

[Rollcall Vote No. 29 Leg.]

## YEAS—99

Abraham	Feinstein	Mack
Akaka	Ford	McCain
Allard	Frist	McConnell
Ashcroft	Glenn	Mikulski
Baucus	Gorton	Moseley-Braun
Bennett	Graham	Moynihan
Biden	Gramm	Murkowski
Bingaman	Grassley	Murray
Bond	Gregg	Nickles
Boxer	Hagel	Reed
Breaux	Harkin	Reid
Brownback	Hatch	Robb
Bryan	Helms	Roberts
Bumpers	Hollings	Rockefeller
Burns	Hutchinson	Roth
Byrd	Hutchison	Santorum
Campbell	Inhofe	Sarbanes
Chafee	Inouye	Sessions
Cleland	Jeffords	Shelby
Coats	Johnson	Smith, Bob
Cochran	Kempthorne	Smith, Gordon
Collins	Kennedy	H.
Conrad	Kerrey	Snowe
Coverdell	Kerry	Specter
Craig	Kohl	Stevens
D'Amato	Kyl	Thomas
Daschle	Landrieu	Thompson
DeWine	Lautenberg	Thurmond
Domenici	Leahy	Torricelli
Dorgan	Levin	Warner
Durbin	Lieberman	Wellstone
Enzi	Lott	Wyden
Faircloth	Lugar	
Feingold		

## ANSWERED "PRESENT"—1

Dodd

So the resolution (S. Res. 39), as amended, was agreed to.

Mr. ROTH. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

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

The motion to lay on the table was agreed to.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

## MORNING BUSINESS

Mr. ROTH. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

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

The Senator from Delaware.

Mr. ROTH. I thank the Chair.

(The remarks of Mr. ROTH and Mr. MOYNIHAN pertaining to the introduction of S. 425 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

## TRIBUTE TO MARTY SLATE

Mr. KENNEDY. Mr. President, all of us who knew Marty Slate and who worked with him over the years were saddened to learn of his recent, untimely death.

Marty was an exceptionally dedicated public servant. He worked effectively throughout his extraordinary career to improve the quality of life for working men and women. He served well in many capacities, directing the field operations of the Equal Employment Opportunity Commission, leading the ERISA Division of the Internal

Revenue Service, and as Executive Director of the Pension Benefit Guaranty Corporation. Marty also worked hard, on a daily basis, to improve the quality of life of those around him, particularly his staff and coworkers.

Marty was a brilliant lawyer and a gifted manager who knew how to get things done. He inspired the people who worked for him and helped make them some of the most effective and productive public servants in the Nation. Everywhere he went, his ability and dedication brought out the very best in his colleagues and his staff.

Marty was a superb legislative strategist who understood the role of Government and the impact that Government could have on working Americans. He was the moving force behind the Retirement Protection Act, the pension funding legislation that Congress approved in 1994.

Early in the Clinton administration, Marty brought together representatives of the PBGC, Treasury, IRS, Labor, Commerce, OMB, and other Federal agencies as part of an impressive task force. The task force worked effectively under Marty's leadership to identify the problems that caused pension underfunding, and the best solutions to those problems. As chairman of the task force, Marty's door was always open. No person or group was ever shut out of the process. Needless to say, the task force issued its findings and recommendations in a timely manner.

After the task force report was issued, Marty looked to the future, and worked closely with Congress on legislation to address the problem of pension underfunding. As my Senate colleagues will recall, we approved the funding reforms in the Retirement Protection Act, the most significant pension legislation since the enactment of the Employee Retirement Income Security Act in 1974. It was an extraordinary bipartisan accomplishment, and it was Marty's accomplishment, too. Millions of working men and women have pensions that are more secure today because of Marty Slate.

In his years at the Equal Employment Opportunity Commission, Marty worked hard to assure that workers did not suffer from discrimination.

Under his leadership, the EEOC wiped out case backlogs and vigorously prosecuted discrimination complaints. As director of field operations for the agency, he was responsible for the day-to-day activities of 46 field offices. The large numbers of working men and women who were protected from discrimination because of Marty's efforts owe him an enormous debt of gratitude.

When Marty left the EEOC to work for the Internal Revenue Service, he established the Georgetown-IRS Masters of Taxation Fellowship Program." This program was designed to help those who were not historically represented in the fields of taxation and pensions because of discrimination and lack of

opportunity. Under this program, students applied for admission to Georgetown's Masters of Taxation Program, while simultaneously applying for a job at the IRS. The IRS, the university, and the student-fellow would share the costs of tuition.

When Marty left the IRS in 1993, he created a similar fellowship program at the PBGC. The fellowship programs that Marty created have been extremely successful, and have enabled many African-Americans and other minority students to break through longstanding barriers and find jobs in the fields of taxation and pensions. One graduate of this program is now a professor at Catholic University.

In ways like these, Marty Slate didn't just talk about fair play and equal opportunity. He helped to assure that new opportunities for African-Americans and other minorities actually existed, and the graduates of these fellowship programs will carry on Marty's fine work.

Marty is warmly remembered by those who worked with him as a person who took genuine personal interest in helping them to advance their careers. With all his myriad of responsibilities, he was never too busy to write a letter or place a phone call to help someone develop their career. He was never too busy to reach out. He was there for the people he led and managed because he cared deeply about them.

Marty also loved sports. He was a true Boston Red Sox fan and he had a great love for sports trivia. A local radio station in this area has a call-in trivia contest for sports fans, which takes place in the middle of the night. Marty would regularly set his alarm for 2 o'clock or 3 o'clock in the morning and get up and call into the talk show. He called so often that he was known on the show as "Marty from Bethesda." Marty almost always knew the answer and would win Baltimore Orioles tickets. He would then share the tickets he won with his friends.

As a Boston Red Sox fan myself, I am particularly fond of a story from Marty's childhood. One day, when he was about 6 years old, he wanted to go to Fenway Park to watch the Red Sox play. His parents were concerned, because they couldn't go that day, and they didn't want him to go alone.

Marty found a way to heed his parents' advice. The Red Sox won and he had a wonderful time. But when he came back, police and emergency vehicles were parked on his street. They were there because 6-year old Marty had, in fact, listened to his parents. He did take someone to the game. The problem was that it was the 3-year-old child of a neighbor. And the police were looking for the missing child in the neighborhood. Even at that young age, Marty was demonstrating his extraordinary sense of responsibility.

Now that he has left us, all of us who were touched by Marty's brilliance and compassion will work harder to carry on his work. That's the way Marty would have wanted it.

My heartfelt condolences go to the Slate family, to Marty's wife, Dr. Caroline Poplin, to his parents, Albert and Selma Slate, to his brother, Dr. Jerome Slate, to his sister, Emily Slate, and to all of Marty's friends and coworkers. He touched all our lives, and we will never forget him.

#### THE HARSH IMPACT OF THE WELFARE BILL ON IMMIGRANTS.

Mr. KENNEDY. Mr. President, last year Congress passed a comprehensive welfare reform bill that drastically restricted the ability of legal immigrants to participate in public assistance programs. It prohibits legal immigrants from receiving food stamps, SSI, and Federal non-emergency Medicaid benefits. The bill also gives States the option to ban legal immigrants from State Medicaid services and temporary assistance to needy families (formerly AFDC).

In the past 2 months, we have begun to see the harsh impact of this bill on legal immigrant families in all parts of the country. Many face being turned out of nursing homes, and cut off from disability payments. These human tragedies will only continue to grow in number and severity without congressional action.

Last month, President Clinton proposed some changes to the law to prevent these harsh effects. I urge Congress to act quickly on these proposals, and I ask unanimous consent that recent news stories on this crisis may be printed in the RECORD.

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

[From Newsday, Feb. 28, 1997]

#### ON THEIR OWN—ELDERLY, AILING NONCITIZENS FACE LOSS OF FEDERAL BENEFITS (By Geoffrey Mohan)

Gladys Boyack will be 106 by the time tough new federal regulations on welfare go in to effect in August.

She'll also find herself cut from the rolls of a federal program designed to be a safety net for the elderly, disabled and blind.

A British citizen who has lived in the United States for 40 years, working most of those years as a nanny, Boyack never applied for U.S. citizenship. Now, the Islip resident regrets her omission; welfare regulations enacted by Congress are expected to cut nearly 5,000 elderly, blind and disabled immigrants on Long Island from Supplemental Security Income rolls. All of them are legal permanent residents, a status that is a step below citizenship.

Among them is Lucrecia Lopez, 75, of Freeport, a Dominican immigrant who has been in Freeport for 17 years and labored for eight years in a local factory assembling artificial Christmas trees.

Boyack and Lopez received letters this month saying they will lose their monthly payments—\$556 and \$570, respectively—because neither became a citizen during their stay in the United States.

"I couldn't believe it when I got that letter," said Susan Levin, Boyack's granddaughter, who takes care of Boyack in a first-floor apartment at Levin's house. "There's nothing we can do. The last check will come in July."

Boyack and Lopez face a difficult choice at a late juncture in life: struggle through the forms, tests and language requirements of naturalization, or enroll in local aid programs.

Boyack is household and nearly deaf. Lopez, who speaks only Spanish, would have to learn English at 75.

So both will probably apply for less-generous state aid, and depend on their families or charities to make up the difference.

"She's 75 years old," said Lopez' son Jose, an import-export businessman from Miami who supports a wife and two children. "Who's going to take the load? As we say in the Dominican Republic, we have to put more water in the soup."

Boyack and Lopez are just two of 4,929 immigrants on Long Island considered likely to lose their SSI benefits as part of Congress' get-tough welfare policies, adopted in August and scheduled to take effect Aug. 22.

The changes, aimed at saving the federal government \$9 billion over four years, will cut off all but a narrow sector or noncitizen immigrants from SSI.

Similar cuts are looming in the food stamp, Medicaid and Aid to Families With Dependent Children programs.

Congress enacted the cutbacks in an effort to slow so-called chain migration, which occurs when immigrants who obtain citizenship petition to bring elderly family members to America from their home country. The elderly relatives often have a few wage-earning and taxpaying years ahead of them and little means of support from their sponsors.

"We are paying for the sinners who abuse the system," Jose Lopez said.

Congress also made sponsors' pledges of support as legally binding as a contract and increased the period of time in which the sponsors' income can be considered in calculating the new immigrant's need for federal aid.

In part, the moves were inspired by statistics showing that the number of immigrants using welfare programs has greatly increased. For example, the number of immigrants receiving SSI quadrupled in a decade ending in 1993, and immigrants rose from 4 percent of all SSI clients to more than 11 percent over that time period, according to the General Accounting Office, Congress' investigative arm.

"The SSI system is available to people who come to this country and never pay into the system and didn't work," said Dan Stein, executive director of the Federation for American Immigration Reform, which supported the welfare revisions.

But Stein acknowledged that Congress may not have intended to pull the safety net away from unemployable immigrants over age 64 who worked and paid taxes.

"The fact that there are tough cases out there has underscored the need for some grandfathering of hardship cases," Stein said. "But we won't support this if we encourage more chain immigration."

On this point only, Stein agrees with activists like Margie McHugh, executive director of the New York Immigration Coalition. "We still don't believe the American people really intended to throw elderly people out onto the street in the name of welfare reform," she said.

"No one that I know of argues with the idea of people being responsible for the folks they bring into the country, but I think that for immigrants, like everyone else, unforeseen things happen," McHugh added.

Federal officials have since loosened citizenship rules for the disabled, but have not moved to reinstate benefits to unforeseen hardship cases, McHugh said.

Pro-immigration activists like McHugh worry that the philosophical shift from fed-

eral to local responsibility implied in welfare overhauls is not accompanied by a shift of money from federal to local coffers.

Such may be the case for SSI. Current state budget proposals would provide a maximum of \$350 in vouchers to people like Boyack and Lopez, according to Terrance McGarth, spokesman of the State Department of Social Services.

So if both qualify for the maximum, their families or charities would have to bridge the \$200-plus gap between their SSI benefits and the new state benefits.

Not all noncitizens face this peril. Immigrants granted asylum and refugees were excluded, and anyone who can show roughly 10 years of work, even combined with their spouse's work history, can remain on the rolls.

SSI benefits are administered by the Social Security Administration, but they come from general tax revenues, not Social Security taxes.

Boyack, who worked off the books as a nanny, never paid federal income taxes. Lopez did, but not for the required 10 years. Neither woman's husband ever came to the United States, so they cannot be counted in the work experience minimum; both men are deceased.

Activists say women like Lopez and Boyack are victims of flawed reasoning behind welfare cuts for immigrants, a population that frequently works off the books or has not been in the United States long enough to draw meaningful Social Security benefits, SSI becomes their only alternative, by default.

That option is about to disappear.

"I feel very worried and sad," said Lucrecia Lopez. "I asked myself, 'How am I going to support myself?' And so many people are having the same thing happen." SSI and Welfare law.

Supplemental Security Income was established in 1974 to provide monthly payments for the aged, blind and disabled. It is run by the Social Security Administration, but draws its resource from general tax revenues. SSI pays out about \$2.4 billion per month to nearly 6 million beneficiaries.

Nationwide, 12 percent of those recipients are legal immigrants, or were when they applied for SSI benefits. On Long Island, 19.8 percent of recipients are legal immigrants, or were when they applied.

Nationwide, 522,000 immigrant SSI recipients could become ineligible under welfare revisions to take effect in August. On Long Island, 4,929 are likely to lose SSI. An additional 2,552 will be asked to show evidence of eligibility, but are not considered in jeopardy.

According to the Social Security Administration, welfare changes will cut off all non-citizen immigrants from SSI benefits except:

Refugees and immigrants granted asylum, who are eligible only for the first five years after arrival.

Immigrants whose deportation has been suspended; eligibility is limited to the first five years after arrival.

Certain active-duty military personnel, including honorably discharged veterans, their spouses and dependent children.

Permanent residents who can document 10 years of work by themselves or in conjunction with a spouse. \* \* \* Immigrants and SSI Percent of SSI recipients who are classified by the Social Security Administration as legal immigrants:

#### WELFARE REFORM STARTS HITTING HOME (By Kathy Matheson)

Changes mandated by federal welfare reform are beginning to ripple slowly through Montgomery County, but not slowly enough for Silver Spring resident Marta Medina.