

measure fulfills one of the most important aspects of that obligation.

Mr. President, ever since I began my career in public service, I have worked closely with the veterans of my home state of West Virginia, and now, as ranking minority member of the Committee on Veterans' Affairs, I have had the opportunity to work with veterans all across the country. Consequently, I am keenly aware of the fact that the compensation payments that would be increased by this bill have a profound effect on the everyday lives of the veterans and veterans' survivors who receive them. It is our responsibility to continue to provide cost-of-living adjustments in compensation and DIC benefits in order to guarantee that the value of these essential, service-connected VA benefits is not eroded by inflation.

I am very proud that Congress consistently has fulfilled its obligation to make sure that the real value of these benefits is preserved by providing an annual COLA for compensation and DIC benefits every fiscal year since 1976. Most recently, on October 25, 1994, Congress enacted Public Law 103-418, which provided for a 2.8-percent increase in these benefits, effective December 1, 1994.

Mr. President, we cannot ever repay the debt we owe to the individuals who have sacrificed so much for our country. Service-disabled veterans and the survivors of those who died as the result of service-connected conditions are reminded daily of the price they have paid for the freedom we all enjoy. The very least we can do is protect the value of the benefits they have earned through their sacrifice.

Mr. President, I urge all of my colleagues to support this vitally important measure.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be deemed read a third time, passed as amended, and the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at an appropriate place in the RECORD.

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

So the bill (H.R. 2394), as amended, was deemed read the third time, and passed.

AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of Senate Resolution 194, submitted earlier today by Senator DOLE.

The PRESIDING OFFICER. The clerk will report the resolution.

The legislative clerk read as follows:

A resolution (S.Res. 194) to authorize representation by the Senate Legal Counsel.

The Senate proceeded to consider the resolution.

Mr. DOLE. Mr. President, early next year, the substantive provisions of the

Congressional Accountability Act of 1995, which, among other things, creates procedures for judicial review of employment discrimination claims throughout the Congress, begin to take effect. Although the 1995 Act will govern all cases that arise after the requirements of the new law takes effect, the Senate's process for review of employment discrimination claims in Senate employment, which was created by the Government Employee Rights Act of 1991, continues to govern older cases. Office of the U.S. Senate Sergeant at Arms versus Office of Senate Fair Employment Practices, now pending in the United States Court of Appeals for the Federal Circuit, is a case initiated under the 1991 act.

The petitioner in this case is the Office of the Sergeant at Arms, which under the 1991 law is the employing office for Senate-paid members of the Capitol Police. The Office of the Sergeant at Arms seeks review of a ruling of the Select Committee on Ethics, which affirmed a decision of a hearing board appointed by the Director of the Office of Senate Fair Employment Practices. The Ethics Committee decision, which was signed jointly by the chairman and vice chairman, held that there had been a failure to reasonably accommodate a Capitol Police officer's disabilities of alcoholism and depression in violation of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as incorporated into the Government Employee Rights Act.

Under the Government Employee Rights Act, a final decision of the Ethics Committee is entered in the records of the Office of Senate Fair Employment Practices, which is then named as the respondent if the decision is challenged in the Federal Circuit. As petitions for review in the Federal circuit challenge final decisions of a Senate adjudicatory process, under the Government Employee Rights Act the Senate Legal Counsel may be directed to defend those decisions through representation of the Office of Senate Fair Employment Practices in court.

Accordingly, this resolution directs the Senate Legal Counsel to represent the Office of Senate Fair Employment Practices, in the case of Office of U.S. Senate Sergeant at Arms versus Office of Senate Fair Employment Practices, in defense of the Ethics Committee's final decision.

Mr. LOTT. Mr. President I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at the appropriate place in the RECORD.

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

The resolution (S. Res. 194) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 194

Whereas, in the case of *Office of the United States Senate Sergeant at Arms v. Office of Sen-*

ate Fair Employment Practices, No. 95-6001, pending in the United States Court of Appeals for the Federal Circuit, the Office of the Sergeant at Arms has sought review of a final decision of the Select Committee on Ethics which had been entered, pursuant to section 308 of the Government Employee Rights Act of 1991, 2 U.S.C. §1208 (1994), in the records of the Office of Senate Fair Employment Practices;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1)(1994), the Senate may direct its counsel to defend committees of the Senate in civil actions relating to their official responsibilities;

Whereas, pursuant to section 303(f) of the Government Employee Rights Act of 1991, 2 U.S.C. §1203(f)(1994), for purposes of representation by the Senate Legal Counsel, the Office of Senate Fair Employment Practices, the respondent in this proceeding, is deemed a committee within the meaning of sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a), 288c(a)(1)(1994); Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Office of Senate Fair Employment Practices in the case of *Office of the Senate Sergeant at Arms v. Office of Senate Fair Employment Practices*.

MIDDLE EAST PEACE FACILITATION ACT

Mr. LOTT. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2589 just received from the House.

The PRESIDING OFFICER. Without objection. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2589) to extend authorities under the Middle East Peace Facilitation Act of 1994 until December 31, 1995, and for other purposes.

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

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

Mr. LOTT. I ask unanimous consent that the bill be considered, read a third time, passed, and the motion to reconsider be laid upon the table, and that any statements relating to this measure appear at the appropriate place in the RECORD as though read.

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

So the bill (H.R. 2589) was deemed read the third time and passed.

ORDERS FOR MONDAY, NOVEMBER 13, 1995

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 10 a.m. on Monday, November 13; that following the prayer, the Journal of proceedings be deemed approved to date, that no resolutions come over under the rule, that the call of the calendar be dispensed with, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate immediately turn to the consideration of the House message to accompany H.R. 2491, the reconciliation bill.

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

PROGRAM

Mr. LOTT. For the information of all Senators, a number of important measures are expected from the House on Monday. Senators are also reminded that the funding resolution for the Government expires on Monday at midnight unless the continuing resolution is signed into law.

Therefore, rollcall votes can be expected during Monday's session of the Senate but will not occur prior to the hour of 5:30 p.m. on Monday.

I further ask unanimous consent that following the appointment of conferees with respect to the reconciliation bill, the Chair lay before the Senate a message from the House on H.R. 927, the Cuban sanctions bill for the appointment of conferees.

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

ORDER FOR ADJOURNMENT

Mr. LOTT. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following a speech by the Democratic leader.

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

GENERAL LLOYD MOSES

Mr. DASCHLE. Mr. President, I would like to take this opportunity to recognize the outstanding life and military career of a veteran of the Second World War: Retired Major General Lloyd Moses who currently resides in Vermillion, SD.

General Moses came from humble beginnings. He was born in 1904 on what was then the Rosebud Sioux Indian Reservation in Fairfax, SD. His mother was half Sioux Indian. His father was a carpenter.

Despite not having a formal grade school education, General Moses graduated from High School and the Black Hills Teachers College, and obtained a degree in Chemistry from the University of South Dakota.

General Moses enjoyed a long and illustrious military career. In 1933, General Moses applied for Active Duty in the U.S. Army and was promoted to the rank of first lieutenant in 1935. During World War II, he served as a battalion commander of the 75th Infantry Division and volunteered to participate with the 507th Parachute Regiment, 17th Airborne Division in "Operation Varsity," the airborne assault across the Rhine River in 1945.

In the Korean War, General Moses commanded the 31st Infantry and in 1955 was promoted to the rank of brigadier general. In 1957, he was promoted to the rank of major general. General Moses reached the pinnacle of his mili-

tary career in 1960 when, following in the footsteps of other generals such as George McClellan, Andrew Jackson, and Ulysses S. Grant, he became commanding general of the 5th U.S. Army.

His military awards include the Distinguished Service Cross, the Silver Star for heroics in Korea, and the Distinguished Service Medal, the Nation's highest peacetime military award. General Moses retired in 1964 as the highest ranking South Dakotan ever to serve in the U.S. Army.

General Moses remains committed to the promise of education. After retiring from the military, General Moses returned to the University of South Dakota and became the director of the Institute for American Studies.

As an enrolled member of the Rosebud Sioux Tribe, he spent the next 10 years successfully expanding the curriculum of Native American courses at the University in an effort to teach cultural awareness and encourage the continued education of Native American youth. When he retired in 1974, the enrollment of Native American students at the University was at an all-time high, and the Institute for American Studies was rapidly becoming one of the foremost centers of oral history and tradition in the United States.

From such humble beginnings, General Lloyd Moses developed the leadership and education that helped our forces to victory in Europe 50-years ago and has continued to assist our growth as a Nation. His story is proof that great deeds can still come from hard work and a strong mind. And that great men can still come from small places like Fairfax, SD.

WELFARE

Mr. DASCHLE. Mr. President, I did not want to take a long time, but there are a couple of matters I want to address, and I will do that at this time. The first concerns a series of discussions that have been held now over the last several days about reports relating to welfare reform.

A recent report discussed in this morning's Washington Post relating to a study undertaken by the Department of Health and Human Services compares the welfare bills passed by the House and Senate and proposed by Senate Democrats. It examines the income distributional effects of the Republican budget, and it estimates how many children will be put into poverty by the various welfare plans.

The report uses two different definitions of poverty, the official poverty measure and an alternative. It is under the alternative, not the official measure, that over 1 million children are put into poverty.

The report represents a range for the Democratic alternatives because the Office of Management and Budget did not have the time to develop a full model of the effects of that plan.

Mr. President, I think it is very important to note that the 1.2 million fig-

ure is reached using an alternative definition of poverty never before relied upon by the Federal Government.

When people say "poverty," they usually mean the official poverty measure, which counts only a family's cash income such as AFDC and SSI and Social Security checks they receive.

Using the official measure of poverty, the Senate-passed bill would increase the number of children in poverty from 15.5 million to about 15.8 million, or an increase of 1.9 percent. Under the official poverty measure, the Senate Democratic alternative would not increase poverty at all.

Let me repeat that, Mr. President. Under the official poverty measure, the measure that we have used for decades, the Senate Democratic alternative would not increase poverty at all.

The alternative measure counts cash and in-kind income, such as food stamps and EITC, as well as AFDC, SSI, and Social Security, which exaggerates the poverty effect of the bill.

So while the numbers released concern me, I do not think that they ought to argue that somehow we ought to turn our backs on welfare reform. We simply cannot keep the status quo. We need to restructure our welfare system. We need to require people on welfare to work, and be responsible parents. We need to remember that the current system keeps 9 million children in poverty. That is the status quo, Mr. President. Nine million children today live in poverty as a result of the programs, the framework, and the institutions that we have in existence.

I want to make a couple of more points with regard to the numbers.

First, we should note that the statement that the Senate bill will put 1.2 million more children in poverty is based on an alternative definition, and that definition has never been used before.

Second, and perhaps more importantly, more children will be put into poverty only if the welfare system that we are proposing fails.

So I believe that we need to recognize four points, Mr. President, as we consider welfare reform.

First of all, the apples and oranges comparisons that the data makes is something that everybody ought to completely appreciate prior to the time we come to any conclusion. The fact is, using official poverty definitions, the Senate-passed bill does not increase the level of poverty for children at all.

We can say, regardless of whether one uses the official or the new alternative definition of poverty, that the Democratic bill is vastly superior to the Senate-passed bill, and the Senate-passed bill is at least four times superior than the House-passed bill.

So, as we have articulated all the way through this process, the Work First proposal that Democrats laid out that we debated, that we voted for unanimously, is by far the best version of all.

Second, I think it ought to be emphasized that no one said that this was the