

sends a message about what this Congress is all about and what its Members stand for. First, I would like to compliment the proponents of this legislation. They have done an artful and a masterful job in framing the issue in the context of the lawyers, and this is lawyer bashing. No one loves lawyers, and no one would fail to acknowledge that there is clearly some abuse on the part of some lawyers, but if we listen to the arguments the proponents have advanced this morning, you would think that a relatively small group of lawyers, who specialize in representing consumers and small investors in class actions, who have been swindled as a result of investor fraud, would be responsible for all of the ills that confront modern civilization, from the Federal deficit that we wrestle with today, to the spread of communism in the 1950's, 1960's, 1970's, and 1980's.

At the same time, the proponents of this legislation have obscured the fact that troubles me most, and that is that this legislation will affect a lot of innocent people who have lost money as a result of investor fraud.

Somehow, the voices of seniors and consumers, small investors, firefighters, policemen, attorneys general, mayors and securities regulators, State treasurers, local government treasurers, treasurers involved with universities and colleges, somehow their concerns which have been advanced and articulated have been ignored.

If I impart nothing else to my colleagues today, I would like everyone who is listening to this debate to know that this bill will, in fact, adversely affect meritorious lawsuits and small investors who find it much more difficult to recover their savings. There is no doubt that this bill will address frivolous lawsuits. But that could have been done, Mr. President—nobody disagrees with the need to correct those abuses. We could have crafted a narrow piece of legislation that would have addressed that issue and yet, at the same time, protected small investors.

What will the impact be of precluding countless meritorious suits being filed? Nobody knows, but it is safe to say crooks will be emboldened, investor confidence in our markets will go down, and defrauded investors will not be compensated. The integrity of America's security markets, the envy of the world, will suffer as a consequence.

As some indication as to how overreaching this piece of legislation is, how one-sided it is, can anyone tell me what the logic is to say if a plaintiff's lawyer files a frivolous motion the attorney pays the cost of the entire lawsuit, but if a defense lawyer files a frivolous motion, he or she pays only the cost of that motion? It seems to me what is sauce for the goose is sauce for the gander. There ought to be equal sanctions both as to plaintiff's lawyers and defendant's lawyers who act in an irresponsible, frivolous fashion.

I have yet to hear an argument advanced on the floor as to why we do not

extend the statute of limitations as has been requested. Why should a crook who disguises his fraud for 3 years be able to avoid the class action penalty? I know of no reason why we should not correct a situation which currently exists that those who aid and abet fraud currently face no liability. What is the logic of that? What does that have to do with frivolous lawsuits?

That, Mr. President, is why I am so deeply troubled by the message that we send today. President Clinton has said he is prepared to sign a good bill. Senator SARBANES, Senator BOXER, and others who have taken the floor to express concerns, we are prepared to support legislation that deals with frivolous lawsuits. But what we have is a piece of legislation that moves to the floor and apparently will now move to be enacted that is not designed solely for frivolous lawsuits but goes much further.

What happens if the President's veto is sustained? The sponsors can come back with a bill that fixes the excesses.

We are going to have securities litigation reform legislation this Congress. President Clinton has said he is prepared to sign a good bill, and there is unanimity that measures to curb abuses should be enacted.

What we are in disagreement over is will we enact balanced, reasonable reforms or will we go overboard in our zeal.

What message are we sending by overriding the President's veto today? We are saying forget about balance, forget about reasonableness. If you got the votes to crush small investors and consumers, go for it.

I can honestly say this bill is the most one-sided, anticonsumer bill I have seen.

This will be a sad day if we fail to sustain the President's veto. I urge my colleagues to vote "no" on this override and let us come back and send the President a balanced bill.

Mr. D'AMATO. Mr. President, I think we have said everything that has to be said. I know we want to commence voting at 11:15, so I yield back. Unless any of my colleagues on the other side want to use the balance of the time, I yield back our time so we can take up the other matter.

#### PERSONAL RESPONSIBILITY AND WORK ACT OF 1995—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes for closing remarks on the conference report accompanying H.R. 4, to be divided in the usual form.

The clerk will report.

The legislative clerk read as follows:

A conference report to accompany H.R. 4 to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence.

The Senate resumed consideration of the conference report.

Mr. MOYNIHAN. Mr. President, to begin, I ask there be printed in the

RECORD an editorial in this morning's Washington Post entitled "Hard Hearts, Soft Heads."

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

[From the Washington Post, Dec. 22, 1995]

#### HARD HEARTS, SOFT HEADS

President Clinton earlier this year gave way too much ground in endorsing one bad welfare bill. Yesterday, he finally took the right stance in announcing that he would veto a successor bill that is even worse. Better late than never, and not a moment too soon.

His announcement came as the House passed this terrible piece of legislation and the Senate prepared to take it up. This time, Mr. Clinton should stick to his position, and the bill's opponent should have the political will to sustain any veto. That would provide the one chance of passing welfare reform that does what it claims—or, failing that, of at least avoiding a dangerous step toward something worse even than the current system.

Advocates of this bill's deep cuts in programs for the poor and its ending of welfare's "entitlement" status like to cast themselves as true friends of the poor and foes of "dependency." Their hardheadedness, they insist, grows from warm-heartedness and a desire to promote work.

But the House Ways and Means subcommittee on human resources heard a very different analysis from Lawrence M. Mead, a welfare expert much respected by Republicans and conservatives. Prof. Mead was not at all confident that Congress's welfare proposal would do much to promote work. On the contrary, he said, it imposes theoretical "work requirements" that states will have great trouble meeting. He suggested that the states might just dump work requirements entirely and take the modest 5 percent cut in federal aid that the bill proposes. This is "workfare"?

But hear out Mr. Mead's argument. "To promote serious reform, it is crucial that Congress manifest that work requirements are serious, and also that it is possible to meet them," he said. "I fear that the new stipulations are not credible as they stand. They call for participation rates never before realized except in a few localities, yet they provide no specific funding or program comparable to JOBS [the Job Opportunities and Basic Skills program] to realize them. The demands made look excessive, but it is also doubtful whether Congress really means to enforce them." Imagine that: a bill that claims to be historic whose work requirements are essentially rhetorical.

If Congress wants a welfare "reform" that will do little to encourage work while endangering the basic systems of support for poor children, this bill is just the ticket. But that's a strange place for a "revolutionary" Congress to end up.

Mr. MOYNIHAN. Mr. President, last evening, I had occasion to remark that persons most specifically critical of the welfare measure before the Senate have been conservative social scientists who understand the extent of the problem we face and the resources needed if we are going to achieve anything.

I mentioned Prof. Lawrence Mead. It turns out he prepared a report for the Republican Caucus in the House saying "Your bill is a disaster, can't you see that?" and readers will do so.

Several of those of us who voted against this measure in September are

on the floor. My friend from Minnesota, may I yield him 1½ minutes.

Mr. WELLSTONE. I thank the Senator from New York. Mr. President, I voted for this piece of legislation when it first came to the Senate. I asked the question, will this bill called "reform" lead to more children who are impoverished and more hunger among children? I said, if so, I would vote "no." I voted "no."

Two studies have come out since that time that said that is exactly what would happen. Now we have a conference report even more harsh, even more punitive, without basic medical assistance, guarantees of medical assistance coverage, with even more drastic cuts in nutrition programs for children.

Mr. President, this is too harsh. It is too extreme. It is beyond the goodness of America. It is punitive toward children. We should not vote for a piece of legislation that will mean there will be more impoverished children and more hungry children and more children without health care. That is not what we are about. That is not what America is about. I urge my colleagues to vote against this.

Mr. MOYNIHAN. I yield 5 minutes to the distinguished minority leader.

Mr. DASCHLE. I thank the Senator from New York. Mr. President, this bill represents a lost opportunity. Democrats and Republicans share the view that the current welfare system needs to be reformed. We recognize that the current system does not work. It does not enable people to become self-sufficient. It does not contain the resources to put people to work. It is not flexible enough for the States. It sends mixed messages to welfare recipients.

Welfare can become a trap, that work does not pay. In short, most recognize that welfare should not be a way of life. We also recognize the twin goals of creating incentives to work, to provide the opportunity for welfare offices to truly become employment offices. That is No. 1—giving people a chance to work, people who want to work, who have no skills to work, who need to work. They want that opportunity, Mr. President, and that ought to be the goal of welfare reform.

Our second goal ought to be to protect children, to provide them the nutrition, to provide them the housing, and most importantly, if we are going to ensure that parents have the confidence that they can leave their homes and go to work, that their children will be cared for while they are gone.

There is no perfect solution, no easy solution, but Democrats in a unanimous demonstration of support proposed what we called the Work First bill. The Senate-passed bill was passed with the support of many of us and we recognized it as really, just a first step—a minimal bill in many respects, minimally acceptable in the view of many of us, but certainly a bill that represented an improvement over the current system.

The pending conference report, Mr. President, has fallen way below that minimum standard of acceptability. It will move more children into poverty, not less. It provides virtually no protections for children. It particularly targets disabled children.

The pending bill falls far short of real welfare reform. It fails to achieve the goals. It punishes children and it does not move people to work. It does not provide the resources necessary to move people from welfare to work. It does not provide sufficient child care funds. It slashes assistance for disabled children and abused and neglected children.

So the conference bill in our view is a deep disappointment. It is not only a lost opportunity for millions of men and women and children, it may also do real harm to the very people that it is supposed to help. It reduces or terminates benefits for 1 million disabled children receiving supplemental security income. It endangers the lives of millions of abused and neglected children. Most importantly, it terminates Medicaid coverage for the poor, and begs the question, where do we expect them to go?

It is a lost opportunity as well for the working poor. While simultaneously threatening real harm for them, too, by slashing food stamp funding important to millions of low-income working families and the elderly, it slashes the earned income tax credit, the most effective effort to move low-income people into the work force and retain them in the work force that we have today.

It underfunds child care assistance, which we know is the linchpin between welfare and work. It dismantles the current health and safety standards contained in the child care development block grant. So the conference bill falls far short of the minimum standard of acceptability which many of us supported in the Senate-passed bill. It reneges on nearly every improvement Democrats made to the bill before it passed in the Senate.

Let there be no mistake. Democrats strongly support welfare reform, but this legislation threatens single women and children, the disabled, and the working poor. This is not primarily a debate about spending.

The PRESIDING OFFICER. The time of the leader has expired.

Mr. DASCHLE. I ask unanimous consent I be allowed to use 3 minutes of my leader time to complete my statement.

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

Mr. DASCHLE. Democrats proposed over \$20 billion in welfare savings as part of a Democratic alternative, debated in September. Earlier this week we proposed over \$40 billion in welfare savings as part of an overall budget being negotiated. So, this is a debate about policy, about changes in funding with a serious regard for reform. It is about a real effort to move people from welfare to work.

In the name of reform, this bill boxes up the current system and shifts it off to the States. It says, "You do it. We do not care if you have the resources or not, you, Governors, you fix it." It is ironic that in the same session we passed legislation to prohibit unfunded mandates, some now propose we pass the biggest one of all.

So it is with deep regret we cannot support this attempt at welfare reform. We had hoped to work with conferees to improve the Senate bill. We had hoped we could continue to work in a bipartisan manner. We regret the political process led to this political document that falls far short of real reform. We regret that this bill is not about work, that it does not protect children. At best, it is a recognition of a vexing national problem which must be addressed. At worst, it is an experiment set up for failure.

A defeat of this conference report is the first step to a bipartisan effort to create real welfare reform, just as we did with the Senate-passed bill. This bill is going nowhere. The President will veto it if we fail to defeat it now. So let us get down to business. Let us work in a bipartisan fashion to draft a real welfare reform bill.

It should not take a veto to achieve that objective. This opportunity, this lost opportunity, is not our last chance. Together, as Republicans and Democrats determined to solve a real problem, we can seize the opportunity to make welfare work.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, as I stated on repeated occasions in last evening's debate, this is not welfare reform; this is welfare repeal. It is repeal of title IV(A) of the Social Security Act, something never done, never contemplated in this Congress in 60 years.

I am happy to yield a minute and a half to my valiant comrade in this regard, the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois [Mr. SIMON] is recognized for a minute and a half.

Mr. SIMON. Mr. President, I do not ordinarily mention religion on the floor of the U.S. Senate, but in 3 days we will celebrate the birth of Jesus, and the majority of Americans claim affiliation with his religion. And he said, in the Biblical account in Matthew 25, whatever you do for poor people you do to me. That is the judgment day scene that he describes. We, in the U.S. Congress, are going to celebrate Christmas by trashing poor people. What a record: Reducing food stamps, abused children, foster care children, cutting them by 23 percent when the numbers are going up, disabled children, 160,000—sorry, you are off of SSI. For 750,000 disabled children, cutting it by 25 percent.

Real welfare reform, not just public relations, will have to deal with jobs for people of limited ability. It will have to deal with problems of poverty.

But we are going to celebrate Christmas by trashing poor people.

It is not a record we can be proud of. I am going to vote no, and be proud to vote no.

Mr. MOYNIHAN. The people of Illinois can be proud of you, sir.

Mr. SIMON. I thank my colleague.

The PRESIDING OFFICER. Who yields time? The Senator from Delaware [Mr. ROTH] is recognized.

Mr. ROTH. Mr. President, I yield myself such time as I may use.

Mr. President, 3 months ago the Senate passed H.R. 4 by an overwhelming bipartisan vote of 87 to 12. Republicans and Democrats worked together on the floor of the Senate to forge an agreement to deliver a comprehensive, bipartisan welfare reform package which has been promised for so long.

In a few minutes we will vote on a final conference report on H.R. 4, the Personal Responsibility and Work Opportunity Act of 1995. There has been a great deal of misinformation about this conference report, as President Clinton has issued his unfortunate veto threat against this legislation. Instead of ending welfare as we know it, it seems he prefers to continue business as usual.

Let me say to each of the 87 Members who voted for authentic welfare reform last September, you should not hesitate to vote for this conference agreement. Overall, you will find H.R. 4 remains true to the goals we share and to the most important agreements we made.

Members know that from the early days of his administration, the President has outlined principles for welfare reform. H.R. 4 meets these principles.

I invite Members to go back through the record of this past year. You will find there were substantial differences between the House and Senate versions of welfare reform. Those who examine the conference report in all its details will surely agree it more closely reflects the Senate positions on the major issues at stake.

We have, in fact, added more money for the block grants for temporary assistance for needy families. We have, in fact, increased funding for child care. We have retained the Senate position on requiring the States' maintenance of effort. We rejected House provisions which would have converted SSI assistance to children into a block grant. We have improved child support enforcement provisions. We have preserved the current law entitlements to foster care and adoption assistance maintenance

payments. We are keeping our commitment to children in the foster care system. Contrary to some disinformation, they will continue to be eligible for Medicaid coverage.

So I hope all Members will objectively examine the conference report and compare it to the House and Senate version passed earlier this year. But more important, I invite Members to open their minds to what the States are doing when they get the opportunity to design modifications to the current welfare system. Look at what is being done in Massachusetts, Michigan, Wisconsin, Delaware, Virginia, and Iowa when the States are allowed at least some measure of control over the welfare system.

For a reassuring glimpse of the future, I recommend an article by Massachusetts Gov. William Weld entitled, "Release Us From Federal Nonsense," which appeared in the Wall Street Journal last week.

As for me, I have greater confidence in the Governor and State legislature in Delaware than I do in the careerists in the Hubert Humphrey building. We know why the number of people in poverty has continued to increase despite the best efforts and intentions. But after 30 years of failed experimentation, it is clear the Washington bureaucracy cannot tell us how to break the vicious cycle of dependency. Complex human behavior cannot be reduced to a mathematical diagram. We have not found the wisdom of Solomon in the Federal Register.

President Clinton has stated he will veto H.R. 4. Last night, a number of my colleagues on the other side of the aisle stated that we should wait for a bipartisan bill. Mr. President, we have a bipartisan bill. The Senate bill passed 87 to 12. President Clinton promised welfare reform 34 months ago. Today, we are delivering welfare reform to the American people. There is no need to wait any longer. Welfare reform is here.

I yield the floor, Mr. President.

Mr. FORD. Mr. President, according to the latest figures I have, there are 92,160 unemployed individuals in Kentucky. Eight counties in my State still have double-digit unemployment rates.

There is widespread support for putting welfare recipients to work. But one of the questions I frequently get when I talk to constituents about welfare reform is "Where will the jobs come from?" I still do not know the answer. I do not think we have thought

through that simple question very well.

I also get asked two conflicting questions about welfare. One is "Why don't you cut spending on welfare?", and "What are you going to do to enable those on welfare to find jobs?"

These are legitimate questions. I hear about three common barriers to those on welfare who truly want to work:

First, fear of losing health care for their kids—and that is Medicaid;

Second, lack of affordable child care; and

Third, inadequate educational or job training opportunities.

I supported the earlier version of welfare reform because I thought it was a good faith attempt to address these competing priorities. It did reduce overall spending on welfare programs, and it also attempted to address some of the obstacles to finding jobs—particularly child care.

Unfortunately, the conference report before us today, in my opinion, has shifted entirely toward cutting spending. It cuts spending far more than the Senate-passed bill, and it retreats from putting people to work.

When you combine this with the impact of the Republican budget proposal, you see even further that this conference report just simply will not work:

First, the proposed Republican budget cuts in Medicaid will be devastating for those trying to get off of welfare and go to work.

Second, the proposed Republican tax increases on low-income families will hurt many just as they try to get off welfare.

Third, the revised, pessimistic CBO numbers on the unemployment rate assume that unemployment will remain virtually unchanged at 6 percent over the next 7 years even if we pass a balanced budget plan. This means jobs will be at least as scarce as they are today for those trying to go from welfare to work.

Mr. President, I do believe this welfare conference report will succeed in reducing Federal spending on welfare programs. But I believe it will—

First, fail to put people to work;

Second, underfund child care; and

Third, increase poverty among our children.

For these and other reasons, I cannot support this conference report, because I simply do not believe it will work.

WELFARE SIDE BY SIDE

	Senate-passed bill	Conference report
Work .....	measures work work bonus \$8 billion child care over 5 years 80 percent maintenance of effort personal responsibility contract required work exemption for moms w/kids under 1 work after 3 months	measures work. no bonus: lowers maintenance of effort for successful States instead. \$7.0 billion child care over 5 years. 75% State maintenance of effort. no Personal Responsibility Contract. work exemption for moms w/kids under 1. no work for 2 years.
Time limits .....	20 percent exemption	15% exemption.
Protect kids .....	\$8 billion child care over 5 years 100 percent maintenance of effort for child care no transfer for CCDBG retains health and safety standards for child care no mom w/child under 6 can be sanctioned due to inability to find or afford child care State option to allow mom w/kids under 6 to work 20 hours per week	\$7.0 billion child care over 5 years. 75% maintenance of effort for child care. no transfer of CCDBG. eliminates health and safety standards for child care. No mom w/child under 6 can be sanctioned due to inability to find or afford child care. mom w/kids of any age required to work 35 hours per week by 2002.

WELFARE SIDE BY SIDE—Continued

	Senate-passed bill	Conference report
Teens .....	time limit exemption raised from 15 to 20 percent but no specific voucher option for kids all children remain eligible for Medicaid required to stay at home or in adult-supervised group home \$150 million over 7 years for second-chance homes State option to deny teen moms money family cap at State option	time limit exemption lowered to=15% and no specific voucher option for kids. eliminates the guarantee of Medicaid eligibility for welfare recipients. required to stay at home or in adult supervised group home. no money for second chance homes. State option to deny teen moms money. mandatory family cap; States may opt out.
Funds .....	AFDC block grant \$1 billion contingency grant fund and \$1.7 billion loan fund food stamp block grant at State option, but Wellstone amendment requiring sunset of block grant if HHS finds 2 successive findings of increased child hunger school lunch program left intact child protection programs left intact	AFDC block grant. contingency grant fund \$1 billion and \$1.7 billion loan fund. food stamp block grant at State option.  cuts child nutrition programs and allows 7 State demo fro school lunch block grant. block grants child protection programs.

Mr. BIDEN. Mr. President, last September I voted for a tough welfare reform bill. I supported—and I still strongly support—a comprehensive overhaul of the welfare system.

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, the American people rightly are demanding reform.

Last September, I outlined how I think we should reform the welfare system. Welfare recipients would be required to work in exchange for their benefits. The time a person could spend on welfare would be limited. Child care would be provided so that children would not be left home alone. A safety net would be retained for the innocent children. And, we would be as tough on the deadbeat dads who did not pay child support as we would be on the welfare mothers who did not work.

That is what I supported last September. And, that is what I voted for last September.

But, Mr. President, I did not vote to dismantle the child protection system. I did not vote to cut foster care. I did not vote to gut the Child Abuse Prevention and Treatment Act. I did not vote to end the Federal Government's effort to help States prevent child abuse. I did not vote to cut the school lunch program. I did not vote to cut child nutrition programs. I did not vote to take away health care for pregnant women and children. And, I did not vote to eliminate the health and safety protections for kids in day care.

I voted for welfare reform. I did not vote for this bill.

I am reminded of the children's fable where the lesson was: beware of the wolf in sheep's clothing.

Mr. President, this bill is a wolf in sheep's clothing. This bill uses welfare reform as a mask for an all-out assault on the most vulnerable of America's children—many of whom are not on welfare. This bill uses welfare reform as a cover for the extreme, mean-spirited policies emanating from the House.

Look behind the so-called welfare reform. Strip away the wool of the sheep, Mr. President, and you are left with an awfully extreme wolf.

It did not have to be this way.

When I voted for the original welfare bill last September, I noted at the time that I had some reservations. But, the final product was a good-faith effort at a bipartisan compromise. And, despite the fact that I thought it could have been both tougher on work and more compassionate toward innocent children, I was not going to undermine the bipartisan compromise. Working out differences and coming to an agreement is what the American people sent us here to do.

But, what happened? The Senator from New York has pointed out that the House-Senate conference met once—for opening statements. Everything else was done behind closed doors without any participation by Democrats. The bipartisan compromise left the Senate and became the victim of House Speaker GINGRICH's extremism.

So, Mr. President, while I was willing to overlook a few reservations last September for the sake of a bipartisan compromise on welfare reform, I am not willing to sacrifice my principles for the sake of one party's extremists—just because they call it welfare reform.

I urge my colleagues to reject this conference report and demand that we take up and pass real welfare reform.

Mr. HEFLIN. Mr. President, I must oppose the conference report on welfare reform despite my support for the original version of this bill, which previously passed the Senate.

The conference report on welfare reform goes far beyond the bill passed by the Senate and consequently, Republican efforts to reduce the budget fall heavily on working poor families, unemployed workers, the elderly and the disabled.

Welfare reform, in my mind, is about moving people from welfare to work. This conference report undermines that goal. The bill's apparent emphasis on transforming the welfare system to a work system is undermined by the failure to provide States with adequate resources for work programs and child care while maintaining a basic safety net of poor children and the elderly.

The bill combines cash assistance and work programs into a single block grant. According to CBO estimates, block grant funding, combined with State spending, would fall \$5.5 billion short of what will be needed to fund the work program in 2002 alone, assuming States maintain their safety net for poor children and the elderly. Over the 7-year period, funding for the work

program would fall about \$14 billion short of what the CBO projects will be needed. Furthermore, this bill also contains provisions which allow States to escape the work requirements the bill seeks to impose by cutting needy families off the rolls instead.

This bill also makes deep cuts in basic benefits for the elderly poor. The conference report would likely deepen poverty among the elderly due to a series of provisions that would reduce or eliminate SSI, food stamps, and Medicaid for various groups of elderly people living below the poverty line.

The conference agreement would raise from 65 to 67 the age at which impoverished elderly people can qualify for SSI, thus effectively eliminating SSI to eligible people 65 and 66 years old. Not by coincidence, the change in the age requirement for SSI eligibility would be raised in tandem with the scheduled increase to 67 at which retirees may receive full Social Security benefits. If the Social Security retirement age is raised in the future, the SSI eligibility would automatically raise as well. In addition, since receiving SSI is a qualification for Medicaid, persons denied SSI would most likely lose Medicaid coverage as well.

This conference agreement also falls seriously short in that the provision of current law which assures that AFDC families receive Medicaid coverage would be repealed. Roughly 1.5 million children and at least 4 million mothers could lose Medicaid coverage as a result and join the ranks of the uninsured. Also, changes made in eligibility rules would mean a reduction in benefits for most disabled children by 25 percent. This Medicaid provision was in neither the House nor the Senate bills.

The school lunch and other child nutrition programs are programs that I have long supported and strongly believe that they have made considerable contributions to the overall improving health of our school-aged children. These programs must be maintained as they provide an important safety net for young children and establish a solid foundation for future development.

However, the welfare conference report contains provisions that could undermine the school lunch program. The conference report would allow for seven States to block grant the school lunch program. In these States, sufficient funds would no longer be available in the event of an economic recession. States that have a history of budget reductions through proration, like Alabama, will be hard hit. In times of an

economic downturn, the fixed amount going to these States would not be sufficient to provide adequate assistance to the rolls of the needy that would expand as a result of the recession. This could ultimately lead to the serving of lower quality meals in an effort to cut corners. This is absolutely not in the best interest of our young children for whom we are responsible.

The bill also includes more than \$32 billion in food stamp benefit cuts affecting the working poor, the elderly and disabled poor, and all others receiving food stamp assistance. There has been much talk about reducing the waste, fraud and abuse associated with this program. Actually, less than three percent of the bill's food stamp savings come from cutting administrative costs, reducing fraud or imposing tougher sanctions on people who fail to follow program requirements. Instead, these cuts would hit families with low incomes.

Also, for no reason that I can see, food stamp benefits would be cut for those receiving low-income energy assistance.

For the many reasons stated, and for many more that have gone unmentioned, I must oppose the conference report. This bill does little to encourage people to move from welfare to work by removing the safety net for individuals as they make that transition. Basic assistance for the elderly and child nutrition programs are cut without must consideration of the impacts that they will have on those that are least able to support themselves. We should not punish people for being young, or old or poor. We should, instead, provide for the necessary safeguards for people who want to move from welfare to work. This does not preclude our efforts to identify and deal with those taking advantage of the system, it simply signals our willingness to help those that are trying to help themselves and not punishing those that need our help.

Mr. FEINGOLD. Mr. President, I am deeply disappointed that the conferees refused to follow the path of the bipartisan welfare reform bill that was passed by the Senate by a wide margin last September.

Instead of following the bipartisan framework set out in the Senate bill, the conferees produced a bill that is punitive in nature and is likely to hurt innocent children, rather than help their families move off welfare into the work force. I will vote against it.

Mr. President, when I voted for the Senate-passed welfare reform bill, I expressed my hope that the conferees would return a bill that tracked the Senate measure and avoided the kind of mean-spirited, destructive provisions proposed by the House.

Instead, we have a final product that slashes funding for the child care that is essential if we want to avoid leaving young children unsupervised and unattended while their parents are at work, that allows States to immediately re-

duce their contributions by 25 percent, thereby rewarding States which already spend low levels of their own funds for families while States like Wisconsin which make substantial investments will bear the burden of potential welfare migration, and imposes punitive provisions denying benefits for newborn infants. It also adds harsh new provisions slashing assistance for families with disabled children and an important safety net for impoverished elderly.

This is not meaningful welfare reform. It is an abandonment of the bipartisan agreement reached in the Senate-passed bill that has focused upon helping families escape the welfare cycle and gain self-sufficiency.

I think the current system is broken and is badly in need of reform, but this is not the way to reform.

Mr. BINGAMAN. Mr. President, I rise today to oppose the conference report on welfare reform, H.R. 4. I would like to briefly explain my reasons for doing so.

First of all, I regret that we are planning to vote on this legislation at this time. It is my understanding that the conference report we are considering was released on Wednesday. Two days later, we are voting on this important piece of legislation that would dismantle the social safety net we have known for decades, and replace it with block grants to the States loaded with numerous requirements limiting the amount of assistance to some of our society's most vulnerable members. Although I voted for the Senate-passed version of this legislation to send a message that our current system can certainly stand some improvement, I would be reluctant to support any conference report on such a complex issue without having an adequate opportunity to review it, and to get the best information on its likely impact on my State. I regret that we have not had adequate opportunity to do that sort of analysis on the legislation before us.

Nevertheless, I have had an opportunity to review the broad provisions of this agreement, and I do not believe that is likely to result in a better system for welfare recipients, or the States and communities involved in the current system.

#### WELFARE RECIPIENTS

Mr. President, the current system is not serving its clients as well as it should. In too many cases, welfare and other public assistance has become a way of life, not a brief interlude of assistance. We have children growing up in a welfare culture, always living at the margin, and sometimes shuffled through the foster care systems of our various States. Their parents never seem to get the skills or opportunities that would enable them to support their families. Many of us have expressed the concern that too often, these parents are single parents trying to raise their families alone.

Our current system, which knits together Aid for Families With Depend-

ent Children [AFDC], Medicaid, food stamps, school lunch programs, and child protection moneys, seeks to provide a basic safety net. It seeks to ensure that in America, even the poorest of poor have food, shelter, basic clothing, safe homes for children, and an opportunity for something better. The main problem welfare reformers have sought to address this year is making sure that the safety net is not the primary means of support for families, and that people use this safety net for a short time before finding a means to become self-sufficient. Again, I share these goals.

But what have the conferees returned to us to meet these goals? They have given us a system that will limit the time a person may receive benefits to 5 years in a lifetime, and imposed unrealistic requirements to work. They have limited the amount of time a recipient can spend training to get the skills that will enable them to find work that will make them self-sufficient.

Let me talk for just a minute about what this bill does not do for recipients. Every credible expert agrees that the work requirements will be very difficult to meet without additional child care dollars. We are asking States to ensure that the number of working single parents go from about 20 percent now to 50 percent by 2002. These parents are not going to leave young children alone, so they will need day care. Still, while we are expecting to increase the work force participation of single parents by 150 percent, we are only increasing the core child care money in this bill by a little more than 20 percent—\$1.9 billion over a baseline of \$9.3 billion. This juxtaposition will prove to be totally unworkable.

Another issue that has not been given adequate thought is why we assume merely taking an entry-level job will lead to economic independence for welfare recipients. I recently came across a University of Wisconsin-Madison Institute for research on poverty study on welfare recipients which reported that to replace the benefits received on welfare, the average mother will need a job providing at least \$8 to \$9 an hour. The average job available to a person with the skills of the average working mother is only about \$5.15 per hour, with little hope of real advancement. Obviously, this leaves a huge gap in income if the family this mother heads is going to be able to keep its members fed, clothed, and sheltered. I want to emphasize that we are not talking about the wage needed to live the middle class dream of home ownership in a nice suburb and a vacation every year. We are talking here about maintaining a subsistence standard of living. If we adopt the provisions included in this conference report it is likely that many families that are somehow surviving now are going to find themselves making choices between shelter, food, and clothing. In all likelihood, as my colleague Senator

Moynihan pointed out on this floor last week, we are going to see a surge in the number of homeless families within a few years.

The obvious solution here is to ensure that recipients have the skills they need to get better jobs, and that economy produces high wage jobs that they can fill. This bill unreasonably limits the amount of time recipients can take to upgrade their skills.

Another issue I would like to address is the cuts to the food stamp program included in this legislation. I have heard some of colleagues tout that food stamps will remain an entitlement in most States. What they fail to mention is that this legislation severely cuts that and other nutrition programs. Food stamps alone would be cut by \$32 million under the legislation before us.

Although there are many other concerns raised in how people currently served by welfare will be affected by these provisions, the final point I want to raise concerns child protective services. The advocates of this conference agreement have stated that funds for foster care support are not being block granted. They fail to note, however, that funds for investigations, court procedures, quality assurance, professional training, and other services are block granted and capped by this conference report. Inevitably, these provisions will result in less protection for children suffering from neglect and abuse in this Nation. In States like my own, where protective services are under State supervision, the capped block grants will likely be unable to pay for the changes mandates in these services.

#### THE STATES AND COMMUNITIES

Clearly, the welfare proposal will not work from the perspective of welfare recipients. I doubt it will work from the perspective of the States and communities these recipients live in, either.

I have not yet seen the final amount New Mexico will receive under the conference agreement. I believe, however, that the number touted by proponents for New Mexico under the vetoed budget agreement was about \$135 million for the TANF portion of this welfare reform package. According to Department of Health and Human Services figures, however, New Mexico received \$141.5 million in fiscal year 1995. Clearly, my State will not be getting a large increase in funding. Yet the mandate for child care inherent in the work requirements imposed by this bill are huge. New Mexico, and other States, will face a shortfall at a time when many States, including my own, are under extreme budget constraints already.

The picture gets worse when one considers the other Republican proposals being tossed around the Capitol. The Republican budget contained significant reductions to the earned income tax credit. It also proposed substantial cuts in homeless assistance. At a minimum the Republican proposal cut

homeless funding 32 percent. When eligibility for welfare runs out, and families are on the streets, they are going to have even fewer resources to draw on to help.

I know that many of my colleagues on the other side of the aisle believe that private giving and State resources will take up the slack. That is pure fantasy.

#### CONCLUSION

In short, Mr. President, I have yet to hear a coherent statement from the proponents of this conference report regarding how communities will meet the needs of poor children and their families that will be generated by this legislation. If it were to become law, we would be trading in an admittedly imperfect system for one that is certainly not better, and perhaps is much worse.

It seems particularly ironic to me that we are considering this ill-conceived legislation right before Christmas. Indeed, it is difficult not to think of Dickens' "A Christmas Carol." I am particularly reminded of the statement of the ghost of Scrooge's business partner, explaining why he is fated to be a miserable ghost: "Business! Mankind was my business. The common welfare was my business; charity, mercy, forbearance, and benevolence were, all, my business. The dealings of my trade were but a drop of water in the comprehensive ocean of my business!"

Meaningful welfare reform is our business, Mr. President. It is my understanding that the President intends to veto this legislation. I hope that after that veto, we can get down to that business.

Until then, God bless us, every one.

Mr. PELL. Mr. President, on September 19, 1995, after 2 weeks of floor debate and over 40 rollcall votes, the Senate passed welfare reform legislation by a vote of 87 to 12.

At that time, I voted for the welfare reforms measure. I did, however, make it clear in remarks here on the Senate floor, that I was doing so with some reluctance. I was concerned that the legislation did not go far enough in protecting our children and in providing adults with the important tools needed to help them move off welfare and into meaningful, long-term employment.

I voted for the measure because it included the Dole-Daschle compromise amendment, providing additional protections for children and families.

I said at that time that I would oppose the conference report if it were to return from the conference committee without the moderating provisions found in the Dole-Daschle amendment. This final bill erodes the important protective safety net and it is punitive and harmful.

In particular, I am concerned that the conference report is weaker on work requirements than the Senate-passed bill because of a \$5 billion reduction of funds available to put people back to work. The report significantly reduces important child care protec-

tions, one of the major components of the Dole-Daschle compromise, and cuts food assistance guarantees to children by cutting almost \$35 billion.

I will, therefore, oppose the conference report.

Mr. President, the current welfare system clearly needs to be reformed. I firmly believe that any system in place for 60 years needs updating and rethinking. It remains my strong desire to see a welfare system that celebrates, not mocks, compassion. I continue to support the provisions of the work first proposal put forth by Senator DASCHLE which emphasizes the significance of work for adults and the importance of protecting, not punishing, the children who have not chosen their parents or their circumstances.

Mr. SHELBY. Mr. President, I rise in strong support of the conference report on H.R. 4. This bill is the most significant piece of welfare reform legislation to come before Congress in more than three decades. The current welfare system is destroying the hopes and opportunities of thousands of Americans by trapping them in cycles of dependency. President Roosevelt, the hero of liberal welfare advocates, warned us what would happen if we structured our welfare system in a way that fostered reliance on the Government. Listen to what he said in his 1935 annual message to Congress:

The lessons of history, confirmed by the 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.

Mr. President, that is exactly what the architects of the modern welfare state have done. They have created a welfare system that encourages people to view welfare as a way of life. The typical welfare family has already spent 6½ years on welfare, and will end up spending a total of 13 years on the rolls. Thirteen years, Mr. President. After 13 years on welfare, the average family has received at least \$150,000 of taxpayers' money. No wonder President Roosevelt said this type of welfare was a narcotic that destroyed the human spirit.

The reason welfare has become so addictive is because it completely destroys any incentive to work or become self-sufficient. The current system essentially says to its potential victims, if you do not want to work, have a child you are not able to support. If you do this, the Government will send you a check every month, pay your food bills, give you some free child care, pay all of your health care bills, your heating bills, your college bills, give you some WIC money, pay for your children's breakfast and lunch at school, and possibly provide you with your own apartment.

In other words, Mr. President, the message is the Government will take care of you. You do not need to take

care of yourself. You simply need to sit at home and do nothing. That is a very cruel form of assistance. It destroys the natural inclination in every human being to reach their full potential. No private charity operates in that manner. No private charity simply mails people checks for having children they are not able to support.

The bill before us today will begin to repair the broken welfare State; it will restore healthy incentives in our welfare system. It does not abandon poor Americans or their children. Rather, it requires adult welfare recipients to work in exchange for their benefits. If passed, these work requirements will be the first serious work requirements ever passed by Congress. This is not only healthy for the recipients, but it is good for their children to be raised in an environment where they see their parents getting up and going to work everyday. Work will become the norm among those receiving welfare, not the exception.

While I am very optimistic about the results of the strong work requirements in this bill, I want to express my concerns with the lack of provisions to address the most serious problem facing our country today: the breakdown of the traditional family. Eighty percent of children in many low-income communities are born in fatherless homes and welfare is the dominant feature of these homes.

For many poor people, the current welfare system makes bearing children out of wedlock a very practical alternative to the traditional method of raising a family—getting a job, a work skill, and finding a spouse committed to raising a family before having a child. If a young woman has a child before she has a work skill and a spouse, it will be almost impossible for her to ever escape the welfare trap. Mr. President, I regret that this legislation does not replace cash payments to teenagers with services to care for the child. But, I am glad we were able to at least give States the option to do that. It is my sincere hope that many States will pursue that option and will enact other policies to address the crisis of illegitimacy. I am glad that we were able to include the national prohibition against increasing cash payments to welfare recipients who have additional children while on welfare. Mr. President, if we do not contain the epidemic of illegitimacy, it will destroy the fabric of our society. America simply cannot survive without a strong family unit.

This legislation represents real reform. It is a carefully constructed balance between those who would advocate a complete end to public assistance and those who would seek to expand the current welfare State. It is the boldest reform we could have taken in the current political environment, and I hope for the sake of our Nation's future, that all of my colleagues will support this bill and the President will sign it into law.

Mr. HATCH. Mr. President, we stand here today to debate and vote on a very important piece of legislation, one that could change the lives of America's needy families.

Not since the Economic Opportunity Act was signed into law by President Lyndon Johnson on August 20, 1964, have we had such broad-sweeping and radical change in our welfare system.

Mr. President, we all know that the current war on poverty has not been successful. Since the war began, the number of children on the welfare rolls has grown from 3.3 million to 9.6 million in 1993. This was not the result of negligence, or a lack of trying. The combined Federal, State, and local spending on welfare in constant dollars increased from \$38.4 billion in 1965 to \$324.3 billion in 1993.

The current system is not working. What was designed with good intent, has become a trap pulling the needy families of America into a cycle of dependency that eats at their self-esteem and their ability to become self-sufficient.

The legislation before us today would change all that. This legislation moves the Federal Government out of the paper-pushing bureaucracy and moves it into a facilitator for families moving into self-sufficiency.

This legislation will help empower our families, not pull them into perpetual dependency. Gone will be the days of welfare checks for nothing. Beneficiaries will now have to engage in work activities in order to receive assistance.

This legislation retains the role of the Federal Government in overseeing the allocation of Federal money, but also gives the authority for designing the systems to the States. The States are in the best position to know the needs and environment of their unique constituencies. This legislation will allow them to design programs that coordinate resources and support families rather than just lead them through the blind maze of bureaucracy.

Mr. President, we all agree that the current system must be changed. This legislation turns the welfare programs of this country into a cohesive system flexible enough to meet the varying demands of individual States and areas while protecting our families and our children. I urge my colleagues and the President to take the chance we have today to make good on President Clinton's campaign promise to "change welfare as we know it." Let us pass this legislation and enable it to become public law.

Mr. McCAIN. Mr. President, I rise in strong support of the Indian provisions contained in the conference report to H.R. 4, the Personal Responsibility and Work Opportunity Act of 1995. I commend the distinguished majority leader, Senator DOLE, and the leaders of the Senate Committee on Finance and the House Committee on Ways and Means, for their efforts to overhaul our Nation's welfare system and for includ-

ing provisions which responsibly address the unique needs and requirements of Indian country. They have taken great care to draft a welfare plan that effects real change in a system that is greatly in need of repair while ensuring that all citizens, including our Nation's American Indian and Alaska Native population, receive equitable access to necessary welfare assistance. The bill before us today honors in many practical ways the special relationship that the United States has with Native American tribal governments.

There is no doubt in my mind that the so-called Great Society programs of the past have failed American Indians as much or even more than they have failed the rest of America's citizens. These programs have failed Indians because they have largely ignored the existence of Indian tribal governments and the unique needs of the Indian population. Recent attempts to fix this problem have been like placing a bandaid on a gaping wound. Under existing programs, Indians remain the worst-off and yet benefit the least. If we are to truly reform welfare then we cannot ignore Indians, who year-after-year rank the highest in poverty and unemployment.

It is vital that we authorize Indian tribal governments to administer a welfare block grant for two reasons. First, in fiscal year 1994, only a fraction of the eligible American Indians and Alaska Natives received AFDC. But in States such as Alaska, Montana, North Dakota, and South Dakota, Arizona, and New Mexico, Indians and Alaska Natives are disproportionately represented as AFDC recipients. It is my belief, and that of many members of the Senate Indian Affairs and Senate Finance Committee, that Native American tribal governments are best able to address the needs of Indians and to provide accessible service to those who must travel great distances for service. They are, after all, the governmental units closest in proximity, culture, and values, to those they serve. Clearly, the impetus for the Congress to provide block grants to States also applies to Indian tribal governments—Indian tribal governments, not the States, know the most about the real impact of welfare on their communities and how best to design programs to meet their needs.

If this bill is signed into law, for the first time in our Nation's history, tribal governments will be able to receive block grant funds to design and administer Federally-funded welfare programs. Indian tribal governments have sought that authority throughout history. The block grant approach in this bill is a practical way to implement the Federal trust obligation that we owe Indian tribes, a doctrine stated in the earliest United States Supreme Court decisions and grounded in the United States Constitution.

The bill before us today promises greater hope for Indians because it allows their own tribal governments to



serve Indians now living in poverty. It empowers tribes themselves to assist in ending the welfare dependency often created by existing programs by placing resources necessary to fight local welfare problems into the hands of local tribal governments. Mr. President, I believe this bill demonstrates a real commitment to ending welfare as Indians have known it. As I have said on many occasions, our successes as a Nation should be measured by the impact that we have made in the lives of our most vulnerable citizens—American Indians.

Early in the 104th Congress, the Senate Committee on Indian Affairs held several hearings on the potential impact to Indians of various welfare reform proposals such as block grants. During these hearings, tribal leaders spoke out in strong favor of direct Federal funding which would allow tribal governments flexibility in administering local welfare assistance programs and stated their hopes of receiving no less authority than the Congress chooses to give to State governments in this regard. The Committee also received testimony from the Inspector General of the U.S. Department of Health and Human Services who testified to how poorly Indians fare under block grants as currently administered by State governments. In response to the record adduced at these hearings, the Indian Affairs Committee developed provisions for direct, block grant funding to tribal governments which are now contained in H.R. 4. These provisions reflect the efforts of many Members on both the Indian Affairs and Finance Committees, and to them I express my gratitude.

Let me take several minutes to explain the Indian provisions related to temporary assistance for needy families contained in H.R. 4 and the goals and purposes of those provisions. In general terms, the bill authorizes Indian tribal governments, like State governments, to receive direct Federal funding to design and administer local tribal welfare programs. Let me be clear—an Indian tribe retains the complete freedom to choose whether or not it will exercise this authority. If it does not, the State retains the authority and the funds it otherwise has under H.R. 4. The following references are to new sections of law in Part A of title IV, which are set forth in Section 103 of the H.R. 4.

Section 412 is the main Indian provision setting forth the basic authority for tribal direct funding and the express requirements of tribal family assistance plans. It requires the Secretary to make direct funding available to Indian tribes exercising this option in order to strengthen and enhance the control and flexibility of local governments over local programs, consistent with well-settled principles of Indian Self-Determination. Section 412(b) provides that in order to be eligible to receive direct funding, an Indian tribe must submit a 3-year tribal fam-

ily assistance plan. Each approved plan must outline the tribe's approach to providing welfare-related services consistent with the purposes of this section. Each plan must specify whether the services provided by the tribe will be provided through agreements, contracts, or compacts with intertribal consortia, States, or other entities. This allows small tribes to join with other tribes in order to economize on administrative costs and pool their talents to address their common problems. Each plan must identify with specificity the population and service area or areas which the tribe will serve. This requirement is designed to ensure that there is no overlap in service administration and to provide a clear outline to affected State administrations of the boundaries of their responsibilities under the Act. Each plan must also provide guarantees that tribal administration of the plan will not result in families receiving duplicative assistance from other State or tribal programs funded under this part. Each plan must identify employment opportunities in or near the service area of the tribe and the manner in which the tribe will cooperate and participate in enhancing such opportunities for recipients of assistance under the plan consistent with any applicable State standards. And finally, each plan must apply fiscal accounting principles in accordance with chapter 75 of title 31, United States Code. This last requirement is consistent with other Federal authority governing the administration by tribes and tribal organizations of similar block grant programs under authority of the Indian Self-Determination and Education Assistance Act of 1975, as amended. Section 412(c) requires the establishment of minimum work participation requirements, time limits on receipt of welfare-related services, and individual penalties consistent with the purposes of this section and the economic conditions of a tribe's service area and the availability to a tribe of other employment-related resources. These restrictions must be developed with the full participation of the tribes and tribal organizations, and must be similar to comparable provisions in Section 407(d). The remaining provisions of Section 412 further ensure that funding accountability will be maintained by tribes and tribal organizations in administering funds under an approved tribal family assistance plan.

Section 412(a) establishes the methodology for funding an approved tribal family assistance plan, including the use of data submitted by State and tribal governments. This provision anticipates that the data involved is already collected or the added burden of data collection required will be de minimus. The funds provided to a tribe under Section 412 are deducted from the State allocation. Tribal plans are funded at levels that are based on the amounts attributable to the Federal funds spent by a State in fiscal year

1994 on Indian families residing in the service area of an approved tribal plan. Under Section 405(b), the State is notified of any reduction to its block grant that has been made in order to fund a tribal plan. Having lost the Federal support for temporary assistance to needy Indian families in a tribal plan's service area, the State no longer has any responsibility under the bill for those families.

The Indian Affairs Committee has been informed by various State representatives that it is administratively more difficult and costly for States to provide services to Indians who reside in remote locations of their States. While these States acknowledge a responsibility to provide services, circumstances such as geographic isolation make it more difficult to do so. States are, therefore, well-served by these provisions, because if Indian families in a geographical area are identified in an approved and funded tribal plan, a State government no longer has the responsibility to serve those families unless the tribe and the State agree otherwise.

Some tribal representatives have pointed out that some tribes may choose not to exercise the option to administer a tribal plan, because the bill does not require a State to provide State funding to supplement the Federal funding provided to a tribe. As originally drafted, the Indian provisions expressly permitted States to agree to provide State funding or services to an Indian tribe with an approved plan in order to maintain equitable services. It is my understanding that this language was deleted because other provisions in the bill provide sufficient guarantees that States will ensure the delivery of equitable services. But under the bill's current provisions, a State is not prohibited from entering into an agreement with a tribe for the transfer of State funds or the provision of specific State services to a tribe for the benefit of Indians within that State. Indeed, a State government may choose to enter into an agreement with a tribal government to induce the tribe to take over administration of these programs, and one of the inducements could be a transfer of State funds to the tribe that would otherwise have been used by the State to serve those who would now be served under the tribal plan. If State administrators are sincere about making real progress on welfare reform, and I think they are, I expect they will act responsibly and sensitively with tribes that wish to join the State in administering programs that end welfare dependency.

Mr. President, it is important to point out that these Indian provisions are consistent with the overall purposes of H.R. 4. The Indian provisions do not seek to circumvent these purposes nor give preferable treatment to Indian tribal governments. The tribal plans remain subject to minimum requirements and penalties similar to those applied to State governments.



H.R. 4 also requires a tribe to comply with the fiscal accountability requirements of chapter 75 of title 31, United States Code and the Indian Self-Determination and Education Assistance Act of 1975, as amended. I would also submit that giving tribal governments the authority to administer a tribal welfare program is consistent with our goal of empowering local government control over local programs. It only stands to reason that, like States, Indian tribal governments are most familiar with the problems that plague their local communities.

Section 402(a)(5) of the bill requires a State to certify, as it does with several other important Federal priorities, that it will provide equitable access to Indians not covered by a tribal plan. This provision expressly recognizes the Federal Government's trust responsibility to, and government-to-government relationship with, Indian tribes.

Section 412(a)(2) provides that the Secretary shall continue to provide direct funding, for fiscal years 1996 through 2000, to those 77 Indian tribes or tribal organizations who conducted a job opportunities and basic skills training program in fiscal year 1995, in an amount equal to the amount received by such tribal JOBS programs in fiscal year 1995. These sums are in addition to the sums provided to State and tribal block grants for family assistance.

Section 418 provides standard definitions of the terms "Indian", "Indian tribe", and "tribal organization" in order to clarify the respective limits of State and tribal government responsibilities under the bill.

Many of my colleagues in the Senate know that some Indian tribal governments may not have existing capacity or infrastructure to administer complex welfare programs. Consequently, H.R. 4 includes provisions authorizing tribes to enter into cooperative agreements with States or other tribal governments for the provision of welfare assistance. This will allow small tribes to join with other tribes in order to economize on administrative costs and pool their talents and resources to address their common problems. However, I believe it is very important to permit and encourage those Indian tribal governments that do possess such capacity to participate in these new welfare initiatives by addressing welfare issues at a local level.

It should go without saying that any State may enter into any agreement it chooses with a tribe for the transfer of State funds to that tribe for the purpose of administering a welfare program that benefits Indians within that State. In my view, it is in both a State and a tribe's best interest to work out supplemental agreements for funding and services where necessary because to do otherwise could undermine the goals of the bill.

I know that many Members in this body are aware that Indian Country has historically been plagued by high

unemployment and therefore its residents suffer from extremely high poverty rates. H.R. 4 enables Indian tribes that are currently administering tribal JOBS programs to continue to do so. Section 412(a)(2) requires the Secretary to provide direct funding in an amount equal to the amount received by the existing tribal JOBS programs in fiscal year 1995. By keeping the JOBS programs in Indian Country intact, we will acknowledge the positive impact it has made in the lives of thousands of Indians. The Indian JOBS program has had measurable success. For instance, in fiscal year 1994, in just one quarter, over 2,000 American Indians and Alaska Natives participating in the JOBS program obtained job placements. Indians residing in communities where a tribal JOBS program is in operation have experienced a new sense of hope by developing basic job skills that have helped them to secure stable job opportunities both on and off the reservation. H.R. 4 also contains provisions in Titles VI and VIII which provide continuing resources for programs that have proven successful in Indian Country, such as the Child Care and Development Block Program as well as new programs that are critical to ending the high Indian unemployment rates such as the proposed workforce development and training activities. These provisions, along with the JOBS component will greatly assist in helping Indian Country contribute to the goals of welfare reform and the purposes of the Act.

Mr. President, I believe it is important to point out that with passage of these provisions in H.R. 4 the Congress will discharge some of its continuing responsibilities under the United States Constitution—the very foundation of our treaty, trust, and legal relationship with the Nation's Indian tribes, and which vests the Congress with plenary power over Indian affairs. I was deeply troubled to learn that earlier this year, the House passed its version of H.R. 4 without addressing the unique status of Indian tribal governments or the trust responsibility of the Federal Government to the Indian tribes. There was no House debate on the status of the "welfare state" on many Indian reservations nor the impact that the proposed changes to welfare programs would have on access to services already in existence in Indian Country. Nor was there any mention made in the House welfare debate of the significant legal and trust responsibility that the Federal Government has to the Indian tribes. I am pleased that the House conferees agreed to adopt much of the Senate approach on Indians.

As the Chairman of the Indian Affairs Committee, I feel it is my responsibility to take a moment to briefly expand my remarks to a discussion of the responsibilities of the Congress toward Indians under the United States Constitution. The Constitution provides that the Congress has plenary power to prescribe Federal Indian policy. These

powers are provided for pursuant to the Commerce and the Treaty Power clauses. Sadly, over the last two centuries, the Congress has poorly exercised its power and responsibility—subjecting Indian tribal governments to inconsistent or contradictory policies—policies of termination and assimilation. These policies have served to weaken well established Indian systems of government and, in my view, have greatly contributed to the welfare state that exists today on most Indian reservations.

I know that time and time again, I have stood on this floor to recite grim statistics revealing that Indians are, and consistently remain—even in 1995—the poorest of the poor and always the last to benefit. Today, I will withhold from reciting that data because I believe that this bill begins to turn the tide in this Nation's treatment of Indians and their tribal governments. Similar to the unfunded mandates bill we enacted into law earlier this year, H.R. 4 will treat tribal governments like State governments by allowing them the flexibility and authority to directly administer their own programs free of Federal bureaucratic intrusion and control. Due in large part to the leadership of the late President Nixon, the Congress for more than two decades has responsibly exercised its plenary authority by replacing the distorted and dismal policy of termination of Indian tribal governments with empowering policies of Tribal Self-Determination and Self-Governance—policies that respect and honor the government-to-government relationship between the Federal government and the Indian tribes—policies that are consistent with the Federal trust responsibility and that set a new course of fairness in the Federal Government's dealings with Indian tribal governments.

Given the renewed commitment by Congress to deal fairly with the Indian tribes, I fully understood why many tribal leaders became concerned when the Congress earlier this year began moving toward a system of block grants to States. The concerns were that if the Congress did not revise the block grant model to reflect its responsibility to Indian tribal governments, the government-to-government relationship between the tribes and the United States would be soon eroded and the Federal trust responsibility held sacred in our Constitution and the decisions of our Supreme Court would be relegated to the States.

These tribal concerns are likewise valid in a practical sense. A Federal Inspector General's report issued in August 1994 found that Federal block grants to States, in some instances have not resulted in equitable services being provided to Indians. That report found that in 15 of the 24 States with the largest Indian populations, eligible Indian tribes did not receive funds even though Indian population figures were used to justify the State's receipt of

Federal funding. In addition, findings of the Senate Committee on Indian Affairs revealed that even when States were attempting to serve Indians, the programmatic and administrative costs of providing welfare services to Indians are often greater than providing local services to others. What these findings revealed to me is that when either the Federal or State governments have administered programs for Indians, Indians have not received an equitable share of services.

Mr. President, the whole purpose of welfare reform is to provide the tools to State governments to design and administer local welfare programs. After all, we have come to understand that local governments want and have the ability to create local solutions to address what are, in essence, local problems. I would suggest that this policy is no different that the Federal Indian policies of Tribal Self-Determination and Self-Governance. I also know that elected tribal officials have a great love of country and an incredible desire to contribute to the Nation's goal of elevating members of their communities out of the depths of poverty. Given the tools to do so, I believe that Indian tribes will make a great contribution to the Nation's war on poverty.

Mr. President, I want to acknowledge a group of Senators that I believe have demonstrated a great level of understanding and commitment to the importance of addressing the needs of Indian tribes in the Nation's welfare reform movement. Senators HATCH, DOLE, ROTH, INOUE, DOMENICI, SIMON, MURKOWSKI, PRESSLER, CAMPBELL, BAUCUS, and KASSEBAUM have contributed to the efforts to ensure that Indian tribes are not overlooked and abandoned in the current welfare reform efforts.

Two members of the Indian Affairs Committee deserve particular recognition: my good friend from Kansas, Senator NANCY LANDON KASSEBAUM and my good friend from Utah, Senator ORRIN HATCH. Senator KASSEBAUM, as chairwoman of the Labor and Human Resources Committee, worked closely with the Indian Affairs Committee and Senator SIMON to ensure that provisions for direct Federal funding would be available to Indian tribes in her Committee's employment consolidation bill and that tribes would continue to receive funding through the Child Care and Development Block Grant program. Senator KASSEBAUM's leadership has greatly contributed to the fairness with which Indian tribes are treated under H.R. 4 and the progress that has been made by the Congress in its treatment of Indian tribes. While there is still some question about the impact of the bill's overall reductions on the current level of child-related funding made to Indian tribal governments, I am pleased by the Conference Committee's action, taken at the urging of Senator KASSEBAUM, to make all child care funds throughout the bill available to Indian tribal governments.

Although there are many Indian tribal provisions that I strongly support in the bill, I was extremely disappointed that it does not include a provision to address the concern of State Child Support Administrators and Indian tribal governments that tribes have been left out of efforts to provide uniform child support enforcement. The amendment offered by myself and several others, including the vice chairman of the Senate Indian Affairs Committee, Senator INOUE, and the Senate minority leader, Senator DASCHLE, was unanimously agreed to by the Senate but it was not adopted by the Conference Committee. Nonetheless, I am pleased to know that the National Council of State Child Support Administrators has agreed to continue to work with me to address our mutual concern. Unless something is done to include tribes in these efforts, we will deprive Indian children of necessary child support services and funding, and we will perpetuate a uniform child support system that truly does not provide uniformity in Federal funding or services.

In addition, I am concerned that no provisions were made to provide direct funding to Indian tribes for Title IV-E Foster Care and Adoption Assistance funds. The Congress had abundant evidence of the great need in Indian Country for these funds. One stark example is the 1994 Office of the Inspector General's report that documented that Indian children are disproportionately represented in substitute care. However, Indian tribes must rely on State governments to share Federal funding for Title IV-E funds; yet the OIG report found that most Indian tribal governments have received little or no Title IV-E funding. It is my hope that States with Indian tribes within their boundaries will make a good faith effort to share these funds equitably in order to improve the Nation's overall rate of children in substitute-care.

Finally, I want to give particular thanks to my good friend from Utah, Senator ORRIN HATCH. Senator HATCH has worked tirelessly with me over the last several months to shape and enhance tribal welfare provisions that could be acceptable in any welfare reform plan. Senator HATCH is a member of the Senate Finance Committee and he is a new member of the Senate Committee on Indian Affairs. He has demonstrated a great level of understanding and commitment to the betterment of the lives of Indian people, and I commend Senator HATCH for his steadfast leadership in ensuring that Indian tribal governments are fairly treated in the welfare reform debate.

Overall, I support the bill. It contains many important advances in the way our Nation treats tribal governments. Several months ago when the bill passed the Senate with these Indian provisions, many Democrats joined with Republicans in supporting this measure. While we may disagree on many things, I was glad to see that the Indian provisions gained broad, biparti-

san support. That reflects a principle I believe should guide the Congress in all matters affecting Indian affairs: Indian issues are neither Republican nor Democratic. They are not even bipartisan issues—they are nonpartisan issues. They are day-to-day human issues which require understanding and support from both sides of the aisle. Whatever new form this Nation's welfare system takes, providing equal access to the Nation's Indian population through tribal block grants is not only the right thing to do, it honorably discharges some of our continuing responsibilities under the United States Constitution. I urge my colleagues, and the officials in the Clinton Administration, to ensure that this approach is maintained as we reform welfare.

Mr. DORGAN. Mr. President, despite some concerns, I voted to support the welfare reform bill which passed the Senate with overwhelmingly bipartisan support on September 19. I did so because I believe our current welfare system needs to be reformed and because substantive improvements were made to the bill on the Senate floor. I also wanted to advance the bill to a conference with the House where I hoped additional improvements would be made. Before the vote, however, I stated that I could not support a final bill unless it guaranteed that innocent children were protected. Regrettably, the bill which has emerged from the Senate-House conference fails to meet that test.

I am disappointed that the conference committee did not build on the bipartisan legislation which passed the Senate. Instead, we have before us a bill which, in my view, abdicates our moral responsibility to ensure that children are not punished for the mistakes of their parents. There ought to be a safety net to protect children. This bill shreds the safety net and instead gambles with the lives of poor children by failing to guarantee their security.

On September 19, I stated that there were several improvements contained in the Senate bill which would have to be retained or improved upon in conference or I would oppose final passage. Unfortunately, many of these provisions were substantially weakened or removed altogether from the bill by the conference committee. I would like to point out just a few of the fatal flaws in the bill before us today.

#### CHILD CARE

Every expert will tell you that the biggest obstacle in moving people from welfare to work in this country is the lack of adequate child care. Child care is the linchpin for successful welfare reform.

While the bill proposed in the Senate added more money for child care, it fell significantly short of the amount that the Congressional Budget Office estimated would be needed in order for the States to meet the stringent requirements in the bill for moving welfare recipients into the work force quickly.

To address this shortage of child care funding, the Senate added an additional \$3 billion just prior to final passage. While that amount was still well below the amount needed for child care, it was a small step in the right direction. Yet the small amount of money added by the Senate for child care was reduced \$1.2 billion in conference. The Congressional Budget Office tells us that the shortfall for child care over the next seven years will be almost \$12 billion. That just doesn't make sense. If we want to move welfare recipients into the work force, we must provide for their child care needs. The bill before us is woefully inadequate in meeting those needs.

To make matters worse, the conference agreement lets States off the hook. As adopted by the Senate, this extra pot of child care funding was made available only to States which agreed to spend in future years 100 percent of what they spent for child care in 1994. The conference committee slashed that State requirement to 75 percent, thereby further reducing the amount of money available for child care. Again, this just doesn't make sense.

#### MOTHERS OF SMALL CHILDREN

The Senate bill, wisely in my view, allowed States to reduce the work requirements for mothers with children under age six to 20 hour per week instead of the 35 hours per week required of other recipients. Unfortunately, the conference agreement deletes this crucial Senate provision. Giving mothers the ability to spend more time at home to nurture their children during their most formative years of development is the right thing to do. It also meets the test of common sense. The Senate-passed bill required these mothers to work, but allowed them to balance work responsibilities with family obligations. The bill before us does not, and families will suffer because of this.

#### FISCAL ACCOUNTABILITY

Welfare has always been a Federal-State partnership. Under current law, States contribute about 45 percent of total welfare expenditures. Without States continuing to contribute their share, the pot of money currently available for welfare could be reduced by almost half overnight. To make sure that this did not happen, the Senate bill required States to contribute at least 80 percent of the money they spent on welfare in 1994 in order to be eligible for their block grant money. That requirement was reduced to 75 percent by the conference committee. What this means is that States will be able to cut their funding by approximately \$17 billion over the next 5 years. The end result is that cash assistance could be denied to as many as 1 million needy children. I am simply not willing to gamble with the life of one child. We can and should do better than what is being proposed here.

#### CHILD PROTECTION

The conference committee also rejected the Senate bill's protections for

extremely vulnerable children. While the conference agreement maintains the entitlement status of room and board costs for foster care and adoption, it establishes block grants for all other funding critical to ensuring that children are safe, including removing abused and neglected children from unsafe homes and placing them in licensed facilities and permanent homes, and training for foster parents.

The conference bill also ends the Federal entitlement responsibility for all other child protection programs, which the Senate had maintained in its bill. Instead, they are combined into two block grants—which will undoubtedly pit preventative services against crisis and treatment programs in a battle for limited funding. I find these two provisions unconscionable. I have no doubt in my mind that they will result in more children living in abusive homes and in danger.

The current welfare system serves no one well—not recipients, not their children, not American taxpayers. The current system has trapped too many people in a cycle of lifetime dependency. Any meaningful welfare reform must be grounded on the basic premise that government assistance is a way “up and out”—not a “way of life.” It must be viewed as a temporary assistance program for people who are down and out on their luck and need a helping hand to get them back on their feet and back to work.

In crafting meaningful welfare reform, however, protecting the children of poor mothers must be a priority. Let's not forget that 9 million children will be affected by this legislation. Let's not forget that more than 20 percent of America's children live in poverty. And let's not forget that the Office of Management and Budget estimates that an additional 1.5 million children will fall into poverty if this conference agreement is enacted. Protecting innocent children is and ought remain a Federal responsibility and a national priority. Unfortunately, the conference committee has failed to meet this responsibility. There is simply no safety net for poor, innocent children in this bill. For this reason, it is with great disappointment that I simply cannot support this conference agreement. Having said that, I remain optimistic that a responsible welfare bill which puts people to work but protects innocent children can be crafted during this session of Congress. I remain committed to that goal.

#### THE MILKING OF OUR CHILDREN'S FUTURE

Mr. LEAHY. Mr. President, America is waking up to what the Contract With America is really about. But that has not stopped the Republican Congress from forging ahead with their ideological war, that in the end will hurt not just low-income children and families, but our country as a whole.

The bill before us is rhetorically called “welfare reform”. Its supporters claim they want to get people off welfare and into a job, but this is under-

mined by the fact that the bill does not give States the resources to follow through on this claim.

What this bill does do is provide billions less than what is necessary for States to provide child care and meet work requirements. This bill cuts assistance for the poor, disabled children and the elderly, and cuts funds that are needed to rescue children from abusive homes. It cuts over \$30 billion from the food stamp program and provides for optional block grants that will not allow States to respond to increased need during periods of higher unemployment—over 80 percent of food stamp benefits go to families with children.

Vermont initiated its own welfare reform plan a year ago, aimed at getting people off welfare and into the work force. Vermont's program is working—because the State lowered the rhetoric, left off the sound bites, and got the job done. The cuts included in this bill will be a step backward and could dismantle the programs that have been working in Vermont. It will also be a step backward for the work accomplished by Vermont Campaign to End Childhood Hunger and other Vermont children's advocacy groups.

To highlight what this bill is really all about I want to talk about just one—perhaps seemingly minor—aspect of the agreement reached on the school lunch program. A few years ago, the Reagan administration tried to block-grant the school lunch program. They also tried to say that ketchup was a vegetable. Americans resented people in Washington playing politics with school lunches.

Now the Republicans in the House of Representatives, and a few here in the Senate, are playing the same kinds of political games. Their block grants would end the 50-year-old requirement that schools provide a carton of milk with every school lunch.

Milk has been required in the National School Lunch Program ever since the program began in 1946. The law could not be clearer on this subject: “Lunches served by schools participating in the school lunch program under this act shall offer students fluid milk.”

Milk is essential to a child's healthy development. It builds strong bones and healthy bodies. Serving every child a carton of milk every day teaches children a crucial lesson about eating healthy meals.

Schools now serve about 40 million half-pints of milk per day in the school lunch and school breakfast program. Children in the school lunch program drink 454 million gallons of milk per year. By comparison, all the dairy farmers in the State of Vermont produce 279 million gallons of milk per year. The milk provided through school lunches accounts for over 7 percent of all fluid milk consumed in the United States.

In my 8 years as chairman of the Agriculture Committee, during two full

rewrites of the child nutrition law, I never once heard anyone complain that the school lunch program was serving too much milk.

Yet this bill sets up block grants, and then provides them with insufficient funds to provide a healthy meal, including milk, to every child who needs one.

When the financial crunch hits, States are likely to stop serving milk to children—they will replace it with cheaper and less healthy substitutes like soda.

By the way, under this Republican welfare bill, any State—not just a block-grant State—can obtain a waiver to serve junk food and soda in school cafeterias. I fought for 8 years to keep junk food out of the school lunch program.

I want to read from a letter that the Senator from Kentucky, Senator MCCONNELL, and myself sent to the chairman of the Agriculture Committee, Senator LUGAR, on December 6 supporting his stance against school lunch block grants. The letter was also signed by 9 other Republicans and 11 other Democrats.

We oppose mandatory or optional block grants for the child nutrition programs. The school lunch program provides healthy meals every day for 25 million American children. Block grants could undermine the nutritional value of those meals, threaten the guarantee of free meals for needy children, and provide inadequate funding for the program during recessions and other times of need.

The National School Lunch Program is a program that works. Americans—both Democrats and Republicans—support it. It answers a vital need. So why do we need to end the Federal commitment to feeding children and replace it with a block grant? The American School Food Service Association believes that school block grants are a step in the wrong direction and has urged members to vote against this bill.

Underfunded block grants, whether for school lunch, food stamps, child protection, Medicaid or aid to families with children do not give States the tools they need to respond to increased needs during periods of higher unemployment. State taxpayers will be the ones to pick up the tab.

This bill needs to be vetoed so we can start working on a real welfare reform bill in a bipartisan fashion. We must come together and we must agree on the basic principles that can guide our efforts. In my view, the only way to begin this discussion is for President Clinton to veto this bill.

I trust that the President will do so in the interest of American's children and America's future.

Mr. COHEN. Mr. President, 3 months ago, the Senate voted overwhelmingly to bring about fundamental change to welfare in this country.

The entitlement status of cash welfare is ended in this bill. This is the most important step we can take if we want to successfully end the cycle of

dependency. As Marvin Olasky noted in his recent book, "The Tragedy of American Compassion," effective welfare requires the ability to distinguish those who have fallen on hard times and need a helping hand from those who simply refuse to act in a disciplined and responsible manner. When welfare is a Federal entitlement, it is very difficult to make these distinctions.

However, ending the entitlement must be accompanied by the support necessary to get welfare recipients into jobs. In considering our welfare system, I think it is useful to distinguish beneficiaries by three major groups.

First, there are those in need of temporary assistance. People who, while they are generally able to support themselves and their families, they have fallen on hard times. Food stamps and other assistance must be there to provide temporary help when unforeseen economic crises occur.

The second group includes those whom most of us would agree cannot work. These individuals—through no fault of their own, are simply not able to economically provide for themselves. They have disabilities that warrant our compassion not our scorn. The welfare system should be there for them.

The third group consists of people who fall somewhere in between the first and second groups. They have been on and off the welfare rolls for years, yet they don't seem to fit the profile of someone whom most would agree cannot work.

It is this third group that should be the focus of the current welfare debate. The debate has often been extremely polarized. Many on the left are reluctant to vest any sense of personal responsibility in welfare recipients. They view them as unwitting victims of societal injustices, refusing to acknowledge the role that personal behavior may play.

On the other hand, many on the right are reluctant to acknowledge that no person is an island—that each of us thrives or fails to thrive, to some extent, as a result of our environment. Some on the right naively believe that we all have the same opportunities and that a failure to succeed is simply evidence of laziness.

For many beneficiaries in this third group, one of the most essential ingredients for self-sufficiency is the availability of child care. I am of the opinion that we cannot mandate strict work requirements without providing States with a reasonable amount of child care funding.

During Senate debate on welfare, I worked on a bipartisan basis with other Members to increase funding for child care. Even under the current system of entitlement, there are more than 3,000 children of working parents already waiting to receive child care assistance in Maine. While the conference agreement decreases the Senate funding level by about \$200 million,

that decrease in funds is balanced by a reduction in the work requirements in the early years of implementation. Rather than the 25 percent level called for in the Senate bill, States will be required to place 15 percent of their caseload in work activities.

In addition, the conference agreement will add \$1.6 billion in funding for the social services block grant. This block grant has been used in many States to fund additional child care services for low-income families and this funding will allow States to furnish additional services for child care and to promote economic self-sufficiency.

The provision for child care services in the agreement continues to provide protections for children who are not yet in school by prohibiting States from penalizing mothers who cannot work because there simply is no child care available.

We have been criticized on all sides for providing too much and providing too little in this legislation. We do not know how States will react to this new flexibility and independence in setting policy. This legislation reflects the philosophy that Washington does not have all the answers. We should no longer assume that one-size-fits-all Federal solutions offer better hope than granting more freedom to States to design approaches that address a State's unique set of circumstances.

Having said that, I believe we have a common and national interest in assuring an effective social safety net for all Americans, regardless of where citizens may reside. So I would not support any effort to completely remove the Federal Government from the welfare system.

Through Government, we have an obligation to try to counter the negative influences which impact some of the poorest members of our society. Many Americans are born into environments of drugs, crime and severe poverty. And regrettably, too many of our young people are growing up without two parents involved in their lives. The correlation between single parenthood and welfare dependency is overwhelming. Ninety-two percent of AFDC families have no father in the home.

Society must also acknowledge the correlation between crime and fatherlessness. Three-quarters of all long-term prisoners grew up without fathers in their homes or active in their lives. When 24 percent of children born today are born to unwed mothers, we cannot avoid this issue if we hope to break the cycle of poverty and crime that permeate some of our communities.

Unfortunately, no one really knows how to stop that cycle. For this reason, I do not support efforts to attach a lot of strings to the welfare block grants, including provisions ostensibly designed to curb illegitimacy. It is clear that welfare reform cannot disregard the growing incidence of out-of-wedlock births, teen pregnancy, and absent

fathers, but it is also clear that we don't know what will counter this trend. Accordingly, we ought not prescribe a Federal solution that would hamstring the ability of States to try different approaches.

This legislation does bring a new national presence to the collection of child support and establishing paternity for children born out-of-wedlock. By taking a tougher stand to establish and then enforce child support orders, some of the families currently tied to the welfare system may be able to get loose. Financial support cannot replace the presence of a good father in a household but it will relieve some of the burdens placed on single mothers.

I support the general thrust of the pending welfare legislation to turn more decisionmaking authority over to the States. Consistency would suggest that we not at the same time put a lot of requirements on States on how and who to spend Federal welfare dollars. I do think that it is important to ensure that States share responsibility with the Federal Government by investing dollars at the State level in welfare programs. For this reason, I supported a strong maintenance of effort requirement which remains largely intact in the conference report.

Block-granting AFDC to the States is not a panacea. A welfare system that has clearer lines of responsibility and accountability will be more effective. But this is not the end of the welfare debate. Hopefully, we will enact legislation this year that will make meaningful improvements in the current system. But turning these programs over to the States will not itself fix the problems. Congress and the President must continue to work with States to improve the welfare system to make sure that a safety net is there for those who need it but is denied to those who abuse it.

I intend to support the conference agreement, but I do have reservations regarding some of the changes that were included in the final agreement. We have been put on notice that this legislation will be vetoed by President Clinton. If the President follows through on his promise, it is my hope that we can revisit those important issues when the legislation returns to Congress.

Mrs. FEINSTEIN. Mr. President, the welfare reform conference report before us today should be defeated. It should be defeated because it does not adequately address our Nation's needs and particularly the needs of my State; it endangers the Nation's children; it does not help people move from welfare to work.

INADEQUATE ATTENTION TO UNEMPLOYMENT,  
GROWTH

Compared to the bill we previously passed, this bill gives short shrift to my State's needs.

First, the Senate bill created a contingency fund of \$1 billion to help States with high unemployment. This conference agreement reduces this fund

to \$800 million. California had an unemployment rate stood of 8.8 percent in November, while the national rate was 5.6 percent. In the last 5 years, my State's unemployment rate has never dropped below 7 percent, reaching 10 percent in 1994.

Second, the bill's underlying funding formula fails to recognize high growth rates in poverty. I offered an amendment to redistribute funds by the change in poverty population each year. The conference agreement does not rectify this problem. California's population is expected to grow from 30 million in 1990 to 42 million in 2010 and 49 million by 2020.

Third, under this bill, States will contribute less. The Senate bill required States to maintain 80 percent of their 1994 funding of cash assistance [AFDC]. Under this bill, States can drop their funding to 75 percent. Thus, they can reduce their funding by 25 percent. This would allow States to reduce State spending by \$5 billion.

PROTECTING NEGLECTED AND ABUSED CHILDREN

Programs providing services to neglected and abused children are an important part of this bill. These are services that have removed children from unsafe homes, placed them in protective settings, provided periodic reviews of their status, and trained child protection staff.

Child protection services are included in a block grant and cut by \$1.3 billion over 7 years. These are services like training for foster parents, child abuse emergency response, and other services that try to keep families together and protect children in foster homes.

There are at least half a million of these children in California.

From 1988 to 1993, nationally, the rate of reported child abuse and neglect rose 25 percent. The foster care caseload grew 50 percent. From 1983 to 1993, the number of children in child protection grew by two-thirds. Los Angeles last year responded to more than 165,000 reports of abused and neglected children.

This bill will weaken support for these, our most vulnerable children.

NOT HELPING MOTHERS BE MOTHERS

The Senate bill allowed States to limit the work requirement to 20 hours a week for mother with children under age 6. This bill requires mothers of small children to work at least 35 hours a week.

While work requirements are appropriate for many people, mothers are the most important influence in a young child's life. Work requirements should be compatible with raising a family and guiding young children. I believe a 20-hour work week requirement for mothers with young children, rejected by this bill, is reasonable.

NO HEALTH COVERAGE

The conference version, unlike the previous Senate bill, ends the guarantee of health insurance or Medicaid for women on AFDC and their children over age 13.

In California, 290,000 children and 750,000 parents would lose coverage, according to the Children's Defense Fund. This represents 18 percent of all children in the United States losing coverage.

By ending this health insurance, we will add to our State's uninsured population which is already the third highest in the Nation at 22 percent. Without health insurance or the ability to purchase it, sick people end up in hospital emergency rooms and we all pay through tax dollars or our private policies.

WORK REQUIREMENTS, RESOURCES WEAK

The bill's goal, a goal I endorse, is to move welfare recipients from dependency to work. The bill requires States to have 50 percent of recipients participating in work by 2002. But the bill falls short in several ways.

First, the conference agreement, unlike the Senate bill, does not require personal responsibility contracts, agreements that obligate the recipient and move him or her toward self-sufficiency.

Second, the conference agreement deletes the Senate provision giving bonuses to States for job placements.

And third, and most importantly, the bill does not provide adequate funds for child care programs to support the requirements that States put welfare recipients into work.

CHILD CARE

Child care is the linchpin to self-sufficiency for mothers on welfare. The fact is that mothers cannot go to work without child care programs for their children. There are two serious problems in this bill, the first is funding and the second is standards.

Currently in California, 80 percent of eligible AFDC children are unserved. The bill before us exacerbates this already dire situation. To support the work requirements of the bill, the bill falls short from \$6 billion to \$13 billion.

Child care experts in California tell me that this means our State would be \$1.3 billion short of what is needed to meet the increased demand caused by the work requirements of the bill.

Under current law, to qualify for Federal child care funds, States must set quality standards that address things like caregiver to child ratios, sprinkler systems, plumbing standards, hygiene.

The Senate bill retained this requirement, but the conference agreement before us eliminates it. This means that there is no guarantee that young children will be in safe and healthy environments.

INNOVATIVE PROGRAMS

California has some of the most innovative welfare programs in the country.

We have the GAIN program—Greater Avenues for Independence—in Riverside, that has returned \$2.84 to the taxpayers for every \$1 spent.

In Los Angeles, the GAIN program has a job placement rate of 34 percent.

San Mateo and San Diego Counties have successful job-search programs.

San Mateo, last year, put 85 percent of the people in the program to work.

The Senate adopted my amendment to allow HHS to negotiate directly with large counties to establish innovative programs. Unfortunately, the conferees deleted this provision.

#### CONCLUSION

No one has a right to welfare. Welfare was never intended to be a permanent way of life. It was intended to be a lifeboat for people in temporary emergency situations. In my State, there are almost 2.6 million people receiving welfare or 18 percent of the U.S. caseload in a State that has 12 percent of the population. I want to reform welfare. I want families to be secure and self-sufficient. But this bill does not do it. I cannot support it.

Mrs. BOXER. Mr. President, I rise today in strong opposition to the conference report for the Personal Responsibility Act of 1995.

I gave my qualified support to the Senate welfare reform bill, the Work Opportunity Act of 1995, because I believed it contained important improvements from the draconian House welfare reform measure.

Without the Senate-passed protections, I can no longer support the welfare reform efforts of this Republican Congress. This bill simply goes too far toward what I believe will be a dark development for poor families as spending for needy families with children will be reduced by approximately 18 percent.

I would like to take this opportunity to further explain why this conference agreement is unacceptable to me and should not be passed by the Senate.

#### CHILD WELFARE

Mr. President, abused and neglected children have no place in efforts to reform welfare. To try to squeeze out savings from programs which protect the most vulnerable in our society is not only wrongheaded, but mean-spirited as well.

The House bill would create two child protection block grants to States—ending the total Federal guarantee of foster care and adoption assistance to the children who are the most desperately need of our help. The Senate-passed bill left current law on these programs unchanged.

It has been demonstrated that in times of economic downturns, the need for child protective services rises commensurately. When there was a 6 percent decrease in AFDC California in 1992, there was a 10 percent increase of children into the welfare system and a 20 percent increase in child abuse reports in Los Angeles County. However, this conference agreement takes a short-sighted approach by capping spending on child welfare programs at a time when the need for them could increase dramatically.

The conferees wisely retained the Federal guarantee for title IV-E foster care and adoption assistance mainte-

nance payments for abused and neglected children who qualify. But the conference agreement caps the costs to administer the foster care and adoption assistance program, regardless of additional burdens which may be placed on the system. This will mean \$1.3 billion over 7 years will be slashed from serving abused and neglected children. That is a disgrace.

Mr. President, I want to explain what constitutes "administrative costs" under the foster care and adoption assistance program. I think we can all agree that where needless paperwork and red tape can be eliminated, we should encourage it. But in the case of the title IV-E foster care and adoption assistance program, administrative costs are used for activities such as the training of foster care and adoptive parents, investigations, referrals, and appropriate child placements.

Title IV-E administrative costs would be folded into a Child Protection Block Grant, and capped, together with the Family Preservation and Independent Living Programs.

Mr. President, the Family Preservation Program is having a positive effect in the State of California. In Los Angeles County, the Family Preservation Program has served 10,000 children in 3 years. Through more extensive supervision by law enforcement and social workers and violence prevention, the Los Angeles County Preservation Program can claim an approximate 50 percent decrease in child abuse deaths in 3 years and serves more at-risk families with less money than the traditional foster care program.

This welfare bill will hurt innovative programs such as Los Angeles County Family Preservation Program by capping it arbitrarily.

The story of 6 year-old Elisa Izquierdo in New York is the kind most of us hope to never have to read. Young Elisa fell through the cracks of the New York City child welfare system—one of the largest in the country. Her story is a tragic example of what can happen in an overburdened child welfare program.

Mr. President, we have an obligation to ensure that every child is protected from an unsafe household. The conference agreement will seriously undermine the ability of child welfare agencies to meet this obligation. To endanger the lives of vulnerable children is not worth the few savings these provisions will bring.

#### WORK

This bill is weak on work. The conference agreement strips out provisions added to the Senate bill which would get serious about putting welfare recipients into the workforce. This legislation gives a person 2 years before they have to work—not 3 months, as in the Senate bill.

The conference agreement also does not contain the bonus to States for exceeding the targeted work participation rates as provided under the Senate bill.

The debate on welfare has centered around "personal responsibility." Yet the conference agreement fails to require welfare recipients to sign a personal responsibility contract in order to receive their benefits.

On the other hand, the conference agreement removes some of the most important protections for welfare families transitioning to work. I supported the provisions in the Senate bill which would have recipients to go to work after 3 months of receiving benefits. However, where a woman's safety could be threatened, the Senate bill would permit an exemption for battered women from the overall work requirement.

The Violence Against Women Act, which I introduced and passed last Congress, went a long way toward assisting battered women who were in unsafe households. Removal of this important exemption demonstrates the failure to understand the dangers many battered women face and the circumstances which keep them from leaving their abusers.

In addition, the final bill forces 35 hours of work per week for parents with young children without sufficiently funding child care.

And where a family is subjected to circumstances of extreme hardship, I support a more generous exemption for such families from the time limit on benefits. While the Senate bill would have permitted States to exempt up to 20 percent of their welfare caseload under a hardship exemption, the conference agreement only permits the exemption of 15 percent of the caseload. Based on HHS estimates, this could mean up to 500,000 more children than the Senate bill will be denied benefits due to the expiration of time limits under the lower 15 percent exemption.

#### CHILD CARE

Mr. President, the conference agreement is inadequate in meeting the child care needs of welfare families. CBO estimates that this bill contains \$6 billion less than what is needed by families to meet the bill's own work requirements. HHS estimates that the funding level is \$13.6 billion less than what will be needed to meet the work requirements.

The agreement does not contain the important provision in the Senate bill which would allow States to require mothers with children under the age of 6 to participate in work programs for 20 hours per week instead of 35 hours per week. Removal of this exception will mean significantly greater demands will be placed on the child care funds contained in the bill, hindering the efforts of parents trying to get off of welfare.

In addition, child care health and safety protections contained in current law and retained in the Senate bill would be eliminated.

The quality set-aside, used by States to promote and assure the availability of safe and affordable child care, is less than half the amount passed in the

Senate bill. Without safe and affordable child care, parents are faced with terrible alternatives: leaving their young children with siblings too young for the responsibility, or worse yet, allowing their young children to stay at home unsupervised. No responsible parent wants to be faced with that decision. In some cases, such decisions could meet with dire consequences.

Mr. President, simply put, child care is the absolute linchpin to any successful welfare reform effort. Without adequate child care, there is little reason to believe that welfare families have any real hope of working their way off of welfare and staying off. Working families with children today understand this need better than anyone else.

California already has a serious shortage of safe and affordable child care. Today, 30,454 children in California are served under Federal child care programs. But thousands more sit on waiting lists. In fact, only about 14 percent of eligible children are currently being served by child care programs in California.

Combined with the title XX Social Services Block Grant funding cut of 10 percent in the budget reconciliation measure—which many states use to fund child care activities—the severe underfunding of child care in the conference bill will further exacerbate the problem of underserved families in California.

#### LEGAL IMMIGRANTS

California is home to the approximately 38 percent of the total number of all immigrants in the United States. Legal immigrants comprise more than 12 percent of the total population of California for an estimated 4 million total number of legal immigrants. Legal immigrants make up approximately one-sixth of the total Los Angeles County population.

The conference agreement will cut off a variety of benefits to legal immigrants. The California legislative analyst's office estimated that the legal immigrant provisions of the House and Senate-passed welfare bills would reduce Federal funds to the State of California by \$6.6 to \$8.3 billion over 5 years. The restrictions on benefits to legal immigrants would comprise more than half of the total loss of Federal welfare funds to the State (\$3.6 to \$5.3 billion).

The loss of these funds will result in a tremendous cost shift to the State of California and its local governments. Under California State law, counties are mandated to provide cash and medical assistance to low-income persons who are otherwise ineligible for Federal assistance.

In sum, the conference agreement goes too far in restricting benefit eligibility for legal immigrants, many of whom have been in the country for years and paid taxes. It will also transfer billions of dollars in costs to the already overburdened local governments of California.

#### MEDICAID ELIGIBILITY

The conference agreement quietly severs the link between AFDC and Medicaid eligibility. Under this bill, women and children over age 13 receiving cash assistance would no longer be guaranteed Medicaid coverage. Neither the Senate nor the House-passed welfare bills would have gone so far as to eliminate the longstanding guarantee of Medicaid coverage for needy citizens.

Elimination of this link, combined with ending the entitlement to cash assistance and shrinking spending for other services for our needy, will render the safety net for the most vulnerable in our country virtually nonexistent.

#### CHILD NUTRITION

House Republican efforts to end Federal School Lunch and School Breakfast Programs and replace them with capped funding to States are both ill-advised and unpopular. Again, the Senate approach wisely maintained the Federal child nutrition programs.

For nearly 50 years, the School Lunch Program has fed hungry children. School-based feeding programs are sound investments in children's health and their education. Studies show that children who go to school hungry tire easily. They have trouble concentrating, do worse on standardized tests and are more likely to miss class due to illness. Every day, 25 million school children in America get a well-balanced, nutritious meal through the Federal school lunch program—2 million of these children are in California.

Despite widespread public support for the National School Lunch and School Breakfast Programs, the conference agreement would permit 7 States to receive funding for their programs in the form of a block grant. Children in those 7 States would no longer receive a Federal guarantee to a nutritious meal which may be the only one they eat all day.

The Los Angeles Times published a series of articles on hunger in southern California late last year. One of the most moving pieces told the stories of the many hungry children at Edgewood Middle School in the city of West Covina. The piece recounted the problems of serious hunger and malnutrition among students in what is considered to be a middle-class bedroom community.

After the story was printed, there was a huge outpouring of public support for feeding the hungry students at Edgewood. Citizens donated boxes of food, and money, and the West Covina Unified School District voted for the first time to sign up for the School Breakfast Program. Shortly thereafter, 60 California school districts followed suit and applied for the Federal School Breakfast Program.

The conferees' decision to open the door to ending National School Lunch and School Breakfast Programs flies in the face of widespread public support

for child nutrition programs, as evidenced by the Edgewood Middle School example.

#### SSI FOR CHILDREN

The conference agreement goes beyond the Senate-passed bill to reduce Supplemental Security Income (SSI) benefits by 25 percent for 65 percent of the children who are on SSI. The agreement would create a two-tier benefit structure, cutting the SSI program for disabled children by \$3 billion over 7 years more than under the Senate bill. This cut will have a dramatic impact on low-income families who use SSI to help pay for their disabled children's needs.

#### MAINTENANCE OF EFFORT

The Senate passed a requirement that States must spend at least 80 percent of their previous fiscal year's spending in order to receive their full block grant allocation. The conference agreement lowers the requirement to 75 percent. In effect, this will permit States to reduce their welfare spending by \$5 billion over the next 7 years more than under the Senate-passed bill.

#### FAMILY CAP

Real welfare reform makes work pay and provides incentives for families to transition out of the system. This bill takes the reverse tack of punishing welfare families for being poor. Take for instance, provisions to impose mandatory family caps. Family caps prohibit States from providing additional cash assistance to families who have more children while on welfare.

The Senate spoke on this issue by voting to remove a mandatory family cap provision. The conference agreement subverts the Senate vote by requiring States to impose family caps unless the State legislature explicitly votes otherwise—making it extremely difficult to provide additional assistance to affected children.

The family cap has not sufficiently proven itself to be a successful way to drive down the number of births to women already on welfare. A preliminary study done by Rutgers University of the New Jersey State family cap revealed that the policy did not reduce births to women on AFDC, but did drive children in such families even further below the poverty line.

#### CHILD SUPPORT

The conference agreement does not contain the amendment which passed unanimously in the Senate which would eliminate benefits to deadbeat parents. The amendment, which I offered, would make noncustodial parents who are more than 2 months behind in their child support ineligible for federally means-tested benefits unless they enter into a schedule of repayment for arrears owed. This provision would have sent a message to get tough with parents who do not take their child support obligations seriously.



## CONCLUSION

Combined with proposals to severely cut back the Earned Income Tax Credit, Medicaid, and Head Start, this welfare reform bill will not reform the flawed welfare system, but create more serious barriers for families trying to work their way out of welfare.

This conference agreement extracts approximately \$60 billion from programs serving the poorest among us at a time where the Republicans want to give tax breaks to the wealthiest among us. I do not agree with these priorities. Moreover, the bill's dramatic underfunding is unfair to both States and poor families.

And while I support welfare reform that gets tough on work, this one fails even that test.

In summary, I cannot support legislation which will throw countless children into poverty. No one expects us to solve the welfare problem by punishing children for being poor.

The President has pledged to veto this welfare bill. And for the reasons I have stated, I must vote against the final welfare reform bill as well. I urge my colleagues to do the same.

Mr. STEVENS. Mr. President, I am proud to be an original cosponsor of the Dole Work Opportunities Act and am proud to have worked with the current occupant of the chair, the Senator from Pennsylvania. I do believe that this welfare reform act will, as the President said months ago, "end welfare as we know it."

As early as 1935, President Roosevelt recognized that the welfare system was not working. At that time he said:

The lessons of history, confirmed by the 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. It is inimical to the dictates of sound policy. It is a violation of the traditions of America.

Unfortunately we find ourselves, today, some 60 years later, with millions of Americans on welfare. In my State, 39,000 Alaskans are on welfare sometime during the year. That includes many foreign citizens, who are residents of our State.

What is worse, once people go on welfare they seem to stay on it. The average person is on welfare for a mind-boggling 13 years, once he or she gets on welfare.

Teenage girls get welfare checks, but only if they become pregnant. Instead of discouraging teen pregnancy, our Government actually rewards it with a cash bonus.

Today, the out-of-wedlock birth rate is a startling 33 percent. Half of the teenagers who have babies end up on welfare before their babies are a year old.

The current welfare system rewards idleness instead of work, rewards teenagers who have babies out of wedlock instead of those who practice abstinence, and rewards foreigners who illegally enter the country.

The war on poverty's chief casualty has been the American taxpayer. Over \$5 trillion, in constant 1993 dollars, has been spent on welfare programs in the 30 years since its inception.

I supported some of those activities under that program, but I am convinced now that the American people are fed up with this Federal welfare system that contradicts values: It discourages marriages, penalizes work, and encourages illegitimacy. Its results speak for themselves.

In Detroit, in 1993, 50 percent of all children in that city received AFDC benefits at some time during the year. And an astounding 67 percent of all the people of that city received AFDC payments during the year. Mr. President, 50 percent of all children in the city were receiving benefits at a given point of time, and 67 percent received them at some point during that year. I am quoting from the statistics from the Department of Health and Human Services.

The current welfare system is not a temporary way station for many. Instead, it has become a multigenerational way of life. According to a 1986 study by David Ellwood, currently an Assistant Secretary at the Department of Health and Human Services, 82 percent of AFDC recipients on the rolls at a given time had been there for more than 5 years, and 65 percent for 8 years or more.

The breakdown of the family, the glue that has traditionally held our American society together, is another casualty of this welfare system. Teenagers, too young to have a driver's license, are having babies and moving into apartments of their own, financed by the taxpayers, and having more babies. And children born out of wedlock are three times more likely to be on welfare when they grow up.

The existing system breeds discontent and idleness. It is a fertile ground for abandoning personal responsibility for one's life, one's children, our society, or our way of life.

Mr. President, I grew up in the Depression when everyone had to work to survive. We had to work hard. From the time, literally, we were 6 or 7, my brothers and sister and I worked at odd jobs to keep our family going. Things were tough, but my grandmother taught us that the way for us to get ahead and stay ahead was through hard work.

I think it is time to put my Grandma Stevens' horse sense back into our public policy.

The bill BOB DOLE and I, and the occupant of the Chair, cosponsored charts a bold new course designed to reverse decades of perverse incentives and failed policies. Our bill will restore a sense of ethics to our social fabric, especially the ethics of work, responsibility, and family integrity.

This bill will end welfare as an entitlement. The bill will return to the concept of a helping hand to those truly in need, temporarily, until that

person has a chance to get back on his or her own two feet.

It will impose a 5-year lifetime limit on receiving welfare benefits, require welfare recipients to work as soon as they are trained, provides \$18 billion for child care to enable welfare mothers to work, terminates benefits to those who refuse to work, requires teenagers who have babies to stay in school and live under adult supervision to qualify for benefits, denies welfare payments to drug addicts and alcoholics, reduces the Federal bureaucracy by transferring the programs to the States to run.

This measure provides the flexibility to allow States to address the needs of those truly in need. We will all agree, I hope, that the disabled veteran, the elderly widow, or the learning-disabled child should continue to receive our help, and will under this bill.

Nothing in this bill prevents States from exempting recipients from the work requirement if they are physically or mentally unable to do the work. This bill also gives the States the option to cut off benefits to mothers who have more children while on welfare to discourage illegitimate births. As harsh as that sounds, it was the recommendation that came to me personally from school nurses in my State.

This is the family cap concept. Some folks in the media, I think, have misconstrued this section of our bill. Our bill does not say the States cannot institute a family cap—it says let the States decide whether to institute it or not. That is what this debate is all about.

For too long, Washington has dictated welfare policy to individual States. My State is a good example of the flexibility that is needed in administering laws such as this.

States have the right to experiment and decide the best way to discourage welfare abuse and yet meet the needs of their citizens. By mandating caps, we would go down the failed road of "Congress knows best."

This bill is not a Congress knows best bill. It is a "States know best" bill. And that is what the 10th amendment is all about. It is simple. It says:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The 10th amendment is fulfilled by this bill that we have before us, the Work Opportunities Act. It leaves to the States the powers reserved to them, and I am proud to support it.

I thank the Chair. I yield the floor.

Mr. ROCKEFELLER. Mr. President, this year, I have consistently argued for reform of the welfare system. Today, I voted against legislation that misuses the label "welfare reform" and deserves to be soundly rejected.

I am extremely disappointed that an extremist faction of Congress managed to turn a historic chance for enacting welfare reform into another way to

pursue an agenda that will hurt children, weaken families, and cripple State budgets. To pursue this mean-spirited program so close to Christmas makes it all the sadder and more shameful.

I am determined to press on for real welfare reform that promotes work, reduces dependency, and protects innocent children. I have personally worked to promote welfare reform for many years as Governor of West Virginia and in the U.S. Senate, and I will not give up.

In 1982, as Governor, I helped establish one of the first workfare programs in the country, which continues in West Virginia today. In 1988, I was a conferee who helped forge a bipartisan agreement to promote work in the Family Support Act. This year, I have been eager to work in a bipartisan manner to promote even bolder initiatives for welfare reform that could build on the innovations started by the Family Support Act, and state-led experimentation.

My fundamental principles for reform are that parents should accept personal responsibility and work, but that children must be protected, not punished. We should never forget that two-thirds of the people on welfare are children, and 70,000 of them live in my State of West Virginia. They are the innocent ones, and they should not be punished because of their birth.

I was an original cosponsor of the Work First plan, sponsored by Senators DASCHLE, MIKULSKI, and BREAU, because I strongly felt that this program was the best initiative to promote work and still protect the millions of children who depend on welfare for basic needs of food, clothing, and shelter. When our Democratic alternative was not adopted, I was willing to work in a bipartisan manner in the Senate to try and forge an agreement. I voted for the Dole-Daschle leadership amendment and the bipartisan Senate welfare bill. It was not perfect, and no comprehensive bill can be. It was a sincere effort to reform our welfare system and retain some fundamental safety net programs for children, especially child welfare and foster care.

Unfortunately, the bipartisan approach taken in the Senate was not adopted by the conference committee. As Senator MOYNIHAN, the ranking member of the Finance Committee said in his statement, the conferees were not consulted. In fact, one of the Senate Republican conferees did not even sign the conference report. Several Republican Senators have expressed serious concerns about disturbing policy changes tucked into the conference report that do not belong in a welfare reform bill.

Having served on the conference committee in 1988 for the Family Support Act, which passed the Senate with a strong bipartisan vote of 96 to 1, I am disappointed that this was not the model for negotiations on this legislation. The conference committee for the

Family Support Act included hard work and tough decisions, but it was a sincere, bipartisan effort and it produced modest success, and the framework for innovation that led to this debate.

There are many issues involved in this debate and the conference report. Many of the cuts are in programs beyond our current general welfare program, called Aid to Families with Dependent Children, [AFDC]. Personally, it is the cuts and drastic changes to the other programs that trouble me greatly.

For example, this conference report eliminates assured Medicaid eligibility for poor children over 13 years old, and poor mothers. As someone who has fought to expand health care coverage for families, this is too much of a step backwards. This report cuts child nutrition in general and allows for block grants of the successful school lunch program in seven States as a demonstration. What happens in those seven States when a recession hits and more children qualify and need school lunches, but Federal funding doesn't increase? The harsher cuts in Supplemental Security Income [SSI] for disabled children and the two-tier benefit structure that reduces benefits by 25 percent for the majority of disabled children are disappointing, given the bipartisan Senate position on SSI for disabled children.

Throughout this year and the general debate on welfare reform, I have focused much on my time and energy on the Federal programs for abused and neglected children—child welfare services, foster care, and adoption assistance for children with special needs. Children served by these programs are among the most vulnerable in our society. They are children at risk of abuse and neglect, often in their own homes by their parents, and I deeply believe that we have a moral obligation to protect these children.

But this conference report does not adequately protect such vulnerable children, and I do not believe that it reflects the bipartisan approach to child welfare programs strongly endorsed in the Finance Committee and on the Senate floor. In this Chamber, a strong, bipartisan coalition supported retaining current law for child welfare and foster care in recognition of the special needs of these children.

The conference report on child welfare and foster care falls woefully short of the needs of abused and neglected children. A broad range of child advocates and bipartisan groups oppose the block grants suggested in the conference report. Mr. President, I will ask unanimous consent that a list of these advocates be printed in the RECORD.

Having served as chairman of the National Commission on Children, my goal is to improve services to abused and neglected children as suggested our unanimous, bipartisan report, not work to dismantle, effective programs. For example, the conference report would

eliminate the Independent Living program, a small but effective program offering an alternative to foster care of teens. The conference report would eliminate the promising Family Preservation and Family Support Program which I helped to create in 1993, and this program has received good initial reviews from the Government Accounting Office [GAO]. Additionally, the conference report would block grant and cap vital Federal funding for foster care placement services, including recruiting foster care parents and other essential services. This is the wrong direction for child welfare, and it is the wrong time to undercut these program if we are to move ahead on bold reform of general welfare, known as AFDC.

For West Virginia, the stakes in this debate are high. My State is eager to promote work and has already been approved by the Clinton administration for a waiver to create the Joint Opportunities for Independence [JOIN] to encourage private employers to hire welfare recipients. Having personally met with the top officials in the Department of Human Resources, I know of their interest to reform welfare. West Virginia also has regions of high unemployment and difficult transportation issues. My State is struggling to cope for a Medicaid funding crunch and can ill afford to lose hundreds of millions of dollars in social service programs and at the same time be slapped with higher work requirements for welfare families. West Virginia wants to, and is already, moving families from welfare to work, but my State needs continuing Federal investments in child care and support services to run effective programs. Even the Congressional Budget Office [CBO], acknowledges that this conference report is \$6 billion short on the funding needed to child care to move parents into work.

Let me reiterate. I want to enact meaningful welfare reform that moves parents from welfare to work. Since the President has already said he will veto this bill, it is time to make a New Year's resolution for 1996 that Congress will revive the bipartisan cooperation and effort needed to accomplish the kind of welfare reform that Americans have every right to expect.

Mr. President, I now ask that the aforementioned list be printed in the RECORD.

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

LIST OF ORGANIZATIONS WHO HAVE WRITTEN LETTERS IN OPPOSITION TO THE CONFERENCE REPORT PROVISIONS ON CHILD WELFARE SERVICES AND FOSTER CARE:

American Bar Association.  
National Conference of State Legislatures.  
American Public Welfare Association.  
Adoption Exchange Association.  
Adoptive Families of America.  
Alabama Council on Child Abuse (Montgomery, AL).  
American Academy of Child and Adolescent Psychiatry.  
American Academy of Pediatrics.  
American Association of Psychiatric Services for Children.

- American Civil Liberties Union.  
American Ethical Union, Washington Ethical Action Office.  
American Humane Association, Children's Division.  
American Jewish Congress.  
American Jewish Congress Commission for Women's Equality.  
American Jewish Committee.  
American Professional Society on the Abuse of Children.  
American Psychiatric Association.  
American Psychological Association.  
American Red Cross.  
The Arc.  
Arkansas Advocates for Children (Little Rock, AR).  
Asistencia para Latinos (Glenwood Springs, CO).  
Association of Children's Services Agencies.  
Bazelon Center for Mental Health Law.  
Beech Brook (Cleveland, OH).  
Behavior Sciences Institute/Home Builders (Federal Way, WA).  
Bienvenidos Children's Center, Inc. (Altadena, CA).  
Boarder Baby Project (Washington, D.C.).  
Bridgeport Child Advocacy Coalition (Bridgeport, CT).  
California Association of Children's Homes (Sacramento, CA).  
California Association of Services for Children (Sacramento, CA).  
California Consortium to Prevent Child Abuse (Sacramento, CA).  
Catholic Charities, USA.  
Center for the Study of Social Policy.  
Center on Juvenile and Criminal Justice.  
Child Abuse Council (Moline, IL).  
Child Care Association of Illinois (Springfield, IL).  
Child Welfare League of America.  
Children Awaiting Parents.  
Children First, Florida Legal Services.  
Children's Action Alliance.  
Children's Defense Fund.  
Children's Research Center/National Council on Crime and Delinquency.  
Children's Rights, Inc.  
Citizenship Education Fund.  
Coalition for Family and Children's Services in Iowa (Des Moines, IA).  
Coalition for Juvenile Justice.  
Coalition on Human Needs.  
Colorado Association of Family and Children's Agencies, Inc. (Denver, CO).  
Colorado Coalition for the Protection of Children (Denver, CO).  
Colorado Foundation for Families and Children (Denver, CO).  
Communities for Children (Boston, MA).  
Connecticut Center for Prevention of Child Abuse.  
Council for Exceptional Children  
Council of Family and Child Caring Agencies (New York City, NY)  
Council on Child Abuse and Neglect  
Council on Social Work Education  
Damar Homes, Inc. (Camby, IN)  
David and Margaret Home, Inc. (La Verne, CA)  
DAWN for Children (Providence, RI)  
DC Action for Children  
Delawareans United to Prevent Child Abuse  
Demiccio Youth Services (Chicago, IL)  
The Episcopal Church  
Families' and Children's AIDS Network  
Family Preservation Institute, Department of Social Work, New Mexico State University  
Family Resource Coalition  
Family Service America  
Florida Committee for Prevention of Child Abuse (Gainesville, FL)  
Florida Foster Care Review Project, Inc. (Miami, FL)  
Foster Family Ministries (Kansas City, MO)  
Four Oaks, Inc. (Cedar Rapids, IA)  
Friends Committee on National Legislation  
Gary Community Mental Health Center (Gary, IN)  
General Board of Church and Society, United Methodist Church  
General Federation of Women's Clubs  
Generations United  
Georgia Council on Child Abuse  
Georgians for Children  
Gibault School for Boys (Terre Haute, IN)  
Girl Scouts USA  
Hamilton Centers Youth Service Bureau, Inc. (Noblesville, IN)  
The H.E.L.P. Group (Sherman Oaks, CA)  
Hillsides Home for Children (Pasadena, CA)  
Hollygrove Children's Home, Los Angeles Orphans Home Society  
Home-SAFE Child Care, Inc. (Los Angeles, CA)  
Hoosier Boys' Town (Schereville, IN)  
Illinois Action for Children  
Indiana Association of Residential Child Care Agencies (Indianapolis, IN)  
Institute for Black Parenting  
Intensive Family Preservation Services National Network  
Julia Ann Singer Center (Los Angeles, CA)  
Juvenile Law Center (Philadelphia, PA)  
Kansas Children's Service League  
Kentucky Council on Child Abuse  
KidsPeace National Centers for Kids in Crisis (Indianapolis, IN).  
The Law Center (TLC) for Children of Legal Services of North Virginia, Inc.  
Legal Assistance Foundation of Chicago.  
LeRoy Haynes Center (La Verne, CA).  
Louisiana Council and Child Abuse.  
Lutheran Child and Family Services, Indiana/Kentucky (Indianapolis, IN).  
Lutheran Office for Governmental Affairs.  
Luzerne County Children & Youth Services (Wilkes-Barre, PA).  
McKinley Children's Center (San Dimas, CA).  
Maryland Association of Resources for Families and Youth.  
Maryland Foster Care Review Board.  
Maryvale (Rosemead, CA).  
Masada Homes (Torrance, CA).  
Metropolitan Council on Jewish Poverty (New York City, NY).  
Michigan Federation of Private Child & Family Agencies (Lansing, MI).  
Minnesota Committee for Prevention of Child Abuse.  
Minnesota Council of Child Caring Agencies (St. Paul, MN).  
Missouri Chapter, National Committee to Prevent Child Abuse.  
Missouri Child Care Association (Jefferson City, MI).  
Moss Beach Homes, Inc. (San Carlos, CA).  
National Adoption Center.  
National Association of Child Advocates.  
National Association for Family Based Services.  
National Association for Foster Care Reviewers.  
National Association for Homes and Services for Children.  
National Association of School Psychologists.  
National Association of Service and Conservation Corps.  
National Association of Social Workers. National Baptist Convention, USA.  
National Black Child Development Institute.  
National Center for Children in Poverty.  
National Center for Youth Law.  
National Collaboration for Youth.  
National Committee to Prevent Child Abuse.  
National Committee to Prevent Child Abuse, New York State.  
National Council for Rights of the Child.  
National Council of Churches.  
National Council of Jewish Women.  
National Court Appointed Special Advocates Association.  
National Crime Prevention Council.  
National Education Association.  
National Family Planning and Reproductive Health Association.  
National Foster Parent Association.  
National Independent Living Association.  
National Jewish Community Relations Advisory Council.  
National Network of Children's Advocacy Centers.  
National Network for Youth.  
National One Church One Child.  
National Parents and Teachers Association.  
National Resource Center on Special Needs Adoption.  
National Respite Coalition.  
NETWORK: A National Catholic Social Justice Lobby.  
New Jersey Association of Children's Residential Facilities.  
New Jersey Foster Parents Association.  
New Mexico Advocates for Children and Families (Albuquerque, NM)  
New York State Citizens' Coalition for Children, Inc.  
North American Council on Adoptable Children.  
North Dakota Committee to Prevent Child Abuse.  
NOW Legal Defense and Education Fund  
The Ohio Association of Child Caring Agencies, Inc. (Columbus, OH).  
Oklahoma Committee to Prevent Child Abuse.  
Oklahoma Institute for Child Advocacy.  
Ounce of Prevention Fund (Chicago, IL)  
Parents Anonymous, Inc.  
Parents and Children Together (Honolulu, HI).  
People Against Child Abuse, Inc.  
Pleasant Run Children's Homes (Indianapolis, IN).  
Polk County Decategorization Advisory Committee (Des Moines, IA).  
Presbyterian Church.  
Prevent Child Abuse, Hawaii.  
Prevent Child Abuse, Illinois.  
Prevent Child Abuse, Indiana.  
Prevent Child Abuse, North Carolina.  
Prevent Child Abuse, Vermont.  
Prevent Child Abuse, Virginia.  
Project Family of Kitcap County (Bremer-ton, WA).  
Project Vote.  
Puerto Rican Legal Defense and Education Fund (New York, NY).  
Reiss-Davis Child Study Center (Los Angeles, CA).  
Rosemary Children's Services (Pasadena, CA).  
Society for Behavioral Pediatrics.  
South Carolina Association of Children's Homes and Family Services (Lexington, SC).  
Southwest Indiana Regional Youth Village (Vicennes, IN).  
Spaulding for Children.  
State Communities Aid Association (Albany, NY)  
Texans Care for Children  
Texas Association of Licensed Children's Services (Austin, TX)  
Texas Committee to Prevent Child Abuse (Austin, TX)  
Tompkins County Department of Social Services (Ithaca, NY)  
Union of American Hebrew Congregations  
Union Industrial Home for Children (Trenton, NJ)  
Unitarian Universalist Association  
Unitarian Universalist Service Committee

United Synagogue of Conservative Judaism Villages of Indiana, Inc. (Indianapolis, IN)  
 Vista Del Mar Child and Family Services (Los Angeles, CA)  
 Voices for Illinois Children (Chicago, IL)  
 Wake County Department of Social Services (Raleigh, NC)  
 West Virginia Child Care Association  
 Wheeler Clinic (Plainville, CT)  
 Whittington Homes and Services for Children & Families (Fort Wayne, IN)  
 Women's Legal Defense Fund  
 Working to Eliminate Child Abuse and Neglect (WE CAN, Inc.), (Las Vegas, NV)  
 Youth Law Center  
 Youth Services, Center of Allen County (Fort Wayne, IN)  
 YWCA of the USA  
 Zero to Three, National Center for Clinical Infant Programs  
 Zero to Three Hawaii Project, Imua Rehab (Wailuku, HI)

Mr. GRAHAM. Mr. President, today, on the Friday before Christmas, the Senate will vote on dramatic, sweeping changes in our welfare system.

Unfortunately, in a pre-holiday perversion of the legislative process, the U. S. Senate will vote on this major conference report without the opportunity for thoughtful review. As of last evening, Members of the Senate did not even have printed copies of the legislation.

So, for starters, we yearn for more information about exactly what is contained in this major piece of legislation, touted as a centerpiece of the majority's legislative package for 1995.

But, as we prepare to vote under these challenging circumstances, I want to state clearly my objections, based on what I do know about this ill-advised so-called reform.

Some have made the curious claim that this welfare reform conference report is a marked improvement from that which came before the Senate before the Thanksgiving recess.

However, it is clear to me that the product that has come from the conference committee is a step backwards, and therefore, I will oppose the legislation as reported from conference.

Much of what I will say today, I relayed earlier in my statement on the reconciliation conference report. Further, I make this statement knowing that the President has made clear his opposition to this legislation, and has issued a statement announcing his intention to veto the measure in its present form.

I support welfare reform. I want to see Congress pass a welfare reform measure, and I want the President to sign welfare reform legislation into law.

My support for sweeping change in our Nation's welfare system is a matter of record. As recently as September 19, 1995, I joined 86 of my colleagues in supporting the Work Opportunity Act of 1995. I voted in support of this bill, even though I had reservations, to keep the welfare reform effort alive in this Congress. Unfortunately, the conference agreement is worse than the Senate version of the bill we considered 3 months ago.

My consideration of the conference report focuses on three concerns. First, will it work? Welfare reform, when it is executed well, works. Florida is proud of two successful welfare pilot projects, the largest in America in instituting a "time limited benefit." Florida, in fact, has been one of the pioneers in the "two-years-and-you-are-out" approach.

I visited Pensacola to observe one of Florida's pilot programs. Earlier this year, President Clinton met with some of the participants, and he touted the program.

These pilots are succeeding because there is a front-end investment in the lives of those affected by the program change. Whether it is day care, job training, temporary transportation assistance, or health care, the welfare recipient is given a hand up instead of a hand out. One of the lessons learned from these pilot projects is that transitional support is needed to move people from welfare to work. My concern is that the legislation before us would jeopardize these successful experimental efforts, and would fail to provide adequate transitional support to meet the goals of the legislation.

Second, is this conference report fair to States? The formula to allocate funds to the States continues welfare as we knew it. It treats poor children differently, depending upon which State they reside in. The conference formula says that if your State spent a lot in the old days, and thus built incentives to keep people on welfare, you will be given a leg up on every other State under welfare block grants in the future.

The formula, titled against growth States, is flawed if not rigged. High-growth States like Florida would be set up to fail.

Third, how would the reform proposal treat legal immigrants and what effect would the immigrant provisions have on States with large immigrant populations? The city of Miami had more legal immigrants admitted last year than 20 States combined. Thus, the prohibitions and timetable on certain benefits would shift to Miami costs that once were shared by the Federal Government.

The State of Florida does not set America's foreign policy, nor its immigration policy. The State of Florida did not negotiate with Cuba to accept 20,000 legal immigrants per year. But the State is now being told the following: we are going to stick you with hundreds of millions of dollars in costs for legal and illegal immigration, even though you have no control over these foreign policy decisions that affect immigration.

Today, I join the President in his commitment to pass welfare legislation. We should be honest with the American people and not call something reform which is in reality is an abdication of our responsibility for providing a sensible framework for moving people from welfare to work.

It is my hope that when the President vetoes the welfare conference report and the question of welfare reform is reopened, that the concerns I have outlined today will be addressed.

Mr. HARKIN. Mr. President, our welfare system is broken. It is failing the taxpayers and those who are on welfare. It must be reformed. And I have been working hard to bring about bipartisan reforms that will work. I worked to enable innovative reforms in my State of Iowa. I introduced, along with Senator KIT BOND of Missouri, the first bipartisan welfare reform bill 2 years ago based on successes in our states. And I worked to support and improve the comprehensive reform bill that we passed in the Senate earlier this year by an overwhelming bipartisan vote of 87 to 12.

Unfortunately, all of the hard work done by the Senate to design bipartisan common sense reforms has been lost in the conference agreement before us. Not only will this bill fail to move people from welfare to work and self-sufficiency, it is filled with provisions that have nothing to do with welfare reform.

How does raising the retirement age for individuals to receive SSI from 65 to 67 get welfare recipients off the dole and into jobs? Or is it a foot in the door for NEWT GINGRICH and his followers to raise the Social Security retirement age?

How does cutting school lunch assistance to children reform the welfare system?

How does gutting protections for abused and neglected children and major revisions to programs to assist in the adoption of abandoned children fix welfare?

Well, the answer is clear. Those provisions do not do anything to reform welfare. Nor do many of the other provisions of the pending legislation.

And I said, this bill will not move people from welfare to self-sufficiency and it will not require responsibility from day one. Central to this is the failure to include the Senate bill provision added by an amendment I offered to condition the receipt of welfare benefits on the signing of a strong personal responsibility contract. As we require in Iowa, welfare recipients would have been required to accept responsibility from the first day on welfare by signing a binding contract stating what they must do to get off of welfare and a date by which welfare benefits will end. Responsibility would begin on day one, not year two. Failure to abide by the terms of the contract would mean termination from the welfare rolls—immediately.

Each individual starting a new job is given a job description which outlines precisely what is expected to receive a paycheck. At the present time, an individual on welfare is simply sent a check without requiring anything in return.

We need to fundamentally change welfare as we know it. Welfare is not

about getting something for nothing. It is about responsibility and accountability.

But not this bill. There is no contract. There is no accountability. My amendment corrected that situation, but my provision requiring a personal responsibility contract is gone.

For the past several weeks we have been told by NEWT GINGRICH that we need to listen to the Congressional Budget Office [CBO] because they are the experts. Their analysis is accurate and should be trusted.

Well, the CBO tells us that this new Republican welfare bill will not work. Their analysis indicates that most welfare recipients won't be put to work. They say that states would be forced to cough up a whole lot more of their money to meet the mandates in the legislation and that this won't happen.

CBO says that the bill falls \$7 billion short of what would be required to put welfare recipients to work. Further, work programs will also cost more money than is provided by the legislation.

So in spite of a lot of nice sounding rhetoric by NEWT GINGRICH and his supporters, if we pass this bill, welfare will not be reformed in most states. Taxpayers and welfare recipients will not see the promised changes in the system and local communities will be left paying the bills.

Iowans pay taxes that go to support those on welfare in New York, Texas, California, and other states. This bill shirks our responsibility to insist that those tax dollars aren't just wasted away. That is not acceptable.

This conference report makes deep cuts in essential safety-net programs for children. It provides deeper cuts in food stamps and child nutrition programs than were proposed by the Senate bill. It also unfairly cuts assistance to fully 65 percent of children with disabilities. In addition, changes to the foster care and adoption programs will place abused and neglected children at greater risk of harm. Ronald Reagan advocated the maintenance of a safety net for children. This bill shreds that safety net.

I have always thought that things worked best when we all worked together. For months, in fact for several years, I urged my colleagues to work together in a bipartisan manner to reform welfare. That's the way we did it in Iowa, and it is working. We had bipartisan cooperation for a brief time in September. And working together outside of partisan politics we put together a good, commonsense plan.

But that sentiment quickly deteriorated and the pending legislation was negotiated behind closed doors without any significant bipartisan cooperation. We are left with a phony, partisan bill.

The President has said he will veto this legislation and has called for bipartisan cooperation on welfare reform. Again, I implore my colleagues to heed his words.

Let us make a New Year's resolution to stop the partisan sniping and work together in a bipartisan manner on this issue as well as the many other items on our agenda in the second session of the 104th Congress.

Mr. HATFIELD. Mr. President, the House and Senate conferees have reported from conference a welfare reform proposal which ends the welfare program as we know it. I agree with the Republican agenda which takes on the difficult issues in welfare reform, but I differ on some of the finer points included in this agreement. Welfare has become a terrible cycle which engulfs impoverished parents who raise children in poverty. Those children who do not have adequate access to quality education, which would break the cycle of dependency, continue to be chained in poverty, languishing there, thus continuing this vicious cycle.

Mr. President, my generation grew up in an era where there was no government safety net, instead there was family and community. We relied upon each other for help and we took any job we could find. We may have gone hungry for a short period of time until the next paycheck arrived, however, nobody starved. Today, that sense of community has changed, largely because of our Federal welfare efforts. All people have a smidgen of pride implanted in their being and it burns as a fire within. We are fueled by this fire to become better people. We educate ourselves, we move forward above and beyond what we are today and strive to become even better tomorrow. Unfortunately, through our welfare program, we have only succeeded in taking away incentive for people to work by dousing that fire-in-the-belly that drives us all.

We must first address the root problems of poverty before we can discuss the cure for poverty; lack of education, lack of affordable and adequate child care, and access to upward social and economic mobility and stability. A successful society allows its citizens the opportunity to educate themselves, to increase their opportunities and knowledge. It is of no benefit to society to remove welfare recipients and place them into jobs with no upward mobility. Without the prospects of advancement they can only maintain the status quo at best and as history has taught us the cycle possesses a powerful habituation to welfare.

This bill takes a step in the right direction by requiring those who can work to work. This is a policy goal I have long supported and advanced. I believe this will make a difference in our welfare system and that States should be rewarded for their efforts at matching individuals with jobs. My own State of Oregon has chosen to link public assistance functions with welfare-to-work services, providing a seamless link amongst the differing human resource agencies. The measurement of their success is declining welfare rolls and increasing placement of former welfare recipients into unsubsidized employment.

I also support limiting welfare as an entitlement program. As chairman of the Senate Appropriations Committee I know all too well the dire consequences of continuing our spending levels on entitlement programs that we do not and cannot control. We can no longer keep spending until all needs are met. Yet, in our effort to reform programs from entitlement spending to other forms of financing, we cannot cut indiscriminately. I am concerned that some aspects of this conference report are inconsistent with our policy goals.

The Congressional Budget Office has analyzed this report and found that, over the next 7 years, funding levels would fall far short of what would be needed to cover the child care costs associated with the work requirements of the bill. In my view, adequate funding for child care is a necessity, in order for parents to work.

In addition, I am concerned that the conference agreement does not reflect the Senate's position of requiring States to continue Medicaid coverage for families who would have received AFDC if it still existed on March of this year. The agreement before us repeals current law and does not require States to provide Medicaid coverage for those in AFDC families who do not otherwise qualify—those children over the age of 12 and women who are not pregnant. While I understand the conferees' attempt to delink Medicaid from welfare, to be dealt with later, I am not confident that this basic safety net will be preserved.

Finally, I have received a letter from the Oregon Department of Adult and Family Services raising several concerns with this conference agreement. I ask unanimous consent that this letter be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. HATFIELD. Mr. President, I am told the President intends to veto this bill, which will bring it back before us. I expect we will have an opportunity to work further on some of the finer points of this agreement. I am committed to do so. Our obligation to bettering the standard of living for those in poverty must not waiver. The Federal Government should encourage, not impede innovation and creativity in the States and private sector.

#### EXHIBIT 1

OREGON, DEPARTMENT OF HUMAN RESOURCES,

Salem, OR, December 21, 1995.

Hon. MARK O. HATFIELD,  
U.S. Senator, Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR HATFIELD: I am writing to you out of concern over the most recent language in the Welfare Reform Bill, HR 4. As you may know, Oregon is a leader in Welfare Reform, and this State's Legislature, with my support, recently passed a sweeping Welfare Reform Bill that is very much in keeping with the thrust of HR 4. However, there are several technical areas of the Bill in which language should be clarified to allow

States full latitude in implementation, including:

#### MAINTENANCE OF EFFORT

While I am supportive of a Maintenance of Effort provision, any State expenditure which directly supports the achievement of self-sufficiency or temporary assistance to low-income families should be counted in the calculation of that maintenance of effort. To do otherwise directly imposes a special Welfare Reform design on States that significantly impedes their flexibility.

#### FEDERAL RESTRICTIONS ON STATE SPENDING

States must be free to spend State dollars on their self-sufficiency programs as they deem appropriate. There are many provisions of HR 4 which appear to restrict not only the State expenditure of federal funds but the expenditure of State funds as well. Surely this is not the intent of Congress.

#### WORK PARTICIPATION CREDIT FOR UNSUBSIDIZED EMPLOYMENT

One of the hallmarks of the Oregon program is the number of placements into unsubsidized employment that not only move families off of welfare but also move them out of poverty. What was six months of participation credit for such families in earlier versions of HR 4 appear to be deleted in the Conference version. Since employment is the best way to accomplish Welfare Reform, states should be given proper credit for helping low-income families accomplish that goal.

#### CHILD CARE NECESSARY FOR PARTICIPATION IN WORK PROGRAMS

We work very hard with our low-income families to obtain safe child care. If such care is not available, we do not require their participation in our JOBS program. However, the current wording of HR 4 suggests that if any particular type of care is not available or convenient then no participation can be required. In fact, even if the type of care that is not available is not one that the participant ordinarily uses, it remains grounds to refuse to participate in employment and training programs. Wording should indicate the participation is required if any safe (under State law) child care can be arranged.

Again, while these are technical areas, they remain important to States that will be charged with implementing the most sweeping changes in welfare since the advent of the Social Security Act. With your continued help, we can produce Welfare Reform that works, allowing states to assist low-income families to escape poverty through self-sufficiency. If you or your staff members have any questions regarding our concerns in these areas, please feel free to contact Jean Thorne of the Governor's Office or Jim Neely, Assistant Administrator of Adult and Family Services Division. Thank You.

Sincerely,

STEPHEN D. MINNICH,  
*Administrator, Adult and Family Services  
Division, Assistant Director, Department of  
Human Resources.*

Mr. CHAFEE. Mr. President, we spent many months negotiating the contents of the Senate welfare bill, which was approved 87-12, with overwhelming bipartisan support. I believe that measure, which the President indicated he would sign, was a tremendous victory for all parties.

Regrettably, the final conference agreement strays in several respects from the Senate-passed welfare reform bill. As a consequence, President Clinton has indicated he will veto this legislation.

Today I voted to send the conference report to the President because, while far from perfect, this legislation is still better than current law, which only encourages and perpetuates dependency. For example, this bill provide for time-limited benefits, so that individuals know they must make every effort to become self-sufficient by a date certain. It also includes much stronger child support enforcement mechanisms to require parents to assume financial responsibility for the children they bring into this world. Importantly, it also gives the States needed flexibility to develop innovative programs to help their citizens break the cycle of dependency associated with the present welfare system.

However, I am still not satisfied with this legislation, and continue to believe it can be improved, and intend to work toward that end following the President's veto. The areas in which I will seek improvement are as follows:

#### AFDC ELIGIBILITY FOR MEDICAID

The conference agreement severs the link between AFDC eligibility and Medicaid. Under this provision, which was not included in either the House or Senate version of the legislation, States would no longer be required to provide Medicaid coverage to millions of AFDC eligible women and their children over the age of 13. Only those women who are pregnant and on AFDC, and children under the age of 13, would be guaranteed Medicaid coverage.

While I am pleased that the conference report retains Medicaid eligibility for foster care and adoption assistance children, eliminating mandatory Medicaid coverage for other AFDC beneficiaries is counterproductive. This provision is troubling and should be dropped.

#### CHILDREN'S SUPPLEMENTAL SECURITY INCOME (SSI)

This program took a big bite in the Senate bill. A more restrictive definition of disability was adopted to ensure that only those children who are truly disabled qualify for cash assistance. On top of this, the conference agreement adds a new two-tiered system of eligibility which will result in a 25-percent reduction in SSI benefits for 65 percent of the children on the program. The distinctions in this two-tiered program are arbitrary and make no practical difference to a family where one parent must give up his or her job to remain at home with a severely disabled child. This provision should be modified.

#### FOSTER CARE

While I am pleased that the conference agreement maintains the Federal entitlement for foster children and adoption assistance—a position which I strongly supported—this bill would block grant and cut funding for the administrative and preplacement costs associated with these programs. These costs, which represent nearly half the cost of the overall program, are far from purely administrative. They cover such critical services as licensing and

recruitment of foster homes and foster parents, services needed to remove children from abusive and unsafe homes, monitoring children in out-of-home placements, and court expenses to qualify special-needs children for adoption. These provisions need to be improved.

#### CHILD CARE

The final conference agreement provides reduced funding for child care and drops Federal health and safety standards in the Child Care and Development Block Grant [CCDBG]—two significant and troubling changes from the Senate-passed bill. Given the enormous importance of child care to the success of welfare reform, these provisions should be reexamined.

#### LEGAL IMMIGRANTS

While I was able to secure some improvements on the treatment of legal immigrants in the conference report, the final bill still goes well beyond the Senate-passed bill. The tough new eligibility restrictions for Federal programs that this legislation would impose upon legal immigrants are excessive and should be further modified.

Mr. LEVIN. Mr. President, just a few months ago I stood with a bipartisan group of my colleagues in the Senate in passing, 87 to 12, a compromise welfare reform bill which I believed represented a constructive effort at achieving meaningful change in the current welfare system. I voted for the bill because I believe the current system is broken and needs to be fixed. It needs to be fixed in a way that does at least two things: requires able-bodied persons to work and protects children in the process.

Mr. President, the Senate compromise bill met this challenge. It would fundamentally change the current system by replacing a system of unconditional, unlimited aid with a system providing conditional benefits for a limited time. It would do so without abandoning the national goal of preserving the important safety net for poor children. It moves able-bodied people into work, tightens child support enforcement laws, and provides adequate child care resources for children of parents making the transition into work and to low-wage working families that seek to remain off of welfare.

I was particularly pleased that the compromise bill contained an important work provision I've been promoting, cosponsored by the majority leader, requiring that unless an able-bodied person is in a private sector job, school or job training, the State must offer, and the recipient must accept, community service employment within 3 months of receipt of benefits, not the 2 years contained in the original legislation proposed by majority leader.

Mr. President, I had great hopes that the bipartisan achievements in the Senate compromise proposal could be sustained through the conference with the House. Regrettably, this conference report is weak on work and it does not

adequately protect children. I cannot support it.

The American taxpayers want people who are on welfare and are able-bodied to work. So it is quite perplexing to me that despite House Republicans continuing claims of being "tough on work," the conference dropped the Levin-Dole work requirement from the bill. If we are serious about work, Mr. President, we must have the kind of provision that requires it: not 2 years down the road, not 1 year down the road, but 3 months from receipt of benefits for those persons who are not in school or job training or in an exempt category.

And, Mr. President, the punitive proposal before us cuts \$14 billion more out of programs for poor children and their families than the bipartisan compromise Senate bill, causing millions of children to lose their eligibility for important safety-net programs.

The changes in eligibility rules would reduce benefits for most disabled children by 25 percent, sets lower levels of funding for child-care programs than the Senate proposal, and eliminates important health and safety standards. Many of the more than 300,000 children covered by Medicaid, because they receive foster care or adoption assistance, also would be placed in jeopardy.

It also significantly reduces the benefits to children and families who receive support from the food stamp and child nutrition programs, which could have serious consequences for the health and well-being of millions of children, working families, and elderly.

The optional block grants undermine the basic framework of the lunch and breakfast programs by eliminating low-income children's guarantee of access to free meals, weakening nutrition standards, and removing the programs' ability to respond to changing economic circumstances.

For some reason, totally unrelated to welfare reform, House Republicans are jeopardizing programs that for decades have fed millions of children in schools and child care centers in America. Do we want to erode the safety net for the 5 million poor children who are served nutritious breakfasts at school? What about the 24 million children who receive nutritious school lunches? Nearly half of these lunches are provided to poor children free of charge, and nearly 2 million lunches to low-income children at reduced prices.

Mr. President, the answer is "No."

Mr. CONRAD. Mr. President, I strongly believe that we must reform our welfare system. I have devoted a great deal of time and energy to examining the broken welfare system and developing meaningful solutions to address the deficiencies. I presented a welfare reform proposal, the Work and Gainful Employment Act, and worked with my Senate colleagues to improve and strengthen the Senate version of H.R. 4.

Central to each of the welfare reform proposals I've supported were the basic

principles of work, responsibility, and family. The proposals were built in a framework of increased State flexibility while not placing the health and safety of our Nation's children at risk. They had tough work requirements, and promoted personal responsibility while protecting children and the disabled.

Because of my sincere interest in reforming the welfare system, I look upon the welfare reform conference agreement with great disappointment. The conference agreement on H.R. 4 falls far short of upholding these core principles and meeting these goals. It is weak on work and places abused and neglected children in danger. Additionally, the conference agreement on H.R. 4 cuts too deeply into the programs that provide the lifeline for the most vulnerable in our society. Yesterday, I joined a bipartisan group of colleagues to develop a plan to reach a balanced budget by the year 2002. The conference agreement, however, proposes far greater cuts than the bipartisan group of Senators deemed reasonable. It is for these reasons that I oppose this severely flawed approach to reforming the welfare system.

I firmly believe that among the most critical issues facing our Nation is the future of our children. It is of crucial importance that families and communities equip children with the skills necessary to face the increasing challenges of the 21st century. Children must be taught the value of work.

The conference agreement on welfare reform is weak on work. The supporters of this legislation claim it will move welfare recipients into work without providing resources sufficient to make it happen. In fact, instead of strengthening the work and child care provisions of the Senate-passed welfare bill, the conference agreement reduces funding in these areas.

Additionally, both my WAGE Act and the Senate-passed welfare reform proposal included a personal responsibility contract that welfare recipients had to sign as a condition of receiving welfare benefits. The personal responsibility contract was a binding agreement that the recipient would make meaningful steps to move off of welfare and take responsibility for his or her actions and well-being. I ask you, why would the conferees remove the contract between the welfare recipient and the Government to move the recipient off of welfare? The conference agreement is weak on work and does nothing to develop personal responsibility.

Perhaps the most disturbing and mean-spirited provisions of this proposal are the ones that place the most vulnerable and helpless children in our society at risk. On top of providing inadequate resources for child care services, this legislation eliminates Federal health and safety standards for child care facilities. It slashes funding by \$1.3 billion for child protection services for abused, neglected, and aban-

doned children and children in foster and adoptive services. Additionally, it proposes draconian reductions in the SSI program for low-income children with disabilities. HHS has estimated that by the year 2002, 750,000 low-income disabled children who are eligible for SSI benefits will have their benefits cut by 25 percent. Finally, the conference agreement eliminates the requirement for States to provide Medicaid benefits to children whose families are eligible for cash assistance. This extreme provision was not in either the Senate- or House-passed bills and threatens the health and future productivity of our poorest children. These program changes are cruel and rip the safety net from under the most vulnerable children in our society.

Mr. President, I want to reemphasize my commitment to balanced and reasonable welfare reform. The welfare system should be tough on work and personal responsibility, should promote families and family values, and should maintain basic health and safety protections for our Nation's children. I say to my colleagues in the House and the Senate: Let us reform the welfare system; however, let us target the programs and not the children.

Mr. MOYNIHAN. Mr. President, I yield 1 minute to my colleague on the Finance Committee, and good friend, the Senator from Louisiana.

The PRESIDING OFFICER. (Mr. INHOFE). The Senator from Louisiana is recognized.

Mr. BREAUX. Mr. President, I thank the chairman for yielding. In 1 minute I will try to say eloquent things about why this bill should not be adopted.

Mr. President, put me down as being conservative when it comes to welfare reform. The current system, in my opinion, has not worked very well for the people who are on it, nor has it worked well for the people who are paying for it. It has to be changed.

But the goal of welfare reform has to be to put able-bodied people to work and at the same time protect innocent children. This bill does not do that. It fails in a couple of fundamental manners.

No. 1, the bill cuts benefits for disabled children on SSI by 25 percent. That is not reform. It is a step backwards.

Second, the bill, in changing the rules for abused and neglected children, is contrary to every bipartisan recommendation that this Congress received from the Governors and from the State legislative bodies. This is a step in the wrong direction.

Finally, this is the wrong bill at the wrong time. It should be in the context of the budget negotiations. There is more money going to be available in that context. We know what we are doing with the EITC, the tax cuts, and other changes that are being made to fundamental policy. This welfare bill today should be turned down and come back, and we should do it in the context of the budget negotiations.



Mr. MOYNIHAN. Mr. President, may I simply respectfully suggest that the budget negotiations are much too narrowly based with five or six persons in one room for the kind of bipartisan effort on welfare which President Clinton called for when he said he would veto this bill. We achieved consensus through such effort when we passed the Family Support Act of 1988 by a vote of 96 to 1.

I am happy to yield 1 minute to my good friend, the distinguished Senator from Washington.

Mrs. MURRAY. Mr. President, thank you.

First, let me commend the Senator from New York for his tremendous leadership on behalf of the children in the welfare reform bill.

WELFARE: REFORM; DON'T RENEGE

Mr. President, it is with sadness today I must tell the American people their Congress has failed them in its attempts to reform public assistance in this country. Welfare reform is important, but the bill before us today was written with so little compassion it must be stopped.

The American people know we must change welfare. They know welfare must give a hand-up, not a hand-out. But no one I have talked to, not the most conservative welfare-basher, would stand where I am standing and vote to hurt children like this bill will.

You have heard the estimates: this bill will throw an additional 1.5 million children into poverty in this country. It will eliminate the guarantee to basic services to children at a time when we should be improving the safety net. Children need the guarantee to assistance. Children need the safety net.

I supported a welfare bill out of this Senate, a bill I had fundamental disagreement with, because we were able to make some improvements before it left the floor. I fought hard for child care funding, for money for job training, for domestic violence language. When these improvements had been made, I held my nose and voted for the bill, knowing some people would think I had done something horrible, because I naively thought the majority might be listening.

I thought after all our fighting, the majority party might get a hint about what kinds of things we thought were important in a bill to actually reform welfare. I said at the time—if this bill got worse in negotiations with the House, if the majority did not improve this bill dramatically, then it would not have my support. And it will not. This bill is a slap in the face of every person in this country trying to get off public assistance, and I will vote “no.”

The conference report is so lacking, if I pick out just one thing to focus on, there won't be time to tell you about any others. But let us look at what the conference report proposes to do about child care:

First, remember that child care faces major problems today, before this welfare bill sends many new people into

the work force. Child care is not always easy to find, you cannot always depend on the quality, you cannot always afford quality when you find it, and sometimes you cannot afford to pay at all, so a relative or friend takes care of your kids. But that's all today. Here's what the conference report will do tomorrow:

Over the next 7 years, the work requirements in this conference report will create the need for an additional \$14.9 billion worth of child care. But, the report only funds \$1.9 billion of new money, leaving a \$13 billion shortfall, according to HHS. The result is many people will have no place to leave their child when they go to work.

If you are lucky enough to get your child into child care, the conference report cuts funding for child care quality standards more than 50 percent from the Senate bill. This money pays for improvements in quality and access to child care: training providers, inspecting and monitoring facilities, helping parents to find child care, providing grants to buy cribs and other equipment to start child care businesses, and beginning school-age programs.

The result is, you as a parent will have to worry about whether your child care worker is well-trained, and whether your child is healthy and safe when you return from work.

This conference report also allows welfare recipients to count providing unpaid child care toward meeting the work requirements, essentially, to babysit other people's children without meeting any of the standards of a child care facility or home day care business. There is no money for training or certification for people setting up home child care under this provision.

What is worse, the conference report repeals a state's ability to regulate health and safety in child care, including these small in-home child care situations, which is where most of the abuse problems in my state occur.

If you are unlucky enough to be a child in a child care situation where there is a problem, this conference report cuts the abuse enforcement that might protect you. It block grants child protection and foster care, and cuts the very functions that allow States to help children who need foster care, to recruit and train parents, to place children, and to monitor quality. The \$3.7 billion reduction over seven years will cut Child Protective Services, family preservation money for preventing problems, and money for older youth.

Finally, the conference report significantly cuts the child and adult care food program, by as much as \$3 billion over seven years. Providers in my state tell me these cuts will effectively close the doors of many small day care businesses, and lead to cost cutting that will affect child nutrition. We will have more people competing for less child care, and nutrition declining in the centers which stay in business.

Who here on the floor of the Senate can honestly say they speak for chil-

dren? We have lobbyists for every issue, but infants and children do not get to vote. If you cut child protection, what constituency will rise up in protest? Not the children themselves; I will guarantee it.

This conference report has many problems. One of them is the assault on child care. I will be voting against this report.

Mr. President, I speak against the welfare conference report, and I do so as someone who voted for the Senate welfare reform bill, but I did so because I thought the majority would understand that our yes vote meant that we strongly supported child care funding language for domestic violence and job training funds. Those are not in the final bill. It is \$13 billion short in child care money. That is not just money; that is children who will be out there on the streets with no one to take care of them.

Mr. President, this Congress will not be remembered for passing welfare reform. They will be remembered for endangering the lives of thousands of American children.

I urge my colleagues to vote “no” on this conference report.

Mr. ROTH. Mr. President, I yield 5 minutes to the distinguished Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SANTORUM. Thank you, Mr. President.

Mr. President, I do not know where to begin. Last night I spoke at length about the difference between the Senate bill that passed and the bill that is now before us. I think I laid out the points, but I will try to be consistent and lay them out today.

The bill that is before us actually moves more toward the Democratic side than the bill that we passed here. I am somewhat at a loss as to why we see all these objections raised here when if you go down the changes that were made in the conference, we actually move toward the Democratic side of the aisle than the bill that passed the Senate. I will go through them.

If you look at child care, so much is being talked about in child care. The child care funding in this bill is more than the child care funding that passed under the original Senate bill. In fact, over the first 5 years in the Senate bill that passed child care funding was \$15.8 billion. Under this bill, it is \$16.3 billion. Over 7 years we spend \$1 billion more in child care under the conference report than we did in the Senate bill.

I do not understand the concerns that somehow we are now shortchanging child care when before we had adequate child care dollars. We have more money in child care.

Second, maintenance of effort. We heard so much concern and consternation about the maintenance-of-effort provision. There was a 75 percent maintenance-of-effort provision in here, which is exactly what both sides agreed

was an adequate level for State support in the Senate bill. Again, I do not understand the concerns. We kept the Senate proposal.

Third, funding. We talked about this welfare program being slashed. I refer you to this chart. Here is welfare funding today. Under current law, it will go up by 58 percent. Under our bill, it goes up 34 percent. That is 4 percent a year. That is almost twice the rate of inflation.

Welfare spending will go up under this bill. If anyone is concerned, yes, welfare spending will go up, but we have more people in the system. No. In fact, the Congressional Budget Office has said that under our bill, the number of people in the system will be maintained at a constant level. There will not be an increase. Therefore, spending per person in welfare will go up over the next 7 years. We will have more child care. We will have a maintenance of effort. Spending will go up under this bill. You would think that I am describing the Democratic proposal. But, no, we are describing the conference report.

The work requirements that so many people on both sides of the aisle wanted are the same in the Senate bill. We kept the entitlement to school lunches. We kept the entitlement to family-based nutrition programs, something desperately wanted by the other side of the aisle that was not in the House bill. The House conceded to us on that.

We kept title requirements. In fact, we put in title requirements for food stamp block grant eligibility. In the Senate bill we passed a block grant option for food stamps given to all States. Under the conference report, we make it much tougher to get a block grant of food stamps, and we put very tough error rate standards in there, so many States will not, in fact, be able to qualify, something many Members on the Democratic side of the aisle wanted to see.

We kept the population growth fund intact, which many Members on the other side wanted.

Contingency funds for employment—the same as in the Senate bill.

We kept “no transferring out” of the child care block grant, something that was very important to Members on the other side of the aisle. Every dollar in child care must be spent in child care. And, in fact, there can be a transfer of money but only into child care, not out of child care.

I heard a concern about SSI and about throwing children off SSI. I would remind Senators on the Democratic side of the aisle that the same provisions that are in this bill were in the Democratic substitute on this floor and voted for by every Member on the other side of the aisle. Those same children not being cut off was something that every Member on the other side of the aisle voted for in their substitute and the 87 Members of this body voted for in the Senate bill—the same provision. The only difference in the chil-

dren portion of the SSI bill is that for children who do not need round-the-clock care to be able to stay at home, we reduce the amount of benefit by 25 percent.

I would remind Members that the adult benefit for SSI, which is supposed to be an income supplement to maintain someone who is an adult so they can live independently, is the same amount that a child gets when living at home. So what we said is that, if you are a child living at home which does not need 24-hour care but is still considered disabled, we are going to reduce your benefit somewhat versus a child that needs 24-hour child care. We think that is a reasonable thing to do, and certainly it is not going to be hurting children.

A lot has been made about the child protection portion of this bill. We do some tremendous things. First of all, we spend more money on child protection in this bill than in the Senate bill. The Senate bill that passed that got 87 votes cut \$1.3 billion out of this program. The conference report cuts \$0.4 billion.

We spend more money on child protection services. We allow in this agreement so much that has been talked about.

I ask for an additional 2 minutes.

Mr. ROTH. I yield 2 more minutes.

Mr. SANTORUM. Mr. President, I thank the chairman.

As I said before, we spend more money on child protection services, No. 1. No. 2, we allow so much. So much has been made about the Elisa case in New York, a tragic case. But one of the reasons that case happened is because police agencies and social agencies cannot share information about abuse. In this bill you can. And it was not even in the Senate bill, an improvement over the Senate provisions.

We gave a concession from the conference report that appeared in the reconciliation bill to current law standards for child protection and citizen review panels, again another concession to the other side.

We gave again greater flexibility to use administrative funds on services, something that cannot be done today. Fifty percent of all the money spent in child protection is spent on administrative and overhead costs—50 percent. No wonder a lot of people do not want to change it because a lot of people make a lot of money off child protection services in this country. Fifty percent is spent on staffing. What we do is we give a block grant and allow that money to be used for services, allow that money to be used to help direct payments to people who need assistance, again a dramatic departure, something I know many people on the other side of the aisle want to see done.

We think this bill not only is a better bill than passed the House—much better—a better bill than passed the Senate but moves more in the direction of Members on the other side of the aisle. I am absolutely astounded to hear

Members get up and talk about how this bill is worse than what passed the Senate. It is not. It moves much more toward the Democratic side of the aisle, and I urge their support.

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

Who yields time?

Mr. ROTH. Mr. President, I yield 2 minutes to the distinguished junior Senator from Kansas.

Mrs. KASSEBAUM. I thank the chairman of the Finance Committee.

Mr. President, the Personal Responsibility and Work Opportunity Act of 1995 represents a turning point in how this country will respond to the needs of poor children and their families. For far too long, welfare has failed—failed the families dependent upon Government assistance to give them a new start in life and failed the American taxpayers who have been asked to help those in need. Welfare reform does not need to be mean spirited, and the welfare reform provisions of this bill are not. Change is always difficult and this legislation will produce tremendous changes in how government helps those in need.

This legislation shifts primary responsibility for welfare to the States, a move I wholeheartedly endorse. The need for welfare assistance and the solutions to moving people off welfare and into work are closely tied to the economic conditions, opportunities, and resources in a community. That has been one of the biggest problems with the one-size-fits-all approach to welfare necessitated by a heavily mandated Federal program. I believe that States are in the best position to make decisions about how best to help families in poverty gain economic self sufficiency. We do not know what works—what types of programs are the most effective in moving people off of welfare. I believe over the next few years we will see many diverse solutions to the problems of welfare and poverty. Some of these solutions will work, some will not—but much will be gained through the experience. Since the current welfare system has failed so miserably, it is worth the risks involved.

The Personal Responsibility and Work Opportunity Act is a comprehensive bill which changes not only welfare cash assistance, but many other Federal programs as well. As is the case with any major bill, no member is completely satisfied with every single provision. Ultimately, a decision is based on one's judgment that the positives outweigh the negatives. Clearly, in my mind, the fundamental reform offered by this legislation makes it worthy of support.

It is my understanding that President Clinton has made a different calculation regarding the merits and demerits of this legislation and has indicated he will veto it. In that event, we will be back at the drawing board. Given a second opportunity to put together a bill, I would hope that several concerns could be addressed.

My first concern lies in the area of child protection. The legislation significantly reduces the funds available for recruiting and licensing foster homes, monitoring children in foster care and other alternative placements, completing the court processes needed to free children for adoption, training and recruiting child protection case-workers, and other activities necessary to maintain an adequate program for abused and neglected children. The cap on child protection funds will put further strain on our already overburdened child protection system and could seriously inhibit states' ability to respond when a child is abused or neglected.

I am also concerned about whether the funds available for child care assistance are adequate to meet the needs of families as they move off welfare and into work. The availability of safe, affordable child care is essential to successful welfare reform. At the same time, we need to ensure that low income working families have access to child care assistance.

My third concern is about the extent of the changes in the Supplemental Security Income [SSI] program. The legislation will eliminate SSI eligibility for an estimated 21 percent of the children currently receiving benefits and reduce benefits for about 75 percent of the remaining children. While the creation of a two-tiered benefit system distinguishes between the most disabled children who require a higher level of services and those who are moderately and mildly disabled, the legislation places an overwhelming emphasis on physical disabilities. I believe the criteria used to differentiate between those receiving full benefits and those receiving reduced benefits should be reexamined.

I am relieved that the effective date for the cash assistance provisions in the bill has been changed to the 1996 fiscal year. This should give States adequate time to make the legislative and administrative changes needed to adjust to the block grant. Successful welfare reform will require careful consideration and planning, and States must be provided the opportunity for a thoughtful, deliberative process regarding how they want to proceed.

I believe that these concerns can be effectively addressed. The Personal Responsibility and Work Opportunity Act is a bold move to change the way in which government responds to people in need of assistance—a move that needs to be taken.

#### LONGEST TERM RECORD

Mrs. KASSEBAUM. Mr. President, I would just like to acknowledge that today breaks the record for the longest term ever held by a Republican leader of the Senate. Senator DOLE, as the majority leader, has broken the record that is more than just showing up every day. Perhaps Senator DOLE is the Cal Ripken of the Senate. But I would

just like to express the appreciation of all of us for the dedicated leadership he has brought, the thoughtfulness and patience that it takes, and as a matter of fact his sheer grit.

I yield the floor.

Mr. MOYNIHAN. Mr. President, two records in 2 days. What do you say we give him a hand.

[Applause, Senators rising.]

#### PERSONAL RESPONSIBILITY AND WORK ACT OF 1995—CONFERENCE REPORT

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER. Who yields time?

Mr. MOYNIHAN. Mr. President, I yield to my gallant friend from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I thank the Chair.

Mr. President, this is a profound and important debate about welfare reform that tests our resolve to change a system that is in need of change, but it is a debate which also tests our commitment to community to the sick and the hurting—to the elderly and the thousands of people who are looking for a helping hand from a government that will help them help themselves.

Every Senator here today knows the importance of helping families get back to work—get on the job and off the dole; but they also know the devastation of poverty—the lack of hope and the despair and frustrations that all of us see in our States.

Unfortunately the bill which we passed to reform welfare has turned for the worse in conference and threatens to injure children and people with disabilities.

Mr. President, this conference bill will increase poverty—not decrease it. It will increase despair and destroy hope among some of the poorest, sickest, and weakest Americans.

I cannot in good conscience—and I will not—vote for such an ill advised retreat from real reform—no matter how well intended it may be—no matter how deeply some or the other side of the aisle might feel about it.

This bill eats away at the strength of America because the strength of America is not found in its willingness to separate the rich from the poor.

No, the strength of America, as Hubert Humphrey said:

Lies with its people. Not people on the dole but on the job. Not people in despair but people filled with hope. Not people without education but people with skill and knowledge. Not people turned away but people welcomed by their neighbors as full and equal partners in our American adventure.

This is our strength, but this bill we are asked to vote on today does not play to that strength.

Mr. President, we all want to move people from welfare to work. But the conference report reduces the ability to put people back to work.

This conference bill is wrong because it's too harsh and it will injure children and families in significant ways.

It reduces SSI benefits for a large majority of disabled children by 25 percent. These are kids, Mr. President, with cerebral palsy, kids with Down's syndrome, muscular dystrophy, cystic fibrosis and AIDS.

I'm told that by the year 2002, some 650,000 low income children would be affected by this cut. In real numbers that means that the benefits to seriously disabled children would be cut from 74 percent of the poverty line to 55 percent of the poverty line; and with all due respect to my colleagues on the other side of the aisle that cut was not in the Senate bill.

The current law ensures that AFDC families receive Medicare coverage. Under this bill that provision of the law would be repealed, leaving 1.5 million children at risk—and at least 4 million mothers would lose health coverage.

This conference bill undermines the school lunch program. It denies school lunches to certain categories of immigrant school children, including legal immigrants, and it would create an entire bureaucracy to determine the status of the children.

It would deny SSI and food stamps to immigrants who are legal permanent residents of the United States.

The bill includes \$32 billion in food stamp benefit cuts to the elderly and working poor—which means about a 20-percent cut to those families who are already working, who are struggling to make ends meet on a minimum wage job or with a Social Security check struggling to pay for basics to keep them from losing their apartments and ending up homeless and on the street.

When fully in effect the food stamp cuts will lower the average benefit level from 78 cents per person per meal to 62 cents—62 cents a meal.

Mr. President, what are we doing? Is this the kind of nation we have become?

The whole point of welfare reform was to identify the people who are on welfare but who are capable of working, and getting them off welfare and into jobs.

This conference bill does not accomplish that goal in the way we did in the Senate passed bill.

This bill hurts children, the sick and the elderly.

It hurts dependent children, more than half of whom live below the poverty line. It hurts disabled children, sick children, hungry children, children without a chance and often without a prayer for survival.

It hurts disabled elderly people, who deserve more in their old age, who seek only a little dignity and a little respect.

This bill raises the age at which impoverished elderly people could qualify for SSI, from 65 to 67 or even higher—and who does this affect? It is aimed