

for working Americans, and especially for working Americans who have families to raise. That is good news. Is it everything we want? Of course not. I would like to see more action in the area of Medicare, for example. But the will wasn't there—both at the White House and, unfortunately, in the other body. But as a practical matter, the spending restraints in this bill are very significant.

The rate of growth in spending in this bill is approximately one-half of 1 percent over the next 5 years in discretionary nondefense accounts—one-half of 1 percent. That is the lowest rate of growth of spending that has occurred in the last 20 years in this Government in the area of discretionary accounts. That is significant. Because we have that low rate of growth of spending on the discretionary side of the ledger, we are able to bring into balance the budget agreement of this Government by the year 2002. We will have to go back and we will have to revise the issue of Medicare. There is no question about that. That remains a big issue of public policy. But within the Medicare accounts we made some very substantive and positive changes in this bill.

In the spending package is the proposal for Choice Care. Choice Care gives seniors approximately the same type of options which we as Members of Congress have—the ability to go out into the marketplace and choose from a variety of different health care plans. The practical effect of that is to bring the market forces into play to control the rate of growth of the cost of Medicare and, at the same time, give seniors much more choice, many more options, in the way they get their health care provided. Choice Care is a very positive, substantive, long-term reform for the Medicare system, and it is in this bill. So there were significant steps taken in that account, too.

But, most importantly, you have to return to the fact that not only do we balance the budget, but we give these very significant tax cuts to working Americans—especially working Americans who are trying to raise a family. Isn't it about time? This is relief that is long overdue. As this Government finally gets its fiscal house in order, as we move toward a balanced budget, who should be the recipient of that positive event, of that good fiscal management? Well, the people who paid for the Government should be the recipient of that.

That is what this bill essentially does. It turns back to those folks who are paying the cost of the Government some of their hard-earned dollars so that they can make the decision as to how they are spent rather than having that decision made here in Washington. We do not happen to believe, those of us who support this tax cut, that the Federal Government is a better manager of your dollars if you are running a household than you are. We think that if you have money to decide how you want to raise your children and to

use it on spending for your children's education, you are going to do a better job of spending than in educating your children than if the Federal Government takes your money, brings it here to Washington, and then redistributes it to you.

So this tax cut is a very important event, and a big win—a big win—for the working American family. Thus, I am certainly hopeful that we will pass this package later this week and make that major step forward, or that significant step forward, in assisting families in this country meet the costs of raising kids and see that at the same time we move this Government toward a balanced budget.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mr. GREGG. Mr. President, we are here to consider the Commerce, State, Justice bill.

I ask of the Chair, how is the time being allocated relative to the Wellstone amendment?

The PRESIDING OFFICER. Under the order on the Wellstone amendments, they are entitled to 30 minutes equally divided on each of the two amendments.

Mr. GREGG. So the time is still available, the full 30 minutes on each amendment?

The PRESIDING OFFICER. That is correct.

Mr. GREGG. I yield the floor.

Mr. HOLLINGS addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

#### THE BUDGET COMPROMISE

Mr. HOLLINGS. Mr. President, the distinguished Senator from Minnesota has now arrived.

Let me just remind colleagues once again. When we look at the concurrent resolution on the budget for fiscal year 1998—we wouldn't put that entire conference report in the RECORD, obviously. But I ask unanimous consent that section 5 on page 4, which only contains some seven lines, be printed in the RECORD at this particular point.

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

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 1998: \$5,593,500,000,000.

Fiscal year 1999: \$5,841,000,000,000.

Fiscal year 2000: \$6,088,600,000,000.

Fiscal year 2001: \$6,307,300,000,000.

Fiscal year 2002: \$6,481,200,000,000.

Mr. HOLLINGS. Mr. President, it shows the public debt for the fiscal year 2001 at \$6,307,300,000,000, and it shows for fiscal year 2002 the public debt has increased to \$6,481,200,000,000, an increase of \$173.9 billion. It does not show a balanced budget. It does not

show, I emphasize, a balanced budget in the fiscal year 2002. We all know from the agreement last evening that rather than cutting taxes only \$85 billion, it was a net tax cut of \$90 billion. So we have increased the loss of revenue some \$5 billion. We also know that the spending under the particular 1998 budget agreed to last evening increased some \$52 billion.

So what we have done since we made that agreement—and the conference report was adopted last month—is to actually increase spending more, and reduce the revenues more. So we know that come the year 2002, we will not have the first balanced budget in 33 years. The document itself shows it is in deficit because the debt increases that last year. Why will the debt increase if we had a balanced budget?

It is quite obvious that we have not taken significant steps for the middle class or the working Americans as has been described here. If we really wanted to help working Americans, we could have cut payroll taxes. But the truth of the matter is that we cut capital gains taxes for the rich. We cut the inheritance tax for the rich. So we didn't do it for working Americans. We kept that high payroll tax up. We left out the working Americans, and we agreed on both sides to call it balance, which is a total fraud.

I yield the floor.

#### APPOINTMENT OF CONFEREES— H.R. 2209

The PRESIDING OFFICER. Under a previous agreement, the Chair is authorized to appoint conferees on H.R. 2209.

The Presiding Officer appointed Mr. BENNETT, Mr. STEVENS, Mr. CRAIG, Mr. COCHRAN, Mr. DORGAN, Mrs. BOXER, and Mr. BYRD conferees on the part of the Senate.

#### DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

#### PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, first of all, I ask unanimous consent that Elise Gould, a fellow in my office, be granted the privilege of the floor during today's session.

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

#### AMENDMENT NO. 1032

(Purpose: To clarify the income eligibility requirements for victims of domestic violence)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk in behalf of myself, Senator TORRICELLI, Senator LANDRIEU, and Senator AKAKA.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself, Mr. TORRICELLI, Ms. LANDRIEU, and Mr. AKAKA, proposes an amendment numbered 1032.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in title V of the bill, insert the following:

SEC. 5. For fiscal year 1998 and subsequent fiscal years, in establishing the income or assets of an individual who is a victim of domestic violence, under section 1007(a)(2) of the Legal Services Corporation Act (42 U.S.C. 2996f(a)(2)), to determine if the individual is eligible for legal assistance, a recipient described in such section shall consider only the assets and income of the individual, and shall not include any jointly held assets.

Mr. WELLSTONE. Mr. President, I understand that this amendment will be accepted. I am very pleased. I think there is strong bipartisan support for it. We worked very hard to make sure it was kept in conference.

I would like to thank Senator HOLLINGS and Senator GREGG for their support, and Senator TORRICELLI who is out here on the floor.

Mr. President, let me briefly summarize this amendment. This amendment essentially ensures that no one who is a victim of domestic violence will be denied legal representation because of the economic status of her or his abuser.

Mr. President, I am saddened to have to really on the floor of the Senate make the point that what we have right now in the country is something close—it is a staggering problem. We have an estimated 4 million American women who experience a serious assault by a husband or boyfriend each year. In 1993 alone, over 1,300 women were reportedly killed by abusive partners or former partners.

I want to make it clear that Legal Services has done a wonderful job. They have handled over 250,000 cases involving domestic violence; 50,000 of those cases involved clients seeking protection from abusive spouses.

The problem is that all too often those on the receiving end of grants in some cases—I know in Minnesota this happens—they really do everything they can and extend the rules or figure out ways of providing legal representation. Most of the time it is for a woman. But sometimes what happens in other situations is they don't because it is a horrible catch-22 situation where the income of the husband or assets of the husband which are the assets of the household makes this woman who has been abused and beaten up ineligible for any legal representation. By the same token, she can't afford to have legal representation on her own, in which case she is without

protection. This is critically important. I actually don't think that this is an exaggeration to say that this quite often is a life or death situation.

So when we are talking about obtaining orders of protection, child support, and other kinds of protection, this is critically important.

I again thank both of my colleagues for their support of this amendment. I want to thank Senator TORRICELLI who has been very active and a real leader in this area for his support.

This is an important clarification. One more time, and I will finish.

The legal services community in the country is doing the very best job. But, if we had a debate, I would have brought out to the floor many examples—very telling examples—of women who have not been able to receive the protection. Legal Services lawyers want to provide it but are not at all clear that they can because of the income of the husband and sometimes the income of a wife. This is a tragedy.

This is a huge step forward. It is a very significant amendment. I thank both of my colleagues for their support.

Mr. GREGG. Mr. President, I think it is an excellent amendment, and it is an appropriate amendment. We have no objection to it.

I urge its adoption.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE. Mr. President, I know that we have amendments. But I yield some time to my colleague from New Jersey, who has been a real leader in this area.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. TORRICELLI. Mr. President, I thank the Senator from Minnesota for yielding. And I want to offer my thanks to Senator HOLLINGS and Senator GREGG for agreeing to this amendment.

Mr. President, this is not the first time that I have joined with Senator WELLSTONE in legislation to help women who are the victims of domestic violence.

In the last Congress we successfully led an effort to deny access to handguns to people who have convictions of domestic violence. We return here today because the plague of domestic violence has not abated. It is believed that there are 3 to 4 million women every year in America who are subjected to domestic violence. Every 18 seconds another victim is struck. Indeed, during the course of a lifetime, half of the women in this country will be abused by a husband or a boyfriend or someone with whom they live.

One of the tragic ironies of this terrible situation is that in the moment when women need the help of the law the most they are denied. The Legal Services Corporation last year handled a quarter of a million cases of domestic violence and yet those women who may have needed the help the most could not get Legal Services assistance be-

cause the income of their husbands, the very people who might be striking them, the person from whom they are seeking a restraining order or a divorce, made them ineligible.

The amendment we offer today would eliminate this tragic contradiction. I believe it is a good statement by this Senate, a realistic recognition of a terrible national problem and the ending of this real dilemma for American women, that in the future it can be said any woman, regardless of her husband's income, will be able to get legal assistance because of her own vulnerability, based on her own lack of resources. So she gets the protection she needs.

I am very pleased to be offering this amendment with Senator WELLSTONE today and once again offer my thanks to Senator GREGG and Senator HOLLINGS for their support.

I yield the floor.

Mr. WELLSTONE. Mr. President, I think we can go forward with the vote. I thank my colleague from New Jersey.

Please, I say to both of my other colleagues, this is a very important amendment. It really is connected to many people's lives, and many of them are women—some men but I am sad to say mainly women. This is an extremely important protection that we are now providing to these women with children. I hope we will keep this in conference committee.

I thank, Mr. President, the National Task Force on Violence Against Women and NOW Legal Defense and Education Fund, for their help on this amendment.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I yield back the remainder of our time and ask unanimous consent the amendment be agreed to.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment is agreed to.

The amendment (No. 1032) was agreed to.

Mr. WELLSTONE. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 1033

(Purpose: To require the Legal Services Corporation to conduct a study regarding persons prohibited from receiving legal representation regarding efforts to reform welfare systems)

Mr. WELLSTONE. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Mr. WELLSTONE], for himself and Mr. KENNEDY, proposes an amendment numbered 1033.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in title V of the bill, insert the following:

SEC. 5 . The Legal Services Corporation shall—

(1) conduct a study to determine the estimated number of individuals who were unable to obtain assistance from its grantees as a result of the enactment of section 504(a)(16) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104-134:110 Stat. 1321-55), during the six month period commencing with the enactment of this Act; and

(2) not later than 30 days thereafter, submit to Congress a report describing the results of the study conducted under paragraph (1).

Mr. WELLSTONE. Mr. President, I can be very brief on this. This is really just a study.

Basically, what this amendment asks is that as we go forward with the welfare bill and it is implemented in States around the country, the Legal Services Corporation compile data on what kinds of appeals might be made by women and their families dealing with the welfare law as it is implemented.

It is simply a study to document numbers of people who come to them with a variety of different grievances so that we get a clear record of what is happening. Right now, in many cases, these lawyers are not able to take up these cases.

This does not mandate anything. It just simply calls for a study.

I thank my colleagues for their support.

Mr. GREGG. Mr. President, I ask unanimous consent the amendment be agreed to, and I yield back the remainder of our time.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 1033) was agreed to.

Mr. GREGG. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. WELLSTONE. Mr. President, I thank my colleagues.

Is the amendment agreed to?

The PRESIDING OFFICER. The amendment is agreed to.

Mr. WELLSTONE. As to this amendment, I think what we want to make sure of, whatever differences we have about the welfare bill, what I think is a kind of bipartisan consensus is that it work well as it gets implemented at the State level. And so whether it is food-nutrition programs or whether it is a mother trying to find child care or whether someone who is in a job training program and trying to stay in that program or whether it is an issue of public transportation, we want to make sure that all of our citizens, even if they are poor, even if they are women and children, have legal representation and that the due process rights are maintained. I think this study will give us a clearer picture as

to where we are in relation to these issues.

I thank both my colleagues.

Mr. President, I would also like to thank them for their patience. I was at Justice Brennan's service and that is why I was a little late in getting back.

Mr. President, I yield back the remainder of my time.

#### RESTRICTIONS ON INS FINGERPRINTING IN THE CJS APPROPRIATIONS BILL

Mr. ABRAHAM. Mr. President, I would like to raise with the distinguished chairman of the Appropriations Subcommittee on Commerce, Justice, State, and the Judiciary, an important issue related to restrictions included in the CJS bill that reform the taking and processing of fingerprints by the Immigration and Naturalization Service for criminal background checks. At the outset, I would also like to thank Senator GREGG for his work on this issue, which has been of significant concern to me as chairman of the Immigration Subcommittee. I know it is also of great concern to the ranking member on our Subcommittee, Senator KENNEDY.

In fact, I chaired a hearing on this issue earlier this Congress and am considering legislation to address some of the very serious faults in the INS's conduct of criminal background checks. I have also raised this issue with the Director of the Federal Bureau of Investigation, who expressed serious concerns—in terms of both quality and integrity—with the INS's use of outside entities to take fingerprints. Accordingly, I am pleased that the CJS bill will take us away from the current system, although I know that much remains to be done in this area.

The language in the manager's package will permit fingerprints for INS purposes to be taken only by offices of the INS or by law enforcement agencies, which may collect a fee for the service of taking and processing the fingerprints. The INS has indicated that it is moving to a new fingerprint processing system under which it would take all of the fingerprints at INS offices, and has indicated that it can do so without unduly delaying the naturalization process. However, the INS will not be able to bring its new system up and running by the start of the next fiscal year. Even with the ability to also utilize the services of law enforcement agencies, I believe that a delayed effective date of 9 to 12 months will be required so there can be an orderly transition to the new system and so that the processing of naturalization applications can continue without complete disruption to the system.

Mr. KENNEDY. I agree wholeheartedly with the chairman of the Immigration Subcommittee, and I share his concerns. The backlog in citizenship applications continues to grow. Without a significant delay in the effective date, we will have serious and possibly irreversible disruption in the naturalization process.

Mr. ABRAHAM. I thank the distinguished Senator from Massachusetts for his remarks. I would simply like to confirm with Senator GREGG my understanding that the effective date will be looked at in conference so that the effect of this provision can be delayed—I would hope in the range of 9 to 12 months—to an appropriate point.

Mr. GREGG. Yes. In conference, we will certainly examine the effective date of this provision and modify it as needed to make this transition work.

Mr. ABRAHAM. I thank the chairman in advance for his careful consideration of this issue in conference, and for the modifications to the provision that he has already made. I look forward to continuing to work with him in addressing the very serious problems in the INS's processing of citizenship applications.

#### U.S./ISRAEL SCIENCE AND TECHNOLOGY COMMISSION

Mr. HOLLINGS. Mr. President, I would like to clarify report language on page 65 concerning the committee's willingness to permit the technology administration to undertake certain international economic development initiatives, particularly as it affects the United States/Israel Science and Technology Commission. I have long been a supporter of the work of the Commission, a binational program that promotes economic and technological collaboration between the United States and Israel that has already provided numerous benefits to both countries. It was not our intention to affect in any way the current or future activities and operations of the Commission, and I would like to clarify with the chairman of the subcommittee that it was not his intention either.

Mr. GREGG. The Senator is correct.

#### TEENS, CRIME AND THE COMMUNITY FUNDING

Mr. HOLLINGS. Mr. President, I would like the attention of my colleagues to point out what I see as an unintentional omission. Last year's Commerce, Justice, State appropriations' conference report contained language which provided \$1.0 million for the National Crime, Prevention Council's Teens, Crime and the Community Program otherwise known as TCC. The Senate supported this provision last year and it was my intention that it be included in this year's bill. Unfortunately, it was inadvertently left out of the committee report. For my part, I believe it should be the Senate's intent that funding for The Teens, Crime, and the Community Program be included when the bill reaches conference.

Mr. GREGG. Would the Senator yield?

Mr. HOLLINGS. I yield to the distinguished chairman.

Mr. GREGG. I appreciate the ranking member, Senator HOLLINGS, bringing this oversight to the Senate's attention. Last year, I supported including this program in the conference report,