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No. 107

## House of Representatives

The House was not in session today. Its next meeting will be held on Monday, July 22, 1996, at 10:30 a.m.

## Senate

FRIDAY, JULY 19, 1996

The Senate met at 9 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious Lord, You have placed within each of us a conscience as the voice of our deep inner self. Over the years our consciences have been molded by what we have been taught is true and right. We thank You for a conscience rooted in the Ten Commandments and guided on Your spirit. You are the Potter, our conscience the clay; mold our values after Your way. We ask this not just for our own personal relationships, but also for the responsibilities of leadership You have entrusted to us.

You want to develop the future of this Nation through the leadership of women and men of this Senate and all of us who labor with them. So refine our consciences; purify any dross until You can see Your own nature reflected in the refined gold of Your priorities of righteousness, justice, mercy. Give us Your heart for the poor and those who suffer. Keep us faithful to Your vision for this Nation so clearly revealed to our Founding Fathers and Mothers. Set us ablaze with patriotism and loyalty. Then continue to speak to us through our consciences. May we work out in specifics what You have worked into the fiber of our character. We commit ourselves anew to seek Your guidance and follow it this day. Give us courage to follow the convictions You have developed in our consciences. In the name of Jesus who taught us that we can

know the truth and the truth will set us free. Amen.

### PERSONAL RESPONSIBILITY, WORK OPPORTUNITY, AND MEDICAID RESTRUCTURING ACT OF 1996

The PRESIDENT pro tempore. The Senate will now resume consideration of S. 1956, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1956) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 1997.

The Senate resumed consideration of the bill.

Pending:

Murray amendment No. 4903, to restore funds for the summer food service program for children.

Faircloth amendment No. 4905, to prohibit recruitment activities in SSI outreach programs, demonstration projects, and other administrative activities.

Breaux amendment No. 4910, to ensure needy children receive noncash assistance to provide for basic needs until the Federal 5-year time limit applies.

A motion to waive the Congressional Budget Act with respect to consideration of amendment No. 4910, listed above.

Faircloth amendment No. 4911, to address multigenerational welfare dependency.

Biden-Specter amendment No. 4912, in the nature of a substitute.

A motion to waive the Congressional Budget Act with respect to consideration of amendment No. 4912, listed above.

First modified amendment No. 4914, expressing the sense of the Congress that the President should ensure approval of State waiver requests.

Harkin amendment No. 4916, to strike section 1253, relating to child nutrition requirements.

Santorum (for Ashcroft) amendment No. 4917, to ensure that recipients of caretakers of minor recipients of means-tested benefits programs are held responsible for ensuring that their minor children are up to date on immunizations as a condition for receiving welfare benefits.

Wellstone-Simon amendment No. 4918, to require a report to Congress on the impact of increased numbers of impoverished children and recommendations for legislation to correct the increase.

A motion to waive the Congressional Budget Act with respect to consideration of amendment No. 4918, listed above.

Graham amendment No. 4921, to strike the provisions restricting welfare and public benefits for aliens.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senate will now proceed to 10 rollcall votes with respect to amendments offered on July 18, 1996, with 2 minutes for explanation equally divided before each vote.

The Senator from New Mexico is recognized.

Mr. DOMENICI. Madam President, this morning the Senate will resume consideration of the reconciliation bill and begin a lengthy series of rollcall votes. There may be from 8 to 10 votes consecutively, in order this morning. Therefore, all Members should be prepared to remain in or around the Senate Chamber to allow these votes to be completed in a timely manner.

Following these votes, the Senate will continue to debate amendments to reconciliation. However, any votes ordered on those amendments will be ordered to begin at 9:30 on Tuesday.

I remind my colleagues, if they still intend to offer their amendments, those that were listed, they must offer them today or Monday.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Madam President, I ask unanimous consent that all votes ordered after the first vote be reduced to 10 minutes in length, and that no second-degree amendments be in order to any of those amendments in the voting sequence that is scheduled for today.

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

AMENDMENT NO. 4903

The PRESIDING OFFICER. The pending question is on the Murray amendment. Under the previous order, the question occurs on amendment No. 4903, offered by the Senator from Washington [Mrs. MURRAY].

The yeas and nays have been ordered.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Madam President, since last night when I offered this amendment, I have been contacted by a number of Members from both sides of the aisle who would like to work with me to perhaps come to an agreement on this issue. I ask, therefore, unanimous consent to withdraw the amendment at this time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The amendment is withdrawn.

The amendment (No. 4903) was withdrawn.

Mr. DOMENICI. Madam President, before you call the next amendment, I understand the next scheduled amendment, under the order, would have been a Faircloth amendment.

The PRESIDING OFFICER. That is correct.

Mr. DOMENICI. It is now my understanding that is being worked out and the Senator seeks, and I understand it is all right with the minority, that that amendment be set aside until Tuesday. Then we would proceed to the Breaux amendment.

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

Mr. DOMENICI. So I propose that as a unanimous-consent request.

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

Mr. DOMENICI. Madam President, Senator BREAUX was not aware he would be up first, so I suggest the absence of a quorum for a couple of minutes so he can be advised.

The PRESIDING OFFICER. The clerk will call the roll.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DOMENICI. Senator BREAUX has arrived. I think under our sequencing and the order, we have Senator BREAUX's motion to waive the point of order that is up now, and there are 2 minutes on each side.

The PRESIDING OFFICER. Equally divided.

Mr. DOMENICI. Two minutes equally divided.

Mr. EXON. May I clarify one point. As I understand it, the Breaux amendment will be the first amendment that will be voted upon; is that right? That will be a 15-minute vote? Have we ordered 10 minute votes thereafter? Is that the order?

The PRESIDING OFFICER. Yes. That is the order.

Mr. EXON. Thank you.

Mr. BREAUX addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. BREAUX. I thank the Chair.

MOTION TO WAIVE THE BUDGET ACT—  
AMENDMENT NO. 4910

Mr. BREAUX. Madam President, my colleagues, what we are trying to do with welfare reform is very simple. I think we can all agree we should be tough on work, we should be good for kids. Everybody knows we should put work first, but in doing that we should not put children last.

I am afraid the Republican bill, without my amendment, does exactly that simply because of this. The Republican plan says that after you take the parent off of AFDC assistance, you forget about the children. You absolutely forbid the State in their own wisdom to determine whether they should give any assistance to the children who are innocent victims of welfare at the sins of the parents. We should not be punishing the children for what their parents have not done correctly.

So let us be as tough as we can on work, make the parent go to work, but when the parent is taken off welfare, for God's sake, can't we as a nation at least allow the States to use their block grant money to provide the things that a child needs in order to survive in this country? That is the issue. Are we going to disregard the children? Or are we going to help the children while we are so tough on the parents? My amendment, I think, should pass.

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

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware has 1 minute.

Mr. ROTH. Madam President, I strongly oppose the Breaux amendment which would seriously undermine the real 5-year time limit on welfare assistance. One of the most important features of welfare reform is that recipients must understand that public assistance is temporary, not a way of life.

Opponents of the 5-year time limit would have the American people believe this bill would abandon children. This is simply not true. Families and children would still be eligible for food stamps, Medicaid, housing assistance, WIC, and dozens of other means-tested programs.

Let me reiterate that S. 1956, the bill before us, is identical to H.R. 4 on this issue when it passed the Senate on a vote of 87 to 12 last September. The Senate rejected amendments to weaken the 5-year time limit then, and it should do so again.

If States want to use vouchers to provide services beyond the time limit, they could do so with State funds or with title XX funds of social services block grants. The State can also exempt 20 percent of the caseload from the limit for those truly hardship cases. I urge the defeat of the amendment.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Madam President, this is a new mandate, extremely costly, a huge new bureaucracy; and nothing in the bill prohibits the States from using their own money to do this.

Mr. GRASSLEY. Madam President, the bill provides for a lifetime limit of 5 years for welfare benefits. This means that there is an actual drop-dead date so that families are held truly accountable for their choices. Knowing that there is a concern for those who are unable to work, the bill allows a 20-percent hardship exemption from the lifetime limit.

Working Americans live in a system where if they don't show up for work, they are not paid and are likely to lose their job. They want welfare recipients to live with that same reality. Tax-paying Americans don't understand why their hard work is subsidizing those who are not working.

According to the mail I receive in my office, working Iowans believe that welfare recipients ought to have to work also. And they believe welfare recipients should not be able to receive benefits forever.

Mr. MCCAIN. Madam President, the Personal Responsibility, Work Opportunity, and Medicaid Restructuring Act of 1996 will dramatically improve our welfare system. By requiring able-bodied welfare recipients to work, it will encourage welfare families to move from dependency to self-sufficiency. In addition, adult recipients who refuse to engage in required work will have their benefits reduced, and individuals will be able to receive federally funded benefits for more than 5 years, or fewer at the option of the State. In recognition of the fact that not all families will be able to enter the work force effectively, the States are given a 20-percent hardship exemption to the 5-year limit on benefits.

Today, my colleague, Senator BREAUX, introduced an amendment which would have provided vouchers of those families which were denied cash assistance as a result of these limitations. Because this provision would undermine the important goal of encouraging families to work and move off welfare, and because the most troubled families will be protected by the hardship exemption, I have decided to vote against the amendment. This vote does, however, raise a number of issues which should be addressed by the conference committee, including the impact which ending cash benefits may have on foster care costs in the States, and the impact of the benefits limitation on children.

The PRESIDING OFFICER. The question occurs on agreeing to the motion to waive the Budget Act in relation to the Breaux amendment No. 4910. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 205 Leg.]

YEAS—51

Akaka	Feinstein	Levin
Baucus	Ford	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Bradley	Heflin	Murray
Breaux	Hollings	Pell
Bryan	Inouye	Reid
Bumpers	Jeffords	Robb
Byrd	Johnston	Rockefeller
Chafee	Kassebaum	Sarbanes
Conrad	Kennedy	Simon
Daschle	Kerrey	Snowe
Dodd	Kerry	Specter
Dorgan	Kohl	Warner
Exon	Lautenberg	Wellstone
Feingold	Leahy	Wyden

NAYS—47

Abraham	Frahm	Mack
Ashcroft	Frist	McCain
Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Brown	Grams	Nickles
Burns	Grassley	Pressler
Campbell	Gregg	Roth
Coats	Hatch	Santorum
Cochran	Hatfield	Shelby
Cohen	Helms	Simpson
Coverdell	Hutchison	Smith
Craig	Inhofe	Stevens
D'Amato	Kempthorne	Thomas
DeWine	Kyl	Thompson
Domenici	Lott	Thurmond
Faircloth	Lugar	

NOT VOTING—2

Nunn	Pryor
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The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

AMENDMENT NO. 4911

The PRESIDING OFFICER. Under the previous order, the question occurs on the motion to table amendment No. 4911 offered by the Senator from North Carolina, [Mr. FAIRCLOTH].

The Chair recognizes Senator FAIRCLOTH for 1 minute.

Mr. FAIRCLOTH. Madam President, the welfare bill before us requires that minors must live at home with a parent as a condition of receiving assistance.

The PRESIDING OFFICER. If the Senator will withhold, the Senator cannot be heard. The Senate will come to order.

The Senator from North Carolina.

Mr. FAIRCLOTH. Madam President, this amendment states that if that parent is currently receiving welfare bene-

fits and has been for the last 3 years, then the minor may not receive cash benefits. If the parent is currently receiving welfare, and the minor child is herself alone living at home, then we are requiring that three generations of welfare recipients live under one roof.

My amendment would ensure that when we require three generations of welfare recipients to live under one roof, and there is a clear history of welfare dependency in that household, then we will only send one cash check.

My amendment is not intended to reduce benefits, and it does not prohibit the State from providing assistance in any noncash form—food, whatever. The amendment simply would limit the amount of cash that is given to households with three generations of welfare where there is a clear history of welfare dependency.

The PRESIDING OFFICER. The Senator from California is recognized for 1 minute.

Mrs. BOXER. Thank you, Madam President.

The underlying bill denies assistance to teenage moms who do not live at home. Democrats agree with this. We have this in our bill. But what the Faircloth amendment says is, you will be denied assistance as a teenage mom if you live at home if the home you are living in has received welfare.

I have to say this: This Faircloth amendment sets up two categories of teenage moms, one category that gets aid when they live at home and one category that does not.

I thought we were for family unity. I think that is the question Members must ask themselves: Are we for family unity? If we are, we should vote down the Faircloth amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Carolina. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN], and the Senator from Arkansas [Mr. PRYOR], are necessarily absent.

The PRESIDING OFFICER (Mr. GRAMS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 21, nays 77, as follows:

[Rollcall Vote No. 206 Leg.]

YEAS—21

Ashcroft	Helms	Murkowski
Byrd	Hutchison	Nickles
Coverdell	Inhofe	Pressler
Faircloth	Kyl	Shelby
Gramm	Lott	Smith
Grams	Mack	Thompson
Grassley	McConnell	Thurmond

NAYS—77

Abraham	Bradley	Coats
Akaka	Breaux	Cochran
Baucus	Brown	Cohen
Bennett	Bryan	Conrad
Biden	Bumpers	Craig
Bingaman	Burns	D'Amato
Bond	Campbell	Daschle
Boxer	Chafee	DeWine

Dodd	Inouye	Murray
Domenici	Jeffords	Pell
Dorgan	Johnston	Reid
Exon	Kassebaum	Robb
Feingold	Kempthorne	Rockefeller
Feinstein	Kennedy	Roth
Ford	Kerrey	Santorum
Frahm	Kerry	Sarbanes
Frist	Kohl	Simon
Glenn	Lautenberg	Simpson
Gorton	Leahy	Snowe
Graham	Levin	Specter
Gregg	Lieberman	Stevens
Harkin	Lugar	Thomas
Hatch	McCain	Thomas
Hatfield	Mikulski	Warner
Heflin	Moseley-Braun	Wellstone
Hollings	Moynihan	Wyden

NOT VOTING—2

Nunn	Pryor
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The amendment (No. 4911) was rejected.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. May we have order, please, Mr. President.

The PRESIDING OFFICER. Can we have order in the Chamber, please.

Mr. DOMENICI. Mr. President, Senators have asked how much longer will we be voting. It looks to me, if we can stay close to the 10 minutes, we will be out of here before noon.

Can I ask, how long did we take on the last vote?

The PRESIDING OFFICER. Approximately 12 minutes.

Mr. DOMENICI. We have six amendments remaining, so if we can stay near the 10 minutes, you can do your own arithmetic. It looks to me like an hour and 30 minutes is what it would take. We never get it done that efficiently, but that is sort of what you ought to be looking at.

Regular order.

MOTION TO WAIVE THE BUDGET ACT—AMENDMENT NO. 4912

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to the motion to waive the Budget Act for the consideration of amendment No. 4912 offered by the Senator from Delaware, [Mr. BIDEN]. There are 2 minutes of debate equally divided.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, may I point out that yesterday 46 Democrats voted for an amendment by our distinguished Democratic leader which had a conditional entitlement. It maintained for a period of 5 years a right of a child to some public support if needed. This measure would abolish that entitlement in title IV of the Social Security Act, an entitlement which is provided for the aged, the unemployed, for the disabled. We would only strip the Social Security Act of the provision for children. I hope Democrats, who put that legislation in place 60 years ago, will not vote to repeal it today. It is not reform. It is repeal.

Thank you, Mr. President.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. What bill are you referring to, I ask the Senator from New York, this bill that is pending or the underlying bill?

Mr. MOYNIHAN. I spoke of Mr. DASCHLE's amendment yesterday, and I spoke to Mr. BIDEN and Mr. SPECTER's amendment today.

Mr. DOMENICI. I see. All right.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. I believe I have 1 minute in support of this legislation. I said yesterday the Biden-Specter bill is a question of, is it better than the underlying bill? The underlying bill does the same thing the Senator just suggested that this bill does. The differences are, we save \$53 billion. There is \$3 billion in work funds for the States, individual responsibility contracts, no food stamp block grants, as the underlying bill has, and the State option for vouchers, among other things.

I think this is a much preferable bill than the underlying bill, and I would encourage my colleagues to vote for the Biden-Specter amendment, which is better known, quite frankly, as the Castle-Tanner bill.

The PRESIDING OFFICER. All time has elapsed.

Mr. DOMENICI. Wait a minute, Mr. President. I do not believe that our time has elapsed. Nobody authorized the Senator from New York to speak in opposition. He spoke. I did not object. I was, but I saw he was on the right track.

The PRESIDING OFFICER. If that is the case, the Senator from New Mexico has 1 minute.

Mr. DOMENICI. I yield to the distinguished Senator from Delaware [Mr. ROTH].

The PRESIDING OFFICER. The Senator from Delaware.

Mr. ROTH. Mr. President, I strongly oppose the Specter-Biden substitute. While it does include some of the provisions of S. 1956 such as ending the individual entitlement, it stops far short of the goals of welfare reform. The Specter-Biden substitute is \$10 billion short on savings and short on time limits. It has an open-ended contingency fund. It does include, however, a liberalization on Medicaid benefits in which Medicaid could be extended to illegal aliens.

I would like to clarify that our legislation does include transitional Medicaid benefits for 1 year for those families leaving welfare. It also includes emergency Medicaid coverage for illegal aliens which is current law.

Mr. President, I urge defeat of the Specter-Biden amendment. I yield back the remainder of my time.

The PRESIDING OFFICER. All time for debate has elapsed. The question is on the motion to waive the Budget Act for consideration of amendment No. 4912.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] and the Senator from Georgia [Mr. NUNN] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 37, nays 61, as follows:

[Rollcall Vote No. 207 Leg.]

YEAS—37

Akaka	Feingold	Lautenberg
Baucus	Feinstein	Levin
Biden	Ford	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Murray
Breaux	Harkin	Pell
Bryan	Heflin	Reid
Bumpers	Hollings	Robb
Conrad	Inouye	Rockefeller
Daschle	Johnston	Specter
Dodd	Kerrey	Wyden
Dorgan	Kerry	
Exon	Kohl	

NAYS—61

Abraham	Gorton	Moseley-Braun
Ashcroft	Gramm	Moynihan
Bennett	Grams	Murkowski
Bond	Grassley	Nickles
Bradley	Gregg	Pressler
Brown	Hatch	Roth
Burns	Hatfield	Santorum
Byrd	Helms	Sarbanes
Campbell	Hutchison	Shelby
Chafee	Inhofe	Simon
Coats	Jeffords	Simpson
Cochran	Kassebaum	Smith
Cohen	Kempthorne	Snowe
Coverdell	Kennedy	Stevens
Craig	Kyl	Thomas
D'Amato	Leahy	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Warner
Fairecloth	Mack	Wellstone
Frahm	McCain	
Frist	McConnell	

NOT VOTING—2

Nunn

Pryor

The PRESIDING OFFICER. On this vote, there are 37 yeas, 61 nays. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. How much time did we use on that amendment?

The PRESIDING OFFICER. We used over 13 minutes.

Mr. DOMENICI. Regular order, Mr. President.

MOTION TO WAIVE THE BUDGET ACT—  
AMENDMENT NO. 4914, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, the question now occurs on amendment No. 4914 offered by the Senator from Tennessee [Mr. FRIST]. There are 2 minutes for debate equally divided.

Mr. FRIST addressed the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. FRIST. Mr. President, this amendment, submitted on behalf of my colleagues Senators ABRAHAM, BOND, SANTORUM, HUTCHISON, and THOMPSON, simply asks for a sense of the Senate that the President ensure approval of

the waiver requests of States such as Tennessee and 14 other States which have waiver requests before the Department of Health and Human Services.

On October 31, 1995, the President assured the Governors on that day that he would take care of these requests within 30 days. Mr. President, it has been 79 days for Tennessee. Others with waiver requests have been waiting as long as 2 years. Tennessee needs action. Michigan needs action.

I urge my colleagues to support this amendment.

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. May we please have order in the Chamber so we can conclude these votes? Can we have order in the Chamber?

The Senator from Connecticut.

Mr. DODD. Mr. President, it is with reluctance that I rise in opposition to this amendment, because of my respect and affection for the Senator from Tennessee. But, this amendment would allow for waivers across the board in 16 States without any idea of what is in these waivers.

I point out to my colleagues, that the administration has approved a record 67 waivers in 40 States. We've reduced welfare by 1.3 million people. The food stamp rolls are down. We are heading in the right direction.

Today, however, we are debating a national welfare reform program. That should be our focus. The sense-of-the-Senate resolution that would approve waivers to 16 States without any idea what is in those waivers, I think is wrong, with all due respect. We don't have any idea what sort of impact these waivers will have on children, Mr. President.

Mr. President, I rise in opposition to the amendment offered by my colleague from Tennessee. I am uneasy about this amendment because it would express the sense of the Congress that 16 welfare waivers should be approved, without us knowing what those waivers propose to do.

The President already has approved a record 67 welfare reform waivers in 40 States. That's quite a record. Welfare caseloads are down by 1.3 million people, food stamp rolls are lower, and child support collections are up. So a lot of progress has been made in recent years, States are experimenting, and we're debating a national welfare reform bill. I think we'd all like to see the passage of a bipartisan welfare reform bill that puts people to work and protects children.

But this amendment asks us to give our approval to 16 different welfare plans without the benefit of knowing exactly what they propose to do. In my view, it should make us uneasy to approve 16 plans without knowing what the impact would be on the children in those States.

Mr. President, my understanding is that in one of the State waivers, the State asks to set a 5-year lifetime limit on welfare benefits that would begin in 1987. That's a retroactive time limit. If this is true, a mother who had been off assistance for the last 4 years, but lost her job by no fault of her own, would be told she could have no assistance at all. What would happen to her children? We don't know, because the details of the plan do not accompany the amendment before us today.

I understand that another waiver would terminate food stamp benefits if a mother does not comply with the work program. Now I know my colleagues on the other side of the aisle have argued that kids won't be hurt by welfare reform after the time limit, because food stamps are still there. Not under this sort of waiver as far as I can tell.

So Mr. President, I urge caution on this amendment. I also raise a point of order against the bill under the Byrd rule, section 313(b)(1)(A) of the Congressional Budget Act of 1974.

Mr. FRIST. Mr. President, pursuant to section 904 of the Budget Act, I move to waive the point of order against amendment No. 4914 to the bill. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Congressional Budget Act with respect to amendment No. 4914, as modified. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 55, nays 43, as follows:

[Rollcall Vote No. 208 Leg.]

YEAS—55

Abraham	Gorton	McCain
Ashcroft	Gramm	McConnell
Bennett	Grams	Murkowski
Bond	Grassley	Nickles
Brown	Gregg	Pressler
Burns	Hatch	Roth
Chafee	Hatfield	Santorum
Coats	Heflin	Shelby
Cochran	Helms	Simpson
Cohen	Hutchison	Smith
Coverdell	Inhofe	Snowe
Craig	Jeffords	Specter
D'Amato	Kassebaum	Stevens
DeWine	Kempthorne	Thomas
Domenici	Kohl	Thompson
Faircloth	Kyl	Thurmond
Feinstein	Lott	Warner
Frahm	Lugar	
Frist	Mack	

NAYS—43

Akaka	Bradley	Campbell
Baucus	Breaux	Conrad
Biden	Bryan	Daschle
Bingaman	Bumpers	Dodd
Boxer	Byrd	Dorgan

Exon	Kerrey	Pell
Feingold	Kerry	Reid
Ford	Lautenberg	Robb
Glenn	Leahy	Rockefeller
Graham	Levin	Sarbanes
Harkin	Lieberman	Simon
Hollings	Mikulski	Wellstone
Inouye	Moseley-Braun	Wyden
Johnston	Moynihan	
Kennedy	Murray	

NOT VOTING—2

Nunn Pryor

The PRESIDING OFFICER. On this question, there are 55 yeas, the nays are 43. Three-fifths of the Senators duly sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

Mr. DOMENICI. Mr. President, I ask unanimous consent the Harkin amendment, which was next in line, be set aside and be reconsidered on Tuesday. He is in the process of negotiating. We did that for a Republican Senator.

The next order of business is Senator ASHCROFT, if this request is granted.

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

MOTION TO WAIVE THE BUDGET ACT—  
AMENDMENT NO. 4917

The PRESIDING OFFICER. Under the previous order, the question now occurs on amendment No. 4917, offered by the Senators from Pennsylvania and Missouri. There are 2 minutes for debate equally divided.

Mr. ASHCROFT. Mr. President, I rise with an amendment that would allow States to require welfare recipients to bring up to date the immunizations of their minor children. Immunizations in America are free to individuals who are on welfare. Yet we have a number of children who are, every year, afflicted with serious disabling diseases which will persist into disabilities of their adulthood for lack of immunizations.

This amendment would simply provide States the authority, as it relates to programs which States share the cost of, and would require immunizations where the Federal Government funds the entirety of the welfare benefit. If you did not provide your children with the immunizations that were appropriate, you would have a 20-percent decrease until the children were properly immunized. This is in the interest of children.

Mr. DODD. Mr. President, I do not disagree with the thrust of what my colleague is saying, that parents should be responsible for immunizing their children. But I am afraid that we are aiming at the parents, but hurting the child. If the child is not fully immunized, to cut off that child from necessary food, medicine, or other resources is, I think, misguided.

We need to encourage and promote immunizations, but we do not want to simultaneously deny a child—through the fault of the parent who does not get the child fully immunized—the benefit of the necessary nutritional and medical services they would otherwise get. That is the effect of this amendment.

I respect my colleague's thrust, but do not penalize the child. The child would be the one to suffer. In cases where a child is behind in immunizations, that child could lose access to food and SSI for as long as a year while they catch up on their immunization schedule. Immunizations cannot be given all at once, I am told.

Mr. ASHCROFT. Will the Senator yield?

Mr. DODD. I am happy to yield to the Senator.

Mr. ASHCROFT. Is the Senator aware there is a 6-month grace period?

Mr. DODD. I respect that. My colleague knows, as well, that innocent children should not be penalized because their parents may be irresponsible. That is the net effect of this amendment.

Mr. ASHCROFT. Will the Senator yield?

Mr. DODD. I yield to the Senator.

Mr. ASHCROFT. Is the Senator aware this is just a 20-percent decrease in the benefit for the 6-month interval?

Mr. DODD. If it is a 5-percent decrease, why should an innocent child pay for the irresponsibility of a parent? That does not make sense. We ought to encourage immunizations, promote and do what we can. The 6-year-old or 2-year-old child whose parent is irresponsible should not be denied nutrition and adequate medical benefits.

I suggest, as well, the pending amendment is not germane. I rise to make a point of order that it violates section 305(b) of the Congressional Budget Act.

Mr. ASHCROFT. Mr. President, I move the point of order be waived.

The PRESIDING OFFICER. Does the Senator request a rollcall?

Mr. ASHCROFT. I do request a rollcall vote.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act on amendment 4917.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The yeas and nays resulted—yeas 58, nays 40, as follows:

[Rollcall Vote No. 209 Leg.]

YEAS—58

Abraham	Craig	Hatfield
Ashcroft	D'Amato	Helms
Baucus	DeWine	Hollings
Bennett	Domenici	Hutchison
Biden	Exon	Inhofe
Bingaman	Faircloth	Jeffords
Bond	Frahm	Kassebaum
Brown	Frist	Kempthorne
Burns	Gorton	Kyl
Chafee	Gramm	Lott
Coats	Grams	Lugar
Cochran	Grassley	Mack
Cohen	Gregg	McCain
Coverdell	Hatch	McConnell

Murkowski	Shelby	Thomas
Nickles	Simpson	Thompson
Pressler	Smith	Thurmond
Robb	Snowe	Warner
Roth	Specter	
Santorum	Stevens	

## NAYS—40

Akaka	Ford	Lieberman
Boxer	Glenn	Mikulski
Bradley	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Heflin	Murray
Bumpers	Inouye	Pell
Byrd	Johnston	Reid
Campbell	Kennedy	Rockefeller
Conrad	Kerrey	Sarbanes
Daschle	Kerry	Simon
Dodd	Kohl	Wellstone
Dorgan	Lautenberg	Wyden
Feingold	Leahy	
Feinstein	Levin	

## NOT VOTING—2

Nunn	Pryor
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The PRESIDING OFFICER (Mr. KYL). On this vote, the yeas are 58, the nays are 40. Three-fifths of the Senators duly chosen and sworn, not having voted in the affirmative, the motion is rejected. The point of order is sustained, and the amendment falls.

MOTION TO WAIVE THE BUDGET ACT—  
AMENDMENT NO. 4918

The PRESIDING OFFICER. Under the previous order, the question occurs on the motion to waive the Budget Act for consideration of amendment No. 4918 by the Senator from Minnesota [Mr. WELLSTONE].

The yeas and nays have been ordered.

Mr. WELLSTONE. Mr. President, could I ask for order in the Chamber.

The PRESIDING OFFICER. There are 2 minutes of debate equally divided. The Senator from Minnesota would like to be heard.

Mr. WELLSTONE. Mr. President, I am not going to speak until I have order in the Chamber. I would like for my colleagues to please listen.

The PRESIDING OFFICER. Would the Senators take their conversations to the cloakroom?

Mr. WELLSTONE. Mr. President, I thank the Chair. I am going to wait until we have order.

The PRESIDING OFFICER. I know there are Members anxious to leave. The vote will not occur until the Senate comes to order.

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I would like to make a plea to my colleagues. Please err on the side of caution when we are dealing with the lives of poor children in America.

This amendment says that Health and Human Services studies this legislation and if, God forbid, there are provisions in this legislation that create more impoverished children, their report comes back to us at the end of 2 years and we take action—quick action—to modify these provisions so that we can correct the problem.

Democrats and Republicans: This is the right thing to do. We ought to evaluate the action that we are taking in this legislation. And God knows we ought to take the corrective action, if that is necessary, to make sure that we are not creating more poverty among

children. This is the right thing to do. It is a fail-safe mechanism. It is a safety net built into the legislation.

I hope—I hope—every Democrat and Republican will support this. We must do this if we are to understand what this legislation means and be able to take corrective action, if necessary, to help poor children in America.

Please support this amendment.

Mr. DOMENICI. Mr. President, I yield time to Senator ROTH.

Mr. ROTH. Mr. President, I oppose the Wellstone amendment. It is wholly unnecessary and unprecedented.

In regard to studying welfare reform, this amendment is wholly unnecessary. The legislation is filled with studies, evaluations and rankings of successful and unsuccessful States.

We absolutely want to know what works in welfare reform. But what is unacceptable and unprecedented is the rules given to the Secretary of HHS in sending recommendations to the Congress which must then be considered under expedited procedures in Congress.

Let me point out that there were about 11.7 million AFDC recipients in 1990. In 1993 the caseload exceeded 14 million for the first time. The caseload was over 14 million again in 1994. Last year HHS told the Congress that, if we do nothing, there will still be more children in poverty. That is under the current welfare system.

Again, we welcome the study. The legislation includes a study. But no Congress should yield its authority to a Cabinet Secretary for this or any other reason.

I urge defeat of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion to waive the Budget Act for consideration of amendment No. 4918. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Colorado [Mr. CAMPBELL] and the Senator from Wyoming [Mr. THOMAS] are necessarily absent.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The yeas and nays resulted—yeas 46, nays 50, as follows:

## [Rollcall Vote No. 210 Leg.]

## YEAS—46

Akaka	Feingold	Kohl
Baucus	Feinstein	Lautenberg
Biden	Ford	Leahy
Bingaman	Glenn	Levin
Boxer	Graham	Lieberman
Bradley	Harkin	Mikulski
Breaux	Heflin	Moseley-Braun
Bryan	Hollings	Moynihan
Bumpers	Inouye	Murray
Conrad	Jeffords	Pell
Daschle	Johnston	Reid
Dodd	Kennedy	Robb
Dorgan	Kerrey	
Exon	Kerry	

Rockefeller	Simon	Wellstone
Sarbanes	Snowe	Wyden

## NAYS—50

Abraham	Frahm	Mack
Ashcroft	Frist	McCain
Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Brown	Grams	Nickles
Burns	Grassley	Pressler
Byrd	Gregg	Roth
Chafee	Hatch	Santorum
Coats	Hatfield	Shelby
Cochran	Helms	Simpson
Cohen	Hutchison	Smith
Coverdell	Inhofe	Specter
Craig	Kassebaum	Stevens
D'Amato	Kempthorne	Thompson
DeWine	Kyl	Thurmond
Domenici	Lott	Warner
Faircloth	Lugar	

## NOT VOTING—4

Campbell	Pryor
Nunn	Thomas

The PRESIDING OFFICER. If there are no other Senators wishing to vote, the yeas are 46, the nays are 50. Three-fifths of Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained. The amendment falls.

The Senator from New Mexico.

Mr. DOMENICI. Mr. President, this next vote on the Graham amendment will be the last vote ordered today, which means there will be no additional rollcall votes. However, we are going to remain in session to take up amendments. If Senators want to offer amendments, they have to offer them either today or Monday. We are going to be here a few hours to take amendments. We are putting a list together, to try to make some sense of this afternoon. If we start on our side and go to your side, we would ask the D'Amato amendment on work be in order. Then you have one immediately following that?

Mr. EXON. I am certainly pleased to respond to my friend.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. At the present time we have three Democratic amendments in this order: Following D'Amato would be Feinstein, then Conrad, and then Graham. There may be some others. I would simply say to my colleagues on this side, at the present time we have seven Republican amendments and three Democratic amendments. This afternoon would be an excellent time to offer your amendment. If you would come to us, any Democrat, we could schedule you right after the Graham amendment.

Mr. DOMENICI. I have some others to put in order, but I will do it after the vote.

## AMENDMENT NO. 4921

The PRESIDING OFFICER. Under the previous order, the question occurs on the motion to table amendment No. 4921 offered by the Senator from Florida [Mr. GRAHAM]. The yeas and nays have been ordered. Under the previous order, there will be 2 minutes of discussion equally divided.

The Senate will come to order.

The Chair was in error. The vote is not on the motion to table. This is an

up-or-down vote on amendment No. 4921, offered by the Senator from Florida, who will be recognized as soon as the Senate comes to order.

The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, the issue presented by this motion to strike is a simple one. We have already spent weeks debating the issue of the benefits for legal aliens—legal aliens. On May 2, we passed a comprehensive immigration bill which outlined the restraints that we felt were appropriate. We are now coming, today, to essentially trash all of that work that we have done by developing an entirely new set of principles as it relates to the eligibility of legal aliens, a new set of principles that have gone unstudied and unexamined, but represent some very significant policy shifts. It moves away from the principle of restraining benefits by looking to the sponsor to pay for the benefits of the legal alien, and it represents outright bars to legal aliens, from political refugees and asylees, as well as those who came in with a sponsor. It substantially increases the shift of responsibility to local governments.

Mr. President, we have already dealt with this issue. We should let the immigration conference come to closure and not impose a new set of unexamined, duplicative, and I consider inappropriate policies. It should now be rejected.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. DOMENICI. I yield the time we have to Senator SIMPSON.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. SIMPSON. Mr. President, this will cost \$16 billion. Our Nation's immigration law is very clear on one point. No one may immigrate to the United States of America if he or she is likely at any time to become a public charge. And the American public expects the newcomers will work and receive any needed support from the relatives who brought them here. Period. That is the law.

There is considerable evidence that this promise of self-sufficiency is not being honored. That is why in the other bill we enforce the affidavit of sponsorship. The welfare reform bill contains provisions which ensure that immigrants are self-sufficient. The bill shifts the welfare costs from the American taxpayers onto those who sponsor their immigrant relatives to the country. The immigration bill is in conference. It is not in peril. We have resolved 150 items of the Senate issues, 120 House issues. We have three significant issues yet to be resolved. But these provisions on immigrant welfare are important. We cannot afford to have these reforms delayed, and the Graham amendment would do just that. The simple premise: Sponsor brings the immigrant, sponsor promises to pay, sponsor pays before the taxpayer pays.

Mr. GRASSLEY. Mr. President, since 1882 Federal law has provided that probability of becoming a public charge is ground for immigrants' exclusion from the United States. Additionally, becoming a public charge which a noncitizen is currently a deportable offense.

According to the Census Bureau, there were 23 million foreign-born persons in the United States in 1994, representing 9 percent of the population. That is the highest level in the last 50 years.

Aliens over 65 are 5 times more likely to be on SSI than citizens over 65, making the program a retirement plan for elderly noncitizens. SSI applications by noncitizens grew 370 percent from 1982 to 1992 versus 39 percent for citizens.

Without reform, over 2 million noncitizens will continue collecting guaranteed cash welfare, health care, and food benefits, costing taxpayers more than \$20 billion over 6 years.

In this legislation, sponsors, not taxpayers, are held responsible for supporting noncitizens because sponsor agreements are made legally binding documents. Deeming is expanded to apply to most Federal programs. Both deeming and sponsorship continue until the alien becomes a citizen, unless the noncitizen has worked for at least 10 years.

Most noncitizens who arrive after the date of enactment would not be eligible for most Federal welfare benefits during their first 5 years in the United States.

Refugees and veterans and their families and emergency medical services are excepted.

Mr. MCCAIN. Mr. President, most immigrants are hard working, and committed to self-sufficiency. Unfortunately, others have become dependent on a variety of Government benefits. The Personal Responsibility, Work Opportunity, and Medicaid Restructuring Act of 1996 addresses this issue by limiting the eligibility of qualified aliens for certain Federal benefits, including SSI and food stamps. In addition, the legislation grants State authority to limit the eligibility of qualified aliens to certain State public benefits.

My colleagues, Senator GRAHAM, has offered an amendment which would remove these provisions from the bill. While I cannot support this amendment because it undermines the principle that individuals who immigrate to this Nation should be self-sufficient, I believe that the amendment is important because it draws attention to the plight of those hard-working immigrants who may need assistance as a result of events which are beyond their control. Therefore, I strongly recommend that the conference committee consider the needs of those immigrants who are committed to self-sufficiency but who are in need through no fault of their own.

Mr. DOMENICI. Mr. President, this will cost the taxpayers \$16 billion.

I move to table the amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table amendment No. 4921.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Colorado [Mr. CAMPBELL] and the Senator from Wyoming [Mr. THOMAS] are necessarily absent.

Mr. FORD. I announce that the Senator from Georgia [Mr. NUNN] and the Senator from Arkansas [Mr. PRYOR] are necessarily absent.

The result was announced—yeas 62, nays 34, as follows:

[Rollcall Vote No. 211 Leg.]

YEAS—62

Abraham	Frist	Mack
Ashcroft	Gorton	McCain
Baucus	Gramm	McConnell
Bennett	Grams	Mikulski
Bond	Grassley	Murkowski
Brown	Gregg	Nickles
Burns	Harkin	Pressler
Byrd	Hatch	Robb
Coats	Hatfield	Rockefeller
Cochran	Heflin	Roth
Cohen	Helms	Santorum
Conrad	Hollings	Shelby
Coverdell	Hutchison	Simpson
Craig	Inhofe	Smith
D'Amato	Jeffords	Snowe
DeWine	Kassebaum	Specter
Domenici	Kempthorne	Stevens
Dorgan	Kyl	Thompson
Exon	Leahy	Thurmond
Faircloth	Lott	Warner
Frahm	Lugar	

NAYS—34

Akaka	Feinstein	Lieberman
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Graham	Murray
Bradley	Inouye	Pell
Breaux	Johnston	Reid
Bryan	Kennedy	Sarbanes
Bumpers	Kerrey	Simon
Chafee	Kerry	Wellstone
Daschle	Kohl	Wyden
Dodd	Lautenberg	
Feingold	Levin	

NOT VOTING—4

Campbell	Pryor
Nunn	Thomas

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I ask unanimous consent to proceed for 60 seconds as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RATIFICATION OF THE INTERNATIONAL RUBBER AGREEMENT

Mr. BROWN. Mr. President, as a Member of the Senate, I have seldom used the opportunity to put holds on bills. It has been a very rare occasion, but I have in the past few weeks put a hold on the ratification of the International Rubber Agreement. It is an outrage to consumers and an outrage to free enterprise.