Indeed, Common Cause has not been silent to this Congress. In a communication this past week, the new head of Common Cause, Ann McBride, has said let us do the same things again. Just because it is 1995, instead of 1988, that is no reason to forget these eight principles, just because we might be dealing with a Republican Speaker instead of a Democratic Speaker. That is no reason to set up a separate standard of conduct.

Our laws are to be applied fairly, certainly our ethical precepts, without regard to whether we are dealing with Democrat, Republican or independent, because it is the people's business we are doing. And an ethical cloud hangs over this House when there is no true independent investigation or when there is any attempt to muzzle the watchdog independent counsel that needs to be appointed to attend to these matters.

So it is that this past week the chairman of the House Committee on Standards of Official Conduct has received a communication from Ann McBride, the president of Common Cause, calling for exactly the same thing to occur. Referring to the 1988 letter concerning the Democratic Speaker at that time, and saying, as I have indicated, that at that time in the investigation of the Speaker it was Mr. GINGRICH himself who stated he agreed with the points made in Common Cause's letter, endorsed the above measures and called for providing the outside counsel with true independence and full leeway in pursuing the investigation.

She says:

Common Cause has long supported an appropriate role for an independent voice in dealing with congressional ethics matters. Appointing an outside person with unquestioned integrity, with a nonpartisan background and experience in dealing with matters of this kind, will be a critical matter in obtaining a publicly credible result.

I could serve to repeat and to underline and to emphasize each of those phrases, because that is what we are looking for in an independent counsel; someone who has the power to get the job done and someone who has the independence, the unquestioned integrity, the nonpartisan background, the experience in dealing with matters of this kind, to achieve a publicly credible result. Not a result that helps Democrats; not a result that whitewashes Republicans; but a result that is fair and independent and thorough.

That is what Common Cause, as of last week, said is needed. The same thing, the same position that they took in 1988, when the shoe was on the other party, on the other foot.

The process—

Common Cause says—

that the Committee uses in looking into this matter involving Speaker GINGRICH, the most powerful Member of the House of Representatives, will directly reflect on the integrity of the institution. We urge the committee to retain an outside counsel and to clearly and publicly establish the counsel's authority and independence.

The Hartford Current has adopted the same call and with good reason. They say:

An outside counsel should not be hamstrung by a narrow mandate. No questions should be left unanswered. If they are, Mr. GINGRICH would serve under a cloud.

And so, as we do a full and fair evaluation of this contract, we find that one of the biggest questions that remains unanswered is how the great proponent of this contract, the person who said as recently as Friday that he did not care what the price is, he did not care what the consequences were, if it caused interest rates to go up and the dollar to fall, he is willing to shut the Government down, whether we will have a full, fair, and thorough investigation by a nonpartisan person of unquestioned integrity into the charges that have been made.

Mr. Speaker, I think it is essential on this anniversary of the contract, that the Committee on Standards of Official Conduct, which has delayed and delayed and delayed, get about its job, complete this investigation, appoint someone with credibility, and restore the credibility which Americans are increasingly doubting about this institution. Restore that credibility with a full, thorough and fair, nonpartisan investigation of the charges that have been made about Speaker GINGRICH and the book deal, with GOPAC, about all these other ethical charges that raise such serious concerns. Let us finish this Contract on America anniversary party by celebrating with a fair and nonpartisan investigation of Speaker GINGRICH who gave it to us.

DISAGREEMENT WITH THE SENATE VERSION OF WELFARE REFORM

The SPEAKER pro tempore (Mr. TATE). Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Hawaii [Mrs. MINK] is recognized for 60 minutes as the designee of the minority leader.

Mrs. MINK of Hawaii. Mr. Speaker, thank you for allowing me this time to address the House.

Mr. Speaker, this afternoon I would like to provide some insights and comments about the welfare reform bill which we read passed the Senate last week by a very large vote.

Commentators on the welfare reform legislation have been forecasting, rather uniformly, that because of the Senate action and the very large vote that it received, that quite likely, a welfare reform bill will be enacted which parallels basically what the Senate did.

I rise today to take a great deal of disagreement with the Senate plan. I, of course, objected very strenuously to the House-passed bill, which we did some time in May of this year. I will not take the time to recount all of the various disagreements I had with the House plan, but for this afternoon I want to concentrate on the points in the Senate bill which I find still lacking. As a consequence, I hope that the President and his administration will look at it more carefully, and I hope that they will come to a decision to veto it.

As you know, when the House bill and the Senate bill are different, what happens is that both Houses designate a conference committee. Conferees of the majority party basically come together and try to iron out the differences. So the best that we could hope to achieve in the conference compromise, so to speak, would be the level of program as authorized by the Senate version.

Mr. Speaker, it is based upon that assumption that the Senate bill cannot be improved upon that I make my statement today in disagreement and in objection to the Senate-passed bill.

Recently, we have heard members of the majority party taking the well, particularly during our 1-minutes, to exclaim over the fact that the Washington Post has now seen fit to support the majority party with reference to its efforts to reform the Medicare plan, and denouncing the Democrats, on the other hand, for failing to come up with a proposal.

Given the sudden recognition and recognizance of the Washington Post as the critique of the day, I want to read for the RECORD what the Washington Post on September 20, said about the Senate-passed welfare reform bill.

In an editorial which is tagged ''Big Majority, Bad Bill,'' the Washington Post on September 20, said:

You might think from the overwhelming vote in the Senate in favor of the welfare bill yesterday, 87 votes for, 12 against, that this at long last is the sane, responsible approach to welfare reform. That is not the case.

The fundamental flaw in this legislation is that it abandons the principle that the Federal Government will maintain at least some basic system of support for the Nation's poor, especially the poor children.

Wiping out this core guarantee of the Social Security Act is mischievous and should not have been the solution of first resort on welfare. It is true that the Senate did make the deeply flawed welfare bill passed by the House better. The Senate does at least require States to keep up a certain level of spending on the poor in exchange for Federal dollars.

It does not require the States, as the House bill does, to cut off certain classes of children from welfare; kids born of mothers on welfare and to teen mothers. It includes some money for day care, so that children of mothers required to work will have a modest chance of getting looked after, and at least a bit of the current system's flexibility in responding to economic downturns was preserved by the creation of a special fund for States in economic distress.

But, the original idea of welfare reform—

The Washington Post editorial continues to say—

that the system should be changed to do a better job of moving welfare recipients into work and caring for the children of single mothers, was given second place to the quest for turning welfare into block grants to the States.

Of course, it is good for States to try to find better welfare systems, but Mr. Clinton made the best argument against the bill he now supports: That the Federal Government could continue to guarantee a certain minimum to the Nation's poor children and give States ample room to experiment through waivers.

The President has yet to explain clearly why the argument was true some months ago, but is no longer true now. And what will the President and all those Senators who said the House will bill was unacceptable do when a compromise is worked out that moves the legislation towards the House version?

The import of much of the rhetoric from Mr. Clinton, from Democrats who supported this bill, and from many Republicans, is the House bill was awful and that this new Senate bill was about as far as they would go the House's way. Really?

So many politicians have moved so far away from what they said their principles were on welfare even six months ago, that it is hard to have any confidence that even this line will hold. Do the senators mean what they say? Does the President?

And that is precisely why I take the floor today, to express my deep regret that the Senate really, in fact, adopted the most egregious principle that was embodied in the House version, and that is to do away with what is referred to here in Washington, in the legalese of our vocabulary, as an entitlement program.

An entitlement program by definition is not something which is bad and ought to be gotten rid of. What it does, as does Social Security and Medicare and Medicaid, is to provide a guarantee of support for every child, no matter what State they are from, if they meet certain eligibility requirements. A State cannot decide whether children in their States should benefit from the AFDC Program or not, once they have decided to participate.

This concept of individual entitlement and eligibility is critical. It is the only way that we can provide a guarantee safety net for poor children across the country.

Once this entitlement safety net is broken, as in both the House and the Senate versions now, what will happen is that moneys will simply be granted to the States and the States will decide how to establish the criteria, what benefits ought to be allocated to the families, and so forth.

Mr. Speaker, I feel that this creation of 50 disparate benefits programs for people who are truly in need is not the right way to go. The Federal Government should have the right to establish eligibility so that the eligibility is uniform throughout the country. That is what the basic program is and has been over the 60 years that we have had this program entitled ''Aid to Dependent Children.''

Instead, this year when the welfare debate started, it became a contest of how much money could be saved under the program, rather than the bottom line of how to provide the services to the children which would best guarantee uniformity of application and uniformity of eligibility, no matter where that child lived in America. It seems to me that principle was very, very important.

That principle also is included in a similar editorial by the New York Times, entitled ''A Stampede to Harsh Welfare,'' which I will not read at this time, but I urge you to look it up, because it really articulates the fundamental error in the policies adopted by the House and the Senate, and, if put into place, if not vetoed by President Clinton, I believe will truly be a step backward.

Over the past 60 years, we have established a fundamental principle of caring about our young children. AFDC is exactly what its title is: aid to dependent children. Somewhere along the line it has picked up this great opposition by the use of the word ''welfare'' and the depiction of adults being on welfare and receiving these moneys, without any justification, at the taxpayers' cost.

What is lost in the debate is that in this program are 9 million children. Young children, very poor, under circumstances beyond the control of most of these families. I feel that the removal of the entitlement guarantee safety net for these children is a tragic reversal of a policy that has worked well.

Now, there will be the naysayers who argue that welfare is not achieving its purpose because too many of the people remain on welfare for extended periods of time. Anybody who would take the time to study the statistics would realize that the average time that a welfare recipients adult spends on welfare is an average of 11 months. Typically, they are in and out of the system in 2 or 3 years.

Typically, what happens is someone finds themselves in a great predicament, comes to welfare, takes the support system that is available, in the meantime looks for a job that they can qualify for, and then goes off on to the job until another predicament such as illness or something confronts that family.

We do not have evidence to indicate that large blocs of people remain on welfare year after year after year. And, so, the hypothesis that this is what is being corrected under the new welfare reform bills, I think, really yields to the mythology that is out there about what is wrong with the welfare program.

What is wrong with the welfare program currently, which I would like to see fixed and which the Republicans did also a year ago, before they took over as the majority party, and which the Clinton administration also advocated before this year, and that was to try to make it possible for these individuals on welfare to find a job.

Mr. Speaker, I think the overwhelming majority of people on welfare would like to work if they could find a job that could support their families and provide adequate funds for child care.

It is the combination of job training, plus the funds for job placement and child care, which are the critical ingredients for success in this program. Heretofore, only a very, very modest portion of the funding by the Federal Government has been directed to so-called jobs programs for training and job placement and counseling, and very small amounts for the child care support.

So, the only way for the goals that have been established in the Senate bill, of finding jobs and getting the welfare recipients off of welfare, can be achieved is by a very strong program in job training and job location. Otherwise, all we are doing is coming up with a jobs program which replaces the funding with a make-work program which does not yield a long-term job prospect once the time limit is up.

So, cruelly, what will happen is that the 5-year time limit will come up. The person may have had the welfare assistance during that period in a make-work type program, and because the time has expired, there would be no further assistance available. I do not think that is the kind of reform that this Nation has been looking forward to.

So, the difficulty with the Senate bill is, again, it does not focus on the necessity for a strong job training program. Well, some of the individuals who have commented on this aspect of the legislation point to the myriad of job training programs that exist in other pieces of legislation and indicate that this would be sufficient to meet that requirement. I wish that were so, because right this very moment, legislation is working its way through Congress which will limit not only the availability of those job training programs, but also the funding has been very severely cut back.

So instead of even keeping an even amount of money going to the States for job training, there will be less. There is no targeting of that job training program to meet the needs of the very low-income person, nor certainly the person who is on welfare.

In order to have a jobs program really make a difference to the welfare family, we need to have a targeted approach which takes these individuals on welfare and guides them through job training programs which actually will yield a job in the end of that cycle of training which can, in fact, support that family.

This is very, very difficult to do, but that is what has been missing thus far and that is really, in my estimation, why so many welfare recipients continue to stay on welfare year after year, because they are not able to get out there and hold down a job and provide child care services to their youngsters, while at the same time earning support for their families.

Mr. Speaker, I certainly hope that there will be a hard look at the Senate version. I certainly hope that the Senate will not recede to some of the beneficial changes that they have made in

their bill to the House version, but that remains to be seen.

The block grant approach, which has been adopted by both the House and the Senate, on the Senate side assumes the funding level of fiscal year 1994. That is 2 years past. So we know immediately that the funding will be cut back quite sizably from what the current needs might be, as compared to what they were 2 years ago.

The Senate block grant is roughly about $17 billion, and that amount of money will remain steady for over a 5-year period of the bill.

One virtue of the Senate bill is that it requires the States who qualify for the block grant to guarantee that they will spend at least 80 percent of the State funding for the program. The House bill was silent in the maintenance-of-effort requirement, which was a great tragedy. It appears from the House version that all that would be available for the welfare support program would be what was contained in the Senate block grant amounts.

On the Senate side, at least they have included a requirement of 80 percent support continuing from State funding.

The AFDC program has been unusual in that sense, that the level of welfare assistance is not identical throughout the 50 States. The eligibility and the program benefits are also not exactly identical. But the States can decide how much funding to place, for instance, in the welfare program.

States like mine have been quite generous at a level of around $600 per month for a family of three, whereas other States have come up with barely half of that amount, and some as low as $195 per month. So the level of State support varies very greatly, depending upon the willingness of the State to support the program.

So to that extent there has been State involvement, State decisionmaking, State policies have been articulated by the very fact that these amounts of monthly support are set at the local level by the States. And the States, then, have a guarantee once they have set that amount that the Federal Government will match that amount so that the welfare program can be funded by 50 percent State contribution and 50 percent Federal contribution.

I am not sure that the formula under the Senate version, even, adheres to that policy. It merely says that the State block grant will be as it was in fiscal year 1994, and that the State's contribution rate must not drop below 80 percent of what has been spent in the previous year.

So we see that there is a very great likelihood that the level of support for the welfare program will be severely taxed and that the contribution rates will be much lower.

The Senate has provided funds for child care and I commend them for it, because realistically speaking, if we expect these recipients to get out there and work and continue to have welfare support for their employment, this certainly is not possible unless there is adequate child care assistance, child care programs, either provided by Federal funds or by the State program.

The time limits of what a welfare recipient must face is the same in both the House and Senate, and so I assume that there will be no changes there. That is a 5-year lifetime limit of welfare support as provided under this program.

In the Senate bill, there is the potential of a 20-percent exemption from this hard-and-fast rule of a 5-year limit, so that the States may exercise some degree of flexibility in terms of deciding who would be cut off at the end of the 5-year period.

The Senate version also has a portion having to do with food stamps and reduces the overall appropriations for food stamps by over $17 billion over a 5-year period. It has cut the level of benefit for the families and has also prohibited able-bodied, childless adults between 18 years and 50 years of age from receiving food stamps beyond the first 6 months of their qualification for benefits, unless they work half-time or participate in a work-training program. So there have been changes in the food stamp program.

The Senate bill does not include any inclusion of the school lunch program. You will recall that there was strenuous debate and disagreement over on this side of the Congress with respect to the attempt to block grant school lunch programs, and the Senate has very judiciously decided to not include the child nutrition programs, and the school lunch program in particular, in their welfare proposal.

In the House side, also, we had a very negative, punitive proposal, provision in our welfare bill which said that children who are born to a parent receiving assistance could not qualify for additional payments to that family. The Senate decided not to include that as a Federal restriction. On the other hand, they provided it as a State option. So the States may do so with their own program if they deem it necessary.

With respect to teenage mothers, children born of teenage parents out of wedlock, the Senate provision requires that that teenage parent live with an adult and participate in educational and training activities.

Over on the House side, the House included a provision which prohibited cash benefits to teenage mothers of children born out of wedlock. So there are those two basic differences in that very contentious issue.

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There are large changes to the Supplemental Security Insurance Program which will in both drafts, the House and Senate draft, mean the exclusion of many children, disabled children, from benefits that they have been receiving up to the current time.

Effective January 1997, the Senate provision says that individuals with an addiction that has resulted in a disability which qualifies them for SSI will be eliminated from the SSI program and Medicaid. This is also one of those very controversial measures that came to the House, and the House version is similar to that.

Lastly, I would like to talk about a provision in the Senate bill which has to do with legal immigrants. I can understand the furor of the country, as reflected by their elected Representatives in Congress, on the numbers of illegal immigrants and the burdens that illegal immigrants place upon local communities and the States. And so much of the debate in the States and the local communities and here in Congress has evolved around illegal immigrants and how we must deal with this problem constructively.

In the welfare reform legislation, we do not deal with illegal immigrants, because illegal immigrants already are not eligible for most of these programs in the welfare, food stamps, Medicaid, and so forth and so on. The law specifically prohibits their participation in these programs.

Unfortunately, there has been now a determination by both the House and the Senate to set down very specific prohibitions of coverage for legal immigrants, people who have followed the process, who have submitted their applications, been deemed eligible and admitted to the United States from all parts of the world. These legal immigrants are now going to be subject to a wide variety of prohibitions and limitations.

For one thing, there will be in the Senate bill a prohibition on their receiving any needs-based assistance, no matter what the program is, for a period of 5 years. This is done on the assumption that legal immigrants come to the United States with sponsors who agree to be financially responsible for these individuals.

What is happening is that this statement of financial responsibility is being deemed to adhere to the immigrant and therefore barring them from being eligible for any needs-based assistance. So in many instances these noncitizens would be ineligible for almost all of these programs, whether it is welfare, SSI, or other types of programs.

The current immigrants would be subject to deeming for 5 years. Future immigrants coming into the United States after the enactment of these bills, for as long as they remain in the United States, would have to have worked for 40 qualifying quarters. In other words, they must work for 10 years, even if in the interim period they have become U.S. citizens, before they can be eligible for any of these needs-based assistance programs.

I doubt seriously that that provision will be upheld in any court. The courts have systematically over the years barred distinctions among citizens, whether a native-born citizen or a naturalized citizen.

But here in this legislation, something that we seldom see, at least I have not seen in the years that I have been here, a specific delineation of eligibility or ineligibility for benefits to a group of citizens of the United States merely because their status was initially that of a legal immigrant, subsequently becoming naturalized and still being barred from the rights and privileges of citizenship. I think that is fundamentally wrong and basically contrary to the Constitution that guarantees equal protection and due process.

I regret that the Senate bill makes that further distinction, not just categorizing the legal immigrants as the House bill does. The House bill has a series of prohibitions to the legal immigrants, but those prohibitions stop just as soon as that individual becomes a U.S. citizen. On the Senate side, those prohibitions continue irrespective of citizenship. I certainly think that that is a provision in the law which has gone too far.

For the reasons that I have stated thus far, I am hoping that the White House and the leaders in the administration that have been following this matter will take a hard look at the legislation that has just passed the Senate and review it carefully, and if it comes out of the conference committee in no better shape than the Senate version, I strongly urge that the White House veto that measure.

Again to reiterate, the most egregious change that has been accepted by both the House and the Senate versions on welfare reform is to repeal and nullify and rescind the most important aspect of the aid to dependent children program, and that is the concept of entitlement which guarantees to children, if they meet the eligibility standards, to have the support of the program.

That guarantee has been removed from the legislation in both the House and the Senate versions, and they have moved to a block grant which leaves to the 50 States the total authority to establish the criteria, the benefit package, and the eligibility. So we will have 50 different programs, 50 different standards, 50 different eligibilities.

I believe that that does ill service to this Nation that has committed over and over again its responsibilities to children. Aid to dependent children, that is, the welfare program, is a program for children. We cannot dismiss that. We cannot forget it. That is what the welfare program is. It is designed to provide care and support and sustenance for our children.

There are 9 million children currently on welfare. It is for these children that we have to assume our responsibility as a nation. I believe that the Senate version dismisses that responsibility without considering what the consequences might well be.

We have heard so much of late, as we arrive at the great national debates leading up to the Presidential elections, about the commitment of this Nation to family values. I stand very strongly on that commitment to family values.

That is what I base my whole approach on in analyzing the welfare reform bill. How closely does it adhere to my principles of family values? To what extent is protection of the child of paramount concern in the legislation that we vote for or we support? It seems to me it is that guiding principle of the family that has to motivate us in drafting legislation.

What is going to happen to thousands of these families that will not qualify for welfare assistance because they do not quite meet the local standards of eligibility is that they will be without funds. There will be charges made by the States of child neglect because the single parents will not be able to provide them with shelter.

We have read in the newspapers numerous accounts of this already occurring, where a single parent is found huddled in an automobile somewhere in the suburbs trying to keep their family together, and then being arrested by the State authorities for child neglect, and the children then being separated from the single parent and being made wards of the State and put into either orphanages or foster care homes. That is not the scene that I believe a nation committed to family values should support.

Our obligation is to try to continue to the largest extent possible the nurturing care that a parent has naturally for his or her children. I fear that this principle is being dismissed too cavalierly in favor of forcing single parents, most of whom on welfare being women, forcing them to work as the moral obligation which we are underwriting in this welfare legislation. The welfare legislation will be forcing them to work rather than staying at home and providing this family care for their children. I think that this is a very egregious mistake.

If the work ethic is so important and has now become paramount to nurturing of our children, then certainly we have to make it possible for these individuals to get the training they need, to get the job that allows them to support their families without government assistance, and the child care that goes along with it.

So the package of reforms that I see as being compatible with the argument of family values is one that is predicated upon our sense of responsibility to our children, making sure that if the parent must go out to work, that there is adequate child care, and that the breadwinner for that family has a job that can support that family without government assistance.

It seems to me that is where reform ought to take us. It seems to me that that is what has been wrong with the welfare program thus far. It has been lacking in the support elements to enable parents to go out to work.

I look forward to continued debate on this issue. I take great umbrage at the commentators who argue that the debate is over and that it is merely a matter of the two Houses coming together with their two versions and compromising, and the assumption is that the President will sign whatever bill comes out.

I hope that is not the case. I hope the White House reads the fine print, and that ultimately the principles of family values will prevail in the Congress of the United States for the sake of our children.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DOGGETT) and to include extraneous matter:)

Mrs. MEEK of Florida.

Mr. VENTO.

(The following Member (at the request of Mr. YOUNG of Florida) and to include extraneous matter:)

Mr. FORBES.

(The following Members (at the request of Mrs. MINK of Hawaii) and to include extraneous matter:)

Mrs. SEASTRAND.

Mr. HINCHEY.

ADJOURNMENT

Mrs. MINK of Hawaii. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until Wednesday, September 27, 1995, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1456. A letter from the General Counsel, Department of the Treasury, transmitting a copy of a draft bill entitled the ''Gold Bullion Coin Amendments of 1995''; to the Committee on Banking and Financial Services.

1457. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 95–43: Drawdown of Commodities and Services from the Department of the Treasury to support the continued presence and activities of United States members of the EU/OSCE Sanctions Assistance Missions on the borders of Serbia and Montenegro, pursuant to 22 U.S.C. 2348a; to the Committee on International Relations.

1458. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

1459. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination 95–38 regarding the eligibility for Mongolia to be furnished defense articles and services under the Foreign Assistance Act