund if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 1997 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1997 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 1997 procurement appropriation and not in the supply management business area or any other area or category of the Defense Business Operations Fund.

SEC. 8061. None of the funds provided in this Act shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: *Provided*, That this prohibition shall not apply to safety modifications: *Provided further*, That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the United States to provide such waiver and so notifies the congressional defense committees in writing.

SEC. 8062. No part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

SEC. 8063. None of the funds appropriated by this Act shall be available for payment of the compensation of personnel assigned to or serving in the National Foreign Intelligence Program in excess of 92 percent of such personnel actually assigned to or serving in the National Foreign Intelligence Program on September 30, 1992: *Provided*, That in making

any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to Senior Intelligence Service positions shall be equal to or exceed the percentage of reductions to non-Senior Intelligence Service positions: *Provided further*, That in making any reduction in the number of such personnel that may be required pursuant to this section, the percentage of reductions to positions in the National Capital Region shall be equal to or exceed the percentage of reductions to positions outside of the National Capital Region.

SEC. 8064. None of the funds provided by this Act may be used to pay the salaries of any person or persons who authorize the transfer of obligated and deobligated appropriations into the Reserve for Contingencies of the Central Intelligence Agency.

SEC. 8065. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1997.

SEC. 8066. The classified Annex prepared by the Committee on Appropriations to accompany the report on the Department of Defense Appropriations Act, 1996 is hereby incorporated into this Act: *Provided*, That the amounts specified in the classified Annex are not in addition to amounts appropriated by other provisions of this Act: *Provided further*, That the President shall provide for appropriate distribution of the classified Annex, or of appropriate portions of the classified Annex, within the executive branch of the Government.

SEC. 8067. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8068. Notwithstanding any other provision of law, funds ÷appropriated in this Act for the High Performance Computing Modernization Program shall be made available only for the acquisition and sustainment of operations, including maintenance of the supercomputing and related networking capability at (1) the DOD Science and Technology sites under the cognizance of the DDR&E, (2) the DOD Test and Evaluation centers under the Director, Test and Evaluation, OUSD (A&T), and (3) the Ballistic Missile Defense Organization: *Provided*, That the contracts, contract modifications, or contract options are awarded competitively solely upon the requirements of the users.

SEC. 8069. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986 and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8070. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8071. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

SEC. 8072. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8073. Funds appropriated by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 1996 until the enactment of the Intelligence Authorization Act for fiscal year 1996.

SEC. 8074. (a) None of the funds made available by this Act may be obligated for design, development, acquisition, or operation of more than 47 Titan IV expendable launch vehicles, or for satellite mission-model planning for a Titan IV requirement beyond 47 vehicles.

(b) $115,226,000 made available in this Act for Research, Development, Test and Evaluation, Air Force, may only be obligated for development of a new family of medium-lift and heavy-lift expendable launch vehicles evolved from existing technologies.

SEC. 8075. No funds available to the Department of Defense in this Act may be used to establish additional field operating agencies of any element of the Department during fiscal year 1996, except for field operating agencies funded within the National Foreign Intelligence Program.

SEC. 8076. Notwithstanding any other provision of law, for resident classes entering the war colleges after September 30, 1996, the Department of Defense shall require that not less than 20 percent of the total of United States military students at each war college shall be from military departments other than the hosting military department: *Provided*, That each military department will recognize the attendance at a sister military department war college as the equivalent of attendance at its own war college for promotion and advancement of personnel.

SEC. 8077. None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of $250,000 per year.

SEC. 8078. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8079. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: *Provided*, That during the performance of such duty, the members of the National Guard shall be under State command and control: *Provided further*, That such duty shall be treated as full-time National Guard duty for purposes of sections 12602 (a)(2) and (b)(2) of title 10, United States Code.

SEC. 8080. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the General Defense Intelligence Program and the Consolidated Cryptologic Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8081. (a) No project for the construction of any facility, or improvement to any facility, having an estimated Federal cost in excess of $750,000, may be undertaken in any fiscal year unless specifically identified as a separate item in the President's annual fiscal year budget request or otherwise specifically authorized and appropriated if such facility or improvement would be used primarily by personnel of the intelligence community.

(b) As used in this section, the term "intelligence community" has the same meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 8082. The Secretary of Defense, from within funds provided in this Act, may obligate not to exceed $75,000 to fulfill Department of Defense obligations under the Educational Loan Repayment Programs for State-sponsored student loan programs not covered under title IV, part B or E of the Higher Education Act of 1965 (title 20 U.S.C. 1071–1087).

SEC. 8083. All refunds or other amounts collected in the administration of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be credited to current year appropriations.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8084. None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed $1,218,000,000.

SEC. 8085. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(TRANSFER OF FUNDS)

SEC. 8086. Appropriations available in this Act under the heading "Operation and Maintenance, Defense-Wide" for increasing energy and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8087. Funds in the amount of $61,300,000 received during fiscal year 1996 by the Department of the Air Force pursuant to the "Memorandum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission," signed September 8, 1994, and September 23, 1994, and Attachments A, B and C to the Memorandum, shall be merged with appropriations available for research, development, test and evaluation and procurement for fiscal year 1996, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract as of the date of enactment of this Act, as well as on the follow-on launch services and program sustaining support contract to be awarded in fiscal year 1996.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8088. In addition to amounts appropriated or otherwise made available by this Act, $44,000,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard for activities relating to national security.

SEC. 8089. The total amount appropriated in title II, III, and IV of this Act is hereby reduced by $30,000,000 for savings through improved management of contractor automatic data processing costs charged through indirect rates on Department of Defense acquisition contracts.

SEC. 8090. (a) None of the funds appropriated in title III of this Act may be obligated by the Department of Defense for acquisition or advance procurement of any system or end item using incremental funding.

(b) For purposes of this section, the term "incremental funding" has the meaning provided in paragraph (3) of section 114(f) of title 10, United States Code, as added by section 1007 of H.R. 1530 of the One Hundred Fourth Congress (the National Defense Authorization Act for Fiscal Year 1996), as passed by the House of Representatives on June 15, 1995.

(c) This section does not apply to an obligation that is classified as an advance procurement for a system or end item that is to be procured on a full funding basis.

SEC. 8091. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8092. None of the funds appropriated in this Act to the Department of the Army may be obligated for procurement of 120mm mortars or 120mm mortar ammunition manufactured outside of the United States.

SEC. 8093. The Department of Defense shall release all funds appropriated and available for the HAVE GAZE program to the Department of the Air Force for obligation under existing contractual arrangements.

SEC. 8094. Notwithstanding any other provision of law, (a) funds available to the Navy in the Operation and Maintenance appropriation for refueling overhauls and defueling inactivations of nuclear-powered warships are available to transport the shipments of naval spent nuclear fuel to the Idaho National Engineering Laboratory needed for examination and storage to avoid threats to the national security; and (b) the Secretary of the Navy is hereby authorized to immediately commence and accomplish such transportation: *Provided*, That the Secretary of Defense shall make the determination as to what shipments are required for that purpose and shall ensure that the shipments are made in accordance with the practices and requirements applied to previous container shipments of naval spent fuel to the Idaho National Engineering Laboratory: *Provided further*, That the authority in this section shall expire on September 30, 1996 or upon the vacation or stay of the current or any subsequent injunction issued by the United States District Court for the District of Idaho which enjoins such shipments, whichever occurs first: *Provided further*, That the authority in this section may not be used unless the Secretary of Defense certifies in writing to the congressional defense committees that a good-faith agreement between the State of Idaho and the United States Government was attempted but could not be reached concerning interim shipments of spent nuclear fuel enjoined by any such injunction based on national security reasons.

SEC. 8095. None of the funds appropriated by this Act shall be available to lease or charter a vessel on a long-term basis used to transport fuel or oil for the Department of Defense in those instances where the leases involve the construction of new ships unless the Secretary of Defense requires that the vessel be constructed in the United States with a double hull under the long term lease or charter authority provided in section 2401 note of title 10, United States Code: *Provided*, That this limitation shall not apply to contracts in force on the date of enactment of this Act: *Provided further*, That by 1997 at least 20 percent of annual leases and charters must be for ships of new construction: *Provided further*, That the Military Sealift Command shall plan to achieve the goal of eliminating single hull ship leases by the year 2015.

SEC. 8096. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop or procure main propulsion engines for the LPD–17 class of ships unless such equipment is powered by a diesel engine manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8097. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop or procure an emergency generator set for the New Attack Submarine unless such equipment is powered by a diesel engine manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8098. The Army shall use George Air Force Base as the interim airhead for the National Training Center at Fort Irwin until Barstow-Daggett reaches Initial Operational Capability as the permanent airhead: *Provided*, That within funds appropriated for "Operation and Maintenance, Army" in this Act, not less than $2,000,000 shall be available only to operate the National Training Center's rotational airhead at the now closed George Air Force Base: *Provided further*, That the Secretary of the Army shall provide the congressional defense committees with a report assessing the Army's compliance with the terms of this provision not later than March 31, 1996: *Provided further*, That not later than April 30, 1996, the Department of the Army shall complete planning and design of the Barstow-Daggett airfield as the permanent airhead in support of training rotations at the National Training Center.

(TRANSFER OF FUNDS)

SEC. 8099. During the current fiscal year, the Secretary of Defense may carry out transfers of funds of not to exceed $200,000,000, as provided in section 127a(c) of title 10, United States Code, as amended by section 1003 of the National Defense Authorization Act for Fiscal Year 1996 (H.R. 1530): *Provided*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act.

SEC. 8100. The sum of $77,500,000 appropriated in title I and the sum of $564,300,000 appropriated in title II for additional incremental costs associated with the operations of the Department of Defense designated, as of June 1, 1995, as Operation Southern Watch and Operation Provide Comfort—

(1) shall not be obligated or expended before the date on which the budget of the President for fiscal year 1997 is transmitted to Congress; and

(2) may be obligated or expended for such incremental costs on or after such date only if that budget specifically sets forth amounts proposed for fiscal year 1997 for each of those operations.

SEC. 8101. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8102. (a) LIMITATION ON PARTICIPATION IN CERTAIN OPERATIONS.—None of the funds available to the Department of Defense for the current fiscal year shall be obligated or expended for costs incurred by United States Armed Forces units serving in an operation described in subsection (b) unless the President engages in consultations with the bipartisan leadership of Congress and the congressional committees named in subsection (e) regarding such operation in accordance with subsection (c)(1).

(b) COVERED OPERATIONS.—(1) This section applies to the following:

(A) Any international peacekeeping or peace-enforcement operation that is not underway as of the date of the enactment of this Act and that is authorized by the Security Council of the United Nations under chapter VI or VII of the Charter of the United Nations.

(B) Any other international peacekeeping or peace-enforcement operation that is not underway as of the date of the enactment of this Act.

(C) Any deployment after the date of the enactment of this Act of United States ground forces in the territory of the former Yugoslavia above the level of such forces so deployed as of such date of enactment, other than a deployment involving fewer than 100 personnel.

(D) Except as provided in paragraph (2), any international humanitarian assistance operation.

(2) This section does not apply with respect to—

(A) an international humanitarian assistance operation carried out in response to a disaster; or

(B) any other international humanitarian assistance operation if the President reports to Congress that the estimated cost of such operation is less than $50,000,000.

(c) CONSULTATION WITH CONGRESS.—(1) Consultations under subsection (a) in the case of any operation shall be initiated before the initial deployment of United States Armed Forces units to participate in the operation and, whenever possible, at least 15 days before such deployment. However, if the President determines that the national security so requires, the President may delay the initiation of such consultations until after such initial deployment, but in no case may such consultations be initiated later than 48 hours after such deployment.

(2) Such consultations shall include discussion of all of the following:

(A) The goals of the operation and the mission of any United States Armed Forces units involved in the operation.

(B) The United States interests that will be served by the operation.

(C) The estimated cost of the operation.

(D) The strategy by which the President proposes to fund the operation, including possible supplemental appropriations or payments from international organizations, foreign countries, or other donors.

(E) The extent of involvement of armed forces and other contributions of personnel from other nations.

(F) The anticipated duration and scope of the operation.

(3) Such consultations shall continue on a periodic basis throughout the period of the deployment.

(d) REQUESTS FOR EMERGENCY SUPPLEMENTAL APPROPRIATIONS.—Whenever there is a deployment of United States Armed Forces to perform an international humanitarian, peacekeeping, or peace-enforcement operation, the President should seek emergency supplemental appropriations to meet the incremental costs to the Department of Defense of that deployment not later than 90 days after the date on which such deployment commences.

(e) COMMITTEES TO BE INCLUDED IN CONSULTATIONS.—The committees referred to in subsection (a) are the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(3) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 8103. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—(1) This section applies to—

(A) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(B) any other international peacekeeping, peace-enforcement, humanitarian, or disaster relief operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8104. None of the funds available to the Department of Defense shall be obligated or expended for the purposes of deploying United States Armed Forces to participate in the implementation of a negotiated peace settlement in Bosnia-Herzegovina, unless such deployment is previously authorized by law.

SEC. 8105. Except as expressly authorized by law or provided for specifically in an Act making appropriations for the Department of Defense, none of the funds available to the Department of Defense after December 1, 1995, for the current fiscal year or any fiscal year hereafter shall be available to support or otherwise provide funds for any program or activity (other than an intelligence program or activity) for which another Federal department or agency has primary responsibility or which is a type of program or activity for which funds are customarily provided in appropriations available to another Federal department or agency. The limitation in the preceding sentence does not apply with respect to funds made available to another department or agency in accordance with section 1535 of title 31, United States Code.

SEC. 8106. None of the funds available to the Department of Defense shall be obligated or expended to make a financial contribution to the United Nations for the cost of an United Nations peacekeeping activity (whether pursuant to assessment or a voluntary contribution) or for payment of any United States arrearage to the United Nations.

The CHAIRMAN. Are there any amendments to title VIII?

AMENDMENT OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURTON of Indiana: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds made available in this Act under the heading "Procurement of Ammunition, Army" may be obligated or expanded for the procurement of munitions unless such acquisition fully complies with the Competition in Contracting Act.

Mr. BURTON of Indiana (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BURTON of Indiana. Mr. Chairman, I have cleared this amendment with both the majority and minority leaders on the committee. My amendment saves taxpayers' dollars, supports open and fair competition and codifies existing law. It is noncontroversial.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Florida, chairman of the Defense Appropriations Subcommittee.

Mr. YOUNG of Florida. Mr. Chairman, I would say that we have examined this amendment and discussed it with the gentleman and believe that it does promote competition and think it is a positive addition to this bill and we accept the amendment.

Mr. MURTHA. Mr. Chairman, if the gentleman will yield, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BURTON].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title VIII?

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AMENDMENT NO. 47 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 47 Offered by Ms. WOOLSEY. Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds appropriated in this Act may be used to modify any Trident I submarine to enable that submarine to be deployed with Trident II (D–5) missiles.

Ms. WOOLSEY. Mr. Chairman, once again I am here to get this body to do something that the National Taxpayers Union, Citizens Against Government Waste, the Council for a Livable World, and Members on both sides of the aisle believe should have been long ago: Stop wasting money on the Trident nuclear missiles.

At a time when this Congress is making cuts in education, student aid, and Medicare, I am outraged that we are even talking about investing $3 billion over the next 7 years in this cold war relic, especially when the Navy didn't even request it.

Backfitting 4 Trident submarines that now carry C–4 missiles with expensive D–5 missiles would give us a total of 14 subs carrying D–5 missiles; 4 more than the Navy originally planned. My amendment does not do away with D–5 missiles; it simply cancels the backfit, limits the Navy to 10 subs with D–5 missiles, and saves taxpayers $3 billion over 7 years. That is a reasonable request.

It is a reasonable request because the D–5 missile was designed to hit targets in the Soviet Union. Well, guess what folks. The Soviet Union no longer exists. If 10 D–5 subs were enough to stop the Soviet threat during the height of the cold war, then 10 D–5 subs are certainly enough to stop today's smaller threat from the former Soviet Union.

And if my colleagues are concerned about threats from rogue nations like North Korea and Iran, my answer is simple: One Trident submarine, loaded with 24 D–5 missiles, would be more than enough to stop a threat from these nations.

And let us not get into a debate about this amendment damaging military readiness. If military readiness is a problem, it is not because we have not pumped enough money into the military budget. Rather, it is because the Pentagon has some seriously misplaced spending priorities.

With soldiers on food stamps, we cannot afford to be wasting billions of precious dollars on this wasteful and expendable program. But really when it comes down to it, the Woolsey amendment is not about spending priorities within the military; it is about spending priorities, period.

We cannot balance the budget on the backs of children, on the backs of working families, and on the backs of seniors, while allowing the Pentagon's budget to balloon.

Let us hold this Congress and the Pentagon accountable. Let us make it clear that spending an additional $3 billion on the Trident force is a wasteful and ill-advised mistake. It is time to put any further spending on this cold war relic where it belongs: in the history books.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to briefly point out that the President of the United States, through the Nuclear Posture Review, endorsed the need for the *Trident* D–2 backfit. The D–5 missile has improved military effectiveness and reliability, greater range, and twice the design life of the older C–4 missile which it replaces.

Trident submarines are expected to last at least 30 years, and in today's world they might have to last twice that long. The C–4 missile will definitely not have that much of a shelf life. C–4 production actually terminated in 1987 and the C–4 will have to be replaced.

The most cost-effective approach is to continue procurement of the D–5 missile and use some of them to backfit the older *Trident* submarines.

However, the strongest argument I can make against this amendment is that there is no money in this bill for the D–5 submarine backfit and hopefully the gentlewoman would withdraw the amendment.

Mrs. SCHROEDER. Mr. Chairman, I rise in support of the Woolsey amendment.

Mr. Chairman, I think the gentlewoman from California [Ms. WOOLSEY] makes an awful lot of sense. The question is how much is enough and are we buying things based on a threat-based analysis? I think everybody knows we have enough D–5 missiles to more than deter any threat from anywhere at any time. We have got a lock on all of this.

The real question is why do we keep buying more and more and more? Or why are we planning for more, when really, if we were going to invest wisely, I think we would fall back and figure out what might be coming in the future, if some enemy in the future moves forward. But we have a lock on this technology. We know how to do it.

Mr. Chairman, I just think the gentlewoman from California [Ms. WOOLSEY] makes a tremendous amount of sense with this and I congratulate the gentlewoman.

Ms. WOOLSEY. Mr. Chairman, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, I would like to respond to the issue of there being no money in the bill for the backfit. The Navy is currently planning how to accomplish the backfit and funds in this bill will be used for this planning.

My amendment says that this planning will not occur and will forgo the backfit. It makes an important policy statement and it sets precedent for future appropriations bills that will contain funds expressly for the backfit. Even though there is no money right now for backfit, there is certainly money in the bill for planning that backfit.

Mr. DICKS. Mr. Chairman, I rise in opposition to the Woolsey amendment.

Mr. Chairman, last year the House voted on this issue and basically took the position that we should support the backfit.

Mr. Chairman, I would like to point out to my distinguished friend and colleague that the Nuclear Posture Review, which was done by the Department of Defense, does, in fact, call for the backfit of 4 *Trident* submarines with the D–5 missile. That is the administration's position and that is the Navy's position.

So, I would just say this: That we have entered into a series of arms control agreements which call upon us to make major reduction in our land-based missiles, to reduce our bomber force to a level that I am frankly troubled by, and the basic deterrent that we have left is on our *Trident* submarines, some of which are based on the east coast in Georgia and others on the west coast in Washington State, from my home area.

Mr. Chairman, I would urge my colleagues to stay with their position of last year, to oppose the Woolsey amendment, and to continue to support the *Trident* submarine program and the D–5 backfit.

Ms. WOOLSEY. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The CHAIRMAN. Are there further amendments to title VIII?

AMENDMENT OFFERED BY MR. YOUNG OF FLORIDA

Mr. YOUNG of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNG of Florida: On page 55, line 8, after the word "committees" insert the following: ", and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate".

On page 87, line 10, after the word "committees" insert the following: ", the Committee on International Relations of the

House of Representatives, and the Committee on Foreign Relations of the Senate".

On page 91, line 21, after the word "committees" insert the following: ", and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate".

Mr. YOUNG of Florida. Mr. Chairman, this is a technical amendment. We have, in this bill, asked the Department of Defense to provide certain reports to the defense committees of the House and the Senate. This amendment would include as recipients of those reports the Committee on International Relations in the House and the Committee on Foreign Relations in the Senate.

Mr. Chairman, it is strictly a technical amendment.

Mr. MURTHA. Mr. Chairman, we applaud the gentleman from Florida [Mr. YOUNG] and have no problems with the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. YOUNG].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURTHA: On page 94, after line 3, insert the following new section:

Sec. 8107. None of the funds in this Act may be used to implement any change to the computation of military retired pay as required by law in fiscal year 1995 for military personnel who entered the Service before September 8, 1980.

Mr. MURTHA. Mr. Chairman, this amendment takes care of a problem which for 2 years the Committee on Appropriations has worked out. There was a perception it saved a lot of money by changing the formula for retirement of the military. We find that it has not saved a lot of money. We are offering an amendment to rectify that problem.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, we certainly concur with this amendment and urge that it be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title VIII?

AMENDMENT NO. 82 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: Page 94, after line 3, add the following new section:

SEC. 8107. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

Mr. SANDERS. Mr. Chairman, the Pentagon is spending $31 million in taxpayer dollars for corporate bonuses for the top executives of just one major defense contractor, the Lockheed-Martin Corp. With so much concern about the Federal deficit and Government waste, I would hope that every Member of the Congress supports the amendment that I am offering which would prohibit this practice.

Mr. Chairman, as you know, earlier this year Pentagon officials agreed to use $31 million in taxpayer money to pay a third of the $92 million in bonuses that top corporate executives of the Martin-Marrietta Corp. and the Lockheed Corp. granted themselves for staging the largest merger of defense contractors in American history, and that was the creation of the Lockheed-Martin Corp. with $11.6 billion in annual military sales and $23 billion in total annual sales.

Just 2 months after this development took place, the same corporate executives announced plans to fire 19,000 American workers and to close 12 factories and laboratories across the Nation.

Mr. Chairman, this seems to me to be an example of corporate welfare at its worst and I would hope that the Members would support my amendment, which would prohibit this golden parachute, as well as any which take place.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I want to compliment the gentleman from Vermont [Mr. SANDERS] for the work he has done on this amendment and certainly, speaking for this side of the aisle, we would be glad to accept the amendment.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I associate myself with the remarks of the gentleman from Pennsylvania [Mr. MURTHA] and we are happy to accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont. [Mr. SANDERS].

The amendment was agreed to.

AMENDMENT NO. 85 OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 85 offered by Mrs. SCHROEDER: Page 94, after line 3, insert the following:

SEC. 8107. (a) LIMITATION ON THE USE OF FEDERAL FUNDS BY CONTRACTORS FOR POLITICAL ADVOCACY.—None of the funds made available by this Act may be used by any Federal contractor for an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Carrying on propaganda, or otherwise attempting to influence Federal, State, or local legislation or agency action, including any of the following:

(A) Monetary or in-kind contributions, endorsements, publicity, or similar activity.

(B) Any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or any segment thereof, including any communication between the contractor and an employee of the contractor to directly encourage such employee to urge persons other than employees to engage in such an attempt.

(C) Any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any government official or employee who may participate in the formulation of the legislation or agency action, including any communication between the contractor and an employee of the contractor to directly encourage such employee to engage in such an attempt or to urge persons other than employees to engage in such an attempt.

(2) Participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including monetary or in-kind contributions, endorsements, publicity, or similar activity.

(3) Participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the contractor or potential contractor is a defendant appearing in its own behalf; is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that contractor or potential contractor.

(4) Allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(b) LIMITATION ON USE OF FEDERAL FUNDS TO AWARD CONTRACTS.—None of the funds made available by this Act may be used to award a contract when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeding the sum of—

(A) the first $20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05; and

(B) the remainder of the difference calculated in subparagraph (A), multiplied by .01;

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of nonpartisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees, other than communications described in subparagraph (C).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

Mrs. SCHROEDER. Mr. Chairman, I hope that my colleagues can just accept this amendment. I think it is fairly simple. Most of the Members of the body voted on an amendment very similar to this recently and that was when we were debating the Labor HHS appropriations. The gentleman from Oklahoma [Mr. ISTOOK] offered an amendment that said that any recipient of a Federal grant was not allowed to lobby with their non-Federal funds. Non-Federal funds.

So as my colleagues may know from many of the articles that have appeared since in the Wall Street Journal and other places, they talk about how the Girl Scouts, the Red Cross, all sorts of groups such as that, will not be able to lobby here because they got Federal funds, even with non-Federal funds.

OK. That makes sense.

Now, I voted against that, because I felt that that was really infringing their free speech.

What my amendment does today is say, "Okay, guys, I lost. If we are going to do that to nonprofits, then we certainly ought to be doing it to profits."

My amendment says what is good for the goose is good for the gander, or what is good for a nonprofit ought to be able to be good for a profit.

What this amendment says is that companies that receive high amounts of money for defense contracts and Government contracts that are in for-profit businesses also cannot use their non-Government money to lobby.

Now, let us be real serious about this here. Who do you think, who do you think has the most influence here: the Girl Scouts or some of the big contractors? Now, we have shut the Girl Scouts out, and we have shut the YMCA out, and we have shut the Boy Scouts out, and we have shut out all of those groups because we realize the terrific power they were wielding in this body, and I think if you really believe that, then you had better look at what is going on with defense firms.

I got from several different groups who monitor this the amount of money defense firms are handing out. It is a phenomenal amount of money. I woke up this morning, there were TV ads on television for the B-2 bomber. That looks like lobbying to me. Imagine, it would be in Washington where policymakers are getting up and watching the news. We see ads in newspapers, we see people coming around to offices, we see pens, we see all sorts of things. These are the real megalobbyists. They not only have that, they have something the nonprofits do not have, they also have political action committees.

So yesterday we were having a big debate on this floor about how we ought to have real reform, and if we are going to have real reform and we are going to insist that nonprofits are going to be gagged and not be able to talk or be able to spend their money to consult Congress, we certainly ought to adopt this amendment which just says do to the profits what you do to the nonprofits; do to the defense contractors and other people who have Government contracts what you did to the nonprofit people who got grants from the Government.

That, I think, is something that if we do not do it, it is going to be awfully hard to explain back home, and I think when we see more and more groups getting concerned about whether we are making decisions here based on the threat or whether we are making decisions here based on PAC contributions or lobbying or nonprofit groups exerting excess powers such as Senator SIMPSON in the Senate has talked about, or whatever, we have got to do this equally and evenhandedly, or otherwise it looks like we are being disingenuous.

So while I would like to have everybody have free speech, since this body overruled my position and decided we are not going to have free speech for nonprofits, that these very, very dangerous groups out there that have gotten these grants must not be able to lobby even with their own money, I certainly think if we are that afraid of the Sierra Club and if we are that afraid of the Children's Defense Fund, we ought to be afraid of big contractors who live off of this Federal money, and some make as much as almost $23 billion a year. We certainly ought to say they should not be able to use their non-Government funds to lobby.

So I would hope this could be agreed to, and I would hope that we could get on to it since the body has agreed to exactly the same thing in other appropriation bills for nonprofits, and so I hope everybody can concede this very early.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

I do so only because I am not exactly sure what the effect would be. We were just provided this amendment today. We are trying to determine what effect it would have on title 10 of the United States Code, Armed Forces, which deals with procurement and contracting and things of this type. I am not really sure what effect that would have, and I am just wondering if the gentlewoman would be willing to defer a decision on this amendment for maybe 15 or 20 minutes to give us a chance to try to finish our research on it.

Mrs. SCHROEDER. Mr. Chairman, would the gentleman yield?

Mr. YOUNG of Florida. Mr. Chairman, I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. I appreciate your open-mindedness on this. And, yes, we have researched that.

But if we could ask unanimous consent to withhold further debate on this for 15 minutes, would that be adequate?

Mr. YOUNG of Florida. That would be helpful.

The CHAIRMAN. The gentlewoman can withdraw the amendment by unanimous consent and then reoffer it once the research is done. Otherwise the debate would have to continue until such time as everybody was talked out and the Chair would then put the question on the amendment.

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will yield further, my concern about that is because of the very stringent time limits we are under, I might not be able to get back up and get it offered. If there is some assurance that I can get recognized again before the time clock goes off.

Mr. YOUNG of Florida. I would have no problem with some assurance there. I would like to point out, these laws dealing with this subject really are legislation and not appropriations. The gentlewoman is on the authorizing committee. That might have been the place to have addressed this issue.

But we began this bill in late July, early August. Here it is now September. This amendment was just filed. So we would like a little time to make sure exactly what the effect would be.

Mrs. SCHROEDER. If the gentleman would yield further, I understand what the gentleman is saying. As you know, the prior Istook amendment on nonprofits came out of the Committee on Appropriations. None of us thought we should be doing this in the authorizing committee, which is why I did not offer it. But since this body adopted it on the Labor, HHS and Education amendments, it seemed to me only fair we do the same kind of thing, and our research makes it look like it is an absolute mirror image. It just takes the Istook amendment, which basically I am opposed to, and I would be opposed to shutting off speech, but we did it. It seems to me only fair then that we do it for the for-profits. That is all I am trying to do as we proceed here.

So the reason we did not do it in the other forum was that we had no idea appropriations was going to start legislating on appropriation bills. So we have no choice but to do the same.

Mr. YOUNG of Florida. The difference is the nonprofits that we are talking about do not have all of this law that relate to them, where the Defense Department does, and I just need to check and make sure that we have something that is not going to be flying up against another law.

Mrs. SCHROEDER. If the gentleman will yield further, again, what I understand where we are is we have about 15 minutes to look at this. Then we can reoffer it, and, hopefully, you can accept it at that point.

Mr. YOUNG of Florida. Before we do that, the gentleman from Pennsylvania [Mr. MURTHA] was on his feet, and I think he wanted to engage in this conversation. We might want to do that before we withdraw the amendment.

Mr. MURTHA. Mr. Chairman, would the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. I just wanted to add my request to withdraw and see if we could not work something out on it. It is a complicated subject. It is a comprehensive amendment, which certainly in committee I opposed the Istook amendment because of my concern for that issue, and I would ask the gentlewoman to withdraw the amendment and see if we cannot work something out.

Mrs. SCHROEDER. Mr. Chairman, based upon the agreement of both of the gentlemen, I certainly will be more than happy to withdraw it under the condition I can reoffer it, hopefully, in a few minutes where we can work something out.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

The CHAIRMAN. The amendment is withdrawn, without prejudice.

AMENDMENT OFFERED BY MR. CALLAHAN

Mr. CALLAHAN. Mr. Chairman, I offer an amendment, amendment No. 73.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CALLAHAN: Page 94, after line 3, insert the following new section:

SEC. 8107. LIMITATION ON PROCUREMENT OF CERTAIN VESSEL PROPELLERS AND SHIP PROPULSION SHAFTING.

(a) Subject to subsection (c), none of the funds made available by this Act may be used to procure vessel propellers six feet in diameter or greater when it is made known to the Federal official having authority to obligate or expend such funds that such propellers are not manufactured in the United States and do not incorporate castings that are poured and finished only in the United States.

(b) Subject to subsection (c), none of the funds made available by this Act may be used to procure ship propulsion shafting when it is made known to the Federal official having authority to obligate or expend such funds that such ship propulsion shafting is not manufactured in the United States.

(c) The limitation in subsection (a) or subsection (b), as the case may be, does not apply when it is made known to the Federal official having authority to obligate or expend such funds that adequate domestic supplies of propellers described in subsection (a) or of ship propulsion shafting are not available to meet Department of Defense requirements on a timely basis.

Mr. CALLAHAN. Mr. Chairman, the purpose of my amendment is to insert a buy American clause that has been in existence for a great number of years. This buy American clause had to do with propellers, and it was in the 1994 appropriations bill and authorization bill, and for some reason it was left out of the 1995-96 appropriation bill.

But I think it is very important that we recognize that this is an opportunity to spend money in the United States, an opportunity to create jobs here in the United States.

We have a letter from the Department of the Navy dated August 22, 1994, that certainly agrees with the purpose of this, because they fear if we do not include this, that we are going to lose the capability then, in the event of any emergency, to have the capability of developing propellers greater than 6 feet in diameter.

The 1994 future years plan called for the construction of 48 ships and the Navy's fiscal year 1996 plan calls for only the construction of 28 ships.

Since the Navy's report, one fully integrated ship propeller manufacturer has gone out of business. Today there are only two fully integrated propeller manufacturers left in the United States with the capability to design, cast, and machine large monoblock propellers and propeller blades for the U.S. Navy. The Navy's report specifically states that these specialized technologies, processes, skills, and facilities required for the manufacturer, including both casting and finish machining, for blades and monoblock propellers, is critical to maintaining an adequate U.S. industrial base to support current and future Navy requirements.

Without this law, the only Navy manufacturer of controllable pitch propellers which go on the majority of our Navy's surface ships will be forced to close its foundry and lay off many of its skilled workers. The reason is simple: Foreign foundries do not have to comply with the same quality controls and environmental regulations imposed on them as foundries operating in the United States. That is the primary reason for not being able to compete with foreign countries, is they do not have to comply with the environmental regulations and the quality control regulations that we have in this country.

If foreign companies want to manufacture propellers for the U.S. Navy, they should come to the United States, open a manufacturing plant and manufacture them and thus be eligible to help provide them.

I do not believe that our country, for the defense-critical systems, should be dependent on foreign sources only. In a time of national emergency, a foreign source may be unreliable or nonexistent.

Mr. FOGLIETTA. Mr. Chairman, would the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Pennsylvania.

Mr. FOGLIETTA. Mr. Chairman, I wish to enter into a colloquy regarding the gentleman's amendment.

Mr. Chairman, as a strong supporter of "Buy America" as well as being a member whose district is home to the Navy's propeller shop and foundry, I wish to clarify the intent of the gentleman's amendment.

I intend to support the gentleman's amendment, and urge my colleagues to support it.

However, I would like the gentleman's assurance that it is not the purpose of this amendment to weaken America's national security position by eliminating or downsizing the propeller shop and foundry in Philadelphia. I believe it would jeopardize our national security if we were to sole-source propeller manufacturing in the private sector.

Mr. CALLAHAN. I am aware that the propeller shop and foundry have been recognized as a core mission by the Navy. The Navy has stated that it is critical to our national security that it remain operational in support of the fleet.

This amendment would not challenge the Navy's position on the Philadelphia propeller shop and foundry. Its intent

is not to cause the closure or downsizing in any way, shape or form of this great facility.

Mr. FOGLIETTA. I thank my colleague.

Mr. SANDERS. Mr. Chairman, would the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I speak in support of the gentleman's amendment. I think he is raising a very important issue, but obviously, as you know, the issue goes well beyond propellers.

During the last 2 fiscal years, the U.S. Defense Department has spent at least $13 billion in American taxpayer money to buy goods and services from foreign suppliers. My strong hope would be that the gentleman and I and other people who are concerned about this issue can work together to put an end to these practices.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. CALLAHAN] has expired.

Mr. FOGLIETTA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I would just make the point that in the State of Vermont, in the last 3 years we have had four instances, four instances where contracts were made with companies in Vermont but the products were produced abroad. So the gentleman is beginning to touch upon an issue of enormous consequence.

I had an amendment which I am going to withdraw, but I would hope that we can work together to demand, wherever possible, and I think it is a lot more possible than people think that if we are going to spend American taxpayers' money for defense equipment, for God's sakes, let us have this work done in America and put American workers to work to do that.

□ 1530

Mr. TORKILDSEN. Mr. Chairman, I move to strike the last word.

Just very briefly, Mr. Chairman, I want to rise in support of the Callahan amendment to require the components of vessels for the Department of Defense to be manufactured in the United States. This amendment makes very good sense. I will not elaborate with details, but I applaud the gentleman for offering the amendment. This is good for our national defense policy, it is good for American jobs. I hope the Callahan amendment is adopted.

Mr. Chairman, I rise today in support of the Callahan amendment to require that components for vessels of the Department of Defense be manufactured in the United States. This amendment makes good sense and has largely been included in the House-passed Department of Defense authorization for fiscal year 1996.

We all know that our defense readiness is in part dependent on our industrial capability to manufacture defense systems. Without this base, we could find ourselves totally dependent on foreign sources, which could be unreliable and possibly nonexistent in time of national emergency. This base, however, may be in jeopardy unless Congress enacts this domestic source statute.

It is troubling when the Clinton administration uses international armaments cooperation as a justification for not supporting American defense manufacturers—the very manufacturers and employees who tax dollars finance the DOD budget. Procuring U.S. manufactured products for defense purposes advances our technological edge, and sustains the U.S. industrial base and the employment base upon which our security depends.

I urge my colleagues to support this important amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. CALLAHAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CALLAHAN

Mr. CALLAHAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CALLAHAN: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds provided in title II of this Act for "FORMER SOVIET UNION THREAT REDUCTION" may be obligated or expended to finance housing for any individual when it is made known to the Federal official having authority to obligate or expend such funds that such individual was a member of the military forces of the Soviet Union or that such individual is or was a member of the military forces of the Russian Federation.

Mr. CALLAHAN. Mr. Chairman, once again, and I have risen so many times in the last several years talking about the very ill-conceived program that the administration fostered in creating an ability of the United States to fund houses for Russian soldiers.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I have no problem with this.

Mr. CALLAHAN. Then, Mr. Chairman, I move adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. CALLAHAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NEUMANN

Mr. NEUMANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NEUMANN: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds available to the Department of Defense for the current fiscal year shall be obligated or expended for costs incurred by the participation of United States Armed Forces units in any operation in the territory of the former Yugoslavia above the level of forces so deployed as of date of enactment.

Mr. NEUMANN. Mr. Chairman, I have this recurring fear that I am going to wake up one morning, turn on the news and find out the President——

Mr. MURTHA. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MURTHA] is too late in that the gentleman from Wisconsin [Mr. NEUMANN] has already been recognized.

Mr. NEUMANN. Mr. Chairman, I have this recurring fear that I am going to wake up one morning, turn on the news, and find out the President of the United States has deployed 25,000 United States troops to the Bosnian region. That is why I have an amendment to this bill.

Mr. Chairman, the purpose of this amendment is to require the President to come to Congress for approval prior to the deployment of United States troops in the Bosnian area.

My colleagues, make no mistake about the fact that there are plans on the table currently to deploy 25,000 United States ground troops in the Bosnian area.

On June 14, and I quote Secretary Perry; he said there are three different possible ways, and I quote, "There are three possible contingencies in which we would have ground forces in Bosnia. There are, No. 1, a peacekeeping operation to enforce a peacekeeping settlement; No. 2, assisting NATO allies in the full withdrawal of the U.N. Protection Force; and, No. 3, an emergency extraction of the U.N. Protection Force."

General Shali, who also testified at that same hearing, continued to lay out how many troops might be deployed and for how long, and I quote General Shali, same day:

"In the event of a request from the U.N. for assistance in withdrawal of UNPROFOR troops the U.S. would commit about 25,000 American troops for approximately 22 weeks. In the event a situation arises that requires an emergency extraction the NATO plan has a quick response force using selected NATO forces that are in close proximity to Bosnia. American participation and support of this plan are essential."

So, my colleagues see there are plans on the table currently for the deployment of, the potential of deployment of 25,000 United States ground troops in the Bosnian area for a 22-week period of time. Again I have to reiterate my concern that one morning I will turn on the news and find out that 25,000 United States troops have, in fact, been deployed to the Bosnian region. After that I will have to explain to my constituents back home from Racine and

Kenosha and Janesville-Beliot, WI, why their sons and daughters have been sent to the Bosnian region.

Many of my colleagues believe that the President alone has the authority to call the shots in this particular debate. However, our Founding Fathers gave us the responsibility to participate in these discussions, discussions that are literally life-and-death discussions to many young people in uniform.

The Speaker of the House clearly laid out our role in this in a June 7 address to the House of Representatives when he said, and I quote:

"You want to cut off troops for Haiti or Somalia, or you want to cut off troops in Bosnia. There is an easy way to do it. It is called the power of the purse."

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I have talked to the gentleman at great length about this amendment, and I have a substitute to the amendment which I think would satisfy certainly me and, I hope, would satisfy the chairman, which would eliminate the extraction part of it from the amendment that the gentleman is offering, because I think it is so important that we have a commitment to the U.N., but, if I could offer this amendment to the amendment, maybe we could continue the colloquy.

Mr. NEUMANN. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. MURTHA] for that purpose.

AMENDMENT OFFERED BY MR. MURTHA TO THE AMENDMENT OFFERED BY MR. NEUMANN

Mr. MURTHA. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Wisconsin [Mr. NEUMANN] would have to yield back his time in order for the gentleman from Pennsylvania to offer his amendment.

Mr. NEUMANN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MURTHA to the amendment offered by Mr. NEUMANN: At the end of the amendment add the following: *Provided*, That this section shall not apply to emergency air rescue operations, the airborne delivery of humanitarian supplies, or the planning and execution of OPLAN 40104 to extract UNPROFOR personnel.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MURTHA] is recognized for 5 minutes in support of his amendment to the amendment.

Mr. MURTHA. Mr. Chairman, as I said before, the gentleman from Wisconsin [Mr. NEUMANN] and myself have talked at great length, as has the chairman of the committee.

This is a very delicate situation. We know that the White House, whether it is Republican or Democrat, always opposes any kind of stipulation restricting their ability to deploy troops. But I agree with the gentleman that we have not only the right, but the obligation, to insist on authorization before troops are deployed in a humanitarian sense. I do not agree if it is a national security issue; I believe the President does have the ability under the Constitution.

I would hope that the gentleman would accept this amendment. We could take this to conference, and, if the chairman would accept this amendment, then we would be able to then work out the final language with the White House which would give us some leverage over what happens in the future in these humanitarian deployments.

Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment to the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA].

Mr. Chairman, in the last several years the members of our subcommittee have done everything we possibly could to keep this from becoming an American war, and the gentleman from Wisconsin [Mr. NEUMANN] has been a very strong advocate of that. However, we do have to recognize, as the gentleman from Pennsylvania mentioned, our commitment to the United Nations. I would mention in addition our very strong treaty commitment to our NATO allies, and, if our NATO allies become embroiled or endangered, we do have a commitment to come to their rescue.

So, Mr. Chairman, I believe the amendment offered by the gentleman from Pennsylvania to the amendment offered by the gentleman from Wisconsin is a good amendment. It makes the overall legislation acceptable and certainly would, I believe, fit within the realm of the Constitution, and so I would hope also that the gentleman would be willing to accept this amendment and that we can just get on to the next item.

Mr. Chairman, I yield back the balance of my time.

Mr. NEUMANN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, just so I fully understand what is being proposed here, what we are saying is that the President would be required to come to Congress to request funds prior to deploying troops for the peacekeeping, for the enforcement of the peacekeeping settlement, as described by Secretary Perry on June 14, but he would not have to come to request funds to aid in the withdrawal of the French, British, the Dutch, our allies, in the area.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. NEUMANN. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. That is correct, and the gentleman has to understand, of course, obviously this does not go in effect until the bill is passed and signed with the President, and we know there will have to be such negotiation before it is finalized.

Mr. NEUMANN. I would be willing to accept the amendment, but I would like to just add that I have some very strong reservations even in those situations of deploying U.S. troops in the region.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MURTHA] to the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. NEUMANN], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SKELTON: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds provided in this Act may be obligated or expended for the provision by the United States of military training for military forces of the Government of Bosnia and Herzegovina.

Mr. SKELTON. Mr. Chairman, I bring this issue to the floor of this House because it involves the potential problem of American military forces being where Americans do not want them to be.

Mr. Chairman, I realize that there are negotiations ongoing at the present time, and I realize that this is a sensitive area of discussion, though I am convinced that I am right, and I will use my few moments on this floor to speak of this issue.

This amendment which I offered states that none of the funds provided in this act may be obligated or expended for the provision by the United States of military training for military forces of the Government of Bosnia and Herzegovina. We all know that the measure known as the Dole amendment passed. What the future of that will be after a veto I cannot say. But I do know that the lifting of the embargo would allow the Bosnia and Herzegovina Government to purchase arms and undoubtedly purchase many of them from us. They are not artillery oriented. They are infantry strong. The Bosnian Serbs are artillery strong, and these weapons that the Moslem Government of Bosnia and Herzegovina would purchase obviously would require people to train them and teach them how to use them.

The question is who would that be? If they buy arms from us, undoubtedly it would be members of our military force, and this is what concerns me. These Bosnian and Herzegovinan Moslem soldiers will not be coming to Fort Sill, OK, to be learning how to shoot artillery. It will be done in country, in all probability trained by American soldiers. This concerns me a great deal.

Now, Mr. Chairman, because there are sensitive negotiations going on at this time, I raise this issue so that the Members of this body will understand my deep concern. I say to my colleagues, Mr. Chairman, that the Balkans are not worth the life of one American soldier. This lifting of the embargo, unless my amendment would prevail, it allows Americans to go in and train, and if some of that does not work, they might become advisers, and then we see Vietnam all over again.

□ 1545

Because of the sensitivity of this and the negotiations at this time, subject to the opportunity at a future date to offer this issue and debate it fully, I ask unanimous consent to withdraw this amendment because of the concerns for the sensitivity of the various negotiations that are ongoing.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, and I do not intend to object, but I would like to point out to the gentleman from Missouri, who is one of the House's leading experts in the field of national defense and our national security, that the subcommittee spent a lot of time reviewing this entire matter. I would like to call to the attention of our colleagues the fact that the bill before us has seven pages of restrictions and direction as to the proper relationship between the President and the Congress on the issue of deployments for peacekeeping or whatever other purpose.

I appreciate the gentleman withdrawing his amendment, because actually the language in this bill is really very good and has been very well thought out.

Mr. Chairman, I withdraw my reservation of objection.

Mr. SKELTON. Mr. Chairman, if I may respond to our chairman of the subcommittee, and by the way, the gentleman does an excellent job and I appreciate it, and I am glad that the subcommittee reviewed this issue, because I am deeply concerned that one thing will lead to another and if there are not proper restrictions, if there is not proper language, we could very well find ourselves involved where we do not intend ourselves to be involved.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENT OFFERED BY MR. FARR

Mr. FARR. Mr. Chairman, I offer an amendment, amendment No. 7 to title VIII.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FARR: Page 94, after line 3, insert the following new section:

SEC. 8107. None of the funds appropriated by this Act or any other Act for any fiscal year may be obligated or expended in a total amount in excess of $6,700,000 for the relocation, as a result of the report of the 1995 Defense Base Closure and Realignment Commission, of the activity of the Army Operational Test and Experimentation Command that is located at Fort Hunter Liggett, California, as of July 1, 1995.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order against this amendment.

The CHAIRMAN. A point of order is reserved.

The gentleman from California [Mr. FARR] is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I have discussed this amendment with the gentleman from Florida [Mr. YOUNG], and I understand it may not be in order. However, I believe my amendment addresses an important issue, and I would like to speak briefly on the matter before withdrawing the amendment.

Mr. Chairman, my amendment prevents the Army from wasting Federal tax dollars to implement a recommendation by the BRAC Commission. The recommendation would relocate the TEXCOM Experimentation Center from my district to another facility. In their proposal to the BRAC, the Army claimed this move would cost no more than $6.7 million. It is this figure which BRAC used as a basis for its final recommendation to move the facility. However, there are Army documents that show that it may cost as much in fact as $13 million or more.

Mr. Chairman, let me quote from a recent U.S. Army Forces Command document which states that "Significant one-time costs are $17 million for realignment. There are no savings to be realized in this action."

Mr. Chairman, the purpose of my amendment is to hold the Army to its word that the relocation of TEXCOM would be cost-effective and save money important to the American taxpayers. If, as the Army claims, they can move TEXCOM for only $6.7 million despite their own estimates, then my amendment would change nothing. If, however, the Army attempts to convince BRAC to move the facility by raising it one figure and then raid the defense budget to meet the cost of the second higher figure, then my amendment would prevent such a move. In short, my amendment requires the Army to keep their word.

Mrs. SEASTRAND. Mr. Chairman, will the gentleman yield?

Mr. FARR. I yield to the gentlewoman from California.

Mrs. SEASTRAND. Mr. Chairman, the BRAC Commission voted to realign an experimentation unit from Fort Hunter Liggett to Fort Bliss, TX under an assumption that it would save the American taxpayers close to $68 million over the next 20 years, we have information that shows it will cost the taxpayers over $120 million to realign this facility—a simple $188 million error above what the BRAC Commissioners were led to believe.

The Commission was also led to believe that there would be a one time cost of $6.7 million to realign this base when in actuality it will cost closer to $43 million—over six times the projected one time cost.

I believe the realignment of this base weakens the best military training facility available to our service members. I also believe that the goal of saving taxpayer money by this realignment has not been met.

In addition, I believe the BRAC Commission did not have the best data on which to base their decision. It is for these reasons I support this amendment which would require the Army to realign Fort Hunter Liggett for the amount of money the BRAC Commission based its decision.

Mr. FARR. Mr. Chairman, reclaiming my time, I thank the gentleman from Florida [Mr. YOUNG] for his important help in this matter. I look forward to working with him in the future on this problem.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment to title VIII.

The CHAIRMAN. The Chair would inquire if this is the identical amendment that was previously offered?

Mrs. SCHROEDER. Yes, Mr. Chairman, it is the identical amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. SCHROEDER: Page 94, after line 3, insert the following:

SEC. 8107. (a) LIMITATION ON THE USE OF FEDERAL FUNDS BY CONTRACTORS FOR POLITICAL ADVOCACY.—None of the funds made available by this Act may be used by any Federal contractor for an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Carrying on propaganda, or otherwise attempting to influence Federal, State, or local legislation or agency action, including any of the following:

(A) Monetary or in-kind contributions, endorsements, publicity, or similar activity.

(B) Any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or

any segment thereof, including any communication between the contractor and an employee of the contractor to directly encourage such employee to urge persons other than employees to engage in such an attempt.

(C) Any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any government official or employee who may participate in the formulation of the legislation or agency action, including any communication between the contractor and an employee of the contractor to directly encourage such employee to engage in such an attempt or to urge persons other than employees to engage in such an attempt.

(2) Participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including monetary or in-kind contributions, endorsements, publicity, or similar activity.

(3) Participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the contractor or potential contractor is a defendant appearing in its own behalf: is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that contractor or potential contractor.

(4) Allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(b) LIMITATION ON USE OF FEDERAL FUNDS TO AWARD CONTRACTS.—None of the funds made available by this Act may be used to award a contract when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeded the sum of—

(A) the first $20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05: and

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of nonpartisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision there in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees. Other than communications described in subparagraph (c).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

Mrs. SCHROEDER. Mr. Chairman, as I said before, I think this is a terribly important amendment in that it does for profits what we did to nonprofits earlier this year in an appropriation bill.

Earlier this year, the Istook amendment was adopted by this House, and what it did was say that groups, and there are over 460 of them, such as the American Cancer Society, the American Red Cross, the American Society for Prevention of Cruelty to Animals, the Baptist Joint Committee, the United States Catholic Conference, the YMCA, the YWCA, March of Dimes, Multiple Sclerosis, and on and on and on, would not be allowed to use their own funds to lobby in the Congress. This was called defunding of those groups, and that was thought to be very fair. If that is fair, then it is certainly fair to say to profit groups that are getting huge Government contracts that they also should not be using their funds to lobby Congress in this manner.

Now, this amendment is written in exactly the same form as the Istook amendment. It is a limitation on the use of Federal funds by contractors for political advocacy, which means obviously coming to a Federal contractor, having any activity which would be made known to a Federal official or having the authority to obligate or approve or vote for funds that would benefit them. I think this is terribly important, and I certainly, certainly hope that we can in fairness do for the profits what we did for the nonprofits, or I think a lot of people are going to say wait a minute, wait a minute. If you are a nonprofit, do-good group that is collecting it for dues, that is one thing. However, if you are out there and you are making big profits, then you can do whatever you want to with Federal money to lobby to get more of it. I think that would really tilt the scales of justice. All of this is about making sure the scales are even.

Mr. Chairman, I would say after we adopted the Istook amendment on the nonprofits that we certainly should be adopting the Schroeder amendment on the profit side in this area, and I hope we can get a strong aye vote and move on.

Mr. Chairman, today I intend to offer an amendment that would crack down on defense special interests. Recently, this chamber voted to limit the ability of nonprofit organizations to lobby. The provision, Representative ISTOOK's amendment to the Labor, HHS, and Education appropriations bill, limits the ability of recipients of Federal grants to lobby with their non-Federal funds.

While I voted against this limitation on the floor based on constitutional grounds, I recognize the writing on the wall. The majority of this Chamber believes that the ability of special interests to peddle their influence should be seriously curtailed. Assuming that this provision may become the law of the land, shouldn't it then include the real special interests, that is, defense contractors?

Lockheed Martin is now the Nation's largest defense contractor. Their total revenues amounted to $22,900,000,000, 62.9 percent of their revenues were derived from defense-based revenues. In 1994, they received $9 billion in prime contracts from the Department of Defense.

Another example? The political action committee for Northrop Grumman and the major B–2 subcontractors contributed $150,850 in the first 6 months of 1995 to 115 Republican Members of the House. They organized subcontractors to lobby their own State delegations. They organized and paid for fact-finding trips for Members, and invited staff to their B–2 factory in California. The result? The House committees authorized and appropriated $553 million and $493 million respectively for the first installment of 20 new B–2 airplanes, which, according to the GAO, can't tell the difference between a mountain and rain.

Which do you think peddles more influence, nonprofits or defense contractors? It is not the YMCA, the Girl Scouts, the Sierra Club, or the Children's Defense Fund. Influence in this town is bought and sold. Logically, it follows that the most influence resides with the most money—the contractors. What is good for the goose is good for the gander. Support my effort to create equity between nonprofit and for-profit lobbyists.

CAMPAIGN CONTRIBUTIONS FROM DEFENSE FIRMS

LOCKHEED

1995–96—Democrats: $0, Republicans: $59,400 (37 Candidates), Total: $59,400.

1993–94—Democrats: $338,210 (128 Candidates), Republicans: $254,401 (120 Candidates), Total: $592,611.

MCDONNELL DOUGLAS

1995–96—Democrats: $31,000 (37 Candidates), Republicans: $57,749 (70 Candidates), Total: $88,749.

1993–94—Democrats: $160,350 (111 Candidates), Republicans: $80,150 (72 Candidates), Total: $240,500.

NORTHROP GRUMMAN

1993–94—Democrats: $94,555 (70 Candidates), Republicans: $51,050 (46 Candidates), Total: $146,355.

LITTON INDUSTRIES

1995–96—Democrats: $9,500 (13 Candidates), Republicans: $19,299 (26 Candidates), Total: $28,799.

1993–94—Democrats: $52,700 (40 Candidates), Republicans: $60,400 (44 Candidates), Total: $113,100.

GENERAL DYNAMICS

1995–96—Democrats: $33,050 (35 Candidates), Republicans: $74,700 (56 Candidates), Total: $107,750.

1993–94—Democrats: $235,862 (106 Candidates), Republicans: $149,250 (74 Candidates), Total: $385,112.

1994 Defense Firm Revenue from Sales to U.S. Government

Lockheed, $16.564 billion (Lockheed's revenue has also been shown to be $14.4 billion).
McDonnell Douglas Corp., $9.2 billion.
Northrop Grumman, $5.41 billion.
Litton Industries, $3.16 billion.
General Dynamics, $2.862 billion.

Mr. LIVINGSTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I know it is a thoughtful amendment and on first glance, it probably looks like a good idea. After all, what is good for the goose is good for the gander if you are dealing with apples and apples and oranges and oranges and that sort of thing. The fact is we are not. We are dealing with apples and oranges. We are dealing with two entirely different concepts.

One is a concept of direct agency, if you will. When the U.S. Government contracts with a public charitable organization to provide charitable services to the American people or abroad, in effect that charitable organization becomes the agent of the U.S. Government. It is taking U.S. taxpayers' money exclusively, subtracts an administration surcharge which they do not pay taxes on, then dispenses what is left to the eligible recipient, to the person who is in need, or to the group of people that are in need.

That is legitimate. That is a legitimate function of Government, and it is perfectly acceptable and should be encouraged. The agency is exclusively taking nonprofit money or money from the American taxpayer to render service to a beneficiary, and any money that they divert for their own costs should not be used to go back and lobby for more money that is in effect not the purpose for which the money was intended in the first place.

In other words, it is a diversion of money, Mr. Chairman. It is a diversion from the purpose for which the money was intended. The money was intended to go to the beneficiary, not to the agency to lobby for more money. The agency is supposed to administer taxpayers' money for some good, altruistic purpose.

In the case of the contractor, there is no agency. A defense contractor is like any other contractor, and I do not know why the gentlewoman stopped at defense contractors. I do not know why she did not just go out and say any time the U.S. Government contracts with anybody for a product or service for the Government's use you cannot lobby.

But, if she did that, No. 1, is a denial of the privilege of the first amendment, which is the right of speech under the Constitution of the United States, to exercise their opportunity to speak to their government, to the representatives of their choice, because in fact you would be applying it to everybody in America. But since you have limited it to just defense contractors or just individuals who provide services or goods to the U.S. Government for the purposes of defense, it is not everybody, it is just tens of millions of people.

Now, we already have title X of the United States Code for the Armed Forces, which deals with all of the activities affecting contracts between vendors in the defense arena and the U.S. Government. In fact, this document here, title X, is something like 16,000 pages thick. Well, I do not know how many pages. It is thick. I do not think anyone will deny that.

That is a compilation of law accruing over the last 30 or 40 years. The last time I checked, the gentlewoman from Colorado has been on the Committee on National Security for the last 18 to 20 years, and so she has played a vital role in affecting this document. I do not recall that she has come forward and said that no contractor in the defense arena cannot lobby, or can lobby the U.S. Government until now, but she may have. But she is doing it now, and she is entitled to do it. But let us not get confused. Anybody who renders products or services to the Government for profit is a private individual, is a private contractor, is working for a living, making products, rendering services, just like any private individual in this country, and does not depend for his income exclusively on the American taxpayer is not a salaried employee of the American taxpayer, is not an agent of the American taxpayer or the American Government.

The other instance in which Mr. Istook offered the amendment earlier in another bill is a system, or is an instance of agency versus contract for hire.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

(By unanimous consent, Mr. LIVINGSTON was allowed to proceed for 2 additional minutes.)

Mr. LIVINGSTON. Mr. Chairman, we are dealing with agency versus contract for hire, contract for products. There is a real distinction, and to say to anybody who is a contractor who deals with the Federal Government that you cannot lobby is in essence, frankly, to deny their rights under the first amendment of the Constitution of the United States and totally flies in the face of any constitutional principles that I know of.

□ 1600

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. LIVINGSTON. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, first of all, let me answer why it only applies to defense contractors, and that is because of the scope of this bill which I know the gentleman understands. I obviously cannot do it for the universe because we are within this context only, so that is easy.

Let me then go on and say I do not think that what we are trying to say here is not that they cannot lobby, it is that they cannot use Federal funds that they are getting for this to keep lobbying to get more. It is like once you get in the trough, you just keep getting more to feed more, which was what the concern was, I think, in the Istook amendment when people were concerned that some of the agencies might use some of the Federal money that was supposed to go to beneficiaries instead of lobbying to get more.

Mr. Chairman, I think the analysis here is rather similar. We want the analysis to be on a threat based by neutral people rather than people who got a lot of money to manufacture something or make something, then trying to find out more reasons and spend the same money to spin more reasons to convince us we should buy even more for them. That is a heck of a deal. That is a heck of a deal.

Those regulations you are showing, this person has been trying for 20 years to find ways to close that door. We have never been able to really close that door very well. That is why I am saying doing the mirror image of what we did to nonprofits makes an awful lot of sense because maybe it will then be clear across the board and very fair.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. LIVINGSTON] has again expired.

(By unanimous consent, Mr. LIVINGSTON was allowed to proceed for 2 additional minutes.)

Mr. LIVINGSTON. Mr. Chairman, if the gentlewoman would allow me to clarify something, is it her intent with this amendment to say that no contractor will use Federal funds but will not be denied the right to lobby by using their own private funds?

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will continue to yield, this is titled "limitation on the use of Federal funds by contractors for political advocacy." I do not know how you can be any clearer than that. That is the title of this.

Mr. LIVINGSTON. Mr. Chairman, lots of titles of lots of bills and lots of amendments are deceiving as much as we might intend it otherwise. I specifically would like the gentlewoman to express her intent, her individual intent, the author of this amendment's

intent. Would a contractor who expressly uses his or her, or its own money, private money, be entitled to lobby under her amendment?

Mrs. SCHROEDER. The gentleman is correct, because what my amendment says is that it is a limitation on the use of Federal funds to award contracts. None of the funds made available by this act, this act, period. That is about as clear as I know how to make it. Funds made available by this act, which is the defense act going to defense contractors, can be used to go out and lobby for more next year. What we are really saying is the money we are allocating today goes for weapons, not for a way to make sure you get in next year's bill.

Mr. LIVINGSTON. Mr. Chairman, next year the money becomes privatized once it become awarded. I understand the intent, but once money is earned on a contract, it becomes private. How does one determine whether or not that is money from this act, this particular contract?

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. LIVINGSTON] has again expired.

(By unanimous consent, Mr. LIVINGSTON was allowed to proceed for 2 additional minutes.)

Mrs. SCHROEDER. Mr. Chairman, if the gentleman will continue to yield, again, all of those regulations are about the fact that they have to show their costs. We know, if anything, we probably have too many regulations overregulating, making sure we know that. We make sure we have all sorts of people doing oversight everywhere in the Defense Department because we do not just let them guess what it is going to cost and then find out they spent half the money to go out on a cruise instead. We know we are supposed to be doing that oversight. So that is how we know and I think it is very clear.

Mr. LIVINGSTON. Mr. Chairman, if it is the gentlewoman's express intent not to deny private individuals, private corporations, from using their own private funds for lobbying the U.S. Congress, and that her intent is exclusively to deny the right of use of Federal funds for lobbying, then I withdraw my objection.

Mrs. SCHROEDER. I am delighted that the gentleman from Louisiana withdrew his objection. That is my intent and I thank the gentleman for yielding to me.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment, No. 9.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: Page 94, after line 3, insert the following new section:

SEC. 8107. Notwithstanding any other provision of this Act, the amount made available for the National Foreign Intelligence program (other than for the Central Intelligence Agency Retirement and Disability System Fund) from the appropriations provided in this Act shall not exceed 90 percent of the amount made available for such Agencies (other than for such Fund) from the appropriations provided in the Department of Defense Appropriations Act, 1995 (Pub. L. 103-335.

Mr. SANDERS. Mr. Chairman, I have an amendment at the desk which is cosponsored by the gentleman from New York [Mr. OWENS].

Mr. Chairman, this amendment is simple and should be supported, although I doubt that it will, by all deficit hawks and those of us who are concerned about a cost-effective government. It cuts funding for the national foreign intelligence program by 10 percent. That is a 10-percent cut in funding for the CIA, and it is a 10-percent cut to the intelligence activities and the Drug Enforcement Administration, the FBI, the National Reconnaissance Office, the National Security Agency, the Defense Intelligence Agency, and other intelligence agencies.

Mr. Chairman, again, let me reiterate that this does not cut the funding for the entire agency. It merely cuts the funding for their intelligence gathering activities.

I would also like to point out that this amendment does not cut intelligence funding for war-time operations. Both tactical and joint military intelligence are not cut. This amendment does not compromise our military strength.

Furthermore, Mr. Chairman, this amendment does not affect the CIA retirement and disability fund.

Recent articles in the Washington Post and other publications estimate that the entire intelligence budget is approximately $29 billion. According to information from a variety of publications and from public documents, about $16 billion of that budget goes to the national foreign intelligence program. That means that this amendment, if adopted, would save the taxpayers of America about $1.6 billion, and even in Washington that is a lot of money.

Mr. Chairman, how do we explain to the American people that Congress is considering major cuts in Medicare, which will have a disastrous impact on the lives of many elderly people; major cuts in Medicaid, which will hurt senior citizens and low-income people; major cuts in student loans, in education; major cutbacks in nutrition programs, in housing and in the environment and a variety of other programs which will impact on tens of millions of people in the middle class, the working class, the elderly, low-income people. How do we say that we can go forward in those areas but, despite the end of the cold war, despite the fact that the Soviet Union no longer exists, that we cannot make at least a 10-percent cut in the intelligence budget and save the taxpayers $1.6 billion?

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as we find ourselves in a world where there are more and more intelligence targets popping up every day, it is not a good idea to further reduce our intelligence budget. Now, I say further reduce because we have already reduced this budget by 16 percent since 1990. We have far less intelligence spending today than we did during Desert Storm. The intelligence community work force is going through a significant downsizing. In the next three fiscal years the work force will be 23 percent smaller than it was in 1990.

The Sanders amendment would affect the intelligence community's ability to support policymakers, military leaders at the national, theater, and tactical levels and law enforcement officials. It could impact critical support to deployed military commanders and tactical forces such as those in Bosnia; critical investments in satellite collection initiatives that are intended to aid our deployed military forces, counternarcotics, international crime and counterterrorism collection, and analytical capabilities would all be affected; as well as our ability to keep pace with the telecommunications developments which are growing dramatically. We cannot afford to do this.

Mr. Chairman, our intelligence budget is already, in my opinion, below the level where it should be. What are some of the targets? What are some of the areas where we have to have intelligence if we are going to protect the U.S. interests and U.S. personnel. Bosnia is the very obvious location. Iraq is very obvious. North Korea, has been in the media for months as well as Russia and the former Soviet states. Libya and Syria have terrorism groups who have threatened the United States interests. Those who would proliferate nuclear weapons, chemical and biological weapons, and we cannot deny the fact that these are all happening. We have to know where and how.

Drugs. Narcotics. The post-cold-war environment. When the Berlin Wall came down and the Iron Curtain melted, we all breathed a sigh of relief and thought, hey, the world will be a beautiful place, full of peace. But while we are still applauding ourselves, up out of the sands of the desert comes Saddam Hussein.

We have to have intelligence. The United States, being the Nation that we are, we have to have adequate intelligence. And I say again, in this bill, we have reduced the intelligence budget to

a level actually below where I think it ought to be. A further 10 percent cut just is not acceptable.

Mr. Chairman, as much as I agreed with and supported the gentleman from Vermont [Mr. SANDERS] on his earlier amendment, I have to oppose this one with equal fervor because this would be extremely dangerous.

Mr. OWENS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hope the taxpayers are listening very carefully. Taxpayers are angry and they have good reason to be angry. We are paying too much taxes. Taxes should be lowered for families and individuals, while we raise taxes for corporations. Families and individuals are paying something like 44 percent of the tax burden. Corporations are only paying 11 percent, but that is a discussion for another time.

The other way we deal with the way our money is being handled is by streamlining and downsizing and cutting out waste in Government. Here is a concrete example of extreme waste in Government. We cannot talk about concrete figures because they will not give them to us, but there is general agreement. Nobody ever challenges the figure, but the overall intelligence budget is about $28 billion, no less than $28 billion. We are talking today about one portion of it which deals with information gathering activities related to the military which everybody agrees is no less than $16 billion.

In previous amendments we have called for a 10-percent cut in the overall intelligence budget, and that would have been $2.8 billion, or a 10-percent cut for 1 year. And then we said over a 7-year period of course that adds up to much more.

This is a reasonable amendment, very reasonable. As the gentleman from Vermont [Mr. SANDERS] pointed out, it does not apply in wartime. A number of things are exempted. It is understood that we need an intelligence operation. Nobody is saying we do not need it.

What we are saying is that, while we are streamlining, while we are downsizing, while we are going after military pensions and the pensions of Government employees, while we are cutting Medicare, while we are cutting Medicaid, while we have just cut the budget of the title I program for education by $1.1 billion, while we have cut out the whole summer youth employment program, while we are doing all this, then let us look at a piece of waste in this budget which is obvious. It is obvious that we do not need the CIA at the same level as we had it before.

□ 1615

The gentleman before us said, and I will take him for his word, he said we have cut it by 16 percent since 1990. If half of the total activities of the CIA budget were dedicated to the Soviet Union, the evil empire, a major opponent, the other superpower, it used to be the other superpower, a real threat, half of the intelligence budget was dedicated to the Soviet Union, if half of the budget was dedicated to the Soviet Union and the Soviet Union is no longer that kind of threat, then surely we can cut the budget.

If Members say the Soviet Union does not exist anymore, the fragments of the Soviet Union still constitute some kind of threat, let us cut the budget not by half, let us cut it by 25 percent. That is reasonable, instead of 16 percent, let us cut it by 25 percent, which means we have some more cutting to do. We can cut.

We are talking about very real money, that if it is not cut here, will be cut from somewhere else. We can use this $1.6 billion a year. The $1.6 billion per year could be used to replace the $1.1 billion we just cut from the title I program for children's education. That is where we need the intelligence.

Our intelligence budget should be increased in the area of education. Nothing is more significant, nothing is more important for the security of the Nation than an informed population, than a well-educated population. The brain power of America will decide whether we remain a superpower and the leader of the world, or not.

That brain power is suffering right now because we just cut it $1.1 billion. Here is an opportunity to make a cut where it should be, $1.6 billion, out of the intelligence budget. What does the intelligence budget do? The present budget, it is bloated, and because it is bloated, because there is too much bureaucracy, because they do not have enough things to do, they get into situations like the Aldrich Ames situation.

This should be called, partially, the Aldrich Ames Cleansing Act. Aldrich Ames, who had a high place in the CIA, for years did nothing but destructive activities. He carried on a whole series of destructive activities for many years, for which he was paid millions of dollars by the enemies he was supposed to have been spying upon. Aldrich Ames could get away with that because it had no significance. It had significance in terms of the people who died, agents who were in the service of this country died as a result of Aldrich Ames' treacherous activities, but it did not have any significance on peace or war in the world. It had no significance with respect to the security of the United States. We do not need to keep spending $16 billion in this particular area and $28 billion overall for the CIA. We can cut the intelligence budget.

Mr. COMBEST. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I could not agree more strongly with the gentleman from Florida [Mr. YOUNG], the chairman of the Subcommittee on National Security of the Committee on Appropriations. I might also mention the gentleman from Florida is a member of the Permanent Select Committee on Intelligence.

I could not any more eloquently outline why we should not accept this amendment. Rather than repeat a number of the things that the gentleman from Florida said, Mr. Chairman, what I would like to do is to quote from a speech which the President, Mr. Clinton, made to employees of the Central Intelligence Agency recently on a visit that he made there.

> Today, because the Cold War is over, some say that we should and can step back from the world and that we don't need intelligence as much as we used to; that we ought to severely cut the intelligence budget. A few have even urged us to scrap the central intelligence service.
>
> I think these views are profoundly wrong. I believe making deep cuts in intelligence during peacetime is comparable to canceling your health insurance when you're feeling fine. We are living in a moment of hope. Our Nation is at peace. Our economy is growing all right. All around the world, democracy and free markets are on the march. But none of these developments are inevitable or irreversible.
>
> Now, instead of a single enemy, we face a host of scattered and dangerous challenges. They are quite profound and difficult to understand. There are ethnic and regional tensions that threaten to flare into full-scale war in more than 30 nations. Two dozen countries are trying to get their hands on nuclear, chemical, and biological weapons. As these terrible tools of destruction spread, so too spreads the potential for terrorism and for criminals to acquire them. And drug trafficking, organized crime, and environmental decay threaten the stability of new and emerging democracies and threaten our well-being here at home.
>
> In the struggle against these forces, you, the men and women of our intelligence community, serve on the front lines. By necessity, a lot of your work is hidden from the headlines. But in recent months alone, you warned us when Iraq massed its troops against the Kuwaiti border. You provided vital support to our peacekeeping and humanitarian missions in Haiti and Rwanda. You helped to strike a blow at a Columbian drug cartel. You uncovered bribes that would have cheated American companies out of billions of dollars. Your work has saved lives and promoted America's prosperity.

Mr. Chairman, those are words from a speech that the President made to employees of the Central Intelligence Agency. I do not normally quote the President. However, I do not think it could be better summed up. I rise in strong opposition to this amendment and would urge my colleagues to vote "no."

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am touched by the endorsement of the Republican chairman of the Permanent Select Committee on Intelligence of the Clinton policy in this regard, but I have to disagree with it. In fact, we are being told

a couple of unbelievable things. Essentially we are being told that the collapse of the Soviet Union means that there is no opportunity to save money in intelligence. We are told there is, after all, Iraq and Iran and Libya. I agree.

I disagree with the implicit assumption that there was no Iraq in 1986, that Libya was created in 1983, and that Iran just floated down. All of those other threats were there at the same time. Ten years ago we were dealing with the terrorist threats in Syria, in Iraq, and Libya. Those were not the Andrews sisters a few years ago who suddenly turned ugly on us. Those countries and the threats they projected were a fact 10 years ago.

We also had, as the primary focus of our national security expenditure, a Soviet Union which led an unwilling empire of many other nations that were being held captive, that threatened our very existence. Yes, there are problems in the world today. There are people who run countries today who in a good world would not even be allowed to drive cars. They mean us harm and we need to defend ourselves.

However, we have succeeded in helping bring about the collapse of our single greatest enemy, so that the vast amounts of money and technology we had to spend to watch the Soviet Union and its capacity to make nuclear war on us, to deal with the Warsaw Pack and the millions of men under arms that threatened us there, they are substantially diminished.

The notion that with this collapse of the major part of the threat there is no grounds for savings is nonsense, but it is not simply abstract nonsense. It is now nonsense that drives us to say that college students will not get the kind of student loans they used to get, that drives us to say that we cannot afford enforcement in environmental areas, that drives us to take money away, so that public housing projects have recently been told, thanks to the rescission that the other party put through, that needed repairs to elderly housing will have to be deferred.

The argument that we cannot make substantial cuts when the substantial threat has diminished is nonsense. Everything that is now a threat today was a threat 10 years ago. There are no brand new threats in the world. What is new is that we do not have this ongoing likelihood of thermonuclear war, and what we are saying is we believe that at least a 10-percent cut is possible, given the collapse of that central threat.

I was also struck when the chairman of the subcommittee, my elevator buddy that I travel with up and down, said "We have cut 16 percent," because I do not believe we have cut 16 percent in nominal dollars. That is, I do not think the dollar amount today is 16 percent less than what it was. I think he was saying that in real terms it has been cut. That is, it has not been allowed to keep up with inflation.

That is very striking, because my Republican friends in particular, when we are talking about a program that they like, suddenly start talking about real terms, and the failure to keep up with inflation is considered a cut. When they are talking about programs they do not like, that gets reversed.

In fact, there has not been a 16-percent reduction in the dollars. What they are saying is it has not been allowed to keep up with inflation, but it has not been aimed at inflation, it has been aimed at the Soviet Union.

One other point. If any other agency of government had had the kind of disaster that the Central Intelligence Agency had with Aldrich Ames, we would be talking about the need to cut back on their money because they were so badly run. They employed a Russian spy. If HUD had working for it a person who was secretly demolishing good housing, HUD would be held to account. If the NIH had somebody who went around and spread the plague we would say "We have to control them."

The CIA is like the Defense Department. If they screw up badly, this house will reward them with more money, the theory apparently being that since they wasted so much of what we gave them, we had better give them some more to make up for it. It is an absolute reversal of the normal rules. If a domestic agency misspends money, they are in trouble. When others in national security do, they get rewarded. If our national security was at stake, that would be a factor, but in this bill we are ignoring the savings that the American people are entitled to by the collapse of that threat to our national security.

Mr. DUNCAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment, and I will not take the full 5 minutes, but I will say briefly that I feel this is a very reasonable amendment, a very moderate amendment, and in fact, I would make an argument that it is a very conservative amendment. As most people in this House know, I think I have one of the highest percentages of voting with the majority of my party in the years since I have been here.

I know that not many on my side of the aisle will be voting for this amendment, but I am very pleased that many or several leading conservative organizations have voiced support for this, including very strong support from the Citizens for a Sound Economy, because this is a conservative amendment, because it would save a substantial amount of taxpayers' money.

Many of us saw on the front page of the U.S.A. Today a few days ago that our national debt has now reached over $5 trillion. Alice Rivlin, who is the President's Director of the Office of Management and Budget, put out a memo a few months ago and said we will have yearly losses of over $1 trillion a year by the year 2010, and over $5 trillion a year by the year 2030, if we do not make major changes now. This is one area that can be reduced without harmful effect, because even if this amendment goes through, we can still have a very strong, even a lavish intelligence operation in this country.

I favor a strong intelligence operation, but surely to goodness we can have a good, strong intelligence operation with all the many billions that would be left, even if this amendment passed. If this amendment passes, and it is a cut of 10 percent of a little over half of our intelligence operation in this country, if this amendment passes we will still be spending more than twice the annual budget of the entire State of Tennessee for all that it does; and Tennessee, with a little over 5 million people, is exactly typical, and almost exactly average, in all areas of spending compared to other States, all the other States in this country, so we can still have a very active intelligence operation.

Let me tell the Members what some of this money is being spent for. Last year it was reported on the front page of the Washington Post that the National Reconnaissance Office was building a secret building out here in Virginia, spending $310 million for a 1-million-square-foot building. That is $310 a square foot, about three times the amount that State governments spend on beautiful buildings all over this country. They are spending in these lavish, ridiculous ways because they are not being held back or not being held accountable in the way that they should be for taxpayer money.

These agencies, our intelligence agencies, unfortunately did not predict the coming down of the Berlin Wall, they did not predict the breakup of the Soviet Union. They are doing these esoteric studies and benefiting and helping no one, really, other than the bureaucrats who work for these agencies.

Therefore, I think it is time to step back and take another look at some of these agencies, and reduce their spending at the very time that we are downsizing the military. Many people, most people that I represent, would feel that we should really downsize the intelligence operations even more, and perhaps downsize the military of this country a little bit less, so I think this is a very fair, reasonable, amendment, and I urge its support.

□ 1630

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today's entire debate seems to be an exercise in delusion.

For those who have not been following events in the world, let me repeat something that doesn't seem to be getting through: The cold war is over. And now that the cold war is over, what in the world are we doing increasing the intelligence budget?

We simply have no business doing this at a time when we are slashing funds for Medicare, student aid, and child nutrition.

And, we have no business doing this at a time when the threat we are facing in this world is much reduced.

Mr. Chairman, it's time for this Congress to wake up and snap out of it. The cold war is over. It's time to cut the intelligence budget. This cut is fair, this cut is needed, and this cut should be passed.

The Sanders-Owens amendment saves over 1.5 billion. It needs our support.

Mr. BECERRA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was listening to the debate and watching the debate from my office when I was compelled to come here, because, as I remember, during the debate on the appropriations bill dealing with education programs, with programs for our working men and women to protect them at the workplace, for health programs for seniors, we made dramatic cuts in some of those programs, in some cases eliminating programs.

For example, we cut out every single dollar that we put in to subsidize seniors' payments of their home heating bills during the times in the winter when it is very expensive, especially on the east coast, to try to heat your home. This is for families, mostly seniors, as I said before, who are on subsidized incomes already and who are finding it very difficult to pay their bills, very expensive heating bills. We saw the case in Chicago recently where 400 people died because they had problems keeping their places cool enough to stay there and live, 400 people dying.

We cut dramatically into those programs, in some cases eliminating. Here we find that we are increasing a budget, and we cannot say the number because it is a secret, but we are increasing the budget for an operation which in many respects has outlived some of its purpose. The cold war is over. We have all said that.

Certainly we need our intelligence gathering abilities to remain, but we must certainly tighten our belts, and that includes within the intelligence branch of government. Yet we see that we are increasing the amount by something close to $1 billion, and at least we are trying to cut at least $1 billion out, to have the pain of cuts go all around.

Let me point out one thing that really disturbs me greatly. During the debate on this education appropriations bill, we dealt with the Head Start Program which helps young children. We were told during the debate by this new congressional majority that we had to cut Head Start programming to the tune of $137 million. That is what we cut from last year's funding levels. Why? Because we were told in some cases some of the programs that are administering these dollars for our kids were not very efficient. There was some overlap. We could make better use of the dollars, and this was a signal to them that they better shape up.

Yet we learned that with the CIA we are funding assassinations in countries like Guatemala with the assistance of CIA operatives. We find that they are spending $300 million on lavish offices and buildings, and here we are telling the American people that we have to tighten our belt and cut Head Start $137 million because the administration has not been as efficient as we would like.

I do not think that makes sense. On a budget that we cannot reveal the numbers to the American people, because it is an intelligence matter, we are saying "Let us increase", but when it comes to real intelligence, as the gentleman from New York [Mr. OWENS] pointed out, when it comes to our school children, we are willing to cut.

Forty years ago we had a President, Mr. Eisenhower, who said national security of this country relies on having educated people and a society that knows how to work, and for the first time the Federal Government became involved in helping local schools and local State governments fund education.

Ten years later under President Johnson we passed for the first time an education act to really have the Federal Government get involved. Of all the moneys that schools spend, the Federal Government provides about 6 percent of those dollars, a very small amount, but it is more than we used to.

Now we are told we have to cut back on what we spend on our children, because we have to tighten our belt, yet here we are told, "No; you do not have to tighten your belt, spend more, spend more", even though you are telling Head Start folks, "You cannot get more because you did not administer very efficiently", but the CIA, which helps fund assassinations by CIA operatives, that is OK.

There is something wrong. There is an inconsistency here, and I hope the Members of this body will realize that and vote for this very sound, very well-meaning and, I think, very meaningful way to send a message that everyone must tighten their belt. It is time for us to do it, not just for Head Start but to do it for the intelligence community as well.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words and in opposition to this amendment.

Mr. Chairman, I would just point out to my colleagues that we have made dramatic reductions in the intelligence budget, which is a classified matter and I cannot get into the details of it, but we have cut this budget more than George Bush wanted and much more than Bill Clinton wanted. I think we are on a course to reduce not only personnel but the overall expenditures, part of the major reduction in defense spending.

Sometimes people forget that between 1985 and 1995 we have reduced defense spending by about 38 percent, or $100 billion in real terms. The intelligence community has taken its proportion of those reductions, as I mentioned, not only in personnel but also in equipment.

This year's bill was put together on a very bipartisan basis. We looked at the needs in all areas of intelligence, and we came up with a number which is classified and I cannot get into, but I think is about as appropriate to the challenge that we are faced with out there.

Departed Director Jim Woolsey talked about the fact that in a post-cold-war era the world is not as safe and comfortable and cozy as a lot of people thought it was going to be. We have got problems throughout the world, and in my judgment the intelligence budget today is at about the right size and, as I have said, dramatically below what George Bush and President Clinton asked for.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from New York.

Mr. OWENS. Mr. Chairman, the gentleman disputes the figures that were given to us by another member of the committee. Sixteen percent was a cut, he said, that has taken place, and you say it is more like a $100 billion cut?

Mr. DICKS. On the defense appropriations bill. The intelligence budget is a part of the defense appropriations bill. What I was saying first is defense spending has been——

Mr. OWENS. You agree with the 16 percent figure that he gave us?

Mr. DICKS. I am not going to get into a percentage number because I think that may be classified itself. I am just going to say the defense budget itself has been cut by 37 percent between 1985 and 1995 or about $100 billion. We are down from $350 billion to $250 billion.

If the gentleman would go on with me for one more second, in procurement, we are going to have a procurement readiness problem out there in the future. The cut is from $135 billion to $41 billion.

We have been cutting defense very dramatically, and the intelligence budget has been cut as part of that. President Clinton, when he ran for President, talked about cutting it by 1.5 percent per year. We have cut it beyond that. We have cut it more deeply

than that. The gentleman from Pennsylvania [Mr. MURTHA] has been the person who, when he was chairman, made serious cuts in that budget.

Mr. OWENS. We want more money to go to the real defense budget, and not have Aldrich Ames and his colleagues wasting our money, at the same time killing our agents. We think it is being misspent and dangerously wasted in the intelligence operation.

Mr. DICKS. As the gentleman knows, President Clinton has just named Mr. Deutch to come in and be the new director. I as a Democrat feel that John Deutch is very competent, very professional. He has brought in a new management team, he has brought in a whole new top team at the directorate of operations where Mr. Ames resided, and you are right, there were serious problems there.

But to come in here now and say, well, because there were serious problems, we need to take a meat ax approach to the intelligence budget, I do not think is the right approach to it. As I looked at the budget just the other day, and I do not think any of the Members of the House have been up to even look at the classified annex of the budget, that is the only way you can really look and see what is in this budget.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Vermont.

Mr. SANDERS. Just tell the American people why it is OK to slash Medicare, education, and Head Start at a time, for example, in terms of education, we know we need more help for education, when at the same time half of the intelligence budget as I understand it went to fight the Soviet Union, and the Soviet Union no longer exists. Why can we not make a modest $1.6 billion reduction in intelligence funding?

Mr. DICKS. I would say to the gentleman, first of all, I share his concern about Medicare, Medicaid, and education, and I did not vote for balanced budget amendment that required a major tax cut which makes it a requirement to cut too deeply into these programs.

But I do believe that we have made serious and significant cuts in the intelligence budget already, in prior years leading up to this year, and also we have cut the defense budget which the intelligence budget is part of, so I think we have done the job. I think what the gentleman is offering is too severe, goes too far, and is not well thought out.

Mr. WELDON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the easiest course to take perhaps on this bill would be to support an amendment that would cut the intelligence funding that is so vital for our national security in a time when we are making tough decisions. But our job here in Washington is to look beyond what is the superficially easy answer and decision and to look at what in fact substantively is needed.

I spent the greater part of the break updating myself on what is happening in the former Soviet republics, and I hope my colleagues did the same. I would encourage my colleagues who may not have read what has been called perhaps the most important foreign policy book of this year, to read the book called Zhirinovsky. This book came out in the end of June 1995, and is a very intensely researched document by two leading Russian writers on Vladimir Zhirinovsky, who is leading the National Liberal Democratic Party. Zhirinovsky, as most of our colleagues know, his party won a majority of the seats in the Duma elections last year and stands to make significant gains in the elections in Russia this coming year.

For those who would argue that the threat from the former Soviet Union no longer exists, I would say take some time to read and update yourselves, whether it is through this particular book, which is a factual documentation, or perhaps the daily FIBUS reports which all of you have access to, which I read every day, on what is happening inside the former Soviet republics.

I take great pride in reaching out to the former Soviet Union. I cochair the energy caucus with the Russian Duma members, I cochair the environmental effort, and I work with them regularly.

But we have to understand, the military leadership in Russia today is the same military leadership that was there when it was the Soviet Union. They have not gone away. They have not run off and converted themselves. The generals in charge are the same generals who were in charge when it was a Communist state, and if you look at what is happening with the intelligence reports that we have access to as Members, they are planning on playing a major role in the upcoming Duma elections this December.

For those who say we can ignore all of this and that we can somehow put our heads in the sand and think that all is rosy, you are just not being honest with yourself or with the American people, because that is not factually borne out by what is happening in that country. There is tremendous turmoil in Russia. There is turmoil in Ukraine.

We had the President of Belarus, just 1 month ago, say he was no longer going to allow the return of the SS–25 missiles. He said he is going to keep them on his own soil, because Russia was not giving enough money to assist in dismantling those missiles. Those are the same missiles, by the way, that have a range of 5,500 kilometers, that can hit any city in America.

Mr. Chairman, I am not here as an alarmist, but what I am asking our colleagues to do is to read factual information. If my colleagues would like to read the book on Zhirinovsky if they have the time, I will provide a copy to them. If they would like to read the FIBUS reports, I will summarize them for them. If you would like to meet with some of the 100 Duma members I met with this year, I will arrange for that. You can laugh all you want. We are talking about a serious issue.

The point is, Mr. Chairman, that what we are doing here I think could really shortchange not just our military but the security of the free world. It might sound good to make a 10-percent cut in the intelligence budget. That is absolutely the wrong decision to be making on this bill, and I would encourage our colleagues to reject this amendment and support efforts to beef up our understanding of what is happening in the former Soviet republics.

□ 1645

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, my colleagues who appeared just before, he raised a point which I think is very, very important. During much of this debate, people have been suggesting that the world has changed so radically because the East-West confrontation has disappeared and, therefore, we can just radically adjust our defense spending, but there is no need for intelligence spending as well.

Mr. Chairman, let me say this: Beginning with an important point to me, it is my privilege now serving on the Committee on Appropriations, to serve on the Subcommittee on National Security that is before us today. But I also serve with my chairman of the Subcommittee on National Security as a colleague on the Select Committee on Intelligence as well. To combine those two responsibilities gives one a much different picture of the world than I had preceding that service.

Mr. Chairman, there is little question that all of us are very hopeful about the future in terms of the prospects of peace for the world. The hopeful elimination of the East-West confrontation is encouraging to each and every one of us who care about our future. Because of that, many in the House have automatically assumed that we can afford to lightly, almost radically readjust our defense spending.

As a result of that, as has been discussed, we have readjusted downward over the last several years in this Nation, causing us today to be spending $100 billion less than we were before. To suggest that in light of that, that just lightly we can recalculate the need for intelligence spending, readjust similarly, or whack away at these programs would be the gravest of mistakes

in terms of our responsibility, not just to this House, the people we represent, but also to those people we would have to preserve peace for in the world.

The intelligence community has come down, as has been discussed. Since 1990, the reductions have been close to 16 percent in this area. But let me say to my colleagues, further reduction could be a dramatic mistake on our part, for as we have reduced defense spending, we are dealing with the reality that the world is much more complex today, not less complex than when we were dealing directly, day in and day out, in our concerns about the Soviet Union.

Indeed, the world is complex not only in terms of Russia, but very, very complex in terms of those other countries we must deal with. And further complex by the fact that it is a much more dangerous world. Those who tended to set aside concerns about terrorism took a look again when bombs went off in New York. But even then, people lightly set that aside.

Oklahoma City came along and questions were raised one more time. Maybe we better know more about this complex world. I would submit to my colleagues and Members that this is exactly not the time to be reducing these budgets.

Indeed, the President, and I would speak to my colleagues on the Democratic side of the aisle especially, our President at this time needs more and better information, not less information. To cut this valuable base from under him is going to undermine his ability to develop policy that is critical to the future of peace in the world. This is not the moment for us to presume that intelligence is unnecessary. Indeed, the intelligent decision is to be increasing these budgets at this moment instead.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would like to just point out that we are not slashing Medicare. There is nothing about Medicare in this bill. And I can make this commitment to you, that in any legislation that this Congress brings forth to the House there will not be any slash in Medicare.

There is nothing in this bill about Head Start. There are a lot of things that were talked about during the debate that are not in this bill. And the reason I make this point is that there are 13 different appropriations bills, many agencies of Government, each one of them having their own areas of responsibility.

Mr. Chairman, we do not do anybody a service by trying to play one against the other and say we cannot do this because we are going to do that. These are all important, but they are not all done in the same appropriations bill.

A lot of things that have been talked about are things that could be done by the State governments. And as my colleagues know, through our block grant program we plan to do that.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

(On request of Mr. YOUNG of Florida, and by unanimous consent, Mr. LEWIS of California was allowed to proceed for 3 additional minutes.)

Mr. LEWIS of California. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, there are a lot of activities that we are going to be funding through block grants and other types of programs, but a lot of those could be done by the States or the local governments.

Mr. Chairman, if there is anything that the cities or the counties or the States cannot do that must be done by the Federal Government it is to protect the security of this Nation. We are talking about a national defense. We are talking about an Army, a Navy, an Air Force, a Marine Corps, a Coast Guard, an intelligence community, and all of these related activities.

Those things can only be done by the Federal Government. The States cannot do them. So, we as the Federal Congress have an obligation. The Constitution gives us the obligation to provide for the common defense. That includes intelligence, knowing what is happening in the world which might affect us. Let us face it, almost everything that happens in the world affects the United States today because of the Nation that we are.

We cannot afford to put blinders on our eyes or to put plugs in our ears and not be able to determine what a potential threat might be or where it might be coming from.

Mr. Chairman, we cannot accept this amendment. It is just too massive a cut in a relatively small budget that is essential to providing for the protection of the security of our Nation and our interests, whatever they might be, and our people.

Mr. Chairman, I emphasize our people, because intelligence not only deals with the spooky spy things that we hear about in the movies, but it deals with threats from terrorists. We deal with threats from narcotics dealers. We deal with threats from nuclear, biological, and chemical weapons. We are dealing with providing intelligence on a lot of threats.

If we do not have that intelligence, we are blindfolded. We just cannot have this cut.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, I appreciate the comments of the gentleman from Florida for he has said it all. In this moment, in this very, very complex world, it is just the moment the President needs more and better information and the House needs that information too.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, one of the reasons we have been able to cut the defense budget by $100 billion is because we are getting better and better intelligence. In the gulf war, for example, we were able to use precision-guided munitions and we were able to use the intelligence we had for targeting purposes, and we got a much higher kill rate than we ever got in any other war before.

As we move into the future, with the block 30 upgrade on the B-2, we will be able to fuse intelligence right into the cockpit and go after Scud missile launcher and other mobile targets.

The CHAIRMAN. The time of the gentleman from California [Mr. LEWIS] has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. LEWIS of California was allowed to proceed for 1 additional minute.)

Mr. LEWIS of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, in the totality of the defense budget, we are going to be able to come down a little further if we have quality intelligence. I just believe that a 10-percent cut on top of what we have done over the last 4 or 5 years is too severe and I urge that we defeat the amendment.

Mr. LEWIS of California. Mr. Chairman, reclaiming my time, the gentleman from Washington [Mr. DICKS] makes a very important point. Indeed, it is my work on the Select Committee on Intelligence that has caused me to believe that we are right on the verge of peace in our time. There is a hope for peace in the world, because of some of the things that America is about. Our intelligence community is playing a very significant role in that connection.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I have heard a few things said on the floor, and I feel that if people would have served in the frontline, either in the intelligence agency or in the service of this country in the military, that their views might change because of the threat.

First of all, I heard that the cold war is over. Russia, the former Soviet Union, today has built and is producing an airplane called the Su-35. It is superior to our F-14's and even our F-15 Strike Eagles. That airplane carries an AA-10 missile superior to our AMRAAM. They are stealthing their Baltic fleet. They are second in the world at accomplishing that.

Mr. Chairman, I look at Bosnia and the threat that we have there, the imminent threat of putting our troops; another reason why I did not want to

lift the arms embargo. Saddam Hussein is still out there. The problems in Israel and North Korea.

The Bottom-Up Review was a level at which we were supposed to fight two conflicts simultaneously after our drawdown. Well, according to GAO, we are between $150 to $200 billion below the Bottom-Up Review, and this is the bare-bone minimum, after a drawdown.

Mr. Chairman, especially in a weakened state, and after the hearings and the testimony time and time again before our committee where they say we could go to war, but it would be a very short-lasting readiness level, that we definitely need more intelligence instead of less.

Second, this is at times, Mr. Chairman, a very evil place and I believe that. It is a place about power. It is a place about the ability to disperse money so that you can get reelected with interest groups. It is the ability to get reelected so that you can control the power and control the majority. And to do that, what we are actually trying to do in education and welfare and the other things are damaged.

Let me give you a couple of classic examples. We get a very low percentage of the dollars back down in the education because the Federal bureaucracy that eats it up here in Washington, DC, but I have heard people say we are cutting education. What we are doing is cutting the Federal bureaucracy.

We only get 23 cents of every dollar that we send here back to the classroom. Take a look at the State bureaucracy, which we have to limit as well. That is not helping education. Look across this country with the SAT scores and reading comprehension, the system has failed.

The gentleman from the other side has his right to a view of bigger government and bigger bureaucracy. I am not disputing his right to have that view. But in that view, it damages the national security of this country, and that I do dispute.

I look at welfare and a very failed system where we only get about 30 cents out of every buck down to it, but yet they will tell you that we are taking food out of mothers' mouths. And in the Medicare system where we are increasing it from $4,800 to $6,700, that is not a cut; that is an add.

Mr. Chairman, we are not going under the same assumptions that they do that we are going to allow the mismanagement, the $16 billion in fraud, waste, and abuse and other things. The bottom line is that we are taking that power out of Washington and moving it back to the States. In the meantime, we are trying to protect this country and its national security needs. In a weakened state, we need to encourage the increase in the intelligence community.

Right now, today, over Bosnia, we have an unmanned drone called the Predator. We are also using the Hunter. That information allows us to find those targets and lessen the risk to our pilots as they are flying over Bosnia today. Yet those systems under these cuts would probably go away. They are just hanging on with the limited funds we have available for national defense.

Can we afford to put our people's lives at risk when we are taking these kinds of cuts? When we are already $200 billion below the Bottom-Up Review and the President of this country, in his first Budget Act, wanted to cut defense $177 billion, after candidate Clinton himself said that $50 billion would put us into a hollow force.

So, Mr. Chairman, I respect the gentleman's right to have his view, but on the same term, I do not respect the ability that it would diminish the chance of our men and women coming back in combat.

Mr. MURTHA. Mr. Chairman, I move to strike the requisite number of words.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Vermont.

□ 1700

Mr. SANDERS. Mr. Chairman, now is not really the time to get into a debate over some of the issues that the gentleman from California and the chairman raised, but I would just say the following: We are one Government, and all of the money that we expend comes from the taxpayers, the American people.

The facts are very clear that the United States has, for example, the highest rate of childhood poverty in the industrial world. Nobody disputes that. It is a national shame. In my view, the gentleman may disagree.

The facts are also clear that as a result of policy being made by the majority party, more and more children in this country will suffer and childhood poverty will increase. The United States today, in the United States today, millions of working-class families cannot afford to send their kids to college.

To my mind, there is no question but as a result of recent decisions made by the majority, it will be significantly harder for middle-class families to send their kids to college.

In my State of Vermont and in California and all over this country, millions of elderly people cannot afford the high cost of pharmaceutical drugs, and millions of senior citizens today cannot afford the high cost of health care, despite Medicare.

There is no dispute that as a result of cuts in Medicare, it will be harder and harder for the elderly people to pay for their health care needs, which are going up.

We are one people. If we expend more unnecessarily on intelligence budgets, with the end of the cold war and the decline of the Soviet Union, there is simply less money available to be used on other domestic needs.

Mr. MURTHA. Mr. Chairman, reclaiming my time, I oppose my friend's amendment, and I say we worked hard in trying to balance the intelligence-gathering effort in this country.

Over the years we saw that there was excessive spending, and we cut it dramatically a couple of years ago, against the advice of the President himself and the Director of the intelligence agency. But we think we made the right cuts, the threat had changed so dramatically.

We are continuing that trend to make sure it is leaner and does a better job with the changed threat.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from California.

Mr. CUNNINGHAM. I thank the gentleman for yielding.

Mr. Chairman, I agree with the gentleman from Vermont in the fact that it would be inappropriate to bring up those issues if they had not been brought up by your side as saying that we were taking away from this bill. That is the reason I addressed them.

Secondly, as we have been only in power for a very short time as far as the majority, those kinds of things did not happen on our watch. Look at the welfare system as it has failed today. Look at the education system. We have good schools.

But as you take a look across the board, there is a lot of work we can do to help those things, and with the Intelligence Committee and with the drawdown of our defense forces, you cannot say the majority party is destroying these other things to beef up defense. Those systems are already in dire need of help. That is what we are trying to do by taking the power away from you and away from Washington and giving it back to the people.

Mr. MURTHA. Let me just urge the Members to vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House of Monday, July 31, 1995, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

The point of order of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mrs. SCHROEDER: Page 94, after line 3, insert the following new section:

SEC. 8107. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 3 percent.

Mrs. SCHROEDER. Mr. Chairman, I stand to say I think this is a very, very important amendment and a chance to deal with the biggest threat America has, and that is the threat of the debt. Look, that is our biggest threat, and this is the first time I ever remember on this House floor that we have voted for more money for the Defense Department than the President asked for, who is commander in chief, than the Pentagon asked for, than the Joint Chiefs asked for.

All this amendment does is, it is an across-the-board cut to bring that level back down to what the Pentagon, the President and the Joint Chiefs came across the river and said this is what is needed for the threat.

This is a total of a $7.8 billion increase above the level that was requested by the Pentagon. Now, I just want to say that I think we really, if we are going to talk about fiscal responsibility, this is an area where we ought to do it.

Nobody has taken this floor during the entire debate and said that the threat is $7.8 billion greater than the President viewed it, $7.8 billion greater than the Joint Chiefs viewed it or whatever. No. We did not say that.

Instead, we voted to say we are going to add these different things on that they did not ask for, but it should be threat-related, especially when the biggest threat is the threat of the debt.

If you look at the defense budget after this cut would take effect, it would still be that we are allocating more money to defense in this country than the combined amounts of our NATO allies, Russia, and Japan, more than all of those.

If you look at the costs that I am sure we are going to hear about for some of the things that are going on in the Middle East and Somalia, the former Yugoslavia, places where we now have troops and where they are doing different things, be they humanitarian or otherwise, the estimates for all of those things are only about $3 billion. So that is not driving this budget.

But what we are talking about here is $244.12 billion. That is really an incredible amount of money, and I really think that kind of money should be going to offset the debt.

I am not quite sure what the status of the whole lockbox issue is, but my hope would be that this could be locked up for the deficit. But if it is not, it could be used for many other things, too.

We have heard many other things during this debate that people thought were very high priorities.

So think about it. All during the cold war we never gave the Pentagon more then they asked for, for heaven's sakes, and here it is over. We are giving them more than they asked for and more than the rest of the world together is spending on defense. Go figure.

What will this amendment do? What will it cut out? Well, we will hear all sorts of people saying, oh, it could hurt this, it could hurt that. Let me tell you, it does not say what they have to cut out. This gives total discretion to the Pentagon to figure out where they would take that 3 percent out.

They may decide they now want these new weapons they did not used to want, so they could cut other things. Let me give you some examples of places where folks say we could cut. If you look at just intelligence, we have the CIA, we have the Defense Intelligence Agency, we have the Navy Intelligence Agency, Air Force Intelligence Agency, Army Intelligence Agency, National Security Agency, and CIA. If you took all of those, we are told you could save $19 billion in just overhead by trying to just combine them, as we see corporate America doing, and other such things, that there is a tremendous amount of overhead.

If you look at other places in the budget, there are all sorts of other places you could save in overhead. I think it has always been very interesting to me that each branch of the services has their own chaplain school. You know, is there a different way to be a Navy chaplain than there is to be an Army chaplain? I do not really think so. The same with law schools, the same with all sorts of things. So there are lots of ways that, if the Defense Department decides they now want to keep the B–2's in, they now want to keep other things in they had not asked for that we have put in, if they decide they want to do that, fine.

There are many other ways they can juggle these numbers. This is a 3 percent cut to bring it back to what they originally asked for, and I keep reminding you throughout this whole debate, no one heard one person say the threat is greater than they said, the amount is not enough.

Please, vote "aye" for this 3-percent cut.

The Appropriations Committee has recommended an appropriation of $244.12 billion for DOD programs. This appropriation level represents a $7.8 billion increase over the amount requested by the Pentagon. We don't need this spending increase because:

1) Our defense spending currently amounts to more than that of our NATO allies, Russia, and Japan combined.

2) We are still spending 92 cents for every dollar we spend during the cold war, and the cold war is over.

3) The actual extra cost of assorted contingency operations in Somalia, the Middle East, Africa, the former Yugoslavia, and elsewhere totals approximately $3 billion per yer—1% of current military spending.

Your amendment reduces the funding level appropriated for DOD programs by 3% to conform the bill to the level requested by the administration. We have better things that we could do with $8 billion. For example, we could:

First, return it to the Treasury for deficit reduction.

Second, increase funding for biomedical research at NIH by 75%.

Third, clean up 312 superfund sites, average clean up costs per superfund site is $25 million,

Fourth, block grant $156 million to each of the 50 states.

Fifth, pay for more than 70 million mammograms.

Sixth, cover childcare costs for 2 million children for 1 year.

Seventh, send 1.3 million children to Headstart for 1 year.

Eight, disperse Pell grants to 3.3 million needy students.

Ninth, put 235,493 new police officers on the street.

Tenth, offer prenatal and post-partum care to 2 million uninsured pregnant women.

Eleventh, provide 55 million school lunches to eligible children.

Twelfth, feed 9.5 million people one nutritious meal daily for one year.

Thirteenth, nearly quadruple our investment in women's health at HHS.

The increase = Pork for Hawks

If our financial situation is so dire that we must cut education, housing, and children's programs, then this increase in defense spending is irresponsible. If we're trying to balance the budget then why choose to spend:

*$974 million for a new, unrequested Amphibious Marine Transport

*$160 million for 8 unrequested AV-8 Harriers

*$140 million for 20 unrequested Kiowa Warrior Helicopters. This is $20 million over the authorized amount.

*$40 million for 750 unrequested Hellfire missiles

*$39 million for 453 unrequested Javelin missiles

*$27.4 million for unrequested TOW2 System summary

*$46.1 million for 2100 unrequested MLRS Rockets

*$40 million for 45 unrequested Harpoon missiles

*$493 million, in unrequested funds, for the B–2 Bomber program

*$250 million for 6 unrequested F–15E Fighters

*$339 million for 10 unrequested C–130 Cargo Planes. This is $48.6 million and 2 planes over the authorized amount.

*$599 million more for Ballistic Missile Defense

*$200 million more for F–22 Fighters

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Before recognizing the next speaker, the Chair would like to inform the House that the 5 hours

provided under the unanimous-consent agreement for the consideration of amendments expires at 5:27. At that time, wherever we are on whichever amendment we are on, the debate will cease and the Chair will put the question.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the way the amendment is written, each amount provided by this act is hereby reduced by 3 percent. In other words, every account in here, other than the mandatories, would be reduced by 3 percent. That is what the language says.

The problem here is that a large portion of that, almost two-thirds of that reduction, would come from operation and maintenance and military personnel.

Let me tell you what we would be cutting out of military personnel: the pay raise. Do not the people that serve in the military deserve a pay raise?

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I want to make it very clear that it does not come out of the pay raise. It does not come out of anything in particular. It really is giving the Pentagon a line-item veto. They can allocate this 3 percent however they would like to.

It is a 3 percent across the board or a 3 percent cut of different areas, if you want to do it in personnel. I was pointing out all the ways you could combine things, just in intelligence agencies alone, to save $19 billion, and that will come under personnel by combining them.

I really respect the gentleman from Florida, and I hope we do not get into trying to see a bogeyman here.

The President had in his budget a pay raise. We are all for a pay raise We want that to happen.

But this is a budget that has more money than they asked for, and this is just to bring it back down to those numbers.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that 2 minutes be added to my time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, that may be the argument of the gentlewoman. That is not the way the amendment reads, and we have to go by the way the amendment is offered before the House.

"Each amount appropriated or otherwise made available by this act is hereby reduced by 3 percent." That means you go through the bill, pick out the items that are not mandatory, that are not entitlements, and they will be reduced by 3 percent.

All of the debate will not change that, and I say again that part of those accounts are O&M and personnel. $4.5 billion of this reduction would be applied to those two accounts. That is where the pay raise comes from.

What else comes from that? Barracks. We have heard all year long about the sad condition of so many of our barracks. Pentagon officials who testified told us if you drive your kids up to college and their dormitories looked like these barracks, you would put them in the car, take them home; you would not let them stay. That is not fair that your military personnel have to live in facilities like that.

During the break I had a chance to visit some of the military bases, and I have seen some of the barracks that go back to World War II. The tiles are falling off the ceiling. The pipes are leaking. The money is not there to either rebuild them or refurbish them.

So they are in poor condition, and they need to be corrected.

What about promotions? This would, in effect, stall a lot of promotions that are already scheduled. The members of the military are already starting to spend the money in their mind. Some of the promotions are not going to be able to go forward.

As we put this bill together, we did not add a lot of new money for procurement. We did not start up any nice, new, big programs. But what we did, we looked at all of the services, and we tried to isolate and identify those areas where there were real shortages of items that we have to have, and what called this to my attention was that at one of our earlier hearings this year we were talking about airplanes and buying new airplanes, and the witness who was testifying told us, "We are not so much worried about the airplanes. We are short of tugs to draw the airplanes from the hangars out to the runway," and it got me thinking, I wonder how many items there are out there like that that nobody has ever heard about that could actually stop the operation of our military forces.

So I assigned the staff of the subcommittee to identify for me items that nobody has ever heard about but that are essential and important to the conduct of our military forces, and with the help of this page I am going to unravel this long list of items you have never read about in the newspaper, you have never heard about on television, because they are not politically sexy, but they are things that are essential to maintaining our military.

□ 1715

Now here is where we added money, and, if we have to take a 3-percent reduction, we are going to lose a lot of this, things like trucks. I visited one Army facility. They had trucks that go back to Harry Truman's Presidency.

We have added additional money in this bill to buy some new trucks to replace those old trucks that cost more to maintain than to try to use them.

What were some of the other shortfalls?

Believe it or not, ammunition, shortfalls in ammunition. We are correcting that. We are adding additional money to buy ammunition.

What about rifles? Who would ever think that the U.S. Army would be short on rifles? But we are. Certain types of rifles the U.S. Army has a shortage.

Look at the testimony the Army testified today. Real property maintenance, depot maintenance; those are the kind of things we put in this bill.

As I said, we did not create a lot of new programs, we did not start any massive new procurement programs or weapon systems. We are trying to enhance those that we have; we are trying to take care of the nuts and bolts to keep the machinery working.

Mr. Chairman, it reminds me of a statement that my grandmother taught me many, many years ago, and I have later learned that she was not the author, but she related it to me. and that was for the want of a nail the shoe was lost, and for want of the shoe the horse was lost, and for want of the horse the rider was lost, and it goes on to tell how the battle was lost. Well, this list I have just unrolled here, these are my horseshoe nails. We want to make sure we did not lose anything important because we did not provide for the horseshoe nail.

This 3-percent across-the-board cut is going to cut into the increases that we made in some of those nonsexy, nonpolitical, but important, issues relative to those who serve in the Armed Forces, and again, Mr. Chairman, the gentlewoman would argue that her amendment does not do that, but in fact it is exactly what it does.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would simply like to note in response to my good friend, the gentleman from Florida [Mr. YOUNG], that I think it is about the third time I have seen him roll out that sheet, the so-called shortages, and all I would say is that I have in my hand this, what someone else from Wisconsin used to say is a copy of a report from the General Accounting Office. It is not very old, August 1995, is labeled "Defense Inventory," and the cover sheet says shortages are recurring but not a problem. The essence of the GAO report is simply that the accounting system of DOD grossly overstates shortage problems, and I would suggest that, therefore, we ought to take his concerns with a grain of salt when evaluating the amendment of the gentlewoman from Colorado.

Now I ordinarily do not like across-the-board cuts. I think they are a brainless way to reduce expenditures and that we ought to have the courage

to single out individual items of low priority before being excised from the budget in order to meet our responsibilities to reduce the deficit. But this House has demonstrated on every occasion today that it is not willing to make reductions in this bill in the intelligent way, and so I think that it leaves us with only one choice if we want to see a reduction, and that is to do it in the manner suggested by the gentlewoman from Colorado. I regret that, but I think the responsibility for the viability of the amendment of the gentlewoman from Colorado lies with the committee for refusing to support amendments such as limiting the B–2 purchase to the number requested by the Pentagon or heeding the General Accounting Office when it says that we should not be spending $70 billion 7 years early on the F–22.

Mr. Chairman, we have tried to go after specific nonessential programs and have not found a willingness on the part of the House to accommodate that, and so, if we are interested in seeing to it that this agency is not exempted from the budget squeeze which has been applied with great tenacity and sometimes with great viciousness to other programs in Government, we have no choice but to pursue this admittedly second- or even third-choice approach, but certainly being a better approach than no approach at all, and so I am going to reluctantly support the amendment.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman from Wisconsin [Mr. OBEY] for his support, and I agree with the gentleman. I do not like doing an across-the-board cut either, but I agree also that when we are squeezing out of everybody the very last, last drop of blood in other programs because of this debt that is looming over our head that we are all watching, I think it looks unconscionable to add more money to all of these things without coming up with a threat analysis that really drives it, and I think it is also very difficult to explain to the people why spending more money than all the rest of the world is spending on defense is still not enough.

Mr. Chairman, we have got to add more, and so I really hope that this body thinks about this. I realize there is always a wish list, there is always a wish list. I have never, never, never found an agency that did not have a wish list, and, if we said to them, Is there anything you need or are short of, they are a fool if they do not come forward with a long list. It is the same with my kids; it is the same with everyone I know. It is human nature.

But the issue is when the Joint Chiefs think it is adequate, and everyone else, then I think that the gentleman is making a good point. I am sorry to do an across-the-board. It is all I know how to do, but I think the American people would say we do not have sacred cows in this budget, and, if we do not pass this, we have got a 2-ton sacred cow grazing in this budget that has been held harmless.

Mr. OBEY. Mr. Chairman, I simply say I agree with that, and I would again point to the chart that I used on two other occasions today. The red bars on this chart show what has happened to the Russian military budget since 1989. The blue lines show what has happened to the American military budget since 1989.

Mr. Chairman, we had almost a 70-percent reduction in the Russian budget, very small reduction in ours. I think that indicates there is ample room for the amendment of the gentlewoman to be accepted.

Mr. CUNNINGHAM. Mr. Chairman I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from California [Mr. CUNNINGHAM] will be recognized for 3 minutes because the time for consideration of amendments expires at 5:27, and it is presently 5:24.

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from California for yielding this time to me, and I want to make this one last point:

This bill appropriates $2.2 billion less than this House authorized on the defense authorization bill earlier this summer, $2.2 billion less.

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman from California for yielding.

I would just like to say I cannot believe the discussion here. I would like for our colleagues to tell the 1 million men and women in this country who lost their jobs in the defense industry over the past 2 years that there are no cuts being made. I would like my colleagues to tell them what they have said on the floor today, that we have not been tough with defense spending.

And where do we get this dollar amount from? We are giving the President all this new money. I was President Clinton's bottom-up review who laid out the scenario for how much money we are going to need over the next 5 years.

We have heard the chairman of the full committee mention the General Accounting Office. It was the General Accounting Office who said that we are $150 billion short just to meet the President's bottom-up review, and the Congressional Budget Office said we are at least $60 billion short, and we are only increasing it by a very small amount. In fact, all we are doing is stabilizing defense spending.

I would urge our colleagues to reject this amendment and to support this very tough defense budget that I think has been crafted very wisely by the Committee on Appropriations.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Let me just say there is $12 billion in backlog of real property maintenance. There is a backlog in depot maintenance. We have put it off for years. The military has put it off for what they think are other priorities.

The across-the-board cut is the worst kind of a cut available to the Members. The cuts were offered individually. The Members did not accept those cuts. Some amendments were accepted, some were not, but the point is an across-the-board cut is not the way to cut defense. We have accepted across-the-board cuts, and I would strongly object to and ask the Members to vote against a 3-percent cut across the board.

Mr. CUNNINGHAM. Mr. Chairman, reclaiming what little time I have left, the gentlewoman says that pay raises would not be affected, but, if it is an across-the-board, there is one that we have bipartisan support in trying to fix back the High-One problem that we have. In that account we either affect the COLA, Elk Hills, or High One. Which will it be? If we do a 3-percent cut, we either are going to cut the COLA of military retirees or we are going to affect those few people that have decided to get out recently.

I take a look at what our problems are right now. We have got ships that are not being repaired.

The gentlewoman in support of the base closures, we cannot give the dollars for the base closures to reap the benefit of the dollars back to DOD, because we do not have the dollars. That would be hurt.

I rise in opposition to the amendment.

Ms. FURSE. Mr. Chairman, I rise to support the Schroeder amendment for a 3 percent cut in this defense appropriations bill. I want to talk about budget priorities. I want to remind my colleagues that this Congress really only has power over discretionary spending. That is about 54 percent of the budget, and that 54 percent is divided equally, 50–50, between military and nonmilitary spending.

Mr. Chairman, we have all heard all this talk about how we are gong to cut waste in this new Congress. We are going to balance the budget. But we may be surprised to hear that all of the cuts, all of them, I repeat, all the cuts, have come from nonmilitary spending. Did the military budget get a cut? No, it did not. In fact, it got a huge increase.

Now, poll after poll shows that the average American wants Pentagon spending either kept the same or cut, but they do not want it increased. In this bill before us today, national missile defense—the true star wars—is actually increased 111 percent over last year's

level. And one theater missile defense program—Navy upper tier—is increased almost 300 percent over last year. Mr. Chairman, I think this is wrong and I would submit that the American people might think this is a wrong use of their money.

Now, it is true that we have made enormous cuts. But I would like to talk about what those cuts are, and keeping in mind that those cuts are at the same time we are increasing Pentagon spending, while some of the cuts have been direct attacks on our children and our country's future.

The Republicans have approved cuts that would deny Head Start to 180,000 children nationwide by the year 2002. In addition, Pell Grants are being cut. Pell Grants help our young people get to college and they will be denied to 360,000 students in 1996. In fact, 3,000 students in Oregon will not have a chance to go to college because of these cuts.

They are also attacking the environment. Let me tell you some of the cuts in the environment. All funding is eliminated for listing of threatened and endangered species. These are species on which the fishing industry depends. We need support for these endangered species, but we are cutting all the funding. There is a 40-percent reduction in solar and renewable energy, a 33-percent reduction in the EPA budget, including a $765 million cut in clean water funding. There is a 17-percent cut in all of the EPA enforcement.

And what about cuts to seniors? We have cut $270 billion in Medicare and eliminated the Low-Income Home Energy Assistance Program. This new Congress has cut senior nutrition programs by $24 million. The older workers' programs—$46 million in cuts. All at the same time that we are increasing the Pentagon, we are cutting from children, from the environment, and from seniors.

Mr. Chairman, I wonder if cutting away at these programs is the right priority. Is it the priority that we believe in in this country to cut away at security protections, the security of good education, safer streets, healthy children, and seniors, a safe and healthy environment? I would say it is the wrong priority.

Shame—I think it is a shame—when we have such very skewed economics priorities. I would say that they are not the priorities of my constituents. Voting for the Schroeder amendment will go a little way toward righting those priorities.

The CHAIRMAN. All time for consideration of amendments has expired.

The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mrs. SCHROEDER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of Monday, July 31, 1995, further proceedings on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] will be postponed.

The Clerk will read the last two lines of the bill.

The Clerk read as follows:

"This Act may be cited as the Department of Defense Appropriations Act, 1996".

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of Monday, July 31, 1995, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: Amendment No. 9 offered by the gentleman from Vermont [Mr. SANDERS]; amendment No. 43 offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont [Mr. SANDERS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 93, noes 325, not voting 16, as follows:

[Roll No. 643]

AYES—93

Baldacci
Barcia
Barrett (WI)
Becerra
Bonior
Brown (CA)
Brown (OH)
Camp
Clay
Clayton
Coble
Collins (IL)
Collins (MI)
Conyers
Cooley
Costello
Coyne
Danner
DeFazio
Dellums
Duncan
Durbin
Eshoo
Evans
Fattah
Fields (LA)
Filner
Foglietta
Frank (MA)
Furse
Goodlatte
Green
Gutierrez
Gutknecht
Hilliard
Hinchey
Johnson (SD)
Kanjorski
Kennedy (MA)
Kleczka
LaFalce
Lewis (GA)
Lincoln
Lofgren
Luther
Markey
Martinez
McCarthy
McDermott
Meehan
Meyers
Miller (CA)
Minge
Mink
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pastor
Payne (NJ)
Peterson (MN)
Petri
Poshard
Rangel
Rivers
Roemer
Rohrabacher
Roybal-Allard
Royce
Rush
Sanders
Schroeder
Sensenbrenner
Shays
Slaughter
Stark
Studds
Stupak
Thompson
Torricelli
Traficant
Velazquez
Vento
Volkmer
Waters
Watt (NC)
Williams
Woolsey
Wyden
Yates
Zimmer

NOES—325

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Clyburn
Coburn
Coleman
Collins (GA)
Combest
Condit
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Farr
Fawell
Fields (TX)
Flake
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Manton
Manzullo
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meek
Menendez
Metcalf
Mfume
Mica
Miller (FL)
Mineta
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rogers
Ros-Lehtinen
Rose
Roth
Roukema
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Shadegg
Shaw
Shuster
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Upton
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson

Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NOT VOTING—16

Bishop
DeLauro
Dingell
Fazio
Gephardt
Maloney
McKinney
Moakley
Morella
Reynolds
Roberts
Serrano
Sisisky
Towns
Tucker
Waldholtz

□ 1753

Mr. DOOLEY and Mr. MFUME changed their vote from "aye" to "no."

Mr. COOLEY changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. MEYERS of Kansas. Mr. Chairman, on amendment No. 16 offered by Mr. SANDERS, rollcall No. 643, I inadvertantly voted "yes." I intended to vote "no" on this amendment. I ask unanimous consent that this statement immediately follow the rollcall on this amendment.

AMENDMENT OFFERED BY MRS. SCHROEDER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 296, not voting 14, as follows:

[Roll No. 644]

AYES—124

Ackerman
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bonior
Brown (CA)
Brown (OH)
Bryant (TX)
Clay
Clayton
Clement
Collins (IL)
Collins (MI)
Conyers
Coyne
Danner
DeFazio
Dellums
Deutsch
Doggett
Duncan
Durbin
Engel
English
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Furse
Gibbons
Green
Gutierrez
Hilliard
Hinchey
Hoekstra
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnston
Kennedy (MA)
Kildee
Kleczka
Klug
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Nadler
Neal
Ney
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Porter
Poshard
Ramstad
Rangel
Rivers
Roukema
Roybal-Allard
Sanders
Sanford
Sawyer
Schroeder
Schumer
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Thornton
Thurman
Torres
Torricelli
Upton
Velazquez
Vento
Volkmer
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—296

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flake
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (RI)
Kennelly
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (FL)
Petri
Pickett
Pombo
Pomeroy
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Reed
Regula
Richardson
Riggs
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Rush
Sabo
Salmon
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shuster
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)
Tejeda
Thomas
Thompson
Thornberry
Tiahrt
Torkildsen
Traficant
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—14

Bishop
Dingell
Gephardt
Kaptur
Maloney
McKinney
Moakley
Morella
Reynolds
Roberts
Sisisky
Towns
Tucker
Waldholtz

□ 1801

Mr. ENGEL changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. VENTO. Mr. Chairman, the Defense appropriations bill for fiscal year 1996 demonstrates misguided priorities of the new majority in the House. At the same time that billions of dollars are slated to be slashed from education, environmental protection, housing assistance, job training and other needed family programs, the Republican leadership brings to the floor a Defense appropriations bill that spends nearly 8 billion dollars more than the Pentagon requested for the coming year 1996.

In fact, the Defense appropriations bill not only includes billions in extra Pentagon funding, it adds money for weapons and programs that top Defense officials have stated they do not want or need. For example, the bill includes nearly half a billion dollars to continue production of the B–2 stealth bomber beyond the 20 planes that have already been authorized. That's a half a billion dollars for a plane that appears to have significant technical problems, not the least of which is its inability to distinguish rain from other solid obstacles like mountains! The B–2 is a budget busting boondoggle that I hoped my colleagues would have rejected by supporting the Kasich-Dellums-Obey amendment to eliminate funding for additional Stealth bombers from the bill.

This legislation includes $3.5 billion for ballistic missile defense—$599 million more than the budget request—and it shifts the priority toward national missile defense, the star wars program which invites violation of the 1972 ABM Treaty. The bill provides $200 million more than the budget request for the F–22 fighter and an extra $250 million for the F–15. A wide range of humanitarian, peacekeeping, environmental, and disaster relief programs have been sacrificed in order to pay for these added weapons procurement costs. In addition, the bill eliminates the Technology Reinvestment Project and underfunds the Nunn-Lugar denuclearization program in the former Soviet Union. Time and again, this bill serves narrow special interests over the interests of the American people.

Mr. Speaker, we face many difficult choices this year, but the decision to oppose the Defense Appropriations bill is not one of them.

This legislation turns our national priorities upside down—spending billions on star wars missile defense programs and stealth bombers the Pentagon doesn't want at the same time that education, Medicare, housing, and environmental protection programs are being decimated. We need to get our priorities in order. I urge a no vote on the Defense appropriations bill.

Mr. STOKES. Mr. Chairman, I rise in strong opposition to H.R. 2126, the Defense Appropriations Act of 1995. While I am aware of the current fashion in the Congress to increase defense spending at the expense of our domestic programs, I am also mindful of my duty as a Member of Congress to act in the best interest of the people I represent and in the best interest of the U.S. Constitution I have sworn to uphold. This shortsighted and rushed legislation will not only try to resurrect cold war programs that are unnecessary and wasteful, but will endanger the delicate balance of domestic and defense spending.

The National Defense Authorization Act of 1995 that we are considering here today is completely out of balance. This legislation authorizes $7.8 billion more in funding than requested by the administration and $2.5 billion more than current spending levels. H.R. 2126 seeks to isolate the United States by restricting America's role in peacekeeping operations, and misguidedly redirects $3.5 billion to a star wars missile defense system whose time passed with the end of the cold war. This bill also appropriates $493 million more than requested by the military for the B–2 Stealth bomber. H.R. 2126 impinges on the President's constitutional authority by eliminating $65 million requested by the administration for United Nations peacekeeping, and $180 million less than requested for aid to the former Soviet Union.

It would be an abdication of congressional responsibility to support this legislation at the expense of our most important efforts to improve the quality of life for all Americans.

Mr. Chairman, there is no doubt that our military is by far among the world's best. This was demonstrated by our leadership of international forces during the war in the gulf. Over the past 20 years, our military has undergone a massive undertaking to build a defense infrastructure which has allowed us to effectively provide an international show of strength.

While I believe that we must maintain a strong military presence in an era of low intensity global conflicts, I am an avid believer that a healthy balance must be reached between domestic and defense spending. The importance of striking this balance is especially true in light of recent world events such as the end of the cold war. Because of these changes in world politics, the United States is faced with an unprecedented opportunity to redirect funds to relieve problems here at home.

Contrary to the arguments that have been made by the supporters of H.R. 2126, President Clinton has proposed a budget that reasonably addresses the defense and domestic needs of this Nation. President Clinton's fiscal year 1996 defense budget, which is strongly supported by the Pentagon, has two key initiatives: enhancement of military readiness, and improvement of quality of life for our men and women in uniform and their families.

The ironic truth about H.R. 2126 is that it will actually weaken our national defense. The bill before us today appropriates a staggering $3.5 billion for an unnecessary star wars ballistic missile defense system. Because of this massive diversion of defense dollars to a star wars missile defense system, more legitimate funding goals outlined in the President's budget will be undermined. This provision of the bill will also result in a clear violation of the 1972 Anti-Ballistic Missile [ABM] Treaty.

Mr. Chairman, I have always been in favor of a balanced approach to our domestic and foreign affairs interests, and the Constitution's separation of powers. H.R. 2126 is out of balance and undermines the presidential power to shape our foreign policy. This legislation greatly restricts the United States ability to participate in United Nations multilateral peacekeeping operations. This congressional restriction of presidential authority is contrary to the principle of separation of powers and the clear language of the Constitution. The Constitution permits the President as Commander in Chief of the U.S. Armed Forces the power to place U.S. forces under the operational control of other nations' military leaders for United Nations operations.

Mr. Chairman, I think it is important for me to point out that under the current congressional leadership, U.S. policy has taken a direction that will adversely affect the essence of each and every one of our lives. The majority party's plan ignores quality of human life questions, and in order to finance additional military spending, we have been expected time and time again to sacrifice already substantially depleted health, housing, education, and employment budgets.

As opposed to spending billions of dollars to immunize American children, revitalize our urban centers, provide jobs to the jobless or homes for the homeless, this bill seeks to divert funds from these essential services to fund star wars and other unworkable initiatives. H.R. 2126 is an essential part of the Republican strategy to force through a series of bills that will gut the chances for many Americans to live the American dream.

A review of the Republican plan to slash domestic discretionary programs reveal that many programs serving the most needy will be cut. One need only review the VA-HUD and Labor HHS appropriations bill for fiscal year 1996 to see that it cuts education programs by 17 percent, Head Start by 4 percent, the Environmental Protection Agency by 32 percent, and housing for the poor by 26 percent. This mis-direction of funds would greatly harm the American people, the strength of our Nation's defense and the future of our Nation.

Mr. Chairman, in closing, I would like to say that while the pursuit of peace is a noble and necessary objective, it is no easy task—especially when certain Members of Congress are determined to promote antiquated notions left over from the cold war. This legislation clearly reflects the new majority's desire to sacrifice the domestic interests of the American people in pursuit of isolationism and star wars. I urge my colleagues to uphold our Constitution, protect the American people, and vote down this bill.

Ms. FURSE. Mr. Chairman, I was pleased that Chairman YOUNG and Ranking Member MURTHA accepted my amendment reducing the account initial spares and repair parts by $22 million.

This was a very reasonable reduction. In its fiscal year 1996 request, the Department of Defense asked for $118 million for spare parts. Since then, the Air Force has told us that the requirement for 120 C–17's is only $96 million—a difference of $22 million.

The Milestone III Defense Acquisition Board [DAB] Integrated Airlift Force Decision is planned for this November. Ever since the Deputy Secretary of Defense put the C–17 program on probation in late 1993, the Air Force has consistently told us that this DAB decision will choose a number of C–17's somewhere between 40 and 120.

Giving the Air Force money for C–17 spares and repair parts for a number of planes beyond 120 would be a waste of money. DOD has higher priorities, and certainly the American taxpayers do. Frankly, in a program that's experienced as many problems as the C–17 has, I wasn't surprised to find additional waste such as this.

I would prefer that we only provide funding for spare parts for 40 C–17's at this time. Buying spares now for 120 C–17's prejudges the DAB decision. I have refrained from prejudging the DAB in my amendments to both the defense authorization and the defense appropriation and I believe it would be a more responsible approach if the C–17's supporters do so as well.

If the November DAB decision is for fewer than 120 C–17's and I fully expect it to be, I would expect the level of funding in this spare parts account to be reduced commensurately.

My $22 million cut that was adopted by the House is also included in the defense authorization approved by the Senate earlier this week. I will work to ensure it remains in both the defense authorization and appropriation conference bills.

The American taxpayers have already spent almost $18 billion on the C–17 and only 21 have been delivered. The plane was designed to meet a cold war threat that no longer exists and to accommodate battle plans that have since changed. The C–17 is designed to land on short runways. However, short runways are frequently not thick enough to support the plane since its weight is distributed on too few tires. This fundamental flaw was evident in the recently completed reliability, maintainability, and availability evaluation when one runway that was chosen for use during this test had to be rejected because of the damage to the surface that would have been caused.

It is time to cut our losses and admit that the C–17 is simply too expensive. Taxpayers would be interested to know that if we were to buy planes we already know how to build such as 747's or C–5's instead of C–17's, we would get more airlift sooner and save $15 billion. A recent Wall Street Journal analysis gave this four-word assessment of 747's compared to other transport planes: "Highest capacity, lowest price."

I believe that soon we will be forced to bow to economic reality and stop buying this gold-plated cold war relic. In the meantime, my amendment prevents us from throwing money at the plane that cannot be used, even in scenarios proposed by its most optimistic cheerleaders.

I appreciate the foresight, leadership, and cooperation of the leadership of the Appropriations National Security Subcommittee in working with me to make this needed cut of $22 million.

Mr. DICKS. Mr. Chairman, I respectfully submit the following B–2 proclamation for the RECORD.

B–2 PROCLAMATION—JULY 26, 1996

Whereas, we the National Aerospace and Defense Workforce Coalition recognize that the present and future of America's aerospace and defense industrial base depends on public and private investment in new technologies, as well as education and training programs geared toward the jobs of tomorrow;

Whereas, the aerospace industry has provided American workers with economic and social mobility and whose income has added to this country's tax base;

Whereas, growth in our nation's technological capabilities rests on ensuring a sufficient and stable defense budget, as well as an industrial climate that promotes a healthy aerospace and defense industry;

Whereas, a declining defense budget has undermined our industrial base as well as our manufacturing infrastructure;

Whereas, America still maintains superiority in stealth technology that is so essential in preserving our national security;

Whereas, the National Aerospace and Defense Workforce Coalition is tired of public policy makers apologizing for supporting programs that provide American jobs while protecting our industrial base and providing for the common defense;

Therefore, be it resolved that the preservation of America's economic and national security ultimately rests on our commitment to maintaining an industrial base in the stealth arena. America cannot afford to lose the unique B–2 stealth production team. A low rate of continued production of this aircraft is definitely in the national interest.

NATIONAL AEROSPACE AND DEFENSE WORKFORCE COALITION—JULY 1995

B–2 PROCLAMATION

Catherine J. Vezzetti, Executive Director.

Ed Olson, President, Southern California Professional Engineering Association, Westminster, California.

Mike Hall, President, UAW Local 848, Grand Prairie, Texas.

Harold J. Ammond, Executive Director, Association of Scientists & Professional Engineering Personal, Mt. Laurel, New Jersey.

Charles H. Bofferding III, Executive Director, Seattle Professional Engineering, Employees Association, Seattle, Washington.

Bob Duncan, Chairman, Council of Engineers & Scientists Organizations, Westminster, California.

Wayne Blawat, Chairman—Technicians,

Steve Skattebo, Chairman Engineers.

Leon M. Rapant, Committeeman.

Al Zdrojewski, Labor/Management Coordinator, Local 92 International Federation of Professional & Technical Engineers, Cudahy, Wisconsin.

Frank Souza, President, UAW Local 887, Paramount, California.

Dale Herron, President, Engineers & Scientists Guild, Palmadale, California.

Joseph Smarrella, Treasurer, United Steelworkers of America, District 1, Local 1190, Steubenville, Ohio.

Paul Almelda, National President, International Federation of Professional & Technical Engineers, Silver Spring, Maryland.

Captain Duane E. Woerth, First Vice President, Air Line Pilots Association, Washington, D.C.

Bill Boetger, IAM Business Rept, District Lodge 725, Area 2, Ontario, California.

Thelma Franklin, IAM President, Local 821, Ontario, California.

Doug Burrell, President, UAW Local 1921 New Orleans, Louisiana.

Ed Willis, President, UAW Local 647, Evendale, Ohio.

Frank Gyarmethy, President, UAW Local 1666, Kalamazoo, Michigan.

Allen Holl, President, IAM & AW, LL 2020, Wichita, Kansas.

Harold Landry, Business Manager Local 3, International Federation of Professional & Technical Engineers, Philadelphia, Pennsylvania.

Gary Eder, President, Salaried Employees Association, Hanover, Maryland.

Tony Forte, President, UAW Local 1059, Eddystone, Pennsylvania.

Gary Hawkins, President, UAW Local 128, Troy, Ohio.

Jeffrey D. Manska, President, Local 92, International Federation of Professional & Technical Engineers, Cudshy, Wisconsin.

Michael J. Gavin, President, Lodge 1509.

Frank Bunek, Committeeman, Blacksmith, Cudshy, Wisconsin.

Francis J. Owen, Committeeman, Local 663, International Brotherhood of Electrical Workers, Cudshy, Wisconsin.

Anton Milewski, Vice President.

William Gregson, Committeeman, Local 140, International Association of Machinists, Die Sinkers, Cudahy, Wisconsin.

Michael J. Yokofich, President, Local 1862.

Gerald Svicek, Chairman, Local 1862, International Association of Machinists, Cudahy, Wisconsin.

Sandra L. Paradowski, Vice President, Local 85, Office of Professional Employees International Union Cudahy, Wisconsin.

Mr. LAZIO of New York. Mr. Chairman, I rise today in support of the Department of the Army's breast cancer research program which was included in this bill, the fiscal year 1996 Defense Appropriations Act. Thanks to the leadership of Defense Appropriations Subcommittee Chairman BILL YOUNG and his colleagues, H.R. 2126 provides $100 million to continue that important work. I was pleased the subcommittee was able to honor the request that we in the New York delegation made for this vital research.

There is no question about the seriousness of this disease; 2.6 million women are living with breast cancer today. Thousands more will be diagnosed with and will die from breast cancer this year. While we are beginning to make progress in understanding the disease, we have yet to learn how it is caused, how it is cured, and what means there are for prevention. Our fight cannot stop now.

With the increase in the number of women in the military, the need to address their health concerns, as well as those of women dependents of military personnel, continues to grow.

The Department of the Army's program has proved to be both efficient and effective, attracting more than 3,000 new proposals in the field of breast cancer research since the allocation of funding in fiscal year 1992. As a result, 460 of the most innovative proposals have received funding.

As there is still much research to be done, it is essential that this program continue. On behalf of the 2.6 million women with breast cancer, I thank the subcommittee for continued funding for breast cancer research and encourage my colleagues to support this essential program.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in strong support of the amendment being offered today by my colleague, Representative ROSA DELAURO. Her amendment would ensure that U.S. servicewomen and military dependents stationed overseas have access to safe, quality health care services.

An amendment being offered today by Congressman BOB DORNAN would prevent American servicewomen from exercising their legal right to an abortion. This would single out women who serve in the military overseas for a specific, unfair restriction by prohibiting overseas Department of Defense military facilities from providing privately funded abortions.

Mr. Chairman, American women have the right to obtain abortions in this country. Shouldn't American military women who are serving this country overseas have this same right? Especially if they pay for the abortion with their own money? To establish such a ban is grossly unfair and unjustifiable.

Without the DeLauro amendment, H.R. 2126 could drive women into desperate situations in which they would have to seek abortions from unsafe or unsanitary hospitals in foreign countries. Clearly, a pregnant woman is the one and only person who knows what is best for her, and she, in consultation with her family, doctor, and/or clergy, is the one who should make decisions affecting her body, her health, and her life.

I strongly support the DeLauro amendment and urge my colleagues to do the same.

Mr. NETHERCUTT. Mr. Chairman, I rise in support of H.R. 2126, the 1996 Department of Defense appropriations bill. As a member of the subcommittee and committee which crafted this bipartisan bill, I believe it represents a revitalization of our national security by this Congress.

I want to address a misleading argument that is often made in media reports and in this Chamber. Some people try to criticize this bill by claiming it funds items that the Pentagon didn't even ask for. In fact, as a part of the executive branch, the Department of Defense is asked to confirm the unlikely by saying that the Federal Government can provide for our defense needs with President Clinton's budget plan. The Department of Defense did not ask for everything it needs, even after 10 straight years of cuts, because the President's budget was simply insufficient. The modest increases in defense spending provided by the House budget resolution will help bridge the gap between America's military goals and commitments and the money the administration budgeted for defense.

Many of the big-ticket purchases in this bill have received a lot of discussion, but I want to draw attention to some of the less noticeable needs that are met by this bill.

This bill funds a critical Army need for trucks to replace 2½-ton trucks that are an average of 25 years old. Would you trust your life in wartime to a 1970 vehicle? Our Army troops are forced to do just that by the administration budget.

This bill increases procurement of equipment for the Reserve Component Automation

System. This system will increase readiness by enabling the Army Reserve and National Guard to respond to a crisis in substantially less time than the current, manual process.

This bill helps replace gas-guzzling, air-polluting engines in Air National Guard and Air Reserve tanker refuelers that are expected to be used until the year 2020. In the long run, these engine upgrades will make our refuelers more efficient, cleaner, and more cost-efficient.

The list of items goes on and on: improved laser systems for the Army Reserve, C–9 cargo door repairs for the Navy Reserve, and auxiliary power units for Air Force KC–135's. This bill funds many items the Pentagon needs and was not allowed to request because, although President Clinton's defense budget was not part of a plan to balance the budget, the defense budget was supposed to continue to shrink drastically.

I support this bill because it is the bipartisan product of a committee that did a good job of using available funds to provide for many of the real needs of the Department of Defense. Adequately providing for the national security and vital interests of the United States is one of the most important things this Congress and this Government can do. I urge my colleagues to vote for this important bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. LAHOOD] having assumed the chair, Mr. SENSENBRENNER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2126) making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, pursuant to House Resolution 205, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

An amendment striking sections 8021 and 8024 is considered as adopted.

Pursuant to House Resolution 205, is a separate vote demanded on any other amendment?

Mr. SKAGGS. Mr. Speaker, I demand a separate vote on the so-called Schroeder amendment number 85.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 94, after line 3, insert the following:

SEC. 8107. (a) LIMITATIONS ON THE USE OF FEDERAL FUNDS BY CONTRACTORS FOR POLITICAL ADVOCACY.—None of the funds made available by this Act may be used by any Federal contractor for an activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Carrying on propaganda, or otherwise attempting to influence Federal, State, or local legislation or agency action, including any of the following:

(A) Monetary or in-kind contributions, endorsements, publicity, or similarly activity.

(B) Any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or any segment thereof, including any communication between the contractor and an employee of the contractor to directly encourage such employee to urge persons other than employees to engage in such an attempt.

(C) Any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any government official or employee who may participate in the formulation of the legislation or agency action, including any communication between the contractor and an employee of the contractor to directly encourage such employee to engage in such an attempt or to urge persons other than employees to engage in such an attempt.

(2) Participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including monetary or in-kind contributions, endorsements, publicity, or similar activity.

(3) Participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, or local governments are parties, other than litigation in which the contractor or potential contractor is a defendant appearing in its own behalf; is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that contractor or potential contractor.

(4) Allocating, disbursing, or contributing any funds or in-kind support to any individual, entity, or organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(b) LIMITATIONS ON USE OF FEDERAL FUNDS TO AWARD CONTRACTS.—None of the funds made available by this Act may be used to award a contract when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeded the sum of—

(A) the first $20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05; and

(B) the remainder of the difference calculated in subparagraph (A), multiplied, by .01;

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include any activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of nonpartisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees, other than communications described in subparagraph (C).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

Mr. SKAGGS (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

Mr. SKAGGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 238, not voting 14, as follows:

[Roll No. 645]

AYES—182

Abercrombie	Christensen	Durbin
Ackerman	Clay	Ehlers
Barcia	Clement	Engel
Barrett (WI)	Coble	English
Becerra	Coburn	Ensign
Beilenson	Collins (IL)	Evans
Bilbray	Collins (MI)	Farr
Bilirakis	Combest	Fattah
Blute	Condit	Fawell
Borski	Conyers	Fields (LA)
Boucher	Costello	Filner
Brewster	Coyne	Flake
Brown (CA)	Cremeans	Foglietta
Brown (FL)	Cubin	Foley
Brown (OH)	Danner	Forbes
Brownback	Dellums	Ford
Burr	Dickey	Fox
Camp	Doggett	Frank (MA)
Castle	Doyle	Franks (NJ)
Chabot	Duncan	Frisa
Chenoweth	Dunn	Furse

Ganske
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Gordon
Goss
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hastert
Heineman
Hilleary
Hinchey
Hoekstra
Holden
Hutchinson
Jacobs
Johnston
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kildee
Kleczka
Klink
Klug
Kolbe
LaFalce
Lantos
Largent
Latham
Lazio
Leach
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Longley
Lowey
Luther
Manton
Manzullo
Markey
Martini
Mascara
McCarthy
McDermott
Meehan
Metcalf
Meyers
Mfume
Miller (FL)
Mink
Molinari
Nethercutt
Neumann
Ney
Oberstar
Obey
Olver
Orton
Owens
Payne (NJ)
Pelosi
Petri
Porter
Poshard
Pryce
Rahall
Ramstad
Rangel
Reed
Regula
Riggs
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanders
Sanford
Scarborough
Schroeder
Schumer
Seastrand
Sensenbrenner
Shaw
Shays
Slaughter
Smith (WA)
Stark
Stockman
Stokes
Studds
Stupak
Tate
Thornton
Thurman
Traficant
Upton
Velazquez
Vento
Volkmer
Waters
Weldon (FL)
Weller
Whitfield
Wise
Woolsey
Wyden
Wynn
Zeliff
Zimmer

NOES—238

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bevill
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Browder
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Canady
Cardin
Chambliss
Chapman
Chrysler
Clayton
Clinger
Clyburn
Coleman
Collins (GA)
Cooley
Cox
Cramer
Crane
Crapo
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Doolittle
Dornan
Dreier
Edwards
Ehrlich
Emerson
Eshoo
Everett
Ewing
Fazio
Fields (TX)
Flanagan
Fowler
Franks (CT)
Frelinghuysen
Frost
Funderburk
Gallegly
Gejdenson
Gekas
Gonzalez
Goodlatte
Graham
Green
Gunderson
Hall (OH)
Hamilton
Hancock
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Herger
Hilliard
Hobson
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Jones
Kaptur
Kennedy (RI)
Kennelly
Kim
King
Kingston
Knollenberg
LaHood
LaTourette
Laughlin
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lofgren
Lucas
Martinez
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meek
Menendez
Mica
Miller (CA)
Mineta
Minge
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nadler
Neal
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Portman
Quillen
Quinn
Richardson
Rivers
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Sabo
Sawyer
Saxton
Schaefer
Schiff
Scott
Serrano
Shadegg
Shuster
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Tiahrt
Torkildsen
Torres
Torricelli
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
White
Wicker
Williams
Wilson
Wolf
Yates
Young (AK)
Young (FL)

NOT VOTING—14

Bishop
DeFazio
Dingell
Maloney
McKinney
Moakley
Morella
Radanovich
Reynolds
Roberts
Sisisky
Towns
Tucker
Waldholtz

□ 1824

Mr. YATES and Mr. TORRES changed their vote from "aye" to "no."

Messrs. HUTCHINSON, WELLER, FOX of Pennsylvania, HASTERT, BILBRAY, CHRISTENSEN, WHITFIELD, GOSS, CREMEANS, ORTON, HILLEARY, HEINEMAN, FRISA, GILLMOR, SALMON, BLUTE, LARGENT, and ENGLISH of Pennsylvania changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, I missed rollcall 645. I was unavoidably detained, and had I been present, I would have voted "aye."

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.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Obey moves that the bill H.R. 2126 be recommitted to the Committee on Appropriations with instruction to report the bill back to the House forthwith, with the following amendment:

On page 77, line 8, strike "$250,000" and insert "$200,000".

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, section 8077 of this bill reads as follows:

None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of $250,000 per year.

This recommittal motion simply reduces that $250,000 salary level to $200,000. In essence what it says is that if any defense contractor wants to pay any individual a salary in excess of that paid to the President of the United States, they cannot do it with taxpayer funds through contracting, they have to do it out of their own corporate profits.

When you take a look at the total compensation provided to the CEO's of some of these corporations, you see one being paid $7,287,000, one being paid $5,827,000, another $3,596,000, another $3,538,000, and so on and so forth.

I would simply ask one question. Who do these people think they are, that they think that they are entitled to be compensated at a rate higher than the level of the President of the United States?

It seems to me that if we are asked to buy downsizing of the military budget, if we are asked to buy downsizing of corporations in general, we ought to also be taking a look at downsizing these outrageously high salaries paid to these corporate executives.

All this does is say that you cannot compensate any of these corporations for any salary in excess of the salary paid to the President of the United States.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Speaker, I would like to say to the gentleman that we are very aware of this issue and it makes a minor change. We are proposed to accept the gentleman's motion to recommit.

Mr. OBEY. I thank the gentleman.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was agreed to.

□ 1830

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the instruction of the House, I report the bill H.R. 2126 back to the House with an amendment.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the amendment.

The Clerk read as follows:

Amendment: by Mr. YOUNG of Florida: On page 77, line 8, strike "$250,000" and insert "$200,000".

The amendment was agreed to.

The SPEAKER pro tempore. 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.

Pursuant to clause 7, rule XV, the yeas and nays are ordered.

The vote was taken by electronic device and there were—yeas 294, nays 125, not voting 15, as follows:

[Roll No. 646]

YEAS—294

Abercrombie
Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Castle
Chabot
Chambliss
Chapman
Christensen
Chrysler
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cox
Cramer
Crane
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Edwards
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meek
Metcalf
Meyers
Mica
Miller (FL)
Mineta
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Regula
Richardson
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shuster
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)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NAYS—125

Ackerman
Andrews
Baldacci
Barrett (WI)
Beilenson
Berman
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Camp
Cardin
Chenoweth
Clay
Clayton
Collins (IL)
Collins (MI)
Conyers
Cooley
Costello
Coyne
Crapo
Danner
DeFazio
Dellums
Deutsch
Doggett
Doyle
Durbin
Ehlers
Engel
Evans
Fattah
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Franks (NJ)
Furse
Ganske
Gordon
Gutierrez
Hilliard
Hinchey
Hoekstra
Jackson-Lee
Johnson (SD)
Johnston
Kanjorski
Kleczka
Klug
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Markey
Martinez
Martini
Mascara
McCarthy
McDermott
Meehan
Menendez
Mfume
Miller (CA)
Minge
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Petri
Poshard
Rahall
Ramstad
Rangel
Reed
Riggs
Rivers
Roemer
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Torricelli
Upton
Velazquez
Vento
Volkmer
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Yates
Zimmer

NOT VOTING—15

Becerra
Bishop
Dingell
Dunn
Goodling
Jefferson
Maloney
McKinney
Moakley
Morella
Reynolds
Sisisky
Towns
Tucker
Waldholtz

□ 1847

The Clerk announced the following pair on this vote:

Mrs. Waldholtz for, with Mrs. Maloney 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. GOODLING. Mr. Speaker, I regret the official RECORD does not reflect my strong support for H.R. 2126, the Defense Appropriations Act for fiscal year 1996.

I was recorded for each of the votes immediately preceding final passage of the bill. Inexplicably, the RECORD does not reflect my vote supporting final passage of the bill, which I cast electronically. It is my understanding I am not the only Member who has been misrepresented in this manner.

Again, I would like the RECORD to reflect that I cast an "aye" vote on rollcall No. 646.

PERSONAL EXPLANATION

Ms. DUNN of Washington. Mr. Speaker, on September 7, I was present in the House Chamber during the vote on final passage of H.R. 2126, the fiscal year 1996 Department of Defense appropriations bill. I along with other Members, were not properly recorded as having cast our vote on Rollcall No. 646. I respectfully request that the official record indicate I voted "aye" in support of passage of the bill.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 2126 the clerk be authorized to correct section numbers, punctuation, cross references, and to make other conforming changes as may be necessary to reflect the actions of the House today.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m., tomorrow morning, September 8, 1995.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1594, RESTRICTIONS ON PROMOTION BY GOVERNMENT OF USE OF EMPLOYEE BENEFIT PLANS OF ECONOMICALLY TARGETED INVESTMENTS

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–240) on the resolution (H. Res. 215) providing for the consideration of the bill (H.R. 1594) to place restrictions on the promotion by the Department of Labor and other Federal agencies and instrumentalities of economically targeted investments in connection with employee benefit plans, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1655, INTELLIGENCE AUTHORIZATION ACT, 1996

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–

241) on the resolution (H. Res. 216) providing for the consideration of the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT ON AMENDMENT PROCESS FOR THE INTELLIGENCE AUTHORIZATION ACT, THE FEDERAL ACQUISITION REFORM ACT, AND THE DEFICIT REDUCTION LOCKBOX ACT

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, the rule that I have just filed on the Intelligence Authorization Act includes a requirement that amendments be printed in the CONGRESSIONAL RECORD before they are offered on the floor.

Since it is possible that the House could take up this matter as soon as next Tuesday, and the House is not planning to be in session on Monday, it means that Members desiring to offer amendments to this bill should submit their amendments for printing in the CONGRESSIONAL RECORD tomorrow.

Chairman SOLOMON already put Members on notice yesterday by a floor announcement and a "Dear Colleague" letter to each Member that a pre-printing requirement was likely on this bill.

This announcement is just intended as a reminder not to wait too late.

In addition, I wish to inform the House that the Rules Committee is planning to meet next Tuesday, September 12, on two bills; H.R. 1670, the Federal Acquisition Reform Act and H.R. 1162, the Deficit Reduction Lockbox Act.

The rules on each of these two bills may provide priority in recognition to Members who have pre-printed their amendments in the CONGRESSIONAL RECORD.

Amendments to be pre-printed would need to be signed by the Member and submitted at the Speaker's table.

The amendments would still need to be consistent with House rules and would be given no special protection by being printed.

Members should use the Office of Legislative Counsel to ensure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

It is not necessary to submit amendments to the Rules Committee or testify as long as amendments comply with the House rules.

APPOINTMENT OF CONFEREE IN LIEU OF CONFEREE ON S. 4 THE SEPARATE ENROLLMENT AND LINE ITEM VETO ACT OF 1995

The SPEAKER pro tempore. The Chair announces, without objection, that Mr. GOSS is appointed in lieu of Mr. DREIER as a conferee on S. 4.

There was no objection.

The Speaker pro tempore. The Clerk will notify the Senate of the change in conferees.

APPOINTMENT OF CONFEREES ON H.R. 1905, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, with Senate amendments thereto, disagree with the Senate amendments, and agree to the conference asked by the Senate.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. BEVILL

Mr. BEVILL. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. BEVILL moves that in resolving differences between the House and Senate with regard to projects and programs of the U.S. Army Corps of Engineers, the managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the bill H.R. 1905, be instructed to select projects and programs within the scope of the conference with without regard to the proposal of the Administration to reduce the role of the Corps of Engineers in flood control, shore protection, and navigation projects.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. BEVILL] and the gentleman from Indiana [Mr. MYERS] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from Alabama [Mr. BEVILL].

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

Mr. MYERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. BEVILL. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Speaker, the gentleman from Alabama, as he always has, has discussed his motion with this side, and we have no objection.

Mr. BEVILL. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield back the balance of my time.

Mr. MYERS of Indiana. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Alabama [Mr. BEVILL]

The motion to instruct was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection the Chair appoints the following conferees; Messrs: MYERS of Indiana, ROGERS, KNOLLENBERG, RIGGS, FRELINGHUYSEN, BUNN of Oregon, LIVINGSTON, BEVILL, MR. FAZIO of California, CHAPMAN, and OBEY:

There was no objection.

GENERAL LEAVE

Mr. MYERS of Indiana. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and that I may be allowed to include tabular and extraneous material, on H.R. 1905.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 1817, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1996

Mrs. VUCANOVICH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1817) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Mr. OBEY moves that in resolving the differences between the House and Senate, the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 1817, be instructed to not provide funding for non-quality of life projects added above the President's request, which are in excess of the cumulative amounts added for such projects in the House passed bill.

The SPEAKER pro tempore. Under the rule, the gentleman from Wisconsin [Mr. OBEY] and the gentlewoman from Nevada [Mrs. VUCANOVICH] will each be recognized for 30 minutes.

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

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

Mr. Speaker, the House will recall that when the House passed the military construction bill, it included added projects for high-priority quality-of-life projects such as barracks, child care centers, family housing, and medical facilities.

The bill also provided roughly $150 million for projects that were not requested by the President for operational needs.

The other body, however, added some $350 million in projects, many of which do not appear to fit anybody's definition of a high priority.

My motion, Mr. Speaker, provides very specific direction to the conferees that in resolving the differences between the House and the Senate on projects that the most high-priority needs be addressed and that the cumulative level of funding for non-quality-of-life projects added by the Congress not exceed the level currently in the House bill, which is roughly $150 million.

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

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

Mr. Speaker, I rise in strong support of this motion to instruct conferees.

The committee has put quality-of-life projects first. We have worked hard in a bipartisan manner to fund troop housing, family housing, child development centers and medical projects. We have put our dollars where the Department of Defense needs them most.

We have funded projects that are priority locations.

So I urge my colleagues to support the gentleman's motion, and I support it.

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

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

Mr. Speaker, I thank the gentlewoman.

I would clarify this motion does not address any added projects specifically. Therefore, the motion does not preclude any specific project from being considered in conference. The motion simply limits the total amount of non-quality-of-life add-ons.

Mr. Speaker, I yield back the balance of my time.

Mrs. VUCANOVICH. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin [Mr. OBEY].

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Mrs. VUCANOVICH, and Messrs. CALLAHAN, MCDADE, MYERS of Indiana, PORTER, ISTOOK, WICKER, LIVINGSTON, HEFNER, FOGLIETTA, VISCLOSKY, TORRES, and OBEY.

There was no objection.

GENERAL LEAVE

Mrs. VUCANOVICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1817, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

APPOINTMENT AS MEMBERS OF THE BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 1295b(h) of title 46, United States Code, the Chair announces the Speaker's appointment as members of the Board of Visitors to the U.S. Merchant Marine Academy the following Members of the House:

Mr. KING of New York, and Mr. MANTON of New York.

There was no objection.

□ 1900

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

REHABILITATION NEEDED, NOT SURGERY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, during the month of August, I met with many senior citizens who are very concerned about the proposed Republican Medicare reductions of $270 billion. I am even more concerned that there are no specifics as to how the cuts will be made. The Republicans so far have refused to give us any details concerning their plan.

The public has the right to examine the Republican plan. Instead the Republicans are opting for the stealth attack approach of slipping cuts right by seniors before their plans can be analyzed.

Many Republicans are claiming that Medicare is going broke, which is simply not true. Medicare is more solvent today than it has been in a long time. The trustees report show that definitively.

As a matter of fact the trustees have spoken out against the Republican plans in a commentary entitled, "Rehabilitation Needed, Not Surgery," which was printed in the Los Angeles Times. I would like to submit this commentary for the RECORD.

The article outlines the fact that the Republicans did not stumble onto something new regarding the question of Medicare solvency.

In the last 20 years, the trustees reported several times that Medicare would run out of money in 4 years or 6 years. The recent trustee report extends solvency to an all-time high of 7 years, 1 more year than was the case last year. I wonder why Republicans did not raise this issue last year, when health care reform—to increase health coverage—was the biggest issue of the year?

Throughout the last 20 years questions of solvency have been raised and Congress worked together making the minor adjustments necessary to maintain Medicare's funding. Congress can work together again, if Republicans will drop their $270 billion Medicare cut.

The trustees go on to say that the Republican's Medicare cuts are excessive, citing that "It is not necessary to cut benefits to ensure the fund's solvency." I believe the true motivation behind the largest Medicare cuts in history is giving the better-off a big tax cut. Republicans first propose taking $270 billion out of Medicare and then call it reform.

Seniors in New Jersey realize what is really happening. They are being asked to come up with more than $1,000 a year in out-of-pocket costs in order to finance a tax cut largely for the wealthy. It is simply not fair and those of us who care about seniors must fight to kill this terrible Republican proposal.

The article referred to is as follows:

[From the Los Angeles Times, Aug. 28, 1995]

REHABILITATION NEEDED, NOT SURGERY

(By Robert E. Rubin, Donna E. Shalala, Robert B. Reich and Shirley S. Chater)

Our nation is involved in a serious examination of the status and future of Medicare. Congressional Republicans have called for $270 billion in cuts over the next seven years, claiming that Medicare is facing a sudden and unprecedented financial crisis that President Clinton has not dealt with, and that all of the majority's cuts are necessary to avert it.

While there is a need to address the financial stability of Medicare, the congressional majority's claims are simply mistaken. As trustees of the Part A Medicare Trust Fund, which is the subject of the current debate, and authors of an annual report that regrettably has been used to distort the facts, we would like to set the record straight.

Concerns about the solvency of the Medicare Part A Trust Fund are not new. The solvency of the trust fund is of utmost concern to us all. Each year, the Medicare trustees

undertake an examination to determine its short-term and long-term financial health. The most recent report notes that the trust fund is expected to run dry by 2002. While everyone agrees that we must take action to make sure that the fund has adequate resources, the claim that it is in a sudden crisis is unfounded.

The Medicare trustees have nine times warned that the trust fund would be insolvent within seven years. On each of those occasions, the sitting President and members of Congress from both political parties took appropriate action to strengthen the fund.

Far from being a sudden crisis, the situation has improved over the past few years. When President Clinton took office in 1993, the Medicare trustees predicted the fund would be exhausted in six years. The President offered a package of reforms to push back that date by three years and the Democrats in Congress passed the plan. In 1994, the President proposed a health reform plan that would have strengthened the fund for an additional five years.

So what has caused some members of Congress to become concerned about the fund? Certainly not the facts in this year's trustees report that these members continually cite. The report found that predictions about the solvency of the fund had improved by a year. The only thing that has really changed is the political needs of those who are hoping to use major Medicare cuts for other purposes.

President Clinton has presented a plan to extend the fund's life. Remarkably, some in Congress have said that the President has no plan to address the Medicare Trust Fund issue. But he most certainly does. Under the President's balanced budget plan, payments from the trust fund would be reduced by $89 billion over the next seven years to ensure that Medicare benefits would be covered through October 2006—11 years from now.

The congressional majority's Medicare cuts are excessive; it is not necessary to cut benefits to ensure the fund's solvency. The congressional majority says that all of its proposed $270 billion in Medicare cuts over seven years are necessary. Certainly, some of those savings would help shore up the fund, just as in the President's plan. But a substantial part of the cuts the Republicans seek—at least $100 billion—would seriously hurt senior citizens without contributing one penny to the fund. None of those savings (taken out of what is called Medicare Part B, which basically covers visits to the doctor) would go to the Part A Trust Fund (which mostly covers hospital stays). As a result, those cuts would not extend the life of the trust fund by one day.

And those Part B cuts would come out of the pockets of Medicare beneficiaries, who might have to pay an average of $1,650 per person or $3,300 per couple more over seven years in premiums alone. Total out-of-pocket costs could increase by an average of $2,825 per person of $5,650 per couple over seven years. According to a new study by the Department of Health and Human Services, these increases would effectively push at least half a million senior citizens into poverty and dramatically increase the health care burden on all older and disabled Americans and their families. The President's plan, by contrast, protects Medicare beneficiaries from any new cost increases.

As Medicare trustees, we are responsible for making sure that the program continues to be there for our parents and grandparents as well as for our children and grandchildren. The President's balanced budget plan shows that we can address the short-term problems without taking thousands of dollars out of peoples' pockets; that would give us a chance to work on a long-term plan to preserve Medicare's financial health as the baby boom generation ages. By doing that, we can preserve the Medicare Trust Fund without losing the trust of older Americans.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, this year, as we celebrate the 75th anniversary of women's vote, our society has once again dusted off its perennial "women's question."

What do women want?

Well the events of this week, from the fight of women NGO's at the conference in Beijing to have their voices heard, to the fight of the brave Oregonian women who wanted simply to have a public hearing about Senator PACKWOOD's sexual misconduct, make one thing pretty clear.

Women want dignity and respect so that they have the same opportunities as men to achieve and contribute to their society.

Dignity and respect.

BEIJING CONFERENCE

Respect from Boutros-Ghalli, who won't even go the U.N. Conference on Women, but gives it as a consolation prize to a country who is on global probation for its dismal human rights violation.

Respect from Chinese for the democratic ideals that allow freedom of speech and freedom of assembly.

Respect from countries that practice traditions that degrade women. Examples: FGM; sold into the slavery of prostitution; doused with gasoline and burned to death because their dowries are deemed to small.

Respect in the workplace.

Which brings us to the Packwood case and the women who so bravely came forward with examples of Senator PACKWOOD's sexual misconduct.

This summer I met with 4 of the 17 women who brought the complaint against Senator PACKWOOD. They spoke of their outrage with Senator PACKWOOD's abuse of power. They said his behavior was "demeaning, disrespectful, and humiliating to those who are the victims."

As Senator MCCONNELL said today, "There was a habitual pattern of aggressive, blatantly sexual advances mostly directed at members of his own staff or other whose livelihoods were connected in some way to his power and authority as a Senator."

I applaud the Senate Ethics Committee for standing firm and clearly saying, we will not tolerate this type of behavior.

I found the committee's vote a real sea change. No doubt about it—having more women in the Senate—especially women like Senator BOXER, Senator MIKULSKI, and Senator SNOWE who were willing to shake things up—helped to create this new climate.

The ruling is certainly shaking the foundations of the club. It's no secret that these guys have protected each other over and over again. The ruling is a signal that those days are over.

Most importantly, the vote shows that the Senate, and Congress, has evolved in understanding that women are in the workplace, and they deserve respect.

We tell private employers that this conduct will land them in court. Today, we tell elected officials, this behavior will kick them out of Congress.

Let this be a message for all public officials. You treat people who work for you with respect. They are not playthings, they are people. It all boils down to respect and dignity.

MORE BAD NEWS FOR AMERICA'S WORKERS

The SPEAKER pro tempore (Mr. HOEKSTRA). Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, tonight I want to talk about another company in our country and more bad news for America's workers as a result of NAFTA, the $20 billion trade loser. This time the damage comes from Topeka, KS, where workers at the Flexel cellophane plant are being forced to take another pay cut, this time for 11 percent. This was reported in the August 31 issue of the Capital-Journal, which is their local newspaper. That means for a worker in that company making $8.50 an hour they will now have their pay cut to close to $8 an hour, and all this has happened after a wage freeze at that company that has been in effect since 1991. In fact, workers at Flexel have seen their wages drop from $13 an hour 5 years ago now to the current proposal to ratchet them down even more, to $8 an hours.

What has been happening to cause this ratcheting down of U.S. worker wages? Mexican-based cellophane manufacturing plants have been increasing their penetration of the United States market to nearly one-fifth, or 20 percent, of our marketplace, up from only 3 percent 4 years ago. Our workers are being forced again to compete against multinational companies that can set up shop anywhere on the globe in order to seek the lowest wages possible along with no environmental enforcement. In Mexico workers at those relocated cellophane plants earn about 50 cents an hour, and that is where America's wages are headed, my friends, and did you notice that the price of cellophane has not dropped in our grocery stores? You can figure out who is making the money off workers on both sides of the United States-Mexican border.

It is time to cancel NAFTA, go back to the drawing boards and reshape it, and stand up for the hard-working families of our continent who all are being taken to the cleaners, and, if I might quote from a retiree from that particular plant in Kansas, he tells us a little bit about what the story is in that community. He said originally du Pont company built what was then called

the Tecumseh cellophane plant and brought it on line in 1958, and back in those years that was the fifth plant in the United States making cellophane.

Mr. Speaker, the news articles I will include in the RECORD indicate that there are only two left in this country.

This worker went to work for that company in 1964 and retired in 1985. He says when he retired from the plant it was the last plant operating for du Pont in the United States making cellophane. About 1 year later it was sold to this owner, Flexel, out of Atlanta, GA, and when he left the company back in 1985, he was making just over $12 an hour. Mr. Speaker, he wrote me because he was shocked to find 10 years later the workers in that plant were making so much less. He said:

Ms. KAPTUR, the imports from Mexico have had an impact on this plant and its workers, and I'm concerned because I still have a lot of my friends working there. Unfortunately all those workers in the United States and the low-paid workers in Mexico will gain no fairness, they will gain no equity, because there is nothing in the trade agreement that tries to compensate for the difference in living standards, political standards, and environmental standards between these two adjacent nations.

So, Mr. Speaker, this evening I will be submitting into the RECORD the entire story of what has happened in Topeka, KS, one community in our country that understands well the impact of footloose multinational corporations and what happens when the Government in Washington falls asleep and fails to protect the workers of this continent.

[The articles referred to are as follows:]

[From the Capital-Journal, Aug. 31, 1995]

PAY CUT OF 11 PERCENT GOES INTO EFFECT ON MONDAY

(By Morgan Chilson)

An 11 percent pay cut will begin Monday at the Flexel plant in Tecumseh, company officials told employees Wednesday.

Pay cuts are part of a company-wide plan to reduce costs because of increased global competition and declining demand for cellophone, said Gerry Broz, site manager at the plant.

Broz also stated adamantly Wednesday that reports from employees that company officials walked out on negotiations with Amalgamated Clothing and Textile Workers Union, or UNITE, last week were "completely inaccurate."

"After almost 10 months of good-faith bargaining and agreement on most issues, the company submitted a final proposal last Thursday calling for an 11 percent pay cut and work-rule changes that would lead to additional cost savings," Broz said.

Broz told employees in meetings Wednesday that Flexel and the union deadlocked over the issue of wage concessions.

Flexel officials opened financial information to a union auditor in the spring so employees would understand the economic difficulties facing the company, Broz said. Despite that, employees continued to ask for a five to 10 percent wage increase, he said.

Broz didn't elaborate on what the additional money saving measures were, but employees highlighted the loss of premium pay or Sunday time-and-a half pay.

The cuts change several regulations, such as what happens when an employee goes home from work sick, according to Randal Carnegie, an employee at Flexel who attended a morning meeting Wednesday.

"On the original program, if you get sick and if you work over two hours and you go home after that two hours, you get eight hours pay," Carnegie said. "They've done away with that."

Carnegie said the company also will no longer pay for annual physicals for employees. That expense will be out-of-pocket for the portion insurance doesn't cover, he said.

For employees on full-time disability, the company will not begin payment of disability pay until after four days and then only with a doctor's excuse, Carnegie added. Disability pay did start the first day off work, he said.

Carnegie, who has been working at Flexel for one year, makes $8.50 an hour at the plant. His hourly wage will drop to $8.04 an hour under the new cuts.

A source familiar with the negotiating process who spoke on the condition of anonymity said the average base wage at the plant has decreased since 1993 to $12.78 per hour. An 11 percent decrease would lower that average base rate to $11.37.

The plant employs over 240 employees, the source said. The base wage has gone down from the 1993 average salary of $13.66 per hour because of lower starting wages, the source said.

Flexel Corp., based in Atlanta, owns the two remaining cellophane plants in the United States, the one in Tecumseh and one in Covington, Ind.

The Covington plant felt its share of cutbacks in April, when about one-third of the plant's 345 employees were laid off, according to reports published in the Commercial News in Danville, Ill.

That newspaper reported 20 salaried and 80 hourly employees were laid off.

The last time employees were laid off at the Tecumseh plant was in 1989, when 12 salaried employees and 30 temporary employees were laid off.

"We don't want to cut Tecumseh wage roll jobs because we want to keep Tecumseh production levels high," Broz said. "So we have no choice but to cut wages."

Carnegie said many employees believe other cost-cutting measures weren't researched. For example, he said, workers currently are paid for lunch shifts and if that policy could be dropped, it would save the company 2.5 hours per week per person.

Broz said it is untrue that other cost-cutting measures haven't been considered.

FLEXEL WORKERS FACE PAY CUT

Mandatory employee meetings today at Flexel Corp. will determine what options are left for members of the Amalgamated Clothing and Textile Workers Union of America after negotiations with management came to a halt last week.

Employees of Flexel, one of two remaining cellophane manufacturing plants in the United States, voted in October 1994 to join ACTWU and then began working with Flexel's management to negotiate a contract. It never got that far.

Last Thursday, members of the management negotiating team walked out of negotiations after leaving their only offer on the table, a source familiar with the negotiations said Tuesday on condition of anonymity.

Jerry Broze, site superintendent at the Flexel plant in Tecumseh, said the company would comment today on labor negotiations.

The source said Flexel's offer involved a reduction of $1.4 million, which amounted to an 11 percent pay cut for employees. When totaled in with other aspects of the offer, including no more premium or overtime pay for working on Sundays, employees would be taking about a 17 percent cut in pay and benefits, the source said.

"They basically put this crazy offer on the table and said it was because of their financial problems," said David Martinez, who has worked at Flexel for 16 years. He began with the company when it was owned by Du Pont. "We came through with a lot of suggestions of things that they could save money on. They just basically put that offer on and never negotiated anything in good faith."

Workers were told the new policies would be instituted Friday, and many think the mandatory meetings today will announce that plan.

Martinez said employees haven't received pay raises in more than four years, which has added to their disenchantment with management.

Wages were frozen in December 1991 at the average salary of $13.66 an hour, according to a report in 1993.

Martinez alleged poor corporate management was the reason for the company's woes.

Martinez cited the purchase of a machine to make rubber gloves that is boxed and sitting in the warehouse unused as an example of poor decisionmaking by Flexel.

In previous years, management said the company experienced financial difficulties because of unfair competition from Mexico. Mexican companies export cellophane to the United States without paying a tariff.

In 1991, Lindsey Walters, president of the Atlanta-based Flexel Corp., said Mexican cellophane plants increased their penetration of U.S. markets to 18 percent from 3 percent during the previous four years.

OUTRAGEOUS THAT LONG ISLAND'S VOLUNTEER FIREFIGHTERS MUST TAKE VACATION TIME FOR FIGHTING THEIR WORST EVER FIRE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FORBES] is recognized for 5 minutes.

Mr. FORBES. Mr. Speaker, many of us in this Nation for many years have heard about the values of volunteerism. Our own President of the United States came up with a program where he thought we ought to pay volunteers in a program called national service. Tonight I want to address the floor for the purposes of talking about some tremendous individuals who work for the Federal Government. They are the postal workers of this Nation, the men and women who deliver our mail and the people like in my own village of Quogue, Long Island, where we go down to the mail and the employees in the post office are our friends there. They are our neighbors. They donate time to their communities, and a large number of these postal workers on Long Island also happen to be volunteers in the local fire company, volunteer firefighters.

Last evening I addressed this floor and talked about the recent fire on Long Island in which over 5,000 volunteer firefighters made a tremendous contribution. They saved our property, they saved our communities. At threat during that fire could very well have been the local post office in Eastport, the local post office in Speonk, the local post office in West Hampton, Long Island, NY. All of these facilities, had they burned, would have cost the taxpayers many, many dollars to replace these fine postal facilities.

I am forced to come to the floor this evening because of an outrageous incident that I have learned involving the U.S. Postal Service. The postal employees who are our friends, many of our relatives, our neighbors, on Long Island who donated their time to fight the worst fire in Long Island history are now being told by their supervisors at the Postal Service in Washington that they are going to have to take vacation time to cover their absence from work to fight the worst fire in Long Island history. Mr. Speaker, I find that outrageous, I find that the worst example in government of bureaucratic mumbo-jumbo gobbledegook that serves no reasonable purpose. We have small employers on Long Island, delis, Main Street merchants, who can ill afford the loss of an employee for a full week, and yet these smallest of businesses are paying their employees who had to leave the business to go fight the fire.

□ 1915

These volunteer firefighters are the best example of volunteerism, of courage, of bravery, and I find it outrageous that the United States Postal Service, the supervisors in Washington, have deemed them not worthy of being paid while they fought to save our communities.

Mr. Speaker, it is outrageous. I attempted to reach the Postmaster General of the United States, but I was told he was in Hawaii, and he has been there for about a week, and he is jetting home to Washington as we speak. I am hopeful that we can convince the Postmaster General and the hierarchy of the United States Postal Service that when men and women give up their time, thousands of hours to train themselves to stay up in the latest techniques in fighting fires, that they ought to be paid when the community is at risk, such as our communities on Long Island were at risk. I find it outrageous, as I have said repeatedly, that the United States Postal Service in Washington does not deem the volunteerism of its own postal workers in this time of need as worthy of reimbursement for their time away from the post office.

Mr. Speaker, I encourage the United States Postal Service to rethink its position, to pay the employees of the Postal Service who gave of their time to save our communities during the fire, and I ask them, again, to reconsider their position.

THE TRUTH ON MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, I just wanted to discuss a couple of items tonight. A previous speaker on the other side of the aisle actually stood in the House Chamber just minutes ago and said that there is no problem with Medicare, that Medicare is not going bankrupt. I just find that unbelievable, that somebody would be still arguing about the April trustees' report, when it was offered by Clinton appointees, including Secretaries Shalala, Reich and Rubin, who are all appointed by Clinton. They are his right arm, for crying out loud. Drawing partisan lines on a trustee report that really is a Democrat report. I am flabbergasted, after a month back in the district talking to senior citizens, that somebody is at that stage of the debate.

The stage on this side of the aisle, number one, is that this is a bipartisan problem. People that get Medicare, they do not care if they are Democrats or Republicans who are writing the legislation. They want health care.

We are not going to get into a partisan debate on Medicare. What we are going to do is try to preserve and protect it so that it will be there tomorrow, and we are going to try to slow down the rate of increase. Medical inflation on average is about 4.5 percent. Medicare growth has been 11 percent. We are going to increase the benefit to each recipient from about $4,800 to $6,400. So the door is open. Any ideas from either party are welcome, but we are going to solve this problem in a bipartisan way. We are going to simplify Medicare, and protect and preserve it.

The gentleman from the 9th District of Georgia [Mr. CHAMBLISS] joins us, and I yield the floor to him.

Mr. CHAMBLISS. Mr. Speaker, I too am just somewhat flabbergasted by the comments made by the previous speaker from the other side of the aisle regarding the cuts in Medicare. He made one statement that Medicare is more solvent today than it has been in a long time. We had problems with it in the past and the reaction of this Congress was to make minor adjustments in the Medicare program.

Well, what the Democrats consider as "minor adjustments" is raising taxes. That is not what the American people want. The American people want a solid program with solid funding, not a program that is a runaway program that requires raising taxes to fix it.

Congress must act responsibly. We are charged by the American people to take a program like Medicare, to reform, revise, and improve that program to where we take money from the taxpayers and we spend it wisely. When it comes time for folks to receive the benefits of Medicare, they ought to be able to receive those benefits without the necessity of raising taxes.

Mr. KINGSTON. If the gentleman will yield, we actually raised the taxes on Medicare in 1993. All that did is postpone the bankruptcy I think three to six months. So raising taxes is not the solution.

On the subject of taxes, I wanted to say this. We are going to have some important tax debates coming up on flat tax and consumption tax. The average American family in the 1950's paid 2 percent Federal income tax. The average American family today pays 24 percent Federal income tax. During that period of time, the State and local and other Federal taxes have increased to the extent that middle class families now are paying about 40 to 50 percent taxes, while the real wages have fallen. One of the biggest crises in America today is that the middle class are working their tails off just to stay in place. In many cases they are not even breaking even. So tax increases year after year are anything but the answer. We have got to increase the real wages and increase opportunities and jobs for people.

Mr. CHAMBLISS. It was interesting too that the previous speaker stated that we as Republicans are providing tax cuts to middle class America, and those tax cuts are being given at the expense of Medicare recipients. That is absolutely not true. What he did not tell the folks is that Medicare is a trust fund. Payments that are received by the Federal Government from taxpayers for Medicare go into a trust fund. Those funds can be used only for Medicare beneficiaries.

Tax cuts have no relationship to Medicare trust funds. The tax cuts being given to middle class America are being given to those folks you just talked about, the folks who are hard working, scraping by day-to-day to make a decent living for their families. Those are the folks that are going to receive the benefit of the tax cuts that are going to be put in place. That has absolutely no relationship to Medicare.

Mr. KINGSTON. Mr. Speaker, I think the point the gentleman has also made on taxes is that in reality we have not passed a tax cut. We have not really passed anything, because the House, while it has done all kinds of work, all kinds of reform legislation to reduce the size of government and the micromanagement out of Washington, legislation which has increased personal responsibility and increased personal freedom, these great pieces of legislation have not moved in the other body, nor have they been signed by the Executive Branch. Here we are coming into a rude awakening October 1st.

AMERICANS WANT CHANGE NOW

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, I went home for the August recess and a funny thing happened before I went home for the August recess. I listened to all these political pundits in Washington, read Wall Street Journal articles that said this is the most revolutionary House of Representatives session since Reconstruction. I heard people telling us day in and day out we were too radical, revolutionary, too extreme, we were moving too fast.

Then I went home, and I held 30 town hall meetings across my district. I made over 100 speeches across my district. I talked to editorial boards, I went on talk radio, I went on TV. I worked my district for over 30 days and talked to more people in my district than I bet any other elected official has ever worked the district in 30 days in northwest Florida, and the message I got from them was quite different than the message I get from reading the Washington Post or listening to Peter Jennings.

They said what are you doing up there? Nothing is happening. You guys need to push it forward. You need to push change. We sent you up to Washington, DC in November to make a difference and make a change. Now, do something.

I will tell you, it was a rude awakening. It shows how there is an incredible disconnect between Washington, DC speak and what people in middle America are saying, and in the area that political pundits consider fly-over space between Washington, DC and Hollywood, CA.

Let me tell you something: The same voter anger that was out there in November of 1994 is still out there in August and September of 1995, and the Americans want us to move forward with our revolutionary agenda.

Now, they say it is revolutionary. I am going to tell you, I do not think it is revolutionary to balance the budget. I do not think it is so radical for the Congress to only do what middle class Americans have done for over 200 years, and only spend as much money as they take in. I do not think it is radical to cut burdensome regulations. I do not think it is extreme to give people their money and their power back.

What is so extreme and revolutionary to adhering to the Constitution? If the 10th amendment tells us that the Federal Government can only do what the Constitution specifically says it can do, and then the rest of the powers are reserved to the people and to the States, that ain't revolutionary by 1995 standards. Let us quit lying to the American people. That may have been revolutionary back 230 years ago, but let me tell you, it is constitutional mainstream thought today. The American people have realized it. I am just wondering when everybody else inside the beltway is going to realize it.

I will tell you, my feeling is if that is revolutionary, then count me in. We have got to cut taxes. We have got to balance the budget. We have got to slash regulations. My residents are telling me get us out of the United Nations and get the United Nations off American soil. They say cut corporate welfare. They say get the IRS off our backs. They say do something, make something happen, make a difference.

Well, let me tell you something. I came up here and I was fired up. I said man, I cannot wait to get up to Washington, DC. I have not felt this fired up in over a year since before I came up here and campaigned to get into Congress the first time.

Then the first day back, I have Commerce Secretary Ron Brown come to my committee and testify under oath, under oath, that there is not a penny of corporate welfare in the Department of Commerce budget and that we should not abolish the Department of Commerce.

Let me tell you something, that is perjury. Plain and simple, that is perjury. The Department of Commerce is stocked with corporate welfare. Everybody in this body knows it. The corporations that get their windfalls from it know it. Bill Clinton knows it, Ron Brown knows it, the administration knows it.

We need to abolish the Department of Commerce. There is a plan coming before this house that is passing through committee that it needs to be abolished. We need to stop handing out corporate welfare, and we need to get Ron Brown, Bill Clinton and the Democrats in this House to support our bill. Abolish the Department of Commerce.

Then we need to move on and abolish the Department of Education bureaucracy, set up in 1979 as a political payoff to the teachers union. We have gone from spending $14 to $33 billion on education in the last 15 years and what has it gotten us? Declining test scores, an increase of violence in schools and dropout rates, and an increase in all the things we do not want. It is micromanagement from Washington, DC.

When are they going to learn inside the Beltway that Washington, DC cannot micro-manage every single problem across America? We were sent up here to make a difference. We need to stay focused and make a difference, because Americans want change.

Mr. Speaker, that is what we are going to deliver to them.

THE APPROPRIATIONS PROCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. CHAMBLISS] is recognized for 5 minutes.

Mr. CHAMBLISS. Mr. Speaker, I will continue my dialogue with my friend from the First District of Georgia, Mr. KINGSTON. We want to talk for a minute about the process we have been going through here in Congress for the last couple of weeks before the recess and a couple days since we have been back, and that is the appropriations process. We have been taking the money that is received by the government from the taxpayers and deciding exactly how that money ought to be spent, which departments ought to receive what amount of money, what programs ought to be funded, and what programs ought not to be funded.

One thing that we have done, we have made severe cuts in Federal spending. We are going to continue to make severe cuts in Federal spending. We are not going to accomplish all of the cuts that need to be made in this session of Congress, but we have made a giant step in the right direction.

The gentleman from the First District of course is on the Committee on Appropriations, and he may want to address some specific items we have dealt with over the last couple of years.

Mr. KINGSTON. What we have done is we have eliminated, where we can, we have consolidated, we have reduced, and, in spending we have increased in others, tried to hold the line on. But, for example, there are 163 different Federal jobs training programs, 240 Federal education programs; there are 30 different nutrition programs. Clearly some of these can be eliminated or consolidated so that we can get more money to the needy, where that is required, and balance the budget more than anything.

Out of the 13 appropriations bills we have passed, 12 of them in the House, they all move us toward a balanced budget by the year 2002. I wish, and I know you do, I wish we could do it sooner. But we are working on the process. For the first time ever, when we pass that last appropriations bill, the DC appropriations bill, we have passed a budget that moves towards a balanced budget with a clear ending in sight.

Unfortunately, as you have pointed out, the folks on the other side of the Capitol, the other body, have not passed a lot of the legislation because not only are we trying to balance the budget, but we are trying to reduce the bureaucracy, reduce the micro-management out of Washington, the regulatory burden, and so forth, and increase personal responsibility. They have not done a thing over there, not one thing.

On October 1 the fiscal year ends, and the Federal budget, it is time for a showdown. It has been called up here the great train wreck will be coming, but I think it is going to be the rude awakening or the reality check. Do you

want the status quo to continue? The President is going to make that decision. Should the Government continue or is he going to want to shut it down?

□ 1930

Mr. CHAMBLISS. Spending has been out of control in Congress for too many years now. We have not had a balanced budget in 25 years. We run the largest business in the world right here in this Chamber. And if any member of the business community across the United States ran their business like Congress has been running the business of this country, they would not last 60 days. It is time we put responsibility back in government. That is one thing that November 8 was all about.

Mr. KINGSTON. Just to underscore what you are saying, when Price Waterhouse came in to do the audit, it was Price Waterhouse that came in, they could not audit the House books. There were too many old-ball ways of doing business. So too many——

Mr. CHAMBLISS. Too many pockets full of money out there and too many strange-looking expenditures of tax money.

But we have done things like today, I was extremely proud that we passed a defense appropriation bill today. I am a member of the Committee on National Security. We have worked extremely hard over the last 7 months, 8 months to put together a defense bill that ensures that we will always be the world's strongest military power. We are the world's greatest country because we are the world's strongest military power. I was very pleased today that that defense appropriations bill passed by a large bipartisan margin. I think we are going to get the military in this country back on the right track because we have cut the defense budget every year for the last 7 years. We have now restored the money. More importantly, we are spending the money from a defense standpoint where the money needs to be spent.

Mr. KINGSTON. Well, it is interesting to note that part of the debate today was interrupted for a Joint Chiefs of Staff briefing to Members of Congress on Bosnia.

It is still a very dangerous world. I believe the military budget is still down 30 or 40 percent of what it was 10 years ago. We are at $244 billion, I believe it was up to about $250 billion. I am not 100 percent sure on those numbers offhand. I have them in my office, but I know that the military budget has fallen tremendously from where it was in the mid-1980's.

Mr. CHAMBLISS. And there were some reasons why that should happen. As the cold war with Russia has come to an end, it is time to downsize the military, to get it down to a more manageable figure and something that we can afford. That has been true over the last several years. That is one reason the Defense Department budget has been reduced.

PLANNING FOR AMERICA'S ECONOMY

The SPEAKER pro tempore (Mr. HOEKSTRA). Under the Speaker's announced policy of May 12, 1995, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes as the designee of the minority leader.

Mr. OWENS. Mr. Speaker, yesterday I concluded some remarks related to the state of the economy and what it means to working people and members of labor unions. I hastily discussed a solution to the problem at that time. Today I would like to go back and do a more thorough discussion of the solution to the problem.

I laid out the problem yesterday. I think it is only fitting that we spend as much time discussing a proposed solution to it.

I do want to recapitulate a statement that started the whole process yesterday. That was a statement, I had read a series of statements that I had read from an article that was produced by Lester Thurow. It was an op-ed article in the Sunday, September 3, New York Times.

I was struck by the opening paragraph of that article. The opening paragraph I would like to quote again:

> No country without a revolution or military defeat and subsequent occupation has ever experienced such a sharp shift in the distribution of earnings as America has in the last generation. At no other time have median wages of American men fallen for more than two decades. Never before have a majority of American workers suffered real wage reductions while the per capita domestic product was advancing.

I think that is a very strong statement by Lester Thurow, who is a professor of economics at the Massachusetts Institute of Technology. He is just making a factual statement. But it is a very compact and focused statement that all of us ought to really think seriously about.

Mr. Thurow is not a progressive or liberal or politician. Mr. Thurow is an economist. Mr. Thurow I think has been on record numerous times as supporting free trade. He probably supported NAFTA and GATT. Mr. Thurow is not an ideologue. He is an economist, very much respected. Written about 10 books. He has been on the Hill at various hearings testifying numerous times before the Senate and the House, well respected.

I think it is important to take a look at that opening statement and some other things he says, including a statement at the end of his article where he talks about the family.

The traditional family—I am quoting Mr. Thurow again: The traditional family is being destroyed not by misguided social welfare programs coming from Washington, although there are some Government initiatives that have undermined family structure, but by a modern economic system that is not congruent with family values. Besides falling real wages, America's other economic problems pale in significance. The remedies lie in major public and private investments in research and development and in creating skilled workers to ensure that tomorrow's high-wage brain power industries generate much of their employment in the United States. Yet if one looks at the weak policy proposals of both Democrats and Republicans, it is a tale told by an idiot, full of sound and fury, signifying nothing.

So Mr. Thurow, the economist, professor of economics at the Massachusetts Institute of Technology, has sort of summed up the predicament of where we are, and he only touched on the solution. When he says we need a remedy in the area of public and private investment and research and development and in creating skilled workers to ensure that tomorrow's high-wage brain power industries generate much of their employment in the United States, I would like to begin at that point really today.

The question is, what are we doing? Mr. Thurow seems to think Democrats are not doing anything significant and also Republicans are not doing anything significant to deal with the remedy. We have a phenomenon which is very real. Everybody factually agrees that this is an unprecedented phenomenon. No country without a revolution or a military defeat and subsequent occupation has ever experienced such a sharp shift in the distribution of earnings as America has in the last generation.

At no other time have median wages of American men fallen for more than two decades. Never before have a majority of American workers suffered real wage reduction while the per capita domestic product was advancing. Our gross national product is advancing. The profits of our corporations are escalating. They have increased over the last 10 years. They are at record levels this year and last year.

We have a very productive economy. We have a very productive private sector, but all boats are not being lifted. In fact, at another point in his article, Mr. Thurow, Dr. Thurow says that the tide rose but 80 percent of the boats sank.

So we have a situation, the tide is rising, continues to rise, but the boats are sinking. The productivity is going up. The profits are going up. But jobs are being lost.

We hear numbers every month about the number of jobs created, how so many more jobs are being created. But it is a simple fact that almost everybody knows that the jobs that are being created are in the service sector

at far lower wages than the jobs that are being lost. And every day there are new announcements of mergers and various new arrangements among the private sector, conglomerates, that result in a decrease in the number of jobs available, a downsizing and streamlining of jobs so people in large numbers are losing out as the economy overall advances. What do you do when America's gross national product is increasing, the profits are increasing, what happens, what has to happen?

Twenty percent, according to Mr. Thurow, among the men, the top 20 percent of the labor force has been winning all of the country's wage increases for more than two decades. So 20 percent are doing fairly well right now.

There is a danger though, because at another point Mr. Thurow points out that with our global economy where anything can be made anywhere and sold anywhere, the supply of cheap, often well-educated labor in the Third World is having a big effect on First World wages. So the men in that 20 percent are also threatened.

He points out with an example. Quoting Mr. Thurow: One month's wages for a Seattle software engineer gets the entire—gets the same company an equally good engineer in Bangalore, India, for a whole year. In other words, the Bangalore, India, software engineer will work for one-twelfth of the wages of the Seattle engineer, software engineer.

Educated, educated, high skilled, that is a new threat.

So to dwell on looking at the solution, we have unprecedented prosperity on one hand. The prosperity is defined as the gross national product increase, profits increase, private sector is booming. CEO's are making far more than they ever made. How do we deal with a situation where there is a great transition taking place? Yes, we cannot run back the clock. We cannot deny the global economy.

I do not think we should have moved as fast as we did on NAFTA and GATT, but the reality is that the global marketplace is taking hold. Reality is that capitalism is the economy of the present and capitalism will be the economy of the future. There is no alternative to capitalism. There are variations on it. The Chinese are moving toward a capitalism that is very different from the capitalism in America and the Russians are planning on a capitalism that is very, different.

The French practice a capitalism on an ongoing basis that is very, very different. There are differences, but basically capitalism is the way of the future. The market economy is the way of the future. Nobody wants to turn back the clock. I do not think they have the power to turn back the clock. But how do you operate within the situation that exists? It is the reality, and what is the creative approach to this reality?

One creative approach of course is to move to capture a portion of the resources of the productivity, of the profits and use a portion of those profits to fund, to finance a transition. We hope that, as it has been in the past, of an industrial revolution, we hope this information age revolution will also over time work itself out.

Nobody can predict what capitalism is going to do. Nobody can predict the future with any certainty. It is not planned, capitalism is not planned. So we have to depend on the same kind of phenomena that developed in the industrial revolution and hope that it is going to work itself out over time.

Over time, we are going to have things happen which we cannot even predict now. But we know we are in a transition right now. We know that for the last two decades the wages of American men have fallen. We know that for the last two decades, only 20 percent of the labor force has benefited from the economy and that fewer and fewer of them are included in the big economic boom that is going on now. So how do we handle it?

We have to finance a transition. We have to realize, this is the transitional period, this is the period where large numbers of people are beginning to feel the pinch. Large numbers are suffering. This is a period where the trend is pretty clear. More jobs are going to be lost over the next year or so.

There may probably be an escalation of the number of jobs that are lost in middle management, of the number of jobs that are loss in clerical pursuits, of the number of jobs that are lost in semi-skilled factory work because the gains of computerization and automation eliminate those people first.

The irony of it is that you may have unskilled workers having more opportunities in a few years than the highly educated. The educated people, you may reverse this whole thing. The service people may be able to drive their wages up because the supply of service people especially in services like plumbing and electricians and a number of service people may find that they can command higher and higher wages because there is a greater need for them and they cannot be replaced.

□ 1945

You cannot move their jobs overseas. If you are going to build houses, you cannot take a carpenter's job and take it overseas and build housing, if you are going to install plumbing, et cetera.

There are some jobs that will be able to make some demands, but the largest number of people are employed in manufacturing jobs, in big financial organizations, the clerical jobs, et cetera. They are definitely, the trend is obvious, going to be without jobs.

How do we deal with this transitional period? It may last for 10 years, it may last for another 20 years, but definitely we are in a transitional period.

It is not the job of the private sector to deal with this problem. The private sector is in business to make money. Capitalism, they may have ads on the television that say that they exist to make America great, they exist to improve life for humankind, and you have all heard the ads for General Motors and General Electric and Archer Daniels Midland. They all have an image to project, to make it appear that one of their primary concerns is the fate of humankind or the comfort of the Nation.

Those are all auxiliary concerns. I will not question their motives, but they do not pretend that that is their primary business. Every private sector enterprise is in business to make money, to earn profits, and they are driven by the need for profits.

It does not matter how prosperous they are, they cannot afford to let competitors get ahead of them in terms of their profit margin. It only spells trouble down the road. Even IBM slipped and stumbled. You can never get too big in the private sector, in the capitalist economy, so big that you are secure.

We cannot criticize private industry for making profits. Let us get off the sentimental trip of expecting private industry to take care of the needs of the people. Private industry is not responsible for providing an economy which is fair and just. Private industry is not responsible for providing job training. It is the Government.

We are elected officials, Congress Members, Members of the Senate, Members of the House, members of the State legislatures, members of the city councils, the mayors. We are elected to look after the general welfare, to provide for the general welfare. It is our duty.

If that means that we upset some of the profitmaking enterprises, that we upset the corporations, that we upset the people who are generating the wealth in some way, then so be it. It is our duty to take care of the general welfare.

Only elected officials have that duty. Corporations do not have that duty. Corporations would not be able to exist if they assumed that duty. Whatever they say, attempt to project to confuse us, they are not concerned with the general welfare except as a peripheral issue.

If we are responsible, if the President of the United States is responsible for the state of the American economy, and the Congress and all the other elected officials who make decisions about the lives of people and who are responsible for keeping our society going, then we must take action to deal with a transitional period where things are happening that never happened before.

We never saw prosperity before which was not shared by all of the people. We never saw prosperity before which did not automatically trickle down. This trickling down stopped some time ago. According to Mr. Thurow, we have been in this predicament for two decades now, 20 years. We are still talking about trickle-down economics.

We are still talking about giving big tax breaks to corporations, letting them invest in activities which create jobs. Well, they invest, but they may make their investment in more machinery, more automation, more computerization, or they may make their investment overseas. Wherever the profits will be highest or whatever actions produce the highest profits is what they will do. That is what they are paid to do, but they must look at the situation and say, what can we do in this situation?

One of the things that we have to do is look at taxation policies, because only through gaining more revenue will we be able to finance a transition period. I am sorry, that is one way. One way to finance a transition period is to streamline expenditures, change our expenditures and our priorities, and use the money that we save in Government from changing the priorities and from eliminating waste to finance a transition period agenda. The other way is to reach into the area of prosperity, the corporate sector, and get more revenues to deal with the crisis that we face.

Of course the knee-jerk reaction of both parties is that this is a tax-and-spend liberal you have got talking to you, this is a tax-and-spend liberal who wants to go after more taxes. How dare anybody propose more taxes.

Well, this particular liberal says we need less taxation in the area of income tax on families and individuals. In 1943 families and individuals were paying 27 percent of the total tax burden. Corporations in 1943 were responsible for 40 percent, 39.8 percent of the total tax burden.

So corporations over the period since 1943, to the present, have been able to manipulate the tax laws, or they have been able to convince and to do whatever is necessary to get Government decisionmakers, most of them on the Committee on Ways and Means of the House or the Finance Committee of the Senate, and the rest of us who vote for the things that they bring to the floor. When the Committee on Ways and Means comes to the floor, they will not allow any amendments.

It is very difficult to make any adjustments, but as a Member I cannot tell my constituents that I do not have some burden of guilt on me. Everybody who is a decisionmaker that allows this to happen is guilty. We have been guilty of allowing the American people to be swindled since 1943, because the amount of taxes being paid by corporations has gone steadily down to the point now where it is 11.1 percent of the total tax burden, while the amount of taxes paid by individuals and families has gone up from 27 percent to 44.1 percent.

We have created a reason for the American people to be angry at us, only you have to know how to focus your anger. You have a right to be angry about high taxes. The taxes are not fair, not just. Individuals and families are paying too much in taxes. You heard this from a liberal, a progressive. Corporations, on the other hand, have swindled us because they are paying far less than their fair share.

What we need is a balance of the tax burden. While we are trying to balance the budget, we should consider balancing the tax burden. We should not rush into this. There is no need to be revolutionary about it. Let us move it slowly and set as an objective an equalization of the tax burden by the year 2005.

I agree with the President's analysis that we should not rush things and remake Government in 7 years. Let us take 10 years to remake Government. Let us set a goal. Let us say that by the year 2005, we are going to balance the tax burden and have corporations paying an equal amount of the tax burden with individuals and families. If you set that kind of goal and follow it, you can only win the praises of the people because that means taxes come down for families and individuals. It means that nobody can make the charge of tax-and-spend when it comes to families and individuals certainly. It means that fairness will relieve American families of a burden and the people who are making the money, the corporations are making the money, there is no relationship between their profits and the number of people who are working. The number of people that are working goes down, people are making as individuals and families less money, corporations are making more money, it is only fair, and even if they were not, it would only be fair that we balance off the tax burden.

Why in 1943 was it the opposite? Why was almost 40 percent of the tax burden being carried by corporations and only 27 percent by individuals? And why now is it so out of balance? It went down even as low as 8 percent under Ronald Reagan in 1982. Eight percent was the portion of the burden being borne by corporations while individuals at that time were still at 44 percent. So you have a situation where part of the solution is we need more revenue directed at job training and education. That is the obvious way. There may be some other things that can be done to solve the present problem. We need more revenue directed at job training and education in order to be able to get out of the present bind where the workers and individuals of this Nation are slipping further and further behind while the corporate sector, 5 percent of the population, is going ahead with higher and higher profits.

A just solution is the duty of the people who are elected, the President, Members of Congress, Members of the Senate, we have a duty to solve this problem. I see no other way to solve it unless you have the resources to solve it with. What would you do with the resources that you gained from raising taxes on corporations? You would use it to make an unprecedented education system in this country, an education system which nobody can sit and predict what the components should be, but we could begin a process of working at it with research and development, with implementation of experimentation, with the application of computerization and automation and all kinds of new things which would help enhance the education system, an education system for tomorrow that is unlike any that exists now in Japan or Germany, that is not the way to go. We need an exciting classroom that captures the attention of young people and holds them. We need a classroom that can put a youngster who is a slow learner off into a corner and by use of some kind of repetitive action, either by a computerized program or a videotape that he responds to interactively, there are a number of things underway now which offer the answer for the future. We need all of those things. We need to have every American school have whatever is available. We know that computerization requires that students be computer literate for tomorrow. We know that already. So there should not be a school in the country that does not have an ample supply of computers.

Oh, they cost a lot of money, we might say. Let us get whatever money we need to do that by cutting waste, setting priorities differently, and by raising new revenues where we need them. Those are the two approaches that we should follow.

It is doable. The American people have to say it must be done. The American people have to say, we are angry and we know what we are angry about. We are angry and we are angry at Government. We are angry at elected officials and we have good reason to be angry at elected officials.

People say, well, why are they not angry at corporations? The corporations took their jobs. That is a waste of energy. Corporations are in business to make money. Therefore, you have to turn to your elected officials and say to the elected officials, you have to hold the corporations in line in terms of their responsibilities, and their responsibility, the major contribution they can make, is to generate more revenue where revenue is needed in order to finance a transition period

while we deal with the problem of a declining standard of living of American families and American workers.

Herein lies the solution. I think we need to appoint a tax commission, a commission on creative revenues. I think we ought to have a commission similar to the base closing commission, some kind of objective group of experts who would come back to the Congress and the President, and we would have the final say, Congress has the final word on the base closings commission. For years we could not close bases, for years, they were an inefficient, wasteful operation out there and it has not been totally solved. The base closing commission has problems, it is not perfect, but we are moving at a much more reasonable, scientific, logical way to close down bases than we ever did before. Hard decisions are being made by the base closing commission in connection with elected officials. Let us have a creative revenue commission that does the same kind of thing. Instead of relying on the Committee on Ways and Means, which has sold us out, which has swindled the American people since 1943, since the corporate sector started getting greater and greater breaks, paying less and less taxes and the individuals and families started paying more, you have a situation where our interests were not being served by the Ways and Means Committee or the Senate Finance Committee. The political process has broken down.

□ 2000

And it seems never to be able to get itself together again.

I do not have any faith, there are no proposals on the table to give you any reason to believe that it is going to start self-correcting. In the absence of self-correcting, we need outside forces. We have brilliant people in America that could be a part of a creative revenue situation.

Let me say to every State and every city that you have a similar problem and many States now have surpluses and are prosperous. Many cities are prosperous, but have little surplus. But there are an equal number or a majority of cities across the country who are struggling to make revenues and expenditures balance, so cities are in great trouble.

There are a number of States in great difficulty in terms of making revenues and expenditures balance, so you have the same problem.

There ought to be a clear message sent out to liberals and to progressives, and the people on my side of the aisle, Democrats, whatever name you want to take or want to be called, we need to preoccupy ourselves. We need to focus far more on revenue. Revenue policies and tax policies have been neglected by the progressives and the liberals. We do not have any new ideas to propose.

We have not seen any new ideas for a long, long time. Somehow we think that that is the dirty part of it. We will just focus on the expenditures and set priorities and talking about people's needs, all of which are necessary.

People need Medicare, and we are going to fight hard to make certain that Medicare benefits are not cut. We are going to fight hard to make certain that Medicare premiums do not go up. We do not want senior citizens eating dog food in order to pay for their medicine and medical care. We are not going to change in that area.

Liberals will be liberals. The Nation cannot exist without us. We are going to fight hard to get the school lunch program back on track so that little kids will not have to sacrifice their lunches to balance the budget.

We are going to continue to do all of those, but some amount of energy must be addressed to the revenue question. In all of this, Ways and Means will be the star. Ways and Means will be on the front stage here in the Congress and across the country.

You have already budgets of cities and States that have made drastic cuts. Large numbers of people, say in the City of New York, in my district, have told me we do not want to make these sacrifices. We think we still need these services. We think that old people should have home care because home care makes more sense than nursing homes. We think that we should still have decent meals for elderly people because that keeps them healthy and it saves money in terms of hospital care.

And we want to continue our senior citizens programs. We want to continue our programs for young children and make certain that those immunizations take place. And if that means we have to have some outreach workers to make certain that certain kinds of people get those shots, then we want to do that. We want to continue.

But we realize the city is broke. We are willing to sacrifice. We know we have to give up something. If our city is broke, we want to be loyal and good citizens and understand.

My message to you in New York City, New York State, is, yes, we want to be understanding. We should never, never ever waste public money or private money. We should always be vigilant, and in the process of pruning the budget and making city government or State government or national government work efficiently and effectively as an eternal and ongoing process. Vigilance is necessary to make certain that every dollar that is taken in in revenue is spent wisely. That is necessary. We should do more in that area.

On the other hand, do not accept the idea, do not accept the propaganda that the city is broke automatically or the State is broke. In New York City, for example, the revenue possibilities are as great as ever.

New York City once had a City University that was completely free. No tuition was charged at all. That was during the Depression. During the Depression we had a free university; the revenue being generated was meager. But this was because the people who were in charge of the government, the decision-makers, the elected officials felt it was important, important to the people and the people in charge of the government, their families were the people who were going to those free universities.

Now it is a bit different. The power is in the hands of a different set of people, and they have imposed tuition, and they are now saying, we cannot keep going; we have to cut back. The result is that large numbers of people who qualify, students who qualify and should be in college will not be able to go to college. We do not have to make that sacrifice.

What the college professors in New York City should do is put their brains to work and talk to their students and link up with elected officials. In New York City you ought to have a discussion of creative revenue policies. What are the creative revenue policies to make us more aggressively take advantage of the fact that New York City is strategically located? It is strategically located and has a harbor, a shipping industry, is strategically located in terms of air lanes coming from Europe. There is a big volume of travel business from overseas that comes into New York City.

The city has been giving that away for decades. There is a Port of New York and New Jersey Authority. That Authority is an independent authority. That Authority pays interest on bonds. That Authority is run by people who have salaries which are twice the salaries of city officials or State officials, as most public authorities do. They do not have the same level of salaries as people who are public officials. They make decisions, often bad decisions, without any accountability to the taxpayers or the voters. And they have been doing that for years. They have been squandering money for years.

New York City citizens could be more aggressive in taking back the source of revenues generated for the Port Authority of New York and New Jersey. This is just one example that we have been talking about for years, but very few people have done anything about it.

We have a Republican mayor that I disagree with on a number of other things, but he has taken the initiative and he has made it quite clear he is not going to tolerate the continued swindling of New York City by the Port Authority.

New York City has a large tourism business, in fact, probably unequaled in the country. The largest industry in the New York City is tourism. This has

not come home to most people. It has been happening for the last 10 years, but they have not gotten the message. It is the second largest business in New York State.

Agriculture is still the largest industry in New York State. But in New York City, tourism is the number one industry. Why? Because New York City is strategically located, as I said before, in terms of traveling, but it has a history that interests people all over the world. It has monuments that interest people.

There are things in New York City that the world will always be interested in. Most people in their lifetimes across the whole Planet Earth would like to see New York City sometime in their lifetime, once in their lifetime. A lot of people say, I do not want to live there, but I would like to see it. And that is one of the greatest advantages. Tourism.

The fact is that New York City has a diversified population, these terrible immigrants that people talk about. We have more than anybody else. We have a greater mixture. There may be some place in the country that has certain immigrant groups that are larger, but we have the greatest mixture in New York City. We could double the tourist industry if the decision-makers in New York City, the city council and the mayor would say, we are going to take this diversity and build on it.

The fact that we have people from China, from Bangladesh, restaurants, Pakistani, Vietnam, to say nothing of all the Caribbean countries, you could have a festival in New York City every week of a different nationality or different ethnic group and promote the kind of thing that brings people into New York City in large numbers to spend their money in various ways. It is a gold mine. The diversity of New York is a gold mine.

Let me give you one example in the heart of my district on Eastern Parkway. In the heart of the 11th Congressional District we have a West Indian Labor Day parade. It has mushroomed in 20 years from a few blocks to something like 50 blocks, and it is the largest tourist event in New York City now, 2 million people. And police always make conservative estimates; this is the police estimate.

Last Monday on Labor Day, 2 million people turned out for the West Indian parade. They do not call it a parade, it is a carnival. They set up food stands. You cannot walk, there are so many people spread along the parkway. People come from all over the world because you have people of Caribbean descent in Canada and London. They come for the carnival and parade, 2 million people.

Can you imagine how much revenue the industry receives from the impact? Those who come from outside have to have hotels. They have to travel in. All kinds of expenditures that come from the outside. Those who are on the inside spend money in great volumes for the various things that are for sale.

And the city has ways to collect this revenue, but it turns over the economy. If the city collects not a dime, the people who are selling the wares and participating in the activity are earning money in a way which generates money for the overall gross income of New York City.

Here is a tourist event started by amateurs that generates this kind of money. What if the city planned and made planning to have some kind of festive every week of the year with a different ethnic group?

And we have a City University system which has 200,000 students. This is before the budget cutbacks and the raising of tuition, but I suspect it is hovering around 195,000 students. You have 200,000 students in the City University system. This is not the State university, just the City of New York. You have all those professors.

You could have an institute for each one of the ethnic groups in the city. An institute which would help plan these things. You could have a welcoming committee for the visitors from Indonesia, Pakistan. You could have a welcoming committee organized by the city so that the activities are organized and the middle-class families of the world who are traveling, you can come to New York and expect more than just to see the sights. You can expect to be welcomed and have some of your human needs taken care of.

You take China. We have a large Chinese population in New York. The best Chinese food in the world; a politically active population.

China, with 1 billion people and growing, broken out of economic stagnation. China is creating a middle-class. If you have a billion people and 1 quarter of that billion people become middle-class, that is 250 million people. If 1 quarter of the 250 million decide to make a trip to New York once every year, we would be overwhelmed by Chinese tourists. But they are coming. It is going to happen.

You can double the revenue from tourism. You can double the economic activity from tourism in New York City if you plan for it and if you encourage it.

Every Eastern European country, you could have an exchange program. There are a thousand ways that we should take the initiative and say that we liberals and progressives are going to seize the initiative and force new activities which generate revenue.

And on the national level as well, this is a diverse Nation. Instead of bashing immigrants, we should look at what that means in terms of a tourism industry. Our initiatives in tourism are paltry as a Nation. States do a better job of encouraging tourism. But nationally, we are not in the same league with Italy and France. They know how to promote tourism. They do whatever is necessary to make certain that people come from the outside to spend their money in their countries. They have all kinds of tricks and special coupons for gasoline and all kinds of tricks, not tricks, but options, inducements, incentives.

We do not do that. We are arrogant about it all. They are going to come or not come. We will encourage a few things by sending out brochures, but revenue can be generated for the whole country if we just organize better the tourism industry.

Mr. ABERCROMBIE of Hawaii is disgusted by the fact that he cannot get an adequate response to the growth of the tourism industry. I will not dwell on that. That is just one example.

I want to bring it home to New Yorkers. Instead of despairing, you have a mayor that says the city is broke. We cannot do any more. We are going to have a different standard of living and quality of life. City University cannot only not be free, but we are going to raise the tuition so that it is going to be as high as Ivy League schools.

□ 2015

In order to have a different solution in New York City, the liberals, the progressives, have to concern themselves also with taxes and revenue as well as streamlining new priorities, setting new priorities. At the national level, the priorities are all mixed up.

Today we had a vote on the defense appropriations bill, and while this Nation needs to be investing in research and development and needs to be creating skilled workers to insure that tomorrow's highways, brainpower industries generate much of the employment in the United States, going back to Mr. Thurow's article, while we should be doing that, instead of investing in research and development and in education, we made dramatic cuts, drastic cuts in research and development and in education.

Before we went on recess, we had an appropriations bill for education, health and human services and education. Specifically, education suffered about $3 billion in cuts. The Head Start program, for the first time in history of the program, was cut. The title I program was cut by $1.1 billion.

It is the biggest cut. It is the biggest program. Title I is the only program that funnels Federal funds into public schools, into elementary and secondary schools.

At a time when we need to be increasing our brainpower, improving our educational system, even the programs that exist already are drastically cut. Large numbers of job training programs were wiped out. They say they do no good and, therefore, they should be wiped out.

But we have had some weapons systems and some activities in government that have had problems that did no good. We do not wipe them out. The CIA has been in trouble for a long time. The CIA is a great embarrassment to everybody. We do not wipe it out. We insist on restructuring the CIA, get a new director, have some new codes, appoint a commission. Nobody wants to wipe out the CIA.

We do not even cut the CIA. One of the items on the floor of the House today was an amendment to cut the portion of the CIA budget which deals with satellite activities, information-gathering activities only, which is estimated to be about $16 billion. We have to say estimate because we do not know the details of the CIA budget, of the intelligence budget. You are not allowed to do that unless you want to go to the secret room and, not a secret room, go to the room where the budget is as a Member of Congress, and behold the budget of the CIA and the other intelligence gathering activities. Once you look at it, you cannot talk about it. Nobody wants to go and look at it because they are muzzled. You cannot criticize. You are a traitor if you talk about it after you look at it. Everything is topsecret.

So estimates that are never disputed are that $28 billion goes into total intelligence operations, a minimum of $28 billion. In the past we have had a budget amendment on the floor to cut the CIA budget by 10 percent totally across the board, the intelligence budget. That 10 percent of $28 billion would yield $2.8 billion a year. We said do it for 5 years so the CIA budget is cut in half.

Today we were proposing less, just a portion of the CIA budget which deals with intelligence-gathering operations, with satellites and military aspects of it, which is estimated at $16 billion. We were going to cut that by 10 percent. That is $1.6 billion.

When we first introduced the amendment to cut the CIA, we got 104 votes. The second year we introduced it, we got 107 votes. Today we got less than 95 votes.

In a time when the state of the emergency is beginning to manifest itself clearer and clearer every day, at a time when it is clear that we need to devote some resources to deal with the economic emergency that we have in this country, the Members of Congress, Democrats and Republicans, refuse to cut a wasteful CIA budget.

Aldrich Ames and his capers have shown us something is radically wrong with the CIA. Not only are we funding a wasteful operation, but the Aldrich Ames affair shows we are funding a dangerous operation where people are in high places, are allowed to get to high places because of a lack of accountability and standards, and an outright bum, an outright bum was allowed to rise to the top where he was directing the agents who were related to Eastern Europe and the Soviet Union, and Aldrich Ames is responsible for the death of at least 10 agents, at least 10. He is not talking yet. He is in prison, but not fully talking. But they have admitted that he has caused the deaths of at least 10 agents.

He has received at least $2 million from the Soviet Union. Even after the cold war ended, he was still on the payroll, and it was estimated that he was supposed to go, in the end, go to Russia, and there was a big mansion built for him. I suppose they are going to put him in the annals of history because who else has made such a fool of the American intelligence community, this man in high places who broke every rule. He was a drunk, an alcoholic. He used safe houses. We probably have beautiful safe houses that we pay a lot of money for across the world. He used safe houses for his sexual escapades.

He broke all the rules. But he was the son of a former CIA employee. He was a member of the old-boy network. So he was allowed to do this because the agency is not into anything of great significance. If it had been into some significant activity, he would have been exposed a long time ago, with Aldrich Ames's traitorous activities, with the death of 10 agents, at least they admit 10 agents dies, peace and war have not been affected at all. Nobody will say that he had any impact on peace and war in the world. Nobody will say that he had any impact on the security of the United States, because whatever those agents knew and whatever games they were playing, whatever cop-and-robber activities they were engaged in were insignificant.

Most of what Aldrich Ames was doing in getting people killed was insignificant to the welfare of the people of the United States, insignificant to the security of the United States, and yet the Democrats and Republicans both refuse to cut the CIA budget just 10 percent.

That is not the only major vote that was on the floor of the House today. There was a vote for the B-2 bomber, an amendment to strike the B-2 bomber from the appropriations bill. The B-2 bomber the President says he does not want or need. The Joint Chiefs of Staff said, "We do not want or need the B-2 bomber," that whatever functions the B-2 bomber could serve can be served in other ways that are more effective and more efficient. The chief of the Air Force says they do not need the B-2 bomber. The Secretary of Defense says, "We do not want the B-2 bomber." All of the people that we pay to render expertise on these decisions say. "We do not want the B-2 bomber," and yet the amendment to delete the B-2 bomber on the floor of this House, despite the fact that both Republicans and Democrats supported the amendment, Republicans came over in large numbers, led by the chairman of the Committee on the Budget, the Republican Committee on the Budget, the man who, despite the unpopularity of it, will put his vote where his philosophy is, it still lost by 3 votes. It still lost by 3 votes; by 3 votes, the Members of Congress, Democrats and Republicans, said, "We want to keep a weapon that everybody says is wasteful."

Over the life of the B-2 bomber production, we are talking about $30-some billion. Right away I think $30 million is involved in the next year's budget over the life of it, we are talking about $30-some billion, and yet Republicans and Democrats say "no."

What is the reason for rational people, elected by the people of the United States, to fund a weapon that the experts do not want, that the military people do not want? What is the rationale for that?

I will not answer that question. I will let you call your Congressman and ask them how they voted, and let them answer it. But it is clearly an example of how the priorities that we need to be shaping for this transitional period are not being dealt with.

We do not need any more money from taxes, either for families and individuals or corporations, until we eliminate those kinds of wasteful activities and wasteful weapons systems.

We are not living up to the promise that we made in terms of streamlining the budget. The President made it. The Democrats made it. And the Republicans made it. And yet there are tremendous examples of waste, all of which I will not go into. We will not deal with the farm program. We will not deal with the subsidies that go to the farmers in Kansas, which average between $30,000 and $40,000 per family, and it has been doing that for the last 20 years, and they will not cut those subsidies. Farmers are no longer the poor people that Franklin Roosevelt decided to subsidize.

Farmers are corporations now. Only 2 percent of the population lives on farms. But look at the size of the budget, between $12 billion and $20 billion, which go into various farm programs. We could move to seriously cut the waste and take that waste and put it into job training, education, research and development, and deal with the problems Mr. Thurow talks about. We could deal with the problems that we are in a global economy, and our greatest asset will be an educated population, a highly skilled population, a population that is fueled by economic activity that becomes more and more complex all the time but stays ahead of our competition in the rest of the world. This is the answer to the problems that Mr. Thurow lays out.

We can talk in empty terms about family values all we want, but unless

we increase the wages of American families, families will continue to fall apart. Mr. Thurow says that in the modern economy all over the world, except in Japan, there is a phenomenon which has been documented all over the world, except in Japan, men are leaving their families in order to deal with the economic crisis. That is a terrible indictment of males, but males are faster to leave their families than females. Everybody knows that. Males are leaving their families all over the world in order to deal with the crisis of not having enough wages to take care of their families. They run away. When men leave their families, their individual quality of life improves because all they have to do is take care of themselves while the family's quality of life that they left behind goes down.

He points out if women start doing that, we are in real trouble. If women start to opt out and leave their children, then only the Government decides. Somebody has to take care of them. We will be in the position of having them shot down in the street like they are shot down in the street in Brazil. Orphaned children, with no homes, are often killed wholesale at night in Brazil. Their civilization has come to that.

I conclude by saying Mr. Thurow's article should be read by every Member of Congress, by every voter out there, just to get an analysis that is mainly objective. He is respected. He is not a liberal; I mean he is not an ideologue. Take a look at his facts. Take a look at his compilation of what is going on in the world and in this country and understand the economic implications.

We have to do something about the phenomenon where no country without a revolution or a military defeat and subsequent occupation has ever experienced such a sharp shift in the distributions of earnings as America has in the last generation. At no other time have median wages of American men fallen for more than two decades. Never before have a majority of American workers suffered real wage reductions while the per capita domestic product was advancing.

We are in a unique period, a transitional period. The only people who can solve this problem are members of government, the President, the Congress, the elected officials all over the country. It is our duty to bite the bullet and come up with some solutions to this drastically changing economy and society.

I hope that in the next few weeks ahead we will bear this in mind.

KEEPING THE PROMISE

The SPEAKER pro tempore (Mr. HOEKSTRA). Under the Speaker's announced policy of May 12, 1995, the gentleman from Ohio [Mr. CHABOT] is recognized for 60 minutes as the designee of the majority leader.

Mr. CHABOT. Mr. Speaker, I really appreciate the opportunity to share this evening with the C-SPAN viewers and some of my fellow colleagues who I am going to introduce in just a moment. We are going to have approximately an hour colloquy here this evening.

The topic basically is we just got back to Washington yesterday. We have spent the last month in districts all over this country talking with the people that we represent.

I, for example, had a town meeting in a community, a township of Delhi, we had a town meeting in Colerain Township. I visited a number of senior citizens' centers around my district, toured factories, really to find out what it is on people's minds back in my district.

□ 2030

And it was a very, very positive response for the most part. The thing that I heard probably more than anything else is we really like the fact that you and most of the freshmen in particular, and some of the other Members that you have been working with, kept your promise. You did what you said you were going to do in the Contract With America, and they were very, very pleased that we have been doing that.

On the other hand, they have been a bit disappointed with how slow the Senate has been moving on a number of these things, so I did hear that a number of times, but they were very positive about what has been going on in the House, and there were many, many things that we talked about.

Particularly the one issue that kept coming up time and time again was the importance of balancing this budget. The people out there realize that the budget is just too large. This institution, Congress, has spent $5 trillion more than it has brought in over the past couple of decades, and the deficit is just too, too large. The American public, people in my district, realize that. They want us to do something about that, and the message came through to me loud and clear that they believe that the answer to balancing this budget is not to raise taxes, but rather to cut spending, and I have talked to a lot of my colleagues here, and I think that is what their frame of mind is and what they believe we ought to do.

So at this point I kind of would like to introduce a couple of my colleagues that are here this evening.

First of all, let me introduce Mr. MANZULLO. He is from Illinois. And then we have a good friend of mine, Mr. JONES, who is from the State of North Carolina, and I mentioned this, I think, last time, that my mother is from North Carolina. She was born and raised in Charlotte, NC, so she always likes to hear you speak. And we also have here Mr. LEWIS from just across the Ohio River from me in the State of Kentucky. And then Mr. HAYWORTH is going to be joining us in just a few minutes here, and is from Arizona.

So at this time, Mr. LEWIS, what do you hear back in Kentucky?

Mr. LEWIS of Kentucky. Well many of the same things that you have been hearing. My constituents are saying, "We are not concerned that you're going too far. We just don't want you to not go far enough."

And they want a balanced budget. They want to see a future for their children and their grandchildren, and I have told them that I believe with all my heart that the 104th Congress is totally committed to balancing the budget. One thing that they said that they would like to see come out of the Senate would be the balanced budget amendment that will insure that future Congresses will be committed just as much as the 104th to a balanced budget, that they would have to be. I think that is an extremely important thing because, if we go to the trouble of balancing the budget and doing those things that we have to do in order to do that, I would hate to see a future Congress come along and start running up a tremendous debt again.

But across-the-board I saw a lot of positive responses to what Congress has done already; as you mentioned, the Contract With America, that we kept our promises now that we are moving forward with doing exactly what we said we would do in balancing the budget.

I talked to my constituents about the problem with Medicare, that it would go broke in 7 years unless we do something about it, and they understood that. They want something done, they want it saved, and they want it to be secure for the future, and I think that now it is a matter of putting something together that is going to be acceptable to them and to everyone concerned.

So, I had a great response across the district, and I think that from talking to my fellow and lady Congress persons that they are receiving the same response that I did. I just think that we need to carry through now with what we have promised to do from this point on and make sure that we do save Medicare, that we do balance the budget, that we do take care of the welfare problem, that we take care of regulatory reform, that we take care of making sure that we have a strong defense.

You know, there are a lot of things that we are waiting, as you mentioned a minute ago, for the Senate to follow up on, but I think, when it is all said and done and the smoke is cleared, we are going to be there with all the promises kept.

Mr. CHABOT. Mr. JONES, what are you hearing in North Carolina?

Mr. JONES of North Carolina. Well, pretty much the same thing RON was talking about.

As you know, I am delighted to be reminded that your wonderful mother is from Charlotte, NC, a great city in our State of North Carolina. I happen to have the eastern part of the State which actually I have the coastal areas. I have 19 counties, and I had the privilege to be in 15 of the 19 counties. I actually worked all but 3 days during the recess, so it gave me an opportunity to do numerous radio shows and speak in the civic clubs, speak in the senior citizens groups, church groups, and really getting out among the people to listen to the people, and, pretty much what the gentleman from Kentucky said, I found the majority of people are relatively positive about what the new Congress is doing because, as my colleague said, we are following through on our promise to the American people during the campaign, and it is a promise that we kept with the American people starting with the first 100 days in the Contract With America.

As my colleague said, the majority of comments I heard about the major issues that we are dealing with is first to balance the budget. During my presentation, it always started with what a $4.9 trillion debt does for our children and the fact that a child born in 1995, he or she, if they live to be 75, owes $187,000; that is their tax responsibility just to pay the interest on the debt if we do not balance the budget. So, I was very pleased to start the discussion off with the fact that we are talking about the future of our children, or maybe the lack of a future, and then I closed by talking about Medicare, wanting the people to know that we have a serious problem which was acknowledged by the Medicare trustees and that by the year 2002 the Medicare trust fund would be bankrupt.

The other side, primarily the liberals, keep saying that we keep attacking the Republicans' side, and yet I am pleased to tell you, my colleagues, tonight that the majority of people that I spoke to sincerely understand that we, the new Republican majority, are committed to preserving and protecting the Medicare trust fund for our senior citizens.

So, I can honestly tell you that, like my colleague, I was very pleased and very humbled by the confidence that the majority of people in my district feel toward this new majority that we will do what is necessary to tackle some of the most serious problems facing our Nation, trying to find a solution to those problems. So I can honestly tell you that I was well received, not just me, but this new Republican majority, and the people, we are helping to rebuild the trust that I think so many thought America had lost in elected officials because, as my colleague said, we are keeping our promise to the American people, and they know that we are very serious about trying to find solutions to very difficult problems.

So I am pleased to tell you tonight that right now I believe that the American people have more confidence in this new Republican majority than they have had in a Congress in a long time.

Mr. CHABOT. Good to hear it. Sounds like the people in my State of Ohio are saying the same types of things that we are hearing both in Kentucky and in North Carolina.

How about in Illinois? What are you hearing?

Mr. MANZULLO. Well, everything is alive and well in Illinois. It is a magnificent district that I represent, and I think one of the most interesting things that occurred, we had a series of three town meetings. It is the district that is well served by media, and some of the Members had as many as 30 town meetings in order to get across the stretches of their congressional district, and fortunately we have an area that can be served by the media so that we can have fewer town meetings, spend more time in preparation, more time at the meetings, et cetera, and we decided to have a town meeting at one of the senior citizens high rises, retirement homes, and put on this demonstration with overheads showing, as WALTER did, that, regardless of how you look at it, there will be no money for Medicare by the year 2002.

I mean you can talk about people having to receive less, if that is the case, and people said, "Well, gee, that is going to hurt here and everything," and I said, "Well, remember this thing will be broke by the year 2002 unless we do something to really radically transform the system of Medicare," and I said, you know, as you mentioned, that in this meeting that there are somewhere between 1 and 3 million people. I am not sure of the number of former Federal employees who are still on the big FEHBP health insurance plan that most of us still have, whether you work for the Department of Agriculture or you are a Member of Congress. You can opt 1 of 30 different plans.

Mr. Speaker, I said, "Do you realize that there are seniors in this country that have health insurance in lieu of Medicare where they have prescriptive, dental, and optical coverage," and they, sort of stunned, looked at me, and they said, "Well, how is that done?"

I said, "Well, essentially what the Federal Government really does is it is a voucher, it is interjected, the private, private enterprise, into a stagnated governmental system and offering seniors more. Can you imagine that; more coverage because of the private sector?"

And I said what the Republicans are trying to do is, if you want Medicare the way it is, you do not have to do anything. You automatically are enrolled. You want to try a new plan? Come the anniversary date or the opting-in period, you get into that, and I said, you know, we are trying to experiment with ways to bring down the cost of Medicare and possibly even increase the coverage.

And so we talked about 20 minutes, and this was all seniors, and there were only about two questions on Medicare because they registered completely, understood, what was going on and then went on to questions about our legal immigration laws. There had been a 30-minute documentary about our illegal immigration, and I left there a little bit perplexed because the people of this country underestimate the intelligence and the willingness to be part of the solution of the seniors and the seniors will not become political pawns in the hands of either party. What they really appreciate is the fact that the Republicans have taken the initiative to really delve into a highly controversial area, an area where people said what you mentioned, Medicare as the third rail of political death. That is not the case because the Republicans under the leadership of Mr. GINGRICH, who came right out and said we have got a problem, let us meet the problem head-on with the seniors of this country, let us be honest with them, let us tell them what the trustees' report is showing, that the system is going bankrupt, and let us rely upon the integrity of the seniors of this country to understand the true message, and that is what I found having crossed the district.

I tell you I am so proud of the seniors that I represent, and they are indicative of seniors across this country. I think it is absolutely remarkable how fully they comprehend the problem.

Mr. CHABOT. I think that is exactly right, and you know you brought up Medicare, and you also mentioned the trustees and the report. Maybe we should talk a little bit about that; you know, the trustees' report included three of the President's high administrative officials. There were Democrats and Republicans who studied Medicare in depth and came out with a very detailed report that said, if we do nothing about Medicare, it starts losing money next year and goes bankrupt by the year 2002, which is 7 years down the road.

□ 2045

So I think all of us here tonight and all the Republicans I have talked to, and I think in fairness some of the Democrats too, are committed to saving Medicare. It is absolutely critical to seniors, it is critical to those who will be seniors down the road, we have to save Medicare.

Now, let us be frank about this: There is a scare campaign that has

been going on, we have heard it on the floor here now for some weeks and months even, where some liberals are trying to scare seniors and saying there is a plan to cut Medicare. I think, once and for all, we need to put that to rest. None of us are talking about cutting Medicare, period. We do need to save it.

What we have been doing back in the district is we have been talking to seniors and getting their ideas. One of the things I heard from seniors is that they believe there really is a lot of waste, a lot of fraud in the system right now. People have been overcharged. Hospital bills have come through for things that they did not get the service for.

One lady gave me some horror stories, and I just happened to clip an article out of the Washington Times newspaper recently. It is a short article. I would just like to read this. I found this very interesting.

Representative JOE KNOLLENBERG, Michigan Republican,

He is a Member of Congress here,

Tells the story of a Michigan woman named Jean English, who, while going through the mail of her recently deceased brother, found a bill for his last hospital stay. Her brother, who suffered a terminal illness, died only a few days after being admitted. The bill for the four-day period came to over $368,000

For 4 days, $368,000.

All of it had been forwarded to Medicare for payment. Shocked by the expense, Mrs. English called the hospital for an explanation. What she got was a 14-page itemized statement. The greatest expense? A seven-hour,

and I will repeat that,

seven-hour stay in the emergency room, according to the bill, required over $347,000 worth of supplies.

Well, after much hemming and hawing, says Congressman KNOLLENBERG, the hospital admitted it had made a mistake. Instead of over $347,000, the actual charge should have been $61.30. That is right, $61.30. An overcharge of over $346,000. The problem was found.

End of story? No. The errant bill had been sent to Medicare and paid by Medicare. That is right, they had paid the bill.

So this is the tip of the iceberg, one example. What we need to do, one of the things I think is we need to get seniors involved in giving them an incentive to closely look at those bills and see if they are being overcharged, and perhaps give them a percentage, some kind of incentive for them to look through the bills and help us to reduce the costs which have been soaring out of control.

Mr. JONES. If the gentleman will yield for one moment, I used a chart that showed that each year there was an estimate, that each year fraud, waste and abuse amounted to $44 billion a year charged to the Medicare Trust Fund, and that is exactly the example of what you just gave.

I did find my seniors, quite frankly, they had examples that applied to them as individuals or friends or family members. So there definitely is waste, fraud and abuse that we as the new Republican majority, we are going to deal with that problem and try to reduce and eliminate. So I appreciate your sharing that with us.

Mr. CHABOT. I believe there should be, and we have gone through and really established a criteria. The only bill that I personally would support is one, for example, that continues to allow seniors to have the choice to choose their own doctors, to make things so they would have a series of choices to make, but not to have some bureaucrat up here in Washington telling them what their health care should be like or what doctors they should go to. I think that is important. Let seniors have a high quality of care, continue to have a high quality of care, and have them have choices.

Mr. LEWIS of Kentucky. If the gentleman will yield, I would just like to reemphasize the fact that there is not a cut in Medicare, there is an increase in spending over the next 7 years. It will go from $4,800 per recipient per year on average to $6,700. That is an increase.

What we are trying to do is to hold the rate of growth to what the private sector is, approximately 6.5 percent. If Medicare continues to grow at 10, 11, 12 percent, of course it will go broke in 7 years. Slowing the rate of growth, but increasing the amount that the recipients are going to receive, and giving senior citizens a choice, as you have been talking about and as DON has been discussing, and providing money.

The SPEAKER pro tempore (Mr. HOEKSTRA). The Chair is compelled to remind all Members that remarks in debate are properly directed to the Chair. It is not appropriate to address others in the second person or to refer to colleagues by their given names. A Member properly refers to a colleague as the gentleman or gentlewoman from Indiana, Michigan, or Ohio, or whatever State may be concerned.

The gentleman may proceed.

Mr. LEWIS of Kentucky. Mr. Speaker, I think that it is important that we emphasize the fact that we keep hearing from some of those in the House that we are cutting Medicare. It is just not the case. Then we keep hearing that we are going to take from Medicare and give to the wealthy tax breaks. That just is not the case.

We are looking at allowing families that today are paying almost 40 percent of their income in taxes, average family, to give them an opportunity to have a $500 tax credit per child per family. That does not seem like a tax break for the rich. We are looking at a capital gains tax cut that is going to be good for everyone that wants to sell a piece of property or an investment.

It just seems like that every time that we talk about anything in this House, Mr. Speaker, that we are trying to cut spending, we are trying to allow some tax credits and tax breaks for individuals and families, that it is a tax break for the rich. We have heard that from the school lunch program, from everything that we have attempted to bring the budget into balance, that the American people are asking for. It seems to me that every time we hear that, they are crying wolf on everything.

Mr. MANZULLO. If the gentleman will yield, I got into a very interesting controversy. I tend to get into those once in a while. Whenever you take an oath that you are trying to cut spending, that happens. I sit on the Committee on International Relations. We had an opportunity to take a look at all these incredible student exchange programs. USIA carries them, about 42 different agencies carry them, over $2.5 billion a year. In fact, I just got a request to meet with a member of the Italian Communist Party, brought over to this country, paid for by the USIA, so he can talk to American legislators about elections and democracy and things of that nature.

There has to be some good in every program, and I am itching my head, or scratching my head trying to find that one. So I had moved to the Committee on International Relations to cut out $40 million worth of these programs. I did not get too far there. So I filed an amendment on the floor for regular debate. And goodness gracious, USIA called people back in the district.

I got a fax, one of the nastiest faxes, from a State university not located in my district, written by the woman in charge of these exchange programs, three-page fax on letterhead, "How dare you be so unkind and cruel in cutting these programs." And she went on for about two pages, and then at the end, "I am going to organize my friends and vote against you." That did not bother me. She did not live in the district anyway.

So I called the president of the university. He was not in. I talked to the assistant and got back a three-page fax from the attorney for the school. He said, "I don't see anything improper in people on our staff lobbying Members of Congress." Mind you, they are using Federal dollars if you stop to think about it, especially in her program, "* * * lobbying Members of Congress. Perhaps her letter was too strong." Then he went on for two pages of his own to extol the virtues of these programs.

There is this mentality. You have heard NIMBY, not in my backyard. One is cut everybody's program except mine. I got editorialized because the newspaper back home said Mr. MANZULLO did not want to cut the Fulbright scholarships because those are popular with politicians and their kids. I moved to cut everything.

So in the end we compromised and cut out $20 million in those programs. I got a call from the staff of International Relations, and we worked out a compromise. We saved $20 million just like that. And yet you have to look people in the eye and say if you want to do something about this $5 trillion national debt, which according to a chapter called Generational Forecasts that appears in the budget that says by the time every child born after 1992 enters the work force he or she will have an effective tax rate of between 84 and 94 percent, that is guaranteed socialism. It is a guaranteed collapse of our republic as we know it. We have to be stern and say this country is going to collapse unless we stop that kind of spending.

What I found is that if you tell people that, they say, "Well, but let me tell you about this program of mine because it is an investment." You know, you can take a look at any 1 of the 10,000 programs we have in the Government, and most of them will have some good that comes out of them.

I had a young man in my office who came from Russia, an 18-year-old kid. You can tell that some day he is going to be a leader in that country. We talked for a half an hour. He had come over to this country, 1 of 6,000 students who came from the old Soviet Union, at a cost of $30 million a year, paid by the American taxpayer.

Does the program have worth? You bet it does. But we have got to draw the line and say where does Congress have the authority to spend money we do not have?

Mr. CHABOT. If the gentleman will yield, I think that relates to something I have heard over and over at my town meetings back home, and that is that one area where people really do think there has been a tremendous amount of waste, and I agree, and that is the billions and billions of dollars that we have spent on welfare over the years. In fact, since the Great Society years, we have spent about $5 trillion just on welfare.

I would argue, and many of the people that I talked to back in the district felt this way, that most of that money was counterproductive. It encourages fathers to leave their homes and not to be home and help to raise their kids. It allows kids basically to just assume that a check will come from the Government every month, that nobody in the home ever goes to work, and the Government just supports folks. That is not the way it is; it is not helpful to those kids.

I heard over and over again that people were very pleased that we had passed a very good welfare reform package here in the House. Of course we are still waiting for the other body to act upon that.

Mr. JONES. If the gentleman will yield for a moment, I am glad you brought that subject up, because in addition to balanced budget and Medicare and tax reform, and I want to touch on that in a few minutes, welfare reform, I heard that consistently in the radio shows and speaking to different groups and town meetings, that people were pleased with what the U.S. House of Representatives, led by the Republican Party, did to come out with a tough welfare reform bill, and they hoped that the other side will follow suit.

You are absolutely right that it is a tremendous problem. It has been a system that has perpetuated people being dependent on the system, instead of a system to help people get off the system and become productive citizens.

□ 2100

I appreciate the gentleman bringing that up.

Mr. CHABOT. And the thing that again I heard over and over again is that people did want to help those who truly needed help. But they felt it ought to be temporary; it should not be a permanent way of life. Unfortunately, far too often that is what it has become, and in fact you have got generation after generation after generation of people who are receiving welfare and just never get off.

Mr. HAYWORTH. Mr. Speaker, if the gentleman will yield, it is good to be here with my colleagues this evening to discuss the matters at hand and what we learned on our summer vacation, among the constituents of our respective districts. I think it is also important, as our good friend from North Carolina pointed out, that sometimes things are misunderstood or mischaracterized.

For example, I listened with interest quite often to the gentleman down at the other end of Pennsylvania Avenue mischaracterize what this body has done in terms of meaningful welfare reform. Oftentimes, the President will appear on radio or television or in front of groups and point a finger of accusation at this institution, saying that this new majority is cutting off benefits to unwed teenage mothers. There is one word that the Chief Executive and indeed some of the folks who are guardians of the old order are leaving out of that characterization. And that word is, it is a four-letter word, but it can be discussed in polite company, c-a-s-h, "cash."

We do not advocate taking away benefits. We do not blame little children born into circumstances beyond their control. Indeed, as we have shown in our block grant programs and our efforts to reorganize and transform the welfare state, we are providing for women, infants, and children. But what we are trying to change are the days when someone can look to the Federal Government for what is in essence a subsidy, a cash subsidy for a way of life that abandons responsibility.

I listened with great interest to our friend from New York earlier. I believe you were touching on it just a second ago, the characterizations I believe of the economist Dr. Thurow, I believe at MIT, about some worldwide phenomenon of males leaving the household because of economic pressures.

Friends, there is no need to try and explain away via academia what is going on here as if it is some phenomenon. There are three words that describe it: abdication of responsibility. Economic pressure notwithstanding, for what is external cannot replace what is internal. If people are willing to abandon their responsibilities, and these are people at every level on the economic ladder, if people are willing to abandon their responsibilities, it creates the problem.

So we are not here to demonize one group of people or try to set Americans against each other. What we are simply saying is this: After 30 years of an expansive program whereby some estimates for every dollar we spent on so-called social spending, almost 80 cents are eaten up by the cost of government, is there not a better way to attack the problem? Is there not a better way to have a true safety net that is a trampoline instead of a hammock?

I learned a lot in meetings with our constituents in the district. A lot of people were saying, you have got a lot more you have to get done. There is a lot more we want to see done. We sent you to Washington to make a change. Of course those same constituents acknowledge that it is very difficult in 8 to 10 months to transform a policy of highly centralized power that has taken over four decades to concentrate here in Washington.

But in addition to that, I get letters from all over the country. Indeed we have people, Mr. Speaker, as you know, who join us via C-SPAN. I got a nice note from a gentleman who is a constituent of our good friend MARK FOLEY who I believe is celebrating his 41st birthday today. He attached an item that first appeared in this CONGRESSIONAL RECORD in 1949.

Our friend from Florida sent this. It has been commonly called the ten cannots. A theologian from your State of Ohio first brought these up. They were attributed incorrectly first to Abraham Lincoln, but this is what Rev. William J.H. Bedcar said: "You cannot bring about prosperity by discouraging thrift. You cannot help small men by tearing down big men. You cannot strengthen the weak by weakening the strong. You cannot lift the wage earner by pulling down the wage payer. You cannot help the poor man by destroying the rich. You cannot keep out of trouble by spending more than your income. You cannot further the brotherhood of men or the brotherhood of man by inciting class hatred. You cannot establish security on borrowed money.

You cannot build character and courage by taking away men's initiative and independence. And, finally, you cannot help men permanently by doing for them what they could and should do for themselves.

Mr. JONES. Mr. Speaker, I am pleased to tell the viewers that the gentleman from Arizona was originally from North Carolina. We are delighted to see him in the United States Congress.

Just to make a point on a point that you made, and many fine points that you made, is that the concern about welfare is a concern by all Americans, no matter what race the individual is. Because they fully understand, and I heard this back to the gentleman from Ohio during my travels in my district, from all good Americans that we have a system that, again, needs serious reform for the future of this country.

I think you and the gentleman from Illinois and the gentleman from Arizona remember Bill Bennett appearing before our Republican Conference prior to the vote on welfare reform. He made a very passionate speech and told the conference that he was Catholic, he was pro-life, he was pro-family, but if we did not deal with a very strong welfare reform bill, that our society was in deep, deep trouble.

So, again, I am pleased to add to my good friend from Arizona that we, the House, the Republican majority, join with many conservative Democrats, have passed a very, very fine, tough welfare reform bill.

Mr. CHABOT. I think something that is important to point out is that some of the folks on the other side of aisle, those that tend to be more liberal, have had a tendency to try to paint us who are in favor of changing, reforming welfare, they have tried to paint us as being coldhearted and not caring about families, children that are stuck in welfare.

I would argue that there could not be anything more damaging, more dangerous to those kids than the current welfare system which will basically encourage them to grow up in that same destructive pattern of behavior that put their parents in that system to begin with.

We are trying to change that system to get these kids out of that very destructive welfare system that we have in this country, to totally reform the system. I am very optimistic that over time we will actually be able to accomplish that. I think that is really one of the most priority issues that we have facing this country.

Another thing about welfare that has always bothered me, that does not get mentioned, I do not think, enough, is that we have to figure out where the money is going to those folks on welfare is coming from. Oftentimes the money is coming from other parents, sometimes single mothers who are working two jobs that are paying more taxes than they ought to that comes up here to Washington and then goes back down to the States, back down to the folks receiving welfare. So you are taking money away from hard working, sometimes lower middle class folks and giving it to other folks who in general ought to be working to support their own children.

Mr. HAYWORTH. Indeed, that brings up another part of the equation that is sometimes not emphasized from good people on the other side of the aisle. Indeed when my colleague from New York was here in the previous special order, I know the gentleman from Illinois listened with great interest to this, the gentleman from New York talked about a disparity of income from the very wealthy to the very poor.

And I just think it is significant to note, indeed you probably have already done this during our time together tonight, but I do not think it can be repeated enough to the American people. In 1948, the average American family of four was paying about 3 percent of its income in taxes to the Federal Government. By last year, the average family of four was paying almost one-quarter of its income in taxes to the Federal Government. When you combine that with State, local taxes and the hidden taxes of regulations and fees, it is not a stretch to say that almost every family is paying almost half of its income in taxes.

So the disparity comes not so much when a check is given out but what is taken away by Government. Indeed we have this across the middle class ladder.

Mr. MANZULLO. Mr. Speaker, one of the really disturbing things that is happening in this country, and I believe it is due to the fact that we now have had three, indeed as many as four generations on welfare, is the destruction it does literally to the souls of those children who all they know is the welfare check.

Our colleague from Florida, Congressman DAVE WELDON, during his campaign for Congress, talked to a friend of his who was interviewing three children. And he asked, what do you want to do for a living? One said, I want to be a policeman, and the other one said, I want to be a fireman. And the third child said, I want to collect checks.

I mean, I do not believe the people in this country are willing to cede personal liberty to the Federal Government in exchange for a promise of Government security.

I really do not believe that they are willing to do that. And yet what is happening is the more people get used to the fact of saying, well, let the Government do it, you know, my colleagues, let me just share with you a burden that is on my heart. I do not want to offend anybody when I do this.

When we were kids, the activities that were planned for us were done by our parents. I was raised before television. I remember the area in which we grew up in Kenrock in Rockford. It was a pretty tough area of town. On Saturday nights, my dad and some of the local merchants—dad ran a small grocery store—would take the 16 millimeter projector from the school, because the school was the community, and show movies on painters tarpaulins that were tacked to the back of billboards on the corner there. And hundreds of people, literally hundreds would show up, and we would have peanuts and popcorn. And there was a whole community together.

And my dad, who passed away about 6 years ago, said, when Americans tore the front porches off their houses, when they turned those front porches into TV rooms, the people of this country stopped talking to one another. And before we would look internally. We would look to the schools, to the churches, to each other. And when people stopped talking, they started looking to the Government for an answer.

What an incredible observation by a man who had been raised through the depression and talked about the great days, when everybody would sit on their front porches in the summertime and just throngs of people would walk down the streets, saying hello to each other, checking up on one another, being concerned about one another's children. He said, "my dad passed away 6 years ago," he said, "America has changed and not for the better." What a sad commentary.

Mr. HAYWORTH. Mr. Speaker, the challenge for us, and to the cynics who will be there, the bromide is this, oh, they want to turn the clock back. That will be the accusation that comes from the guardians of the old order who always look to concentrate power in Washington and also look askance at individual responsibility.

□ 2115

We should hasten to point out that indeed we are building a sense of community in part because of the medium of television, the fact that indeed we have a community across America watching us, that is one of the advantages. But there are many different things that change in our society. The one thing that should not is the subject of another letter I received. Folks from my district in Arizona writing and agreeing that we have to return to this document, the Constitution of the United States. This is a remarkable document. An historian characterized this in a book called the Miracle at Philadelphia, that we have this document that is here and all-encompassing and can deal with different times and different changes. So whether it was

the rise of television or, as some theorists purport, the creation of centralized air-conditioning that kept government in business year round, there are changes that come to our society. But the danger for us is to ignore this document the Constitution or moreover, as the gentleman from Illinois suggests, to dismiss the notion of community. The school has become a surrogate family and not dealt with the community, I think the gentleman points that out quite correctly.

Mr. MANZULLO. The point I was trying to make is the fact that we look to government to create our community now and that is the real danger. We all do it. Good, solid, bedrock conservatives like ourselves, we think, well, why can the government not do something about it? Well, the government should be the place of last resort. Not the first place we go. It is the mentality with which we have grown up. We have to turn inwardly and try to resolve our problems.

Mr. JONES. The gentleman from Illinois is absolutely right, both you gentlemen and the gentleman from Ohio and that is what the last election was all about. The American people said enough government is enough. Enough taxation is enough. The gentleman from Arizona mentioned while ago, and I want to reiterate this because I do not think it can be said enough. The average working family in America will spend more on paying taxes than that same average American working family will spend on clothing, housing, and food combined. How can you hope to achieve the American dream for your family when you have got a government that overregulates, with excessive taxation and does not give the family the opportunity to work hard and to grow and to become part of the American dream?

Everything you are saying, I agree with. The nice thing about our frustration is that the American people last November showed their frustration by changing the U.S. House of Representatives, and we have a chance to bring a brighter future and to build a better America.

Mr. CHABOT. The gentleman from Illinois mentioned that we give government too much responsibility now basically to take care of people's every needs. I read a book recently, in fact it was on the list that the Speaker gave us earlier in the year and suggested that we read, it is called the Tragedy of American Compassion. It is a relatively long book, but the interesting and boiling it down to its main point is that for many, many years basically Americans took care of each other, through charities, through churches, and then at some point in our history, and the largest portion of it occurred during the so-called Great Society years, in the 1960's with L.B.J. and folks that thought along those lines, the government basically took over, people no longer really helped their fellow Americans and people that were down and out as much. They expected that the government would do so. Welfare rolls went way up. The whole system basically has gone downhill from there. Not only has that been destructive but that helped to make the budget go out of balance. We are all paying for that huge debt in many, many ways. So this Congress is about finally trying to balance that budget.

As you gentlemen all know, we earlier this year passed the very first balanced budget resolution in the last 30 years. It puts us on a glide path to balancing this budget within the next 7 years.

Talking about what folks back in our districts were talking about and what kind of cuts we ought to make, one cut that I heard over and over again is that why are we paying so much in foreign aid? I agree with the folks that think that we have been paying far too much over the years and that is why we passed a resolution earlier this year to cut back on the amount of foreign aid that we are spending by $21 billion over the next 7 years. It is the largest reduction in foreign aid in our Nation's history. I think that that was a proper thing for us to do. It is going to help us to balance the budget.

Something that is coming up relatively soon that I think that folks, that maybe out at C–SPAN, we ought to give them a heads-up and let them know that we are going to be facing this, because we are going to be facing perhaps, I hope it does not happen, but perhaps an impasse with the President in the near future. We are saying we want to balance this budget, we are making what we think are the necessary cuts and this is how much we can spend and if we spend this much, we are on the glide path to balancing this budget. The President wants to spend more than we do. He wants us to add a lot of big spending back into the program. If we do that, we are not going to balance the budget. So we need very much I think to stick to our guns. That is what I heard: "Don't blink, don't back down to the President, stick to your guns, balance the budget." What have you gentlemen been hearing?

Mr. JONES. If the gentleman will yield, you talked about the balanced budget, talking about the President and the budget we are going to submit. Is it not true, and please correct me if I am wrong, obviously we are working toward balancing the budget for the year 2002. But to get to a zero debt, a zero debt, we must balance the budget every year for the next 25 years from the year 2002 and forward for 25 years, is that not correct?

Mr. CHABOT. Yes, we also have to start paying it off. So we have to spend not only no more than we bring in. We have got to spend less than we bring in for a period of time to get rid of that debt. The debt is so large now, it is mind-boggling. Fourteen percent of every dollar that our citizens send up here in the form of taxes goes just to pay the interest on the debt. It is scary, it really is.

Mr. HAYWORTH. If the gentleman would yield, the way I can put it in a way that I certainly understand with stunning clarity is in this fashion. If we do not change what is going on and if by the good fortune and act of providence we are able to keep this government running with the equivalent of chewing gum and baling wire in the years to come, my son, who is now 21 months old, over the course of his lifetime as a working adult would pay over $180,000 just to service the debt alone, if things remained the same.

Now some good people across the country look to our friend at the other end of Pennsylvania Avenue and say, wait a minute, did he not come on television and agree that we need to balance the budget? Well, that statement is fairly accurate as far as it goes, but once again, the problem is in the details. The same gentleman at the other end of Pennsylvania Avenue stood at that lectern 2 years ago and pledged that he would only use numbers from the Congressional Budget Office in making budget forecasts. Well, a funny thing happened in the past couple of years. I guess a young lady by the name of Rosy Scenario took up residence there in the Rose Garden because the President and his budgeteers are listening to Rosy Scenario. You notice he abandoned the CBO numbers and now has come up with a whole new set of numbers, but the funny thing is this: When you look at his 10-year plan and you use the numbers that he now provides, apart from the Congressional Budget Office numbers, they result in deficits annually in excess of $200 billion for each of those 10 years when he purports that he has a glide path. No, that is not a glide path.

What we ask is for the President of the United States using the phraseology of our good friend CHARLES TAYLOR from North Carolina who said this last week, the President has to be the Commander in Chief, not the campaigner in chief. We all took an oath of office to uphold and defend the Constitution. Let us all step up to the plate, Democrats and Republicans alike, work out the differences and agree to put this Nation on a glide path to a balanced budget in 7 years and stick to it, because as we have heard from our constituents, even that step, as modest as it is, is an important first step but it is less than what many people desire.

Mr. CHABOT. I think the gentleman's analogy about his son paying over $180,000 in his lifetime just on the interest is an excellent analogy. Another one I think that really hits home

as to how large this debt is, that if we do not do something within the next year or so, we are going to be paying more just on the interest on the debt than we do for our entire military expenditures. Just think of how much we spend on the military, the Army, the Navy, the Air Force, the Marine Corps, the Pentagon, just think of all the ships that are out at sea, the planes, the soldiers we have, how much that costs. It is a lot of money. We are going to be spending less for all of that then we will just for the interest on the debt. It is an incredibly large amount of money. We can no longer afford to pay that because it is driving us completely bankrupt. So I think it is important.

What I heard from the folks back in Cincinnati over and over again was, "Stick to your guns, balance the budget, work with the President, there's no sense in going to war if you don't need to, but if he wants you to spend more money, don't do it. Balance the budget."

Mr. JONES. We are getting close to the end. I just want to make this statement. What I was pleased with, I have been saying this and many of you here tonight, that this whole Congress is about the next generation, not the next election. I can honestly tell you that the people in my district, the Third District of North Carolina, are pleased to know that they have men and women that are committed to doing what is right to get this Nation straight for our next generation. I am proud to be part of the ladies and gentlemen that serve in this House.

Mr. CHABOT. I would like to thank all the gentlemen, and gentleman from Arizona, the gentleman of North Carolina, and the gentleman from Illinois for being with us here this evening.

Are there any concluding remarks that any of the gentlemen would like to make at this point?

Mr. HAYWORTH. If the gentleman from Ohio would yield, just simply keep those cards and letters coming because there is a diversity of opinion, there is not unanimity, but we all recognize we have to confront these problems to make a difference not only for the next generation but for the very future of this Nation as we go into the next century.

Mr. CHABOT. I would like to thank all you gentlemen for spending your time here this evening. Again I think the message that we got loud and clear was do not back down, balance the budget, do it now.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP (at the request of Mr. GEPHARDT), for September 6 and 7, on account of official business.

Mr. COX of California (at the request of Mr. ARMEY), for today until 5 p.m., on account of joining his family at the launch of Space Shuttle Endeavor carrying aboard his brother-in-law, Mike Gernhardt.

Ms. MCKINNEY (at the request of Mr. GEPHARDT), on September 6 and 7, on account of business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mr. HOYER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mrs. SCHROEDER, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. TATE) to revise and extend their remarks and include extraneous material:)

Mr. FORBES, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. SCARBOROUGH, for 5 minutes, today.

Mr. CHAMBLISS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. PALLONE) and to include extraneous matter:)

Mr. CONYERS.

Mr. CLAY.

Mrs. KENNELLY.

Mr. JACOBS.

Mr. MINETA.

Mr. HALL of Ohio.

Mr. FAZIO of California.

Mr. KLECZKA.

Mr. DINGELL.

Mr. STARK in three instances.

Ms. KAPTUR.

Mrs. COLLINS of Illinois.

(The following Members (at the request of Mr. TATE) and to include extraneous matter:)

Mr. RADANOVICH.

Mr. FORBES.

Mr. LAZIO of New York.

Mr. BILIRAKIS.

Mrs. SEASTRAND.

Mr. MARTINI in two instances.

Mr. LEWIS of California.

Mr. FIELDS of Texas.

Mr. HYDE.

Mr. GEKAS.

Mr. CHAMBLISS.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material after his remarks on the Kasich amendment:)

Mr. LIVINGSTON, today.

(The following Members (at the request of Mr. HAYWORTH) and to include extraneous matter:)

Mr. DURBIN.

Mr. BAKER of California.

Mr. NEY.

Mr. WELLER.

Mr. PAYNE of Virginia.

Mr. STUPAK.

Mr. BENTSEN.

Mrs. SCHROEDER.

ADJOURNMENT

Mr. HAYWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, September 8, 1995, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1360. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled the "Livestock Dealer Trust Act of 1995"; to the Committee on Agriculture.

1361. A letter from the Director, Congressional Budget Office, transmitting CBO's sequestration update report for fiscal year 1996, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); to the Committee on Appropriations.

1362. A letter from the Under Secretary of Defense, transmitting a report of a violation of the Anti-Deficiency Act which occurred at the Florida National Guard Bureau [NGB], Camp Blanding, Starke, FL, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1363. A letter from the Secretary of Housing and Urban Development, transmitting the annual report to Congress as required by section 203(1) of the Multifamily Property Disposition Reform Act of 1994; to the Committee on Banking and Financial Services.

1364. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of the Philippines, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

1365. A letter from the Chairman, Federal Housing Finance board, transmitting the Board's annual report for the calendar year 1994, pursuant to 12 U.S.C. 1422b; to the Committee on Banking and Financial Services.

1366. A letter from the Chairman, Federal Reserve System, transmitting the annual report on the subject of retail fees and services of depository institutions, pursuant to 12 U.S.C. 1811 note; to the Committee on Banking and Financial Services.

1367. A letter from the Director, Federal Reserve System, transmitting the annual report on the assessment of the profitability of credit card operations of depository institutions, pursuant to 15 U.S.C. 1637; to the Committee on Banking and Financial Services.

1368. A letter from the Chairman, National Credit Union Administration, transmitting the 1994 annual report of the National Credit Union Administration, pursuant to 12 U.S.C. 1752a(d); to the Committee on Banking and Financial Services.

1369. A letter from the Secretary of Education, transmitting the annual report on the education for homeless children and youth for the period of October 1, 1993, through September 30, 1994, pursuant to 42 U.S.C. 11434; to the Committee on Economic and Educational Opportunities.

1370. A letter from the Secretary of Health and Human Services, transmitting the Department's annual report on the status and accomplishments of the Youth Gang Drug Prevention Program, pursuant to 42 U.S.C. 11806; to the Committee on Economic and Educational Opportunities.

1371. A letter from the Secretary of Transportation, transmitting a report regarding the implementation of the Imported Vehicle Safety Compliance Act of 1988 for calendar year 1994, pursuant to 15 U.S.C. 1397 note; to the Committee on Commerce.

1372. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending June 30, 1995, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.

1373. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Korea for defense articles and services (Transmittal No. 95-38), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1374. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Saudi Arabia for defense articles and services (Transmittal No. 95-37), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1375. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Saudi Arabia for defense articles and services (Transmittal No. 95-36), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1376. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Jordan for defense articles and services (Transmittal No. 95-34), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1377. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Egypt for defense articles and services (Transmittal No. 95-35), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1378. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Army's proposed lease of defense articles to the United Nations for use in Rwanda (Transmittal No. 30-95), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

1379. A letter from the Director, Defense Security Assistance Agency, transmitting the Department of the Air Force's proposed lease of defense articles to the United Nations for use in Rwanda (Transmittal No. 33-95), pursuant to 22 U.S.C. 2796a(a); to the Committee on International Relations.

1380. A letter from the Secretary of Defense, transmitting the Department's report on control and accountability of material relating to weapons of mass destruction in the former Soviet States that receive cooperative threat reduction [CTR] assistance, pursuant to Public Law 103-337, section 1204 (108 Stat. 2883); to the Committee on International Relations.

1381. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-134, "Real Property Tax Reclassification Temporary Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

1382. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-135, "Canaan Baptist Church Equitable Real Property Tax Relief Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

1383. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-136, "Interference with Medical Facilities and Health Professionals and Re-establishment of Health Services Planning and Certificate of Need Program Temporary Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

1384. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11-139, "Public Assistance Self-Sufficiency Program Amendment Act of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

1385. A letter from the Employee Benefits Manager, AgriBank, transmitting the annual report disclosing the financial condition of the retirement plan for the employees of the Seventh Farm Credit District, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

1386. A letter from the Federal Reserve Employee Benefits System, transmitting a copy of the annual report for the retirement plan year ending December 31, 1994, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

1387. A letter from the Director, Office of Management and Budget, transmitting a report entitled "Statistical Programs of the United States Government, Fiscal Year 1995," pursuant to 44 U.S.C. 3514(a); to the Committee on Government Reform and Oversight.

1388. A letter from the Secretary of the Interior, transmitting the Department's report on the administration of the Marine Mammal Protection Act of 1972, pursuant to 16 U.S.C. 1373(f); to the Committee on Resources.

1389. A letter from the Assistant Attorney General, Department of Justice, transmitting the 1992 and 1993 annual reports on the activities and operations of the Department's Public Integrity Section, Criminal Division, pursuant to 28 U.S.C. 529; to the Committee on the Judiciary.

1390. A letter from the Administrator, Federal Aviation Administration, transmitting the FAA report of progress on developing and certifying the traffic alert and collision avoidance system [TCAS] for the period April through June 1995, pursuant to Public Law 100-223, section 203(b) (101 Stat. 1518); to the Committee on Transportation and Infrastructure.

1391. A letter from the Administrator, Federal Aviation Administration, transmitting a copy of the updated Aviation System Capital Investment Plan [CIP], pursuant to 49 U.S.C. 44501(b); to the Committee on Transportation and Infrastructure.

1392. A letter from the Secretary of Transportation, transmitting the Department's annual report of the transition to quieter airplanes, pursuant to Public Law 101-508, section 9308(g) (104 Stat. 1388-383; to the Committee on Transportation and Infrastructure.

1393. A letter from the Acting Assistant Secretary of the Army, transmitting a copy of a report entitled "Living Within Constraints: An Emerging Vision for High Performance Public Works"; to the Committee on Transportation and Infrastructure.

1394. A letter from the Secretary of Defense, transmitting a report pursuant to section 1206 of the Cooperative Threat Reduction Act of 1993, as amended, pursuant to Public Law 103-337, section 1206(b)(2)(A) (108 Stat. 2884); jointly, to the Committees on International Relations and National Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LINDER: Committee on Rules. House Resolution 215. Resolution providing for the consideration of the bill (H.R. 1594) to place restrictions on the promotion by the Department of Labor and other Federal agencies and instrumentalities of economically targeted investments in connection with employee benefit plans (Rept. 104-240). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 216. Resolution providing for the consideration of the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 104-241). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHUSTER (for himself, Mr. PETRI, Mr. MINETA, and Mr. RAHALL):

H.R. 2274. A bill to amend title 23, United States Code, to designate the National Highway System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska (for himself, Mr. POMBO, Mr. TAUZIN, Mr. BREWSTER, Mr. DOOLITTLE, Mr. HANSEN, Mr. DOOLEY, Mr. CALVERT, Mr. CONDIT, Mr. STENHOLM, Mr. STUMP, Mr. SMITH of Texas, Mr. GALLEGLY, Mr. FIELDS of Texas, Mr. KOLBE, Ms. DANNER, Mr. HUTCHINSON, Mr. HAYWORTH, Mr. HASTINGS of Washington, Mr. BONILLA, Mr. MCHUGH, Mr. DORNAN, Mr. HERGER, Mr. EVERETT, Mr. TAYLOR of North Carolina, Mr. PACKARD, Mr. CUNNINGHAM, Mr. THORNBERRY, Mr. HAYES, Mr. ROYCE, Mr. COMBEST, Mr. COOLEY, Mr. SALMON, Mr. BONO, Mr. BAKER of California, Mr. HUNTER, Mr. LEWIS of California, Mrs. CUBIN, Mr. MCKEON, Mr. RADANOVICH, Mr. RIGGS, Mr. ROHRABACHER, Mrs. SEASTRAND, Mr. THOMAS, Mr. ALLARD, Mr. SCHAEFER, Mr. MICA, Mr. CHAMBLISS, Mr. COLLINS of Georgia, Mr. LINDER, Mr.

BAKER of Louisiana, Mr. CRAPO, Mr. EWING, Mr. BURTON of Indiana, Mr. HOSTETTLER, Mr. MCINTOSH, Mr. ROBERTS, Mr. LEWIS of Kentucky, Mr. BARTLETT of Maryland, Mr. KNOLLENBERG, Mr. EMERSON, Mr. HANCOCK, Mr. SKEEN, Mr. PAXON, Mr. SOLOMON, Mr. BALLENGER, Mr. JONES, Mr. OXLEY, Mr. COBURN, Mr. LARGENT, Mr. LUCAS, Mr. WATTS of Oklahoma, Mr. BARTON of Texas, Mr. DELAY, Mr. SAM JOHNSON, Mr. STOCKMAN, Mr. SHADEGG, Mr. CALLAHAN, Mr. LAUGHLIN, Mrs. VUCANOVICH, Mr. TEJEDA, Mr. BACHUS, Mr. COX, Mr. FUNDERBURK, Mr. BOEHNER, Mr. CRANE, Mr. DREIER, Mr. EDWARDS, Mr. NETHERCUTT, Mr. PETE GEREN of Texas, Mr. ORTIZ, Mr. HALL of Texas, Mr. DUNCAN, Mr. MCCRERY, and Mr. LIVINGSTON):

H.R. 2275. A bill to reauthorize and amend the Endangered Species Act of 1973; to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN (for himself, Mr. SHUSTER, Mr. OBERSTAR, Mr. LIGHTFOOT, Mr. CLINGER, Mr. WELLER, Mr. COBLE, Mr. RAHALL, Mr. LIPINSKI, Mr. EWING, Mr. COSTELLO, Mr. WISE, Mr. HUTCHINSON, Mr. EHLERS, Mr. BACHUS, Mrs. SEASTRAND, Mr. TATE, Ms. DANNER, Mrs. KELLY, Mr. CLYBURN, and Mr. LATHAM):

H.R. 2276. A bill to establish the Federal Aviation Administration as an independent establishment in the executive branch, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Government Reform and Oversight, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEKAS (for himself, Mr. ARMEY, Mr. HYDE, and Mr. INGLIS of South Carolina):

H.R. 2277. A bill to abolish the Legal Services Corporation and provide the States with money to fund qualified legal services; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, and Mr. BUNN of Oregon):

H.R. 2278. A bill to prohibit the importation into the United States of spent nuclear fuel unless licensed facilities are in operation that have the capacity to store or dispose of all nuclear spent fuel generated by commercial nuclear reactors in the United States and from atomic energy defense activities, and to allow local port authorities to establish health and safety guidelines for safe shipment of spent nuclear fuel; to the Committee on Commerce, and in addition to the Committees on Economic and Educational Opportunities, Transportation and Infrastructure, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ACKERMAN (for himself, Mr. SHAYS, Mr. GEJDENSON, Mr. MANTON, Mr. KING, Mr. ENGEL, Mr. SCHUMER, Mr. TOWNS, Ms. DELAURO, Mr. FRISA, Mr. FORBES, Mr. LAZIO of New York, and Mrs. LOWEY):

H.R. 2279. A bill to authorize the Administrator of the Environmental Protection Agency to make grants to the States of New York and Connecticut for the purpose of demonstrating methods of improving water quality in Long Island Sound; to the Committee on Transportation and Infrastructure.

By Mr. DINGELL (for himself, Mr. WAXMAN, Mr. BONIOR, Mr. BRYANT of Texas, Ms. DANNER, Mr. KLECZKA, Mrs. LOWEY, and Mr. STUPAK):

H.R. 2280. A bill to improve payment integrity in the Medicare and Medicaid Programs, and for other purposes; to the Committee on Commerce, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DURBIN:

H.R. 2281. A bill to provide that Members of Congress shall not be paid during Federal Government shutdowns; to the Committee on House Oversight.

By Mr. GEJDENSON:

H.R. 2282. A bill to modify the navigation project for the Thames River, CT, to alter the dimensions of a turning basin in Norwich, CT; to the Committee on Transportation and Infrastructure.

By Mr. PAYNE of Virginia (for himself, Mr. BALLENGER, Mr. BAESLER, Mr. BOUCHER, Mr. COBLE, Mr. ROGERS, Mr. HEFNER, Mr. ROSE, Mr. SPRATT, Mr. SCOTT, Mr. BUNNING of Kentucky, Mr. FUNDERBURK, Mr. JONES, Mr. GORDON, Mr. CLYBURN, Mr. WARD, Mr. TAYLOR of North Carolina, Mr. CLEMENT, Mr. CHAMBLISS, and Mr. PETERSON of Florida):

H.R. 2283. A bill to prohibit the regulation of the sale or use of tobacco or tobacco products by the Secretary of Health and Human Services; to the Committee on Commerce.

By Mr. POMBO:

H.R. 2284. A bill to provide incentives for the owners and operators of agricultural land to provide habitat for protected species; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 2285. A bill to require the Secretary of the Treasury to mint coins in commemoration of Theodore Roosevelt, to authorize the appropriation of the surcharges imposed with respect to such coins to the Secretary of the Interior for use in connection with the administration of the Endangered Species Act of 1973, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. POMBO (for himself, and Mr. YOUNG of Alaska):

H.R. 2286. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the conservation of endangered species; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 2287. A bill to amend the Internal Revenue Code of 1986 to make S corporations eligible for the rules applicable to real property subdivided for sale by noncorporate taxpayers; to the Committee on Ways and Means.

By Mr. LINDER:

H. Res. 215. Resolution providing for the consideration of the bill (H.R. 1594) to place restrictions on the promotion by the Department of Labor and other Federal agencies and instrumentalities of economically targeted investments in connection with employee benefit plans; House Calendar No. 85. House Report No. 104–240.

By Mr. GOSS:

H. Res. 216. Resolution providing for the consideration of the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; House Calendar No. 86. House Report No. 104–241.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mr. COBLE and Mrs. WALDHOLTZ.
H.R. 263: Mr. YATES.
H.R. 264: Mr. YATES.
H.R. 387: Mr. NORWOOD.
H.R. 436: Mr. CHAMBLISS and Mr. LUTHER.
H.R. 501: Mr. SMITH of Texas.
H.R. 526: Mr. PICKETT and Mr. WHITFIELD.
H.R. 553: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 733: Mr. HEFNER.
H.R. 734: Mr. SCOTT and Mr. JOHNSON of South Dakota.
H.R. 783: Mr. CHRISTENSEN.
H.R. 835: Mr. DIXON.
H.R. 862: Mr. HANCOCK and Mr. PARKER.
H.R. 864: Mr. GEJDENSON, Mr. STUPAK, and Mr. GREENWOOD.
H.R. 892: Mr. GENE GREEN of Texas.
H.R. 899: Mr. PETRI.
H.R. 903: Mr. KLINK.
H.R. 922: Mr. JOHNSTON of Florida, Mr. OLVER, Mr. ANDREWS, Mr. HAYES, Mr. MASCARA, Mr. KLINK, Mr. HINCHEY, and Mr. BENTSEN.
H.R. 963: Mr. LIGHTFOOT, Mr. PETERSON of Minnesota, Mr. PICKETT, Mr. ROHRABACHER, Mr. MONTGOMERY, Ms. RIVERS, Mr. FAZIO of California, and Mr. FRELINGHUYSEN.
H.R. 969: Mr. JOHNSTON of Florida.
H.R. 997: Mr. BLUTE, Mrs. LINCOLN, Mrs. SMITH of Washington, and Mr. MINGE.
H.R. 1007: Mr. COOLEY.
H.R. 1127: Mr. BENTSEN, Mr. DEFAZIO, Mr. GOODLATTE, Mr. HUTCHINSON, Mr. JOHNSTON of Florida, Mrs. MEYERS of Kansas, Ms. PRYCE, Mr. WHITFIELD, and Mr. WOLF.
H.R. 1161: Mr. SAWYER, Mrs. MEEK of Florida, Mr. DREIER, Mr. BENTSEN, Mr. KILDEE, Mr. RAHALL, Mr. HALL of Texas, and Mrs. KENNELLY.
H.R. 1178: Mr. JACOBS and Mr. NEAL.
H.R. 1274: Mr. KENNEDY of Rhode Island.
H.R. 1385: Mr. BENTSEN.
H.R. 1402: Mr. MFUME.
H.R. 1406: Mr. SAXTON, Mr. SKEEN, Mr. FROST, Mr. LANTOS, and Mr. STUMP.
H.R. 1468: Mr. BENTSEN.
H.R. 1493: Mr. EHRLICH, Mr. WILLIAMS, and Mr. BLILEY.
H.R. 1496: Ms. MOLINARI.
H.R. 1500: Mr. BARRETT of Wisconsin and Mr. CLAY.
H.R. 1521: Ms. NORTON, Mr. REYNOLDS, Mr. MCDERMOTT, Mr. DELLUMS, Mr. EVANS, Mr. ENGEL, Mr. SANDERS, Mr. SCHUMER, and Ms. MCKINNEY.
H.R. 1533: Mr. SHADEGG.
H.R. 1625: Mr. HUNTER and Mr. INGLIS of South Carolina.
H.R. 1627: Mr. WELDON of Florida and Mr. SOUDER.
H.R. 1637: Mr. RUSH.
H.R. 1742: Mr. GEJDENSON, Mr. REYNOLDS, Mr. MINGE, Mrs. CLAYTON, and Mr. HAYWORTH.

H.R. 1743: Mr. RADANOVICH, Mr. POMBO, Mr. COOLEY, Mrs. CHENOWETH, Mr. MILLER of California, Mr. DEFAZIO, Mr. HUTCHINSON, Mr. HINCHEY, Mr. SKEEN, Mr. CASTLE, Mr. FRAZER, and Mrs. LINCOLN.

H.R. 1833: Mr. MCCRERY, Mr. OBERSTAR, Mr. WHITFIELD, and Mr. COBURN.

H.R. 1883: Mrs. VUCANOVICH.

H.R. 1920: Mr. FOX, Mr. SABO, and Mrs. THURMAN.

H.R. 1961: Mr. DUNCAN.

H.R. 1963: Ms. KAPTUR, Mr. SAXTON, Mr. KING, and Mrs. MEYERS of Kansas.

H.R. 1965: Mr. CALLAHAN, Mr. HEFNER, Mr. SANFORD, Mr. MARTINI, and Mr. OWENS.

H.R. 1987: Mr. SMITH of New Jersey.

H.R. 2003: Mr. WALSH, Mr. SABO, Ms. MCKINNEY, Mr. MASCARA, and Mr. CLAY.

H.R. 2006: Mr. DAVIS and Mr. BATEMAN.

H.R. 2007: Mr. WOLF, Mr. DAVIS, Mrs. MORELLA, and Mr. BATEMAN.

H.R. 2137: Mrs. KELLY.

H.R. 2146: Mr. CRANE and Mrs. KENNELLY.

H.R. 2152: Mr. FOX, Mr. COYNE, and Mr. GRAHAM.

H.R. 2182: Mr. GENE GREEN of Texas, Mrs. ROUKEMA, and Mr. GALLEGLY.

H.R. 2186: Mr. PORTMAN.

H.R. 2194: Mr. JACOBS.

H.R. 2205: Mr. BREWSTER and Mr. CLINGER.

H.R. 2219: Mr. BLUTE.

H.R. 2265: Mr. PAYNE of Virginia, Mr. BUNNING of Kentucky, Mr. BASS, Mr. NORWOOD, Mr. PARKER, Mrs. MYRICK, and Mr. ROSE.

H.R. 2266: Mr. MCNULTY.

H.R. 2273: Mrs. MORELLA and Ms. NORTON.

H. Con. Res. 5: Mr. SHADEGG.

H. Con. Res. 7: Mr. MATSUI.

H. Res. 39: Ms. VELAZQUEZ, Ms. MCKINNEY, Mr. NADLER, and Mr. FRANK of Massachusetts.

H. Res. 118: Mr. RUSH and Mr. WILLIAMS.

H. Res. 174: Mr. MINETA, Mr. SERRANO, Mr. NADLER, Ms. SLAUGHTER, Mr. UNDERWOOD, and Mr. SHAYS.

H. Res. 200: Mr. DAVIS, Mr. BERMAN, Mr. GEJDENSON, Mr. PALLONE, Mr. ACKERMAN, and Mr. SAXTON.

EXTENSIONS OF REMARKS

IF THE GOVERNMENT SHUTS DOWN, MEMBERS OF CONGRESS SHOULDN'T GET PAID

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. DURBIN. Mr. Speaker, if the Government closes, so should its pocketbook. Today, I am introducing legislation to cut off the paychecks of Members of Congress if the Federal Government shuts down because of budget gridlock. Senator BOXER of California is introducing identical legislation in the Senate.

Under Federal law, the House and the Senate must pass all appropriations bills by October 1. If all the bills are not approved and a stop-gap measure is not enacted, the Federal Government will be unable to make payments or meet its obligations. Such a "train wreck" could result in a shutdown of certain Federal operations.

Too many politicians on Capitol Hill are talking about a "train wreck" as if we're dealing with toy trains. A shutdown of the Federal Government is a serious matter, and Members of Congress should take it seriously.

The bill I am introducing is simple—if we don't finish the job, we don't get paid. The bill has three simple provisions.

First, Members would not receive basic pay for any period in which there is a lapse in appropriations for any Federal agency or department as a result of a failure to enact a regular appropriations bill or continuing resolution.

Second, Members would not receive basic pay for any period in which the Federal Government is unable to make payments or meet obligations because the public debt limit has been reached.

Third, no pay forfeited under this measure could be paid retroactively.

A Government shutdown is not child's play. If a "train wreck" occurs, it will disrupt the lives of millions of Americans.

Even if so-called essential services are continued, many people will be affected by the shutdown of Federal offices. Let me give a few examples.

The small business owner looking for a Federally-assisted loan or technical assistance may be told to put his business plans on hold until the shutdown ends.

The senior citizen trying to apply for Social Security benefits may have to delay her retirement because her application can't be processed.

The farmer looking for advice from the Soil Conservation Service may find the office closed and no one answering the telephones.

These disruptions are not necessary. It's our responsibility to avoid a "train wreck" while Congress and the President debate the broader spending priorities over which we differ. We ought to be able to allow the Government to continue operating while we negotiate our differences over spending priorities. If not, Congressional salaries should be first on the budget chopping block.

I urge my colleagues to join me in cosponsoring this legislation to make Members feel the pain that will be inflicted on others if the Government shuts down.

HOUSING SCHOLARSHIP DEDICATION IN FREMONT, CA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. STARK. Mr. Speaker, today, I would like to join my constituents in the celebration of the completion of the modernization of the Century Village Apartments, a 100-unit apartment complex in the city of Fremont.

This complex was recently acquired and renovated by the Mid-Peninsula Housing Coalition, a nonprofit housing developer, with financing assistance provided by the city of Fremont and its redevelopment agency.

Ten apartments at the Century Village are reserved for participants in the Housing Scholarship Program, which combines affordable housing, job training, child care, and other supportive services, to enable participants to obtain full-time employment and achieve economic self-sufficiency. Through donated units and units required through financing agreements to be reserved for housing scholarships, the program is helping people who are helping themselves during a critical period in their lives.

To date, a total of 70 housing scholarships have been provided to families who are in job training. Over 90 percent of the housing scholarship recipients have successfully completed job training. Housing Scholarship Program graduates are developing new leadership skills and becoming valuable assets to the program and the community. Graduates have testified before the city council about the need for additional housing units. Graduates also serve as mentors for new job training participants.

Therefore, Mr. Speaker, I come before you today celebrating with my constituents the success of the Housing Scholarship Program and the completion of the Century Village Apartments. I hope all my colleagues will join in congratulating the city of Fremont and the Mid-Peninsula Housing Coalition for their contribution to their community.

TRIBUTE TO QUENTIN ALEXANDER

HON. BILL BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. BAKER of California. Mr. Speaker, we are all aware of the outstanding work the Boy Scouts of America [BSA] does in training future generations of leaders for our country, and I can testify personally to the benefits of Scouting in my own life. That's why it is a particular pleasure for me to recognize my friend Quentin Alexander today in the CONGRESSIONAL RECORD.

Quentin has been in professional Scouting for the past 38 years, during the last 21 of which he has served as the Scout executive in the Mount Diablo-Silverado Council of the BSA in my home region in the East Bay of San Francisco. Under his stellar leadership, the Mount Diablo-Silverado Council now serves as the facilitating organization for 18,000 Scouts every year. The Council Endowment Fund has been substantially enlarged under Quentin's careful stewardship, and the new Scout Service Center will offer quality Scouting services for decades to come.

Quentin and his gracious wife Nancy plan to remain in our mutual hometown of Danville after Quentin leaves the Mount Diablo-Silverado Council and look forward to staying active in church and community affairs. While Scouting will miss Quentin's active participation, I look forward to benefiting from Quentin's sage counsel and deep concern for America's youth for years to come. It is an honor for me to applaud Quentin's splendid service to our Nation's young people, and to extend my best wishes to him, Nancy, and their loved ones for all the days ahead.

MEDICARE CUTS

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mrs. SCHROEDER. Mr. Speaker, over the August recess, I went around my city of Denver—from hospitals to neighborhoods—to talk about the proposed Republican Medicare cuts and know it will affect people's lives and health.

In Denver, we have many teaching hospitals—some of the best health care facilities in the country. They are also a good health care deal for the American public.

In teaching hospitals, doctors get their training, hospitals get qualified personnel, and the public gets access to some of the best health care possible.

Now teaching hospitals are going to take Republican Medicare cuts on the chin. Cuts in

Medicare will force teaching hospitals to reduce the number of medical trainees they can employ—medical residents who regularly work 80 hours a week, doctors trained with the most up-to-date technology and curricula.

In my district, St. Joseph Hospital employs 100 residents. Cuts in Medicare will reduce the reimbursement St. Joseph's gets to employ medical residents, an annual loss of $1.4 million that the hospital will have to make up from somewhere else in the budget.

Under the Republican Medicare cut scenario everyone loses: the doctors, the hospitals, and most of all, the public.

80TH ANNIVERSARY OF THE NATIONAL POLISH ALLIANCE GROUP NO. 1837

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. WELLER. Mr. Speaker, today I would like to honor the 80th anniversary of the Polish National Alliance Group No. 1837. Formed on August 22, 1915, the group had 13 original charter members. The first was President Theodore Babicki and Vice President Thomas Kien.

Originally, the group was all male. However, on September 1, 1942, 35 woman joined the PNA and has flourished to its current membership of 70.

The Polish National Alliance assists religious, charitable, and military organizations, and the shut-in and ailing. The local PNA has contributed to many worthwhile organizations: Morris Hospital, the Paderewski Foundation in Pennsylvania, the National Vietnam War Memorial in Washington, DC, local Special Olympics.

Clearly, the dedication and sincere efforts by the local PNA has benefited Grundy County and other worthwhile projects. The cause and hard work by the PNA is appreciated by all who have been touched by their kindness.

Congratulations PNA and best wishes for many years to come.

TRIBUTE TO THE U.S.S. "SANTA BARBARA"

HON. ANDREA H. SEASTRAND

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mrs. SEASTRAND. Mr. Chairman, I rise today to pay tribute to a U.S. Navy vessel that is celebrating its 25th year of distinguished service. Like the beautiful city in the district I represent, the AE28-class ship proudly bares the name of the third century martyr Santa Barbara—the protector against lightning, thunder, and flame. Since being commissioned in 1970 the U.S.S. *Santa Barbara* has earned a reputation as the Atlantic Fleet's finest, fast-attack AE. The distinctions and honors bestowed upon her include three Battle Efficiency "E" Awards won in 1979, 1989, and 1993. Other honors she has received include the Golden Anchor Award, the Maritime Warfare Excellence Award, the Engineering/Survivability Award, the Logistics Management Excellence Award, and the Meritorious Unit Commendation for her performance during her 1992–93 Mediterranean deployment.

During its commissioning ceremony, then Santa Barbara Mayor Gerald Firestone offered the U.S.S. *Santa Barbara* a safe port and hearty welcome if the ship would ever visit the west coast. On behalf of the people of the 22d Congressional District, I would like to say that 25 years later that the welcome would be heartier than ever and the port safe as always.

COMMENDING NATO FOR RETALIATION AGAINST BOSNIAN SERB AGGRESSION

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. RADANOVICH. Mr. Speaker, I would like to commend NATO for finally exhibiting resolve by retaliating against Bosnian Serb aggression. I cannot help but wonder if such actions against the Serbs early in the conflict would not have significantly altered the current dismal situation. The lives of peacekeepers could have been saved, civilian suffering could have been lessened, United Nations credibility could have been salvaged. Three and a half years is far too long a period of time for such atrocities to go unpunished. Unfortunately, 37 more lives needed to be sacrificed before appropriate steps were taken against the Bosnian Serbs. But, we must not dwell on the past, instead we must look forward to the future and hope that the United Nations and NATO continue not to allow Serb attacks on noncombatants in designated safe areas to go unchecked. I must urge the administration to continue in the direction that it has taken, and again reiterate the need to lift the arms embargo against Bosnia and Herzegovina. Diplomatic success depends on the credible use of force.

TECHNICAL CORRECTION TO H.R. 1213

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. STARK. Mr. Speaker, I am today introducing an updated version of H.R. 1213, with a prospective effective date.

The bill relates to real property sales of S corporations. It is my understanding that if the legislation has a prospective effective date, Treasury will have no objection to the proposal.

A PROCLAMATION HONORING DAVID LEE ELLIOT

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. NEY. Mr. Speaker, I commend the following article to my colleagues:

Whereas, Mr. David Lee Elliot of Zanesville, Ohio sacrificed his life on Sunday, July 23, 1995; and,

Whereas, Mr. David Lee Elliot attempted to make his neighborhood a better place to live by protecting his property; and,

Whereas, Mr. David Lee Elliot was an outstanding and law abiding citizen of Zanesville, Ohio; and,

Whereas, Zanesville, Ohio is a better place to live because of the courageous action that Mr. David Lee Elliot undertook; and,

Whereas, the residents of Zanesville and the surrounding areas of Ohio will greatly miss such an exceptional person.

LONG ISLAND FIREFIGHTERS DESERVE OUR GRATITUDE

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. LAZIO of New York. Mr. Speaker, I rise to salute Long Island's brave men and women volunteer firefighters for risking their lives to battle and extinguish two raging brush fires in Rocky Point and Westhampton, NY during the week of August 21. We owe a special debt to these courageous firefighters for their outstanding efforts in safeguarding the lives and properties of these East End communities.

Volunteer firefighters from many communities answered the call to duty. For the most part, they came from Suffolk and Nassau Counties on Long Island to battle enormous windswept brush fires that affected approximately 3,000 woodland acres in Rocky Point and 6,000 acres in Westhampton. What is truly amazing is the fires, although devastating to eastern Long Island's precious pine barrens, were contained and controlled without loss of life.

After fighting a swift-moving brush fire in Rocky Point, Long Island's firefighters, with little rest, once again became the first line of defense and confronted the searing blaze raging in Westhampton. They demonstrated that they can always be counted on to respond quickly in emergency situations, even if it means putting their lives in jeopardy.

Long Island's volunteers risked their lives under extreme conditions and carried out their firefighting duties with honor and distinction. While the fires did not directly touch my western Suffolk County congressional district—New York's 2d District—volunteers from every fire department in my district responded to the need. They are true professionals who never waver in answering the call to protect Long Island's communities from harm. Their dedication to duty is an outstanding reflection of the communities they serve.

While Long Island's brave volunteer firefighters can never be repaid for their devotion

to duty, we can and should acknowledge their commitment by our continued support of their firefighting efforts. They performed well above and beyond the call of duty.

Mr. Speaker, I am proud of Long Island's firefighters and especially proud of those from New York's 2d Congressional District. I hope my colleagues will join me in applauding each and every one of them for carrying out their work with unflinching resolve. Their sacrifices have earned them our deepest gratitude.

IN REMEMBRANCE OF DONALD CRESSMAN—U.S. VETERAN

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. BILIRAKIS. Mr. Speaker, on September 4, 1995, in gatherings throughout our Nation, Americans paused to commemorate the 50th anniversary of the end of World War II. Sadly, September 4, 1995, also marked the passing of a veteran of that war—an American patriot who loved his family, his country, and his community. It is that man, a good friend, Donald Cressman, for whom I rise today to pay tribute.

Last year I had the privilege of honoring Don for 50 years of membership in the American Legion—he had joined in 1944. Don's story, like that of so many of our fellow veterans, is the story of America's greatness. One of nine children, Don was raised by his grandfather on a farm at the foot of the Pennsylvania Poconos. From his grandfather he learned lessons of discipline and perseverance that would help him overcome great hardships throughout his life. Most important, he learned to walk despite having contracted polio at 5 years of age. In fact, he walked well enough to pass his entrance physical into the U.S. Army and into combat duty. Following the war, he had to learn how to walk again because of a war injury which had put him in a body cast.

Don also learned to work hard, whether it was as a member of the Civilian Conservation Corps, which he joined at 17, or working on the hot beds of Bethlehem Steel, or going to night school on the GI bill following his tour of duty, or working as a realtor throughout his retirement years.

He had also learned to give. Each thinking person comes to a point in life when they realize they owe a debt of gratitude to a nation that's provided them with the freedom and opportunity to succeed. But, since those freedoms were secured by our veterans, haven't they already done more than their share? So often, however, it is our veterans who continue to give generously of their lives to build and strengthen their community. Don was such a man.

He was a founding member of the Dunedin American Legion in 1958 and served many years as a service officer. He was also an active member of the Dunedin VFW and the DAV. He was a charter member of the Dunedin Elks; served as the first president of the Knights of Columbus; was a past president of the Dunedin Board of Realtors and of the Dunedin Chamber of Commerce. Even in his church, Don was a pioneer and active member.

So, today we salute a man who spent his lifetime overcoming the odds; of working hard and contributing to the betterment of his fellow man. To Betty, his beloved wife of over 49 years, and to his son, John, of whom he was immensely proud, Don leaves a rich legacy and a name associated with honor.

We will miss you, Don.

SIMON KONOVER RECEIVES THE NEW LIFE AWARD

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mrs. KENNELLY. Mr. Speaker, I rise today to pay tribute to the remarkable life of a remarkable man, my constituent, Simon Konover. He will be honored on September 8 with a ceremony at the Holocaust Museum and the presentation of the New Life Award.

Simon Konover is a survivor of the labor camps of World War II and the battle of Stalingrad. Yet after enduring the worst that humanity can do, he came to the United States and created a new life—one dedicated to the best that humanity can do. His service to Connecticut's Jewish community and to the city of Hartford are all but legendary. Simon Konover has served as chairman of the Jewish Federation of Greater Hartford, the Greater Hartford Israel Bond Campaign, and the Connecticut Society for Yad Vashem. He is an Honorary Life Member of the Greater Hartford Jewish Community Center and the Hebrew Home and Hospital, and also serves on the boards of Mount Sinai Hospital, Hartford Hospital, and the Institute for Living. There is probably not a civic organization in Hartford or in the State of Connecticut that has not been assisted by Simon Konover.

It is particularly fitting that Simon will receive this award at the Holocaust Museum, since he has worked tirelessly for its creation. In doing so, he has given us a precious gift–the gift of memory. In this 50th anniversary year of the liberation of Europe, I am proud to join with Simon's wife, Doris, his children, Jane, Michael, and Steven, and his hundreds of friends and admirers to pledge that we will never forget.

SOCIAL SERVICES NEED GOVERNMENT HELP

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. CLAY. Mr. Speaker, some of our colleagues are promoting the privatization of social programs as a way to reduce the deficit. They contend that nonprofit organizations like churches have the millions of dollars necessary to provide education, housing, and health care services, to name a few. I would like to share with those members a commentary that thoroughly discusses the infeasibility of their proposition. Entitled "Social Services Need Government Help", the article was written by Mr. Pierre Blaine, a St. Louis television producer, and appeared in the August 25, 1995 edition of the St. Louis Post-Dispatch.

SOCIAL SERVICES NEED GOVERNMENT HELP

(By Pierre Blaine)

As the legislation steeming from the GOP's Contract With America cuts the federal government's ability to provide social services, let us remember that the strength of the U.S. economy is in its mixed-economy features—a private market system with social welfare components. Traditionally, government has been a major partner with nonprofit organizations in delivering social services to Americans. The private sector cannot pick up the slack of government retrenchment in many social areas.

The government developed partnerships with nonprofit organizations to help it carry out welfare-state functions and deliver social welfare services. In fact, the government has been the major source of nonprofit-independent sector funding. The evolution of voluntary associations has enabled the federal government to use nonprofit organizations to decentralize the carrying out of public functions for the common good. The government has already begun giving subsidies directly to nonprofit organizations to provide services.

All the talk about vouchers to be given directly to consumers for them to purchase goods and services directly is a result of budget-deficit planning. The budget deficit has already cut the funding available to nonprofit organizations. Reduced support from the federal government has already pushed nonprofit organizations into the commercial market for income.

The movement toward privatizing some government services began during the presidencies of Ronald Reagan and George Bush. This philosophy advocated the use of vouchers to compel users to seek alternative private-sector markets to traditional government help. But even Reagan's commission, the President's Task Force on Private Sector Initiatives, concluded in 1981 that it would be impossible for the private sector to pick up the slack in government retrenchment.

furthermore, in 1992, corporations contributed only 6 percent of the total amount of charitable giving in the United States. The increases in the demand for social services continue to be out of proportion to the money available to nonprofit organizations. Nonprofit organizations are unlikely to be able to compensate for the current reductions in federal funds.

Over the past 18 years, the largest percentage of cuts in the federal budget has been in the discretionary grants to states and local governments, but the increase in the demand for social services still compels the nonprofit sector to respond. Likewise, the projected cuts in revenue for nonprofit organizations is disproportionate to the amount of the federal budget it consumes. Ironically, this retrenchment of federal dollars comes when the private sector is downsizing through layoffs, mergers, reorganizations and transfer of work to other countries. If the United States has a recession because of high interest rates, it will cause further demands for services by nonprofit organizations.

Nonprofit organizations have been increasing fees, donations, user fees and fund-raising. But those alternatives don't replace federal dollars; they have traditionally been effective only in supplementing a declining base from the federal government. The private sector has become more involved, but it

is naive to think that the corporate sector is going to continue to increase giving at levels needed to fill the gap caused by government retrenchment.

Corporate social responsibility depends on the health of the economy as a whole. The business of business is business, and the continued evolution of corporate involvement is tied to the ability to make a profit over long periods. The lack of resources to respond to increased demand leads to doubt about whether private organizations can continue to provide adequate services. Private giving is projected to have to increase by 95 percent between now and 2002 to fill the gap of federal partnership with nonprofit organizations. Voluntary associations are a unique phenomenon in American culture that have had a long affiliation with government in providing social services.

Nonprofit organizations provide services including health care, food pantries, social welfare, housing, economic development and education. The services they provide are not a statistical aberration; they represent help to real faces. Can we afford a contract with America without them?

GUARDCARE: A TRAINING PROGRAM ON TARGET

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mrs. SCHROEDER. Mr. Speaker, one of the smartest uses of Federal resources is the Colorado National Guard's free clinic for Denver's medically underserved. The clinic, a National Guard GuardCare program, was set up in the baseball stadium and served 640 people in the first 4 days.

GuardCare is a civil-military program designed to provide military training while benefiting the local community. In Denver, 1,633 people who otherwise would not have access to medical treatment benefited. Across the State it will serve 5,000 people in need of care. The program involved the whole community. With the help of U.S. West, it incorporated high tech telemedicine techniques that enabled the National Guard field hospital to talk to Denver General Hospital via television monitor. Denver General provided needed medical information.

The National Guard provided the personnel, the tents, and the medical equipment. For the National Guard it was an ideal training opportunity in field medicine that allowed them to treat the needy in their own community rather than the needy in a foreign country. It is a win-win situation for all.

Unfortunately, this will be the last year for the National Guard's clinic in downtown Denver, and in cities in the other 15 States that have implemented GuardCare programs. Because the National Security Committee, in their zeal to fund unneeded weapons systems, zeroed out the budget for these useful and economically efficient National Guard training opportunities in the authorization bill. The goal of GuardCare was to accomplish mission-essential readiness while rebuilding America. Which part of this goal does the committee find so unworthy of funding? I'll bet it is not the readiness part.

HEALTH INSURANCE HORROR STORY FROM TEXAS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. STARK. Mr. Speaker, over the years, I've entered a number of letters from fellow citizens detailing the outrageous failures of our current health insurance system.

I'd like to share with you a letter from the Carawan's of Aransas Pass, TX, which details the crushing increase in health insurance premiums for a family which has had health problems but which has incurred little health expense in the last few years. Clearly, their insurance company wants to force them into giving up their policy—but with no protection against pre-existing condition exclusions, the Carawan's have no where to turn.

Their family policy started 8 years ago at $3,096 a year with a deductible of $2,000. It is now $3,645.90 a quarter with a $3,000 deductible.

Mr. Speaker, I regret we did not pass H.R. 3600 last year. It would have required the kind of open enrollment, no-pre-existing condition, community-rated policies which would save the Carawan's and millions of other Americans from being priced-out of the insurance market. Following is their moving letter on why we so desperately need health insurance reform:

DEAR CONGRESSMAN: Today we received notice that our health insurance was going to be increased by 30% on July 1, 1995. In January, 1994, our quarterly premiums for my husband and I for a $3,000.00 deductible were $1,770.00. The quarterly premium on July 1, 1995 for the same coverage will be $3,645.90 or $14,583.60 a year. Eight years ago when we purchased this plan for our family the premiums were $258.00 quarterly or $3,096.00 a year. (Note the deductible at that time was $2,000 and has been increased not by our choice to $3,000.00). I have spoken to my insurance carrier and they claim the large increase is due to the high loss ratio in the group we are in. Since January, 1994, my husband and I have paid in a total of $12,641.00 in premium and had a total of $584.10 in claims.

The stress from this impossible increase will surely increase our chances of recurring illness. My husband and I both have had cancer and we know what a financial strain a serious illness can cause with health insurance coverage and we can't imagine how we could handle such a situation without any protection. We also realize that we cannot qualify for another plan even though it has been over six years since either of us have been hospitalized. Do we pay the increased premiums until we deplete all our financial resources or do we save the premiums and try to self-insured knowing we could not possibly save enough for a possible needed heart or liver transplant. There is not a simple answer.

My husband who is age 55 and I, age 54, are both self-employed. I am an insurance agent and my husband is a commercial shrimper. My husband is a veteran of the Vietnam war with 8 years service to our country. We have always worked, paid our taxes, and tried to be responsible Americans. We have always tried to protect our family with insurance coverage and have never asked for a free handout from our government. It is not fair at this time in our life to be faced with such a dilemma from no fault of our own.

As a representative of our country, I plead with you to take note of the health care problem and act on what is happening. We cannot keep on much longer the way things are now. If something is not done soon, only the rich and the poor (those on disability or very low income supplemented by our government) will be able to receive medical care. What will happen to the middle class worker that has no company benefits?

Respectfully,

FRANCES R. CARAWAN,
Aransas Pass, TX.

EXPERIENCES AND IMPRESSIONS OF ISRAEL

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. FORBES. Mr. Speaker, I was privileged to join other Members of the House of Representatives on a tour of Israel during the August recess. Attached is an account of my experiences and impressions of Israel while visiting the country.

[From the Jewish World, Sept. 1-7, 1995]

CAN ISRAEL ACHIEVE STABLE PEACE AMONG ENEMIES?—FACT-FINDING TRIP UNCOVERS SOME ANSWERS

(By Michael P. Forbes)

News of the suicide bombing on a Jerusalem city bus came over the radio early Monday morning. Fifteen members of the United States Congress, including myself, and our guests, were traveling at the time from Kibbutz Nof Ginosser on the Sea of Galilee to the Golan Heights up north. My heart broke as I heard the updates: four people dead, 106 wounded; the culprit thought to be a woman suicide-bomber who carried a pipe bomb in her bag. American Joan Davenny, 47, of Connecticut, in Israel to visit her parents and take up Jewish studies at Hebrew University, was among the innocent killed.

Hamas, the Islamic fundamentalist terrorist group, claimed responsibility on Damascus Radio and promised similar attacks through the November 1996 Israeli elections. Their goal is to force Prime Minister Yitzhak Rabin out of office because, they say, he has declared war against Islam. A growing number of Israelis blame Rabin and his peace endeavors for inspiring frequent attacks and Hamas apparently sees opportunity in the deepening fissures of Rabin's popularity resulting from each of the atrocities. All the while, some suggest the region is on the threshold of a lasting peace; that those enemies whose every breath was once dedicated to the destruction of the state of Israel are now her "partners in peace." But I ask myself, why then is this happening?

In a hardworking, seven-day visit to Israel characterized by back-to-back meetings that ran from the early morning through working lunches to well past midnight, we, members of Congress and our guests, came to understand the difficulties Israel faces in this war-prone region and to learn firsthand more about her history and gain unique insights into the dynamics of her politics, economy and daily life.

It serves this nation's interest to continue to support $3 billion in aid to Israel for security and economic development. Six hundred thousand immigrants, largely Russian Jews, have arrived in Israel since 1990. The United

States has provided $80 million for refugee settlement and $10 million in loan guarantees for housing. Five million dollars for a joint U.S.-Israel scientific technology commission will further both nations' research endeavors. Finally, efforts to provide a lasting peace in the Middle East have been bolstered by forgiving $275 million in debt owed by Jordan and $100 million as the U.S. share of multilateral economic assistance for the Palestinians.

I'm proud of this nation's support for Israel. Remembering the tragedy that occurred in Oklahoma City is convincing evidence that, while the Cold War period in which we knew our enemies is over, the world faces a far greater threat from illogical, fanatical terrorist groups. Many have their origins in the Middle East and the world has no better expert in dealing with terrorism than Israel. Our nation's investment there is a good one.

For me, this was a return visit to America's greatest ally in one of the world's most troubled regions and an opportunity to see what changes had taken place in the nine years since I was last there. My ties to Zionism were nurtured in a visit to Israel in 1986 after uncovering a long forgotten family fact that my great-grandfather, Rabbi Max Moses, had emigrated to the United States in the last 19th century from Esslingen, Germany and is today buried in a New Orleans Jewish cemetery.

On August 15, in a trip paid for with private funds, a delegation that included me, my friend from Long Island Congressman Dan Frisa; fellow New Yorkers Congressman Bill Paxon and his wife, Congresswoman Susan Molinari; House Republican Whip, Congressman Tom DeLay of Texas, and 10 other congressional colleagues and guests departed for an exciting, information-packed week of taking in and land and its people. Starting at Mt. Scopus with a tour of the 3,000-year-old capital city of Jerusalem and a meeting with Mayor Ehud Olmert, to the administered territories of Judea and Samaria and a visit there to the settlement of Ma'aleh Adunim with its 200 families, our sightseeing took us from the lowest point on earth (1,298 feet below sea level) at the Dead Sea to the heights of Masada and Golan.

We explored below-ground excavations of the two and a half miles of walls that encircle the Old City of Jerusalem and, on the eve of the Sabbath stopped to pray at the Western Wall, site on an annual pilgrimage by Jews to mourn the destruction of Herod's Temple Mount and their 2,000 years of exile. At the Israel Museum, we took in the Dead Sea Scrolls exhibit and later stopped by the highly-touted Israel Arts and Science Academy, where innovation programs for gifted and talented high school students are in their fifth year. Our travels took us to the holy sites of Bethlehem and Nazareth; to one of the earliest synagogues, dating from the fourth century at Capernaum and to the Church of the Beatitudes, both at the nearby Sea of Galilee.

We made a detour to the port of Haifa and out into the Mediterranean to visit American Navy personnel on the *USS Roosevelt*. Home ported at Norfolk, Virginia, this magnificent aircraft carrier was commissioned in 1986, saw duty in Operation Desert Storm and today continues to be a stabilizing force for peace in the Middle East. The nuclear-powered ship is home to some 80 aircraft and, for this Long Islander, it was with tremendous pride that I spotted Grumman-built planes: the E-2C Hawkeyes (an early warning all-weather defensive plane with a rotating dome) and the supersonic F-14 Tomcat fighter. It was wonderful to meet some New Yorkers while on the carrier and to experience this tremendous asset to the greatest Navy in the world.

In several dozen high level meetings with policymakers, we took the opportunity to get behind-the-scenes insights into a myriad of issues that impact on Israel's security, her future, peace negotiations with the Palestinians, the Syrians and the status of her dealings with surrounding countries. As an ardent supporter of Israel and a member of the House Appropriations' Foreign Operations subcommittee, I very much wanted assurances that Middle East policy decisions made by the United States were not only beneficial to my own country but also to the best interests of our ally Israel. Over dinners with such luminaries as Prime Minister Rabin, Foreign Minister Shimon Peres and U.S. Ambassador Martin Indyk, we were assured Israel and her once-threatening neighbors were moving like never before toward an unprecedented peace.

Where Israel was once isolated, treated like a pariah by its neighbors, today it has treaties with Egypt, Jordan and, if Prime Minister Rabin and Chairman Arafat have their way, before too long will have a treaty in place with the Palestinians. Ambassador Indyk is hopeful that the second phase of the Oslo Accords will be signed in Washington soon. In making his pitch for Congress to keep from undermining the peace negotiations maintaining the U.S. commitments to Israel (something about which this group didn't need convincing) Indyk noted Israel is more than willing to bear the added costs of putting an end to territorial hostilities.

He cited as an example, an "Oslo II" provision that involves redeployment of Israeli military forces out of Judea and Samaria at a cost of $300 million. While telling us of his past advocacy of Jerusalem as the site of the U.S. Embassy, a move I've been pushing in Washington, Indyk now chastises the Congress on the question saying it has "no business" pre-empting negotiations with the Palestinians. If other hopes are realized, a once impossible agreement with Syria might even be in the offing. As Indyk put it, ". . . this is the 'new Israel' . . . the state of siege has been lifted."

If it is indeed a new day, as officials of the prime minister's Labor party government repeatedly suggested, then why are so many Israelis unhappy with Rabin and his proposed terms of a peace agreement? This fact-finding trip was one way I would learn more.

In drawing distinctions between himself and Rabin, Binyamin "Bibi" Netanyahu, member of the Knesset and leader of the Likud party, suggested he is for autonomy in the administered territories of Judea and Samaria, not the creation of a Palestinian state, and characterized the Rabin position as advocating a Palestinian state there rather than autonomy. The Likud leader vehemently opposes any agreement with the Palestinians to surrender land that not only possesses an historical legacy intertwined with Zionism but is of strategic military importance. Specifically referring to the PLO (now referred to as the Palestinian Authority), Netanyahu questioned, ". . . how do we achieve a stable peace among a sea of enemies?

He said distinctions must be made between a "true peace" and a "false peace," referencing the late 1930s when for "peace in our time," British Prime Minister Neville Chamberlain agreed in the Munich Pact to trade land for peace. This left Czechoslovakia vulnerable and set the stage for the madman Hitler to march through Europe in the worst conflagration the modern world has ever known. Clearly, a poignant example of what turned out to be a "false peace." Netanyahu wondered whether the Arabs are genuinely interested in a lasting peace and, if so, are there sufficient security conditions to hold a peace?

Syrian President Hafez el-Assad may profess interest in a peace agreement that includes handing over the Golan Heights, but it's fair to question the wisdom of surrendering northern Israel's three highest hills that directly overlook Syria and, according to military commanders in the region, are a critical line of defense to protecting Israel in the event of another war. Prior to Israel's success in 1967's Six-Day War, Syria occupied the area where it erected an impressive base of operations.

We saw several of those Syrian-built bunker installations during our visit to the Golan Heights and from those locations, developed a clear impression of the tremendous vulnerability many Israeli communities must have experienced during the numerous times they were under military attack with no fall back position. Today, we're reminded of the region's significance with word that Syrian peace talks remain in limbo because they refuse to reconsider a demand that Israel totally withdraw from the Golan.

The Samarian mountains above Jordan offer a similar line of defense that provides security to a peace and most importantly, deters war. We were told by Yossi Beilin, Peres' former deputy at the Foreign Ministry and now minister of Economy and Development, that there have been no terrorist incidents or killings in the secured Golan since taken by Israel in 1967. Ramona Bar Lev, coordinator of the Golan Residents Committee that is opposed to annexation of the area by Syria, reiterated that point. Nonetheless, Netanyahu reminded us that, since 1993, 170 lives have been lost to terrorism, largely emanating from the Arab-dominated hotbed of Gaza, and the toll continues to rise.

In an age of very sophisticated technology, AWACs (airborne warning and control systems), early warning systems, satellite photos and radar, Israel's military commanders were surprisingly candid in telling us there is still no substitute for processing the highest mountaintops and observing the movements of the enemy with one's eyes. Airpower, missiles and selective strikes can cause tremendous damage and distract the enemy, but as we were reminded, the U.S. liberated Kuawait and won the Gulf War with its ground troops and ultimately it is the ground troops that must move in and take an area. In Israel's case, a longstanding point was being sustained that her best defense rests in keeping the strategically important mountains and hills.

As possible terms of an Israel peace accord are floated about and the potential for that nation to shrink from 40-55 miles wide to a narrow enclave of just 9-15 miles wide, conventional thought about the strategic importance of land to Israel's security are challenged. It's tough for outsiders like us to fathom a new way of looking at Israel's defense, even when respected leaders of the Labor government shift their views and now say the best tactical approach is monitoring actions at the Jordan-Saudi border 400 miles away.

Our tour included a visit with Dr. Saeb Erekat, a highly-placed representative of the Palestinian Authority in Jericho and a negotiator in Eilat for Arafat. I found Erekat to

be more defensive than conciliatory when questioned by our delegation. He was asked about speeches attributed to Arafat in which he called for a continued jihad. According to Peace Watch, a newsletter monitoring the peace process, in a January 1995 speech to Palestinian laborers Arafat was quoted as saying, "all of us are willing to be martyrs along the way, until our flag flies over Jerusalem, the capital of Palestine. Let no one think they can scare us with weapons, for we have mightier weapons—the weapons of faith, the weapons of martyrdom, the weapons of jihad."

Erekat dismissed that and a series of similar outrageous statements with a convoluted explanation that jihad actually has two meanings: one refers to "little jihad" as the holy war the PLO leader long advocated that ends in the destruction of Israel; the other refers to "big jihad" as massive economic, social and educational changes he wants to bring to the Palestinian people. It is the latter, said Erekat, to which Arafat referred. When Israel's Labor party officials were queried on the issue, they gave a similar answer.

I attempted to get assurances from him that since they now have Gaza and Jericho and Rabin's support (though no final agreement) in their bid to control Judea and Samaria, would those be enough concessions to get the Palestinians to drop their opposition to a united Jerusalem within the state of Israel? He dismissed my question, saying that any final decision must await the last stage of negotiations set to begin in May 1996.

Congress will consider extending the Middle East Peace Facilities Act (MEPFA) later this month. It permits a waiver of U.S. laws prohibiting aid to terrorists and paid the Palestinians $100 million upon signing the peace agreement with Israel. Enough doubts surrounded the Palestinians' willingness to comply with the Oslo Accords that Congress granted only short term extension of the act. What I've learned during this trip will weigh heavily as deliberations of NEPFA move onto the House floor.

The problem of water in this largely arid region has profound implications for Israel and several attempts to understand the Rabin government's position yielded few substantive answers. Israel is seriously dependent on its seasonal rainfall and three critical feeders into the national water system: Israel's only fresh body of water, Lake Kincret at the Golan, the coastal plain aquifer and a mountain aquifer. The coastal plain is subject to salt and pollutants that reduce water quality, shifting an additional burden to the Golan lake and mountain ridges of Judea and Samaria for an adequate supply of water and making it the most important long-term source for the national water system.

The fate of Israel's water supply would be largely left to Arabs in the administered territories if tenets of the peace agreement with the Palestinians are realized. I remain unsatisfied with explanations offered for dealing with the dilemma, most notably that a triumvirate multination entity might govern future administration of the region's water.

In what can best be described as wonderfully fun moments, we celebrated a Shabbat dinner and spent a beautiful, cool, starry night sailing on the Sea of Galilee in a replica of "The Jesus Boat." Newly-emigrated Russian Jews entertained with their music as we danced the hora to the "Have Nagilah."

I was especially moved also by a breakfast meeting we had with former Soviet dissident Natan Sharansky, whose struggle against a totalitarian regime put him in prison for nine years. Sharansky's only crime was his practice of his religion and his growing commitment he had to Zionism. He became an icon in the struggle of Jews to leave for Israel—to make *aliyah*—and an international champion of human rights. He was sentenced to 400 days of isolation, in so-called punishment cells, conditions that compelled him to go more than 200 days on hunger strike. It was an honor for me to meet the hero Sharanksy who is now enjoying freedom as a resident of Israel.

My most profound and emotional moments came during our visit to the Yad Vashem Holocaust Museum, a permanent memorial to the millions of Jews who, for the nature of their beliefs, were persecuted, suffered and died at the hands of history's greatest menace. Six million Jews died in all; 1.5 million were children. My friend, Congressman Jon Fox of Philadelphia, and I had the honor of placing a wreath at the Hall of Remembrance. I will carry with me forever the vivid memory of the Children's Memorial, where a soft but firm voice carefully read in Polish, German, English and Hebrew the names, ages and birthplaces of all those children known to be among the 1.5 million killed by the Nazis.

Ours was an extraordinary fact-finding mission. It has left an indelible impression on me to ensure a sustained American resolve that forever stands by Israel, our dearest friend and closest ally in democracy and freedom. From history's triumphs and tragedies, we must learn so that mankind does not repeat the mistakes of the past. And, most importantly, we must never, ever forget.

PROHIBIT THE FDA AND HHS FROM REGULATING THE SALE OR USE OF TOBACCO PRODUCTS

HON. L.F. PAYNE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. PAYNE of Virginia. Mr. Speaker, today I am introducing legislation to prohibit the Food and Drug Administration [FDA] or any agent of the Department of Health and Human Services from regulating the sale or use of tobacco products. The bill is in direct response to the proposed rule that the FDA announced last month. Under the Agency's proposal, the FDA would assume broad new powers over tobacco advertising, marketing, and use—powers which Congress has steadfastly refused to grant to the Agency.

I am very pleased to be joined in introducing this bill by Representatives BALLENGER, BAESLER, BOUCHER, COBLE, ROGERS, HEFNER, ROSE, SPRATT, SCOTT, BUNNING, FUNDERBURK, JONES, GORDON, CLEMENT, CLYBURN, TAYLOR of North Carolina, CHAMBLISS, and WARD.

The purpose of this bill is not to thwart legitimate efforts to curb youth smoking. Everyone knows that minors should not smoke cigarettes or dip snuff. Reducing youth smoking is a goal that is almost universally shared. All 50 States have enacted laws to prohibit youth smoking. And the tobacco industry itself has taken voluntary steps to eliminate the sale of tobacco to minors. On several occasions this year, I have actively encouraged the Clinton administration to work with the industry in expanding voluntary restrictions as an alternative to new and over-reaching regulations.

I have never met a tobacco farmer or warehouse employee who would want their children to smoke cigarettes. They want existing laws enforced, and they want voluntary measures to be given the chance to work.

What they do not want is for the Federal Food and Drug Administration [FDA] to use legitimate public concerns about teen smoking as the pretext for asserting its enormous regulatory jurisdiction over tobacco products.

Mr. Speaker, this bill is simple and straightforward. It simply bars the FDA from proceeding with any regulations governing the sale or marketing of tobacco products. Prohibiting the FDA from moving forward with these proposed regulations is not only consistent with existing law, it will send an important message to every other agency that attempts to issue regulations without express authority from the Congress.

This controversy is not new. In the last Congress, and in the Congress before that, legislation was introduced in the House and Senate to expand the FDA by creating a new regulatory category for tobacco products. Those proposals were rejected. In fact, throughout this century, tobacco's opponents have understood that their best chance to ban tobacco is to give unelected officials of the executive branch regulatory authority over this product. Time and again, such attempts have been rejected.

When Congress has enacted legislation dealing with tobacco, its delegation to the executive branch has been narrow and very specific. The FTC, for example, has carefully drawn duties with respect to assuring that the Surgeon General's warning are placed on cigarettes marketed domestically.

Furthermore, in enacting the Federal Cigarette Labeling and Advertising Act of 1965, Congress declared that the act set up a "comprehensive Federal program to deal with cigarette labeling and advertising (15 U.S.C. 1331)." This language suggests strongly that actions not plainly authorized by the act are beyond the powers of the executive branch. It is difficult to understand how the FDA can proceed with new restrictions on tobacco advertising in light of this language.

Even the FDA has acknowledged its inability to regulate tobacco.

Unable to achieve victory in the halls of Congress, tobacco's opponents are now relying on the administrative powers of the executive branch to assert this new and potentially far-reaching authority over tobacco. Tobacco's opponents may celebrate the administration's action on tobacco right now, but they may rue the day when they allowed the executive branch to establish such a precedent.

Just imagine the outcry of tobacco's most vociferous opponents if another President at another time tries to use executive powers to circumvent the expressed will of Congress on such matters as environmental safety, workplace protection, and gender equity. They would cry foul and they would have every right to.

Beyond this important concern about the FDA's legal jurisdiction to act, it is also clear that the administration's proposal runs contrary to the whole focus of government right

now. Americans want less government, not more. I find it ironic that as many agencies are downsized and eliminated completely, the administration would seek to expand the scope and mission of the Food and Drug Administration in this manner. Tobacco is already one of the most heavily regulated products in the United States. Regulation begins at the plant bed and runs well beyond the point of sale.

Finally, the FDA needs to re-order its priorities and focus on those issues which Congress has charged it with. We have all heard the reports of the FDA being unable to test and approve life saving drugs in a timely manner. It is an agency that should get its own house in order rather than trying to take on new projects in areas where it clearly lacks jurisdiction.

Mr. Speaker, I am proud to represent more than 5,000 tobacco growers. These hard-working farmers and their families don't want children to smoke. All they want is for Washington to treat them fairly.

The FDA's proposed rulemaking is not fair. It contradicts the plain intent of Congress and is a thinly-veiled attempt to regulate and ultimately destroy domestic tobacco products. I urge my colleagues from both parties and from all regions of the country to join me in sponsoring this important bill.

TRIBUTE TO SISTER JANE FRANCES BRADY, SC

HON. WILLIAM J. MARTINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. MARTINI. Mr. Speaker, I rise today to take this opportunity to recognize an outstanding individual who has dedicated her life to serving others. Sister Jane Frances Brady, SC, brings comfort to those she touches through Healing the Children, a remarkable, service-oriented organization committed to the donation of medical resources to those who cannot afford the attention they need.

All over the world millions of families use the little money they have to buy just enough food to survive; they cannot afford normal medical expenses. In the most underdeveloped countries, children who need care go untreated because of a lack of resources or funding to afford the little care that is available. Families suffer unthinkable pain, and children are the victims in this tragedy.

Sister Jane Frances Brady, SC, the president and chief executive officer of St. Joseph's Hospital and Medical Center is a recipient of numerous awards from professional and civic organizations for her dedication to helping the needy. However, her commitment to Healing the Children proves what the giving of ones self really accomplishes. Healing the Children has sent her to foreign countries where she has served on medical teams helping children who are suffering as a result of a lack of medical resources. As a part of Healing the Children, Sister Jane has also opened the doors of St. Joseph's to sick and needy children from around the world.

Through the work of Sister Jane Frances Brady, SC, and the organization, Healing the Children, families are given the attention they need to help them stay in good health. This group of caring medical professionals seeks out children in need, recruits the medical personnel and provides loving support. The Healing the Children medical teams share their knowledge with the host country's medical personnel, in hopes that one day these trips will not be necessary. At both home and abroad, Healing the Children also flies children to hospitals where they will receive the best possible treatment for their ailment.

Through the caring leadership of executive director and founder Evelyn Dudziec, this organization has performed these important missions for more than a decade. Mrs. Dudziec works out of a small office in her home in Kinnelon, NJ where she oversees the management of Healing the Children. She is also a member of Concerned Persons for Adoption and the Spina Bifida Parent Support Group. As a volunteer chairperson of the Fresh Air Fund of Northern New Jersey, a member of the Vietnamese Refugee Program and a host to 48 children through Healing the Children since 1981, Evelyn opens her heart to those less fortunate. Together with Sister Jane Frances Brady, SC, they serve as a rare and special reminder of what one person can accomplish in this small world.

MARYVILLE ACADEMY—AN OASIS OF HOPE FOR ORPHANS

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. HYDE. Mr. Speaker, policymakers have been discussing the merits of orphanages within the concept of foster care and the need to restore the family in our society.

R. Bruce Dold, the Pulitzer Prize winning deputy editorial page editor for the Chicago Tribune, has written an excellent article for Notre Dame magazine, summer 1995 edition on Maryville, a "home of last resort." I am extremely proud of Maryville, which is located in my district, and of Father John Smyth, the academy's director.

Mr. Dold's article deserves a wide audience and I am pleased to commend it to my colleagues:

[From the Notre Dame Magazine, Summer 1995]

A PLACE TO CALL MY OWN

(By R. Bruce Dold)

He was a real wisenheimer, as they called it in those days, a cigar-smoking, card-playing, suspenders-and-fedora kid, and if he didn't straighten out quick, why, "he'd turn out to be a 5-and-10 mug." That's what his older brother said. That's the reason Whitey Marsh had to go to the orphanage.

Oh, it wasn't easy at first. The kid ran away, but the sound of the lunch bell brought him back on the double. And when his brother robbed the bank and Whitey wouldn't spill the beans, it looked dark.

But Whitey was a good egg after all, and when he explained everything, how he was just trying to help his own flesh and blood, they let him go. And he was elected the mayor of Boys Town.

His father took off when he heard Tony Kohl was born. His mother was a drunk who beat him and burned him, and when he was 5 and his brother was 2, she dumped them both outside a child welfare office in Chicago.

They were adopted, but the new parents grew fearful of Tony as he got older. They said he was violent and emotionally unstable, that he hit his brother and other kids. When he was 10, they dropped him at an orphanage and tried to make sure he'd never see his brother again.

The child welfare officials wouldn't let him stay at the orphanage. They put him in a foster home. But he lured some of the younger kids into sex games, and the foster parents got rid of him. The officials put him in a psychiatric hospital, and after four months they placed him in another foster home. He set that one on fire, earning himself another trip to a hospital.

He went through a dozen foster homes, each time getting in trouble and getting kicked out. So they shipped him to a place in Arizona he describes as "a prison," and he hated it.

Finally, a year ago, he was sent to Maryville Academy, the 112-year-old children's home in Des Plaines, Illinois, run by Father John Smyth '57. After a failed adoption and a dozen foster homes and two psychiatric hospitals and one "prison," he's finally, at age 16, found a place that won't kick him out or lock him up. He's not the mayor of Maryville, but he's doing okay.

When House Speaker Newt Gingrich raised the prospect of removing unwed teenage mothers from welfare and allowing states to use the saved money to open orphanages, he stepped into a quietly raging war among those who make it their business to look after abused and neglected children.

When First Lady Hillary Rodham Clinton slammed the Gingrich proposal as "unbelievable and absurd," it appeared to be one more clash of partisan politics. Actually, the public was getting its first glimpse of that war among child-care experts.

Gingrich's suggestion that the naysayers watch the 1938 movie Boys Town to get an idea of what he had in mind was cockeyed. Whitey Marsh, the mug-to-mayor character played by Mickey Rooney, is as much like Tony Kohl as The Great Train Robbery is like Star Wars. But in a sense he probably didn't grasp, Gingrich was on to something.

The United States is currently the de facto parent for nearly half a million abused and neglected children, and the number is growing at a dizzying rate. The nation doesn't know what to do with all these kids, or with scores more who are on the way.

The revival of the orphanage is an unhappy, but utterly unavoidable, choice. The experts just aren't willing to admit it.

They held a roast last year for John Smyth, but nobody could think of anything particularly snide to say about him. The best line came from Chicago Police Superintendent Matt Rodriguez, who claimed that the good father held the Notre Dame record for most fouls in a varsity basketball game.

In a town that routinely chews up and spits out public figures, Smyth, 62, is regarded as an uncommon savior.

He was a 6-foot, 5-inch center and team captain at Notre Dame when the 1956–57 basketball team placed third in the Mideast Regional of the NCAA tournament. He was picked in the first round of the National Basketball Association draft by the Saint Louis Hawks, but after barnstorming for 30 games with a group of college stars picked to play against the Harlem Globetrotters, he gave up basketball to enter Saint Mary of the Lake

Seminary in Chicago and, in 1962, the priesthood.

He knew nothing at all about Maryville when he was assigned there, fresh out of the seminary, but he thought he could hack it for a few years. The place hadn't changed much since 1983, when it opened as Saint Mary's Training School, an outgrowth of a Chicago orphanage started a dozen years earlier to care for children orphaned by the Great Chicago Fire.

In the 1920s, Maryville housed as many as 1,200 children during a flu epidemic, and that many again during the Great Depression of the 1930s. But its fate was tied to changes in the nation's child-welfare policies, and in the early 1970s it nearly closed.

Today there are 276 kids on the campus, a third of them girls. None of the 276 is a Whitey Marsh.

There was a time, more than a century ago, when the orphanage seemed on the cutting edge of child protection. Children who were orphaned in the mid-19th century, usually by health epidemics, either lived on the streets or were placed with adults in poorhouses or jails. Some were shipped west to live with farm families, who often treated them more as indentured servants than as children.

By comparison, the orphanage was a refuge.

But orphanages fell into disfavor in the 1950s and '60s, when studies suggested that very young children who grew up in them suffered from developmental delays and failed to establish personal relationships.

With the advent of antibiotics and the welfare system, far fewer children were orphaned by disease or economic depression. If children had to leave their homes, it was more likely because they had been abused or neglected. The nation moved toward placing those children with foster families, volunteers who provided a temporary, substitute family.

In 1980, Congress passed the Adoption Assistance and Child Welfare Act, which established that the nation's goal was to prevent the removal of abused and neglected children from their homes and, if they were removed, to reunify them with their families as quickly as possible.

The way station of choice for kids who had to leave their homes was now the foster family. The orphanage, officially, was on the outs.

What few people anticipated in 1980 was a new epidemic, one that can't be wiped out by antibiotics: an epidemic of child abuse. In 1982 there were 262,000 children living in substitute care; that number now has soared to 450,000, a high percentage of them the victims of sexual or physical abuse or neglect.

Smyth estimates that 85 to 90 percent of his youngsters come from homes where parents are afflicted by cocaine or alcohol abuse. A decade ago, 85 percent of the children at Maryville could be expected eventually to return to their parents. Now, just 15 percent have an realistic hope of ever going home. Heck, only 15 percent have any hope of a parent so much as showing up at Maryville for a visit.

When kids come to Maryville, they are angry and lost. "We assume that they have not been taught any social skills at all," Smyth says. "Most of them have been through several foster homes. It's just a mismatch there. We're the safety net."

Indeed, by the time kids land at Maryville, they have likely failed a half a dozen foster homes, deepening their sense of distrust and cynicism and shattering their sense of self-worth. Maryville is usually the last chance to repair them.

Since 1979, Maryville has run an intensive therapy program based on the teacher-parent model pioneered at the modern-day Boys Town in Nebraska. Up to nine children live in a townhouse on 98-acre grounds in Des Plaines with a live-in adult or a married couple. Everything is a socialization experience. the kids make their own meals, shop for their groceries, clean house, wash the dishes and balance the house checkbook.

During the day, the parent notes all of their positive and negative behaviors and assigns points for each behavior. Shaking hands and establishing eye contact with a visitor earns points. Cleaning the dishes earns points. Asking for help, giving compliments, completing homework can all be worth points. Anti-social behaviors such as talking back or picking a fight bring negative points.

At 7 each evening, all the points are tallied on a 5-by-8-inch card. It is, in essence, a daily report card. Each child has to accumulate 10,000 points every day to earn privileges for the next day: snacks, television, Nintendo, the telephone.

Over time, the kids move up to higher levels. On the second level they get a later bedtime, more TV time and a point-card review every other day instead of daily. On the third level, privileges are more loosely negotiated. On the fourth, the kids achieve a considerable measure of independence.

Run away from Maryville and they're busted right down to the bottom.

In 1982 there were about 140,000 foster homes available to take in kids; in the most recent count by the National Foster Parent Association, there were just 100,000. So where are they putting all those kids?

"They're just putting more children in the homes," says Gordon Evans, spokesman for the association. "There's an exodus of families. The kids' problems are much more severe than ever before, and (the foster parents) don't know how to cope."

The foster care system, noble in intent, is a bureaucratic nightmare. Numerous studies have shown that many foster parents aren't adequately trained to handle the most troubled children. Moving children from foster home to foster home forces them to deal with rejection again and again. Health care for those children is so haphazard, as they bounce from home to home, that some states have resorted to issuing health-care "passports" so the latest doctor has some idea of the child's health history.

Some states have reacted to the problem by redoubling efforts to prevent child abuse—or responding to it with counseling and other services to parents and children in their homes. Those efforts are necessary, but the results of prevention efforts have been, at best, mixed.

While the child welfare system imploded, something else happened. Orphanages—the best of them, at least—evolved into highly sophisticated models for turning around the lives of the nation's most troubled kids through intensive, round-the-clock treatment.

Far from the barracks image of the old-style orphanages, the Maryville townhouse would be the envy of any college kid crammed into a dorm room. Each house has a roomy kitchen, a living room, a dining area and bedrooms—one for every two kids. The living room has comfortable sofas and lounge chairs, a 27-inch TV and a VCR. On the cork bulletin board, the therapy schedule shares space with the gym schedule.

"They provide consistency, motivation and professional care," says Patrick Murphy, the Cook County Public Guardian, whose father was a Maryville resident from 1914 to 1917. "It's the only option for kids who can't handle the intimacy and demands and inconsistency of a foster home."

Critics of institutional care argue that it can harm children by depriving them of a family structure. Says Marion Wright Edelman, director of the Children's Defense Fund, "We went back to foster care because orphanages are not all Boys Towns. Most families are better than most institutions. That does not mean it's not possible to have humane institutions, but we believe in having a few adults and a few children relating to each other. I don't want to say there's never been a good orphanage, but it has to be at the very, very end of the continuum."

Many of the kids at Maryville would agree. Give them a family that wanted them and they'd be gone in a moment. But many of those kids also acknowledge, perhaps reluctantly, that they can't cut it in a family right now. Says Tony Kohl, "I want to go home after school and not think of myself as a Maryville kid. It'd be much different if I had a regular family, but I understand that's not going to happen."

Maryville will never force a child to leave, no matter how difficult he is. But Tony has still had to deal with a different kind of rejection. In the spring, his parent-teacher took a new job somewhere else. The change to a new parent-teacher was hard on him, and his school grades dropped.

No one has the corner on perfection in child welfare. "Any kid who can be in a foster home should be in a foster home. And if every kid can be in a foster home, close Maryville," Smyth declares. "The question you have to ask is, what happens to the kids who are bounced out (of foster homes). If you're going to turn your back on those kids, they'll be on the street.

"When you take a kid who's bombed out from a foster care program, who is destructive, then you better have the wherewithal to hang in there and solve the problem. Now, that is tough duty."

Besides psychological therapy, Maryville provides preparation for teenagers to live on their own. It tries to prepare them not only for independent living but for family life as adults. It has a Career Development Center with programs in carpentry, printing, auto repair and other vocations, each one sponsored by a local company.

While studies show nearly half the children who go through foster care drop out of school, every child who lives at Maryville graduates from high school. If a Maryville kid is accepted to college. Maryville pays the tuition, thanks largely to private donations. On average, one-third of each graduating class goes on to college, and two-thirds of those students earn a degree. Maryville has graduated kids from Notre Dame, Northwestern and other top schools.

All that comes at a hefty price; Maryville spends about $35,000 a year on each child. The parent-teacher, unlike a foster parent, is a paid professional. At Maryville they earn at least $34,000 a year, plus room and board. These costs are paid by the government and private donations.

Smyth's operation also recruits and trains foster parents and runs a parenting-teen center in Chicago, a witness protection program, a farm school and an emergency shelter for sexually abused children. Altogether, Maryville facilities assist more than 12,000 children each year.

Yes, Maryville works.

The aversion to orphanages nevertheless rages on. Gingrich's proposal to direct money saved from welfare to orphanages raised such an outcry that all references to orphanages were removed from the House bill.

But Gingrich had twisted the debate. Orphanages shouldn't be repositories for the children of poor parents who are forced off welfare; that's both mean-spirited and prohibitively expensive. But more orphanages are needed right now for children who are victims of serious physical or sexual abuse.

The genesis of the move to revive orphanages is generally traced to Lois Forer, a retired judge in Philadelphia who spent years in family court and saw no end to the foster-care treadmill on which many children were running. Joyce Ladner, the acting president of Howard University and a child welfare expert, echoed Forer's opinion that more orphanages are critically needed.

Senator Daniel Patrick Moynihan sounded the alarm in 1989, writing that the prevalence of crack-cocaine will "soon give us the no-parent child as a social problem." The likely answer, he said, was the re-establishment of orphanages. Much in the way that Moynihan's prescience about the underclass was ignored in the 1960s, his warnings about the state of children have been ignored today.

In 1991, Illinois became the first state to launch a formal investigation into reviving orphanages. But a state-established task force concluded that orphanages are "not consistent" with the goal of rapidly returning abused children to their families. The task force seemed not to notice that in the 18 months it spent preparing its report, Illinois' foster-care rolls had swelled by another 11,000 children.

The opponents of orphanages make several critical errors. They raise fears that orphanages will be used inappropriately in place of foster homes, but they don't recognize that foster care is being destroyed by a system that forces troubled kids into it who don't belong there, don't benefit from it, and whose behavior hounds foster parents into quitting.

The opponents cling to the hope that better foster care and "family preservation" programs can handle the child-welfare crisis. It's true that prevention programs are critical and show real promise, but they are still in their infancy. And they're being swamped by the child-abuse epidemic.

Just as flu and typhoid created scores of orphans in the 1890s, so have crack-cocaine and AIDS in the 1990s. "We're always going to have dysfunctional families. But I'm convinced that sexual abuse and physical abuse is the result of being high on crack-cocaine and alcohol," says Smyth. "They're nuts, they're crazy: When they walk in a room, a 7-year-old girl looks like a 21-year-old girl. Human nature has not changed that much in 10, 12, 15 years."

In the 1990s, child abuse often starts in the womb. At the child intake center run by Maryville, roughly 5 to 10 infants arrive each day suffering from fetal alcohol syndrome or the symptoms of crack-cocaine use by their mothers.

The nation can't handle its drug epidemic, which begat the child welfare epidemic. It can't prevent drugs from being manufactured here or shipped in from somewhere else. It doesn't have enough jail cells to lock up the users. And it does not want to spend the money for treatment.

On top of that, the nation is just beginning to deal with the disaster of a federal welfare policy that prevents outright destitution but contributes to a permanent underclass, which is most prone to child neglect.

"Everything it has done has destroyed families," says Smith, who works closely with welfare recipients. "These are the conditions of welfare. You cannot own anything. You cannot save anything, you cannot work and you can't get married. I think that's slavery. If you took away welfare, they'd work. And they'd live and they'd succeed. But you have to raise people up so they can compete. You start by making sure the family stays together and the kids stay in school."

Until the nation figures out how to raise up the underclass and end drug abuse—utopian notions, perhaps—it has to figure out what to do with all the kids who can't live safely at home, particularly those whose emotional scars run deepest.

It cannot afford to turn its back on any reasonable solutions. And that includes the 1990s version of the orphanage.

THE SOCIAL SECURITY ADMINISTRATION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. JACOBS. Mr. Speaker, despite her splendid accomplishments as Social Security Commissioner which are set out in the following USA Today article, Shirley Chater's nomination to become the first head of the non-partisan independent Social Security Administration has been held up in the Senate Finance Committee, thus proving that there is more than one way to abuse a woman.

[From the USA Today, Aug. 30, 1995]

AGENCY PUTS FOCUS ON ITS CUSTOMERS

(By Martha T. Moore)

WASHINGTON.—For knowledgeable, helpful, polite telephone service, a shopper can call that famous mail-order retailer in Maine.

Or, a taxpayer can call Social Security.

After two years of corporate-style reengineering, the Social Security Administration is emerging as the federal agency that's providing the best service to its customers—that is, to taxpayers. It's a favorite of Vice President Gore, the champion of reinventing government, and Michael Hammer, co-author of Reengineering the Corporation—the book that spurred the reengineering movement.

And in key measures of customers satisfaction, Social Security has outscored companies famed for service, such as Nordstrom and L.L. Bean. That's an "incredible" achievement, Gore says. "They're really transforming and reengineering their agency."

Reengineering, a term borrowed from the corporate world, means a start-from-scratch overhaul of the way an organization does its work, with goals determined by customers' desires and performance measured by comparisons against the best in the industry. Since 1993, when the Clinton administration kicked off its National Performance Review for government agencies, Social Security has pressed hard to improve customer service, through the agency's toll-free number (800-772-1213) for questions and information, and in its field offices. The changes that have been made are both obvious and subtle. For one thing, taxpayers are now referred to as customers.

As well they should be, says Stephanie Martin, a telephone representative at the agency's Jamaica (N.Y.) Tele-service Center. "Social Security is a business of insurance," says Martin, who handles 50 to 70 callers a day. "They are paying to be insured."

The results so far: In a survey of telephone customer service in May, Social Security outperformed private companies famous for their customer service, including catalog retailer L.L. Bean and Baldrige Quality Award winners Federal Express and AT&T Universal Card.

"There are some government departments which are effectively resisting this whole (performance review) thing tooth and nail, which are bureaucratic nightmares beyond anything one could imagine," Hammer says. "A few agencies are doing a good job. The Social Security Administration is one of the leaders."

Social Security Commissioner Shirley Chater is hoping for a fringe benefit from reengineering: If people believe Social Security is run efficiently, they may worry less about whether it will go broke before they retire. "Good service equals confidence in the program," she says.

To come up with a revamped process, the agency began the way corporations do: It created a reengineering team. Together with consultants, the team members visited private companies such as AT&T's Universal Card operation to see how they operate. And they did what all market researchers do: they talked to the people who use their services. "The cornerstone is to find out what your customers want," says Toni Lenane, chief policy officer and head of the customer service program. The agency surveyed 10,000 people, conducted focus groups, and mailed 22,000 comment cards to people who had visited Social Security offices.

What the team learned: Customers don't expect the world, but they want to be treated well and quickly. Based on the results, the agency pledged to treat customers politely and promptly. It instituted more courtesy training for employees. It is reassigning as many as 700 staff members from headquarters and support jobs to field offices to deal with customers face-to-face.

The biggest effort focuses on the 800 number, most taxpayers' first contact with the agency. Social Security's goal is for customers to reach a representative within five minutes.

It's a tough task. Because all Social Security checks normally arrive on the third day of the month (unless that falls on a Sunday), everyone who has a problem calls on the same day to complain. That's why the agency hasn't met its five-minute target yet. In the May telephone service survey, Social Security scored first in every aspect of telephone service except time spent on hold: Its callers held for about eight minutes on average. Agency figures for week of August 7-11 show that 69% of callers got through within five minutes. Lenane admits that on the worst days, callers may never get through. So the reengineering isn't over. By January, the agency predicts the success rate will reach 95%. To hit that goal, it is adding staff to answer phones at peak times. In January, when calls typically increase because of December retirees and frequent questions about cost-of-living adjustments and taxes, the agency will boost the number of people answering phones from 4,600 last year, then a record, to 7,900. Most help comes from other agency workers trained to pitch in temporarily.

Upgrading phone systems and adding automated information to answer the most common questions. Already, a menu allows callers to choose English or Spanish language help. That's a boon for Betsy Reyes, a bilingual representative at the Queens (N.Y.) phone center. Before, she was summoned each time an agency worker received a call from a Spanish speaker. Now those calls queue up automatically.

Staggering delivery times of checks for people who retire in coming years. The agency had hoped to stagger checks for people already receiving Social Security as well. But current recipients, whose finances revolve around a check arriving the third of each month, were opposed.

While the reinvention of customer service continues, the agency also is preparing to tackle an even tougher challenge: fixing the process for awarding disability benefits. Now, it's a nightmare that can drag on for nearly two years—even though the actual labor involved in a disability claim, by the agency's own count, totals 45 hours. Even a simple claim for benefits that doesn't get appealed takes 155 days—five months—to be decided. The problem: a cumbersome administrative process. Handling the disability program, though it involves only 20% of Social Security recipients, takes up more than half of the agency's $4.9 billion administrative budget.

The goal for reengineering that process calls for a disability application to be handled by one person, down from 13 currently. A four-level process will be cut to two levels. "You can always continue to throw money at something, but we really needed to fundamentally rethink the program," says Charles Jones, director of the disability process redesign.

The reengineering, which will take five years to complete, hinges on a new computer system—which in turn hinges on a $1 billion appropriation from Congress. But the biggest obstacle is "people's natural resistance to major change. It is scary to a lot of people," Jones says.

Reengineering scared Martin, the Queens telephone representative, mostly because it sounded like "more work to do." But the customer service program, which gives phone representatives more information so they can answer questions quickly, "makes the job creative and interesting," she says. Even courtesy training is welcome. Social Security phone reps get their share of angry, even suicidal callers. "It's stressful," Reyes says. And because of the range of information they provide, "we're like the doctor, lawyer, social worker, accountant," says Martin.

"Psychiatrist," Reyes adds.

In fact, as much as Social Security has modeled itself on the corporate world, it remains different.

"We should look for new ideas" from private industry, says Richard Heyniger, of the Jamaica center. But he recalls his first job with Social Security, 21 years ago, visiting shelters in Manhattan. "Guys would sneeze on me and drool on me," as he tracked down homeless men to give them their benefits, he says. "I don't think there are lot of private sector organizations that do that. They're concerned with customers—but they're also concerned with profits."

"WHAT AMERICA MEANS TO ME"

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. LEWIS of California. Mr. Speaker, I would like to bring to your attention a meaningful message, "What America Means to Me," written by Julio Martinez who is a member of VFW Post 2545 in Redlands, CA. As a nation of immigrants, we must continue to recognize that the strength of our country lies largely in its diversity. I commend this passage to my colleagues in the House:

WHAT AMERICA MEANS TO ME

America means to me, the place of my birth.
Born to a family who taught me, early in life,
No matter the hardships,
To love this land of my birth.

America offered schools for you and me,
To become whatever we wished to become.
Through life adjustment and preparation.
So we could build a stronger nation.

America means to me, freedom of speech,
As long as I do not infringe on the rights, of any of our citizens.
America is the only place on this earth,
Where people of all nationalities live, and coexist as fellow citizens.

America means to me, freedom of religion,
To worship any religion I choose.
And the freedom not to worship if I so choose.

America means to me, the freedom,
Of working where I choose to work.
And wherever I choose to work.
And am guaranteed fair wages for my work.

America means to me, freedom,
To move from one job to another, without reprisal.
From one state to another, without fear upon my arrival.

America means to me, the freedom, to choose where,
I wish to live and am guaranteed, by our,
Constitution, the freedom.
To pursue life, liberty and the pursuit of happiness.
With total freedom.

America means to me, freedom to elect,
Public officials to govern us,
With our consent.
and to remove them if not content.

America means to me, the freedom,
On the Fourth of July, her birthday, to celebrate.
She gained her independence for you and for me.
So let us all celebrate.

America means to me, freedom to fly,
Our beautiful flag, atop our flagpoles,
Fluttering majestically, throughout our nation,
Reminding us all that we live in a free nation.

America may not be perfect, but,
It is still the best nation in the world.
So we had best take care of her, by living harmoniously together.
If we look out for each other,
She will continue to be the best nation in the world.

We know we are still learning to live together, as American citizens.
But let an outsider threaten America, and she,
Will send out a call to her sons, daughters and citizens.
We will respond to her call, no matter what we contend.
We will defend her to the very end.

Our nation is free.
We have demonstrated to the world,
We will fight to keep her free.

And yes this is what America, means to me.
That I wish the world to see.

TRIBUTE TO ELEANOR KAHLE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Ms. KAPTUR. Mr. Speaker, I rise to honor the life of an extraordinary woman, Mrs. Eleanor Kahle of Toledo, who died at the age of 78 years young on August 13, 1995. Councilwoman and vice mayor emeritus, Eleanor Kahle, was a citizen-stateswoman, a mentor, a team player, and a friend to thousands. Her passing leaves a void in our community no one can adequately fill.

Eleanor (Konieczka) Kahle, Polish-American by heritage, began her life on September 10, 1916, in what was then the small community of Sylvania outside of the city of Toledo. At the time of her death, she had become a citizen of the world. In fact, though over her lifetime she received recognitions too numerous to mention, the one she cherished most was her last, that of being named National Volunteer of the Year of Sister Cities International.

It has been said that Eleanor Kahle had four careers in her life: that of wife and mother of six children, pastoral associate in the Catholic Church, executive director of the West Toledo Senior Center, and elected official in the city of Toledo. In all of these careers, Eleanor Kahle forged new ground. She took no responsibility more seriously than raising her six sons as a young widow, and delighted in their achievements as adults and in their children's.

She was also a devoted woman of the church. There did not exist such a position as pastoral associate in the diocesan Catholic Church until Eleanor Kahle pursued its creation. In the 1970's as a pastoral associate, she was essentially the highest ranking woman in the Catholic Church, performing nearly all of the duties of the priesthood with the exception of the celebration of the Mass and the Sacraments.

Doggedly pursuing the creation of a senior citizens center for several years in spite of tremendous opposition, she oversaw the birth of the thriving West Toledo Senior Center in 1979, directing its growth until her retirement in 1993. Today that center stands, 5,000 seniors strong, housed in a large, pleasant, refurbished building, as a true legacy to her.

In 1983, I was honored by her service on my congressional staff in Washington as a special assistant on senior citizen issues, guiding and advising me as Congress debated changes in the Social Security system to assure its future solvency. She approached that opportunity with the zest, intelligence, and dedication that characterized her entire life.

In 1987, at the age of 70, when most people would not dream of making such a major

change in their life, Eleanor began her stellar political career as an elected official winning a seat on Toledo's city council. Four years later, in 1991, she finished first in the city council races among a field of eight, and was elected the city's vice mayor, one of only two women in Toledo history to rise to the post. Always planning and working toward unmet horizons she kept up the brisk pace of public life right until her unexpected illness, and never wavered from the idea that she might return to her duties. It was during her career as a councilwoman that Eleanor Kahle committed herself to the Sister Cities International ideals. She traveled abroad extensively as a goodwill ambassador for Toledo and our Nation, establishing new relationships with the cities of Szeged, Hungary, and Poznan, Poland. She hosted dozens of visitors in her home and was Toledo's most dedicated ambassador-at-large.

In every endeavor, Eleanor Kahle conducted herself with grace, dignity, and eloquence. In her own mind, she never had to be the leader, "just wanted to make sure the job got done." Yet in her persevering and joyful way, she led her community forward always, many times as a lone pioneer. Who can forget the twinkle in her eye or her cherubic grin. In the words of her children, while describing her and comparing her to the roses she so enjoyed, Eleanor Kahle was "a true American beauty."

In special memory of Eleanor's life, in honor of her gifts and talents, and in recognition of her achievements and the special roles she fulfilled so exceptionally in our community, our Nation, and our world, the Eleanor Kahle Memorial Scholarship Fund will be established at Lourdes College, to be awarded to a nontraditional student who wishes to pursue those goals which Eleanor cherished and toward which she strove. This scholarship will stand as a legacy to Eleanor, her life, and her ideals. On behalf of all the citizens of our community whose lives have been improved by her vigilant work, let us publicly thank her as well as her family for their selfless devotion to others. We shall miss her always and be inspired by her life's work. She remains our true friend.

FELICIAN SISTERS HONORED AS 1995 "POLISH AMERICANS OF THE YEAR"

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. KLECZKA. Mr. Speaker, I rise today to recognize the Felician Order of Sisters who have been named "Polish Americans of the Year" by The Milwaukee Society, an affiliate of the Polish National Alliance.

In 1855, the Felician Order was established in Poland by Mary Angela Truszkowska. Nineteen years later, in 1874, five Felician Sisters came to the United States and opened a parochial school in Polonia, WI. As time went on and their numbers increased, they also established orphanages, homes for the elderly, hospitals, and day care centers, in addition to teaching. Today, St. Francis Hospital, Villa St. Francis, the Terrace at St. Francis, and St. Joseph Day Care Center for Children are all examples of their continued ministry on Milwaukee's South Side.

When I attended St. Helen's Grade School, the Felicians staffed the facility and I know full well of their dedication and impact on educating young minds. I warmly remember the discipline and understanding and warmth—although for some reason, I remember the discipline the most! I wonder why?

I ask my colleagues to join me in recognizing the Felician Sisters' remarkable contribution to the citizens of Milwaukee, WI, and to the United States. They are a shining example of the commitment and dedication which is representative of Polish immigrants throughout our nation's history.

Mr. Speaker, I offer best wishes and congratulations to the Felician Sisters as this year's Milwaukee Society's "Polish Americans of the Year."

TRIBUTE TO ED GANNAWAY

HON. SAXBY CHAMBLISS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. CHAMBLISS. Mr. Speaker, August 22, 1995, is a day etched in the minds of those who flew on board ASA Commuter Flight 529 from Atlanta, GA, Gulfport, MS. Flight 529 was forced to crash land in a small field near Carrollton, GA, resulting in the death of four passengers and its captain, Ed Gannaway of Dublin, GA. However, due to the sheer heroics of Captain Gannaway, 26 passengers survived the crash landing. Landing a plane with a blown engine took a level head and all the outstanding skills available to Captain Gannaway.

Flight attendant Robin Fech, of Warner Robins, has similarly earned our praise for her calm and efficient preparation of the passengers for the crash landing that awaited them. Fortunately, Robin Fech survived the ill-fated flight.

Today, I would like to take this time to recognize Captain Ed Gannaway for the manner in which he guided his crippled plane over houses, power lines, and trees to finally find the hayfield near Carrollton. Because of Ed Gannaway, 24 others are still alive today. Ed Gannaway was a great American, and many lives are touched by his passing. Whether it be the kids from Boy Scout Troop 66 or those that knew him from First United Methodist church in Dublin, Ed Gannaway will be missed.

Our hearts go out to his wife, Jackie, and three sons, Craig, Russell, and Rob. It will always be hard to face this loss, but I pray that it be reassuring to know that Ed Gannaway died for the sake of other lives. Without Ed Gannaway as pilot on this particular day, the news of this crash might have been far graver. The best way to sum up Ed Gannaway's feat is as Rev. Jack Key said, "Ed Gannaway truly flew on wings of eagles."

INTRODUCING THE MEDICARE AND MEDICAID PAYMENT INTEGRITY ACT OF 1995

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. DINGELL. Mr. Speaker, I am pleased today to introduce, with my colleague, Mr. WAXMAN, the Medicare and Medicaid Payment Integrity Act of 1995.

This legislation would improve the Government's ability to detect fraud and abuse in the Medicare and Medicaid programs. It would create a new mechanism to increase funding available for combating health care fraud and abuse without drawing down from the U.S. Treasury, or further burdening taxpayers.

The bill would establish a new health care antifraud reinvestment fund, into which certain monetary recoveries resulting from health care fraud enforcement cases would be deposited. These funds would be used to support additional enforcement activities by the Federal Government. The account would be available to fund expanded and innovative methods to investigate fraud and abuse, sanction offenders, deter misconduct, and return improperly spent money to the trust fund and the Treasury. Thus, the individuals and corporations who defraud our Nation's health care system will foot the bill for increased policing of these programs.

This legislation also provides for a stable funding source for payment integrity activities undertaken by the health care financing administration. These include:

First, medical and utilization review; second, audit of cost reports; third, Medicare secondary payer determinations and recovery of payments; and fourth, education of providers and beneficiaries regarding payment integrity. These activities would no longer be subject to the ups and downs of the appropriations process. However, spending could not exceed the amounts that were appropriated for fiscal year 1996 through 2002.

This bill is a serious attempt to expand fraud and abuse activities without increasing burdens on Federal taxpayers. In the near future, Senator BOB GRAHAM of Florida will be introducing this bill as part of a larger legislative package that includes further expansion of fraud and abuse activities. We have been talking with Senator GRAHAM and his staff and may be offering an even broader bill in the House in the near future.

In the meantime, this is a good first step and I commend it to my colleagues.

HONORING BOB SLAGLE FOR HIS SERVICE AS CHAIRMAN OF THE TEXAS DEMOCRATIC PARTY

HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. BENTSEN. Mr. Speaker, I am proud to submit the following statement on behalf of myself and my Democratic colleagues in the Texas delegation:

Our friend Bob Slagle, who has served as Chairman of the Texas Democratic Party since September, 1980, has announced that he will not seek reelection in 1996. Party activists and party officers are often typecast and miscast as "political hacks" engaged in a cynical electoral game that emphasizes only winning and cares little about policy and its effect on people. Often the work of party leaders is taken for granted, as credit and glory is showered on consultants, candidates, and high profile political gurus.

Over the span of 15 years, Bob Slagle has sacrificed his time and energy serving his party, his state, and his nation, and we are thankful for the respect and commitment he has shown to those of us who have run for office and serve in this great body. Today we are proud to salute our Chairman, Bob Slagle, for his commitment to the people and his belief that this great system of government we call democracy must work to make sure all Americans have the opportunity to fully realize their talents and put them to work for the common good. Although he is a fierce partisan, Bob is an even fiercer patriot, a man whose politics are driven by a belief that the more people participate in politics, the better our government will serve the people.

When one stops to think about what it must be like to deal year round will all the different groups and factions within a political party, one has to appreciate the dedication Bob has shown to working to keep Democrats together as we have fought for those things we believe are important for our country. As Chairman, Bob has worked to make sure the Texas Democratic Party is truly an inclusive, democratic party, the party where all calls are taken, where everyone still counts. At the same time, the Texas Democratic Party has pioneered many modern campaign concepts during Bob's tenure, including the ticketwide coordinated campaign; the development of a statewide computerized voter file that contains voter history, targeting, and demographics data to allow campaigns to target voter contact efforts; and the implementation of a secure, on-line interactive communications network.

Thanks to Chairman Slagle's tireless efforts, Democratic officeholders have not been "defeated with a redistricting map," while at the same time the protection and creation of African American and Hispanic districts have been achieved. Perhaps most important, Bob worked to build a solid small donor base to assure the party of a stable funding source, and he and the party staff have traveled all over Texas to conduct workshops, hold rallies, and campaign for Democrats up and down the ticket. All this has helped keep the Democrats the majority party in Texas at a time when many other states with similar demographics have been flooded by a "Republican tide."

For 15 years as Chairman and long before that, Bob has worked side by side with people from all walks of life to make our state and nation stronger through their participation. His friends include the famous and the unknown; rich and poor; black, brown, and white; urban and rural; conservative and liberal; and even some Republicans—all those who believe that by bringing people together to find the common good, the great American democratic system offers "the best hope on earth."

On Saturday, September 9th, Texas Democrats and friends from around the country will join in "A Salute to Bob Slagle" in Austin. We join in saluting Bob and thanking the Chairman for his 15-year tenure of service and lifetime of commitment to his party, state, and nation.

Respectfully submitted by:

Henry B. Gonzalez, Twentieth District; E "Kika" de la Garza, Fifteenth District; Charles Wilson, Second District; Martin Frost, Twenty-Fourth District; Charles W. Stenholm, Seventeenth District; Ralph M. Hall, Fourth District; John Bryant, Fifth District; Ronald Coleman, Sixteenth District; Solomon P. Ortiz, Twenty-Seventh District; Jim Chapman, First District; Pete Geren, Twelfth District; Chet Edwards, Eleventh District; Gene Green, Twenty-Ninth District; Eddie Bernice Johnson, Thirtieth District; Frank Tejeda, Twenty-Eighth District; Kenneth E. Bentsen, Jr., Twenty-Fifth District; Lloyd Doggett, Tenth District; Shelia Jackson Lee, Eighteenth District.

THE PBS SERIES "THE AMERICAN PROMISE"

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mrs. COLLINS of Illinois. Mr. Speaker, as has been said many times before, ours is the only Nation founded on an idea—the idea of democracy. No idea is more American. Yet the idea of democracy is neither simply defined, nor easily described. American democracy expresses itself in endless variations.

Mr. Speaker, I rise today to remind my colleagues of the grassroots of democracy, taking place everyday in communities across the United States, which is literally vital to the life of our Nation, yet too often ignored in the chambers of this Capitol. With this in mind, I recommend to you the American Promise, an important new PBS television series celebrating community-based democracy. The American Promise makes its national broadcast premier on October 1, 2, and 3.

Here, in Washington, we conduct democracy's most visible work. It is the democracy studied in civics and political science classrooms and reported by our newspapers, magazines, and television programs.

We arrive here after elections, propose and study legislation, debate, and then vote on competing bills and amendments. It is a fact that each stage of the process has winners and losers. By necessity we live and work in a world of partisanship and competition. Before any bill becomes the law of the land, it must be debated, tested, and its consequence thoroughly understood by the people and by us, the peoples representatives.

Not surprisingly, this world in which we are immersed leaves many citizens frustrated and cynical. Too often, this version of democracy seems to be nothing but a political contest. Who is up? Who is down? How do yesterday's events affect the power to get things done tomorrow? Our standing is gauged by an extraordinary sensitive barometer, instantaneously reflecting each small political success and failure.

Yet this work—our work here in Washington—is but one form of American democracy. It is a serious mistake to think otherwise. In community after community throughout America, in large ways and small, citizens decide every day to become part of the democratic process. They do this by joining an organization; bringing other together to improve or expand existing services; inventing a better mousetrap; asking why a flawed practice can't be changed; engaging in a civil and respectful debate; considering another viewpoint; or shouldering the responsibility to make hard decisions.

When this happens, there are no losers. Everybody in the community wins. When a community development bank is opened when none existed before, or when individuals cooperate so that dry lands may be irrigated, no one need ask who is up, or who is down. Score keeping quickly becomes irrelevant. Through action and energy, participation and deliberation, taking responsibility and seeking common ground, American democracy comes to life and everybody in the community wins.

Mr. Speaker, In my view there is no better antidote to doubts about our Nation's future. We need only shift our gaze away from the latest reiteration of partisan one-upmanship, to the grassroots democracy taking place in our communities.

The American Promise, the new PBS series, does exactly that: it reminds us all of the community-based democracy that is found beyond this Capitol, and in so doing, it helps restore our faith in the idea of democracy, the idea of America, and the limitless possibilities for our Nation's future.

The American Promise is a 3-hour television program on civic participation and grassroots democracy. In some 50 different story segments taken from every region of the United States, lessons are offered on the skills and values needed to bring our democracy to life. These vignettes are collected around distinct themes to illustrate core American values such as freedom, responsibility, opportunity, participation, and deliberation.

One of the story segments features an outstanding example of community-based democracy in Chicago in the Seventh Congressional District which I represent. The Full Circle Fund, designed and funded by the Chicago Women's Self-Employment Project, provides vital capital along with business advice to micro-enterprises. In the last 3 years, the Women's Self-Employment Project has lent $60,000 to 60 low-income women without a single default and a late payment rate of only three percent.

The Full Circle Fund lends to circles, of teams, all women in the circle are responsible for the loan. The circle qualifies for the loan, one or two women in the circle get the money first, then when they have begun paying it back, other circle members are eligible for funds. Circle members meet to collect loan payments, discuss their businesses, and provide each other with support and advice. Together, these women work together to create opportunity, social capital and the backbone of community democracy.

One of the lending circle meetings at BJ's Professional Beauty Supply will be a part of the American Promise's first hour and it offers all of us much to consider and remember about our communities.

After the October PBS broadcast premier The American Promise will then be put to use

in high school and junior high school classrooms throughout the United States, as an instructional tools on civics and community-based democracy.

The National Council for the Social Studies has endorsed the program. And Farmers Insurance Group, the program's corporate sponsor, has pledged to make the video, teaching guides, and classroom materials available to all interested schools and teachers at no cost.

Mr. Speaker, I urge my colleagues and viewers across the Nation to tune-in to this important program. And I would like to thank the Farmers Insurance Group, and its chairman, Leo E. Denlea, Jr., for bringing The American Promise to us. The program reminds us all of what right about America, and what we have to do to make good on America's bright future.

IN HONOR OF MAJ. GEN. JOHN F. PHILLIPS

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. FAZIO of California. Mr. Speaker, I rise today to honor U.S. Air Force Maj. Gen. John F. Phillips, the Commander of the Sacramento Air Logistics Center [ALC] at McClellan Air Force Base. Major General Phillips will be retiring from the Air Force later this month after an exceptional career characterized by many significant and demanding assignments. Because of his outstanding record of leadership and accomplishments, the Secretary of Defense has asked Major Phillips to continue his service to the Nation by selecting him as Deputy Undersecretary of Defense for Logistics. In this critical position, he will oversee the work done by maintenance depots for all branches of the military.

As commander of the Sacramento ALC, Major General Phillips oversees a center that employs approximately 13,500 civilian and military personnel and manages $3.2 billion annually, including a $548 million payroll and $820 million in contract awards. This center provides worldwide logistics support to a number of aircraft that include the F–117 Stealth fighter, F–22, F–111 series, A–10, F–15 and KC–135; manages more than 200 communication systems and eight space systems; and repairs, overhauls and modifies entire categories of complex avionics components, hydraulic and pneudraulic systems, and flight control systems.

Major General Phillips' Air Force career began when he was commissioned as a second lieutenant after receiving his bachelor of science degree with honors in biology and chemistry from Jarvis Christian College, TX. Later, he would earn his master of science degree in logistics management from the Air Force Institute of Technology. In addition, Major General Phillips has also studied and completed academic programs at several other educational institutions including the Air Command and Staff College, the Institute of Aerospace Safety Engineering at the University of Southern California, the Defense Systems Management College, and Harvard University.

After completing his navigator training, Major General Phillips attended KC–135 combat crew training and subsequently served as an instructor navigator. He flew regular combat missions over Vietnam as a KC–135 navigator. Subsequently, Major General Phillips graduated from pilot training with top honors and worked as a T–37 instructor pilot. His responsibilities continued to become more complex and challenging as his Air Force career progressed. Major General Phillips has held many assignments in the logistics management field, including positions at the Pentagon and several Air Force bases. Perhaps one of his most fascinating assignment was as a logistics systems analyst at the Doshan Tappeh Air Base in Iran during 1978 to 1979. Major General Phillips had the misfortune of being held hostage for 3 weeks when the Ayatollah Khomeini overthrew the Shah of Iran. He was only released after the United States recognized the Khomeini regime.

Major General Phillips is an experienced pilot, navigator and instructor pilot with more than 3,000 flying hours, including 300-plus combat flying hours over Vietnam. He has received several major military awards and decorations; some of these include the Distinguished Service Medal, the Air Force Commendation Medal with oak leaf cluster, and the Republic of Vietnam Gallantry Cross with Palm. Despite the tremendous duties of overseeing the Sacramento ALC, Major General Phillips participates in a number of community activities. He serves on the board of directors of the Sacramento Urban League Metropolitan Chamber of Commerce, Ballet, and is the chairman of the local Combined Federal Campaign charity drive. Major General Phillips and his wife Blanche are the parents of three children and grandparents of two.

Major General Phillips is keenly aware of the struggle that African American military officers and pilots before him have faced. In recognition of this, he helps maintain their spirit and the important history of their efforts through his service as the vice president of the Tuskegee Airmen Inc.

I join my colleagues today in honoring Maj. Gen. John F. Phillips for his more than 30 years of distinguished and dedicated service to the Air Force and our Nation. I also congratulate him on his Department of Defense appointment and wish him continued success as he embarks on a new career.

NEWBERRY WOMEN'S CLUB CELEBRATES 100TH ANNIVERSARY

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. STUPAK. Mr. Speaker, it is, indeed, an honor for me to bring to the attention of the U.S. House of Representatives and its membership an event that occurred just last week in my congressional district, the First District of Michigan. On Thursday, August 31, 1995, the Newberry Women's Club, of Newberry, MI, celebrated its 100th anniversary. I congratulate all members of this outstanding organization, both past and present, on reaching this milestone.

First organized in 1895 as the Bay View Reading Circle, the small group of 13 women and men met to discuss issues of the day as well as matters relating to history and literature.

The organization continued to grow and in 1914 joined the State Federation and drafted its first constitution and by-laws. With more members came more involved discussions of various topics of interest to the group including art, music, education, period furniture. Individual members also composed music, wrote poetry and even wrote and produced plays that received recognition through the General Federation of Women's Clubs.

Over the years, the club changed its name to the Newberry Women's Club and involved itself in many social, civic and charitable projects including the organization of a club for girls, assistance in health clinics, contributions to the Bay Cliff Health Camp, filing Christmas and Easter baskets for the needy and even providing an arts and nursing scholarship that is awarded annually to a Newberry High School graduating senior.

As the club's second century begins, their primary focus centers on education, the arts, public affairs, home life, conservation and international affairs. While their interests have certainly broadened, they have not forgotten their origins and the primary purpose of the original club.

Mr. Speaker, it is through organizations like the Newberry Women's Club that our heritage is maintained while at the same time allowing us to look forward to meet the needs of people. I congratulate the Newberry Women's Club and wish them well in their next 100 years.

CELEBRATING THE BIRTH OF MATUSALA TEWOLDE-KUFLOM

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. FIELDS of Texas. Mr. Speaker, with the crush of business leading up to the August district work period, I was remiss in not bringing to the attention of the House a very joyous bit of news that I know we all can appreciate and celebrate. Belatedly, I want to take a moment today to congratulate two fine individuals in Fairfax, VA on the birth of their son in May.

On May 19, Tewolde T. "Ted" Kuflom and his wife, Tsehainesh Ugbazghi-Adkeme became the proud parents of their first child, Matusala Tewolde-Kuflom.

"Ted" and his wife immigrated to the United States from Eritrea in September 1988 and have worked hard since then to become successful small business owners. For the last 5 years, they have operated the D–11 Market, a corner grocery store located in northeast Washington, DC.

Their hard work and determination to build a better life for themselves, and their deep love for their son, ensure that Matusala will have what we want for all children: a loving and secure home life and a chance to fully partake in the American dream.

I salute "Ted" and wife, and I know you join with me, Mr. Speaker, in congratulating them

on the healthy arrival of their son, Matusala Tewolde-Kuflom.

MOLECULAR BIOLOGY MAY REDUCE RISK OF BIRTH DEFECTS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. GEKAS. Mr. Speaker, we have all been aware of the problems associated with birth—the possibility that an infant is born with certain defects—but up to now, we have not had a full understanding of why a child dies prematurely or fails to develop to its full human potential. Recently, at the 39th briefing before the Congressional Biomedical Research Caucus, Dr. James L. Mills, chief of the pediatric epidemiology section at the National Institute of Child Health and Human Development, described incredible advances in identifying causes of birth defects and their possible prevention.

I believe that his remarks will indicate the remarkable advances made in molecular biology at the National Institutes of Health.

BIRTH DEFECTS

(James L. Mills, M.D.)

It is a great pleasure for me to have the opportunity to come and share my enthusiasm for birth defects research with you today. Had I been asked to give this talk in 1980, when I first started doing birth defects research, I would have done so with considerable trepidation. The fact is, most birth defects research in those days was rather pedestrian. It was good work but not exciting. It consisted of classifying and describing various birth defects. We might have been fighting a war on cancer then, but we were hardly fighting a skirmish on birth defects.

Today, the situation has changed dramatically. Dr. Holmes has already pointed out that we have expanded our understanding of how birth defects occur tremendously. We have better strategies for identifying new causes of birth defects, and we are able to identify families at risk more accurately than we ever could before.

I will discuss several areas of research that have blossomed over the last decade. First, how biochemical abnormalities cause birth defects; next, how factors in the embryo's environment interact with intrinsic (genetic) factors within us to produce birth defects; and finally, how our understanding of these biochemical, environmental and genetic factors can lead to preventing birth defects.

First, I would like to speak about how biochemical abnormalities in mothers cause birth defects in their offspring. I have chosen as an example work done by us at NIH with collaborators at five major universities in the Diabetes in Early Pregnancy Study. Women who have diabetes at the time that they become pregnant have a greatly increased risk of having a child with a birth defect. Heart, brain and spinal cord defects are just a few of the many birth defects that infants of diabetic mothers are at increased risk of experiencing. We have learned that this increased risk is related to how well the mother is controlling her diabetes early in pregnancy. The better her control, the lower the risk. We also made a little bonus discovery. Diabetic women are also at increased risk for miscarriage. We were pleased to discover that a diabetic woman can also reduce her risk for having a miscarriage by improving her control. In fact, a diabetic mother in excellent control has no greater risk for having a miscarriage than a woman with no medical problems.

More work remains to be done on diabetes. Although we know that some aspect of maternal diabetic control causes malformations, diabetes is not just high blood glucose. It is more complicated than that. In addition to raising blood glucose, diabetes can cause numerous other metabolic changes. Scientists are now trying to determine which of the many biochemical abnormalities caused by diabetes is responsible for birth defects—as a way of identifying more precisely those at highest risk, and to improve our understanding of the mechanisms by which these defects occur.

Diabetes illustrates another fascinating riddle about birth defects. We know that those diabetic women in very poor control are at highest risk for having a malformed infant, 20 percent or more of their offspring will have major birth defects (that's about ten times the rate in the general population). Why is it that the other 80 percent are not affected? We know that women who take medications that are known to cause birth defects during the critical period when the embryo's organs are developing still do not have a 100 percent chance of having affected offspring. What we do not know is why some embryos escape unscathed.

We do have some ideas, however. One of the reasons we think not every exposed embryo gets malformations brings me to the next topic; that is, how factors from outside the developing embryo—in the embryo's environment—and genetic factors interact to cause birth defects. Now let me explain just what I mean by factors outside the developing embryo. The embryo's environment means whatever is in the mother's blood—drugs she takes for acne, high blood glucose, or low vitamin levels. By genetic factors, I mean anything hereditary that make the embryo directly susceptible to birth defects.

In order to illustrate how the embryo's environment and genetic factors together produce birth defects, I want to tell you a story about neural tube defects and folic acid. Neural tube defects are a malformation of the nervous system. They are among the most devastating defects. Anencephaly is a uniformly fatal defect in which most of the brain is missing. Spina bifida is a disruption of the spinal cord that is often fatal. In survivors, it causes paralysis, bladder and bowel problems and severe disability.

Many years ago scientists observed that neural tube defects were much more common in poor families. Some suspected that dietary deficiency was an important factor. When women who had delivered an affected child were tested, they were found to have significantly lower levels of several vitamins—notably folate—in their blood. This prompted scientists to give women vitamins before they became pregnant to try to prevent neural tube defects. When investigators gave women vitamin tablets containing folic acid before they became pregnant, they were able to decrease the risk for neural tube defects, thus proving that folic acid was an important factor in the causation of NTDs. In fact, the United States Public Health Service now recommends that all women who could possibly get pregnant take folic acid to prevent these defects. So, investigators had found the environmental piece of the puzzle—folate. But remember, I said this was a story about an environmental-genetic interaction. What about the genetic piece that completed the puzzle?

We know something else about the causes of neural tube defects; certain ethnic groups are known to be at high risk. In the Celtic population, in particular in Scotland and Ireland, the risk is up to five times higher than the risk in the U.S. They call neural tube defects the curse of the Celts. So there is clearly a high risk genetic group.

We saw this as a golden opportunity to look for an environmental, that is vitamin-related, genetic, that is Celtic, interaction. We at NIH and our collaborators at the Health Research Board of Ireland and Trinity College, Dublin explored what it was about these high risk Irish mothers that put them at risk for having a child with a neural tube defect.

We had several clues. First, we knew that folate was important. This made it very likely that these women or their embryos had a problem absorbing folate from their diet, or using folate normally in their metabolic reactions. Unfortunately, humans use folate in over a dozen different reactions, making it very difficult to determine where the problem was. But we were lucky.

We had a second clue—low vitamin B12 levels also seemed to increase the risk for neural tube defects, and of all the dozen plus reactions that involved folate, only one involved B12 as well. In this reaction, B12 and folate are used to eliminate a chemical known as homocysteine. Homocysteine is converted into methionine, an essential ingredient in the production of proteins, DNA and other critical items for the embryo.

We hypothesized that women whose fetuses had neural tube defects could not covert homocysteine to methionine normally. We were able to measure homocysteine levels in the blood of women who were pregnant, carrying fetuses with neural tube defects. The homocysteine levels were higher than normal, indicating that these women were not able to convert homocysteine normally.

We believe that this inability to convert homocysteine is the reason that these women have babies with neural tube defects—either because homocysteine is toxic to the embryo, or because the embryo does not receive a sufficient amount of the products of the reaction. Genetically, these women seem to have an abnormal enzyme (a chemical that moves the reaction forward). Adding more of the vitamin, folic acid, in essence pushes this chemical reaction forward and converts the homocysteine normally.

Here then was the missing piece of the puzzle. A combination of an environmental factor—insufficient folate—and a genetic factor—impaired ability to clear homocysteine—causes neural tube defects.

This leads me to the last major topic—how our understanding of these biochemical and genetic factors can lead to the prevention of birth defects. After all, it may be very satisfying to know how birth defects occur, but we are really in this business to save children from death and disability. In order to do this, we are constantly on the lookout for markers to identify women at risk, and for interventions to prevent birth defects.

We now know of several biochemical risk factors. The diabetes specialist can use clinical markers like blood glucose to identify women in poor metabolic control, women who should avoid getting pregnant until their medical problems can be corrected. We hope that we will soon have a practical test to identify women who do not convert homocysteine well and, thus, are at increased risk

for having children with neural tube defects. These women could then be targeted to receive extra folic acid to prevent neural tube defects. In the meantime, we can still prevent many neural tube defects by ensuring that all women who might become pregnant take folic acid supplements.

What will the future bring? To use the illustration of neural tube defects again, we expect to find the specific biochemical reaction that is working too slowly in converting homocysteine. Once this is done, we will look at the enzyme that is supposed to move that reaction ahead. Because each enzyme is manufactured by a specific gene, it will be possible to see if the women with the homocysteine abnormality have a defective gene for that enzyme. This is as simple as finding out whether the genetic code contains an error for that gene. When that is accomplished, women can be screened by gene testing as another method of identifying women at higher risk for having babies with neural tube defects—those who especially need additional folate before they become pregnant.

Looking even farther into the future, we may be preventing birth defects by gene therapy. When a couple has a gene abnormality that prevents them from having normal children, it may be possible to perform in vitro fertilization and insert the proper gene into the fertilized egg to correct the defect—and to do it even before the fertilized egg is put into the mother's uterus.

Of course, we face new challenges with these new scientific advances. Moral issues, such as when to perform genetic testing and gene therapy, will require very careful consideration. Fortunately, when the goal is to save the life of the child by preventing birth defects, the moral questions often have clear answers.

In conclusion, Mark Twain once said that everybody always talks about the weather but nobody ever does anything about it. Until recently it could have been said that we scientists always talked about birth defects but never did anything about them. Now we are in an exciting new era where we are not just talking about birth defects; now we are doing something about them. We are preventing them.

EUNA M. THOMPSON, EXCELLENT TEACHER

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 7, 1995

Mr. HALL of Ohio. Mr. Speaker, I rise today to salute Euna M. Thompson, a teacher in my district, who embodies excellence in the field of education. Ms. Thompson is an outstanding example of the vital and significant impact that a teacher can make on students' lives.

Ms. Thompson is a recipient of the 1995 Excellence in Teaching Award of the National Council of Negro Women. The Excellence in Teaching Award honors teachers who uphold the legacy of Mary McLeod Bethune, eminent educator and founder of the National Council of Negro Women, by making significant contributions to the education of African American students.

Ms. Thompson strives to effect change in her students by strengthening their self-esteem, self-discipline, creativity, and critical thinking skills. She creates opportunities for her students to explore, create, perform and develop positive attitudes about themselves.

Ms. Thompson uses her considerable musical talents to enhance her teaching methods. She views art and music as a means to enrich oneself culturally and academically. By leading her students to a second place victory in a New York singing competition and spearheading a $40,000 fund-raising campaign, Ms. Thompson created a once-in-a-lifetime opportunity for her students to sing for Pope John Paul II in Rome.

Ms. Thompson has worked in the public school system for more than 30 years and now serves the Dayton community as director of Choral Music and Humanities at the Patterson Career Center. She has received many awards and accolades including the Impact II Grant for two consecutive years, the Dayton-Montgomery County Public Education Fund's Excellence in Teaching Award and the Martin Luther King Award for promoting human rights through the arts.

Mr. Speaker, I applaud Ms. Thompson for her devotion to children. By making a real and positive difference in her students' lives, Ms. Thompson makes a real and positive difference in our future.