

Our symptoms worsened, and individual oxygen bottles were soon retrieved. The flight attendant crew experienced increasing loss of motor skills and mental alertness, loss of ability to judge time passage and elementary computations, disorientation, headache, extreme fatigue. The lunch service was canceled, passengers awakened with great difficulty and relocated from coach to business class [which is designed to provide a somewhat increased level of fresh air per person] where effects seemed less severe. The flight attendants responsible for the coach section of the aircraft spent the last two hours of the flight seated, breathing from oxygen bottles. Individual flight attendants intermittently lost consciousness. Passengers were either completely "out", often with flushed faces, or in an apathetic, non communicative "daze". The airline safety official's "best guess" is that the malfunctioning air pack combusted superheated synthetic oil, flooding the coach cabin with resulting fumes and particulate irritants and as a byproduct created poisonous carbon monoxide.

STATEMENT OF JOE JOHNSON

I have been a flight attendant for about 16 years and traveling by air for much longer than that. With the relatively recent introduction of aircraft with recycled air systems, I have experienced a reduction of air quality on board. I have experienced fatigue, difficulty in breathing, lightheadedness, and headaches on some flights. Passengers often complain to me of the same. The first thought is that this could be due to smoking on board flights. However, since most flights have been nonsmoking for some time, I believe this is just a contributing factor.

There is a marked difference in air quality when flying older aircraft such as the 747-100 series, any 727 or 737-200 series. I am told by experts in the field this is due to 100 percent fresh air exchange on the older airplanes. On some newer generation airplanes, we frequently ask the pilots to turn off the recirculation fans, which I understand, allows more fresh air into the cabin. This procedure, I am told by our engineers, theoretically uses more fuel, however, it does improve air quality. You can surmise in an era of cost control that this practice is not popular among airline management's.

Another area that contributes to poor air quality is the lack of adequate maintenance of the filtration systems. I have witnessed filters that are so black and clogged I don't know how any air could have passed through. On a recent flight from Los Angeles to Washington, a frequent flying passenger repeatedly asked me to ask the pilots to improve the air quality and air flow. He proclaimed to all who were around that, "I travel all the time and we are all going to have black lungs from the air on board airplanes. These new planes are terrible." I repeatedly relayed his requests to the cockpit.

Due to design, it would appear, air quality continues to deteriorate. This is a real problem for flights attendants as well as the traveling public.

STATEMENT OF JANIE JOHNSON

As a veteran flight attendant for 23 years, I believe the air quality continues to deteriorate. A great number of flight attendants experience headaches, have difficulty breathing, suffer from upper respiratory problems and are fatigued.

On August 24, 1994, I worked a flight from Washington, DC to Anchorage International via Denver's Stapleton airport. It was an aircraft with recirculating cabin air and was a non-smoking flight. The air was stuffy. Many passengers requested aspirin and I my-

self had a terrible headache, with sharp pains between my eyes. I also had a difficult time breathing. It was as if someone was standing on my chest.

We reported this to the pilots and they turned off a recirculation fan to see if it would help and it did. Within approximately 20 minutes I found it much easier to breathe and my headache was gone.

Upon our return flight from Anchorage to Dulles, via Denver on a different aircraft of the same type, we experienced the same symptoms and again the pilots turned off one of the recirculation fans. The results were the same. We did notice that the ceiling vents in both galleys were obstructed by lint. We logged the problems with the air quality and upon our arrival into Denver, mechanics removed the covers and cleaned the filters. They were almost totally blanketed with what appeared to be lint, and other debris.

I am not a doctor nor a mechanic but just a flight attendant that makes a living of working on board airplanes. Lack of good air quality is negatively impacting not only my health but the health of my flying partners and passengers who travel on board our airplanes every day. During a conference call regarding air quality on one of the new generation of aircraft with recirculated air, the maintenance engineer commented, "when I went to training for this system, I was told it was a flying cold."

Numerous incidents of poor air quality have been filed by flight attendants, yet, over the years, conditions continue to worsen. It would appear for the sake of some fuel savings, air quality and our health and safety continue to suffer.

By Mr. HOLLINGS:

S. 1866. A bill to amend title 18, United States Code, to clarify Federal jurisdiction over offenses relating to damage to religious property.

THE CHURCH ARSON PREVENTION ACT OF 1996

Mr. HOLLINGS. Mr. President, I rise today to introduce a bill aimed at providing a mechanism for Federal law enforcement to combat the most recent scourge to sweep across the Southeast. I am talking about the burnings of black churches that have been making such dramatic headlines lately. The burning of houses of worship have been taking place for the past 5 or 6 years, but this particular outbreak of fires has all the characteristics of an epidemic. Not since the sixties have I been witness to such blatant intolerance and hatred, such utterly despicable acts of American citizens against their fellow Americans as has I have seen over these past few weeks. I turn on the news and see a burning church, a haunting image with horrific symbolic and practical implications, and I say this must stop. Not just this specific rash of crime, but the whole trend toward violence and intolerance in our society. We as Americans have fought too hard to let racial or religious intolerance once again pollute our democracy.

This morning I accompanied President Clinton as he traveled to South Carolina. I welcome his strong presence in the midst of this unsettling trend, and moreover I welcome the message he brought to my home State. This country is stronger than the forces of

hatred that would divide us. We will rebuild, and we will punish those responsible for these episodes of destruction.

To fight against the forces of divisiveness, we must pull together as a community. In the South, that means rebuilding, it means congregations of churches all over America picking a Sunday and dedicating their collections to rebuild these burned churches. Here in the Government, in means using every means within our power to make sure that this never happens again.

As of this moment, we don't have legislation that adequately addresses this brand of criminal behavior. The investigations by Federal authorities, and their ability to prosecute these cases have been limited by the current law. The bill I propose will remove the impediments to bringing Federal cases, and give the Attorney General an effective, and necessary weapon with which to combat these crimes. Section 247 of title 18, United States Code, makes it a crime to damage religious property or to obstruct persons in the free exercise of religious beliefs. I propose to amend this by requiring only that the offense "is in or affects interstate or foreign commerce." Congress will be effectively granting jurisdiction over all conduct which may be reached under the interstate commerce clause of the constitution.

Additionally, the bill eliminates the \$10,000 threshold for fire damages to grant Federal jurisdiction in cases where there is only minimal damage. This way, desecration or defacement of houses of worship can be prosecuted under 18 U.S.C. 247.

I urge the Senate to act quickly and adopt this provision. As I understand a similar measure is making its way through the House, the Senate should also act in an expeditious manner to ensure the Federal Government has the necessary authority to combat this tragic epidemic.

More importantly, this country must come together, leave racial intolerance behind, and insure that we end this type of bigotry.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1866

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Church Arson Prevention Act of 1996".

SEC. 2. DAMAGE TO RELIGIOUS PROPERTY.

Section 247 of title 18, United States Code, is amended—

- (1) so that subsection (b) reads as follows: "(b) The circumstances referred to in subsection (a) are that the offense is in or affects interstate or foreign commerce."; and
- (2) in subsection (a)(1), by inserting "racial, or ethnic" before "character".

By Mr. BIDEN (for himself and Mr. SPECTER):

S. 1867. A bill to restore the American family, enhance support and work opportunities for families with children, reduce out-of-wedlock pregnancies, reduce welfare dependence, and control welfare spending; to the Committee on Finance.

THE BIPARTISAN WELFARE REFORM ACT OF 1996

Mr. BIDEN. Mr. President, since 1987, when I first proposed an overhaul of the welfare system, I have argued that welfare recipients should be required to work. Nine years later, America is still in need of fundamental welfare reform.

So, today, Mr. President, Senator SPECTER and I are introducing the Bipartisan Welfare Reform Act of 1996—the Senate companion to legislation introduced in April by Representatives MIKE CASTLE and JOHN TANNER and 30 moderate House Members from both parties.

Let me briefly review how we got to this point and why we are taking this action.

Last September, the Senate passed a bipartisan welfare reform bill by an overwhelming vote of 87–12. I voted for that bill, and President Clinton said he could sign it.

Since then, however, polarizing partisanship and Presidential politics have permeated this issue. And, the result has been paralysis. Nothing has been accomplished.

In an attempt to break the gridlock, last February, the Nation's Governors—led by my Governor, Tom Carper—proposed a bipartisan welfare reform bill. In April, Representatives CASTLE and TANNER and a group of other moderates wrote what I believe is a first-rate bipartisan welfare reform plan.

No such bipartisan plan to date has been introduced in the Senate. And, as this issue will be back before us again soon, Senator SPECTER and I decided that now is the time—and the Castle-Tanner proposal is the bill to move us forward.

What this bill proposes, in and of itself, is not new. What is new is that it is being proposed all together in a bipartisan fashion.

For that, Representative CASTLE and Senator SPECTER deserve great applause. They are reaching across the aisle to do what the American people sent us to Congress to do—work together to solve the problems facing this country. And, again, I think the bill we are introducing today is a first-rate bill.

To highlight the basic principles: there would be a 5-year time limit on receiving welfare benefits. After 2 years, welfare recipients would be required to work—at least 25 hours per week. And, child care would be available, so that children are not left home alone while their mothers are working.

The bill would make getting tough on the deadbeat dads who do not pay child support as high a priority as getting tough on the welfare moms. And, the bill takes steps to crack down on welfare—particularly food stamp—fraud.

This will all sound familiar to those who have followed this debate. And, as I said a moment ago, it is. For the principles have never been in doubt—almost everyone agrees on them.

You see, what has been lost in the shuffle and shouting of the last 10 months is that there is a great deal of common ground on welfare reform. So much so, that if you leave behind the politics and the partisanship, a tough, bipartisan welfare reform bill is easily within reach.

I think this is that bill. But, if not, it is awfully darn close. Let me just mention a couple of examples of bipartisan compromise.

For Republicans, the bill converts aid to families with dependent children—AFDC—to a block grant to the States. For Democrats, it more adequately invests in child care.

For Republicans, the bill freezes funding for cash welfare payments. For Democrats, it provides additional help to those States faced with economic downturns.

For Republicans, the bill imposes a family cap. For Democrats, it gives States flexibility to opt out.

Is this bill exactly how I would have written a bill on my own in the solitude of my office? The answer is no. But, if we are going to move forward, we must stop insisting that there be a perfect bill or no bill at all.

It is time to say that we do not care who gets credit for reforming welfare. It is time to just do it—in a bipartisan fashion—for the sake of the American people and for the sake of the people on welfare.

I urge my colleagues to cosponsor the Biden-Specter Bipartisan Welfare Reform Act, and I ask unanimous consent that a summary of the bill prepared by Representative TANNER be included in the RECORD.

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

HIGHLIGHTS OF THE BIPARTISAN WELFARE REFORM ACT OF 1996

TITLE I—BLOCK GRANT FOR TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)

Basic grant. Consolidates funding for AFDC, JOBS and Emergency Assistance (EA) into a \$16.35 annual billion block grant to states beginning in FY 1997 called the Temporary Assistance for Needy Families (TANF) block grant.

Supplemental grant fund of \$800 million for FY 1997–FY 2000 for states with high population growth and/or low grant amounts per poor person.

Contingency Fund for State Welfare Programs. Establishes a contingency fund for states of \$2 billion in matching funds over five years (FY 1997–2001) for states that experience high unemployment or an increase in the food stamp caseload. States must also meet a 100% maintenance of effort requirement in the year they use the contingency fund. Funds are provided at the end and cannot exceed 20% of a state's annual TANF grant in a fiscal year.

State plan. States would be required to submit a state plan for approval in order to receive federal funds. The Secretary must approve any plan which meets the following basic requirements:

Work Requirements. Require all able-bodied recipients to engage in work activities within two years of receiving assistance.

Fair and equitable treatment. Set forth objective criteria for the delivery of benefits and the determination of eligibility and fair and equitable treatment, treat families with similar needs and circumstances similarly and provide opportunities for recipients who have been adversely affected to be heard in a state administrative or appeal process.

Out of wedlock pregnancies. Establish goals and take actions to reduce the incidence of out of wedlock pregnancies, with special emphasis on teenagers.

Other programs. Have in place a child support enforcement and child protection programs.

Local Control. Certify that 1) local governments and private sector organizations are included in all phases of developing the plan; 2) local officials who are responsible for administration of services are able to plan, design and administer programs in their jurisdiction; and 3) there are no unfunded mandates on local governments.

Non-displacement. Certify that the state program will not result in the displacement of any current employees or replacement of an employee who was terminated with individuals receiving assistance under the state plan.

Maintenance of effort. 85% maintenance of effort requirement through FY 2001 based on a state's FY 1994 spending on AFDC, JOBS, and AFDC-related child care and EA. State spending on programs that were not part of the state's AFDC program would not be counted in meeting the maintenance of effort. The Secretary may reduce the maintenance of effort requirement by up to 5% (down to 80%) for states that have high performance in placing individuals in private sector employment and increase the states maintenance of effort by up to 5% (up to 90%) if the state fails to meet the work participation rates.

Transferability. States may transfer up to 20% of the federal TANF grant to the Child care and Development Block grant.

Time limits on benefits:

Five year federal limit. A state may not provide cash assistance to a family that includes and adult who has received any assistance under the TANF grant for 60 months.

State option for time limits. States have the option of terminating benefits to a family that includes an adult who has received assistance for 24 months.

Exemption to time limits. States may grant exemptions to up to 20% of the caseload for either reason of hardship or if the individual has been battered or subject to extreme cruelty.

Vouchers. States have the option of providing assistance in the form of vouchers for the needs of the child (diapers, etc.) for families who lose benefits as a result of the federal five year time limit. States must provide vouchers to families who lose assistance as a result of a state time limit of less than five years.

Work requirements. States must require a parent or caretaker receiving assistance under the program to engage in work after receiving assistance for 24 months:

Individual Responsibility Contract. Require welfare recipients sign an individual responsibility contract developed by the state upon becoming eligible for cash assistance. The individual responsibility contract would outline what actions the individual would take to move to private sector employment. The contract will also outline what services the state will provide to the individual.

Eligible work activities. Unsubsidized employment; subsidized private and public sector employment; work experience, on-the-job

training; job search and job readiness (limited to 12 weeks in a year); community service; vocational educational training (not to exceed 12 months for any individual). Education and job skills training will not count toward meeting the first 20 hours of participation (unless in the case of education, the parent is a teen). Individuals who have welfare for private sector employment ("leavers") would be considered as engaged in work activities for purposes of calculating participation rates for six months provided that they remain employed.

Required hours. The minimum average number of hours per week for all recipients in 20 hours for FY 1996, FY 1997, and FY 1998; and 25 hours in FY 1999 and thereafter.

Participation rates. States must meet the following participation rates for single parent families: 1996-15%, 1997-20%, 1998-25%, 1999-30, 2000-35%, 2001-40%, 2002 and thereafter-50%. The rates for two-parent families are: 1996-50%, 1997-75%, 1998-75%, 1999 and thereafter-90%.

Pro rata reduction in participation rate. States will receive pro rata reduction in the participation rate requirement if the number of families receiving assistance under the State program is less than the number of families that received the AFDC in FY 1995.

Work Funding. Provides \$3 billion in supplemental funds for the operation of work programs that states can draw down beginning in 1999 if the state is maintaining 100% of 1994 state spending on AFDC work programs and demonstrates that it needs additional funds to meet the work requirements or certifies that it intends to exceed the work requirements. The state must match the additional federal funds for work programs at FMAP.

Other Provisions:

Minor mothers. Teen parents under age 18 must attend school and live at home or with a responsible adult. States have the option of denying aid to unmarried teen mothers and their children.

Family cap. States have the option of denying cash assistance to additional children born or conceived while the parent is on welfare.

Bonuses for reducing out-of-wedlock births. Includes bonuses to states that reduce out-of-wedlock births without increasing abortions.

TITLE II—SSI REFORM

SSI Benefits for children. Reform the SSI program to address the so-called "crazy check" problem in the child SSI program by eliminating the current Individualized Functional equivalency standards, maladaptive behavior and psychoactive substance dependence disorder. The Social Security Administration would be required to revise functional equivalency standard within the medical listings. All children who are currently on the rolls as a result of the IFA process would be reevaluated under the new criteria established in Section 9601. Parents would be required to demonstrate that funds received from SSI were used to assist the disabled child during the review. The provisions would be effective on October 1, 1996.

Deeming of parents income for children. Increase the portion of the income of a child's parents that is "deemed" in determining the eligibility of that child for SSI for families with incomes above 150% of poverty.

Disability Review for SSI recipients who are 18 years of age. Requires children who received SSI benefits to undergo a disability review before being placed on the adult rolls at age 18.

SSI benefits for individuals convicted of fraud. Denies benefits for ten years to an individual who is found to have fraudulently

misrepresenting residence in order to receive AFDC, TEA, Food Stamps or SSI benefits simultaneously in two or more states.

SSI benefits for fugitive felons and probation and parole violators. Denies SSI benefits to individuals in any month in which the individual is fleeing prosecution or imprisonment. Authorizes SSA to provide information regarding SSI beneficiaries if requested by law enforcement officers for recipients who are fleeing prosecution or imprisonment.

SSI Continuing Disability Reviews. Requires Social Security Administration to schedule continuing disability reviews (CDRs) for all current and future adult SSI recipients to ensure that they are still eligible. The CDRs would be scheduled on a staggered schedule with reviews every three years for covered individuals. Individuals who have disabilities which are not expected to improve or who are more than 65 years old would be exempt.

TITLE III—CHILD SUPPORT

Distribution. Post-welfare arrearages must be paid to the family first beginning October 1, 1997. Pre-welfare arrearages will also be paid to the family first but the effective date for this provision will be October 1, 2000. If pre-welfare arrearages paid to the family exceed state savings from the elimination of the \$50 disregard and other methods of improving collections in the bill, the federal government will pay the difference to the state.

Incentive adjustments. The Secretary will develop a new performance-based incentive system to be effective October 1, 1997.

System automation. Extends the 90% enhanced match for state implementation of the data systems requirement that were created by the Family Support Act until October 1, 1997. States must have submitted their advance planning document by September 30, 1995. Increases in the funding available for new systems requirements to \$400 million from the \$260 million, originally included in both bills. Provides an enhanced match of 80% for new requirements.

Paternity establishment rate. Increases the paternity establishment rate from 75% to 90%. States failing to reach it or make adequate progress will have their TANF grant reduced. Paternity establishment ratio is amended to be based on all children born out-of-wedlock, not just to those receiving AFDC or child support services.

New requirements. States must establish an automated central registry of IV-D case records and support orders and an automated directory of new hires; operate a centralized unit to collect and disburse all child support orders (not just IV-D cases); and meet expanded requirements around enforcement and paternity establishment.

Licenses. Requires states to have laws suspending drivers, professional, occupation and recreational license for overdue child support.

TITLE IV—IMMIGRATION.

Food stamp and SSI bar. Current and future immigrants are barred from food stamps and SSI until attaining citizenship with the following exceptions:

- (1) Children are exempted from the food stamp ban;
- (2) Disabled children;
- (3) Victims of domestic abuse;
- (4) Refugees in their five years in the U.S.;
- (5) Veterans and active duty service members and their spouses and dependents;
- (6) Individuals who have worked and paid FICA taxes for 60 months.

5-year ban. New entrants are denied all other federally means-tested benefits for five years after arrival in the U.S. with same exemptions as above. Programs not included in

the bar include Medicaid emergency medical services, child nutrition, immunization programs, foster care and adoption assistance, higher education loans and grants and Chapter 1.

Deeming until citizenship required for Medicaid (same exemptions as above) for all immigrants until citizenship.

State options. New immigrants would be barred for five years from Medicaid, Title XX and the TANF block grant. States have the option to deny or restrict benefits under these programs for current immigrants and new immigrants (after their first five years). State authority to limit eligibility of immigrants for state and local means-tested programs. Non-profit organizations and community organizations designated by the state attorney general would be exempted from enforcing this ban.

Affidavits of support. Sponsors' affidavits of support are binding and enforceable against the sponsors until the immigrant attains citizenship.

TITLE V.—REDUCTIONS IN FEDERAL GOVERNMENT POSITIONS

Requires a reduction of 75 percent in the number of federal positions in agencies that administer programs that have been converted into a block grant.

TITLE VI.—REFORM OF PUBLIC HOUSING

Ensures that penalties imposed by states against individuals who fail to comply with rules under welfare programs do not result in reduced public and assisted housing rents.

TITLE VII.—CHILD CARE

Funding. Over the period FY 1997-FY 2002, combines \$13.85 billion in mandatory funding and \$6 billion in discretionary spending into the Child Care and Development Block Grant (CCDBG):

Discretionary funding (representing the old CCDBG) is authorized at \$1 billion annually and must be appropriated annually. Allocation of these funds to states is based on current CCDBG formula.

Mandatory funding or entitlement funding levels are \$1.967 billion in FY 1997, \$2.067 billion in FY 1999, \$2.367 billion in FY 2000, \$2.567 billion in FY 2001 and \$2.717 billion in FY 2002. States will receive a "base allocation" based on what they received in previous years funds above this amount will be distributed on a matching basis.

CCDBG rules. Rules and regulations of the Child Care Development Block Grant apply to all funds under the child care section. Retains current requirement that states apply minimum health and safety standards to providers and adds a requirement that states not implement any policy or practice that has the effect of restricting parental choice. All funds must be transferred to the lead agency under the Child care and Development Block Grant. There will be a 5 percent cap on administrative costs.

TITLE IX.—CHILD NUTRITION

Child and Adult Care Food Program. Restructures the meal reimbursements for family day care homes in the Child and Adult Care Food Program (CACFP) by targeting assistance to poorer areas.

Summer Food Service Program. Reduces the reimbursement rate for breakfast, lunches and snacks served under the Summer Food Service Program.

TITLE X.—FOOD STAMP REFORM

Fraud and Abuse. All of USDA's proposals to combat food stamp fraud and abuse are included, whereas HR 4 included only some of those proposals.

Cooperations with child support agencies. Requiring food stamp participants to cooperate with child support agencies will be an option for the States, rather than a mandate as under HR 4.

Adjustments to Thrifty Food Program. Food stamp benefits will be based on 100% of the Thrifty Food Plan rather than 103% as in current law, as in both bills. The standard deduction used in calculating food stamp eligibility and benefit levels will be reduced.

Simplified food stamp program States will be authorized to operate a simplified food stamp program, combining elements of the food stamp program and the cash welfare program. Such a program must be approved by the Secretary and may not increase federal costs or substantially alter the appropriate distribution of benefits according to household need.

Waiver authority USDA will be required to respond to a request of a State for a waiver of food stamp rules within 60 days of receipt of the request.

TITLE XI.—MISCELLANEOUS

Appropriation of funds by state legislature. Requires that block grants must be appropriated in accordance with the laws and procedures applicable to expenditures of the state's own revenues, including appropriation by the state legislature. Applies to the cash assistance, child care, child protection and optional food stamp block grants. (This would preempt state law in a number of states.)

Social Services Block Grant. Reduces the mandatory spending level of the Social Services Block Grant by 10% beginning in FY 1997 through FY2002—from \$2.8 billion to \$2.52 billion annually.

Electronic Benefit Transfer (EBT) programs. Exempts state and local government electronic benefit transfer programs from Regulation E of the Electronic Funds Transfer Act.

Mr. SPECTER. Mr. President, I have sought recognition to speak on the Biden-Specter Bipartisan Welfare Reform Act of 1996, a companion measure to H.R. 3266, the Castle-Tanner Bipartisan Welfare Reform Act of 1996. At the outset, I want to compliment my colleague from Delaware, Senator BIDEN, and Congressmen CASTLE and TANNER for their efforts in drafting a strong, bipartisan bill that represents commonsense welfare reform and should attract a broad consensus. Our basic objective in reforming the welfare system is the reduction of poverty and the improvement of the standard of living of millions of Americans. We should not let this goal become lost in partisan politics and we should not wait for the next election to achieve welfare reform and a balanced budget. This Congress can be known as the can do Congress if we work together on these vital issues.

I support many of the principles reflected in the Bipartisan Welfare Reform Act, such as establishing new work requirements in conjunction with improved job training, child care, and other support services for welfare recipients trying to end their dependence on Government assistance. I also support its get-tough policy on collecting overdue child support and on reducing fraud in various Government benefit programs. Although I have concerns about some of the provisions in our legislation, such as the calculation of the formula for the State block grant, it is important to demonstrate that there is a bipartisan effort in the Senate on reforming welfare and I intend to address

my reservations during the coming weeks as welfare reform proposals are considered in the Senate. While I have some reservations, I believe this bill is a good starting point for bipartisan legislation.

Looking back to my youth, I began to learn about some of the problems of welfare while growing up in Russell, KS, a small agricultural-oil community. Then, upon moving to Philadelphia for college I saw the problems that can arise in a large city. I have observed problems of welfare dependency for more than 30 years, going back to my earliest days of public service. As an assistant district attorney in Philadelphia, I saw the tremendous impact, the tremendous cost occasioned by a program which did not realistically move people from welfare rolls to payrolls. I learned a great deal about the problems of poverty and the interrelation of jobs, housing, education, welfare, and crime. Later, as district attorney, I brought prosecutions on welfare fraud which I believe were among the first to be brought in the country. So my concern about welfare reform goes back a long way.

Mr. President, in the mid-1980's I had the pleasure of introducing and cosponsoring several pieces of welfare reform legislation that included job training for economically disadvantaged individuals. In the 99th Congress, I cosponsored Senate bills 2578 and 2579 with Senator MOYNIHAN, which were directed toward improving the welfare system. In the 100th Congress, I introduced similar legislation with Senator DODD and worked closely with Senator MOYNIHAN on the legislation that became the first comprehensive welfare reform bill, the Family Welfare Reform Act of 1988, which was signed by President Reagan.

It is against this background of my own involvement with the problem of welfare that I am seeking to work with my colleagues again this year in fashioning legislation that will constitute firm action to put many able-bodied people back to work while ensuring that a social safety net continues to exist, particularly where children are involved.

As we revisit this debate, it is painfully obvious to me that our welfare system has not worked. When one weighs all the factors, it is apparent that we must try a new approach at the Federal level. Consider, for example, the astonishing fact that the overall percentage of persons in poverty in 1994 was roughly equivalent to poverty rates in 1965—the year the Federal Government broadened its role in reducing poverty in our society. In my own State of Pennsylvania, I have been troubled that as many as 5 percent of our more than 11 million residents were receiving some form of welfare benefits as of the end of 1994, more than double the 2.4 percent that were receiving benefits in 1965. Further, since 1965, the number of Pennsylvanians receiving aid to families with de-

pendent children has risen from 276,000 to 608,000.

There are ongoing efforts at real welfare reform at the State level, such as in Wisconsin, where Gov. Tommy Thompson has made notable progress. In Pennsylvania, Gov. Tom Ridge recently signed into law far-reaching welfare reform which will institute agreements between the government and welfare recipients that spell out the steps they must take to move from welfare to work. Pennsylvania's new law emphasizes work, personal responsibility, job training, child care, and other support services, all of which are key elements of the Biden-Specter reform plan. While I do not agree with all provisions of the proposed Pennsylvania legislation, I do concur that reform legislation is needed.

Because a new approach is merited, Congress should pass welfare reform legislation that the President will sign into law. Last year, Congress passed H.R. 4, the Personal Responsibility and Work Opportunity Act of 1995, and H.R. 2491, the Balanced Budget Reconciliation Act of 1995, both of which were vetoed by President Clinton. In order to bridge the differences between Congress and the President concerning how to balance the budget and reform welfare, I began working with the centrist coalition, a bipartisan group of 22 Senators led by Senators CHAFFEE and BREAU, to craft a 7-year comprehensive balanced budget proposal. This plan, which would achieve \$45 to \$53 billion savings by reforming the welfare system, was offered as a substitute to the fiscal year 1997 budget resolution, but failed by a vote of 46 to 53. Although the coalition budget failed to win a majority, it showed once again that there is great potential in this body for initiatives presented in a bipartisan manner. If the policies work, there is ample credit to be shared. But, if we don't try to work together, we deserve to share the blame.

The bill which I am jointly introducing today, the Bipartisan Welfare Reform Act of 1996, represents another attempt to generate a broad consensus and achieve meaningful welfare reform this year. The Biden-Specter bill builds on the conference report to H.R. 4 and the bipartisan Governors' proposal, but is more specific and requires stronger State accountability and maintenance of effort in important areas, such as child care and contingency funding. Like other proposals considered by this Congress, this legislation delivers a strong message that many Americans who are currently on welfare need to get into the work force and pursue job training. Significantly, we will be giving the States greater latitude to analyze and deal with the problems closer to home. I am hopeful that this will result in better tailored, more cost-effective social programs. However, effective welfare reform is not simply a matter of increasing flexibility or shifting incentives. The movement toward block grants is a sound one, provided that there are some limitations

and requirements that continue to be imposed by the Federal Government in Washington. We need to make sure that we simply do not give the States a blank check where money may be spent for other purposes that fail to protect a national interest identified by Congress.

Among its key provisions, the legislation we are introducing today does the following: First, it limits benefits—no cash assistance beyond 5 years except exemptions for up to 20 percent of a State's caseload for reason of hardship or if individual was battered or subject to extreme cruelty; second, it requires that 50 percent of welfare recipients must be working by the year 2002—all able-bodied recipients must engage in work activities within 2 years of receiving benefits, generally 25 hours/week, but 20 hours/week for parents with children 6 and under; third, it requires States to meet 85 percent level of maintenance of effort, which is stronger State accountability than last year's GOP plan, 75 percent, Chafee-Breaux, 80 percent or this year's GOP plan, 75 to 80 percent; fourth, it requires welfare recipients to sign an individual responsibility contract developed by the State upon becoming eligible for cash assistance, which would outline steps the individual must take to get in private sector and would outline the State's obligations; fifth, it allows eligible work activities to include unsubsidized employment, subsidized private and public sector employment, on-the-job training, vocational training, community service; sixth, it provides an additional \$3 billion for work-related programs beginning in 1999 if States are meeting 100 percent of their fiscal year 1994 spending levels and need more funds for work participation; seventh, it provides \$20 billion in mandatory and discretionary child care funding over the next 6 years, an amount higher than last year's Senate bill, similar to Chafee-Breaux, and recommended by the National Governors Association—also maintains current law's Federal health and safety protections for licensed child care providers; eighth, during economic downturns, States can access a \$2 billion contingency fund if they have high unemployment rates or high rates of increase in their food stamp population—also provides \$800 million in additional funding for States with rapid population increases and a \$1.7 billion loan fund for States that need additional money; and ninth, it requires States to enforce and improve existing child support laws, including the suspension of certain licenses for overdue child support—also increases the likelihood that a child's paternity will be established.

As my colleagues are aware, I had some real reservations about some aspects of last year's welfare reform legislation. Although I supported the conference report on H.R. 4 because it advanced the underlying goal of reforming a program that has discouraged poor families from working, I would

have preferred that the original Senate-passed bill, agreed to by a virtual consensus of 87 to 12, become law. Some of my concerns are met by the legislation we are introducing today. I am hopeful that my additional concerns will be met as the Senate considers this and other welfare reform legislation during the balance of the 104th Congress.

Mr. President, as we move forward with budget reconciliation, I will continue to work with my colleagues to craft legislation that will not only save money and help families mired in poverty to move off of welfare and become self-sufficient, but also protect children and preserve the rights, dignity, and well-being of those currently involved in our welfare system. I urge my colleagues to support the Biden-Specter Bipartisan Welfare Reform Act of 1996 as a commonsense approach to this difficult, complex issue which is so important to the future of our society.

ADDITIONAL COSPONSORS

S. 905

At the request of Mr. AKAKA, the name of the Senator from Tennessee [Mr. THOMPSON] was added as a cosponsor of S. 905, a bill to provide for the management of the airplane over units of the National Park System, and for other purposes.

S. 953

At the request of Mr. CHAFEE, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 953, a bill to require the Secretary of the Treasury to mint coins in commemoration of black revolutionary war patriots.

S. 1237

At the request of Mr. HATCH, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 1237, a bill to amend certain provisions of law relating to child pornography, and for other purposes.

S. 1400

At the request of Mrs. KASSEBAUM, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 1400, a bill to require the Secretary of Labor to issue guidance as to the application of the Employee Retirement Income Security Act of 1974 to insurance company general accounts.

S. 1438

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 1438, a bill to establish a commission to review the dispute settlement reports of the World Trade Organization, and for other purposes.

S. 1542

At the request of Mr. ABRAHAM, the name of the Senator from Tennessee [Mr. THOMPSON] was added as a cosponsor of S. 1542, a bill to amend the Internal Revenue Code of 1986 to provide for the expensing of environmental remediation costs in empowerment zones and enterprise communities.

S. 1578

At the request of Mr. FRIST, the name of the Senator from Virginia [Mr. ROBB] was added as a cosponsor of S. 1578, a bill to amend the Individuals With Disabilities Education Act to authorize appropriations for fiscal years 1997 through 2002, and for other purposes.

S. 1596

At the request of Mr. MURKOWSKI, the name of the Senator from Idaho [Mr. CRAIG] was added as a cosponsor of S. 1596, a bill to direct a property conveyance in the State of California.

S. 1624

At the request of Mr. HATCH, the name of the Senator from Georgia [Mr. COVERDELL] was added as a cosponsor of S. 1624, a bill to reauthorize the Hate Crime Statistics Act, and for other purposes.

S. 1644

At the request of Mr. BROWN, the names of the Senator from Illinois [Ms. MOSELEY-BRAUN] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 1644, a bill to authorize the extension of nondiscriminatory treatment—most-favored-nation—to the products of Romania.

S. 1674

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1674, a bill to amend the Internal Revenue Code of 1986 to expand the applicability of the first-time farmer exception.

S. 1743

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1743, a bill to provide temporary emergency livestock feed assistance for certain producers, and for other purposes.

S. 1845

At the request of Mr. GREGG, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 1845, a bill to amend the Federal Election Campaign Act of 1971 to require written consent before using union dues and other mandatory employee fees for political activities.

S. 1853

At the request of Mr. FAIRCLOTH, the names of the Senator from Tennessee [Mr. FRIST] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 1853, a bill to amend title 18, United States Code, to clarify the Federal jurisdiction over offenses relating to damage to religious property.

S. 1857

At the request of Mr. CHAFEE, his name was added as a cosponsor of S. 1857, a bill to establish a bipartisan commission on campaign practices and provide that its recommendations be given expedited consideration.

SENATE RESOLUTION 151

At the request of Mr. MACK, the name of the Senator from Idaho [Mr. CRAIG]

was added as a cosponsor of Senate Resolution 151, a resolution to designate May 14, 1996, and May 14, 1997, as "National Speak No Evil Day," and for other purposes.

SENATE RESOLUTION 259—RELATIVE TO THE SECRETARY OF AGRICULTURE

Mr. BINGAMAN (for himself, Mr. LEAHY, Mr. DOMENICI, Mr. DASCHLE, and Mr. PRESSLER) submitted the following resolution; which was considered and agreed to:

S. RES. 259

Resolved,

SECTION 1. USE OF DISASTER RESERVE FOR DISASTER ASSISTANCE.

It is the sense of the Senate that the Secretary of Agriculture should use the disaster reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a) to alleviate distress to livestock producers caused by drought, flood, or other natural disasters in 1996, in the most efficient manner practicable, including cash payments from the sale of commodities currently in the disaster reserve. A livestock producer should be eligible to receive the assistance during the period beginning May 1, 1996, and ending not sooner than August 31, 1996.

SEC. 2. VOLUNTARY CONSERVATION ASSISTANCE.

It is the sense of the Senate that the Secretary of Agriculture should use the authorities provided in the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127) to provide voluntary conservation assistance to any person who is permitted to hay or graze conservation reserve land on an emergency basis.

SENATE RESOLUTION 260—RELATIVE TO LIVESTOCK PRODUCERS

Mr. DOMENICI (for himself, Mr. BINGAMAN, Mr. GRAMM, Mrs. HUTCHISON, and Mr. PRESSLER) submitted the following resolution; which was considered and agreed to:

S. RES. 260

Resolved,

SECTION 1. SPECIAL CONSIDERATION FOR DISASTER ASSISTANCE.

It is the sense of the Senate that livestock producers who do not qualify for emergency livestock feed assistance for the 1996 crop year, but have incurred feed losses in 1996 due to drought, flooding, or other natural disasters, should receive special consideration for assistance from commodities or the sale of commodities currently available in the disaster reserve established under section 813 of the Agricultural Act of 1970 (7 U.S.C. 1427a). A livestock producer should be eligible to receive the assistance during the period beginning May 1, 1996, and ending not sooner than August 31, 1996.

SENATE RESOLUTION 261—RELATIVE TO THE SECRETARY OF AGRICULTURE

Mr. GRAMM (for himself, Mrs. HUTCHISON, Mr. DOMENICI, and Mr. PRESSLER) submitted the following resolution; which was considered and agreed to:

S. RES. 261

Resolved,

SECTION 1. ELIGIBILITY FOR EMERGENCY LIVESTOCK FEED ASSISTANCE.

It is the sense of the Senate that, as part of the orderly termination of the emergency livestock feed assistance program established under title VI of the Agricultural Act of 1949 (7 U.S.C. 1471 et seq.), livestock producers who were eligible for emergency livestock feed assistance for the 1995 crop year, but were unable to apply for the assistance for the 1996 crop year, and who have suffered a qualifying loss as determined by the Secretary, should be eligible to receive assistance under the program through at least August 31, 1996.

AMENDMENTS SUBMITTED

THE ADMINISTRATIVE DISPUTE RESOLUTION ACT OF 1996

LEVIN (AND GRASSLEY) AMENDMENT NO. 4045

Mr. LOTT (for Mr. LEVIN, for himself and Mr. GRASSLEY) proposed an amendment to the bill (S. 1224) to amend subchapter IV of chapter 5 of title 5, United States Code relating to alternative means of dispute resolution in the administrative process, and for other purposes; as follows:

At the end of the bill, add the following new section:

SEC. 11. REAUTHORIZATION OF NEGOTIATED RULEMAKING ACT OF 1990.

(a) PERMANENT REAUTHORIZATION.—Section 5 of the Negotiated Rulemaking Act of 1990 (Public Law 101-648; 5 U.S.C. 561 note) is repealed.

(b) CLOSURE OF ADMINISTRATIVE CONFERENCE.—

(1) IN GENERAL.—Section 569 of title 5, United States Code, is amended—

(A) by amending the section heading to read as follows:

"§ 569. Encouraging negotiated rulemaking";

and

(B) by striking out subsections (a) through (g) and inserting in lieu thereof the following:

"(a) The President shall designate an agency or designate or establish an interagency committee to facilitate and encourage agency use of negotiated rulemaking. An agency that is considering, planning or conducting a negotiated rulemaking may consult with such agency or committee for information and assistance.

(b) To carry out the purposes of this subchapter, an agency planning or conducting a negotiated rulemaking may accept, hold, administer, and utilize gifts, devises, and bequests of property, both real and personal, provided that agency acceptance and use of such gifts, devises or bequests do not create a conflict of interest. Gifts and bequests of money and proceeds from sales of other property received as gifts, devises, or bequests shall be deposited in the Treasury and shall be disbursed upon the order of the head of such agency. Property accepted pursuant to this section, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gifts, devises, or bequests. For purposes of Federal income, estate, or gift taxes, property accepted under this section shall be considered as a gift, devise, or bequest to the United States."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by striking out the item relating to section 569 and inserting in lieu thereof the following:

"569. Encouraging negotiated rulemaking."

(c) EXPEDITED HIRING OF CONVENORS AND FACILITATORS.—

(1) DEFENSE AGENCY CONTRACTS.—Section 2304(c)(3)(C) of title 10, United States Code, is amended by inserting "or negotiated rulemaking" after "alternative dispute resolution."

(2) FEDERAL CONTRACTS.—Section 303(c)(3)(C) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(3)(C)), is amended by inserting "or negotiated rulemaking" after "alternative dispute resolution".

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subchapter III of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 570a. Authorization of appropriations

"There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this subchapter."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 5, United States Code, is amended by inserting after the item relating to section 570 the following:

"Sec. 570a. Authorization of appropriations"

(e) STUDY.—No later than 180 days after the enactment of this Act, the Director of the Office of Management and Budget shall complete a study with recommendations on expediting the establishment of negotiated rulemaking committees, including eliminating any redundant administrative requirements related to filing a committee charter under section 9 of the Federal Advisory Committee Act and providing public notice of such committee under section 564 of title 5, United States Code.

COHEN AMENDMENT NO. 4046

Mr. LOTT (for Mr. COHEN) proposed an amendment to the bill S. 1224, supra; as follows:

At the end of the Committee amendment add the following:

SEC. 11. JURISDICTION OF THE UNITED STATES COURT OF FEDERAL CLAIMS: BID PROTESTS.

(a) BID PROTESTS.—

(1) TERMINATION OF JURISDICTION OF DISTRICT COURTS.—Section 1491 of title 28, United States Code, is amended—

(A) by redesignating subsection (b) as subsection (d);

(B) in subsection (a)—

(i) by striking out "(a)(1)" and inserting in lieu thereof "(a) CLAIMS AGAINST THE UNITED STATES.—";

(ii) in paragraph (2), by striking out "(2) To" and inserting in lieu thereof "(b) REMEDY AND RELIEF.—To"; and

(iii) by striking out paragraph (3); and

(C) by inserting after subsection (b), as designated by paragraph (1)(B)(ii), the following new subsection (c):

"(c) BID PROTESTS.—(1) The United States Court of Federal Claims has jurisdiction to render judgment on an action by an interested party objecting to a solicitation by a Federal agency for bids or proposals for a proposed contract or to a proposed award or the award of a contract. The court has jurisdiction to entertain such an action without regard to whether suit is instituted before or after the contract is awarded.

"(2) To afford relief in such an action, the court may award any relief that the court considers proper, including declaratory and injunctive relief.

"(3) In exercising jurisdiction under this subsection, the court shall give due regard to the interests of national defense and national security and the need for expeditious resolution of the action.