

pending but subject to an objection under a unanimous-consent request. But that would be the vehicle. Then we would send it back to the House, and the House would either accept or reject it. So that is where we are, Mr. President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Senate bill 2183 introduced earlier today by Senator DOMENICI.

The PRESIDING OFFICER. The clerk will report.

The legislation clerk read as follows:

A bill (S. 2183) to make technical corrections to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

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

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

WELFARE AMENDMENT DESCRIPTION

Mr. DOMENICI. Mr. President, this bill would clarify congressional intent and allow all States, regardless of when the State opts to start the new block grant program, access to contingency funds if they qualify. The welfare bill limits funds available to a State in 1997 to the State's block grant amount, but requires a State of have an approved welfare reform plan before being eligible for a contingency fund payment.

Prior to opting into the new Temporary Assistance for Needy Families [TANF] Program, the State must operate under the current law Aid to Families with Dependent Children [AFDC] entitlement program. There are a handful of States that have rising caseloads and rising unemployment that normally would be eligible for the contingency fund. The authorizing committees, in a letter to HHS Secretary Shalala, indicated that congressional intent was that all States should be eligible for the contingency fund regardless of when they opt into the new TANF program. HHS has stated that legally they cannot give payments out of the contingency fund without a legislative change.

Many States will not be able to opt into the block grant until the legislation's effective date of July 1, 1997. For example, New Mexico's State Legislature will not convene until January 1997 and the legislative process will take time to develop a welfare reform plan.

Since CBO had assumed States would receive payments from the fund, the welfare bill was scored with costs (outlays from the fund.) Since this legislation clarifies intent, CBO scored no cost.

CBO identified a number of States that may have a problem because of rising unemployment or rising caseloads. These States include Nevada, New Mexico, Alaska, Hawaii, Idaho, and Minnesota. So far it is unclear which States will actually have a problem.

AMENDMENT NO. 5424

Mr. MURKOWSKI. Mr. President, there is an amendment at the desk by Senator DASCHLE. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. MURKOWSKI], for Mr. DASCHLE, proposes an amendment numbered 5424.

At the appropriate place, insert the following:

SEC. . EXTENSION OF NORTHERN GREAT PLAINS RURAL DEVELOPMENT COMMISSION.

Section 11 of the Northern Great Plains Rural Development Act (Public Law 103-318; 7 U.S.C. 2661 note) is amended by striking "the earlier" and all that follows through the period at the end and inserting "September 30, 1997."

Mr. DOMENICI. Mr. President, this amendment is very simple. The amendment clarifies congressional intent and allows all States, regardless of when they opt into the block grant, access to the contingency fund.

The welfare bill restricts States funds in fiscal year 1997 to the block grant amount, even though the effective date for the new program is July 1, 1997. States may operate under current AFDC rules until then.

Congress never intended that States have financial difficulties prior to starting the new program.

In fact, most States make money under the block grant because caseloads have dropped, so the funding limitation never comes into question.

There are handful of States, including my home State, that have had caseload increases since the establishment of the block grant. These States could experience a funding shortfall during the transition period—a situation not foreseen in the original legislation.

Congress created the contingency fund for just this problem.

However, the contingency fund is available only to eligible States and HHS' interpretation is that an "eligible State" is a State that has opted into the block grant.

Most States do not have full-time legislatures that can convene and develop a new welfare plan. For example, New Mexico's Legislature does not convene until January 1997. Therefore, it will take time for New Mexico's welfare plan to be implemented.

Both the Finance Committee and Ways and Means wrote a letter to HHS

advising the agency of congressional intent, but HHS responded by saying there must be a legislative change.

This amendment has no cost attached to it. CBO assumed that all States could have access to the funds and as such scored outlays in the welfare bill.

This amendment does not change the way States qualify for the fund—it is not limited to any particular State—any State that qualifies can access the funds as well.

This amendment has the support of the authorizing committees and the administration.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill be advanced to third reading and passed, and the motion to reconsider be laid upon the table, all without further action, or debate.

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

The amendment (No. 5424) was agreed to.

The bill (S. 2183), as amended, was passed, as follows:

S. 2183

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TECHNICAL CORRECTIONS TO THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

(a) CLARIFICATION OF LIMITATION ON CERTAIN FEDERAL OBLIGATIONS FOR 1997.—Section 116(b)(1)(B)(ii)(II) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is amended—

(1) in item (aa), by striking "the State family assistance grant" and inserting "the sum of the State family assistance grant and the amount, if any, that the State would have been eligible to be paid under the Contingency Fund for State Welfare Programs established under section 403(b) of the Social Security Act (as amended by section 103(a)(1) of this Act), during the period beginning on October 1, 1996, and ending on the date the Secretary of Health and Human Services first receives from the State a plan described in section 402(a) of the Social Security Act (as so amended) if, with respect to such State, the effective date of this Act under subsection (a)(1) were August 22, 1996,"; and

(2) in item (bb)—

(A) by inserting "sum of the" before "State family assistance grant"; and

(B) by striking the period and inserting ", and the amount, if any, that the State would have been eligible to be paid under the Contingency Fund for State Welfare Programs established under section 403(b) of the Social Security Act (as amended by section 103(a)(1) of this Act), during the period beginning on October 1, 1996, and ending on the date the Secretary of Health and Human Services first receives from the State a plan described in section 402(a) of the Social Security Act (as so amended) if, with respect to such State, the effective date of this Act under subsection (a)(1) were August 22, 1996."

(b) CORRECTIONS RELATED TO THE CONTINGENCY FUND FOR STATE WELFARE PROGRAMS.—Section 403(b)(4)(A) of the Social Security Act, as amended by section 103(a)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, is amended—

(1) in clause (i)(II), by striking "minus any Federal payment with respect to such child care expenditures"; and

(2) in clause (ii)(I)—

(A) by inserting "the sum of" before "the expenditures"; and

(B) by inserting ", and any additional qualified State expenditures, as defined in section 409(a)(7)(B)(i), for child care assistance made under the Child Care and Development Block Grant Act of 1990" before the semicolon.

(c) CLARIFICATION OF HEADING.—The heading of section 116(b)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is amended by inserting "LIMITATION ON FISCAL YEARS 1996 AND 1997 PAYMENTS" after "DATE".

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of and the amendments made by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

SEC. 2. EXTENSION OF NORTHERN GREAT PLAINS RURAL DEVELOPMENT COMMISSION.

Section 11 of the Northern Great Plains Rural Development Act (Public Law 103-318; 7 U.S.C. 2661 note) is amended by striking "the earlier" and all that follows through the period at the end and inserting "September 30, 1997."

PROVIDING FOR THE CONVENING OF THE 105TH CONGRESS AND COUNTING ELECTORAL VOTES

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 198 regarding the convening of the 105th Congress and the counting of electoral votes which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 198) appointing the day for the convening of the first session of the One Hundred Fifth Congress and the day for the counting in Congress of the electoral votes for President and Vice President cast in December of 1996.

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

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

Mr. MURKOWSKI. Mr. President, it is my understanding from the clerk that the Senate will come back on the 7th and count the electoral votes on the 9th.

The PRESIDING OFFICER. That is the understanding of the Chair.

Mr. MURKOWSKI. I thank the Chair.

I ask unanimous consent that the resolution be deemed read a third time, passed, and the motion to reconsider be laid upon the table.

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

The joint resolution (H.J. Res. 198) was deemed read a third time, and passed.

THE NATIONAL SECURITIES MARKETS IMPROVEMENT ACT OF 1996—CONFERENCE REPORT

Mr. MURKOWSKI. Mr. President, I submit a report of the committee of

conference on (H.R. 3005) and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be stated.

The clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3005) to amend the Federal securities laws in order to promote efficiency and capital formation in the financial markets, and to amend the Investment Company Act of 1940 to promote more efficient management of mutual funds, protect investors, and provide more effective and less burdensome regulation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of September 28, 1996.)

Mr. D'AMATO. Mr. President, today I speak in support of H.R. 3005, the National Securities Markets Improvement Act of 1996. This bill is a critical piece of securities legislation that will vastly improve our securities markets and provide important investor and consumer protections.

As most of my colleagues already know, an earlier version of this bill, S. 1815, passed the Senate unanimously in late June. That bill enjoyed strong bipartisan support. As testament to that support, we were able to introduce the bill, mark it up in committee, and pass it through the Senate within 2 months.

Through hard work on both sides of the Capitol, the House and Senate conference on H.R. 3005 produced a sound bill that thoughtfully and carefully tightens the securities laws. I thank my distinguished colleagues and conferees whose tenacity and dedication have made it possible to produce this legislation. I thank the chairman and ranking member of the Securities Subcommittee, Senators GRAMM and DODD, along with the ranking member of the full committee, Senator SARBANES. I also thank my esteemed colleague, Senator BENNETT, who has been very helpful to the committee on securities legislation this Congress. I thank the staffs: Howard Mennell, Steve Harris, Laura Unger, Wayne Abernathy, Mitchell Feuer, Andrew Lowenthal, and Robert Cresanti, as well as the legislative counsel, Laura Ayud, who literally made this bill possible.

Mr. President, I urge the Senate to act expeditiously on this conference report so that we may then forward it to the White House for the President's signature.

The National Securities Markets Improvement Act of 1996 is a significant piece of legislation that will ensure that the U.S. securities market remains the pre-eminent securities market in the world. The U.S. securities market has the most capital and the most investors. Over 50 million Americans own stocks, not counting more

than 10,000 institutional investors. Last year, the U.S. stock market had \$7.98 trillion in capital—close to half the amount of capital in the entire world market.

This legislation will make it easier to raise capital in the securities market. The bill will create a new category of unregistered private investment companies that will help venture capitalists tap the capital markets to fund business endeavors. It will also bring more funding and investment to small business by making it easier for economic, business, and industrial development companies to raise money without having to register with the SEC and by providing liquidity and investment opportunities to business development companies.

The bill will promote capital formation by eliminating many overlapping State and Federal requirements for registering securities. It eases the restrictions on borrowing that currently restricts U.S. broker-dealers' sources of funding their business. The bill will make U.S. broker-dealers more competitive in the global markets. It will also allow U.S. firms to pass on substantial savings to their customers.

This bill will make the securities laws reflect the reality of today's marketplace. It will simplify procedures for paying fees and making disclosures. It will give the Securities and Exchange Commission flexibility to adapt to the changing financial market by letting the SEC say the securities laws don't apply where they don't make sense.

This legislation will tighten up regulation by giving the States and the SEC distinctly separate regulatory roles. It will divide between the SEC and the States regulation of the 22,000 registered investment advisers who are entrusted with \$10.6 trillion in customer funds—much of which represents savings and retirement money. As a result, investment advisers will be better regulated and consumers and investors better protected.

The bill will make the mutual fund market a national market, that will be comprehensively regulated by the SEC. Mutual funds have become a household commodity in the last several years with almost one-third of U.S. households—that's 30 million households—owning a total of \$2.7 trillion in mutual funds. This bill recognizes that the growth in the mutual fund industry means that it is no longer practicable for all 50 States to have a hand in what goes into a mutual fund prospectus.

This legislation also makes sure investors and consumers are not confused about what's in a mutual fund by giving the SEC authority to set standards on mutual fund names.

This is not a controversial bill, it enjoys support on both sides of the aisle. It thoughtfully and carefully tightens the laws governing the securities market. I commend my colleagues and their staff for their excellent work in drafting this legislation and urge my