

period of 45 consecutive days or, at the option of the State, such period of not less than 30 and not more than 90 consecutive days as the State may provide for in the State plan;

"(B) at the option of the State, provide that the State may establish such good cause exceptions to subparagraph (A) as the State considers appropriate if such exceptions are provided for in the State plan; and

"(C) provide that a caretaker relative shall not be eligible for aid under the State plan if the caretaker relative fails to notify the State agency of an absence of a dependent child from the home for the period specified in or provided for under subparagraph (A), by the end of the 5-day period that begins on the date that it becomes clear to the caretaker relative that the dependent child will be absent for the period so specified or provided for in subparagraph (A)."

#### SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—Except as otherwise specifically provided in subsection (b), the amendments made by this Act shall be effective with respect to calendar quarters beginning on or after the date of the enactment of this Act.

(b) SPECIAL RULE.—In the case of a State that the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order to meet the additional requirements imposed by the amendments made by this Act, the State shall not be regarded as failing to comply with the requirements of such amendments before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of this subsection, in the case of a State that has a 2-year legislative session, each year of the session shall be treated as a separate regular session of the State legislature.

[From the Tribune-Review]

#### FUGITIVE USED REAL NAME FOR WELFARE

(By Lille Wilson)

James Brabham knew who he was. During a decade on the lam for a 1984 slaying in Pittsburgh, he used at least five aliases and five Social Security numbers.

But when he went on welfare, Brabham used his real name—and his state-issued welfare card bore his current address and photo.

The cops who arrested him Wednesday in Philadelphia saw the card when they asked Brabham for identification. They hadn't known he was on welfare.

"I'm sure it would have made things a lot easier," said Detective Joe Hasara of the Federal Fugitive Task Force in Philadelphia, one of the squads that for years pursued lead after dead-end lead searching for Brabham.

Police—even those looking for longtime fugitives—don't routinely look at welfare rolls to locate suspects, primarily because of the legal obstacles, Hasara said.

"It's just not feasible," said Hasara, citing red tape. "We'd have to have one or two people doing nothing but getting subpoenas and court orders. We can't operate like that."

Hasara, a Philadelphia police detective who makes up part of the city's federally funded fugitive task force, located Brabham after a typically long and laborious investigation that involved following tips and digging into clues. He won't be more specific than that, for fear of divulging the task force's gumshoe secrets.

The victim, Charlene Summers, 36, was living with Brabham in Pittsburgh's Beltzhoover area. Police said Brabham reported the January 1984 killing to city homicide in a telephone call. He claimed Summers had attacked him with a knife.

Brabham, who posted bond days after he was charged with her murder, never showed up at a coroner's hearing. A bench warrant for his arrest went out in May 1984. In March 1990, a federal court handed down a fugitive warrant.

By then, the Greater Pittsburgh Fugitive Task Force was already hunting him, said FBI Agent Ralph Young, a task force member.

"We had people all over the country looking for him," Young said. "He never came back to Pittsburgh."

Philadelphia was one of the investigative hot spots: Brabham had relatives there, Young said.

"We'd hear sightings. We'd follow up. It'd lead to a dead end," he said.

The state's welfare listings may be accessible to police who petition the Commonwealth Court for specific information, said department spokesman Kevin Campbell.

Although state law forbids disclosure of individual welfare information for personal, commercial or political uses, a specific statute allows law enforcement queries if authorized by a judge, Campbell said.

"District attorneys have done it in the past, certainly," said Campbell, who added that police face no other official barriers.

"Apparently they've never worked the street," Hasara snorted.

After Brabham's arrest Wednesday, Young telephoned Summers' mother, Lillie Jones, with the news.

"For ten years, I never gave up on this," said Jones, 70, who described a dream she had Tuesday night. "She and I was very close. In the spiritual world, we had a lot of connection."

"I dreamed some man was chasing her around and around my house with a gun, and around and around my neighbor's house, and she was calling me for help: she ran to me and said, 'Mama, save me.'"

#### ADDITIONAL COSPONSORS

S. 170

At the request of Mr. DASCHLE, the name of the Senator from Alaska [Mr. MURKOWSKI] was added as a cosponsor of S. 170, a bill to amend the Public Health Service Act to provide a comprehensive program for the prevention of Fetal Alcohol Syndrome, and for other purposes.

S. 184

At the request of Mr. HATFIELD, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 184, a bill to establish an Office for Rare Disease Research in the National Institutes of Health, and for other purposes.

S. 244

At the request of Mr. DORGAN, his name was added as a cosponsor of S. 244, a bill to further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

S. 293

At the request of Mr. CONRAD, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of S. 293, a bill to amend title 38, United States Code, to authorize the payment to States of per diem for veterans receiving adult day health care, and for other purposes.

S. 343

At the request of Mr. DOLE, the names of the Senator from North Carolina [Mr. FAIRCLOTH], the Senator from Iowa [Mr. GRASSLEY], the Senator from Idaho [Mr. KEMPTHORNE], and the Senator from Wyoming [Mr. SIMPSON] were added as cosponsors of S. 343, a bill to reform the regulatory process, and for other purposes.

S. 441

At the request of Mr. MCCAIN, the name of the Senator from New Mexico [Mr. DOMENICI] was added as a cosponsor of S. 441, a bill to reauthorize appropriations for certain programs under the Indian Child Protection and Family Violence Prevention Act, and for other purposes.

S. 478

At the request of Mr. BREAU, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 478, a bill to amend the Internal Revenue Code of 1986 to allow the taxable sale or use, without penalty, of dyed diesel fuel with respect to recreational boaters.

S. 495

At the request of Mrs. KASSEBAUM, the names of the Senator from Utah [Mr. HATCH] and the Senator from Pennsylvania [Mr. SANTORUM] were added as cosponsors of S. 495, a bill to amend the Higher Education Act of 1965 to stabilize the student loan programs, improve congressional oversight, and for other purposes.

S. 584

At the request of Mr. ROBB, the names of the Senator from Wisconsin [Mr. KOHL] and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of S. 584, a bill to authorize the award of the Purple Heart to persons who were prisoners of war on or before April 25, 1962.

#### SENATE CONCURRENT RESOLUTION 3

At the request of Mr. SIMON, the names of the Senator from Rhode Island [Mr. CHAFEE], the Senator from Tennessee [Mr. THOMPSON], and the Senator from Missouri [Mr. BOND] were added as cosponsors of Senate Concurrent Resolution 3, a concurrent resolution relative to Taiwan and the United Nations.

At the request of Mr. HELMS, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of Senate Concurrent Resolution 3, *supra*.

#### SENATE CONCURRENT RESOLUTION 9

At the request of Mr. MURKOWSKI, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of Senate Concurrent Resolution 9, a concurrent resolution expressing the sense of the Congress regarding a private visit by President Lee Teng-hui of the Republic of China on Taiwan to the United States.

#### AMENDMENT NO. 401

At the request of Mr. ABRAHAM the name of the Senator from Utah [Mr.

HATCH] was added as a cosponsor of amendment No. 401 proposed to S. 4, a bill to grant the power to the President to reduce budget authority.

## AMENDMENTS SUBMITTED

### LEGISLATIVE LINE ITEM VETO ACT OF 1995

#### BRADLEY (AND OTHERS) AMENDMENT NO. 403

Mr. BRADLEY (for himself, Mr. WELLSTONE, Mr. ROBB, Mr. GLENN, Mr. KOHL, Mr. KERREY, Mr. HARKIN, Mr. FEINGOLD, Mr. EXON, Mr. HOLLINGS, and Mr. SIMON) proposed an amendment to amendment No. 347 proposed by Mr. DOLE to the bill (S. 4) to grant the power to the President to reduce budget authority; as follows:

On page 5, strike lines 13 through 20 and insert the following:

(5) the term 'targeted tax benefit' means any provision which has the practical effect of providing a benefit in the form of a different treatment to a particular taxpayer or a limited class of taxpayers, whether or not such provision is limited by its terms to a particular taxpayer or a class of taxpayers but such term does not include any benefit provided to a class of taxpayers distinguished on the basis of general demographic conditions such as income, number of dependents, or marital status.

#### HOLLINGS (AND OTHERS) AMENDMENT NO. 404

Mr. HOLLINGS (for himself, Mr. KERREY, and Mr. EXON) proposed an amendment to amendment No. 347, proposed by Mr. DOLE, to the bill, S. 4, supra; as follows:

At the appropriate place insert the following:

#### "SEC. . PAY-AS-YOU-GO.

"At the end of title III of the Congressional Budget Act of 1974, insert the following new section:

##### "ENFORCING PAY-AS-YOU-GO

"SEC. 314. (a) PURPOSE.—The Senate declares that it is essential to—

"(1) ensure continued compliance with the deficit reduction embodied in the Omnibus Budget Reconciliation Act of 1993; and

"(2) continue the pay-as-you-go enforcement system.

##### "(b) POINT OF ORDER.—

"(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct-spending or receipts legislation (as defined in paragraph (3)) that would increase the deficit for any one of the three applicable time periods (as defined in paragraph (2)) as measured pursuant to paragraphs (4) and (5).

"(2) APPLICABLE TIME PERIODS.—For purposes of this subsection, the term "applicable time period" means any one of the three following periods—

"(A) the first fiscal year covered by the most recently adopted concurrent resolution on the budget;

"(B) the period of the 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

"(C) the period of the 5 fiscal years following the first 5 years covered by the most recently adopted concurrent resolution on the budget.

"(3) DIRECT-SPENDING OR RECEIPTS LEGISLATION.—For purposes of this subsection, the term "direct-spending or receipts legislation" shall—

"(A) include any bill, resolution, amendment, motion, or conference report to which this subsection otherwise applies;

"(B) include concurrent resolutions on the budget;

"(C) exclude full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990;

"(D) exclude emergency provisions so designated under section 252(e) of the Balanced Budget and Emergency Deficit Control Act of 1985;

"(E) include the estimated amount of savings in direct-spending programs applicable to that fiscal year resulting from the prior year's sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985, if any (except for any amounts sequestered as a result of a net deficit increase in the fiscal year immediately preceding the prior fiscal year); and

"(F) except as otherwise provided in this subsection, include all direct-spending legislation as that term is interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

"(4) BASELINE.—Estimates prepared pursuant to this section shall use the most recent Congressional Budget Office baseline, and for years beyond those covered by that Office, shall abide by the requirements of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, except that references to "outyears" in that section shall be deemed to apply to any year (other than the budget year) covered by any one of the time periods defined in paragraph (2) of this subsection.

"(5) PRIOR SURPLUS AVAILABLE.—If direct-spending or receipts legislation increases the deficit when taken individually (as a bill, joint resolution, amendment, motion, or conference report, as the case may be), then it must also increase the deficit when taken together with all direct-spending and receipts legislation enacted after the date or enactment of the Omnibus Budget Reconciliation Act of 1993, in order to violate the prohibition of this subsection.

"(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

"(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

"(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and receipts for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

"(f) SUNSET.—Subsections (a) through (e) of this section shall expire September 30, 1998."

#### GLENN AMENDMENT NO. 405

Mr. GLENN proposed an amendment to the amendment No. 347 proposed by Mr. DOLE to the bill, S. 4, supra; as follows:

At the appropriate place insert the following:

#### SEC. . EVALUATION AND SUNSET OF TAX EXPENDITURES.

(a) LEGISLATION FOR SUNSETTING TAX EXPENDITURES.—The President shall submit legislation for the periodic review, reauthorization, and sunset of tax expenditures with his fiscal year 1997 budget.

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following paragraph:

"(30) beginning with fiscal year 1999, a Federal Government performance plan for measuring the overall effectiveness of tax expenditures, including a schedule for periodically assessing the effects of specific tax expenditures in achieving performance goals."

(c) PILOT PROJECTS.—Section 1118(c) of title 31, United States Code, is amended by—

(1) striking "and" after the semicolon in paragraph (2);

(2) redesignating paragraph (3) as paragraph (4); and

(3) adding after paragraph (2) the following:

"(3) describe the framework to be utilized by the Director of the Office of Management and Budget, after consultation with the Secretary of the Treasury, the Comptroller General of the United States, and the Joint Committee on Taxation, for undertaking periodic analyses of the effects of tax expenditures in achieving performance goals and the relationship between tax expenditures and spending programs; and"

(d) CONGRESSIONAL BUDGET ACT.—Title IV of the Congressional Budget Act of 1974 is amended by adding at the end thereof the following:

##### "TAX EXPENDITURES

"SEC. 409. It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that contains a tax expenditure unless the bill, joint resolution, amendment, motion, or conference report provides that the tax expenditure will terminate not later than 10 years after the date of enactment of the tax expenditure."

#### LEVIN (AND OTHERS) AMENDMENT NO. 406

Mr. LEVIN (for himself, Mr. MURKOWSKI, and Mr. EXON) proposed an amendment to the amendment No. 347 proposed by Mr. DOLE to the bill, S. 4, supra; as follows:

At the end of Section 5(4)(A), strike "and" and add the following:

"but shall not include a provision which does not appropriate funds, direct the President to expend funds for any specific project, or create an express or implied obligation to expend funds and—

"(i) rescinds or cancels existing budget authority;

"(ii) only limits, conditions, or otherwise restricts the President's authority to spend otherwise appropriated funds; or

"(iii) conditions on an item of appropriation not involving a positive allocation of funds by explicitly prohibiting the use of any funds; and"

#### HATCH (AND OTHERS) AMENDMENT NO. 407

Mr. HATCH (for himself, Mr. ROTH, Mr. HEFLIN, and Mr. ABRAHAM) proposed an amendment to amendment No. 347 proposed by Mr. DOLE to the bill S. 4, supra; as follows:

On page 3, line 21, after "separately" insert "except for items of appropriation provided