

negotiating a good bill, and I want to commend, in particular, my colleagues Senator CHAFEE, Senator ROCKEFELLER, Senator COATS, and Senator CRAIG for their hard work on this bill. I also want to thank Senator ROTH for his efforts in negotiating this legislation with our House counterparts.

This legislation will lead to an improvement in the services we provide to nearly 100,000 children in the foster care system who are unable to return to their biological families because of threats to their health and safety. This bill guarantee as never before that their health and safety will be the "paramount concern" at every step of their stay in foster care, including in the development of their permanency plan. It also assures that every effort will be made to move children into safe, permanent homes as quickly as possible.

Why is this important? Too often, children languish in foster care for years—years—before they find a safe, loving family. Many children, especially those with special needs, often never are placed with an adoptive family. Those children grow up in the foster care system, never knowing the security and warmth that a loving family provides.

To help ensure that the child's safety remains the paramount concern, this bill changes the focus on the way states define the term "reasonable effort." Too often, states have placed too much emphasis on returning a child to his or her biological family, even when doing so may mean endangering the child. This bill provides that states should still make every attempt to keep families intact, but—and this is a significant change in the current law—it also makes it very clear that there are a number of circumstances in which a state does NOT have to make a reasonable effort to reunite a child with the biological family. For example, if a parent has been found to have murdered another child in the family, or has subjected a child to chronic abuse, it is unreasonable—and irrational—to insist that the state return that child to the family. That seems like common sense, but, as we all know, the law doesn't always lead to common sense conclusion. This legislation clarifies this.

I also want to point out that this bill requires, for the first time, states to implement procedures by which they will perform criminal background checks on potential foster and adoptive parents. I think the average citizen would be very surprised to learn that we do not currently require states to do such checks. While some states check prospective adoptive parents for evidence of past criminal activity which might indicate that it would be dangerous to place a child in their care, most states do not. This bill would change that situation. The original House bill did not contain this provision, and I want to commend the Senate conferees, especially Senator

COATS, for insisting the Senate's language remain intact. It makes good sense.

Another hard-fought provision that the Senate can be very proud of provides that when a special needs child is adopted—that is, one who is hard to place because of a physical or mental disability—then the state must ensure that the child will have health insurance coverage. Too many of these special needs children have found that when they are adopted, their access to health care disappears and the adoptive family must shoulder the entire financial responsibility for the child. That can create a huge disincentive for an otherwise loving family to adopt a child with a physical disability. Our bill says that when a child is adopted, he or she will have the health insurance needed to meet his or her needs. That is a significant step, and, again, I am pleased the Senate remained steadfast in its insistence on this provision.

Mr. President, this bill is a victory for children and adoptive parents nationwide. There are more than 100,000 children awaiting adoption or other permanent placements, and this bill is a good step toward moving many of them into safe, loving, permanent homes.

Again, I extend my deepest thanks to Senators CHAFEE, ROCKEFELLER, CRAIG, COATS, DEWINE, KERREY, and ROTH for their hard work on this bill. We have been working to come to this agreement for months, and this bill is the hard-fought result of those efforts. I urge all my colleagues to give their support to this legislation.

Mr. MOYNIHAN. Mr. President, I rise today in support of H.R. 867, the Adoption and Safe Families Act of 1997. This legislation promotes adoption and makes important reforms in foster care. It includes provisions drawn from two bills I co-sponsored earlier this year, S. 511 [the "SAFE" Act] and S. 1195 [the "PASS" Act]. We have been able to work out bipartisan legislation with two goals we all share—ensuring the safety of children in the child welfare system, and finding permanent homes for as many children in foster care as possible.

Children in the child welfare system, victims of abuse and neglect, are among the most vulnerable in our society. Just this week, in my own state, we learned of another tragic death, that of little Sabrina Green. Sabrina, nine years old, lived in the Bronx. After both her mother and her latest foster mother died, Sabrina went to live with her oldest sister, Yvette Green. After what appears to have been months of abuse—such as burning Sabrina's hand over a stove as punishment for taking food out of the refrigerator—she was found beaten to death. Her sister and her sister's boyfriend have been accused of this crime.

We owe it to these abused and neglected children to do our best on their behalf. And I am encouraged that a group of our colleagues has worked to-

gether—on a bipartisan basis—to develop this legislation. I thank Senators CHAFEE, ROCKEFELLER, ROTH, CRAIG, JEFFORDS, KERREY, COATS, DEWINE, LANDRIEU, and the others who have played important roles in this effort.

This bill clarifies that the health and safety of the child are to be the "paramount" concern when making the difficult decisions involved in the child welfare system and it contains several other "safety first" provisions, such as requiring criminal records checks for prospective adoptive and foster parents. The bill accelerates the process for determining the permanent placement for a child in foster care, so that children do not spend years bouncing among foster homes. H.R. 867 also promotes adoption by providing states with financial incentives to get children in foster care adopted, and by breaking down health insurance and geographic barriers to adoption.

This legislation is an important step forward in our efforts to help abused and neglected children. I am proud to support it.

Mr. LOTT. I do want to say, Mr. President, for the RECORD, and I note Senator DASCHLE is also very interested in this, that I am very pleased we were able to get this legislation through the whole process. There was a lot of work by Senators on both sides of the aisle. I believe this will be one of the two or three important bills we passed this year, because it will help with foster care and adoption. I commend all Senators.

Mr. DASCHLE. Mr. President, I concur in what the majority leader just said. This is an important issue to the administration. They called again this afternoon to confirm it was going to pass.

Mr. LOTT. Mr. President, I move that the Senate concur in the amendment of the House to the Senate amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### AUTHORITY TO WAIVE CERTAIN ENROLLMENT REQUIREMENTS

Mr. LOTT. Mr. President, I call up House Joint Resolution 103, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 103) waiving certain enrollment requirements with respect to certain specified bills of the 105th Congress.

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

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

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be considered agreed to, and that the motion to reconsider be laid upon the table.

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

The joint resolution (H.J. Res. 103) was agreed to.

#### AUTHORITY TO MAKE CERTAIN APPOINTMENTS AFTER SINE DIE ADJOURNMENT

Mr. LOTT. Mr. President, I now call up Senate Resolution 156, which is at the desk.

The legislative clerk read as follows:

A resolution (S. Res. 156) authorizing the President of the Senate, the President of the Senate pro tempore, and the majority and minority leaders to make certain appointments after sine die adjournment.

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

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

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, and that the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 156) was agreed to, as follows:

#### S. RES. 156

*Resolved*, That notwithstanding the sine die adjournment of the present session of the Congress, the President of the Senate, the President of the Senate pro tempore, the Majority Leader of the Senate, and the Minority Leader of the Senate be, and they are hereby, authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

#### PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT ON THE STATE OF THE UNION

Mr. LOTT. Mr. President, I now call up House Concurrent Resolution 194 which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 194) providing for a joint session of Congress to receive a message from the President on the State of the Union.

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

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

Mr. LOTT. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 194) was agreed to.

#### PROVIDING FOR THE CONVENING OF THE 2d SESSION OF THE 105th CONGRESS

Mr. LOTT. Mr. President, I now call up Senate joint resolution 39, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 39) to provide for the convening of the second session of the One Hundred Fifth Congress.

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

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

Mr. LOTT. Mr. President, I ask unanimous consent that the joint resolution be considered read the third time and passed, and the motion to reconsider be laid upon the table.

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

The joint resolution (S.J. Res. 39) considered read the third time and passed, as follows:

#### S.J. RES. 39

*Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled*, That the second regular session of the One Hundred Fifth Congress shall begin at noon on Tuesday, January 27, 1998.

SEC. 2. Prior to the convening of the second regular session of the One Hundred Fifth Congress on January 27, 1998, as provided in the first section of this joint resolution, Congress shall reconvene at noon on the second day after its Members are notified in accordance with section 3 of this joint resolution.

SEC. 3. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to assemble whenever, in their opinion, the public interest shall warrant it.

#### THANKS OF THE SENATE TO THE VICE PRESIDENT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to Senate Resolution 157 introduced earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 157) tendering the thanks of the Senate to the Vice President for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate.

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

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

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 157) was agreed to, as follows:

#### S. RES. 157

*Resolved*, That the thanks of the Senate are hereby tendered to the Honorable Al Gore, Vice President of the United States and President of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the

first session of the One Hundred Fifth Congress.

Mr. LOTT. Mr. President, I would like to note at this point in the RECORD that on occasion we do make use of the Vice President's office across the hall. He is unfailingly cooperative in making it available to Senators on both sides of the aisle. And it has been a pleasure working with the Vice President in his role in presiding over the Senate this year.

#### TENDERING THE THANKS OF THE SENATE TO THE PRESIDENT PRO TEMPORE

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to Senate resolution 158, introduced earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 158) tendering the thanks of the Senate to the President pro tempore for the courteous, dignified, and impartial manner in which he has presided over the deliberations of the Senate.

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

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

Mr. LOTT. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 158) was agreed to, as follows:

#### S. RES. 158

*Resolved*, That the thanks of the Senate are hereby tendered to the Honorable Strom Thurmond, President pro tempore of the Senate, for the courteous, dignified, and impartial manner in which he has presided over its deliberations during the first session of the One Hundred Fifth Congress.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I just want to call attention to this resolution. I think the President pro tempore deserves the accolades, the attention that this resolution provides. Many of us have watched with great admiration as he has conducted his responsibilities as President pro tempore. He has been doing it now for over 100 years.

(Laughter.)

And we are just grateful that he continues to do it with such aplomb. We thank him and we appreciate, as the resolution notes, his "courteous, dignified, and [extraordinarily] impartial" approaches to his responsibilities. And we thank him for that.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. Mr. President, I want to thank Senator DASCHLE for his comments and the accuracy of the years of service. I note that the President pro tempore is working now as we are commending him. He is diligently tending